

**ELECTIONS TO MANDAL PRAJA PARISHADS AND
ZILLA PRAJA PARISHADS, 2011.**



*Hand Book for Presiding Officers
(where ballot boxes are used for conduct of polls)*

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CHAPTER – 1

BROAD OUTLINES OF DUTIES

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 State Election 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.

2. The provisions of the law, which have a bearing on your duties as a Presiding Officer, are reproduced in **Annexure – I & I (A)** of this Handbook. While detailed instructions and guidance are contained in the various Chapters of this Handbook some of the salient and important aspects of your duty are reproduced below for your guidance:-

- (i) You must acquaint yourself with members of your polling party and keep contact with them right from your appointment as Presiding Officer.
- (ii) You must keep in ready possession all relevant instructions of the Returning Officer.
- (iii) You must have a clear idea of the location of your polling station and your itinerary to and from the polling station.
- (iv) You should attend all rehearsals and training classes without fail.
- (v) While collecting election materials, you should ensure that all items have been handed over to you. The most important items are ballot papers, ballot boxes, marked copy of electoral roll and other copies, arrow cross mark rubber stamp for voting, distinguishing mark, statutory forms, sealing wax and indelible ink.
- (vi) On arrival at the polling station, you should have clear idea of the arrangements to be made for setting 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.
- (vii) You are required to sign your name in full on the back of each ballot paper before issue (but not on the counterfoil of the ballot paper). To enable the commencement of poll at the appointed time, you should keep in advance some ballot papers signed.
- (viii) You are also required to affix on the back of each ballot paper and its counterfoil distinguishing mark of your polling station with the rubber stamp given to you.
- (ix) The identity of an elector should be properly verified by the First Polling Officer and the unofficial identity slips carried by an elector should not be accepted as a matter of routine and ballot paper issued on that basis.

- (x) The instructions for establishing the identity of the elector should be followed carefully.
- (xi) After elector is identified with reference to his entry with particulars in the electoral roll, his left forefinger should be marked with the indelible ink. His signature or thumb impression should also be obtained on the counterfoil of the ballot paper and then only he should be issued with the ballot paper.
- (xii) In order to ensure the indelible ink mark put on the voter's finger has properly dried up and developed into a distinct indelible ink mark it may be necessary that his left forefinger is again checked up by the last Polling Officer before the elector leaves the station. If the ink mark is not distinct or found removed, the elector's forefinger should again be marked with the indelible ink.
- (xiii) After an elector has been identified in the marked copy of the electoral roll, the entry relating to the elector should be underlined, a tick mark (✓) will also be put in the case of a female elector. The Serial No. of the ballot paper should not be noted at all in the marked copy of the electoral roll against the elector's name. If an elector refuses to put his signature or thumb impression on the counterfoil, he should not be issued a ballot paper.
- (xiv) The ballot papers need not be issued to electors in consecutive serial order as that would enable the polling agents to work out the serial number of ballot paper that is being issued to individual voters. At the same time, if the first three or four bundles of ballot papers (50 in number in a bundle) are shuffled and bundles used at random and not in consecutive serial order, then the object would be served. At the close of the poll, the numbers of the ballot papers issued to the electors should be in continuous and unbroken series to avoid confusion in drawing up the ballot paper account.
- (xv) If you consider an elector to be much below the minimum age of voting, i.e., 18 years, but otherwise satisfied about his identity and the fact of inclusion of name in the electoral roll, you should obtain a declaration from him about his age, vide Form of Declaration in **Annexure - II**
- (xvi) If an elector to whom a ballot paper issued, refuses even after warning given to him to observe the procedure relating to the maintenance of secrecy of voting within the polling station, the ballot paper issued to him shall, whether he has recorded his vote or not, be taken from him by you or under your direction and thereafter cancelled.
- (xvii) There are declarations to be filled by you and signed by polling agents present in the polling station at the commencement and at the end of the poll.
- (xviii) You have to go on recording the relevant events as and when they occur in the Presiding Officer's diary given to you and which is serially numbered.

- (xix) 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 should be firm and impartial.
- (xx) You are required to grant authenticated copies of ballot paper account to the agent of each candidate present at the close of the poll.
- (xxi) You should ensure that after the closing hour of poll, nobody is allowed to join the queue and for that purpose, you should distribute slips to all electors standing in the queue starting the operation from the end of the queue.
- (xxii) You should follow carefully the instructions for sealing election papers in different covers so that no avoidable mistake is committed which cannot be rectified later.
- (xxiii) It is your responsibility to hand over the ballot boxes and other election materials after poll under proper receipt.

3. Your duties in brief at various stages are given in **Annexure - III** under five different heads for your convenience.

4. To ensure that you have fulfilled the various statutory requirements in connection with the election, Commission has drawn up a CHECK MEMO for you as given in **Annexure – IV**. The said Check Memo should be maintained by you.

CHAPTER - II

FORMATION OF POLLING PARTY AND REHEARSALS

Polling party:

1.1. At a simultaneous election, the polling party will consist of 5 Poling Officers, besides the Presiding Officer.

1.2. At a single election, where the number of voters allotted to a polling station is thousand or less, the polling party will normally consist of one Presiding Officer and three polling officers and where the number of voters exceeds one thousand, the party will consist of a Presiding Officer and four Polling Officers.

1.3 While appointing the Polling party, your District Election Authority will authorize 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.

Contact with the other members of the polling parties:

2. Ascertain as soon as it is practicable, who the other members of your polling party are going to be. It is necessary for you to have the residential addresses of all the Polling Officers appointed to work under you. You should go over with them as frequently as possible, 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.

Polling rehearsals:

3.1. Attend as many polling rehearsals as you can. This is essential for obtaining a clear idea of the procedure to be followed and for understanding the provisions of the law.

3.2. You must take with you the Polling Officer authorized 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 with the ballot box 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 paper seals, in case such seals are used.

3.3. You should also prepare a sample ballot paper account and paper seal account.

3.4. Even in case you had worked as a Presiding Officer or a Polling Officer in some earlier election, you must attend the training classes/rehearsals, as 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. Further, it is always advantageous to refresh your memory even if there is no change in the law and procedure.

Application for postal ballot paper or Election Duty Certificate:

4.1. You and your Polling Officers may be electors in the same M.P.T.C./Z.P.T.C. in which you are posted on duty or in some other M.P.T.C./Z.P.T.C. The order of appointment as Presiding Officer will be issued in duplicate and along with this order the District Election Authority will send you sufficient number of Forms XIV and XV 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 M.P.T.C. or Z.P.T.C., you can apply for an Election Duty Certificate in Form XV to the Returning Officer, which would enable you to vote at the polling station at which you are on election duty. If any one of you is an elector from a M.P.T.C./Z.P.T.C. other than the one where you are posted on election duty, you may fill in Form XIV and apply for a postal ballot paper. In either case, you have to send the application forms 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 Officer well in time before counting. Applications from voters on election duty for permission to vote by postal ballot are required by law to be made atleast 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 M.P.T.C./Z.P.T.C.

4.2. In case of simultaneous elections, it may so happen that any one of you may be on election duty outside your M.P.T.C., but within your Z.P.T.C. In such cases, you may apply for Election Duty Certificate for the Z.P.T.C. election and for postal ballot paper for voting at the M.P.T.C. election. THERE IS LITTLE SCOPE FOR ANY POLLING OFFICER OR PRESIDING OFFICER TO APPLY FOR ELECTION DUTY CERTIFICATE AS STATE ELECTION COMMISSION ISSUED SPECIFIC INSTRUCTIONS THAT POLLING PERSONNEL SHALL BE POSTED OUTSIDE THEIR MANDALS OF OFFICIAL DUTY AND NATIVE MANDALS.

4.3. A copy each of the electoral rolls for all the M.P.T.C./Z.P.T.C. will be made available for inspection by the District Election Authority at the center(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 XIV and XV will also be available at the said center(s).

4.4. Sub-rule (2) of rule 28 of the Conduct of Elections Rules, 2006, requires that the elector giving his vote by postal ballot paper shall sign the declaration in Form XVII 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.

CHAPTER - III

COLLECTION OF POLLING MATERIALS

1. On the day previous to the poll or on the day of departure to 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. Check in particular that each of the ballot boxes is in working order, that there is sufficient quantity of indelible ink in each of the two phials supplied to you and that the stamp pads are not dry. Compare the copies of the electoral rolls carefully and see that all the copies are identical in every respect, in particular, the manuscript of page numbering and 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 along with the supplements, in every copy;
- (b) all deletions of names and corrections of clerical or other errors as per the supplement have been incorporated in all the copies;
- (c) all the pages in each working copy of the roll have been serially numbered in manuscript from No.1 on wards.
- (d) The printed serial numbers of the voters are not corrected and no new numbers are substituted for them;

2. The Returning Officer will supply you self inking pads of purple colour, one for putting the distinguishing mark on the back of the ballot paper and its counterfoil and for taking the thumb impression of the voter on the counterfoil of the ballot paper, and another for marking the ballot paper by arrow cross mark rubber stamp. Check that the ink on the pads has not dried.

3. Check also that, the ballot papers supplied to you are for the M.P.T.C./Z.P.T.C. in which the polling station assigned to you is situated and that they are not defective in any respect. You should also check that the serial numbers tally with the details supplied to you. You must meticulously check each and every ballot paper and its counterfoil in every stitched bundle of ballot papers issued to you to ensure that the same serial number is correctly printed both on the ballot paper and the corresponding counterfoil. If you find that the numbers on the counterfoil and the ballot paper do not tally, you should cancel that ballot paper and should not issue it to the elector. Defective ballot papers cancelled by you at the polling station may also be kept in the cover containing cancelled ballot papers. On the counterfoil of such ballot paper will be endorsed “Cancelled, defective ballot paper”. It has to be accounted for in the ballot paper account in Part-I of Form XXV.

4. Also check that the ballot boxes supplied to you have their serial numbers duly engraved on them. Do not accept any ballot box, which is not so serially numbered.

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

Itinerary:

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

Arrival at the Polling Station:

2. You should be at the polling station with your party at least 45 minutes before the poll is due to commence.

Absence of Polling Officer:

3. If any Polling Officer appointed for your polling station is absent from the polling station, you have the power to appoint another on the spot in his place. Later, you have to inform the District Election Authority/Returning Officer of such appointment formally. Do not, however, appoint any person who is an active supporter of any of the candidates or an active opponent of any candidates.

Delegation of duties of Presiding Officer:

4.1. If you yourself have to be absent from the polling station on account of illness or other unavoidable reason, the Polling Officer previously authorised in this behalf by the District Election Authority will act in your place. He will exercise all the powers and duties of the Presiding Officer.

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.

Set up of Polling Stations

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 and of 5 polling offices at a simultaneous election, are 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 should be 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. But he should not in any event be seated in a place where he has the chance of seeing voter actually marking ballot papers on the symbol of his choice.
- (f) the seating arrangement of all the Polling Officers should be such that they are not in a position to see the voter actually marking the ballot paper;
- (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.

5.2. If sufficiently large number of pardanashin women electors are assigned to your polling station, you should make special arrangements for their identification and application of indelible ink on their 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 of political parties 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.

Display of Notice:

6.1. Display prominently outside each polling station-

- (a) a notice specifying the polling area the serial number of the electors in the relevant electoral roll who are entitled to vote at the polling station; and
- (b) a copy of the list of contesting candidates with serial numbers and symbols assigned to them.

6.2 The names of the contesting candidates along with their symbols shall be displayed inside the polling station, above the ballot box to enable the voter to exercise his franchise without difficulty [Rule 36(4) of conduct of election rules, 2006].

CHAPTER - V

ASSIGNMENT OF DUTIES TO POLLING OFFICERS

Voting procedure in polling station and duties of Polling Officers.

1. 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 below.

(a) Duties of Polling Officers at single election to the Z.P.T.C. or M.P.T.C. when polling party consists of one Presiding Officer and three Polling Officers.

First Polling Officer:

2.1. On entering the polling station the elector will proceed direct to the First Polling Officer who will be incharge of the marked copy of the electoral roll and responsible for identification of the electors. Usually each voter comes in with an unofficial identity slip, which he has received, from a candidate. The slip should be on plain white paper and may contain the name of the elector, his serial number in the electoral roll, the number of the electoral roll part 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 his party and/or facsimile of symbol allotted to him. If the voter does not have any such identity slip, the Polling Officer will himself ascertain his name, house number etc., and will then locate his name from the electoral roll kept by him. The elector should not be compelled to bring an identity slip, nor should he be turned away solely because he has not brought such a slip. The Polling Officer should not treat the identity slip brought by an elector as a conducive proof of his identity. The procedure in this regard has been explained in Chapter XII.

2.2. In case no identity slip is brought by the elector, the first polling officer will himself locate the name of the elector in the electoral roll and after checking it with the particulars in the relevant entry in the roll, will call out loudly the page number, the part number, the serial number and the name of the elector to the hearing of the polling agents and the second polling officer.

2.3. In case an elector brings an identity slip, his identity is to be established under the procedure as explained in Chapter XII. Thereafter the identity slip brought by the elector should be torn into pieces and put in the Waste Paper Basket supplied.

2.4. The State Election Commission is now insisting for documentary identification of electors. The electors are required to produce any one of the following

documents permitted by the State Election Commission to establish their identity at the polling station.

- I) Electoral Photo Identity Card,
- II) Passports,
- III) Driving Licenses,
- IV) Income Tax Identity (PAN) Cards,
- V) Service Identity Cards issued to its employees by State/Central Governments, Public Sector Undertakings, Local bodies or Public Limited Companies with photographs,
- VI) Passbooks issued by Public Sector Banks/Post Office and Kisan Passbooks with photographs (accounts opened upto the date of election notification for the local body concerned)
- VII) Property Documents such as Pattas, Registered Deeds, etc. with photographs (documents registered on or before the date of election notification for the local body concerned),
- VIII) Ration Cards with photographs (issued on or before the date of election notification for the local body concerned),
- IX) SC/ST/OBC Certificates issued by competent authority with photographs (issued on or before the date of election notification for the local body concerned)
- X) Pension Documents such as ex-servicemen's Pension Book/ Pension Payment Order, ex-servicemen's widow/ Dependent Certificates, Old age pension Order, Widow Pension Order with photographs (issued on or before the date of election notification for the local body concerned)
- XI) Freedom Fighter Identity Cards with photographs,
- XII) Arms Licenses with photographs (issued on or before the date of election notification for the local body concerned),
- XIII) Certificate of Physical Handicap by Competent Authority with photograph (issued on or before the date of election notification for the local body concerned),
- XIV) ATM Cards with photographs issued by Banks (issued on or before the date of election notification for the local body concerned),
- XV) Membership Cards with photographs issued by Bar Councils (issued on or before the date of election notification for the local body concerned),
- XVI) Identity Cards with photographs issued by the Secretariat of Lok Sabha / Rajya Sabha to Members of Parliament,
- XVII) Identity Cards with photographs issued by the Secretariat of the Legislative Assembly / Legislative Council to MLAs/MLCs,
- XVIII) Job cards issued under NREGA with photographs (issued on or before the date of election notification for the local body concerned),

- XIX) Health insurance Scheme Cards with photographs (Ministry of Labour's Scheme,(issued on or before the date of election notification for the local body concerned)
- XX) Pattadar passbooks containing photographs (issued on or before the date of election notification for the local body concerned).

2.5 The first polling officer in charge of the identification must satisfy himself about the identity of the voter after examining any of the above documents produced by the voter.

2.6 If there is no challenge as regards the identity of the voter, the polling clerk will underline the entry relating to the elector in the marked copy of the electoral roll with him in every case and where the elector is a female put a (✓) mark also on the left hand side of the name of the female elector. Such tick marking will not be necessary at a polling station set up exclusively for women.

2.7 At the end of the day's polling he should count the number of men and women voters who have voted and record the numbers in the Presiding Officer's Diary. One easy method of doing this would be to write down all the serial numbers from 1 to 200 or 300 on two separate sheets of paper, before the commencement of poll. One such sheet may be used for recording the number of men voters and the other for women voters. The serial number on the relevant number sheet should be struck off in consecutive order according to the sex of voters as and when they come to vote. This will also help in ascertaining instantly the total number of men and women voters who have voted upto a particular hour.

2.8 The voter will then move to the second polling officer.

Second Polling Officer:

3.1. The Second Polling Officer will be in-charge of indelible ink and the bundles of ballot papers. As the First Polling Officer reads aloud the part number and serial number of the elector, the Second Polling Officer will record on the counterfoil of the ballot paper the electoral roll part number and the serial number of the elector, as entered in the marked copy of the electoral roll.

3.2. He will then inspect the voter'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 above the root of the nail in such a way that the mark falls partly on the skin and partly on the nail and spreads on the ridge between the skin and the root of the nail and clear mark is left on the forefinger. Note that the voter need not be touched at the time of applying the indelible ink on his left forefinger. While applying excess ink should not be taken with the whole length of the rod. Only the tip of the rod should be dipped in the ink. This will avoid excess in-take of the ink. It must be ensured that the voter's forefinger is perfectly in the horizontal position at the time of the application of the ink and for atleast thirty-seconds

immediately after the application of the ink so that the solvent gets evaporated. If the rod is only lightly touched or rubbed against the voters finger it will merely leave a smudge which is not sufficient. In case it is noticed that an elector has applied any oily or greasy substance on his finger in order to neutralize 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 the piece of cloth or rag supplied, before putting indelible ink mark on the finger of the elector. The voter should not be allowed to rub off the mark for atleast half a minute after it has been applied on the finger. 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 finger 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 finger on either hand, ink should be applied on such extremity (stump) of his left or right hand as he possesses.

3.3. The Polling Officer will then obtain the signature/thumb impression of the voter on the counterfoil of ballot paper. For the purpose of obtaining the thumb impression the stamp pad of purple colour supplied to your polling station should be used and for obtaining signature the copying pencil/ball-point pen should be used. For the use of voters whose thumb impression has been taken on the counterfoil of the ballot paper, a wet piece of cloth may be kept on the table of this Polling Officer for removing the ink. The ballot paper will then be detached from the counterfoil with the help of a flat metal rule having a sharp edge on the lengthwise side. It will thereafter be delivered to the voter and he will be directed to the Third Polling Officer sitting near the voting compartment. No ballot paper should be delivered to an elector unless he has put his signature or thumb impression on the counterfoil of the ballot paper. It is not necessary to have the thumb impression of the elector on the counterfoil attested by the Presiding Officer or a Polling Officer or by any other officer.

