



***STATE ELECTION COMMISSION, HIMACHAL PRADESH
ARMSDALE BUILDING, SHIMLA-171002.***

A
HAND BOOK

FOR

PRESIDING OFFICERS

FOR THE

CONDUCT OF ELECTIONS TO

MUNICIPAL CORPORATION

Through

ELECTRONIC VOTING MACHINES

2021

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Handbook for Presiding Officers where Electronic Voting Machines are used

CHAPTER - I

PRELIMINARY

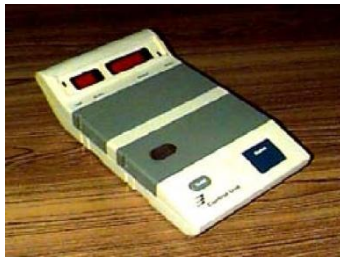
1. Introductory

- 1.1 The objective of this Handbook is to provide you the information and guidance to enable you to perform your duties as a Presiding Officer effectively. However, it may be noted that this Handbook cannot be treated as an exhaustive compendium in all aspects but has been prepared with the view to give you broad idea of the various provisions of elections related law and procedure for the conduct of poll.
- 1.2 You have been appointed as Presiding Officer under the provision of **rule 31** of the Himachal Pradesh Municipal Corporation Election **Rules, 2012** and Section 9 of the Himachal Pradesh Municipal Corporation Act 1994. At the polling station, it is your primary duty and responsibility to ensure a free and fair poll. The Provisions of HP Municipal Corporation Act, 1994 are annexed as **Annexure-I** and HP Municipal Corporation Election **Rules 2102** are annexed as **Annexure-II** of this Hand Book.
- 1.3 As a Presiding officer, you are the most responsible officer at the polling station. A very important role has been assigned to you at the polling station to conduct smooth poll. You enjoy full powers under law to conduct the proceedings in the polling station under your charge. At the same time you are fully responsible for all the activities taking place at the polling station.
- 1.4 The election to Municipal Corporation shall be conducted through Electronic Voting Machines, therefore you should not only familiarise yourself thoroughly with rules and procedures but also with each step to be taken in the conduct of poll and with the operation of Electronic voting machine.

2. Brief introduction to voting machines

- 2.1 The Electronic Voting Machine operates on a 6 volts battery and can be used anywhere and under any conditions. It is tamperproof, error-free and easy to operate. Both the units of the machine are supplied in two separate carrying cases which are easily portable. The polling information once recorded in the machine is retained in its memory even when the battery is removed.
- 2.2 The Electronic Voting machine consists of two units, namely, Control Unit and

Ballot unit. These two units are interconnected, when the voting machine is put in operation by means of a cable and one end of cable is permanently attached to the ballot unit.



Control Unit



Ballot unit

- 2.3 One ballot unit caters up to sixteen candidates. On the ballot unit, there is provision for display of the ballot paper containing the particulars of the election, the serial numbers, names and photograph of contesting candidates and the symbols allotted to them. There is a blue button against the name of each candidate. By pressing this blue button, the voter can record his vote in favour of the candidate of his choice. Alongside the said button, there is also a lamp for each candidate. This lamp will glow red when the vote is recorded and simultaneously a beep sound will also be heard.
- 2.4 One control unit can record the vote's up to 64 candidates. For this purpose four ballot units have to be linked together and connected with one control unit. On the top most portion of the control unit, there is provision for displaying the various information and data recorded in the machine, like the number of contesting candidates, total number of votes polled, votes polled by each candidate, etc. This portion is called, for easy reference, '**Display Section**' of the control unit. Below the display section, there is a compartment for fixing the battery, which runs the machine. On the right side of this compartment, there is another compartment in which there is a button for setting the machine for the number of candidates, contesting the particular election. This button is called the '**Cand Set**' button and the whole section of the control unit containing these two compartments is called the '**Cand Set Section**'.
- 2.5 Below the cand set section is the '**Result Section**' of the control unit. This section contains (i) '**Close**' button on the left side, used for closing the poll, (ii) two buttons in the middle - '**Result I**' & '**Result II**'. This Section will not be operated by you as it will be operated at the time of counting by the RO.
- 2.6 There are two more buttons - one marked '**Ballot**' and other marked '**Total**'. By pressing the button 'Ballot', the ballot unit becomes ready to record the vote and by pressing the button 'Total', the total number of votes recorded upto that stage (but

without the candidate-wise break up) can be ascertained. This section is known as the ‘**Ballot Section**’ of the control unit.

3. Broad outlines of duties

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

- (i) You should acquaint yourself fully with the latest position about the rules and procedures prescribed for the conduct of poll by voting machines.
- (ii) You should familiarize yourself thoroughly with the operation of the voting machine and the functions of various buttons and switches provided therein.
- (iii) You must keep in ready possession all relevant instructions of the Commission.
- (iv) You must have a clear idea of the location of your polling station and your itinerary to and from the polling station, so as to enable yourself to reach your polling station in time without losing any time in finding out the way to the polling station.
- (v) You must not miss any of the training session, lest you find yourself groping in the dark for various important instructions.
- (vi) While collecting election materials, you should ensure that all items have been handed over to you as per the list supplied alongwith the material. The most important items are (i) electronic voting machine (ballot unit and control unit), (ii) tendered ballot papers, (iii) Register of Voters (Form 26A), (iv) marked copy of electoral roll (v) Form 31A (vi) Format of the Presiding Officer’s Diary and (vii) extra copies of the roll, **blue paper** seals, special tags, statutory forms, sealing wax and indelible ink.
- (vii) On arrival at the polling station, you should have a clear idea of the arrangements to be made for setting up of the polling station in a proper way especially to secure secrecy of voting, regulation of queue of voters, protection of poll proceedings free from outside interference, etc. On arrival at the centre you should also ensure whether your polling station has police arrangement.
- (viii) Before the commencement of poll, the voting machine has to be demonstrated to the polling agents, who are present at the polling station at the time of commencement of the poll, to satisfy them that no votes are already recorded therein and that the machine is in perfect working condition. For this purposes, a mock poll shall be compulsorily held by letting the polling agents record a few votes at random for each of the contesting candidates and tallying the result

thereafter.

You should be clear that without mock poll at a polling station, there shall be no poll at that polling station.

- (ix) After holding the mock poll, the votes recorded by such mock poll must be cleared from the control unit of the voting machine so that no data relating to the mock poll remains in the memory of the machine. The control unit of the voting machine then must be sealed and secured by fixing the blue paper seal(s) and special tag in the space provided. The procedure for this sealing is explained in detail in **Chapters X and XI**.
 - (x) The poll must commence at the hour fixed for such commencement by the State Election Commission. Before commencing the poll, the candidates or their agents, who are present at the polling station and the polling officers, should be briefed about the maintenance of secrecy of vote. The provision of section 22 of the Himachal Pradesh Municipal Corporation Act, 1994 (**See Annexure-I**) should be read out and brought to their notice.
 - (xi) At the commencement of poll, you have to make a declaration in a prescribed form about the demonstration of the voting machine, marked copy of the electoral roll and the Register of Voters to candidates or their polling agents present and get it signed by them.
- (XII) In case identity of a voter is challenged, the electors who have been issued with Electors Photo Identity Cards (EPICs) by ECI may produce those cards to establish their identity. In case of those electors whose identity cannot be established by means of the EPICs, the Presiding Officer shall thereafter hold a summary inquiry into the challenge and may for that purpose:-
- (a) require the challenger to adduce evidence in proof of the challenge and the person challenged to adduce evidence in proof of his identity;
 - (b) put to the person challenged any questions necessary for the purpose of establishing his identity and require him to answer them on oath; and
 - (c) 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.
- (D) 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 direction 9 (1) of this hand book be forfeited to Government, and in any other case, returned to the challenger at the conclusion of the inquiry.

Although photograph of the electors is printed on the electoral roll but if photograph of an elector is not available on the electoral roll The identity of such electors should be properly verified by the First Polling Officer with reference to his entry in the electoral roll, the Elector's Photo Identity Card, or with reference to any of the other alternative document(s) prescribed by the State Election Commission.

- (XIII) Last four digits of the EPIC/Identity documents produced by the elector should be entered in the 'Remarks' column of the Register of Voters (Form 26A). After an elector has been identified, the entry relating to the elector in the marked copy of the electoral roll He will tick mark (✓) the entry if the voter is female and underline(_____) the entry in case of male elector. The serial number (*and not the name*) of the elector as given in the marked copy of the electoral roll should be noted in the Register of Voters (Form 26A).
- (XIV) After an elector is identified with reference to his entry in the electoral roll, the **left forefinger** should be marked with the indelible ink by the Second Polling Officer.
- (XV) The second Polling officer will obtain the signature or thumb impression of the elector on the Register of Voters (Form 26A) before he is allowed to record his vote. If an elector refuses to put his signature or thumb impression on the Register of Voters, he shall not be permitted to vote and an entry 'Refused to vote' will be made in the 'Remarks' column of the Register of Voters and you will have to sign below such entry. However, if an elector after his electoral roll number has been duly entered in the register of voters in Form 26A and has put his signature or thumb impression thereon, decides not to record his vote, a remark to this effect – '**Refused to vote**' shall be made against the said entry in Form 26A by you. In such case it shall not be necessary to make any change in the serial number of the elector or of any succeeding elector in column 1 of the register of voters (Form 26A). If the "Ballot" button on the control unit has already been pressed to release voting on the ballot unit by a voter and he refuses to vote, either the Presiding Officer/ Polling Officer, whoever is in-charge of the control unit, should direct the next voter to proceed to the voting compartment to record his vote. In the alternative the Officer in-charge of the control unit should put the 'Power' switch in the rear compartment of the control unit to 'OFF' position, and then again to 'ON' position, press the 'Ballot' button and direct the next voter to proceed to the voting compartment to record his vote.
- (xvi) The State Election Commission has also provide the option of None of the above(NOTA) "उपरोक्त में से कोई नहीं" on the ballot paper, therefore, if any elector after putting his/her signature or thumb impression on the register of voters (Form-26A) decides not to vote, you may apprise him that if he is not interested to vote for any contesting candidate he may use the option of NOTA

- (xvii) In another eventuality, when the “Ballot” button on the control unit has been pressed to release voting on the ballot unit and the **last voter refuses** to vote, the Presiding Officer/Polling Officer, whoever is in-charge of the control unit shall put the ‘Power’ switch in the rear compartment of the control unit to ‘OFF’ position and disconnect the ballot unit(s) from the control unit. After disconnecting the ballot unit(s) from the control unit the ‘Power’ switch should again be put ‘ON’. Now the ‘Busy’ lamp will go off and the ‘Close’ button will become functional to close the poll.
- (xviii) After the signature or thumb impression of the elector has been obtained on the Register of Voters and his left hand forefinger has been marked with the indelible ink, ***the second Polling Officer will direct him to go to the third Polling Officer. The serial number at which the entry relating to him has been made in the Register of voters will be written at the voter’s slip.***
- (xix) The electors shall be allowed to record their votes in the voting machine on the basis of the Voters’ slips strictly in the same order in which they have been entered in the register of voters.
- (xx) If you consider an elector to be much below the minimum age of voting, i.e., 18 years, but are otherwise satisfied about his identity and the fact of inclusion of his name in the electoral roll, you should obtain a declaration from him about his age, in the form of declaration in Annexure **VIII**.
- (xxi) It is your foremost duty to go on recording the relevant events as and when they occur in the Presiding Officer’s Diary.
- (xxii) It may sometimes happen that you may have a suspicion or reason to suspect that the ballot unit kept in the screened voting compartment is not functioning properly or that an elector who has entered the voting compartment is tampering with or otherwise interfering with the balloting unit by inserting an object or fixing cello-tape or match stick or chewing gum on the blue button or has remained inside the voting compartment for unduly long period. You have a right to enter the voting compartment in such cases and to take such steps as may be considered necessary by you to ensure that the balloting unit is not tampered with or interfered with in any way and that the poll progresses smoothly and orderly. However, be careful that, whenever you enter the voting compartment, do not enter the compartment alone. You should permit and take one or two or more polling agents present at the polling station to accompany you.

- (xxiii) If any incident takes place at the polling station and is not reported by you, but reported from any other source, the Commission may take a serious view and initiate action against you.
- (xxiv) You have to regulate the proceedings in the polling station for peaceful and smooth conduct of poll. You require much tact for this purpose, but at the same time you should be firm and impartial.
- (xxv) You have to periodically verify the total number of votes polled till a particular hour by pressing 'Total' button.
- (xxvi) You must close the poll at the hour fixed for the purpose by the State Election Commission, even if the commencement of poll was delayed for any reason. However, all voters present at the polling station at the closing hour of poll shall be allowed to vote even if that means the continuing of poll for some more time. It should also be ensured that after the closing hour of poll nobody joins the queue of voters. For this purpose, you should distribute **prescribed numbered slips**, signed by you, to all voters standing in the queue starting such distribution of slips from the last person standing in the queue.
- (xxvii) At the close of poll, you are required to prepare an 'Account of Votes Recorded' in Part I of Form 31A and obtain the signature of the polling agents in the column specified for the purpose in that Form. Authenticated copies of such account of votes recorded are required to be given to the polling agent of each candidate present at the polling station. You are also required to make a declaration regarding furnishing of such copies to the candidate's agents in the form prescribed by the Commission.
- (xxviii) After the close of poll, the voting machine and all election papers should be sealed and secured in the manner prescribed by the State Election Commission. Candidates or their agents present at the polling station shall also be allowed to affix their seals, if they so desire, on the voting machine and the election papers in addition to your seals. You should follow carefully the relevant instructions about the sealing and securing of voting machines and election papers so that no mistake is committed.
- (xix) It is your personal responsibility to hand over the voting machine and all election papers duly sealed and secured to the officer responsible for the collection thereof, under proper receipt.

5. Check Memo

To ensure that you have fulfilled the various statutory requirements in connection with the election, the State Election commission has drawn up a CHECK MEMO for you,

which is given in **Annexure III**. The said CHECK MEMO should be properly maintained by you.

CHAPTER II

FORMATION OF POLLING PARTY AND TRAININGS

1. Polling Party:

The election to Municipal Corporation shall be conducted through Electronic Voting Machines. As per proviso of rule 31 of the HP Municipal Corporation Election Rules, 2012, if any Poling Officer is absent from the polling station, the Presiding Officer may appoint any Government or Semi-Government or Municipal servant, who is present at the polling station, as a polling officer and inform the Returning Officer accordingly.

