

**STATE ELECTION COMMISSION**

3<sup>rd</sup> Floor, Buddha Bhavan, M.G. Road, Hyderabad-500003, A.P.

**CIRCULAR**

**No.78/SEC-F1/2014**

**Date: 11.05.2014**

- Sub: State Election Commission – Ordinary elections to Municipal bodies – Preservation of EVMs containing poll data after completion of counting on 12.05.2014 – Reg.

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The counting of votes and declaration of results of Municipal elections is scheduled to take place on 12.05.2014.

Attention of all the Collectors & District Election Authorities is invited to Rule 87, 88, 89 and 90 of A.P. Municipal Corporations (Conduct of Election of Members) Rules, 2005 with regard to preservation and safe custody of EVMs and other election related documents relating to Municipal Corporations. Similarly, Rule 94, 95, 96 and 97 of A.P. Municipalities (Conduct of Election of Members) Rules, 2005 prescribed the procedure to be followed with regard to preservation and safe custody of EVMs and other election related documents relating to Municipalities and Nagar Panchayats.

The above-mentioned rules vested the responsibility of the safe custody of the EVMs and other election related material on the Collector & DEA or the officer authorised by him. It is also specified under Rule 89(2) of A.P. Municipal Corporations (Conduct of Election of Members) Rules, 2005 and Rule 96(2) of A.P. Municipalities (Conduct of Election of Members) Rules, 2005 that the EVMs and other election related material shall be stored in the Government Treasury or the Sub-Treasury and shall not be opened and inspected or produced before any person or authority except under orders of the competent court.

In view of the above position, all the Collectors & District Election Authorities are requested to take necessary steps for storage of EVMs and other election related material relating to Municipal Elections in Government Treasury or Sub-Treasury. However, where adequate space is not available in Government Treasury or Sub-Treasury for storage of EVMs and other election related material, the Collectors & DEAs may identify suitable places for their storage and keep them under custody of concerned Treasury or Sub-Treasury officials.

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Under Rule 90 of A.P. Municipal Corporations (Conduct of Election of Members) Rules, 2005 and Rule 97 of A.P. Municipalities (Conduct of Election of Members) Rules, 2005, the EVMs kept in the custody of Collector & DEA or the officer authorised by him shall be retained intact for such period as the State Election Commission may direct and shall not be used at subsequent election without previous approval of the Commission.

In case of Municipal Corporations, the limitation period for filing Election Petitions is two months from the date of election of returned candidate or constitution of Election Tribunal, as the case may be, and in respect of Municipalities and Nagar Panchayats, it is fifteen days from the date of declaration of results of election. The Commission will take a call on period of retention of data preserved in the EVMs after the completion of limitation period for filing election petitions.

**Sd/- Navin Mittal**  
**SECRETARY**

To  
All the Collectors & District Election Authorities.  
All the Municipal Commissioners concerned.  
All the Returning Officers/Election Officers  
(through Municipal Commissioners concerned)

// Attested //

  
**Joint Secretary**