3.4. At the time of fresh poll/countermanded poll/re-poll, the marking with indelible ink made at the original poll should be ignored and fresh marking with indelible ink should be put at the root of the nail of the voter's left middle finger as explained in para 3.2 above.

Third Polling Officer:

4.1. The Third Polling Officer will be in-charge of the arrow cross mark rubber stamps for marking the ballot paper. He will take the ballot paper from the elector and fold it twice, first vertically and then horizontally, in such a way that the distinguishing mark is clearly visible at the top right hand corner on the back of the ballot paper. He will then unfold the ballot paper and hand it over to the elector. He will also give to the voter an inked rubber stamp and if specifically requested by the voter, instruct him by making a mark with it on a piece of plain paper. The voter will then be asked to proceed to a voting compartment. After recording his vote, the elector will refold, the ballot paper along the lines on which it was folded before it was issued to him, come out of the voting compartment and insert the ballot paper into the ballot box kept in front of the Polling Officer.

4.2. Before the voter leaves the polling station, the Polling Officer will examine the left forefinger of the elector and satisfy that the indelible ink mark is clearly impressed on the skin. If the voter has removed the mark or the mark is not clear, the voter should be marked again in such a way that the marking is clear and is not immediately removed.

(b) Duties of Polling Officer at single election to the Z.P.T.C. or M.P.T.C. when polling party consists of one Presiding Officer and four Polling Officers:

5. There is no change in the duties of the first Polling Officer. The second Polling Officer will be in-charge of the indelible ink only and the bundles of ballot papers will be handled by the third Polling Officer. The fourth Polling Officer will be in-charge of the Arrow Cross Mark Rubber Stamp.

(c) Duties of Polling Officers at simultaneous election to Z.P.T.C. and M.P.T.C. when polling party consists of one Presiding Officer and Five Polling Officers.

First Polling Officer: (There is no change in his duties).He will be incharge of the marked copy of the electoral roll and responsible for identification of electors.

Second Polling Officer: He will be incharge of indelible ink.

Third Polling Officer: He will be incharge of bundles of MPTC ballot papers.

Fourth Polling Officer: He will be incharge of bundles of ZPTC ballot papers and marked copy of the electoral roll of the ZPTC election.

Fifth Polling Officer: He will be incharge of Arrow Cross Marked Rubber Stamps. He will take both the ballot papers. He will first fold the MPTC ballot paper and according to the procedure already explained allow the voters to vote. After the voter has proceeded to the voting compartment and while he is recording his vote, the fifth polling officer will fold the ZPTC ballot paper and hand over to the voter to enable him to proceed to another voting compartment to record his vote on the ZPTC ballot paper. Both the ballot papers will be dropped in the same ballot box by the voter.

CHAPTER - VI

REGULATION OF ENTRY INTO AND SEATING ARRANGEMENTS IN THE POLLING STATION

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 State Election Commission;
- (d) Public servants on duty in connection with election;
- (e) Observers appointed by the State Election 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. 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 occasion given rise to complaints by some candidates or parties who have alleged that their agents had been overawed by unnecessary show of force.

1.3. 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.

1.4. 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. According to the latest instructions of the State Election Commission, they cannot be allowed to be appointed even as election against or

polling agents, as they have to be escorted by security guards who cannot be allowed entry into the polling station.

1.5. 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.

1.6. 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.

1.7. In the performance of your duties, you are only bound by the instructions of the State 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 State Election Commission.

1.8. 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.

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.

Production of appointment letters by Polling Agents:

3.1. Every polling agent must produce before you the appointment letter in Form XII 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 XII 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.

Passes for Polling Agents:

4. Each candidate can appoint one polling agent and one relief polling agent 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.

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 State Election 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 and State Parties;
- (i) Candidates of registered parties with a reserved symbol.
- (ii) Candidates of Registered parties without a reserved symbol and
- (iv) Independent Candidates

Smoking to be prohibited inside polling station:

6. 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.

Mobile Phones Prohibited:

7. The Polling Agents are not permitted to use mobile phones inside the polling booth.

Facilities to press representatives and photographers:

8.1. 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.

8.2. Neither the District Election Authority 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 State Election Commission. In no circumstances will any photograph be allowed to be taken of a voter marking his ballot paper.

Facilities to Observers appointed by the State Election Commission:

9.1. The State Election Commission is now generally appointing its observers at elections. They are statutory authority appointed by the Commission under Section 232 A of the A.P.Panchayat Raj Act, 1994.

9.2. During the day of poll, some observers might visit your polling station. It is quite possible that he may start his round 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.

9.3. 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.

Wearing of Badges etc., inside Polling Station:

10.1. 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.

10.2. 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 BALLOT PAPERS FOR ISSUE

Preliminaries before the Poll:

1. In order that the poll is commenced at the hour fixed for the purpose, you should start making preliminary preparations, like the preparation of ballot papers for issue to electors, preparation of ballot box for reception of votes etc. atleast 15 minutes before the time fixed for the commencement of poll.

Preparation of ballot papers for issue:

(a) Affixing of distinguishing mark:

2.1. You will be supplied with ballot papers with counterfoils equal to the number of voters allotted to your polling station, rounded off to the next ten. The ballot papers will be ordinarily in bundles of 50 each and one or more bundles containing less than 50 ballot papers. Every ballot paper before issue to an elector is required to be affixed with a distinguishing mark on its back.

Under Rule 45 of Panchayat Raj (Conduct of Election) Rules, 2006 issued in G.O.Ms.No.142, PR & RD (Elecs & Rules) Department, dated.3.5.2006, before a ballot paper is issued to an elector, the ballot paper and the counterfoil attached there to shall be stamped on the back with such distinguishing mark as the State Election Commission may direct.

The State Election Commission directed that the distinguishing mark to be stamped on the back side of the ballot papers to be used in elections to Member, Mandal Praja Parishad and Member, Zilla Praja Parishad shall be a fraction within a circle whose numerator will be the number of the Mandal Praja Parishad and the denominator will be the serial number of the polling station concerned as indicated in the final list of polling stations approved by the District Election Authority.

The number of Mandal Praja Parishad shall be the code number assigned by the District Election Authority concerned while working out the nomenclature of the Mandal Praja Parishad Territorial Constituency as per the instructions issued in Govt. Memo.No.66402/Elecs.I/1994, PR, RD & Relief Department dated.3.1.1995.

Illustration: If the code number of a Mandal Praja Parishad is 8 and the code number of the polling station is 12, the distinguishing mark to be stamped on the ballot papers to be used at the polling station shall be

8/12

2.2. Where the number of contesting candidates exceeds 9, the ballot paper would have been printed in two or more colours and the manner of affixing the distinguishing mark on such ballot paper will be slightly different. In such case, the distinguishing mark

may be put on the back of the ballot paper immediately on the top right side of the shaded line dividing the ballot paper vertically into two halves. Though such middle line will be printed only on the front side of the ballot paper, its impression on the back of the ballot paper will be visible through the ballot paper. The object of affixing the distinguishing mark in this way is that it should be clearly seen from outside after the ballot paper is folded for being put in the ballot box. The mark on the counterfoil will continue to be on the top right hand corner.

(b) Presiding Officer's signature on ballot papers:

3.1. To remove all suspicion regarding the genuineness of ballot papers, the Presiding Officers of each polling station is required to sign his name in full on the back of each ballot paper before its issue to the voter. You should sign your name in full on the back of each ballot paper before it is issued to the voter, but you need not sign on the counterfoil.

3.2. You may sign about two bundles of 50 ballot papers each immediately before the commencement of the poll. This should be done a few minutes before the commencement of the poll. Usually it would take only about 5 minutes to sign 100 ballot papers and so the signing of the ballot papers should begin not more than 15 minutes before the commencement of the poll. You should sign the remaining ballot paper according to necessity as the poll progresses. You should ensure that only the exact number of ballot papers required for issue to electors are signed by you.

3.3. At the closing stages of the poll, it would be necessary for you to sign each ballot paper as and when a voter turns up for voting. This will ensure that no signed ballot paper is kept in the bundle of unused ballot papers after the poll.

Serial number of ballot paper to be used at Polling Station and shuffling of bundles:

4.1. Before commencing the poll, you should allow the polling agents to see the bundles of ballot papers and note the first and last of serial numbers of the ballot papers which will be used at the polling station and also any ballot paper duly cancelled by you on account of its defective nature.

4.2. The Polling agents should not, however, be permitted to take notes of the serial number of any ballot paper issued to any voter. Nor should they take any other notes which may enable one to work out these serial numbers as this would destroy the secrecy of the vote. You have the authority to prevent any one from taking any such notes as this amounts to misconduct as being an attempt to violate the secrecy of the vote. You are competent to seize and forfeit any document on which a polling agent may have taken any such note. If any polling agent persists in taking such notes in spite of warnings, you should not allow him to remain in the polling station.

4.3. In order to see that the polling agents are not able to note down the serial number of ballot papers issued to particular voters, the ballot papers may not be issued in

consecutive serial order but may be issued at random. As shuffling of individual ballot papers in stitched bundles will not be possible, you should do the shuffling in respect of the bundles by issuing the first three or four bundles of ballot papers at random to the Polling Officer in-charge of ballot papers and not in consecutive serial order. This process of shuffling of bundles of ballot papers should not however be repeated towards the close of the poll so that on the completion of the poll the serial numbers of ballot papers issued to voters are, as far as possible, in continuous unbroken series.

CHAPTER - VIII

PREPARATION OF BALLOT BOX AND PROCEDURE FOR USE OF ADDITIONAL BALLOT BOX

Preparation of ballot Box:

1. You may begin preparing the ballot box for the poll, atleast 15 minutes before the hour fixed for the commencement of poll. The instructions for operating the ballot box are contained in **Annexure - VII** . Allow the ballot box to be inspected by the polling agents and demonstrate to them that it is empty. Also allow them to note the serial number of the ballot box.

Identification of ballot Box:

2.1. Put inside the box an addressed tag duly filled up with all the details for identification in case the necessity arises at the time of counting. Also firmly attach on the handle of the ballot box an addressed tag showing all the details:

2.2. The addressed tag will be in the following form:-

<p>From: The Presiding Officer, Polling Station No. and Name Ballot Box No. (as engraved)..... *Serial Number assigned to ballot box at Polling Station..... Date of Poll..... Z.P.T.C. M.P.T.C.</p>	<p>To The Returning Officer,M.P.T.C./Z.P.T.C., Address.....</p>
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*Viz.1/3, 2/3, etc. as explained in para 2.5 of this Chapter.

2.3. The addressed tag inside the box will give the serial number and name of the constituency, serial number and name of the polling station and the date of the poll, but not the serial number of the ballot box.

2.4. The addressed tag outside the ballot box will give the above particulars and in addition it will also show the serial number of the ballot box as indicated below:-

2.5. The serial number of ballot box should be a fractional number giving the serial number of the box as well as the total number of ballot boxes used. Thus if three ballot boxes have been used at a Polling Station, the serial number for a ballot box will be entered as follows:-

- (i) On the first ballot box 1/3
- (ii) On the second ballot box 2/3
- (iii) On the third ballot box 3/3

2.6. The serial numbers on the ballot boxes should be given at close of poll.

Fixing of paper seal in the Ballot Box:

3.1. Fix the paper seal, where it is necessary, in position in the frame so that the green background shows through the window of the ballot box. You should note that only one paper seal will be used. Take the signatures of the polling agents present and affix your own signature on the white surface of the paper seal. See that the signatures of the polling agents tally with their signatures on their letters of appointment in Form XII. Verify that the paper seal cannot be shifted from the position by softly pulling it at the end. Do not use a damaged paper seal. As the green paper seal will be 10 inches in length, you should take care to fold the two ends so that the paper seal does not hang loose inside the ballot box where it may be damaged when the ballot papers are pushed by means of the pusher supplied.

3.2. Then put the distinguishing mark at the center of the paper seal on the green surface. Put a dash and then add the numbers 1,2,3 according to number of ballot boxes used. Then fix the paper seal in such a way that the distinguishing mark is seen through the window.

Account of paper seals:

4.1. Keep a record of the paper seals in the form given at **Annexure – VIII**.

4.2. Allow every candidate or his agent to take note of the serial numbers of paper seals and to affix his signature in Part II of the form at the end of the poll after the other particulars have been filled in by you. Thereafter, forward the completed form to the Returning Officer in a separate cover along with the ballot paper account in Form XXV and your declarations.

Position of the Ballot Box:

5. In securing the ballot box in the balloting position make sure that the slit is fully open so that the ballot papers can be freely inserted through it.

Defective Ballot Boxes:

6. Before the commencement of poll, if a ballot box is found to be defective or materially damaged, you should substitute the defective or damaged box by another one in good condition. If no spare box is available, keep the slit for insertion of ballot paper open and secure and seal the defective or damaged box by pasting piece or pieces of paper on the box tying up the ballot box with a string and sealing the string or partly sealing it or sewing it up with a cloth or gunny. You should report every such case to the Returning Officer in writing.

Procedure for use of additional Ballot Boxes:

7. If you find at any time during the poll that the ballot box in use is getting filled, even after it has been shaken up and ballot papers have been pressed into position through the slit by means of the pusher supplied, you may prepare another box in the same manner as the first one during the course of the poll but sufficiently in advance. When you place the second box for reception of ballot papers, the first box should be closed immediately, sealed in the manner as indicated in Chapter XX and kept aside at safe place. There should be only one box in use at any point of time and a second box should be pressed into service only when the first box in use is full. All the preliminaries like demonstration that the ballot box is empty, declaration, fixing of paper seals etc. should be gone through as in the case of the first box.

CHAPTER - IX

COMMENCEMENT OF THE POLL

Commencement of the Poll:

1. 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 about half a dozen voters at the hour fixed for the commencement of the poll and let the Polling Officers 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 XIX.

Warning about secrecy of voting:

2. Before commencing the poll, explain to all present the provisions of Section 217 of Andhra Pradesh Panchayat Raj Act, 1994 (**Annexure - IX**) regarding their duty to maintain the secrecy of the vote and the penalty for any breach thereof.

Precautions for indelible ink:

3. 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.

Marked copy of the Electoral Roll:

4. Before the commencement of poll, you should also demonstrate to the polling agents and others present at the polling station that the copy of electoral roll intended to be used as the marked copy does not contain any marks or entries other than the 'E.D.C'. marks against the names of those voters to whom election duty certificates have been

issued and marks 'PB' against the entries of those voters to whom postal ballot papers have been issued.

Entry of voters to polling station to be regulated:

6. 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.

CHAPTER - X

SAFEGUARDS FOR FREE AND FAIR ELECTION

Declarations by Presiding Officer as safeguards for ensuring free and fair election:

1. In order to ensure that you have duly carried out the instructions contained in the foregoing chapters which are necessary safeguards for ensuring free and fair election, you are required to read out the declaration prescribed in **Annexure – X** -Part I before the commencement of the poll. This should be done immediately after reading out the provisions of section 217 of the APPR Act,1994, 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.

Procedure to be followed at the time of use of additional boxes:

2. During the course of poll, if it becomes necessary to use more than one ballot box, you are again required to read out a further declaration, prescribed in **Annexure -X** Part-II every time a new ballot box is taken up for use. (At the end of the poll, you should record a further declaration in **Annexure – X** Part-III 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 ballot paper account and the paper seal account. Where simultaneous elections to Z.P.T.C. and M.P.T.C elections are held you are required to make separate declarations as the papers relating to ZPTC and MPTC elections are, required to be kept separately.

CHAPTER - XI

ENFORCEMENT OF ELECTION LAW IN AND AROUND POLLING STATION

Impartiality essential:

1. Your tact, firmness and impartiality, particularly the last, 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.

Ban on canvassing:

2. 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 219 of the Andhra Pradesh Panchayat Raj Act, 1994.

Candidate's Election Booth:

3. According to the instructions of the State Election 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 officials responsible for maintenance of law and order around your polling station for necessary remedial action by them.

Disorderly conduct in or near the polling station:

4. Enforce the provisions contained in section 220 of Andhra Pradesh Panchayat Raj Act, 1994 (See **Annexure XI**). 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.

Removal of disorderly persons:

5. 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 221 of Andhra Pradesh Panchayat Raj Act,1994).

Illegal hiring of vehicles for the conveyance of voters:

6.1. If a complaint to that effect is made, tell the complainant that he may take action to prosecute the offender under section 212 of the Andhra Pradesh Panchayat Raj Act,1994 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.

Removal of ballot papers from polling station to be an offence:

7. Any person who at any election unauthorisedly takes or attempts to take a ballot paper out of a polling station or willfully aids or abets the doing of any such act is punishable. In this connection section 225 of the Andhra Pradesh Panchayat Raj Act,1994 may be seen.

Breach of official duty by election officers:

7. Your attention is also drawn to section 222 of the Andhra Pradesh Panchayat Raj Act,1994 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 shall be punishable with fine which may extend to five hundred rupees.

CHAPTER - XII

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

Verification of elector's identity:

1.1. 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 should 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. This 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 State Election 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 will help 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.

1.5 The commission is now insisting on documentary identification of electors. The electors are required to produce any one of the documents prescribed by the State Election Commission to establish their identity. The identification documents prescribed by the commission are indicated under para 2.4 of chapter V.

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 may be employed as identifying officer by the presiding officer should be normally posted outside the entrance of the polling station and should be admitted into the polling station only when he is required for the identification of a particular elector or for assisting the presiding officer for a particular purpose in connection with the taking of the poll.

List of dead, absent allegedly bogus voters:

2. 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.

Challenging a voter's identity:

3. 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 and producing the prescribed identification document 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.

Challenge fee:

4. You should not entertain any challenge by a candidate or his election/polling agent of a voter's identity until the challenger pays five rupees in cash. After the amount has been paid, furnish a receipt therefore to the challenger in the Form prescribed in **Annexure – XII**. 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 XXI) and ask him to sign or affix his thumb impression thereon. If he refuses to do so, do not allow him to vote.

Summary Inquiry:

5. 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- XIII** addressed to the Station House Officer of Police Station in the jurisdiction of which your polling station falls.

Return of forfeiture of challenge fee:

6. Immediately after the inquiry is over return the challenge fee of five rupees to the person who made the challenge after taking his receipt in Form XXI -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 Form XXI and the relevant counterfoil in the receipt book instead of taking the depositor's signature or thumb impression.

Clerical and Printing errors in the roll to be overlooked:

7. 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.

Eligibility of a voter not to be questioned:

8. 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.

Declaration of elector about his age:

9. 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. 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 - II** 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 182 of IPC for making false declaration.