2. Polling trainings

- 2.1 The Returning Officer/Assistant Returning Officers will arrange training session for you and the Polling Officers. Attend all such training session. These session will help you acquaint yourself with the operation of voting machine and for obtaining a clear idea of the polling procedure to be followed at the polling station and understand the provisions of the law. Ensure that at the training classes you are provided with a copy of the Handbook for Presiding Officers published by the State Election Commission explaining the detailed procedure to be followed at the polling stations.
- 2.2 You must take with you the Polling Officer authorised to perform the duties of Presiding Officers in your unavoidable absence to these rehearsals. It is absolutely necessary that you and such authorised Polling Officer should do the various operations on the voting machine yourself / himself personally and should not be content with simply watching the demonstration. Both of you should also familiarise yourselves with the fixing of the blue paper seals, special tag, and address tags, etc. Ensure that you and the Polling Officer accompanying you for the training classes do not fiddle with the machine unnecessarily.
- 2.3 You should also prepare a sample Account of Votes Recorded and paper seal account in Form 26A.
- 2.4 Do not take the training classes/rehearsals lightly. Even if you had worked as Presiding Officer or Polling Officer in some earlier election, where voting machines were used, you must attend all the training classes/rehearsals, as during the training classes/rehearsals you may come to know some new facts/instructions/provisions of law. The election law and procedure, are being amended from time to time and it is necessary that you keep yourself updated with the latest provisions of law, rules, instructions etc. Further, it is always necessary to refresh your memory even if there is no change in the law and procedure.

3. Elector on Poll duty entitled to Vote:

- 3.1 The electors who are on poll duty within the Municipal Corporation shall be entitled to vote as per procedure prescribed under Chapter XXI.
- 3.2 In training classes, a copy each of the electoral rolls for all the wards of the Municipal Corporation will be made available for inspection by the Returning Officer at the centre(s) for rehearsal and training classes, so that you can note down your particulars regarding electoral roll numbers, which you will have to furnish in the form for intimation to Returning Officer.

CHAPTER III

COLLECTION OF VOTING MACHINE AND POLLING MATERIALS

1. Polling materials

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

2. Checking of voting machine:

Check, in particular, the following:

- (1) That the control unit and the ballot unit(s) of the voting machine given to you are the same which are meant for use at your polling station. This shall be checked with reference to the address tags attached to the said units as the number and name of the polling station shall be indicated by the Returning Officer on each of those address tags.
- (2) That the 'Cand Set Section' of control unit is duly sealed and the address tag is firmly attached thereto.
- (3) That the battery installed in the 'Cand Set Section' of the control unit is fully operational. This may be checked by putting the Power Switch provided in the rear compartment to 'ON' position. **After the said checking, the power switch must be put to 'OFF' position.**
- (4) That you have been supplied with the requisite number of ballot units and the ballot papers are duly fixed under the Ballot Paper Screen in each of them. The number of ballot units to be supplied to you will be dependent upon the number of contesting candidates in your constituency. If the number of contesting candidates is between 2 and 16, only one ballot unit will be supplied and the slide switch seen through the window at the right side top of the ballot unit will have been set by the Returning Officer at position '1'. If the number of contesting candidates is between 17 and 32, you will be supplied with two ballot units. On the first ballot unit in which the abovementioned slide switch will be set to position '1' the ballot paper will contain the names of the candidates at Sr. Nos., 1 to 16 in the list of contesting candidates. The second ballot unit will display the second sheet of the ballot paper containing the names of contesting candidates from 17 onwards (and

upto 32) and the slide switch in that unit will be set to the position `2'. Likewise, three ballot units will be supplied if the number of contesting candidates is between 33 and 48 and there will be four such units if the number of candidates exceeds 48 and is upto 64. In the third ballot unit the ballot paper will contain the names of candidates from Sr. Nos. 33 onwards (upto 48) and its slide switch will be set to the position `3'. The fourth ballot unit will display on the ballot paper fixed therein the names of candidates from serial No. 49 onwards (upto 64) and its slide switch will show the position `4'. **Ensure that the “slide switch(s)” on the ballot unit(s) has/have been secured with the help of transparent cello tape.**

- (5) If you find any discrepancy in the fixing of the Slide switch, immediately bring it to the notice of Sector Officer/Returning Officer. But in any case you or your Polling Officers should not fiddle with the Slide switch.
- (6) That the ballot papers and slide switches on each of the ballot units have been correctly fixed/set as explained in the preceding item. It must also be ensured that the ballot papers as fixed on the ballot units are properly aligned and that the name and symbol of each candidate is in line with his corresponding lamp and button and the thick lines dividing the panels of the candidates on the ballot paper are in line with the corresponding grooves on the ballot unit.
- (7) That the candidates' blue buttons which have been unmasked and are visible on the ballot units are one more than the number of contesting candidates, **one extra button will be used for NOTA** and that the remaining buttons, if any, have been masked.
- (8) That each of the ballot units is duly sealed and secured at two places, i.e. at right top and right bottom portions, with the seals of the Returning Officer, and that the address tags are firmly attached thereto.

3. **Checking of Polling materials**

Check also- . .

- (1) Two phials of 5 cc of indelible ink have been provided in the kit and there is sufficient quantify of ink in each of the one phials supplied to you since now the ink has to be put on the **left hand forefinger** as a line from the top of the nail to the bottom of first joint of the finger and that the stamp pads are not dry;
- (2) That all the three copies of the relevant electoral roll are complete and identical in every respect and, in particular, that-
 - (a) the electoral roll 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 duly incorporated in all the copies;
 - (c) all the pages in each working copy of the roll have been serially numbered from No.1 onwards.
 - (d) the printed serial numbers of the voters are not corrected with ink or otherwise and no new numbers are substituted for them;
 - (f) the marked copy of the electoral roll (copy of the electoral roll to be used for 'marking' the names of electors, who are allowed to vote) does not contain any remarks other than those used for issuing poll duty ballot papers/EDC.
- (3) That the tendered ballot papers supplied to you are for the same ward in which the polling station assigned to you is situated and they are not defective in any respect. You should check that the serial numbers tally with the details supplied to you.
- (4) If you find any voting machine or any polling material defective in any respect, you must immediately bring such defect to the notice of the officer in-charge of distribution of voting machines/polling materials or the Returning Officer for necessary remedial action.
- (5) Check also that photocopies of specimen signatures of the contesting candidates and their election agents are also given to you. This will help you in verifying genuineness of the signature of the candidate/his election agent in the appointment letter of polling agent(s) at the polling station.

CHAPTER - IV

SET UP OF POLLING STATIONS

1. Arrival at the Polling Station

You should move to the Polling Station allotted to you strictly in accordance with the programme communicated to you by the Returning Officer. You should be at the polling station with your party at least 2 hours before the time at which the poll is due to commence. If your polling station is at a distant place and you are not in a position to reach the polling station early in the morning you can reach the polling station on the day previous to the day of poll and sleep at the polling station itself.

2. Set up of Polling Stations:

- (a) Voters have to vote in secrecy and for this purpose, the ballot units are required to be kept in voting compartments, these have to be placed inside the voting compartment on a table. The ballot unit is to be placed in such a way that voters do not find any difficulty in recording their votes and no one could see them while casting their vote.
- (b) The cable connecting the EVM should be so routed that it does not obstruct the movement of voters and they have not to tread or trip over it, but the entire length of the cable should be visible and under no circumstances be concealed under the cloth or under the table. It has to come out from the back portion of the voting compartment through an aperture cut out at the bottom of back portion of the voting compartment. This aperture should be wide enough so that the portion of the ballot unit, through which the cable comes out is visible from outside. This is necessary to keep a watch that no voter tries to tamper with or damage the cable while inside the voting compartment.
- (c) No photos of leaders or symbols of any political party or slogans having a bearing on elections should be exhibited and if they are already there, you should take steps to remove them and keep them away, till the poll is over.
- (d) No cooking or lighting of fire for any purpose should be allowed inside the polling station during the day of the poll.

3. Display of notice

3.1 Display prominently outside each polling station-

- (a) a notice specifying the polling area and the particulars of electors to be served by the polling station; and
- (b) a copy of the list of contesting candidates in Form 25 and where ever practicable the facsimile of the symbol of each candidate.

- 3.2 The order of the names in the notice should be the same as in the list of contesting candidate and it should be in Hindi in Devnagari Script.

CHAPTER - V

SECURITY ARRANGEMENTS AT POLLING STATIONS

1. During elections the Commission deploys Police/Home Guards for the smooth conduct of elections and they come under its superintendence and control for all purposes. The Commission conducts election with the help of all these organs.
2. The security force posted at the entrance of the polling stations shall keep a watch specifically on the following: -
 - (i) No unauthorized person is present inside the polling station at any time during the poll.
 - (ii) The polling party or the polling agents do not attempt to cast any vote or votes when no voter is present inside the polling booth.
 - (iii) No Presiding Officer/Polling officer accompanies any voter to the voting compartment.
 - (iv) No polling agent or polling officer threatens any voter or makes any gesture to threaten them.
 - (v) No arms are carried inside the polling station.
 - (vi) No rigging takes place.

After the poll is completed, the polled EVMs and the Presiding Officers shall be escorted by a contingent of security personnel to the Collection Center. Details in this regard shall be worked out by the Deputy Commissioner-cum-Returning Officer in consultation with Superintendence of Police.

The security personnel shall also be responsible for guarding the strong room where the polled EVMs are stored and kept till the counting takes place.

CHAPTER -VI

ASSIGNMENT OF DUTIES TO POLLING OFFICERS

1. Voting procedure in polling station and duties of Polling Officers

It is important that 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. However, a broad distribution of duties among the Polling Officers is indicated below.

2. **Duties of Polling Officers.** There will be three polling officer in the polling party and you will distribute duties among them as under:-

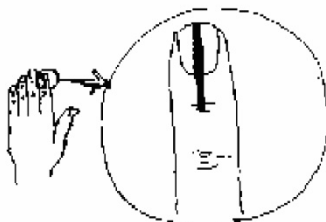
2.1 First Polling Officer

The first Polling officer will be in charge of the marked copy of electoral roll. He will Check the electors name and other particulars with the relevant entry in the electoral roll and then call out the serial number, name & other particulars of the electors. Mark the name of the elector in the marked copy of the electoral roll to indicate that he has been allowed to vote. That Polling Officer will satisfy himself about the identity of the elector, since photograph of every elector is printed on the electoral roll, therefore, there will be no problem with regard to identity of an elector.

3.1 Second Polling Officer

The Second Polling Officer will apply the indelible ink on left forefinger of the elector and thereafter issue him a slip. The serial No. elector in the voters register will be entered in the voters slip. The detailed procedure is described in chapter- **XVII** He will also record the electoral roll serial number of elector as entered in the marked copy of electoral roll in a “register of Voters “ in Form 26A and obtain signature or thumb impression of the elector on the said register.

Provided that no elector shall be issued slip unless he has put his signature or thumb impression on the register of voters.



4. Third Polling Officer

4.1 The third Polling Officer will be in-charge of the control unit of the voting machine. He will allow the elector to proceed to the voting compartment only on the basis of the voter's slip issued by the second Polling Officer and strictly in accordance with the serial number indicated in that slip. He will activate the Ballot Unit(s) kept in the voting compartment by pressing the 'Ballot' button on the control unit as explained in detail in **Chapter XVIII**. Before allowing the elector to proceed to the voting compartment, he will also check and ensure that the elector's left hand forefinger still bears a clear indelible ink mark. (If the indelible ink mark is found removed, the mark may again be made on the forefinger).

7. The Presiding Officer is over all in-charge of the polling station. In bring his duties are, in brief, to:-

- (i) To Place the Ballot Units in their respective voting compartments. In no case the Ballot Unit or the Control Unit be placed on the floor. It must be kept on a table;
- (ii) Connect the Ballot Units with their respective control units;
- (iii) Switch on the power;
- (iv) Demonstrate before the hour fixed for actual commencement of the poll to the candidates/agents present that the voting machines are **clear** and do not contain any votes;
- (v) Conduct **mock poll** to ensure and demonstrate to the polling agents that the EVM is in perfect working condition;
- (vi) Clear the mock poll result;
- (vii) Prepare the Certificate of mock poll; (Certificate of mock poll is at **ANNEXURE XIII**)
- (viii) You should be clear that if there is no mock poll at a polling station, there shall be no poll at that polling station.
- (ix) Ensure that on the **blue paper seal** fixed in the **CONTROL UNIT**, only the candidates or their polling agents, who are present at the polling station at that time, affix their signatures;
- (x) See that polling station especially voting compartment have been properly arranged ;
- (xi) Ensure that the cables to connect the Ballot Units with their respective control units are placed in such a way that the cable is visible to everyone while also ensuring that the voters are not required to cross over them during their movements inside the polling station and the entire length of the connecting cable is visible to all and not hidden. It should also be ensured that the cable does not hang loose under the voting compartment;
- (xii) Ensure that all the members of the polling party are in position well before the commencement of the poll and all material and records are kept handy and

- ready to commence poll at the appointed hour;
- (xiii) Prevent any member of the polling party or any polling agent from wandering here and there inside the polling station and to keep them seated in their allocated seats;
 - (xiv) Commence the actual poll at the stroke of the hour fixed for commencement of poll;
 - (xv) During the progress of poll, keep a close watch on the movements of the voters and to be alert and watchful so that no voter goes away without voting;
 - (xvi) Ensure that during the first hour of the poll when polling is generally brisk, no member of the polling party shows any slackness in the duties allocated to him;
 - (xvii) Check the total votes cast periodically on the control units and also to ensure that voters have voted according to their serial numbers given on the voter's slip;
 - (xviii) At regular intervals check the ballot unit to ensure that the voter has not tampered with it in any manner. The voter already in queue at the time fixed for close of poll will be allowed to vote.

8. CLOSING THE POLL

- 8.1 The Presiding Officer should ensure that the poll is duly closed at the end of the polling hour as per the prescribed voting procedures. After the last voter has voted as per the above procedure, he must press the '**CLOSE**' button on the control units. After prescribed forms have been carefully and duly filled, he must disconnect the Ballot Units from the control units and seal them in their respective carrying cases. All the papers should be prepared and sealed separately.
- 8.2 Presiding Officer should ensure that all the sealed Units and election records are duly handed over to the Returning Officer, at the reception center.

CHAPTER - VII

REGULATION OF ENTRY INTO AND SEATING ARRANGEMENTS IN THE POLLING STATION

1. Persons entitled to enter the Polling Stations

1.1 In addition to the electors assigned to your polling station, only the following persons can be admitted into the Polling Station:-

- (a) Polling Officers;
- (b) Candidates and their agents.
- (c) Returning Officer or such persons as may be authorized by him
- (d) Public servants appointed on duty in connection with election by the election authority;
- (e) Observers appointed by the Commission;
- (f) A child in arms accompanying a voter and a companion accompanying blind or infirm voter who cannot move without help;
- (g) Such other persons as you may employ under sub-rule(2) of rule 57, sub rule (1) of rule 62; and
- (h) State Election Commissioner or such other persons as may be authorized by him.

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. You may, however, call them in occasionally for the maintenance of law and order or some similar purpose, whenever the necessity arises.

1.3 Similarly, security personnel, if any, accompanying an elector or candidate or his election agent or polling agent should also not be allowed to enter the polling station.

1.4 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.

1.5 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.

- 1.6 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.
- 1.7 A village officer or other officer or a woman attendant, who has been 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 of the polling station. He/she should be admitted into the polling station only when he/she is required for identification of a particular elector 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 electors by words or gestures to vote in a particular way.

2. Security personnel to keep a watch on the proceedings in the polling station

The Security personnel posted at the entrance of the polling stations shall keep a watch specifically on the following: -

- (i) No unauthorized person is present inside the polling station at any time during the poll.
- (II) The polling party or the polling agents do not attempt to cast or cast any vote or votes when no voter is present inside the polling booth.
- (iii) No Presiding Officer/polling officer accompanies any voter to the voting compartment.
- (IV) No polling agent or polling officer threatens any voter or makes any gesture to threaten them.
- (V) No arms are carried inside the polling station.
- (VII) No rigging takes place.

3. Production of appointment letters by polling agents

- 3.1 Every polling agent must produce before you the appointment letter by which the candidate or his election agent has appointed him. Check that the appointment is for your polling station. After it is confirmed that polling agent has been appointed for your polling station, the polling agent should 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 the appointment letter of any polling agent presented before you, you should compare the specimen signature of the candidate/his election agent with their specimen signatures as provided by the Returning Officer.

4. Seating Arrangement of polling agents in the polling station

- 4.1 The set up of polling station should be made in such a way that the polling agents are seated inside the polling stations so that they may see the face of an elector as and when he enters the polling station so that they can challenge the identity of the elector, if needed. They should also be able to watch entire operation inside the polling station including his/her movement to the voting compartment and his/her exit from the polling station after recording his/her vote. But they should not be seated in a place where they have the chance of seeing voter actually recording his/her vote.
- 4.2 In case of a polling station, which has very small & insufficient space or where the respective constituency is having abnormally large number of contesting candidates warranting the presence of a large number of polling agents, in such cases where polling agents can not be accommodated, Observer(s) shall be consulted for appropriate advice and consent of the Observer(s) shall be obtained.

5. Smoking prohibited inside polling station

No smoking is allowed inside the polling station. You must, therefore, ensure that nobody smokes inside your polling station. If any of the polling agents desires to smoke, he may be asked to go out of the polling station without causing any dislocation to the polling.

CHAPTER - VIII

SETTING UP OF VOTING MACHINE BEFORE COMMENCEMENT OF POLL

1. Preliminaries before poll

- 1.1 The Returning Officer prepares the voting machine in his office before sending it to your polling station, by setting the Control Unit of the machine for a particular number of candidates contesting the election from that particular constituency. Before a voting machine is put in actual use at the polling station, some preparations, in addition to the preparations made at the Returning officer's level, are necessary at the polling station. These preparations have to be done by the Presiding Officer in the presence of the contesting candidates/their agents before the commencement of poll.
- 1.2 You should start these preliminary preparations at least about one hour before the time fixed for the commencement of poll, so that the preparations are over by the time fixed for commencement of the poll. If any polling agent is not present, the preparations should not be postponed so as to await the arrival of the polling agent. Nor should you start the preparations again if any polling agent turns up late.

2. Preparation of ballot unit Poll

- 2.1 The Ballot Unit is already duly prepared in all respects at the Returning Officer's level and no further preparation of this unit is required at the polling station on the day of poll, except that its interconnecting cable has to be plugged into the control unit.
- 2.2 Where the number of contesting candidates exceeds 16, more than one Ballot Unit, depending upon the actual number of contesting candidates, are to be used. All such ballot units to be used at a polling station are to be inter-linked and only the first ballot unit will be linked with the control unit.
- 2.3 For linking a ballot unit with another, there is a socket provided in a compartment on the back of the ballot unit. The connector of the interconnecting cable of the second ballot unit will be plugged into the above mentioned socket of the first ballot unit. Likewise, the connector of the third ballot unit interconnecting cable will be plugged into the second unit and that of the fourth unit into the third unit.
- 2.4 The compartment on the top portion of the back of the control unit also contains the 'Power' switch and this switch when put to 'ON' position makes the battery of the voting machine operational and supplies the power both to the control unit as well as to all the Ballot Units when linked to the control unit in the manner described above.

Note: (1) When more than one Ballot Units are used, the same should be interlinked in the proper sequential order as explained above. Any wrong

linking of the Ballot Units will render the machine non-functional and on pressing any button on the control unit the letters 'LE' (LINK ERROR-: in the upgraded model of the voting machine) indicating linking error will appear on the display panel of the control unit. The linking error should be set right by interlinking the Ballot Units in the proper sequential order.

- (2) The connector of the interconnecting cable, one end of which is attached to the Ballot Unit, is a multi-pin connector. The connector goes into the socket of the other Ballot Unit or of the control unit only one way, which can be found out easily by looking at the orientation of the pins. The pins of the connector are quite delicate and the connector should not be forced into the socket in such way as may damage or bend the pins. The machine will work only when the connection is made properly.
- (3) The connector of the interconnecting cable can be disconnected from the control unit or from the other Ballot Unit only by pressing the spring type clips on both sides of the connector hood and pulling the connector out. These spring type clips, when pressed inward simultaneously, will release the hold of the connector from the socket and the connector should then be pulled out while keeping the spring type clips so pressed.
- (4) Connecting the Ballot Units and the control unit or disconnecting them properly requires some practice so as to avoid any damage to the machine. This aspect should be clearly borne in mind and you yourself should connect the Ballot Units and the control unit.

3. Preparation of Control Unit

3.1 Before the Electronic Voting Machine is delivered at the polling station certain preparations are made therein at the Returning Officer's level for the installation of the battery and setting the number of contesting candidates in the control unit. Before a control unit is put in use at the polling station, some further preparations, apart from the preparations made at the Returning Officer's level, are necessary to be made by the Presiding Officer at the polling station.

3.2 The preparations to be made on the control unit by the Presiding Officer are as follows:-

- (i) Interlinking the control unit with the Ballot Unit or the first Ballot Unit where more Ballot Units than one are used; and linking the other ballot units as explained above.;
- (ii) switching the power switch to 'ON' position;
- (iii) closing the rear compartment after performing the functions at (i) and (ii) above;

- (iv) conducting the mock poll (as explained in **Chapter IX**);
- (v) clearing the machine after the mock poll and setting all counts to ZERO (as explained in **Chapter IX**);
- (vi) switching the power switch to 'OFF' position;
- (vii) fixing the blue paper seal(s) to secure the inner compartment of the result section (as explained in **Chapter X**);
- (viii) closing and sealing the inner door of the result compartment by fixing the special tag (as explained in **Chapter XI**) and
- (ix) closing and sealing the outer cover of the result section with address tag(as explained in **Chapter XI**)

4. Switching 'ON' the power

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

5. Closing the rear compartment

You should then close the rear compartment. To keep it firmly closed, a piece of thin wire or a thick thread may be run through the two holes provided for the purpose and the ends of the wire may be given a few twists or a knot, as the case may be. **You should note that the rear compartment is not to be sealed** as it will require to be opened again after the close of poll for switching 'OFF' the power and disconnecting the Ballot Unit.

CHAPTER - IX

CONDUCTING MOCK POLL

1. Demonstration of 'Clearing' voting machine

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

Cd	9
To	0
01	0
02	0
03	0
04	0
05	0
06	0
07	0
08	0
09	0
	End

(If the machine is set for 9 candidates.)

(Every indication is followed by a beep sound)

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

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

3. Mock Poll:

- 2.1 After demonstrating as above that no votes are already recorded in the machine, you should hold a mock poll by votes recorded for each candidate, If any candidate is not represented by polling agent, you should count couple of votes for such candidate. Then the result shown in the machine should be tallied.

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

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

- (e) When the votes are being so recorded, press the 'Total' button on the ballot section of the control unit to verify at any time that the total votes recorded in the machine tally with the number of votes which have been polled upto that stage.

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

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

Np	1
Cd	9
To	54
	End

(if the no. of votes polled is 54)

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

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

Cd	9
To	54
01	6
02	6
03	6
04	6
05	6
06	6
07	6
08	6
09	6
	End

(This is an example only)

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

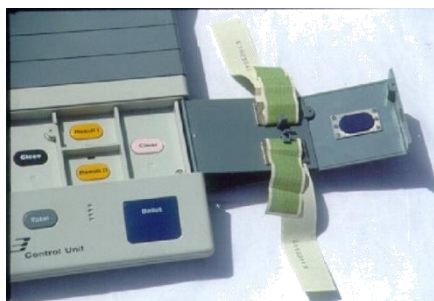
- (i) If within the first hour of poll it is observed by you or the Observer that the mock poll result has not been cleared from the Control Unit before sealing it and after sealing the Unit actual poll has been commenced, you must suspend poll, and intimation of such an incident must be sent to the Retuning Officer for further directions.

CHAPTER - X

FIXING OF BLUE PAPER SEAL IN THE CONTROL UNIT

1. Fixing blue paper seal

- 1.1 Once the control unit is sealed and poll commences, nobody should be able to tamper with the voting machine. To achieve and ensure this, provision has been made for fixing the blue paper seal in the control unit of the voting machine,
- 1.2 There is a frame provided for fixing the paper seal on the inner side of the door of the inner compartment of the result section of the control unit. Before the blue paper seal is fixed in the frame provided for the purpose on the inner side of the door of the inner compartment of the result section of the control unit, you should affix your signature in full immediately below the serial number of the paper seal on the white surface of the paper seal. It shall also be got signed by such of the candidates or their polling agents as are present and are desirous of affixing their signatures. The Presiding Officer should verify that the signatures of the polling agents on the paper seal tally with their signatures on their letters of appointment.
- 1.3 There is provision of two frames In the case of voting machines manufactured by Bharat Electronics Limited (BEL), Bangalore, allowing arrangement for fixing two paper seals and accordingly two paper seals are to be used in the control units of the voting machines manufactured by that company. In the machines manufactured by ECIL provision for only one paper seal is made.
- 1.4 The seal should be so fixed that its blue surface is seen through the aperture from outside. When the blue paper seal is fixed on the control unit of the voting machine, it will look as in the picture below:-



BEL Machine

- 1.5 It should be ensured that damaged paper seal is not used in any case and if any paper seal gets damaged in the process of fixing, it should be replaced then and there before

the door of the inner compartment is closed.

2 Signatures of presiding officer and polling agents on paper seal

After fixing the paper seal, the door of the inner compartment should be closed by pressing it fit. It should be closed in such a manner that the two open ends of the paper seal project outwards from the sides of the inner compartment.

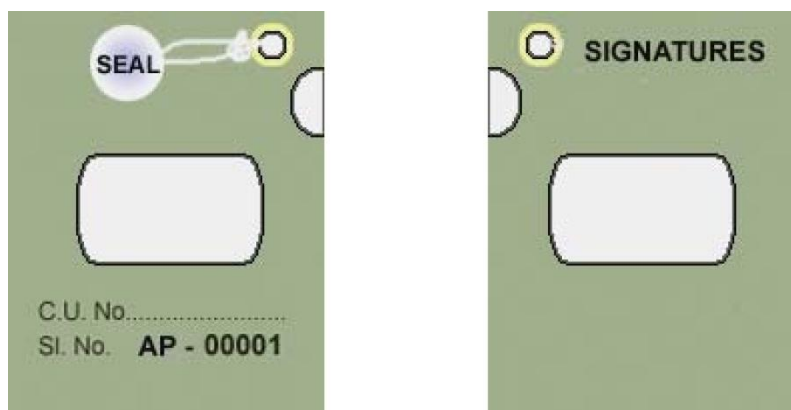
3. Account of paper seals

- 3.1. You should keep a correct account of the paper seals supplied to him for use at the polling station and the paper seals actually used by you for sealing and securing the control unit. Such account shall be maintained by you in the form specifically prescribed for the purpose vide Sr. No. 9 of Part I of Form 31A.
- 3.2. You should allow the candidates or their polling agents present to note down the serial number of paper seals so supplied for use and actually used.

CHAPTER - XI

CLOSING AND SEALING OF CONTROL UNIT

1. Special Tag: It looks as under:-



The sizes of Special Tag to be used in the Electronic Voting Machines are 7.5 cms x 5.5. cms Its thickness is equal to the thickness of a postcard. There is a hole on the right corner on top of front side with a metal ring, so as to make it easy to pass a thread through it, for sealing. Further, on the right hand side below the hole there is a groove cut on the special tag just enough to fit with the door-knob of result compartment. There is also an opening in the middle of the special tag, so that when the tag is fixed in the “CLOSE” button compartment of the result section, the “CLOSE” button is visible so that the ‘Close’ button can be reached to operate without disturbing the tag.

Control Unit Number:

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

Signature:

- 1.3 After writing the serial number of the control unit on the special tag, you shall put your signature on the BACK SIDE of the special tag. You should also ask the contesting candidates/polling agents, who are present in the polling station, before the commencement of the poll to put their signatures on the back, if they so desire. You should also read out the pre-printed serial number on the special tag and ask the contesting candidates/polling agents, who are present at the polling station and have put their signatures on the back of the special tag, to note down that serial number.
- 1.4 The special tag is used to seal the inner compartment over the ‘Clear’ and ‘Result’ buttons after the process of signing the green paper seal by you and contesting

candidates/polling agents and fixing and securing it in the frame(s) provided for fixing the paper seal on the inner side of the door of the inner compartment of the result section of the control unit is over. The door of the inner compartment over the “Clear” button and “Result” buttons should be pressed fit and closed in such a manner that the two open ends of the paper seal continue projecting outwards from the sides of the inner door. Then this inner door should be sealed with the special tag. For this, you should pass the high quality twine thread specially supplied for this purpose by the Returning Officer through the two holes provided in the inner door and through the hole provided in the special tag.