9.1. You should also prepare a list of voters from whom you have obtained such declarations in as in **Annexure – XIV**. You should also maintain a list as in **Annexure – XV** 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 – XIII

APPLICATION OF INDELIBLE INK AND OBTAINING SIGNATURE/ THUMB IMPRESSION OF ELECTOR BEFORE ISSUE OF BALLOT PAPER

Inspection of voter's left forefinger and application of indelible ink before issue of ballot paper:

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 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 supplied with any ballot paper or 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.

1.4. Further, before the elector leaves the polling station, his left forefinger should again be checked by the last polling officer and if the elector has removed the ink or the ink mark is indistinct his left forefinger should again be marked with indelible ink.

Application of indelible ink at fresh poll:

2. At the time of fresh poll/countermanded poll/ repoll, the marking with indelible ink made at the original poll should be ignored and fresh marking with indelible ink should be put at the root of the nail of the voter's left middle finger in such a way that a portion of the ink also spreads on the ridge between the skin and the root of the nail and a clear mark is left.

Application of Indelible ink when elector has no left forefinger:

3. 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.

Signature/thumb impression of elector before issue of ballot paper:

4.1. After the left forefinger of the elector has been marked with indelible ink as aforesaid, the polling officer incharge of ballot papers will obtain the signature or thumb impression of the elector on the counterfoil of the ballot paper which is to be issued to him and whereon his electoral roll number has been noted by the polling officer. If any elector refuses to put his signature or thumb impression on the counterfoil of the ballot paper, no ballot paper shall be issued to such elector.

4.2. The ballot paper on the counterfoil of which the electoral roll number of such elector refusing to sign has already been noted by the polling officer should be cancelled and both on the ballot paper and its counterfoil the words “cancelled: Refused to sign” should be endorsed by the Presiding Officer. Such cancelled ballot paper should be kept in the cover containing other cancelled ballot paper mentioned in Chapter XX and accounted for in the ballot paper account in Form XXV.

Signature of elector on the counterfoil:

5. 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 a counterfoil of the ballot paper, will be required to write his name, i.e. both his Christian 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 no ballot paper should be given to him and such ballot paper should be cancelled under foregoing paragraph 4.2.

Thumb impression of elector on counterfoil:

6.1. If an elector is unable to sign his name, the impression of his left thumb should be obtained on the counterfoil of the ballot paper. It should be noted that it is not necessary for the Presiding Officer or any Polling Officer to attest such thumb impression on the counterfoil of the ballot paper.

6.2. In conformity with rule 44(4) of the Conduct of Elections Rules, 2006 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 mark his ballot paper will necessarily have to seek assistance of a companion under rule 48 of the said rules. In that case the signature or thumb impression of the companion should be taken on the counterfoil.

6.3. It is necessary that the thumb impression on the counterfoil 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 on the counterfoil. Nor should the thumb be inked so heavily that it gives a smudge impression instead of a clear thumb impression on the counterfoil. While taking the thumb impression it should also be ensured that no part of such impression extends beyond the counterfoil and on to the actual ballot paper.

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.

Signature/thumb impression on the Counterfoil of ballot paper by blind or infirm or leper voters

7. Thumb impression of a blind voter or a voter suffering from leprosy should be obtained on the counterfoil of ballot paper. 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 counterfoil of ballot paper. A note may be made on such counterfoil of ballot paper regarding signature of thumb impression of the companion.

CHAPTER – XIV

ISSUE OF BALLOT PAPERS AND INSTRUCTIONS TO VOTERS REGARDING VOTING PROCEDURE

Precaution against ballot papers sticking together:

1. Take care to see that two or more ballot papers do not stick together and as a result more ballot papers than one are issued to a voter. The best way to check this is for the polling officer incharge of ballot papers to take out the ballot paper meant for a voter while the voter's identity is being checked and to see that the serial number of the ballot paper left at the top of the bundle is next to the serial number of the ballot paper taken out for issue.

Defective ballot papers:

2. While issuing ballot papers, if any ballot paper is found defective, it should not be issued to any voter, but should be cancelled by you. Such defective ballot papers cancelled by you in the polling station may also be kept in the cover containing cancelled ballot papers. The counterfoil of such ballot paper will remain in the bundle with an endorsement "Cancelled: defective ballot paper". It has to be accounted for in Form XXV Ballot Paper Account.

Prefolding of ballot paper:

3.1. When a ballot paper is handed over to an elector for marking his vote thereon, the last polling Officer incharge of rubber stamps will first fold the ballot paper twice, first vertically and then horizontally, in such a way that the distinguishing mark affixed on the back of the ballot paper is clearly visible at the top right hand corner. He will then unfold the ballot paper and hand it over to the elector.

3.2. Where the number of contesting candidates exceeds 9 (nine), the ballot papers will be printed in two (2) or more columns. The mode of folding these ballot papers will be different. The ballot paper may be folded vertically first in the middle of each of the two halves and thereafter the third fold may be along the shaded vertical line dividing the two halves. It should then be folded horizontally in such manner that the distinguishing mark affixed on its back is clearly visible. It should thereafter be unfolded and handed over to the elector.

Instructions as to how the ballot paper is to be marked:

4.1. The Polling Officer in-charge of the rubber stamps will instruct the voter:-

- (a) to go inside a voting compartment;
- (b) to record there his vote by making a mark on the symbol of the candidate for whom he wishes to vote with the inked rubber stamps given to him but no demonstration should be made by affixing the rubber stamp on any particular

symbol on a specimen ballot paper or any other paper. If any assistance is required by any voter, the procedure for marking should be explained by affixing the stamp on a piece of plain paper without any symbols;

- (c) not to stamp the ballot paper more than once;
- (d) to refold the ballot paper along the prefolded lines;
- (e) to bring it out of the voting compartment thereafter; and
- (f) to insert the folded ballot paper into the ballot box.

4.2. This Officer should ensure that the arrow cross-mark rubber stamp is adequately inked, but not over inked before it is handed over to the voter. He should check from time to time that the pad is not dry and the rubber of the arrow cross-mark rubber stamp is intact and in position. He should also ensure that the self-inking pad is not kept inside the voting compartment at any stage. He should also see, particularly in the case of illiterate voter that they have understood how the stamp is to be used for marking. He may ask such a voter to make a mark with the stamp on a sheet of plain paper, if necessary.

Voters to vote without undue delay:

5. See that a voter does not stay in the compartment unduly long. No other voter should be allowed to go into a compartment when another voter is inside. When the voter comes out the polling officer will take the rubber stamp from him and ask him to insert the ballot paper into the ballot box.

Precautions to ensure correct voting:

6. If you notice that the voter has erroneously marked the ballot paper on the back or suspect that the voter has not marked the ballot paper at all you may ask the voter whether he has marked the ballot paper and if so, on the correct side and if not, instruct him to go back into voting compartment and to make the mark. If the voter comes to you with the ballot paper unfolded or folded in the wrong way, you should rectify the defect, maintaining the secrecy of the vote as far as practicable. Ensure also that the voter puts into the box only the ballot paper given to him by checking the distinguishing mark on the back whenever necessary.

CHAPTER - XV

PRECAUTIONS FOR MAINTAINING SECRECY

Violation of secrecy of voting:

1. If an elector to whom a ballot paper has been issued, refuses after warning given by you to observe the procedure as laid down in sub-rule (2) of rule 47 of the Conduct of Election Rules, 2006, the ballot paper issued to him shall, whether he has recorded his vote or not, be taken back from him by you or a Polling Officer under your direction. After the ballot paper has been taken back, you shall record on its back and on the counterfoil of such ballot paper, the words "Cancelled: voting Procedure Violated" and put your signature below those words. ALL such cancelled ballot papers are to be kept in a separate cover which shall bear on its face the words "Ballot Papers Cancelled: Voting Procedure Violated" and accounted for in ballot paper account in Part I of Form XXV.

Voting by blind or infirm voters:

2. If you are satisfied that owing to blindness or other physical infirmity a voter is unable to recognize the symbols on the ballot paper or make a mark thereon without assistance you should permit the voter to take with him a companion of not less than 18 years of age to the voting compartment for recording the vote on the ballot paper on his behalf and in accordance with his wishes and for folding the ballot paper so as to conceal the vote and for inserting it into the ballot box. But you should ensure that no person is permitted to act as the companion of more than one elector at any polling station on the same day and that he makes a declaration to the effect 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 polling station on that day. The declaration may be taken in the Form XXII given in **Annexure- XVI**. You should also keep a record of all such cases in Form XXIII and send this form along with declaration in a separate cover to the Returning officer. Whereas a poll is taken simultaneously for election to the M.P.T.C. and to the Z.P.T.C., it is not necessary to maintain two lists of blind and infirm voters in Form XXIII one for the M.P.T.C. election and the other for the Z.P.T.C. election. A single list will be sufficient for both the elections. Voters with obviously defective eyesight should be questioned in order to find out whether they can distinguish the symbols on the ballot paper and mark properly. You or any Polling officer should not accompany any blind or infirm voter inside the voting compartment.

CHAPTER - XVI

VOTING BY PUBLIC SERVANTS ON ELECTION DUTY CERTIFICATES

Facilities for voting to public servants 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 25 of the Conduct of Election Rules, 2006.

1.2. Presiding Officers, Polling Officers, or other public servants on election duty in the MPTC/ZPTC 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 Returning Officer in Form XV 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 XVI.

1.3. No steps for identification of such person are required. He may be allowed to vote 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.

CHAPTER - XVII

TENDERED BALLOT PAPERS AND CANCELLATION OF BALLOT PAPERS

Tendered votes:

1.1. It may happen that a person representing himself to be a particular elector comes forward to vote after another person has already voted as such elector. In that case you should put such question to him as you may think necessary to satisfy yourself about his identity. If you are satisfied about his identity you should get his left forefinger marked with indelible ink. You will then make necessary entry in the list of tendered votes (Form XXIV) and obtain the signature or the thumb impression of the voter therein.

1.2. He shall then be supplied with an ordinary ballot paper which shall be just like any other ballot paper used at the polling station except that (1) it shall be serially the last in the bundle of ballot papers supplied to you, and (2) that the words “tendered ballot paper” are written on the back of such ballot paper and its counterfoil by the Presiding Officer in his own hand and signed by him. The voter shall then mark the tendered ballot paper in the voting compartment and fold it. He will then hand over the ballot paper to you and not put it into the ballot box. You should keep all the tendered ballot papers and the list in Form XXIV in a cover specially kept for the purpose and seal it at the close of poll.

1.3. A proper account of such tendered ballot papers should be kept in ballot paper account in Part I of Form XXV (**Annexure – XX**).

Please note that if the percentage of tendered votes polled at a polling station is not less than 2% of the total votes polled, it should be reported to the Returning Officer and State Election Commission immediately after completion of poll. The State Election Commission may order re-poll at such Polling Station.

Progress of poll not to be interrupted:

2. Deal with all cases of challenged votes or tendered votes yourself. Otherwise polling will be held up resulting in inconvenience and delay for the other voters who are waiting.

Cancellation of ballot paper:

3. If a voter after receiving the ballot paper does not wish to vote, he may return it to you without marking it. The ballot paper and the counterfoil of such ballot paper should be cancelled by writing on it the words “Returned: Cancelled”. Such cancelled ballot paper should be kept in the cover for cancelled ballot papers and accounted for in ballot paper account in Part I of Form XXV.

Spoilt ballot papers:

4. If any elector has marked a ballot paper wrongly or has spoilt it and returned it to you, he may be given another ballot paper. In every such case the voter should satisfy you of his inadvertence. The ballot paper so returned and the counterfoils of such ballot paper shall be marked "Spilt: cancelled". Keep a record of all such cancelled ballot papers in the ballot paper account in Part I of Form XXV (**Annexure – XX**) separate cover which should be sealed at the close of the poll.

CHAPTER - XVIII

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

Adjournment of poll for riot, etc.,

1. Under section 225 B of the A.P.Panchayat Raj Act,1994 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 of damage to essential polling materials like ballot paper, ballot boxes, 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. 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 State Election Commission.

2.3. Seal and secure ballot box (es) used, ballot papers yet to be used, counterfoils of used ballot papers and all election papers in the presence of the polling agents as if the poll has come to a close in the normal way.

Completion of adjourned poll:

3.1. Where the poll has been adjourned at a polling station the adjourned poll will recommence on the date and time fixed by the State 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 which was earlier used at that polling station and a new ballot box.

3.2. Before the re-commencement of the adjourned poll, the sealed packet containing the marked copy of the electoral roll shall be reopened by the Presiding Officer 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 shall be used for adjourned poll.

3.3. the Returning Officer will also supply to the Presiding Officer the packets containing counterfoils of the ballot papers used at the polling station before the poll was adjourned. These packets should not be opened unless it becomes absolutely necessary when a person comes to the polling station claiming to be an elector in whose place somebody else has already voted and a tendered ballot paper is to be issued to the aforesaid person for which purpose the serial number of the ballot paper already issued to be person who voted in his place by impersonation is required to be mentioned in Form 15.

3.4. The provisions of rules 33 to 53 will apply to the conduct of an adjourned poll as they apply to the poll before it was so adjourned.

3.5 Where the poll could not be commenced due to non-arrival of the polling party or other reasons, the provisions of above mentioned rules will apply to every such adjourned poll as they apply to the original poll.

Stoppage of poll due to booth capturing etc.

4.1. Under sections 225C and 231 of the A.P.Panchayat Raj Act,1994, the State 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 ballot paper or ballot box has been unlawfully taken away by any unauthorised person, or
- (ii) any ballot paper or ballot box has been accidentally or intentionally destroyed or lost or damaged or tampered with and the result of the poll at that polling station cannot be ascertained for that reason, or
- (iii) any error or irregularity in procedure as is likely to vitiate the poll has been committed, or
- (iv) there has been booth capturing (as defined in the Section 224 of the said Act.) **(See Annexure - XVII)**

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 State 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.

CHAPTER - XIX

CLOSE OF POLL

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.

Closing of Poll:

2. 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.

CHAPTER XX

CLOSING AND SEALING OF BALLOT BOXES AND ELECTION PAPERS

Closing and sealing of ballot boxes:

1.1. After completion of poll, close the slit of the ballot box and secure it in the presence of the Polling agents. Detailed instructions for closing of the box are given in **Annexure- X**.

1.2. After closing and securing the ballot box or boxes of the polling station according to instructions contained in sub-paragraph (a) run a ribbon or tape on the four sides of the box lengthwise and breadthwise crossing each other on the lid passing under the handle if there is one and tie the knot firmly and seal the knot on a piece of thick paper or cardboard with your seal. The polling agents present should also be asked to affix their seals or their signatures, if they so desire. After this, the ballot box or boxes should be either-

- (i) placed in a strong canvas bag, with provision for closing it with a strong rope or other locking arrangement and the bag closed and sealed by you; or
- (ii) wrapped with a new cloth which shall be sewn and the seams sealed by you.

1.3. In either case, the polling agents present should be asked to affix their seals, if they so desire. Also attach firmly and in proper manner the address tag and the label on the canvas bag or the cloth cover, as the case may be. This address tag and the label should contain the very same particulars as the address tag outside ballot box referred to in Chapter VIII. The address tag and label should be clearly filled in to avoid any confusion at the collection center and subsequently.

1.4. It is not sufficient to write the particulars contained in the address tag and label on the canvas bag or cloth cover. It is very necessary to use the address tags and labels.

Verification of number of ballot papers issued to voters:

2. At the end of the day's poll, the Polling Officer incharge of marked copy of electoral roll and ballot papers should check that the total number of electors to whom ballot papers have been issued by them according to the marked copy of electoral roll and the total number of tendered ballot papers as entered in the list of tendered votes and the total number of ballot papers issued in lieu of spoiled ballot papers tallies with the number of ballot papers actually issue to voters and they should record it in Presiding Officer's diary with their signatures. The first polling officer should also be required to find out the number of women voters and put is in the record.

Preparation of ballot paper account:

3.1. At the close of the poll, you should prepare a complete and accurate account of all ballot papers supplied to you and used at the polling station i.e ballot papers (i) actually issued to voters (ii) used as tendered ballot papers (iii) cancelled for one reason or the other and (iv) being returned as unused. Such ballot paper account should be prepared in Part I of Form 16 and signed by you.

3.2. You should not forget that in the ballot paper account, the total number of ballot papers received by you must be equal to the sum total of-

1. Ballot papers unused:

- (a) with the signature of Presiding Officer, if any,
- (b) without the signature of Presiding Officer;

2. Ballot papers issued to voters (other than those cancelled on any account or used as tendered ballot papers);

3. Ballot papers cancelled:

- (a) for violation of the voting procedure under rule 47 and
- (b) for any other reasons; and

4. Ballot papers used as tendered ballot papers.

3.3. This account must be accurate; otherwise it will lead to serious difficulties at the time of counting of votes. This it is necessary that due care and caution is taken by you while preparing the Ballot Paper Account.

3.4. A simple method of checking the correctness of the entries made in Form XXV is to see that the total number of ballot papers used at the polling station as shown in item number 3 is equal to the total number of ballot papers received by you as shown in item 1 minus the total number of ballot papers unused, as shown in item 2. In simple words, item 3 is equal to item 1 minus item 2, but it is inclusive of item 4. The total number of ballot papers actually issued to voters and which they ought to insert in the ballot box(es) shall be equal to item 3 minus item 4 and such number shall be shown by you in item 5.

Furnishing of copy of ballot paper account to polling agents:

4.1. You should note that you are required by rule 52 to furnish to every polling agent present at the close of poll an attested true copy of the ballot paper account prepared by you in Part 1 of Form XXV obtaining a receipt therefore from the agent. You should, therefore, furnish to every polling agent (but only one polling agent of each candidate) present at the close of poll an attested true copy of ballot paper account

without their asking for it. Obtain their full signatures in token of receipt of such copy on the form declaration prescribed in **Annexure - X** Part III which declaration you have to make in order to ensure that you have complied with this requirement. Also note in that declaration the name(s) of polling agent(s), if any, refusing to take a copy of the ballot paper account and sign that declaration.

4.2. To enable you to make the required number of copies of ballot paper account, you will be supplied with as many copies of the printed form (Form XXV) as the number of contesting candidates plus one or two more for the original account. If possibly, 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.

Sealing of election papers:

5.1. After the close of poll, seal all the election papers in separate packets as required by rule 51 (**Annexure - XVIII**). All the packets so sealed except the covers containing (i) the ballot paper account (ii) paper seal account (iii) the declarations by the Presiding Officer, and (iv) the Presiding Officer's diary, should be put in four large packets as explained in paragraph 6, and sent to the Returning Officer. The covers containing (i) the ballot paper account (ii) paper seal account (iii) the declarations by Presiding Officer and (iv) the Presiding Officer's diary should, however, be sent separately to the receiving center for election papers.