- 1.5 It should be ensured by you that spoiled or torn special tag is not used in any case. If, by any chance, the special tag is spoiled or torn, you should use another one. For this purpose, like "Blue Paper Seals", the Returning Officer has supplied you 3 or 4 ‘Special Tags’.
- 1.6 After doing all this, tie the thread into a knot and seal the thread on the special tag with sealing wax. Thereafter without breaking the seal, you should adjust the special tag in the compartment of “CLOSE” button in such a manner that the “CLOSE” button protrudes through the hole cut in the middle of the special Tag for this purpose.



Closing the inner door with thread
BEL Machine

2. Closing and sealing of outer cover of result section:

- 2.1 After the inner compartment of result section of the control unit has been closed and sealed, the outer cover of the result section should be pressed fit for closing that section. Before pressing that outer cover, it should be ensured that the two open ends of the paper seal still project outwards from either sides of the outer cover.
- 2.2 After the outer cover of result section has been closed, that cover should be sealed by (i) passing a thread through the two holes provided for the purpose on the left side of the outer cover, (ii) tying the thread into a knot (iii) attaching a label (address tag) similar to the one which is attached to the ‘Cand Set Section’ at the Returning Officer’s level and sealing the thread on the address tag with wax and the seal of the Presiding

Officer as shown below:-



- 2.3 The Returning Officer will provide sufficient number of blank printed address tags as part of polling materials. Particulars in the address tag should be carefully filled by you. The serial number of each control unit is inscribed on the bottom portion of the control unit.
- 2.5 The contesting candidates or their polling agents, who are present at the polling station, should also be asked to affix their seals, if they so desire, on the address tag along with your seal.
- 2.6 By so closing and sealing the inner compartment and the outer cover, the whole of result section gets sealed and secured and the votes which will be recorded by the control unit cannot be tampered with.

COMPLETE METHOD OF SEALING CONTROL UNIT

For the sake of easy understanding, the complete sequential order of the steps to be taken by you at the polling station **until and including** fixing the Seal are given below:-

- (i) Before the commencement of the actual poll, you will conduct a mock poll.
- (ii) After conducting mock poll and showing the result, you shall clear the control unit of the data relating to mock poll by operating “Clear” button.
- (iii) After clearing the data you shall switch off the control unit and then insert the blue paper seal (two seals in the case of BEL machines) to cover the windows of the inner door of the result section. While inserting the green paper seals, care should be taken to ensure that the green portion of the seal is visible from outside through the windows of the inner door after it is closed.
- (iv) After inserting the blue paper seals, the inner door above the result buttons shall be closed.
- (v) Then the inner door of the result section shall be sealed off with the special tag.
- (vi) After fixing the special tag, you will close the outer door of the result section ensuring that the loose ends of the blue paper seal(s) still protrude out from

both the sides of the closed outer door [**See Photo-BEL Machine**].

- (vii) Then you shall seal the outer door with thread and address tag.

6. After fixing the Seal Put the Power Switch on the CU

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

7. At the end of the poll at prescribed hour, you shall remove the rubber cap covering the “CLOSE” button and press the “Close” button to close the poll and replace the rubber cap. After completing other formalities at the end of the poll, you shall carefully pack the control unit in its carrying case and seal the carrying case with address tag. This sealed carrying case shall be delivered to the strong room (Collection Centre) alongwith other documents required to be deposited at the strong room (Collection Centre).

8. On the day of the counting, the control unit shall be allowed to be examined by the contesting candidates/counting agents, who are present at the counting table. Only thereafter, the seal shall be removed taking care that the blue paper seals are not damaged. After examining the blue paper seals protruding outside, the thread seal on the outer door of the control unit shall be opened.

9. Voting machine ready for actual poll

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

9.2 Before commencing the poll, you should place all the balloting unit(s) inside the respective voting compartment. While placing the EVM in the Voting Compartment, it must be ensured without fail that secrecy of voting is not violated.

- 11. Various types of display which appear on the panel are annexed as Annexure-XV.

CHAPTER - XII

COMMENCEMENT OF THE POLL

1. Commencement of the poll

The poll should commence at the appointed time. Your preliminaries should be over by then. Even if for any unforeseen reason you are not in a position to commence the poll at the appointed hour, you should explain the reasons for the delay in your Presiding Officer's Diary.

2. Warning about secrecy of voting

Before commencing the poll, you must explain to all including the contesting candidates or their polling agents, who are present at the polling station, the provisions of Section 22 of the Act (**Annexure I**), regarding their duty to maintain the secrecy of the vote and the penalty for any breach thereof.

3. Precautions for indelible ink

Ask the Polling Officer in-charge of indelible ink to take adequate precautions to see that the phial containing the indelible ink is kept carefully 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 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/kept standing in the phial and not taken out except for the purpose of marking the voter's forefinger. The rod should always be held with its marking end pointing vertically downwards. Otherwise, some of the ink will drip down the rod and spoil the fingers of the person using it.

4. Marked copy of the electoral roll

Before the commencement of poll, you should also demonstrate to the contesting candidates/polling agents and other persons, who are present at the polling station that the marked copy of the electoral roll (copy of the electoral roll to be used for 'marking' the names of electors who are allowed to vote) does not contain any remarks other than those used for issuing poll duty ballot papers/EDC.

5. Register of voters in Form 26A

Also show to the contesting candidates/polling agents and all others, who are present at the polling station that the Register of Voters (in form 26A), in which entries will be made in respect of each elector who is allowed to vote and his signature/thumb impression obtained) does not already contain any entry in respect of any elector.

6. Entry of voters to Polling Station to be regulated

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

- 6.2 You should ensure that physically challenged electors are given priority for entering the polling station, without having to wait in the queue for other electors and all necessary assistance as may be required should be provided to them at the polling station. For this purpose, if necessary, arrangements should be made for such persons to form a separate queue.
- 6.3 In your polling station, if ramp has not been provided, arrange for a temporary wooden ramp to be provided.
- 6.4 You should give special care to electors with speck and hearing impairment as in the case of other disabled persons.

CHAPTER -XIII

SAFEGUARDS FOR FREE AND FAIR ELECTION

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

You are required to read out the declaration, prescribed in **Annexure VI Part I** before the commencement of the poll In order to ensure that you have duly carried out the instructions contained in the foregoing chapters regarding the demonstration of the voting machine, marked copy of the electoral roll and Register of Voters and obtaining the signatures of the contesting candidates/polling agents on the green paper seal and allowing them to note down their serial numbers, which are necessary safeguards for ensuring free and fair election. This should be done immediately after reading out the provisions of section 22 of the Himachal Pradesh Municipal Corporation 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 contesting candidates/polling agents as are present in the polling station. If any polling agents decline to affix their signatures on the declaration, their names should be recorded therein.

2. Procedure to be followed at the time of use of new voting machine.

During the course of poll there may be some compelling circumstances under which, if it becomes essential to use a new voting machine. In such circumstances, you are again required to read out a further declaration, prescribed in **Part II of Annexure VI**. At the end of the poll, you should record a further declaration in **Part III of Annexure VI** in the same manner. The declaration will be put into a separate packet and delivered to the Returning Officer after the conclusion of the poll along with the account of votes recorded and the paper seal account in Form 31A.

CHAPTER - XIV

ENFORCEMENT OF ELECTION LAW IN AND AROUND POLLING STATION

1. Impartiality essential and maintenance of decorum and dignity:

- 1.1 Treat all parties and candidates equally and decide fairly and justly every disputed point. Your tact, firmness and impartiality are the most important safeguards against any breach of the peace. 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.
- 1.2 Further, you and other officers at your polling station should maintain decorum and dignity as is expected of an officer on duty. Neither you nor any other officer at your polling station indulge in any undue activities unbecoming of an officer on duty.

2. Ban on canvassing in or near polling stations:

Canvassing within one hundred meters of the polling station is an offence under the election law. Any person, who does so, can be punished under Section 24 of the Himachal Pradesh Municipal Corporation Act, 1994.

(See Annexure I).

3. Disorderly conduct in or near the polling station:

Enforce the provisions contained in section 25 of the Himachal Pradesh Municipal Corporation Act, 1994, If any person behaves in a disorderly manner, you can have him arrested then and there by a police officer. The police has the power to take such steps, and use such force, as may be reasonably necessary for preventing such behavior. These powers should, however, be resorted to only when persuasion and warning have proved ineffective.

4. Removal of trouble makers:

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 authorized by you (see section 26 of the Himachal Pradesh Municipal Corporation Act, 1994- Annexure I).

5. Illegal hiring or procuring of conveyance at election

If you receive a complaint about illegal conveyance of electors to the polling station from their homes and back, tell the complainant that you may take action to prosecute the offender under section 30-E of the Himachal Pradesh Municipal Corporation Act, 1994.

6. Removal of voting machine from polling station to be an offence

Any person, who at any election fraudulently or unauthorisedly takes or attempts to take a voting machine out of a polling station or willfully aids or abets the doing of any such act, shall be punishable for a term which may be extended to one year, or with fine which may be extended to five hundred rupees, or with both under Section 28 of the Himachal Pradesh Municipal Corporation Act, 1994.

7. Breach of official duty by election officers

Your attention is also drawn to section 27 of the, Himachal Pradesh Municipal Corporation Act,1994 which provides that if any election officers, returning officers, assistant returning officers, presiding or polling Officers and, any other person appointed to perform any duty relating to election are found guilty of any act, or even of any omission, in breach of his official duty without reasonable cause, commits a cognizable offence.

8. Prohibition of going armed to or near a polling station

As per the provisions of Section 30-G of the Himachal Pradesh Municipal Corporation Act,1994, No person (other than the Returning Officer, the Presiding Officer, any police officer and any other person appointed to maintain peace and order at a polling station who is on duty at the polling station) can, on a polling day, go armed with arms, as defined in the Arms Act, 1959, of any kind within the neighborhood of a polling station. If any person contravenes these provisions, he is liable to imprisonment for a term, which may extend to two year or with fine, or with both. The offence is cognizable.

CHAPTER - XV

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

At the polling station, you can employ any person to assist you for the identification of electors. *The Electoral Photo Identify Card (EPIC), if any, issued by the Election Commission of India produced by an elector before you will be valid proof of identification during the polling of municipal election.*

Minor clerical and printing errors in any entry in the electoral roll shall be overlooked if you are satisfied that such person is the same to whom such entry relates. It is expected that a polling agent may bring with him a copy of the list of the names of dead, absent and bogus electors. The candidate or his agent may supply similar list to you. If any person claims to be an elector whose name is mentioned in that list, you shall check that person's identity carefully. This will not amount to a formal challenge.

1. **List of dead, absent and allegedly bogus voters.**

It is expected that polling agents may bring with them a copy of the list of the names of dead, absent and allegedly bogus voters. The contesting candidate may supply similar list to you. If any person claims to be an elector, whose name is mentioned in that lists you shall check that person's identity rigorously with the help of his electoral photo identity card (EPIC).

2. **Challenging a voter's identity**

Every person, whose name is entered in the electoral Roll and is able to proof of his identity, 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 and proving his identity correctly. 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. See rule 71 of the Himachal Pradesh Municipal Corporation Election Rules, 2012.

3. **Challenge fee**

You should not entertain any challenge to a voter's identity by a candidate or

his election/polling agent until the challenger pays twenty rupees in cash . After the amount has been paid, furnish a receipt therefore to the challenger. Warn the person challenged about the penalty for impersonation, 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 42) and ask him to sign or affix his thumb impression thereof. If he refuses to do so, do not allow him to vote.

4. Summary inquiry

First ask the challenger to produce evidence to show that the person challenged is not the elector 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 elector in question and any other person present at the polling station. 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 VII, addressed to the Station House Officer of Police Station in the jurisdiction of which your polling station falls.

5. Clerical and printing errors in the roll to be overlooked

The particulars in respect of an elector 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 an elector in the poll, provided that you are otherwise satisfied about the identity of the person claiming to be the elector, according to other particulars entered in electoral roll.

6. Fact of enrolment of a voter not to be questioned

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

7. Declaration of elector about his age

- 7.1 But in the case of a person whom you consider much below the qualifying age, you must be clearly satisfied about his claim of being an elector with reference to the entry in the electoral roll relating to him.

- 7.2 If you are prima facie satisfied about his identity and the fact of inclusion of his name in the electoral roll but consider him to be below the minimum voting age, you should obtain a declaration as in **Annexure VIII** 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.
- 7.3 You should also prepare a list of voters from whom you have obtained such declarations in **Part I of Annexure IX**. You should also maintain a list in **Part II of the said Annexure IX** of those voters who refuse to give the aforesaid declaration and go away without casting their votes. After the close of the poll, the abovementioned list and the declarations should be kept together in a separate cover.

CHAPTER - XVI

PROCEDURE FOR RECORDING OF VOTE

1. Inspection of voter's left forefinger and application of indelible ink:

Once the identity of elector has been established by the Ist Polling officer the 2nd Polling Officer will mark the elector's left hand forefinger with indelible ink in such a way that a clear mark is left. If any elector refuses to allow his left forefinger to be inspected or marked in accordance with the instruction or has already such a mark on his left forefinger or does any act with a view to removing the ink, he shall not be allowed to vote.

1.1 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 rags before putting indelible ink mark on the finger of that elector.

1.2 Marking of the indelible ink is required to be made before obtaining the signature/thumb impression of the elector in the register of voters in Form 26A, 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 on the left hand forefinger.

2. Application of indelible ink at Fresh Poll (Re-poll) /Countermanded Poll

It is clarified that at the time of fresh poll (re-poll)/countermanded poll, the marking with indelible ink made during original poll should be ignored and fresh marking with indelible ink should be put on the voter's left hand middle finger in such a way that a clear mark is left.

3. Application of indelible ink when elector has no left forefinger

It is clarified that if an elector has his left forefinger missing, then any reference made to left forefinger construed as a reference to middle finger, failing which, by ring finger, also failing which, by index finger, failing which too, by thumb and shall in the case where all his fingers of his left hand are missing be construed as a reference to the forefinger or any other fingers of his right hand in the same order as explained herein and shall, in the case, where all his finger of both the hands are missing be construed as a reference to such extremity of his left or right arm as he possesses.

4. Record of electoral roll number of elector in Register of voters

- 4.1 After the left hand forefinger of the elector has been marked first time by the second Polling Officer in the manner explained in the preceding paragraph, he should maintain the record of such elector in the 'Register of Voters' (Form 26A) and obtain the signature/thumb-impression of the elector on that register.
- 4.2 Such record shall be maintained by the second Polling Officer in the Register of Voters in the following manner:-
- (i) In column (1) of the register of voters, the second Polling Officer will write down the serial numbers of electors in consecutive order, starting with serial number 1. (Generally the serial numbers of electors in consecutive order are already printed in the register.) Each page of the register contains 10 serial numbers. If the serial numbers are not already printed in column (1), he can write such serial numbers manually in advance on a few pages at the commencement of poll.
 - (ii) In column (2) of the said register, the second Polling Officer will write down the electoral roll number (i.e., the serial number) of the elector as entered in the marked copy of the electoral roll. For example, if the name of the first elector who comes to vote at the polling station at the commencement of poll is entered at serial number 756 in the marked copy of the electoral roll, the Second Polling Officer will write down serial number 756 in the second column against serial No. 1 in the first column of the register of voters. Likewise, if the second voter's name is entered at serial number 138 in the electoral roll, the second Polling Officer will write serial number 138 in column 2 against serial number 2 in column 1 of the register, and so on.
- 4.3 After columns (1) and (2) of the register have been filled in respect of an elector in the manner described above, his signature/thumb-impression shall be obtained by the second Polling Officer in column (3) of that register.

5. Definition of Signature of elector

A signature may be described as the writing of a person's name on a document with the intention of authenticating that document. A literate person, while signing on the register of voters, will be required to write his name, i.e. both his name or names and his surnames in full or in any case his surname in full or names either in full or by means of initials of that name or names. The preferable course in the case of a literate voter will be to request him to sign his name, i.e., both his name or names and his surname in full. If a

literate person puts simply a mark and insists that, that mark should be taken as a signature, while claiming to be a literate person, then, that mark cannot be taken to be his signature because as stated above, signature means, in the case of a literate person, the writing of the name of that person by himself in authentication of a document on which he writes his name. In such a case, if he refuses to sign his name in full as indicated above, then his thumb impression should be taken. If he refuses to give his thumb impression also, then he should not be allowed to vote under the foregoing paragraph 4.

6. Thumb impression of elector

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

6.2 It is necessary that the thumb impression on the register of voters should be a clear thumb impression. The thumb of the voter should not be inked so lightly from the stamping pad that it gives only a faint or undecipherable impression. Nor should the thumb be inked so heavily that it gives a smudged impression instead of a clear thumb impression on the register.

7. Signature/Thumb impression on the 'Register of Voters' by blind or infirm or leper electors:

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

8. Issue of voter's slip to elector

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

8.2 These Voter's Slips will be supplied to you, as one of the items of polling materials, in bundles of fifty slips each, having regard to the number of electors assigned to your polling station.

- 8.3 The voter's slips prepared by the second Polling Officer in respect of each elector under paragraph 8.1 above shall be delivered by him to that elector and the elector shall be directed to proceed to 3rd Polling Officer who is in charge of the control unit of the voting machines for election to Councilor.

CHAPTER - XVII

RECORDING OF VOTES AND VOTING PROCEDURE

1. Once the elector has been issued a voter's slip by the 2nd Polling Officer and allowed to vote he will be directed to move to 3rd Polling Officer.

The 3rd Polling Officer will ask for the voter's slip issued to the elector and put his signature on the slip and return the slip to the elector.

Before leaving the Polling Station he will handover the slip signed by 3rd Polling Officers to the Presiding Officer, who will check that the elector has cast the vote. The Presiding officer will keep the slips handed over to him by the electors in safe custody and seal them in a cover along with other covers.

2. Tallying of number of votes polled periodically

- 2.1 At any time, if the total number of votes polled upto that time has to be ascertained, the 'Total' button on the control unit should be pressed. The display panel on the control unit will then show the total number of votes polled by that time. This should be periodically done and tallied with the number of electors allowed to vote upto that time as reflected in the register of voters.
- 2.2 In any event, you must ascertain and tally the number of votes polled during every two hours interval and record the number of votes polled in the relevant columns in the Presiding Officer's diary. The 'Total' button should be pressed only when the busy lamp is not on, i.e. only after the elector allowed to vote has recorded his vote, and before the next elector is allowed to vote by pressing the Ballot button. Otherwise the figure showing the total number of votes polled by that time will not appear on the Display Panel.
- 2.3 It may happen sometimes that you may have a suspicion or reason to suspect that the ballot unit kept in the screened voting compartment is not functioning properly or that an elector who has entered the voting compartment is tampering with or otherwise interfering with the ballot unit or has committed any mischief by pasting any paper, tapes etc., on the symbol/names/ballot button or has remained inside the voting compartment for unduly long period. You have a right to enter the voting compartment for making an inspection of ballot unit (BU) in such cases and to take such steps as may be considered necessary by you to ensure that the ballot unit is not tampered with or interfered with in any way and that the poll progresses smoothly and orderly. But you have to be careful that whenever you enter the voting compartment, you should make it a point to do so in the immediate presence of the polling

agents.

CHAPTER - XVIII

MAINTENANCE OF SECRECY OF VOTING BY ELECTORS

1. Voting Procedure to be strictly observed

Every elector who is permitted to vote is expected to and shall maintain absolute secrecy of voting within the polling station. He should strictly observe the voting procedure.

2. Refusal to observe Voting Procedure

- 2.1 If any elector refuses to observe the voting procedure, even after a warning given by you, such an elector shall not be allowed to vote by you or a polling officer under your direction. If the elector had already been issued the voter's slip, such slip should be withdrawn from him and cancelled.
- 2.2 Where an elector is not allowed to vote for violating voting procedure, a remark to the effect that voting procedure has been violated – “Not allowed to vote – Voting procedure violated”- shall be made in the remarks column in the Register of Voters (Form 26A) against the entry relating to that elector in that register by you. You shall also put your full signature below that entry. It shall, however, not be necessary to make any change in the serial number of that elector or of any succeeding elector in column (1) of the register of voters.

CHAPTER XIX

VOTING BY BLIND AND INFIRM VOTERS

- 1.1 If you are satisfied that an elector is unable to recognise the symbol on the ballot paper affixed on the ballot unit due to blindness or is unable to record his vote by pressing the appropriate button thereon without assistance due to some physical infirmity, you shall permit that elector under **rule 68** of the HP Municipal Election Corporation Rules, 2012 to take with him a companion of not less than 18 years of age to the voting compartment for recording the vote on his behalf and in accordance with his wishes.
- 1.2 No person shall be permitted to act as a companion of more than one elector at any polling station on the same day.
- 1.3 Before any person is permitted to act as a companion of the elector, he shall be required to declare on Form-39 that he will keep the vote recorded by him on behalf of the elector a closely guarded secret and that he has not already acted as the companion of any other elector at any other polling station on that day. The declaration shall be obtained by you.
- 1.4 You shall also keep a record of all such cases in Form 40. This record of blind and infirm voters in Form 40 will be kept in a packet super scribed as “NON-STATUTORY COVERS” and deposited at the Collection Centre after close of the poll.
- 1.5 You shall also ensure that none of your polling staff acts as a companion to the blind & infirm elector to record vote on his behalf.

CHAPTER - XX

ELECTORS DECIDING NOT TO VOTE

- 1.1 If an elector, after his electoral roll number has been duly entered in the Register of Voters (Form 26A) and he has put his signature/thumb impression on that register, decides not to record his vote, he shall not be forced or compelled to record his vote.
- 1.2 A remark to the effect that he has decided not to record his vote – “Refused to Vote”- shall be made by you in the remarks column against the entry relating to him in the register of voters. You shall put your full signature below that remark.
- 1.3 It shall, however, not be necessary to make any change in the serial number of the elector or of any succeeding electors in column (1) of the Register of Voters.
- 1.4 If the “Ballot” button on the control unit has been pressed to make the ballot unit ready for recording a vote by an elector but he refuses to vote, either you or third Polling Officer, whoever is in-charge of the control unit, should direct the next voter straightaway to proceed to the voting compartment to record his vote. If the “Ballot” button on the control unit has been pressed to release voting on the ballot unit for the last elector but he refuses to vote, in that case as a first step, you Polling Officer, whoever is in-charge of the control unit shall put the ‘Power’ switch in the rear compartment of the control unit to ‘OFF’ position and disconnect the ballot unit(s) from the control unit. In the second step, after disconnecting the ballot unit(s) from the control unit the ‘Power’ switch should again be put ‘ON’. Now the ‘Busy’ lamp will go off and the ‘Close’ button will become functional to close the poll. If this whole process is not followed in such a case, the ‘Close’ button will not be functional and without closing the control unit, it will not give the result, because the ‘Result’ button will also become functional only after the ‘Close’ button is pressed.

CHAPTER - XXI

VOTING BY ELECTOR ON POLL DUTY

The electors who are on poll duty within the municipal corporation shall be entitled to vote by post at an election of Municipal Corporation.

The relevant rules as inserted vide the Himachal Pradesh Municipal Corporation Election Rules, 2012 are reproduced as under:-

“63. Persons entitled to vote by post - Subject to their fulfilling the requirements herein after specified, the persons who are voters and are on election duty shall be entitled to vote by post at an election in a ward of the Corporation.

64. Intimation by voters on election duty : (1) A voter on election duty who wishes to vote by post at an election shall send an application in Form-36 to the Returning Officer so as to reach him atleast seven days or such shorter period as the Returning Officer may allow before the date of the poll, and if the Returning Officer is satisfied that the applicant is a voter on election duty, he shall issue a postal ballot paper to him for the election of Councillor in Form-38.

(2) Where a person being a Polling Officer, Presiding Officer or other public servant on poll duty in the ward of which he is an elector, wishes to vote in person at an election in a Corporation/ward and not by post, he shall send an application in Form 37 to the Returning Officer so as to reach him at least four days, or such shorter period as the Returning Officer may allow, before the date of poll; and if the Returning Officer is satisfied that the applicant is a public servant and voter on poll duty in the ward, he shall issue to the applicant a election duty certificate in Form -38.

(a) Where Election Duty Certificate has been issued to an elector under sub-rule(1) and (2) the Returning Officer shall mark “EDC” against his name in the marked copy of the Electoral roll to indicate that an election duty certificate has been issued to him; and

(b) ensure that he is not allowed to vote at the polling station where he would otherwise have been entitled to vote.

65. Facilities for persons on election duty - (1) The provisions of rule 62 shall not apply to any person who produces at the polling station, an election duty certificate in Form-38 and asks for the issue of a ballot paper to him 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 signatures 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 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.”

FORM 36.
[See rule 64(1)]
APPLICATION FOR ELECTION DUTY CERTIFICATE

To

The Returning Officer for.....
Ward No.....Municipal Corporation

Sir,

I intend to cast my vote in person at the ensuing election to Councillor from Ward No.....of Municipal Corporation.....

I have been posted on election duty within the ward at..... (no & name of polling station).....but my name is entered at Serial No..... of the Electoral roll for polling station No.....of Ward comprised within Municipal Corporation.

I request that an **Election Duty Certificate** (Form -38) may be issued to enable me to vote at the polling station where I may be on duty on the polling day.

It may be sent to me at the following address:-

Name.....
Address.....
.....

Date

Yours faithfully,

Place:

().

FORM-37.
[See rule 64(2)]
LETTER OF INTIMATION TO RETURNING OFFICER.

To

The Returning Officer
Ward No (with name)Municipal Corporation.

Sir

I intend to cast my vote at the ensuing election to;-

Councillor from..... (Ward) of Municipal Corporation.....

My name is entered at Sr. No.....of polling station (No. and name)
of the Electoral Roll for Ward No.....Municipal Corporation.

I may be issued a postal Ballot Paper for the election of Councillor

Name.....
Address.....
.....

Yours faithfully,

Date:

Place:

()

FORM 38
[See rules 64(2) and 65(1)]
ELECTION DUTY CERTIFICATE.

Certified that.....is an elector in ward No..... of *Municipal Corporation
.....His Electoral roll number being.....for polling station (No. and name) by
reason of his being on election duty, he is unable to vote at the polling station where he is entitled to
vote and that he is, therefore, hereby authorized to vote at polling station (No. and name)of the ward
where he is on duty on the day of poll.

Place:

Date:

Signature of Returning Officer.

SEAL

CHAPTER - XXII

TENDERED VOTES

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

2. Ballot paper

- 2.1 The State Election Commission has supplied ballot papers to be used for tendered votes and poll duty ballot to the Returning Officers for the Councilor of Municipal Corporation.
- 2.2 Before handing over the tendered ballot paper to the elector, who has presented himself as the genuine elector at your polling station, you will write the words "Tendered Ballot Paper" on the back of these ballot papers in your own hand, if these words are not already stamped there, and issue them, if necessary, as tendered ballot papers.

3. Account of tendered ballot papers

You shall keep a correct account of all ballot papers (i) received for use as tendered ballot papers, (ii) issued as such to electors, and (iii) not used and returned, in Item 8 of Part I of Form 31A.

4. Record of Voters to whom tendered ballot papers issued

You shall also maintain complete record of the electors who have been issued tendered ballot papers, in Form 29A. You shall also obtain the signature or thumb impression of the elector in Column (5) of that Form before delivering a tendered ballot paper to him.

5. Recording of vote on tendered ballot paper

- 5.1 While delivering tendered ballot papers to the elector, you shall also supply an inked arrow cross mark rubber stamp to him. This stamp is the same which was used for marking ballot papers in the conventional system of voting using ballot papers and ballot boxes for the purpose. This stamp will be supplied as one of the items of polling materials for use at the polling station.

- 5.2 On receiving the tendered ballot papers, the elector concerned will go into the voting compartment and will mark his vote on the ballot paper by putting the cross mark on or near the symbol of the contesting candidate of his choice by means of the arrow cross mark rubber stamp.
- 5.2 The elector will then fold the tendered ballot paper and after coming out of the voting compartment hand it over to you.
- 5.3 You shall keep all the tendered ballot papers and the list of such tendered ballot papers prepared in Form 41 in a cover specially provided for the purpose and seal the cover at the close of the poll.
- 5.4 If owing to blindness or physical infirmity, such elector is unable to record his vote without assistance, you shall permit him to take with him a companion in accordance with the procedure mentioned in **Chapter XIX** after seeking declaration on Form-39.