5.2. You should allow each candidate or 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 is of the electoral roll;
- (ii) the counterfoils of used ballot papers (At the end of the poll, if the last bundle of ballot papers used for the poll contains some unused ballot papers, the counterfoils of used ballot papers in that bundle should be separated from that bundle and kept in this envelope. The counterfoils so separated should be tagged properly);
- (iii) the signed but unused ballot papers with counterfoils, if any;
- (iv) the other unused ballot papers with counterfoils;
- (v) the ballot papers cancelled for violation of voting procedure;
- (vi) the returning and other cancelled ballot papers;
- (vii) the tendered ballot papers and the list of tendered votes in Form 15;
- (viii) the list of challenged votes;
- (ix) any other papers that the Returning Officer has directed to be kept in a sealed packet.

Packing of ‘Statutory covers’ and ‘non-statutory covers’ and election materials.

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

6.1. The first packet should contain the sealed covers mentioned below and should be superscribed as “STATUTORY COVERS”

- (i) the sealed cover containing the marked copy of the electoral roll;
- (ii) the sealed cover containing counterfoils of used ballot papers including of tendered ballot papers;
- (iii) the sealed cover containing the signed but unused ballot papers, with counterfoils;
- (iv) the sealed cover containing other unused ballot papers with counterfoils;
- (v) the sealed cover containing the tendered ballot papers and the list in Form 15;
- (vi) the sealed cover containing the ballot papers cancelled for violation of voting procedure; and
- (vii) the sealed cover(s) containing other cancelled ballot papers.

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

7. 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;
- (iii) the cover containing the election duty certificates;
- (iv) the sealed cover containing the list of challenged votes;
- (v) the covers containing the list of blind and infirm electors and the declarations of the companions;
- (vi) the cover containing the declarations obtained from electors as to their age (**Annexure - II.**) and the list of such electors (**Annexure - XV**)
- (vii) cover containing the receipt book and cash, if any, in respect of challenged votes; and
- (viii) cover containing unused and damaged paper seals.

8. The third packet should contain the following items: -

- (i) The Handbook for Presiding Officers;
- (ii) Pusher for ballot box and metal strip for detaching the ballot papers from counterfoils;
- (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 rubber stamp bearing the distinguishing mark of the polling station; and
- (vii) The arrow cross-mark rubber stamps for marking ballot papers;
- (viii) Cup for setting the indelible ink.

9. All the other items, if any, should be packed into the fourth packet.

10. Each of the seven smaller cover packets to be included in the first packet marked "Statutory Covers" should be sealed. But 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 XXI) in order to save time. All these unsealed covers and the sealed cover, containing list of challenged votes in Form XXI should simply be placed in the respective bigger covers along with a check memo signed by the Presiding Officer. 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 the Presiding Officer after checking of the contents at the receiving centre.

CHAPTER XXI

PREPARATION OF THE DIARY AND DELIVERY OF BALLOT BOXES AND ELECTION PAPERS AT COLLECTION CENTRES

Preparation of the diary:

1.1. You should draw up 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 – XIX**.

1.2. You will be furnished with a duly numbered diary (containing a serial number given by means of a numbering machine) and that diary should alone be used by you.

1.3. You must go on recording the relevant events as and when they occur. You should mention therein all important events in the relevant columns.

1.4. 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.

Transmission of Ballot Boxes and Election Papers to the Returning Officer:

2.1. After the ballot boxes and all election papers have been sealed and secured by you after the close of poll in the manner explained in Chapter XX, 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 ballot boxes 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.

Delivery and Checking of Election Records and Materials at the Collecting Centre:

3.1. You will handover to the Official incharge of the collecting center the following 15 items of election records and materials and obtain a receipt:-

- (i) the sealed ballot box(es)
- (ii) the unused ballot box(es)
- (iii) the unused canvas bag(s) or cloth, as the case may be;
- (iv) cover containing the ballot paper account;

- (v) cover containing the paper seal account.
- (vi) cover containing the declarations of the Presiding Officer.
- (vii) cover containing the Presiding Officer's Diary;
- (viii) the first packet superscribed "Non-Statutory Covers" containing seven covers;
- (ix) the second packet superscribed "Non-Statutory Covers" containing eight covers;
- (x) the third packet containing eight items of election materials etc;
- (xi) materials for voting compartments;
- (xii) lanterns;
- (xiii) waste paper basket;
- (xiv) Polythene bag, gunny bag to contain polling materials, and
- (xv) The fourth packet containing all other items, if any (referred to in paragraph 10 of Chapter XX)

3.2. All the above items (excluding these items contained in the fourth packet referred to at (xv) above) will be checked by the receiving officials at the collecting centre in your presence and thereafter you will be relieved.

CHAPTER - XXII

BRIEF GUIDELINES FOR THE PRESIDING OFFICERS AND POLLING OFFICERS

- 1.1. Maintain close relation with members of your Polling Party.
- 1.2. Unless there is teamwork, your task becomes more difficult.
- 2.1. Ensure that all the Polling materials have been given to you.
- 2.2. Check-up ballot papers, Ballot box, marked copies of electoral roll, arrow cross mark, rubber stamp for voting, paper seal, sealing wax, indelible ink, distinguishing mark stamp, etc.
- 2.3. Compare marked copies of Electoral Roll and see that both are identical and see that marked copies of Electoral Rolls contain no mark other than PB and EDC.
- 2.4. See that deletions of names and corrections as per supplement have been incorporated.
- 2.5. All papers of working copies of Roll are serially numbered in manuscript.
- 2.6. Printed serial numbers of voters are not corrected and no new number substituted.
- 3.1. Arrive atleast 45 minutes before Poll at the Polling Station.
- 3.2. Set up Polling Station as per model Remember three will be 3 or 4 polling officers in a single election and 5 polling officers in a simultaneous election.
- 3.3. Ensure separate entrance and exit for voters at Polling Station.
- 4.1. On the day of Poll, display outside your Polling Station.
- 4.2. A notice specifying the Polling area.
- 4.3. A copy of the list of contesting candidates(both inside and outside polling station)
- 5.1. Appoint a Polling Officer locally, if any Polling Officer is absent.
- 6.1. Start preparation of Ballot Box at least 15 minutes before Poll.
- 6.2. Put inside the Box an Address Tag duly filled.
- 6.3. Address Tag outside the Box will show the Serial number of Box and the total number of Ballot Boxes used.
- 6.4. Put the distinguishing mark seal on the green background of paper seal. Put a dash and then add the serial number of Box.
- 6.5. Take signatures of Polling agents and put your signature on white surface of paper seal.
- 6.6. Insert paper seal in the Box so that distinguishing mark seal is visible through the window of Box.
- 6.7. Allow every candidate or his agent to take note of serial numbers of paper seal.
- 6.8. Address Tag outside the Box should show the serial number of the Box and the total number of Box/Boxes used.
- 6.9. One Ballot Box should be used at a time.
- 7.1. Sign your name in full on back of Ballot paper but not on Counterfoil.
- 7.2. Affix distinguishing mark seal on back of Ballot paper and its Counterfoil, at top right hand corner.
- 7.3. Do not issue Ballot paper to Electors in consecutive serial order.
- 7.4. Shuffle three or four bundles of Ballot paper and use bundles at random.
- 7.5. Obtain signature or thumb impression of voters on the Counterfoil of Ballot paper and then only issue Ballot paper.

- 7.6. Do not issue Ballot paper unless signature or thumb impression is given by Elector.
- 7.7. Allow Polling agents to see the bundles of ballot papers and note the first and last serial number of Ballot paper and also the serial number of defective Ballot paper.
- 8.1. Sign and read out declaration at the commencement of Poll. Make separate declarations for Z.P.T.C. and M.P.T.C. election.
- 8.2. Make declaration again for use of subsequent box/boxes.
- 9.1. Commence the Poll at the Stroke of hour fixed for the purpose.
- 10.1. The duties of polling officers in a single election where there are 3 or 4 polling officers and in a simultaneous election when there are 5 polling officers are as under:

Single Election – 3 Polling Officers

- 10.2. The first polling officers will have the marked copy of the electoral roll and will identify the electors.
- 10.3. The second polling officer will have the indelible ink and the bundle of ballot papers. He will enter the part number and serial number of the elector on the counterfoil of the ballot paper, obtain the signature/thumb impression of the voter on the counterfoil, apply the indelible ink on the forefinger of the elector and issue the ballot paper.
- 10.4. The third polling officer will fold the ballot paper first vertically and then horizontally, then unfold it and hand it over to the elector. He will also give to the elector an inked rubber stamp.

Single Election – 4 Polling Officers

- 10.5. The first polling officer will have the marked copy of electoral roll and will identify the elector.
- 10.6. Second polling officer will apply the indelible ink.
- 10.7. The third polling officer will note down the part number and serial number of the elector and obtain the signature/thumb impression of the elector on the Counterfoil and issue the ballot paper.
- 10.8. The fourth polling officer will first fold the ballot paper vertically and then horizontally and after unfolding it give to the voter. He will also give the inked rubber stamp.

Simultaneous Election- 5 Polling Officers

- 10.9. The first polling officer will have the marked copy of the electoral roll for M.P.T.C. elections and will identify the electors.
- 10.10. The second polling officer will apply the indelible ink.
- 10.11. The third polling officer will have the bundles of M.P.T.C. ballot papers. He will note town the part number and serial number of the elector on the counterfoil of the ballot paper and obtain the signature/thumb impression of the elector on the counterfoil. He will also issue the ballot paper to the voter.

- 10.12. The fourth polling officer will have the bundles of Z.P.T.C. ballot papers and the marked copy of the electoral rolls for Z.P.T.C. elections. He will note down the serial number and part number of the elector. After obtaining the signature or thumb impression, he will issue the ballot paper.
- 10.13. The fifth polling Officer will take both the ballot papers from the voter and after folding them first vertically and then horizontally and thereafter unfolding them, will give them one after the other to the elector. He will also give the inked rubber stamp.
- 11.1. Do not entertain any challenge unless the challenger pays challenge fee of five rupees in cash.
- 12.1. Obtain required declaration from the companion of blind and infirm voter.
- 13.1. If you consider an elector to be much below the voting age i.e.18 years but otherwise satisfied about his identity, obtain a declaration from him about his age.
- 14.1. Tendered ballot paper should be serially the last in the bundle of ballot papers supplied to you.
- 14.2. Write “tendered ballot paper” on the back of ballot paper and its counterfoil in you own name and sign.
- 14.3. Tendered ballot paper not to be put in ballot box.
- 14.4. Put tendered ballot papers and list thereof in a separate cover.
- 15.1. Distribute slips to all electors standing in queue before closing hours of Poll, starting the operation from the end of the queue.
- 16.1. Maintain secrecy of voting.
- 17.1. Allow only one Polling Agent of a candidate inside the Polling Station at any given time.
- 18.1. Ensure free and fair poll.
- 19.1. Show due courtesy and regard to the observer appointed by the Commission and furnish him all information required by him.
- 20.1. Canvassing within one hundred metres of the Polling Station is an offence.
- 21.1. Smoking inside Polling Station is prohibited.
- 22.1. Clerical and printed errors in the Roll to be overlooked.
- 23.1. Eligibility of a voter not be questioned.
- 24.1. Make declaration at the end of the Poll.
- 25.1. Give attested copies of the Ballot paper account to the Polling agents.
- 26.1. After the election is over; pack and seal the election papers and materials.
- 26.2. Remember, you will handover 15(fifteen) items of election materials at the collection centre.
- 26.3. You will put the packets and other materials in four separate packets.
- 26.4. The first sealed packet of “Statutory Covers” should contain 7 (seven) sealed covers.
- 26.5. The second packet of “Non-Statutory Covers” should contain 8 (eight) covers.
- 26.6. The third packet should contain 8 (eight) items.
- 26.7. All other items should be packed into the fourth packet.
- 26.8. Deliver the Boxes, Election papers and materials at the collection centre promptly after the Poll, without any delay.
- 27.1. Follow the instructions contained in the Hand Book for Presiding Officer so as to ensure the smooth conduct of Election.

ANNEXURE – I

EXTRACTS OF RELEVANT PROVISIONS FROM APPR ACT, 1994.

210. Electoral officers and staff etc. deemed to be on deputation:- (1) Any officer or staff employed in connection with the preparation, revision and correction of the electoral rolls for, and the conduct of all elections shall be deemed to be on deputation to the State Election Commission for the period during which they are so employed and such officers and staff shall during that period, be subject to the control, superintendence and discipline of the State Election Commission.

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

211. Corrupt Practices:- The following shall be deemed to be corrupt practices for the purposes of this Act-

(1) Bribery, that is to say,-

(A) Any gift, offer or promise by a candidate or his agent or by any other person with the consent of a candidate or his election agent of any gratification, to any person whomsoever, with the object directly or indirectly of inducing,-

(a) a person to stand or not to stand as or to withdraw or not to withdraw from being a candidate at an election, or

(b) an elector to vote or refrain from voting at an election, or as a reward to-

i) a person for having so stood or not stood, or for having withdrawn or not having withdrawn his candidature; or

ii) an elector for having voted or refrained from voting;

(B) The receipt of, or agreement to receive, any gratification, whether as a motive or a reward,-

(a) by a person for standing or not standing as or for withdrawing or not withdrawing from being a candidate, or

(b) by any person whom so ever for himself or any other person for voting or refraining from voting or inducing or attempting to induce any elector to vote or refrain from voting, or any candidate to withdraw or not to withdraw his candidature.

Explanation:- For the purposes of this clause the term 'gratification' is not restricted to pecuniary gratification or gratifications estimable in money and it includes all forms of entertainment and all forms of employment for reward but it does not include

the payment of any expenses bonafide incurred at, or for the purpose of any election and duly entered in the account of election expenses.

(2) Undue influence, that is to say, any direct or indirect interference or attempt to interfere on the part of the candidate or his agent or of any other person with the consent of the candidate or his election agent with the free exercise of any electoral right:

Provided that-

(a) without prejudice to the generality of the provisions of this clause any such person as is referred to thereon, who-

(i) threatens any candidate or any elector or any person in whom a candidate, or an elector is interested, with injury of any kind including social ostracism and excommunication or expulsion from any caste or community; or

(ii) induces or attempts to induce a candidate or an elector to believe that he, or any person in whom he is interested will become or will be rendered an object of divine displeasure or spiritual censure, shall be deemed to interfere with the free exercise of the electoral right of such candidate or elector within the meaning of this clause;

(b) a declaration of public policy, or a promise of public action, or the mere exercise of a legal right without intent to interfere with an electoral right, shall not be deemed to be interference within the meaning of this clause.

(3) The appeal by a candidate or his agent or by any other person with the consent of a candidate or his election agent to vote or refrain from voting for any person on the ground of his religion, race, caste, community or language or the use of, or appeal to religious symbols, or the use of, or appeal to national symbols such as the national flag or the national emblem, for the furtherance of the prospects of the election of that candidate or for prejudicially affecting the election of any candidate:

Provided that no symbol allotted under this Act to a candidate shall be deemed to be a religious symbol or a national symbol for the purposes of this clause.

(4) The promotion of, or attempt to promote feelings of enmity or hatred between different classes of the citizens of India on grounds of religion, race, caste, community, or language by a candidate, or his agent or any other person with the consent of a candidate or his election agent for the furtherance of the prospects of the election of that candidate or of prejudicially affecting the election of any candidate.

(4A) The propagation of the practice or the commission of sati or its glorification by a candidate or his agent or any other person with the consent of the candidate or his election agent for the furtherance of the prospects of the election of that candidate or for pre-judicially affecting the election of any candidate.

Explanation:- For the purpose of this clause, “sati” and “glorification” in relation of sati shall have the meanings respectively assigned to them in the Commission of Sati (Prevention) Act, 1987.

(5) The publication by a candidate or his agent or by any other person, with the consent of a candidate or his election agent or any statement of fact which is false, and which he either believes to be false, or does not believe to be true in relation to the personal character or conduct of any candidate or in relation to the candidature, or withdrawal of any candidate, being a statement reasonably calculated to prejudice the prospects of that candidate's election.

(6) The hiring or procuring whether, on payment or otherwise of any vehicle or vessel by a candidate or his agent or by any other person with the consent of a candidate or his election agent, or the use of such vehicle or vessel for the free conveyance of any elector other than that the candidate himself the members of his family or his agent to or from any polling station:

Provided that the hiring of a vehicle or vessel by an elector or by several electors at their joint costs for the purpose of conveying him or them to and from any such polling station or place fixed for the poll shall not be deemed to be a corrupt practice under this clause if the vehicle or vessel so hired is a vehicle or vessel not propelled by mechanical power;

Provided further that the use of any public transport vehicle or vessel by any elector at his own cost for the purpose of going to or coming from any such polling station or place fixed for the poll shall not be deemed to be a corrupt practice under this clause.

Explanation:- In this clause the expression "vehicle" means any vehicle used or capable of being used for the purpose of road transport, whether propelled by mechanical power or otherwise and whether used for drawing other vehicles or otherwise.

(6A) The incurring or authorizing of expenses in contravention of section 230-A.

(7) The obtaining or procuring or abetting or attempting to obtain or procure by a candidate or his agent, or by any other person with the consent of a candidate or his election agent, any assistance (other than the giving of vote) for the furtherance of the prospects of that candidate's election, from any person in the service of the State, Central Government, Local Authority or a Corporation owned or controlled by the State or Central Government:

Provided that where any person, in the service of the State or Central Government or a Local Authority in the discharge or purported discharge of his official duty, makes any arrangements or provides any facilities or does any other act or thing, for to or in relation to, any candidate or his agent or any other person acting with the consent of the candidate or his election agent (whether by reason of the office held by the candidate or

for any other reason), such arrangements, facilities or act or thing shall not be deemed to be assistance for the furtherance of the prospects of that candidate's election.

(8) Booth capturing by a candidate or his agent or other person.

Explanation:- (1) In this section the expression 'agent' includes an election agent, a polling agent, and any person who is held to have acted as an agent in connection with election the consent of the candidate.

(2) For the purposes of Clause (7) a person shall be deemed to assist in the furtherance of the prospects of a candidate's election if he acts as an election agent of that candidate.

(3) For the purposes of Clause (7) notwithstanding anything contained in any other law, the publication in the Andhra Pradesh Gazette of the appointment, resignation, termination of service, dismissal or removal from service of a person in the service of the Government shall be conclusive proof-

(i) of such appointment, resignation, termination of service, dismissal or removal from service, as case may be; and

(ii) where the date of taking effect of such appointment resignation, termination of service, dismissal or removal from service, as the case may be, is stated in such publication, also of the fact that such person was appointed with effect from the said date, or in the case of resignation, termination of service, dismissal or removal from services, such person ceased to be in such service with effect from the said date.

(4) For the purposes of sub-section (8), booth capturing shall have the same meaning as in section 224.

212. Penalty for illegal hiring or procuring of conveyance at elections:- If any person is guilty of any such corrupt practices as is specified in sub-section (7) of section 211 at or in connection with an election, he shall be punishable with imprisonment which may extend to three months and with fine..

213. Promoting enmity between classes in connection with election:- Any person who in connection with an election under this Act promotes or attempts to promote on grounds of religion, race, caste, community or language, feelings or enmity or hatred, between different classes of the citizens of India shall be punishable with imprisonment for a term which may extend to three years and with fine which may extend to three thousand rupees.

214. Prohibition of public meetings before the date of poll:-

(1) No person shall:-

(a) convene, hold or attend join or address any public meeting or procession in connection with an election;

Or

(b) display to the public any election matter by means of cinematography, television or other similar apparatus; or

(c) propagate any election matter to the public by holding, or by arranging the holding of, any musical concert or any theatrical performance or any other entertainment or amusement with a view to attracting the members of the public thereto, in any polling area during the period of forty eight hours prior to the hour fixed for the conclusion of the poll in the case of Mandal Praja Parishads and Zilla Parisliads and forty four hours prior to the hour fixed for the conclusion of the poll in the case of Gram Panchayats.

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

(3) In this section, the expression “election matter” means any matter intended or calculated to influence or affect the result of election.

215. Disturbance at election meetings:-

(1) Any person who at a public meeting to which this section applies acts or incites others to act in a disorderly manner for the purpose of preventing the transaction of the business for which the meeting was called together, shall be punishable with imprisonment which may extend to six months or with fine which may extend to two thousand rupees.

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

(2) This section applies to any public meeting of a political character held in any constituency between the date of the issue of notification under this Act calling upon the constituency to elect a member or members or office bearers of a Local Authority and the date on which such election is held.

(3) If any police officer reasonably suspects any person of committing an offence under sub-section (1) he may, if requested to do by the Chairperson of the meeting require that person to declare to him immediately his name and address and, if that person refuses or fails so to declare his name and address or if the police officer reasonably suspects him of giving a false name or address, the police officer may arrest him without warrant.

216. Restrictions on the printing of pamphlets, posters etc.- (1) No person shall print or publish or cause to be printed or published, any election pamphlet or poster which does not bear on its face the names and addresses of the printer and the publisher thereof.

(2) No person shall print or cause to be printed any election pamphlet or poster :-

(a) unless a declaration as to the identity of the publisher thereof, signed by him and attested by two persons to whom he is personally known, is delivered by him to the printer in duplicate; and

(b) unless, within a reasonable time after the printing of the document, one copy of the declaration is sent by the printer, together with one copy of the document-

(i) where it is printed in the capital of the State, to the Election Commissioner, and

(ii) in any other case, to the District Magistrate of the district in which it is printed.

(3) For the purpose of this section,-

(a) any process for multiplying copies of a document other than copying it by hand, shall be deemed to be printing and the expression 'printer' shall be construed accordingly; and

(b) "election pamphlet or poster" means any printed pamphlet, hand-bill or other document distributed for the purpose of promoting or prejudicing the election of a candidate or group of candidates or any placard or poster having reference to an election, but does not include any handbill, placard or poster merely announcing the date, time, place and other particulars of an election meeting or routine instructions to election agents or workers.

(4) Any person who contravenes any of the provisions of subsection (1) or subsection (2) shall be punishable with imprisonment for a term which may extend to six months, or with fine which may extend to two thousand rupees or with both.

217. Maintenance of secrecy of voting:-

(1) Every officer, clerk, agent or other person who performs any duty in connection with the recording or 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.

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

218. 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 officer 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, or
- (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 subsection (1) or sub-section (2) shall be punishable with imprisonment, which may extend to six months, or with fine or with both.

219. Prohibition of canvassing in or near polling stations,-

(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 meters 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
- (a) exhibiting any notice or signs (other than an official notice) relating to the election.

(2) Any person who contravenes the provisions of sub-section (1) shall be punished with fine which may extend to two hundred and fifty rupees.

220. 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 loudspeaker, or

(b) shout, or otherwise act in a disorderly manner within or at the entrance of the polling station or in 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 persons on duty at the polling station.

(2) Any person who contravenes, or willfully aids or abets the contravention of the provisions Subsection (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.

221. 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 opportunity of voting at that station.

(3) If any person who has been so removed from polling station reenters 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.

221A. Penalty for failure to observe procedure for voting:- If an 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.

221B. Prohibition of going armed to or near a polling station:- (1) No person other than a 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, 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) An offence punishable under sub-section (2) shall be cognizable.

222. 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 omission in breach of his official duty, he shall be punishable with fine, which may extend to five hundred rupees.

(2) No suit or other legal proceedings shall lie against any such person for damages in respect of any such act or omission as aforesaid.

(3) The persons 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 purposes of this section be construed accordingly but shall not include duties imposed otherwise than by or under this Act.

223. Penalty for Government Servants etc. for acting as election agent, polling agent or counting agent:-

If any person in the service of the State or Central Government or a local Authority or a Corporation owned or controlled by the State or Central 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.

224. 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 years but which may extend to five years and with fine.

Explanation:- For the purposes of this sub-section and section 232A "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 act which affects to 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 threatening 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 person, making the counting authorities surrender the ballot papers or voting machines and the 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 prospects of the election of a candidate.

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

225. Removal of ballot papers or ballot boxes from polling stations to be an offence:

(1) Any person who at any election fraudulently takes or attempts to take a ballot paper or ballot box out of 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 five years and with fine which may extend upto five thousand rupees.

(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 such person may 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 a police officer, shall be kept by such officer in safe custody.

225A. Liquor not to be sold given or distributed on polling day:- (1). No spirituous, fermented or intoxicating liquors or other substances of a like nature shall be sold, given or distributed at a hotel, eating house, tavern, shop or any other place, public or private, within a polling area during the period of forty-eight hours prior to the hour fixed for the conclusion of the poll in the case of Mandal Praja Parishads and Zilla Praja Parishads and forty four hours prior to the conclusion of poll in the case of Gram Panchayats and also on the counting day.

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

(3) Where a person is convicted of an offence under this section, the spirituous, fermented or intoxicating liquors or other substances of a like nature found in his possession shall be liable to confiscation and the same shall be disposed of in such manner as may be prescribed.

225B. Adjournment of poll in emergencies:- (1) If at an election the proceedings at any polling station 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 or such place on account of any natural calamity, or any other sufficient cause, the Presiding officer for such polling station shall announce and adjournment of the poll to a date to be notified later, and 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 District Election Authority and the State Election Commission, and shall, as soon as may be, with the previous approval of the State Election Commission, appoint the day on which the poll shall recommence, and fix 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 State Election Commission may direct, the date and hours of polling fixed under sub-section (2).

225C. Fresh poll in the case of destruction etc., of ballot boxes:- (1) If at any election,-
(a) any ballot box used at a polling station 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 cannot be ascertained: or

(b) any voting machine develops a mechanical failure during the course of the recording of votes; or

(c) any such error or irregularity in procedure as is likely to vitiate the poll is committed at a polling station, the Returning officer shall forthwith report the matter to the State Election Commission.

(2) Thereupon the State Election Commission shall, after taking all material circumstances into account; either-

(a) declare the poll at that polling station to be void, appoint a day, and fix the hours, for taking a fresh poll at that polling station 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 the polling station will not, in any way, affect the result of the election or that the mechanical failure of the 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.

225D. Destruction, loss, etc., of ballot papers at the time of counting:- (1) If any time before the counting of votes is completed any ballot papers used at a polling station are unlawfully taken out of the custody of the Returning Officer or are accidentally or intentionally destroyed or lost or are damaged or tampered with, to such an extent that the result of the poll at the polling station cannot be ascertained, the Returning officer shall forthwith report the matter to the State Election Commission.

(2) Thereupon, the State Election Commission shall, after taking all material circumstances into account, either,-

(a) direct that the counting of votes shall be stopped, declare the poll at the polling station to be void, appoint a day, and fix the hours, for taking a fresh poll at the polling station and notify the date so appointed and 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 will not, in any way, affect the result of the election, issue such directions to the Returning officer as it may deem proper for the resumption and completion of the counting and for the further conduct and completion of the election in relation to which the votes have been counted.

(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.

226. Impersonation at election:- Whoever at an election applies for a ballot paper or votes in the name of any other person, whether living or dead or in a fictitious name, or who having voted once at such election applies at the same election for a ballot paper in his own name, and whoever abets, procures or attempts to procure the voting by any person in any such way shall be punished with imprisonment for a term which may extend to five years and with fine which may extend to five thousand rupees.

227. Other offences and penalties thereunder:-

(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 or destroys or removes any list notice or other documents affixed by or under the authority of a returning officer, or
- (c) fraudulently defaces or fraudulently destroys any ballot paper or the official mark or 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 purposes 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 duty is to take part in the conduct of an election or part of an election 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.

228. Penalty for offences not otherwise provided for:- Whoever does any act in contravention of any of the provisions of this Act, or of any rule, notification or order made, issued or passed, thereunder and not otherwise provided for in this Act shall, on conviction be punished with imprisonment which extend to two years and with fine which may extend to two thousand rupees.

229. Offences by companies:- (1) Where an offence under this Act, has been committed by a company, every person who at the time the offence was committed, was in charge of and was responsible to the company for the conduct of the business of the company as well as the company shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly;

Provided that nothing contained in this sub-section shall render any such person liable any punishment if he proves that the offence was committed without his knowledge or that he had exercised all due diligence to prevent the commission of such offence.

(2) Notwithstanding anything contained in sub-section (1) where any offence under this Act has been committed by a company and it is proved that offence has been committed with the consent or connivance or is attributable to any neglect on the part of any director, manager, secretary or other officer of the company such director, manager, secretary or other official shall be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

Explanation :- For the purposes of this section-

- a. "company" means any body corporate and includes a firm or other association or individuals; and
- b. "director" in relation to a firm means a partner in the firm.

230. Application of Chapter:- This chapter shall apply to candidates of any election held under this Act.

230-A. Account of election expenses:- (1) Every candidate, at any election held under this Act shall, either by himself, or by his election agent, keep a separate and correct

account of all expenditure incurred in connection with the election, between the date on which the candidate concerned has been nominated, and the date of declaration of the result of the election, both dates inclusive (hereinafter in this chapter referred to as 'election expenses').

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

(a) incurred, or authorized by the contesting candidate, or by his election agent;

(b) incurred by any association, or body of persons, or by any individual (other than the candidate or his election agent), aimed at promoting or procuring the election of the candidate concerned; and

(c) incurred by any political party, by which the candidate is set up, so as to promote or procure his election;

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

Explanation-II:- (1) For the removal of doubts, it is hereby declared that any expenses incurred in respect of any arrangements made, facilities provided or any other act or thing done by any person in the service of the Government and belonging to any of the classes mentioned in clause (7) of section 211 in the discharge or purported discharge of his official duty as mentioned in the proviso to that clause shall not be deemed to be expenses in connection with the election incurred or authorized by a candidate or by his election agent for the purposes of this sub-section.

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

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

230-B. Lodging of account with the District Election Authority:- every contesting candidate at an election shall, within forty five days from the date of declaration of the result of the election, lodge with the District Election Authority, an account of his election expenses, which shall be a true copy of the account kept by him, or by his election agent, under section 230A.

231. 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 in such number of polling stations as is likely to affect the result of such election or that the result of the poll at that polling station 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 State Election Commissioner.

(2) The State Election Commissioner 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 be void, appoint a day, and fix the hours, for taking fresh poll at that polling station and notify the date so appointed and hours so fixed in such manner as he may deem fit, or—
- (b) if satisfied that in view of the large number of polling stations involved in booth capturing the result of the election is likely to be affected or that booth capturing had affected counting of votes in such manner as to effect result of the election, countermand the election in that constituency.

Explanation: In this section “booth capturing” shall have the same meaning as in Section 224.

232 A. Appointment of Observers:- (1) The State Election Commission may nominate an Observer who shall be an officer of government to watch the conduct of election or elections for such specified area or areas in the district and to perform such other functions as may be entrusted to him by the Commission in relation thereto.

(2) The Observer nominated under sub-section (1) shall have the power to direct the Returning Officer for the or for any of the wards or constituencies for which he has been nominated, to stop the counting of votes at anytime before the declaration of the result, or not to declare the result, if in the opinion of the Observer, booth capturing has taken place at a large number of polling stations or at counting centers or any ballot papers used at a polling station are unlawfully taken out of the custody of the Returning Officer or are accidentally or intentionally destroyed or lost or are damaged or tampered with, to such an extent that the result of the poll at that polling station cannot be ascertained.

(3) Where an Observer has directed the Returning Officer under this section to stop counting of votes or not to declare the result, the Observer shall forthwith report the matter to the Commission and thereupon the Commission shall, after taking all material circumstances into account, issue appropriate directions under section 225 D or section 231 in the matter of declaration of results.

(4) It shall be competent for the State Election Commission to appoint an Election Expenditure Observer for a group of wards or constituencies or for a Mandal or group of Mandals so as to ensure that the provisions of section 230 A and 230 B are strictly adhered to and in that behalf the Commission may issue such instructions as it deems fit, from time to time, to such Observers.

ANNEXURE – I (a)

EXTRACTS FROM THE CONDUCT OF ELECTION RULES, 2006.

33. Voting at Polling Station: (1) If poll has to be taken, the Returning Officer shall appoint forthwith one Presiding Officer and one or more polling officers at each polling station and may pay the remuneration as fixed by the Government for their services:

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 Returning Officer accordingly:

(2) A polling officer shall, if so directed by the Presiding Officer perform all or any of the functions of a Presiding Officer under these rules or any rules or orders 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 Returning Officer to perform such functions during any such absence.

34. Right to vote (Voting to be in person) :- All electors voting at an election shall do so in person at the polling station provided for them under the rules.

35. Form of Ballot Paper:- Every Ballot paper shall have a counterfoil attached thereto and the said ballot paper and the counterfoil shall be in such form as the State Election Commission may, by order, direct.

36. Arrangements at Polling Station:- (1) Outside each polling station there shall be displayed prominently,-

- (a) a notice specifying the polling area, the serial number of electors in the relevant electoral roll who are entitled to vote at the polling station; and
- (b) a copy of the list of contesting candidates with the serial numbers and the symbols assigned to them.

(2) At each polling station there shall be set up one or more voting compartments in which electors can record their votes, screened from observation.

(3) Where the elections for Gram Panchayats and Mandal Praja Parishads and Zilla Praja Parishads are held simultaneously there shall be two ballot boxes kept in the polling station, one for the Member and Sarpanch of Gram Panchayat and the other for the Member of Mandal Praja Parishad and Zilla Praja Parishad. Where the elections are held separately only one ballot-box either for Gram Panchayat or for Mandal Praja Parishad or for Zilla Praja Parishad, as the case may be, shall be kept.

(4) The names of the contesting candidates along with their symbols shall be displayed inside the polling station, above the ballot box to enable the voter to exercise his franchise without difficulty.

(5) The Returning Officer shall provide at each polling station sufficient number of ballot boxes, copies of the electoral roll or such part thereof as contains the names of the electors entitled to vote at the polling station, ballot papers, instruments for stamping the distinguishing mark on the ballot paper and articles necessary for electors to mark the ballot papers, stationery and such forms as may be necessary.

37. Admission to Polling Station: - (1) The Presiding Officer shall keep order at the polling station, shall see that the election is fairly conducted, shall regulate the number of electors to be admitted at any one time inside the polling station and shall exclude therefrom all persons other than, -

- (a) his polling officers and such persons as the Presiding Officer may, from time to time, admit for the purpose of identifying electors;
 - (b) other public servants on duty in connection with the election;
 - (c) the candidates, their election agents, and one polling agent of each candidate at a time;
 - (d) a child in arms accompanying an elector;
 - (e) a person accompanying blind or infirm voters who cannot move without help;
- and
- (f) persons authorised by the State Election Commission.

- (2) (a) Where a woman elector cannot be identified by the identification officers appointed for the purpose by reason of her observing 'purdah' she may be required to be identified by any of her near relatives unless she otherwise satisfies the Presiding Officer of her identity.
- (b) If any question arises as to whether a person is or is not a near relative within the meaning of clause (a) above, it shall be decided by the Presiding Officer and his decision shall be final.

38. Preparation of Ballot Boxes.-(1) Where a paper seal is used for securing a ballot box, 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.

(2) The Presiding Officer shall thereafter fix the paper seal so signed in the space meant therefor in the ballot box and shall then secure and seal the box in such manner that the slit for the insertion of ballot paper therein remains open.

(3) The seals used for securing a ballot box shall be affixed in such manner that after the box has been closed, it is not possible to open it without breaking the seals.

(4) Where it is not necessary to use paper seals or securing the ballot boxes, the Presiding Officer shall secure and seal the ballot box in such manner that the slit for the insertion of ballot papers remains open and shall allow the polling agents present to affix, if they so desire, their seals.

(5) Every ballot box used at a polling station shall bear label both inside and outside marked with:-

- (a) the details of the Ward/Territorial Constituency;
- (b) the serial number and name of the polling station;
- (c) the serial number of the ballot box (to be filled in at the end of the poll on the label outside the ballot box only) and;
- (d) the date of poll.

(6) Immediately before commencement of the poll the Presiding Officer shall demonstrate to the polling agents and other persons present, that the ballot box is empty and bears the labels referred to in sub-rule (5)

(7) The ballot box shall then be closed, sealed, secured and placed in full view of the Presiding Officer and polling agents.

39. Demonstration of the marked copy of the electoral roll: - Immediately before commencement of the poll, the Presiding Officer shall demonstrate to the polling agents and others present, the marked copy or, as the case may be, marked copies of the electoral roll to be used during the poll.

40. Facilities for woman 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 or the Presiding Officer may appoint a woman 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 in searching any woman elector in case it becomes necessary.

41. Identification of electors – (1) The Presiding Officer may employ at the polling station such persons, as he thinks fit to help 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 elector's 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 elector.

(3) Every elector shall produce identity card issued to him/her under the provisions of the Registration of Electors Rules, 1960 made under the Representation of the Peoples Act, 1950 or any such document as may be specified, by order, by the State

Election Commission before the Presiding Officer or the polling officer authorized by him in this behalf, in order to establish his/her identity at the polling station.