CHAPTER - XXIII

ADJOURNMENT OF POLL DUE TO RIOT, OPEN VIOLENCE, ETC.

1. Adjournment of Poll in emergencies:-

The relevant rule as inserted vides the Himachal Pradesh Municipal Corporation Election Rules, 2012 are reproduced as under:-

“51. Adjournment of poll in emergencies.- (1) If at an election the proceedings at any polling station are interrupted or obstructed, by riot or open violence, or if it is not possible to take the poll at that polling station on account of any natural calamity or any other sufficient cause, the Presiding Officer for such polling station, shall announce an adjournment of the poll for a date to be notified later and shall forthwith inform the Returning Officer.

(2) Where a poll is adjourned under sub-rule (1), the Returning Officer shall immediately report the circumstances to the Commission and to the Government and shall, as soon as may be, appoint the day on which the poll shall recommence and fix the polling station at which and the hours during which, the polling shall take place. The votes cast at such election shall not be counted until such adjourned poll is completed and the ballot box used at such polling station shall be sealed and kept in safe custody till the commencement of the counting.

(3) In all the cases under this rule, the Returning Officer shall affix a notice specifying the date, place and hours of polling fixed under sub-rule (2) at his office and in the office of the Corporation and the Tehsil concerned.”

Note. Any reference to ballot boxes may be construed as EVM.

CHAPTER - XXIV

CLOSE OF POLL

1. Voting by Persons present at Polling Station at Closing Hour

- 1.1 The poll should be closed at the hour fixed for the purpose, even if for certain unavoidable reason it had commenced somewhat later than the hour appointed for the commencement of poll. But this will not mean that after the hour fixed for closing the poll, no elector will be allowed to cast his vote. You have to keep in mind that all electors, who are 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 hour appointed for closing 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 as per **Annexure XIII**. 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 last elector standing in the queue and proceeded backwards towards its head.

2. Closing of poll

After all the electors, who may be present at the polling station at the appointed hour for closing the poll, 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 circumstances.

3. Closing the Control Unit of Voting Machine

- 3.1 For closing the poll after the last voter has recorded his vote, the voting machine has to be closed so that no further recording of votes in the machine is possible. For that purpose, you should press the 'Close' button on the control unit. When the 'Close' button is pressed the display panels on the control unit will show the total number of votes recorded in the voting machine till the end of the poll (but not the candidate-wise tally). The total number of votes recorded in the machine should be immediately noted in Item 5 of Part I of Form 31A. You should thereafter disconnect the ballot unit from the control unit and put the power switch to 'OFF' position in the rear compartment of the control unit.
- 3.2 The 'Close' button is provided in a compartment in the result section below the blue coloured rubber cap on the left side of its outer cover and can be reached by simply

pulling out the rubber cap. The rubber cap should be replaced after the 'Close' button has been pressed and the poll closed.

- 3.3. Once the 'Close' button is pressed, the voting machine will not accept any further votes. Therefore, before pressing the 'Close' button, you should be extremely cautious and absolutely certain that no elector, who was present at the hour fixed for the close of poll, remains to vote.
- 3.4. You should also note that the 'Close' button will function only when the 'Busy' lamp on the control unit is not on, i.e., only after the last elector allowed to vote has recorded his vote (by pressing the blue button on the Ballot unit). If the 'Busy' lamp is on by reason of the 'Ballot' button having been pressed by mistake after the last elector has recorded his vote or such last elector refusing to record his vote after the 'Ballot' button has been pressed for him, the 'Busy' lamp can be put off by switching off the 'Power' switch in the rear compartment of the control unit and disconnecting the ballot unit(s) from the control unit. After disconnecting the ballot unit(s) from the control unit the 'Power' should again be put 'ON'. Now the 'Busy' lamp will go off and the 'Close' button will become functional.

CHAPTER – XXV

ACCOUNT OF VOTES RECORDED

1. Preparation of account of votes recorded

- 1.1 After the close of poll, you are required to prepare an account of *votes recorded* in the voting machine. Such account shall be prepared by you in Part I of Form 43A. This should be prepared in duplicate. A specimen of Form 43A is annexed as Annexure-XV.
- 1.2 As already explained in the preceding chapter, the total number of votes recorded in the voting machine at the close of poll shall be ascertained by pressing the 'Close' button. If necessary, that button can again be pressed to get the required information.
- 1.3 You must not forget that the total number of votes recorded in the voting machine must be equal to the total number of voters registered as per column (I) of the Register of Voters (Form 26A) minus the number of voters who decided not to vote (as per the remarks column of that register) and also minus the number of voters not allowed by you to vote for violating the secrecy of voting/procedure of voting (as per the remarks column of the said Register).
- 1.4 A sample account of votes recorded as prepared in Part I of Form 43A is given for your guidance at **Annexure XV**.
- 1.5 The account of votes recorded in Form 43A should be kept by you in a separate cover with the words 'Account of Votes Recorded' super scribed therein.

2. Supply of attested copies of account of votes recorded to Polling Agents

- 2.1 You are also required to furnish to every polling agent, who is present at the close of the poll, a true attested copy of the *account of votes recorded* as prepared by you in Form 43A, after obtaining a receipt from those polling agents. Copies of the accounts should be furnished to every polling agent present even without his asking for it. The original Form 43A has to be deposited at the Collection Centre (Strong Room) alongwith the voting machine. The duplicate copy of Form 43A will also be deposited at the Collection Centre.
- 2.2 To enable you to make the required number of copies of the account of votes recorded in Form 43A you will be supplied with as many copies of the printed form (Form 43A) as the number of contesting candidates plus one or two more for the original account. If possible, you should prepare the required number of copies with the help of carbon paper, while filling in the entries in the original account itself, so that all

such copies, supplied to polling agents and the original account are identical in every respect.

3. Declaration to be made at the close of poll

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

CHAPTER - XXVI

SEALING OF THE VOTING MACHINE AFTER CLOSE OF POLL

- 1.1 After the poll has been closed and the 'account of votes recorded' in the voting machine has been prepared in Form 43A (Annexure XV) and copies thereof furnished to the polling agents present, the voting machine should be sealed and secured for transportation to the counting/collection centre.
- 1.2 For sealing and securing the voting machine, the power switch in the control unit should first be switched 'OFF' and then the ballot unit(s) and the control unit should be disconnected. The ballot unit(s) and the control unit should now be put back in their respective carrying cases.
- 1.3 Each carrying case should then be sealed at both ends by passing a thread through the two holes provided for the purpose on both sides of the carrying case and putting thread seal with an address tag showing the particulars of the election, the polling station and the unit contained therein and carrying the Presiding Officer's dated signatures and seal on it.
- 1.4 The particulars on the address tag on the control unit and ballot unit shall be the same as mentioned in para 2(1) of chapter III. The contesting candidates or their polling agents, who are present at the polling station and desirous of putting their seals on the address tag, should also be allowed to do so.
- 1.5 The names of the contesting candidates/polling agents who have affixed their seals on the address tags on the carrying cases of the ballot unit(s) and control unit should also be noted by you in the declaration which you have to make at the close of the poll vide **Part IV of Annexure VI.**

CHAPTER - XXVII

SEALING OF ELECTION PAPERS

1. Sealing of election papers in packets

- 1.1 After the close of poll, all election papers relating to the poll shall be sealed in separate packets.
 - 1.2 All the packets so sealed, except the packets containing (1) the account of votes recorded and paper seal (in Form 43A), (ii) the declarations by the Presiding Officer before the commencement of poll, during the poll and after close of poll **(Annexure VI)**, (iii) the Presiding Officer's Diary should be put in four large packets as explained in paragraph 3 below and sent to the Returning Officer.
 - 1.3 The covers containing (i) the account of votes recorded and paper seal account, (ii) the declarations by the Presiding Officer, and (iii) the Presiding Officer's Diary should be sent separately alongwith the voting machine to the receiving centre.
2. You should allow each contesting 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 of electoral roll;
 - (ii) the register of voters;
 - (iii) Voter's slips;
 - (iv) the used tendered ballot papers and the list of tendered votes in Form 41
 - (v) the unused ballot papers;
 - (vi) the list of challenged votes;
 - (vii) the unused and damaged paper seals, if any;
 - (viii) appointment letters of polling agents; and
 - (ix) any other papers that the Returning Officer has directed to be kept in a sealed packet.

3. Packing of 'statutory covers' and 'non-statutory covers' and election materials:

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

A. The first packet should contain the sealed covers mentioned below and should be super scribed as "STATUTORY COVERS":

- (i) the sealed cover containing the marked copy of the electoral roll;
- (ii) the sealed cover containing the register of voters;
- (iii) the sealed cover containing voter's slips;
- (iv) the sealed cover containing unused ballot papers;
- (v) the sealed cover containing the used tendered ballot papers and the list in Form 41.

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

B. The second packet should contain the following covers and should be subscribed as "NON-STATUROTY COVERS":

- (i) the cover containing the copy or copies of electoral roll (other than the marked copy);
- (ii) the cover containing the appointment letters of polling agents in Form 27;
- (iii) the sealed cover containing the list of challenged votes in Form 42;
- (iv) the cover containing the list of blind and infirm electors in Form 40 and the declarations of the companions in form 39;
- (v) the cover containing the declarations obtained from electors as to their age and the list of such electors - **(Annexure-VIII);**
- (vi) cover containing the receipt book and cash, if any, in respect of challenged votes;
- (ix) cover containing unused and damaged paper seals;

- (x) cover containing unused voter's slips ;
- (xi) cover containing unused and damaged special tags; and

C. The third packet should contain the following items:

- (i) the Handbook for Presiding Officer;
- (ii) Manual of Electronic Voting Machine;
- (iii) indelible ink set (with stopper having been secured on each phial effectively with molten candle or wax applied thereon to prevent leakage or evaporation);
- (iv) self-inking pads;
- (v) the metal seal of the Presiding Officer;
- (vi) the arrow cross-mark rubber stamp for marking tendered ballot papers;
- (vii) Cup for setting the indelible ink.

D. All the other items, if any, should be packed into the Fourth packet.

Each of the five smaller covers/packets to be included in the first packet marked "STATUTORY COVERS" should be sealed. The other smaller covers/packets containing various non-statutory papers and items of election materials to be included in the second, third and fourth packets marked "NON-STATUTORY COVERS" may be prepared separately, but need not be sealed (except the cover containing the list of challenged votes in Form 42) in order to save time. All these unsealed covers and the sealed cover, containing list of challenged votes in Form 42, should simply be placed in the respective bigger covers along with a check memo signed by you. These three bigger packets need not be sealed; but may be properly secured by means of pins or thread so that the contents may be checked at the collection centers. The first packet marked "Statutory Covers" should, however, be sealed by you after checking of the contents at the collection centre.

CHAPTER - XXVIII

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

1. Preparation of the diary

- 1.1 You should record the proceedings connected with the taking of the poll in the polling station in the diary to be maintained for the purpose. The proforma of diary is reproduced at **Annexure XI**. However you will be furnished with a duly serially numbered proforma of the diary and that proforma alone should be used by you.
- 1.2 You must go on recording the relevant events as and when they occur. You should mention all important events therein. You should be careful while recording the events in the diary. If any incident takes place at the polling station, which is not reported by you, but is reported by any other source, the State Election Commission shall certainly take necessary action in the matter. This will be a very embarrassing and serious situation for you. The Commission may even contemplate taking disciplinary action against you.
- 1.3 Keep on making necessary entries in the relevant columns of the diary at regular intervals or from time to time as envisaged. It has been observed in many cases that the Presiding Officers do not make the entries in the relevant columns of the diary at regular intervals or from time to time as envisaged, and fill in all entries and complete the diary at the end of the poll. This is highly objectionable. It should be noted that any lapse on your part in the proper maintenance of diary at all points of time during the process of poll will be very seriously viewed by the Commission.

2. Transmission of Voting machines and election papers to the Returning Officer

- 2.1 After the voting machine and all election papers have been sealed and secured by you after the close of poll in the manner explained in **Chapters XXVI and XXVII**, you have to deliver them or cause them to be delivered at such place (collection centers) as the Returning Officer may direct and in accordance with such arrangements as the Returning Officer may make.
- 2.2 The voting machine and the election papers should be delivered or caused to be delivered at the collection centre with Zero delay. Any delay in this behalf will

be viewed by the Commission with utmost concern and will invite severe disciplinary action against all concerned.

3. You will hand over to the Official-in-charge of the collection centre the following eleven items of election records and materials and obtain a receipt:-
 - (i) the control unit and ballot unit(s) of the voting machine duly sealed in their respective carrying cases;
 - (ii) the cover containing the account of votes recorded and paper seal account (Form 31A);
 - (iii) the cover containing the declarations of the Presiding Officer;
 - (iv) the cover containing the Presiding Officer's diary;
 - (v) the first packet superscribed "STATUTORY COVERS " (containing 5 covers);
 - (vi) the second packet superscribed "NON-STATUTORY COVERS" (containing 11 covers);
 - (vii) the third packet containing 7 items of election materials;
 - (viii) Voting compartment;
 - (ix) waste paper basket if supplied;
 - (x) polythene bag/gunny bag to carry polling materials; and
 - (xi) fourth packet containing all other items, if any. All the above items will be cleared by the receiving official(s) at the collecting centre in your presence and there after you will be relieved.

CHAPTER - XXIX

BRIEF GUIDELINES FOR

THE PRESIDING OFFICERS/ POLLING OFFICERS

- (i) Maintain close relation with members of your polling party. Unless there is team work, your task becomes more difficult.
- 2.1 Ensure that —
 - (a) you have been supplied with the control unit and the requisite number of ballot units of the voting machine and the same are allotted to and meant to be used at your polling station;
 - (b) appropriate ballot paper has been duly affixed and properly aligned on each ballot unit;
 - (c) slide switch on each ballot unit has been set to appropriate position;
 - (d) the candidate set section of the control unit and each ballot unit are duly sealed and address tags are firmly attached to each of them.
- 2.2 Ensure that all the polling materials have been given to you.
- 2.3 Check particularly the Register of voters, voter's slips, ballot papers to be used for tendered votes, arrow cross mark rubber stamp for marking tendered Votes, blue paper seals, sealing wax, indelible ink, etc.
- 2.4 Compare marked copies of electoral roll with other copies and see that all copies are identical and that marked copy of electoral roll contains no mark other than 'EDC'.
- 2.5 See that
 - (i) additions/deletions of names and corrections as per supplementary rolls have been incorporated in all copies of electoral roll;
 - (ii) all pages of working copy of roll are serially numbered;
 - (iii) printed serial numbers of voters are not corrected in ink and no new number substituted manually.
- 3.1 Arrive at least 2 hours before the hour fixed for the commencement of poll at the Polling Station.