(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 overlook the clerical or printing errors in an entry in the electoral roll if he is satisfied that such person is identical with the elector to whom such entry relates.

42. Facilities for public servants on election duty: - (1) The provisions of rule 41 shall not apply to any person who produces at the polling station an election duty certificate issued by Returning Officer and seeks permission to cast his vote at that polling station although the polling station 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) issue to him a ballot paper, and permit him to vote, in the same manner as for an elector entitled to vote at that polling station.

43. Challenging of Identity:-(1) Any polling agent may challenge the identity of a person claiming to be a particular elector by first depositing a sum of five rupees in cash with the Presiding Officer for each such challenge.

(2) On such a 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 the entry.
- (c) enter his name and address in the list of challenged votes in **Form - XXI**; and
- (d) require him to 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 the person challenged any question necessary for the purpose of establishing his identity and require him to answer them on oath; and
- (c) administer an oath to the challenger and any other person offering to give evidence.

(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 the Government and in any other case he shall return it to the challenger on the conclusion of the inquiry.

44. Safeguards against personation: (1) Every elector about whose identity the Presiding Officer or the Polling Officer, as the case may be, is satisfied shall allow -

- (a) the inspection of his left fore-finger by the Polling Officer; and
 - (b) an indelible ink mark to be put on his left fore-finger.
- (2) If any such elector—
- (a) refuses to allow such inspection of his left fore-finger; or
 - (b) refuses to allow an indelible ink mark to be put on his left fore-finger; or
 - (c) does any act in order to remove any such mark after it has been put; or
 - (d) fails or refuses to produce his identity card or any other document specified by State Election Commission to establish his identity under rule 41 of these rules; or
 - (e) refuses to put his signature or thumb impression on the counter-foil;

he shall not be entitled to be supplied with any ballot paper or to record his vote at the election.

(3) A person who already has such a mark on his left fore-finger at the time he enters the polling station shall not be supplied with any ballot paper.

(4) Any reference in this rule to the left fore-finger of an elector shall, in the case where the elector has no left fore-finger be construed as a reference to another finger of his left hand and shall in the case where there are no fingers on his left hand be construed as a reference to the fore finger or any other finger on his right hand and shall in the case where he has no finger on both the hands be construed as a reference to such extremity of his right or left arm as he possesses.

45. Distinguishing Mark:- Before a ballot paper is issued to an elector, the ballot paper and the counterfoil attached thereto, shall be stamped on the back with such distinguishing mark as the State Election Commission may direct and every ballot paper before it is issued shall be signed in full on its back by the Presiding Officer.

46. Issue of ballot paper:- (1) At the time of issuing a ballot paper to an elector, the polling officer shall,-

- (a) record on its counterfoil the electoral roll number of the elector as entered in the marked copy of the electoral roll, and
- (b) obtain the signature or thumb impression of that elector on the said counterfoil:

- (c) mark the name of the elector in the marked 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 the elector:

Provided that no ballot paper shall be delivered to an elector unless he has put his signature or thumb impression on the counterfoil of that ballot paper.

(2) No person in the polling station shall note down the serial numbers of the ballot papers issued to the electors.

47. Maintenance of secrecy of voting by electors and voting procedure:- (1) Every elector to whom a ballot paper has been issued under rule 46 or any other provisions of these rules shall maintain secrecy of voting within the polling station and for that purpose observe the voting procedure hereinafter laid down.

(2) The elector on receiving the ballot paper or papers, as the case may be, shall forthwith -

- (a) proceed to one of the voting compartments,
- (b) make a mark on the ballot paper or papers with the instrument supplied for the purpose on or near the symbol / symbols allotted to the candidate / candidates for whom he intends to vote,
- (c) fold the ballot paper / papers vertically first and thereafter horizontally so as to conceal his vote,
- (d) if required, show to the Presiding Officer the distinguishing mark on the ballot paper or papers,
- (e) insert the folded ballot paper into the specified ballot box, and
- (f) leave the polling station by the exit provided.

(3) Every elector shall vote without undue delay.

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

(5) If an elector to whom a ballot paper has been issued refuses, after warning given by the Presiding Officer to observe the procedure laid down in sub-rule (2), the ballot paper issued to him shall, whether he has recorded his vote thereon or not, be taken back from him by the Presiding Officer or a polling officer, under the direction of the Presiding Officer.

(6) After the ballot paper has been taken back, the Presiding Officer shall record on its back the word "Cancelled: voting procedure violated" and put his signature below these words and all such ballot papers shall be kept in a separate cover which shall bear on its face the words "Ballot Papers - voting procedure violated".

(7) Without prejudice to any other penalty to which an elector, from whom a ballot paper has been taken back under sub-rule (5) may be liable, the vote, if any recorded on such ballot paper shall not be counted.

48. Recording of votes of Blind or infirm voters: - (1) If the Presiding Officer is satisfied that owing to blindness or other physical infirmity, an elector is unable to recognise the symbols on ballot paper or to make a mark 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 vote on the ballot paper on his behalf and in accordance with his wishes and if necessary, for folding the ballot paper so as to conceal the vote and insert it into the ballot box:

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 when any person is permitted to act as the companion of the elector on any day under this rule, the person shall be required to declare in **Form –XXII** that he shall 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 polling station on that day.

(2) The Presiding Officer, shall keep a record of all cases under this rule in **Form – XXIII**.

49. Spoilt and returned ballot papers.- (1) An elector who has inadvertently dealt with his ballot paper in such manner that it cannot be conveniently used as a ballot paper, may, on returning it to the Presiding Officer and on satisfying him of the inadvertence, be given another ballot paper and the ballot paper so returned and the counterfoil of such ballot paper shall be marked as "Spoilt:Cancelled" by the Presiding Officer.

(2) If an elector after obtaining a ballot paper decides not to use it, he shall return it to the Presiding Officer, and the ballot paper so returned and the counterfoil of such ballot paper shall be marked as "Returned Cancelled" by the Presiding Officer.

(3) All ballot papers cancelled under sub-rule (1) and sub-rule (2) shall be kept in a separate packet.

50. 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 entitled, subject to the following provisions of this rule, to mark a ballot paper (hereinafter in these rules referred to as a "Tendered Ballot Paper) in the same manner as any other elector.

(2) Every such person, shall, before being supplied with a tendered ballot paper, sign his name against the entry relating to him in a list in **Form - XXIV**

(3) A tendered ballot paper shall be the same as the other ballot paper used at the polling except that it shall be-

- (a) serially the last in the bundle of ballot papers issued for use at the polling station; and

- (b) endorsed on the back of the ballot paper and its counterfoil with the words "Tendered Ballot Paper" by the Presiding Officer in his own hand and signed by him.

(4) The elector, after marking a tendered ballot paper in the voting compartment and folding it, shall instead of putting it into the ballot box, give it to the Presiding Officer, who shall place it in a cover specifically kept for the purpose.

51. Closing of Poll and Sealing of Ballot Boxes and covers after poll:-

(1) The Presiding Officer shall close the polling station at the hour appointed for closing 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.

(3) The Presiding Officer of each polling station, as soon as practicable, after the close of the poll, shall close the slit of the ballot box and where the box does not contain any mechanical device for closing the slit, he shall seal up the slit and also allow any polling agent present to affix his seal. The ballot box shall thereafter be sealed and secured.

(4) Where it becomes necessary to use a second ballot box by reason of the first ballot box getting full, the first box shall be closed, sealed and secured as provided in sub-rule (3) before another ballot box is put into use.

(5) The Presiding Officer of each polling station, as soon as practicable, after the close of the poll, shall in the presence of any candidate or polling agents who may be present make up the following into separate packets and seal with his own seal and the seals of such candidates or agents as may desire to affix their seals:

- (i) the tendered ballot papers;
- (ii) the unused ballot papers;
- (iii) the spoilt and returned ballot papers;
- (iv) the marked copy of the electoral roll;
- (v) the tendered votes list;
- (vi) the list of challenged votes;
- (vii) the counterfoils of used ballot papers;
- (viii) the ballot papers cancelled for violation of voting procedure; and
- (ix) any other papers directed by the State Election Commission to be kept in a sealed cover/packet.

(6) Each packet shall be numbered and shall bear a note as to its contents, description of the election and the polling stations. Where no vote has been recorded at any polling station, the Presiding Officer shall submit a 'nil' report.

52. Account of ballot papers - (1) The Presiding Officer shall at the close of the poll prepare a ballot paper account in **Form XXV** and place it in a separate cover with the words "Ballot Paper Account" 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 the ballot paper account after obtaining a receipt from the said polling agent therefor and shall also attest it as a true copy.

53. Delivery of ballot boxes to Returning Officer - (1) The Presiding Officer shall then, as soon as may be, deliver the ballot boxes and all such packets and papers used at the polling station or cause them to be delivered to the Returning Officer at such places as he may direct.

(2) The Returning Officer shall make adequate arrangements for the safe transport of all ballot boxes, packets and other papers referred to in this rule from polling stations and for their safe custody until the commencement of this counting of votes.

54. Procedure on adjournment of poll: (1) If the poll at any polling station is adjourned under section 225 B, the provisions of rules 51 to 53 shall, as far as practicable, apply as if the poll was closed at the hour fixed in that behalf.

(2) When an adjourned poll is recommended under sub-section (2) of section 225B, 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 and a new ballot box.

(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 to whom the ballot papers are issued at the adjourned poll, without however recording therein the serial number thereof.

(5) The provisions of rules 33 to 53 shall apply in relation to the conduct of an adjourned poll as they apply in relation to the poll before it was so adjourned.

55. Fresh Poll in case of destruction of ballot boxes: If at any election any ballot box used at a polling station is unlawfully taken out of custody of the Presiding Officer or Returning Officer or is accidentally or intentionally destroyed or lost or is damaged or is tampered with to such an extent that the result of the poll at that polling station cannot be ascertained or any such error or irregularity in procedure is likely to vitiate the poll is committed at the polling station, the procedure prescribed in section 225C of the Act shall be followed.

ANNEXURE – II

FORM OF DELCARION BY ELECTOR ABOUT AGE

I hereby solemnly declare and affirm that my age was more than 18 years on the first date of January, 2011 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 211 of APPR Act, 1994 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 name.....

.....

Part number of electoral 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 – III

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 will 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 with you and give your residential and office addresses to them.

Attend as many training classes as you can. 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 Handbook for Presiding Officer carefully.

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

1.4. Study carefully with the item of Poling material given in Annexure V.

1.5. Read carefully the different forms, statutory and non-statutory, as given in Annexures VIII to XX.

1.6. Read very carefully the following relevant section of the Andhra Pradesh Panchayat Raj Act, 1994 given in Annexures and relevant rules under the Andhra Pradesh Panchayat Raj (Conduct of Elections Rules) 2006. 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 material for use at the polling station. Please ensure that:-

(a) Ballot boxes given to you can be operated smoothly.

(b) All the items mentioned in annexure V have been given to you.

(c) Please count the ballot paper given to you very carefully and ensure that they are of the MPTC/ZPTC in which your polling station is included and their serial numbers also tally. Any missing number, or ballot paper with duplicate number should be brought to the notice of the Returning Officer. Also compare that the number on the counterfoil of the ballot paper and on the ballot paper is identical. You will be given ballot papers in bundles of 50 each and one or more bundles containing less than 50 ballot papers.

(d) Check up the number of paper seals.

(e) Check up the electoral roll to ensure that-

(i) the copies of the supplements are given,

(ii) the part number of the rolls 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.

(f) 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 on the ballot papers.

(g) 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.

(h) Check up the distinguishing mark rubber stamp and all three arrows cross mark rubber stamps and your brass seal. Ensure that all the arrow cross mark rubber stamps have seals affixed on both the sides and that the stamp pads are not dry.

If your polling station is proposed to be located in a mandap, obtain iron box of sufficient dimensions to store your election papers.

If you have any doubt about your movement programme, route to be followed to reach the polling stations, 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 preceding 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 for entry and exit of voters;
- (iii) there are one or more voting compartments for voters to mark the ballot papers and that they are well lighted;
- (iv) a notice showing the polling areas and details about voters is prominently kept;
- (v) the copy of the list of contesting candidates is prominently displayed.

(b) Stamp the distinguishing mark rubber stamp on the counterfoil and at the top right-hand corner on the back of the ballot paper. Ensure that no smudges appear.

(c) Appoint persons whom you will require to assist in identifying the voters including female assistance.

(d) Decide the place where you, your Polling Officers and Polling Agents of the candidates will sit and the ballot box would be placed.

(e) Remove any photograph of any leader belonging to any political party hung in the polling station or cover them fully.

2.3. The ballot papers and the polling materials delivered to you should remain in your custody throughout, till the poll is completed and the materials are handed over by you. Either you or one of the Polling Officers selected by you should remain in the polling station in charge of the materials from the moment you arrive there. The 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 45 minutes before the hour fixed for starting the poll. On arrival open the room/box and check the articles.

3.2. Check up the appointment letters of polling agents and explain to them provisions of section 217 of Andhra Pradesh Panchayat Raj Act,1994. Assign them seats and issue them entry passes for their movements. Read out the declaration as referred to in Chapter X of the Instructions.

3.3. Make arrangements to appoint of Polling Officer if one from your party has not turned up.

3.4. Start preparing the ballot box in presence of the polling agents present. Take their signature on the Green Paper Seal.

3.5. Place the phial of indelible ink in such a way that the ink does not spill out.

3.6. Sign in full two bundles of 50 ballot papers. Ensure that you sign on the back of the ballot paper and not of the counterfoil. Your signature should only be on the back of the ballot papers and should not even partly extend to counterfoil.

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) Voting by blind or infirm voters (Chapter XV)
- (b) Voting on E.D.C. (Chapter XVI)
- (c) Challenge to a voter (Chapter XII)
- (d) Voting by minors (Chapter XII)
- (e) Tendered votes (Chapter XVII)
- (f) Breach in secrecy of voting (Chapter XV)
- (g) Disorderly conduct at the booth and removal of disorderly persons (Chapter XI).

(h) Adjournment of poll because of riot or any other cause (Chapter XVIII)

4.3. As soon as a ballot box gets full start preparing a new ballot box. The box in use should be replaced when you consider it necessary. Close the slit of the ballot box and secure it the keep in at a safe place in presence if polling agents.

4.4. Collect information for compilation of your diary regarding polling every two hours.

4.5. Close the poll at the appointed hour even if it has started a few minutes late. Give slips with your signature to those persons who are in 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 the ballot boxes as per the instructions given in Chapter XX.

5.2. Ascertain the number of female voters who have voted.

5.3. Complete Form XXV and paper seal account. Furnish to every polling agent present at the close of the poll, an attested true copy of Form XXV after obtaining from him a receipt for it on the declaration form referred to in Chapter XX of the Handbook. Then complete the declaration in other respects.

5.4. Complete your diary.

5.5. Prepare first packet of 7 statutory covers.

5.6. Prepare second packet of 8 covers.

5.7. Prepare third packet of seven items.

5.8. Prepare fourth packet of all other items.

5.9. Follow the programme of return journey to the Collection Centre for depositing the sealed ballot boxes and packets. It is your personal responsibility to deliver the boxes and other packets at the Collection Centre intact and obtain a receipt. Note that you have to hand over eleven different items, viz:

1. the sealed box(es)
2. the unused ballot boxes(es).
3. the unused canvas bag(s) or cloth, as the case may be;
4. cover containing the ballot paper account;

5. cover containing the paper seal account;
6. cover containing the declarations of the Presiding Officer;
7. cover containing the Presiding Officer's Diary;
8. first packet superscribed 'statutory cover' containing seven covers;
9. second packet superscribed 'non-statutory covers', containing eight covers;
10. third packet containing seven items of election material, etc.; and
11. fourth packet containing all other items, if any;

ANNEXURE – IV
CHECK MEMO FOR PRESIDING OFFICERS

Item No.	Action of be taken	Remarks
(1)	(2)	(3)
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 materials	Whether ensured that all the election materials and that too in sufficient quantities and numbers have been collected?
4.	Checking up of ballot papers, ballot boxes, marked copies of the electoral roll, arrow cross mark rubber stamps, distinguishing mark 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.	Address tag to be put inside the ballot box	Whether done?
8.	Declaration to be made at the Commencement of the poll.	Whether made?
9.	Signing of ballot papers and affixing the distinguishing mark.	Whether done?
10.	Shuffling of bundles of ballot papers	Whether done?
11.	Reading out the provisions of the Section 217 of APPR Act, 1994 with regard to the secrecy of voting to be done by the Presiding Officer at the beginning of poll.	Whether done?

12.	Allowing polling agents to see the bundles of ballot papers and note the first and last serial number of ballot paper.	Whether allowed?
13.	Marking of indelible ink on left forefinger and obtaining the signature / thumb impression on the counterfoils of ballot papers	Whether being properly done?
14.	Declaration from under-aged electors	Whether obtained?
15.	Maintenance of Presiding Officer's diary	Whether events are recorded from time to time as and when they occur?
16.	Ballot paper account	Whether attested copies given to all the polling agents?
17.	Declaration to be made at the close of poll	Whether made?
18.	Sealing of election papers	Whether done according to instructions?

ANNEXURE – V

LIST OF POLLING MATERIAL FOR A POLLING PARTY / POLLING STATION

POLLING MATERIALS

(A) List of polling materials for a polling party

1. Indelible ink station	...	...	...	2 Phials of 5 cc. per polling station
2. Copying pencil	...	....	...	2
3. Ordinary pencil	...	...	...	2
4. Self-inking pad (Purple)	...	...	...	2
5. Ink tablet pen	...	...	...	2 red & () or a ball point pen
				2 blue ()
6. Ink pot	...	...	...	2
7. Pen-holder and nib	....	...	...	2 each
8. Blotting paper	...	...	...	1 sheet of D.F's size
9. Foolscape paper	...	...	...	4 sheets
10. Pins	...	...	...	1 pkt.
11. Metal seal for Presiding Officer			...	1
12. arrow cross mark rubber stamp for marking	...	...	...	3*
13. Sutli (Thread)	....	...	...	2 bundles
14. Sealing wax	...	...	...	12 pieces
15. Receipt for deposit for challenged votes				1 book
16. Material for voting compartment			...	2
17. Gum paste	...	....	...	1 bottle
18. Pusher	...	...	...	1
19. Match-box	...	...	...	1
20. Blade	...	...	...	1
21. Armbands for Polling Officers			...	6
22. Lanterns, if necessary	...	...	...
23. Metal rule for detaching ballot papers				
Counterfoils	...	...	...	1
24. Cloth or rag for removing ink from Thumb of elector		...	...	--
25. Waste Paper Basket			...	1

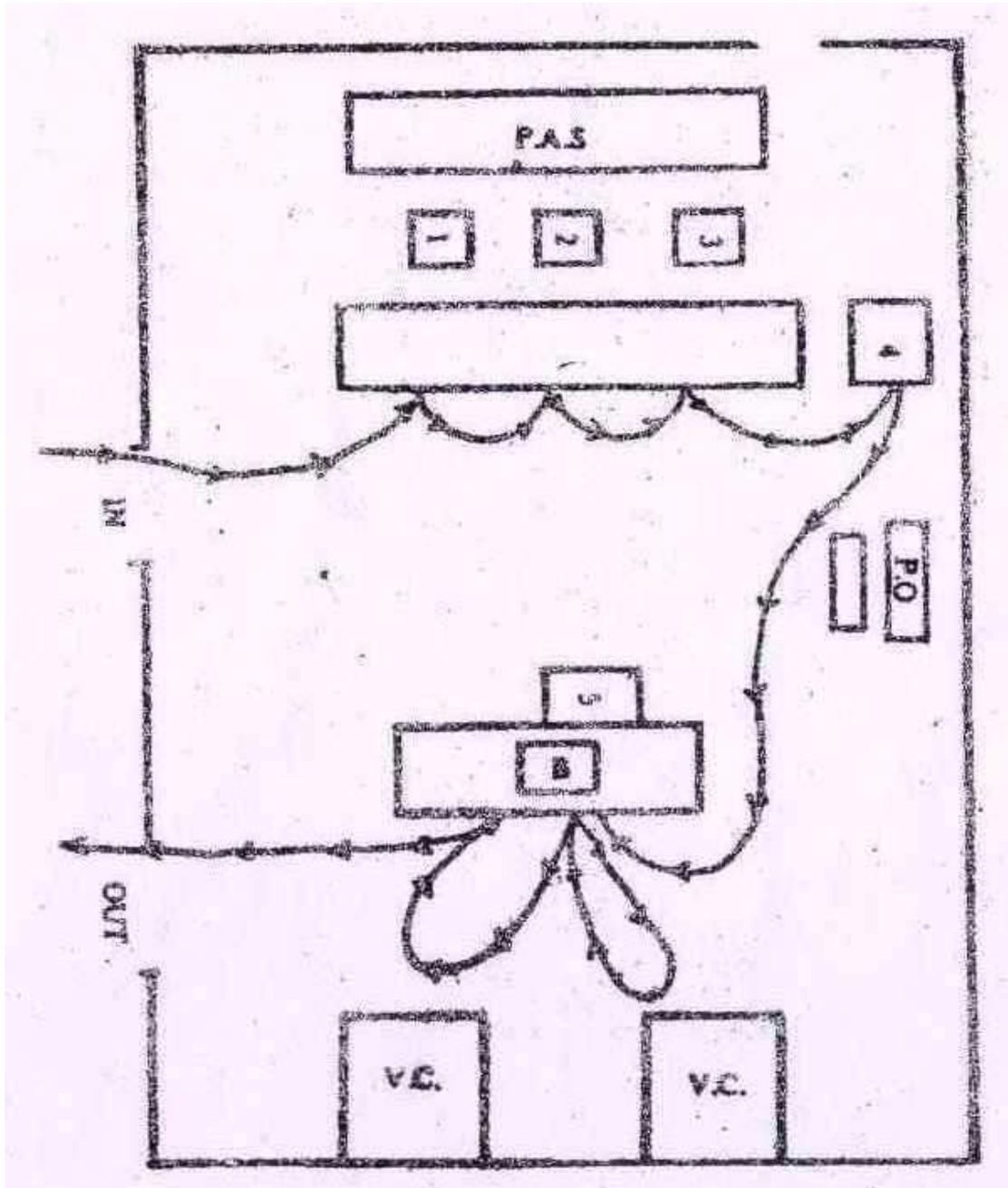
(b) List of polling materials for a polling station

1. Paper seal	...	...	...	6
2. Stitched bundles of ballot papers with Counterfoils	...	...	...	depends upon the no. of voters allotted to a polling station

3. Card Board for strengthening papers seal	...	...	6
4. Passes for Polling Agents	...	...	6
5. Rubber stamp bearing distinguishing mark of Polling station	...	...	1
6. Packing paper	...	...	2 sheets
7. Working copy of the roll	...	...	4(5 in the case of simultaneous elections)
8. Address tags	...	...	6
9. Cover for unused ballot papers	...	...	2
10. Cover for counterfoils of used Ballot papers	...	...	3
11. Cover for tendered ballot papers And list of tendered votes	...	...	2
12. Candle or debri	...	...	6 candles or 1 debri
13. Ballot Box	...	...	3
14. Flexible wire	...	...	1 yd.
15. Cup or empty cigarette tin for Setting the indelible ink bottle	...	...	1
16. Notice specifying polling area	...	...	2 copies
17. List of contesting candidates (Form - IX) MPTC&2forZPTCelection)	...	...	4 copies (2for
18. Covers for returned and cancelled ballot Papers	...	...	2
19. List of challenged votes (Form XXI)	...	...	2
20. Cover for unused paper seals	...	...	2
21. Appointment letters (form XI,XII & XIII)	...	...	each 2
22. Presiding Officer's diary	...	...	2 foollscap sheets
23. Cover for ballot paper account	...	...	2
24. Cover for paper seal account	...	...	2
25. Cover for marked copies of electoral rolls	...	...	2
26. Cover for other copy of electoral rolls	...	...	2
27. Cover for list of challenged votes (Form XIV)	...	...	2
28. Cover for letters of appointment of polling Agents (Form XII)	...	...	2
29. Cover for Presiding Officer's diary	...	...	1
30. Cover for receipt book and cash forfeited, if any	...	...	1
31. Cover for declaration of companions	...	...	1

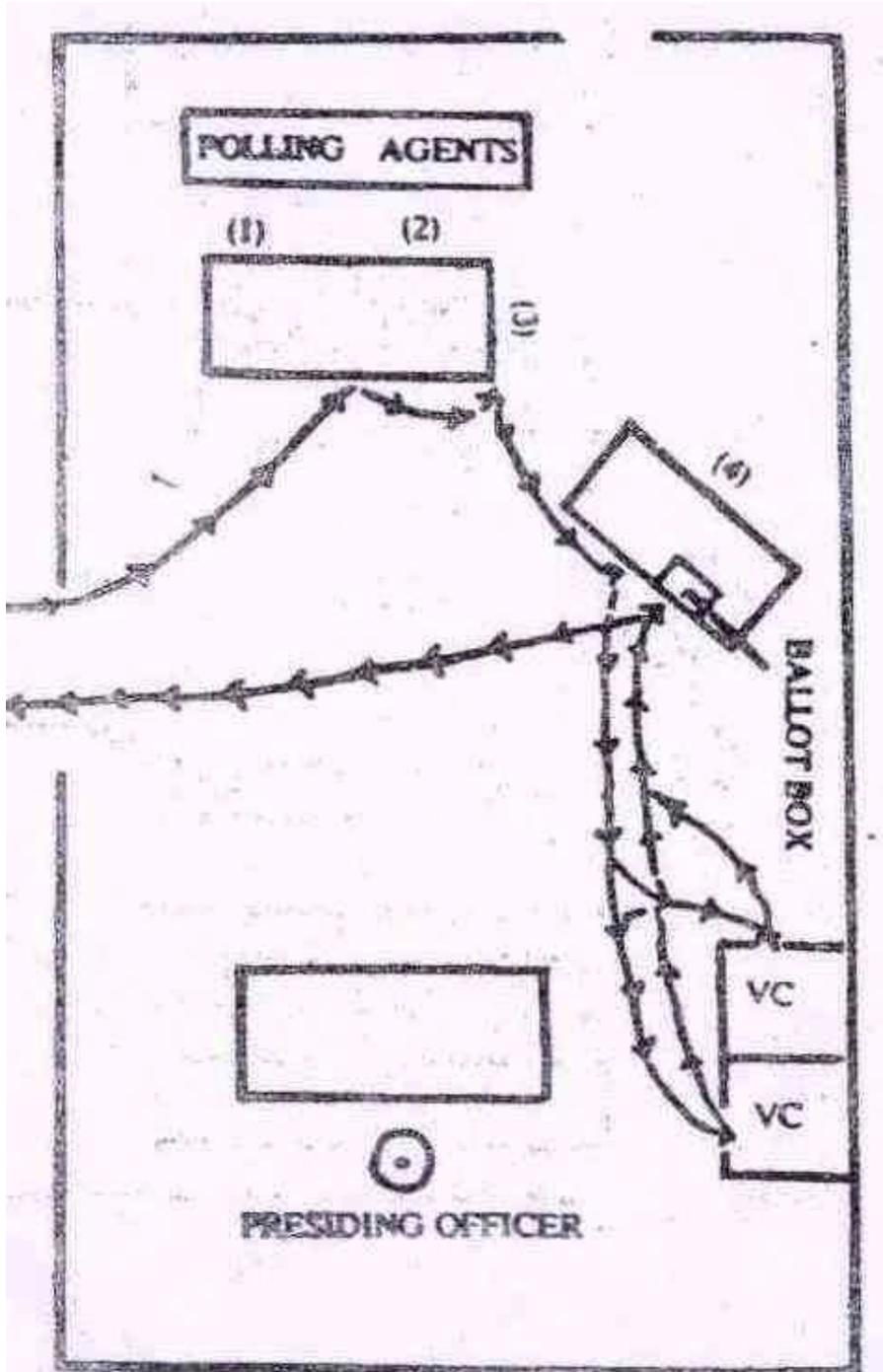
32. Cover for Election Duty Certificate (Form 12-B)	...	1
33. Form of ballot paper account (Form XVI)	...	2 plus number of Contesting candidates.
34. Forms for paper seal account	... ..	2
35. Forms of declaration by companions of Blind or infirm voter	... ..	10
36. Form for list of blind or infirm voters (Form XXIII)	... ..	2
37. Forms for declaration by Presiding Officer before commencement of the poll, during the poll and at end of poll	... ..	2
38. Forms of declaration by a voter about his age	...	5
39. Canvas bag or a new cloth for wrapping ballot box by passing it on in all sides	...	-
40. Sufficient quantity of ribbon or tape for securing ballot box by passing it on in all sides	...	-
41. Cover for ballot papers cancelled voting procedure violated	...	2
42. Cover for signed but unused ballot papers	...	2
43. Cover for Presiding Officer's brief record	...	1
44. Cover for any other paper that the Returning Officer has directed to be kept in a sealed packet.	... ..	1
45. Carbon paper	... ..	4

ANNEXURE - VI
LAYOUT OF POLLING STATION WHERE BALL TO BOXES ARE USED
AT SIMULTANEOUS ELECTION



PO – Presiding Officer
PAS – Polling Agents
VC – Voting Compartment

LAY OUT OF POLLING STATION WHERE BALLOT BOX IS USED FOR SINGLE ELECTION



VC – Voting Compartment

ANNEXURE – VII

INSTRUCTIONS FOR OPERATING BALLOT BOXES

1. Godrej Type Ballot Box

1. **Figure 1:** Illustrate the Ballot Box in the balloting position. Study this figure to know the names of the various parts. Note that the slit for insertion of ballot papers is open in this position.
2. **To open box:** (i) Undo the wire which SECURES the window cover to the button.
(ii) Turn window cover clockwise so as to expose the window fully as in Figure
(iii) Hold your palm upwards and insert a figure through the window and extended it to the middle of the bottom of the lid to contact the BRACKET. (This bracket can be seen in Figure 4).
- 4).
(iv) Pull bracket towards the window and turn the button gently ANTICLOCK – WISE until it stops, after less than a quarter, as in Figure 3. (The box is now unlocked and the lid can be opened to expose its inside) See Figure 4)
(v) allow the candidate or their agents to inspect the box without disturbing mechanism.
3. **To prepare box for balloting:** Figure 5 shows that frame into which the seal if at all to be used is to be inserted and also illustrate the correct method of inserting and securing it. To do this properly you have to proceed as follows:
 - (i) Take the paper seal, either green or pink, have it signed near its wider end on its white face by the candidates or their agents who may desire to sign. Also sign yourself and record date.
 - (ii) Keep a record of the serial number of the paper seal in the form prescribed and allow the candidates or their agents to note the number.
 - (iii) Insert the ends of the paper seal through the inner chinks (see Figure 4) on either side of the central part of the frame so that the white side of the paper seal with the signatures should be visible below the lid of the box.
 - (iv) Make the narrower end of the seal shorter so that wider end with the signatures thereon is longer in order to prevent accidental damage to the paper seal. Strengthen then it by inserting in the central part of the frame, a padding of card board of the size 2.1/10” x 1.7/16” after applying a little gum on the inner surface of that part of the paper seal only which is enclosed within the frame-Figure 5 D. The padding should be thick enough so that the paper seal is held firmly in position. Check this by polling it gently. The paper seal should not move at all.

- (v) Secure the two top corners of the card – board to the paper seal and to the inner side of the lid of the ballot box by sealing was (See Figure 5E).

(vi) If any candidate or his agent arrives late and could not sign on the paper seal before its insertion into the frame, he should be allowed to sign or affix his seal on the longer portion of the paper seal at this stage if he so desires.

(vii) The close the lid of box gently. Take care that the loose ends of the paper seal remain within the ballot box as in Figure 5F. Turn the button slightly clockwise until it stops with a click. The slit should now be fully open in the correct balloting position as in Figure 2. Do not turn the button further or the slit will get closed and no ballot paper can be inserted thereafter. In case this happens through carelessness, the box will have to be reopened after destroying the paper seal and will have to be prepared once again for balloting with a fresh paper seal.

(viii) Turn the window cover anti – clock wise so that the window is covered by it fully as in Figure.1. Run a piece of wire through the hole in the window cover and the corresponding hole in the button and twist the ends of the wire together tightly a few times so that the window cover is secured effectively to the button which cannot be turned thereafter. Then run a piece of twine through the holes in the window cover and the button and tie it tightly with multiple knots. Hold the free ends of the twine together and put your seal on them as close to knots as practicable after placing the ends on a piece of the thick strong paper.

4. To close the slit and seal the box after balloting: (i) After the last voter has voted remove the wire and cut the twine so as to free the window cover.

(ii) Move the window cover clockwise and turn the button hard in the clockwise direction until it stops and closes the slit completely (Figure 6).

(iii) Turn the window cover anti – clockwise so as to close the window fully. Hold the button and the window cover together, run a piece of wire through the hole in the window cover and the corresponding hole in the button and secure them together firmly by twisting the ends of the wire together tightly a few times. (The ballot box will now appear as in Figure 7).

(iv) After closing and securing the ballot box or boxes of polling station run a ribbon or tape on the four sides of the box lengthwise and breadth wise crossing each other on the lid passing under the handle if there is one and tie the knot firmly and seal the knot on a piece of thick paper or cardboard with your seal. The polling agents should also be asked to affix their seals or their signatures if they so desire. After this, the ballot box should be either:

- (a) placed in strong canvas bag with provision for closing it with a strong rope or other locking arrangement and the bag closed and sealed by you, or

(b) wrapped with a new cloth which shall be sewn and the seams sealed by you.

In either case, the polling agents present should be asked to affix their seals if they so desire. Also attach properly the address tag and the label on the canvas bag or cloth cover as the case may be or you may write the particulars in ink. The box is not ready for dispatch to Returning Officer.

5. At the Counting of Votes: (i) Remove wire and twine with Seal (Damage to this seal does not by itself prove tampering).

(ii) Shift window cover to expose window and see that the portion of the paper seal visible through the window is intact.

(iii) Also check that the slit is closed and that the button cannot be turned in either direction. Allow the candidates and their agents also to satisfy themselves about items (ii) and (iii).

(iv) Open the lid and check that,

- (a) the paper seal is genuine and intact, i.e, of full length,
- (b) the signatures and the seals, if any, on the paper seal are in order, and
- (c) the serial number of the paper seal tallies with the corresponding number noted by the Presiding Officer, in the prescribed form.

(The candidates and their agents should also be allowed to satisfy themselves about this).