- 3.2 Ensure separate entrance and exit for voters at polling station.
4. On the day of Poll, display outside your polling station–

A notice specifying the polling area, copy of the list of contesting candidates.
5. Appoint a Polling Officer locally if any Polling Officer is absent.
6. Start preparation of voting machine including conduct of mock poll at least one hour before the hour fixed for the commencement of poll.
- 7.1 Interlink ballot units and control unit
- 7.2 Put the power switch to 'ON' position in the rear compartment of control unit.
- 7.3 Secure the rear compartment of the control unit by tying a thin wire and giving it a few twists or with the help of a twine thread and tying a knot.
- 7.4 Show to all the polling agents, who are present at the polling station that the voting machine is clear and no vote is already recorded therein.
- 7.5 Conduct a mock poll with the help of Polling Officers/contesting candidates/polling agents to record a few votes for each of the candidates.
- 7.6 Clear the data in the machine after conducting the mock poll and showing the result of such mock poll to all present.
- 8.1 Fix blue paper seal(s) in the frame on the door of the inner compartment of result section of control unit.
- 8.2 Close the door of the inner compartment of result section in such a way that the two open ends of the paper seal project outwards from the sides of the inner compartment.
- 8.3 Put your full signature on the white surface of the blue paper seal below the printed serial number.
- 8.4 Obtain the signatures of polling agents, who are present at the polling station and are desirous of putting their signatures on the paper seal. Allow them to note the serial number of paper seal.
- 8.5 Seal the door of the inner compartment of result section of control unit with special tag.
- 9.1 Close the outer cover of result section of control unit and seal it. Thereafter attach an address tag thereto firmly.
- 9.2 Allow the polling agents also to affix their seals on the outer cover of result section of control unit.
- 10.1 Place the ballot unit(s) in the voting compartment. Place the control unit on your table or on the table of Third/fourth/fifth Polling Officer, whosoever is given the charge of control unit, as the case may be.
- 10.2 The interconnecting cable should be so routed that it does not obstruct the movement for voters inside the polling station and they have not to tread or trip over it, but the

entire length of the cable should be visible and under no circumstances be concealed under the cloth or under the table.

- 11.1 Demonstrate to the polling agents present that the marked copy of the electoral roll does not contain any entries other than EDC.
- 11.2 Demonstrate also that the Register of Voters (Form 26A) does not contain any entry before hand.
12. Read out the declaration and sign it before the commencement of poll.
- 13.1 Commence the poll at the appointed hour positively.
- 13.2 Warn every one, who is present at the polling station, to maintain absolute secrecy of voting by reading out aloud section 22 of the HP Municipal Corporation Act, 1994.
14. Allow only one polling agent of a contesting candidate inside the polling station at any given time.
15. Ensure free and fair poll.
16. Show due courtesy and regard to the observer appointed by the Commission and furnish all the information required by him.
17. Canvassing within one hundred meters of the polling station is an offence.
18. Smoking inside polling station is prohibited. Be careful that neither you nor your Polling Officers nor anybody else in the polling station including the polling agents smokes inside the polling station.
19. Do not give any special treatment to any VIP or celebrity coming to cast vote.
- 20.1 Duties of Polling Officers at simultaneous election, when the polling party consists of one Presiding Officer and three Polling Officers, are as under:-
- 20.2 The first Polling Officer will be responsible for identifying the electors and will be in-charge of marked copy of the electoral roll.

The second Polling Officer will be in-charge of the indelible ink, register of voters & for preparation of voter slip.

The third Polling Officer will be in-charge of the Control Unit

- 20.3 Allow the electors to record their votes exactly in the same order in which they have been entered in the register of voters. Do not allow them to vote unless they have put their signature/thumb impression on the register of voters.
- 21.1 Do not entertain any challenge to the identity of an elector unless the challenger pays challenge fee of twenty rupees in cash. Maintain record of such challenged votes in Form 42.
- 21.2 If the challenge is established, hand over the personator to the police with a complaint in writing.
22. In the cases of blind and infirm electors, obtain the required declaration from the companion of such blind and infirm electors. Also maintain record of such voters in Form 40.

23. If you consider an elector to be much below the voting age, i.e., 18 years but are otherwise satisfied about his identity, obtain a declaration from him about his age. Do not question his eligibility.
- 24.1 Do not press or compel an elector to vote if he decides not to vote after his particulars have been noted in the register of voters. You may apprise him about the option of NOTA. Even then he refuse to vote make an entry to that effect in the 'Remarks' column against the entry relating to that elector in the Register
- 24.2 Do not change any serial number in column 1 of the register because of any elector who decides not to vote.
- 25.1 Allow an elector to vote only by means of tendered ballot paper if he turns up at the polling station after someone else has already voted in his name and you are satisfied about his identity. Do not allow him to record his vote in the voting machine.
- 25.2 Maintain record of such electors to whom tendered ballot papers have been issued such record shall be maintained in Form 41. Keep the tendered ballot papers and list in Form 41 in a separate cover.
- 26.1 Do not allow an elector to vote if he refuses to follow the prescribed voting procedure to maintain secrecy of voting after being warned by you.
- 26.2 Make an entry to that effect in the 'Remarks' column against the entry relating to him in the register of voters. Do not change any serial numbers in column 1 of that register because of such elector.
- 27.1 In order to ensure that all the electors, who are standing in queue at the hour appointed for closing the poll, are able to cast their vote, distribute serially numbered slips duly signed by you to all electors standing in queue a few minutes before closing hour of poll, starting the operation from the end of the queue.
- 27.2 Allow all persons, to whom such slips have been issued, to vote even if the poll has to be continued for some time beyond the appointed closing hour.
- 28.1 Formally announce the close of poll after the last such elector has voted.
- 28.2 Close the voting machine by removing the blue rubber cap covering the 'Close' button and pressing the 'Close' button on the control unit. Replace the blue coloured rubber cap over the 'Close' button after it has been so pressed.
- 29.1 Prepare the account of votes recorded in Form 31A.
- 29.2 Give attested copies of the account of votes recorded to each of the contesting candidates/polling agents. Make declaration to that effect in the prescribed declaration

Form.

- 30.1 After the close of poll, disconnect the ballot unit(s) and control unit.
- 30.2 Put the power switch 'Off' in the rear compartment of control unit.
- 31.1 Keep the control unit and ballot unit(s) in their respective carrying cases.
- 31.2 Seal the carrying cases on both ends, by firmly attaching address tags to each carrying case.
- 31.3 Allow all contesting candidates/polling agents, who are present at the polling station and willing to do so, to affix their seals on these carrying cases.
- 32.1 Seal all election papers and materials in separate packets.
- 32.2 Affix your seal on the covers containing (1) marked copy of electoral roll, (2) register of voters, (3) voter's slips, (4) used tendered ballot papers and list in Form 29A, and (5) unused tendered ballot papers.
- 32.3 Allow all contesting candidates/polling agents to affix their seals on these covers also, if they so desire.
- 33.1 Keep all packets of election papers and materials in four bigger packets.
- 33.2 The first sealed packet superscribed "STATUTORY COVERS" should contain five sealed covers as described in chapter XVIII.
- 33.3 The second packet of "NON-STATUTORY COVERS" should contain eleven covers as described in chapter XVII.
- 33.4 The third packet should contain seven items.
- 33.5 All other items should be packed into the fourth packet.
- 34. Keep the (1) account of votes recorded (Form 26A), (2) declarations made by you before the commencement of poll and end of poll, and (3) Presiding Officer's diary in three separate packets.
- 35. Deliver the voting machine at the collection centre promptly after the poll, without any delay.
- 36. In order to keep complete and accurate account of events at the polling station, maintain the Presiding Officer's diary properly in all respects. Complete the entries therein as and when any event takes place and not at the end of poll.

37. If violence or riot takes place at the polling station, Report forthwith full facts to the Returning Officer.
38. If there is booth capturing or any voting machine or election materials like Register of Voters, marked copy of the electoral roll, etc., are unauthorisedly taken away from your custody or damaged or tampered with, close the poll. Report full facts to the Returning Officer forthwith.

ANNEXURE-43A

FORM- 43A

PART I-ACCOUNT OF VOTES RECORDED

Election to the Municipal Corporation.....District.....

From	Ward No.....
No. and Name of Polling Station
Identification No. of Voting Machine	Control unit No
.....	
used at the Polling Station	Ballot unit No

1. Total No. of electors assigned to the polling station.
2. Total No. of voters as entered in the Register for Voters (Form 26A)
3. No. of voters deciding not to record votes .
4. No. of voters not allowed to vote .
5. Total No. of votes recorded as per voting machine.
6. Whether the total No. of votes as shown against

item 5 tallies with the total No. of voters as shown against item 2 minus Nos. of voters deciding not to record votes as against item 3 minus No. of Voters as against item 4 (2-3-4) or any discrepancy noticed.

7. No. of voters to whom tendered ballot papers were issued.

8. No. of tendered ballot papers.

Serial No.

Sr.No

To

(a) received for use

.....

.....

.....

(b) issued to electors

.....

.....

(c) not used and returned

.....

.....

9.Account of paper seals.

From.....

To.....

(i) Sr. Number of paper seals supplied

No.....

.....

(ii) Total Number supplied

No.....

(iii) Number of paper seal used

No.....

.....

(iv) No. of unused paper seals returned to RO/ARO(Deduct item (iii) from item (ii))

No.....

.....

(v) Serial number of damaged Paper seals if any No..... Sr. No.....

Signature of Polling Agents.

- 1.
 - 2.
 - 3.
 - 4.
-

Date _____
Place _____
Station.....

Signature of Presiding Officer
No..and Name of Polling

PART-II
RESULT OF COUNTING

Sr. No.	Name of candidate	No. of votes recorded through Poll Duty Ballot	No. of votes recorded through EVMs	Total
---------	-------------------	--	------------------------------------	-------

- 1.
- 2.
- 3.
- 4.
- 5.
- 6.
- 7.
- 8.
- 9.
- 10.11,12 & so on.....

No. of Votes polled to NOTA-----

No. of votes rejected received through Poll Duty Ballot-----

Total

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

Place-----

Signature of Counting Supervisor

Date-----

Name of Candidate/Election agent/Counting Agent

Full Signature

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

7.

8.

Place _____

Date _____

Signature of Returning Officer

FORM - 26A

REGISTER OF VOTERS

Election to Municipal Corporation, 20-----

Name of Municipal Corporation-----

No and Name of Ward -----

No and Name of Polling Station-----

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

FORM 41.

[See rules 70(2) and 75]

LIST OF TENDERED VOTER.

*Election of Councillor from Ward No..... of Municipal Corporation.---¹

No. and name of Polling station.....

S.No.	Name of Voter.	Address of Voter.	S.No of tendered Ballot Paper.	S.No. of Ballot paper issued to the person who has already voted.	Signature or thumb impression of person tendering vote.
1.	2.	3.	4.	5.	6.

Place:

Dated:

Signature of Presiding Officer.

Annesure - B

¹ deleted vide notification 11-02-16

ANNEXURE I

[Chapter-I Para 2]

EXTRACTS OF THE IMPORTANT SECTION FROM THE H.P.MUNICIPAL CORPORATION ACT, 1994.

9. (1) Election to the Corporation.—(1) The superintendence, direction and control of the preparation of electoral rolls, delimitation of wards, reservation and allotment of seats by rotation for, and the conduct of all elections to the Corporation, shall be vested in the State Election Commission.

(2) The Government as well as the Corporation shall, when so requested by the State Election Commission, make available to the Commission such staff, material and monetary resources as may be necessary for the discharge of the functions conferred on the State Election Commission by sub-section (1).

(3) The Commission shall frame its own rules and lay down its own procedure.

9-A. Requisitioning of premises, vehicles etc. for election purposes. — (1). If it appears to the State Government that in relation to the Municipal Corporation.—

- (a) any premises are needed or are likely to be needed for the purpose of being used as a polling station or for the storage of ballot boxes after a poll has been taken, or
- (b) any vehicle, vessel or animal is needed or is likely to be needed for the purpose of transport of ballot boxes to or from any polling station, or transport of members of the police force for maintaining order during the conduct of such election, or transport of any officer or other person for performance of any duties in connection with such election, the State Government, may by order in writing, requisition such premises, or such vehicle, vessel or animal, as the case may be, and may make such further orders as may appear to it to be necessary or expedient in connection with the requisitioning :

Provided that no vehicle, vessel or animal which is being lawfully used by a candidate or his agent for any purpose connected with the election of such candidate shall be requisitioned under this sub-section until the completion of the poll at such election.

(2) The requisition shall be effected by an order in writing addressed to the person deemed by the State Government to be the owner or person in possession of the property and such order shall be served in the prescribed manner on the person to whom it is addressed.

(3) Whenever any property is requisitioned under sub-section (1), the period of such requisition shall not extend beyond the period for which such property is required for any of the purposes mentioned in that sub-section.

(4) In this section,—

- (a) "**premises**" means any land building or part of building and includes a hut, shed or other structure or any part thereof; and
- (b) "**vehicle**" means any vehicle used or capable of being used for the purpose of road transport, whether propelled by mechanical power or otherwise.

9-B. Payment of compensation.—(1) Whenever in pursuance of section 9-A, the State Government requisitions any premises, there shall be paid to the persons interested compensation the amount of which shall be determined by taking into consideration the following, namely:—

- (i) the rent payable in respect of the premises or if no rent is so payable, the rent payable for similar premises in the locality;
- (ii) if in consequence of the requisition of the premises the person interested is compelled to change his residence or place of business, the reasonable (if any) incidental to such change ;

Provided that where any person interested being aggrieved by the amount of compensation so determined makes an application within the prescribed time to the State Government for referring the matter to an arbitrator, the amount of compensation, to be paid shall be such as the arbitrator appointed in this behalf by the State Government may determine:

Provided further that where there is any dispute as to the title to receive the compensation or as to the apportionment of the amount of compensation, it shall be referred by the State Government to an arbitrator appointed in this behalf by the State Government for determination, and shall be determined in accordance with the decision of such arbitrator.