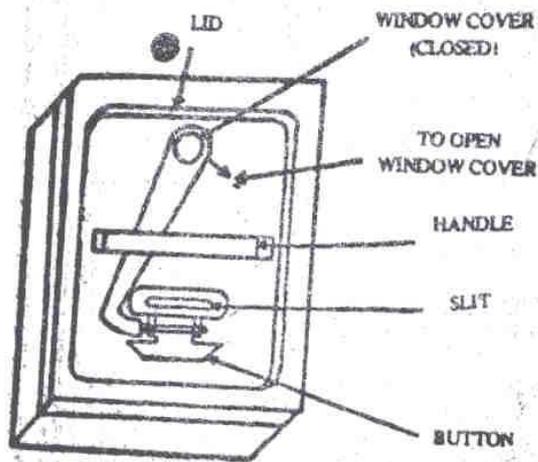


Figure 1

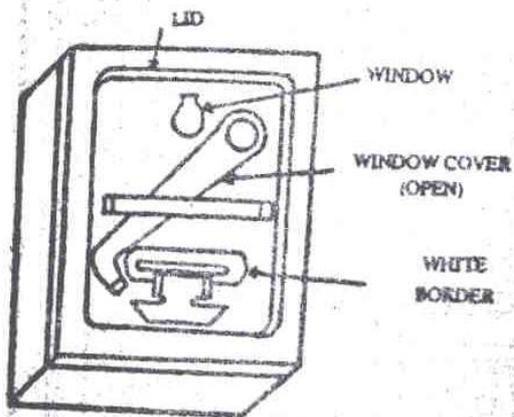


Figure 2

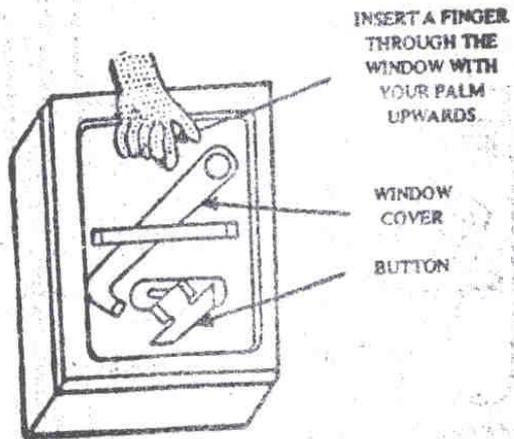


Figure 3

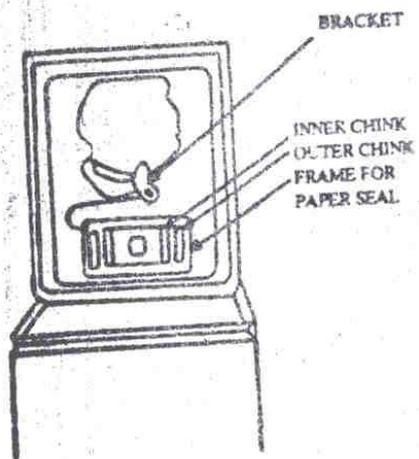


Figure 4

FRAME FOR
PAPER SEAL

WHITE SPACE
OF PAPER

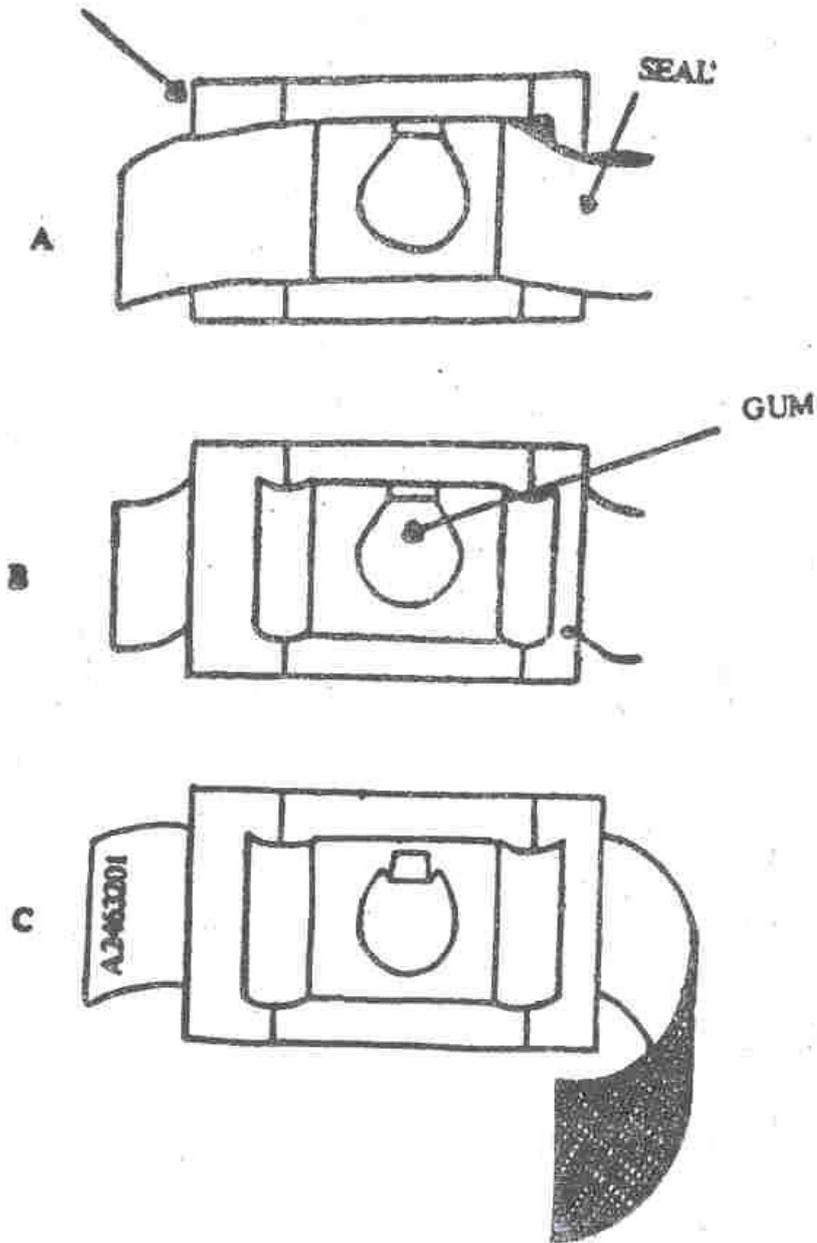
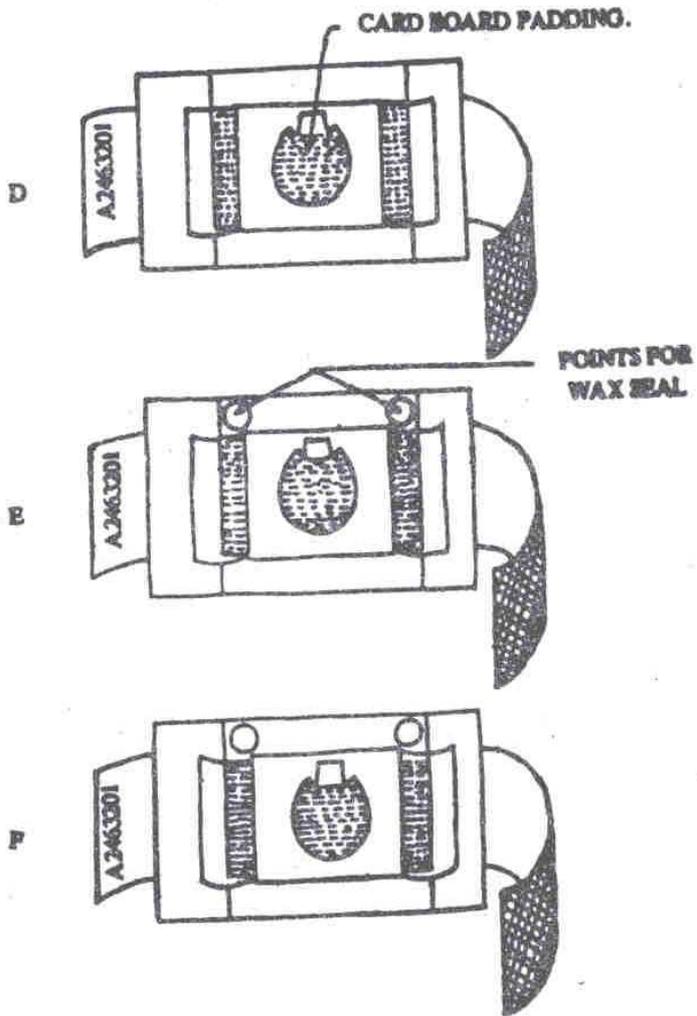


Figure 5



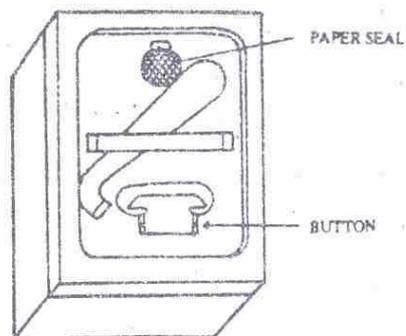
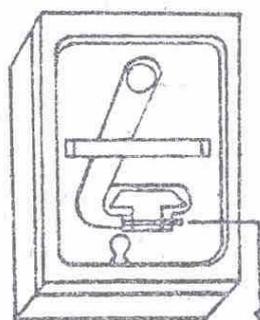


Figure 6



BUTTON AND WINDOW
COVER SEALED.

Figure 7

ANNEXURE – VIII

**RECORD OF PAPER SEALS USED AT ELECTION TO MEMBER –
MANDAL PRAJA PARISHAD / ZILLA PRAJA PARISHAD**

Part – I

Name of the Member, Territorial Constituency of
Mandal Praja Parishad / Zilla Praja Parishad:

Polling Station Name and Number:

Serial number of ballot box used	Serial number of paper seal used	Remarks
(1)	(2)	(3)
1.		
2.		

Part – II

ACCOUNT OF PAPER SEALS

1. Serial numbers of paper seals supplied from to 1.
2. Total numbers supplied 2.
3. Number of paper seals used 3.
4. Number of unused paper seals returned to Returning Officer (Deduct item 3 from item 2) 4.
5. Serial number of damaged paper seals if any 5.

Date :

Place :

Signature of Presiding Officer.

ANNEXURE - IX
MAINTENANCE OF SECRECY OF VOTING (SECTION 217 OF APPR ACT
1994):-

(1) Every officer, clerk, agent or other person who performs any duty in connection with the recording or 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.

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

ANNEXURE – X

**DECLARATION BY THE PRESIDING OFFICER
PART-I**

Declaration by the Presiding Officer before the commencement of the Poll / Election to
..... ZPTC / MPTC 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 that the ballot box(es) to be used for the poll is/are empty and I have allowed them to note down the serial numbers of the ballot box (es);

* (2) that on the paper seal used for securing the ballot box I have affixed my own signature and obtained thereon the signatures of such of the polling agents as are present and desirous of affixing the same;

*(in applicable where paper seal is not used)

(3) that I have demonstrated to the polling agents and others present 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; and

(4) that I have allowed the polling agents to note the first and the last of the serial number of the ballot papers which will be used at the polling station.

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 agents(s) declined to affix his/her 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 use of subsequent Ballot Box (es)
Election to ZPTC / MPTC constituency
Serial No. and name of Polling StationDate
of Poll

I hereby declare:

(1) that I have demonstrated to the polling agents and other persons present that the second/third () ballot box to be used for the poll is empty; and

*(2) that on the paper seal used for securing the ballot box I have affixed my own signature and obtained thereon the signatures of such of the polling agents as are present and desirous of affixing the same;

*(in applicable where paper seal is not used)

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 agents(s) declined to affix their signature(s), on this declaration:

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

Signature

Date

Presiding Officer

PART-III

Declaration of 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 the ballot paper account in Form XXV as required under rule 52(2) of the Conduct of Election Rules, 2006.

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 agents who were present at the close of the polling declined to receive an attested copy of the ballot paper account and to give a receipt therefore and so an attested copy of the ballot paper account, was not supplied to them:

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

Signature

Date

Presiding Officer.

ANNEXURE - XI

Extract of provision of APPR Act, 1994

Section 220:

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 loudspeaker, or

(b) shout, or otherwise act in a disorderly manner within or at the entrance of the polling station or in 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 persons on duty at the polling station.

(2) Any person who contravenes, or willfully aids or abets the contravention of the provisions Subsection (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.

ANNEXURE - XII

**RECEIPT
FOR CHALLENGE FEE**

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

Office of the Presiding Officer for Polling Station No of Member
..... Territorial Constituency of
Mandal Praja Parishad / Zilla Praja Parishad.

Received a sum of Rs. 5 (Rupees five only) in cash from Sri.....
Candidate/Election Agent/Polling Agent on account of deposit for challenge under rule
43 of the Conduct of Election Rules, 2006.

Date

Presiding Officer

Forfeited to Government

Presiding Officer

Received back the amount of Rs.5 (Rupees five only) under rule 43 of the Conduct of
Election Rules, 2006.

Name and Signature of

Date

Candidate/Election Agent/Polling Agent

**RECEIPT
FOR CHALLENGE FEE**

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

Recived a sum of Rs. 5 (Rupees five only) in cash from Shri
Candidate/Election Agent/ Polling Agent on account of deposit for
challenge under rule 43 of the Conduct of Elections Rules, 2006.

Date

Presiding Officer
for Polling Station
No.....
of number
territorial constituency of
..... Mandal
Praja Parishad / Zilla Praja
Parishad.

ANNEXURE – XIII

LETTER OF COMPLAINT TO THE SHO POLICE

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

Sub:- Election to the Sarpanch/ Member of Ward No. of
..... Gram Panchayat / Member, Territorial
constituency of Mandal Praja Parishad / Zilla
Praja Parishad – Impersonation at polling station
..... (Number and name) date of poll
.....

I am to report to that, Sri S/o
Sri at resident of
.....
..... has challenged the identity of the person who is being handed
over to This person claimed to be
..... who's names appears at serial no. in section/ part no.
..... of the electoral roll of Gram Panchayat / Mandal
Praja Parishad / Zilla Praja Parishad he could not who himself to be the elector. In my
opinion he is an imposter. I am to report to this under section 171-F of the Indian Penal
Code.

Yours faithfully,

Signature of the Presiding Officer

Place:

Date:

Copy forwarded to the Returning / Assistant Returning Officer of
..... Gram Panchayat / Mandal Praja Parishad / Zilla Praja Parishad

Signature of the Presiding Officer

Receipt

The above letter and the person preferred to therein where handover to me at (hour) on (date) by the presiding officer.

Signature

ANNEXURE – XIV
LIST OF VOTERS FROM WHOM DECLARATION AS TO
THEIR AGE HAVE BEEN OBTAINED

Election to Member, Territorial constituency of
..... Mandal Praja Parishad / Zilla Praja Parishad.

No. and Name of Polling Station

1	2	3	4
5			

- (1)
 - (2)
 - (3)
 - (4)
 - etc.
-

Date:

Signature of Presiding Officer

ANNEXURE – XV

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

Election to Member, Territorial constituency of
..... Mandal Praja Parishad / Zilla Praja Parishad.

No. and Name of Polling Station

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

Dated

Signature of Presiding Officer

ANNEXURE – XVI
FORM XXII
[See Rules 48(1) & 80(1)]

DECLARATION BY THE COMPANION OF BLIND OR INFIRM VOTER

Election to the Sarpanch/ Member of Ward no. of Gram Panchayat /
Member, Territorial Constituency ofMandal Praja
Parishad / Zilla Praja Parishad.

(Number and name of Polling Station in ward No.....of
..... Gram Panchayat)

I Son of Aged.....
Years resident of
hereby declare that

1. I have not acted as companion of any other elector at any Polling Station
today the ;and
2. I will keep secret the vote recorded by me on behalf of
.....

Signature of the Companion

ANNEXURE – XVII

Extract of provision of APPR Act, 1994

Section 224:

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 years but which may extend to five years and with fine.

Explanation:- For the purposes of this sub-section and section 232A "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 act which affects to 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 threatening 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 person, making the counting authorities surrender the ballot papers or voting machines and the 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 prospects of the election of a candidate.

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

ANNEXURE – XVIII

ITEMS OF ELECTION PAPERS TO BE SEALED IN SEPARATE PACKET AFTER CLOSE OF THE POLL

(See Rule 51)

- (i) the tendered ballot papers;
- (ii) the unused ballot papers;
- (iii) the spoilt and returned ballot papers;
- (iv) the marked copy of the electoral roll;
- (v) the tendered votes list;
- (vi) the list of challenged votes;
- (vii) the counterfoils of used ballot papers;
- (x) the ballot papers cancelled for violation of voting procedure; and
- (xi) any other papers directed by the State Election Commission to be kept in a sealed cover/packet.

ANNEXURE – XIX

PRESIDING OFFICERS DIARY

1. Name of the Territorial Constituency :
2. Name of the Mandal Praja Parishad / Zilla Praja Parishad :
3. Date of poll :
4. Number & Name of the polling station :
Whether located in-
 - (i) Government or quasi-government building;
 - (ii) Private building;
 - (iii) Temporary structure;
5. Number of polling officers recruited locally, if any :
6. Appointment of polling officer made in the absence of duly appointed polling officer, if any, and the reasons for such appointment :
7. Number of ballot boxes used :
8.
 - (i) Number of paper seals used :
 - (ii) Sl. Nos. of paper seals used :
9. Number of polling agents and the number who arrived late :
10. Number of candidates who had appointed polling agents at the polling station :
11.
 - (i) Number of ballot papers issued to voters according to marked copy of the electoral roll
 - (ii) Number of ballot papers actually issued at the polling stations (including tendered ballot papers, cancelled ballot papers, etc.)

Signature of first Polling Officer

Signature of Polling Officer
in-charge of ballot papers

12. Number of electors who voted (tendered votes should not be included here)
Men.....
Women
Total

13. Challenged vote-
 - (i) Number allowed (i.e. where the challenge was upheld and the persons were not allowed to vote)
 - (ii) Number rejected (i.e. where the challenge was rejected and the voters were allowed to vote)
 - (iii) Amount forfeited Rs { This should tally with the figure obtained by multiplying (Rs. 5 with item (ii) }
14. Number of persons who have voted on production of Election Duty Certificate (EDC) :
15. Number of electors who voted with the help of companions :
16. Number of tendered votes :

Men.....

Women

Total

% of tendered votes to total votes polled.
17. No. of electors-
 - (i) from whom declarations as to their age obtained
 - (ii) 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. No. 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 :
22. Was the poll interrupted or obstructed by-
- (1) riot :
 - (2) open violence :
 - (3) natural calamity :
 - (4) booth capturing:
 - (5) any other cause :

Please give details of the above.

23. Was the poll vitiated by –
- (1) any ballot box used at the polling station having been unlawfully taken out of the custody of the Presiding Officer:.
 - (a) accidentally or intentionally lost or destroyed :
 - (b) damaged or tampered with :
 - (2) the ballot papers having been unlawfully marked by any person and deposited in the ballot box.

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 :

Place

Date

Presiding Officer

This diary should be forwarded to the Returning Officer along with the ballot boxes and other sealed papers.

ANNEXURE - XX

FORM - XXV

[See Rules 52 & 56]

PART - I
BALLOT PAPER ACCOUNT

Election to the Sarpanch/ Member of Ward no. of Gram Panchayat /
Member, Territorial Constituency ofMandal Praja
Parishad / Zilla Praja Parishad.

No. and Name of the Polling Station	Ward		Total No.
	----- Gram Panchayat		
-----	-----		
	<u>Serial No.(s)</u>		
	From	To	

1. Ballot Paper received
2. Ballot Papers unused
(i.e. not issued to Voters)
 - (a) With the Signature of Presiding Officer
 - (b) Without the Signature of Presiding OfficerTotal (a+b)
3. * Ballot Papers used at the Polling Station
(1-2 = 3)
4. Ballot Papers used at the Polling Stations but
NOT INSERTED INTO THE BALLOT BOX.
 - (a) Ballot Papers cancelled for violation of voting
procedure under rule 47(6)
 - (b) Ballot Papers cancelled for other reasons.
 - (c) Ballot Papers used as tendered ballot papers.* Total (a + b + c)
5. * Ballot Papers to be found in the ballot box
(3 - 4 = 5)

* Serial numbers need not be given

Date :

Signature of the Presiding Officer

Part – II (of Form XXV)

RESULT OF INITIAL COUNTING

(to be used when the counting of votes is done by mixing)

1. Total number of ballot papers found in the ballot box (es)
used at the polling station.....

2. Discrepancy, if any, between the total number as shown against item 1 in this Part
and the total number of ballot papers to be found in the ballot box(es) shown in
item 5 of Part-I.....
.....

Date.....

Signature of Counting Supervisor

Signature of the Returning Officer