Explanation.—In this sub-section, the expression "person interested" means the person who was in actual possession of the premises requisitioned under section 9-A immediately before the requisition or where no person was in such actual possession, the owner of such premises.

(2) whenever in pursuance of section 9-A, the State Government requisitions any vehicle, vessel or animal, there shall be paid to the owner thereof compensation the amount of which shall be determined by the State Government on the basis of the fares or rates prevailing in the locality for the hire of such vehicle, vessel or animal :

Provided that where the owner of such vehicle, vessel or animal being aggrieved by the amount of compensation so determined make an application within the prescribed time to the State Government for referring the matter to an arbitrator, the amount of compensation to be paid shall be such as the arbitrator appointed in this behalf by the State Government may determine:

Provided further that where immediately before the requisitioning the vehicle or vessel was by virtue of hire-purchase agreement in the possession of a person other than the owner, the amount determined under this sub-section as the total compensation payable in respect of the requisition shall be apportioned between that person and the owner in such

manner as they may agree upon, and in default of agreement, in such manner as an arbitrator appointed by the State Government in this behalf may decide.

9-C. Release of premises from requisition.—(1) When any premises requisitioned under section 9-A are to be released from requisition, the possession thereof shall be delivered to the person from whom possession was taken at the time when the premises were requisitioned, or if there were no such person, to the person deemed by the State Government to be the owner of such premises, and such delivery of possession shall be a full discharge of the State Government from all liabilities in respect of such delivery, but shall not prejudice any rights in respect of the premises which any other person may be entitled by due process of law to enforce against the person to whom possession of the premises is so delivered.

(2) Where the person to whom the possession of any premises requisitioned under 9-A is to be given under sub-section (1) cannot be found or is not readily ascertainable or has no agent or any other person empowered to accept delivery on his behalf, the State Government shall cause a notice declaring that such premises are released from requisition to be affixed on some conspicuous part of such premises and publish the notice in the Official Gazette.

(3) When a notice referred to in sub-section (2) is published in the Official Gazette, the premises specified in such notice shall cease to be subject to requisition on and from the date of such publication and be deemed to have been delivered to the person entitled to possession thereof; and the State Government shall not be liable for any compensation or other claim in respect of such premises for any period after the said date.

9-D. Delegation of functions of the State Government with regard to requisitioning.—The State Government may, by notification in the Official Gazette, direct that any powers conferred or any duty imposed on it by any of the provision of sections 9-A to 9-C shall, under such conditions, if any, as may be specified in the direction, be exercised or discharged by such officers or class of officers as may be so specified.

9-E. Deputation of staff and punishment on breach of official duty.—(1) The State Government shall depute staff from Government or Semi Government Organisations of the State Government for the conduct of all elections to the Municipal Corporation and the officers 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 with 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) If any person deputed on election duty under sub-section (1) disobeys any orders issued by an officer appointed to conduct the election under this Act regarding the performance of an election duty or deliberately abstains himself from duty or contravenes any provisions of this Act and the rules made thereunder, he shall be punishable with fine which may extend to five hundred rupees.

21. Corrupt practices.—The following shall be deemed to be corrupt practices, namely:

(1) Bribery as defined in sub-section (1) of section 123 of the Representation of the People Act, 1951; (43 of 1951);

(2) Undue influence as defined in sub-section (2) of the said section;

(3) An appeal by a candidate or his agent or by any other person with the consent of the candidate or his election agent to vote or refrain from voting on grounds of caste, race, community or religion 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 that candidate's election;

(4) The publication by a candidate or his agent or by any other person with the consent of the candidate or his election agent of 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 from contest of any candidate being a statement reasonably calculated to prejudice the prospects of that candidate's election;

(4-A) The promotion of, or attempt to promote, feelings of enmity or hatred between different classes of 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 candidate or his agent for the furtherance of the prospects of the election of that candidate or for prejudicially affecting the election of any candidate; and

(5) 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 the candidate or his election agent for conveyance of any elector (other than the candidate himself, and the members of his family or his agent) to or from any polling station provided in accordance with the rules made under this Act;

(5-A) The incurring or authorising of expenditure in contravention of section 13-A.

Provided that the hiring of a vehicle or vessel by an elector or by several electors at their joint cost for the purpose of conveying him or them to or from any such polling station 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 powers:

Provided further that the use of any public transport vehicle or vessel or any railway carriage by an elector at his own for the purpose of going to or coming from any such polling station shall not be deemed to be a corrupt practice under this sub-section;

Explanation.—In this sub-section 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.

(6) The holding of any meeting in which intoxicating liquors are served.

(7) The issuing of any circular, placard or poster having a reference to the election which does not bear the name and address of the printer and publisher thereof.

(7-A) 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 the candidate or his 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 Government of India or any State or a local authority.

(8) Any other practice which the Government may by rules specifies to be corrupt practice.

22. Maintenance of secrecy of voting.—(1) Every officer or official, 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 the provisions of sub-section (1), shall be punishable with imprisonment for a term which may extend to three months or with fine, or with both.

23. Officers etc. at elections not to act for candidates or to influence voting.—(1) No person who is a returning officer, or an assistance returning officer or a presiding officer or polling officer at an election or an officer or official appointed by the returning officer or the presiding officer to perform any duty in connection with an election or a member of a police force, shall, in the conduct or management of the election do any act (other than the giving of votes) for the furtherance of the prospects of the election of a candidate.

(2) No such person as aforesaid shall endeavour—

(a) to persuade any person to give his vote at an election; or

(b) to dissuade any person for giving his vote at an election; or

(c) to influence the voting of any person at an election in any manner.

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

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

24. Prohibition of canvassing in or near polling station and of public meeting on election day.—(1) No person shall, on the date or dates on which the poll is taken at any polling station, commit any of the following acts within the polling station, or in any public or private place within a distance of one hundred metres of the polling station, namely:—

(a) canvassing for votes; or

(b) soliciting the votes of any elector; or

(c) persuading any elector not to vote for any particular candidate; or

- (d) persuading any elector not to vote at the election; or
 - (e) exhibiting any notice for sign (other than an official notice) relating to the election.
- (2) No person shall,—
- (a) convene, hold, 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 ending with the hour fixed for the conclusion of poll for any election in that polling area.

(3) Any person who contravenes the provisions of sub-section (1) or sub-section (2) shall be punishable with imprisonment for a term which may extend to two years, or with fine not exceeding rupees ten thousand, or with both.

Explanation.—In this section the expression "election matter" means any matter intended or calculated to influence or affect the result of an election.

(4) An offence committed under sub-section (1) or sub-section (2) shall be cognizable.

25. Penalty for disorderly conduct in or near polling station.—(1) No person shall, on the date or dates in 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 neighborhood thereof any apparatus for amplifying or reproducing the human voice, such as a megaphone, or a loud speaker; or
- (b) shout or otherwise act in a disorderly manner, within or at the entrance of the polling station, or in any public or private place in the neighborhood 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 officer and other person on duty at the polling station.

(2) Any person who contravenes or willfully aids or abets the contravention of the provisions of sub-section (1) shall be punishable with imprisonment for a term 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.

26. 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 power conferred by sub-section (1) shall not be exercised so as to prevent any elector who is otherwise entitled to vote at a polling station from having an opportunity of voting at that station.

(3) If any person who has been so removed from a polling station re-enters the polling station without the permission of the presiding officer, he shall be punishable with imprisonment for a term which may extend to three months or with fine, or with both.

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

27. Breaches of official duty in connection with election.—If any person to whom this section applies, is without reasonable cause guilty of any of act or omission in breach of his official duty, he shall be punishable with fine which may extend to five hundred rupees. An offence punishable under this section shall be cognizable.

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

(3) The person to whom this section applies are returning officers, assistant returning officers presiding officers, polling officers and any other person appointed to perform any duty in connection with receipt of nomination 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.

28. Removal of ballot papers from polling station to be an offence.—Any person who at an election fraudulently takes or attempts to take a ballot paper out of a polling station, or willfully aids or abets the doing of any such act shall be punishable with imprisonment for a term which may extend to one year, or with fine which may extend to five hundred rupees, or with both.

(2) If the presiding officer of a polling station has reason to believe that any person is committing or has committed an offence punishable under sub-section (1), such officer may, before and may person leaves the polling station, arrest or direct a police officer to arrest such person and may search such person or cause or cause him to be searched by a police officer:

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

(3) Any ballot paper found upon the person arrested on search shall be made over for safe custody to a police officer by the presiding officer or when the search is made by a police officer or when the search is made by a police officer, shall be kept by such officer in safe custody.

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

29. Offence of booth capturing.—Whoever commits an offence of booth capturing, shall be punishable with imprisonment for a term which shall not be less than six months but which may extend to two 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 one year but which may extend to three years and with fine.

Explanation.—For the purposes of this section, "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 another act which affects the orderly conduct of elections ;
- (b) taking possession of a polling station or a place fixed for the poll by any person or any persons and allowing only his or their own supporters to exercise their right to vote and prevent other from voting;
- (c) 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 persons making the counting authorities surrender the ballot papers or voting machine and the doing of anything which affects the order 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 activities in the furtherance of the prospects of the election of a candidate.

30. Other offences and penalties.—A person shall be guilty of an electoral offence, if at any election he;—

- (a) fraudulently defaces, destroys any nomination paper ; or
- (b) fraudulently defaces, destroys or removes any list, notice or other document affixed by or under the authority of the returning officer ; and
- (c) fraudulently defaces or destroys any ballot paper or the official mark on any ballot paper or any declaration of identity or official envelope used in connection with voting by postal ballot ; and

- (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 ;
- (f) without due authority destroys, takes, opens or otherwise interferes with any ballot box ballot paper then in use for the purpose of the election : or
- (g) fraudulently or without due authority, as the case may be, attempts to do any of the foregoing acts or willfully aids or abets the doing of any such acts.
- (h) violates the Model Code of Conduct issued by the Election Commission.

(2) Any person guilty of an offence under this section shall;—

- (a) if he is a returning officer or an assistant returning officer or presiding officer or a polling officer or any other officer or official employed on official duty in connection with the election, be punishable with imprisonment for a term which may extend to two years or with fine or with both:
- (b) if he is any other person, be punishable with imprisonment for a term which may extend to six months, or with fine, or with both.

(3) For the purposes of this section a person shall be deemed to be on official duty if his duty is to take part in the conduct of any 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.

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

(5) No court shall take cognizance of any offence under section 24, or under section 28, or under clause (a) of sub-section (2) of this section unless there is a complaint made by order of, under authority from, the State Election Commissioner

30-A. Promoting enmity between classes of citizen in connection with the 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 of 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, or with fine, or with both.

30-B. Disturbances 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 for a term which may extend to six months, or with fine which may extend to two thousand rupees, or with both.

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

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

(4) If any police officer reasonably suspects any person of committing an offence under sub-section (1), he may, if requested so to do by the Chairman of the meeting require that person to declare to him immediately his name and address and, if that person refuses or fails 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.

30-C. 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 duplicate; and

(b) unless within 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 State Election Commission; and

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

(3) For the purposes of this section,—

(a) any process to be printed for multiplying copies of a documents, other than copying it by hand, shall be deemed to be printed 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 hand-bill, any hand-bill, 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 sub-section (1) or sub-section (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.

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

30-E. Penalty for illegal hiring or procuring of conveyance at elections.—If any person is guilty of any such corrupt practice as specified in sub-section (5) of section 21 of this Act, at or in connection with an election, he shall be punishable with imprisonment which may extend to three months, or with fine.

30-F. Penalty for Government servants for acting as election agent, polling agent or counting agent.—If any person in the service of the Government acts as an election agent or a polling agent or a counting agent of a candidate at an election, he shall be punishable with imprisonment for a term which may extend to three months, or with fine, or with both.

30-G. Prohibition of going armed to or near a polling station.—1 No person, other than the returning officer, the presiding officer, any police officer and any other person appointed to maintain peace and order at a polling station who is on duty at the polling station, shall on a polling day, go armed with arms, as defined in the Arms Act, 1959, of any kind within the neighborhood of polling station.

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

(3) Notwithstanding anything contained in the Arms Act, 1959, where a person is convicted of an offence under this section, the arms as defined in the said Act found in his possession shall be liable to confiscation and the license granted in relation to such arms shall be deemed to have been revoked under section 17 of that Act.

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

30-H. Grant of paid holiday to employees on the day of poll.—(1) Every person employed in any business, trade, industrial undertaking or any other establishment and entitled to vote at election to the Municipal Corporation shall, on the day of poll, be granted a holiday.

(2) No deduction or abatement of the wages of any such person shall be made on account of a holiday having been granted in accordance with sub-section (1) and if such person is employed on the basis that he would not ordinarily receive wages for such a day, he shall nonetheless be paid for such day the wages he would have drawn had not a holiday been granted to him on that day.

(3) If an employer contravenes the provision of sub-section (1) or sub-section (2) then such employer shall be punishable with fine which may extend to five hundred rupees.

(4) This section shall not apply to any elector whose absence may cause danger or substantial loss in respect of the employment in which he is engaged.

30-I. 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, catering house, tavern, shop or any other place, public or private, within a polling area during the period of forty-eight hours ending with the hour fixed for the conclusion of the poll for any election in that polling area.

(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 off in such manner as may be prescribed.

ANNEXURE - II

(CHAPTER I Para 2)

EXTRACTS FROM THE HIMACHAL PRADESH MUNICIPAL CORPORATION ELECTION RULES, 2012

31. Appointment of polling personnel.- (1) The Returning Officer shall appoint Presiding Officers and such number of Polling Officers, as he thinks necessary, in respect of each polling station:

Provided that if the Polling Officer is absent from the polling station, the Presiding Officer may appoint any Government or Semi-Government or Corporation servant, who is present at the polling station, as a polling officer during the absence of the former officer and inform the Returning Officer accordingly.

(2) If the Presiding Officer, owing to illness or any other unavoidable cause is absent from the polling station, his functions shall be performed by such polling officer, as has been previously authorized by the Returning Officer to perform such functions during any such absence.

46. Appointment of polling agent.-(1) The number of polling agents, that may be appointed by a candidate shall be one for each polling station.

(2) Every such appointment shall be made in Form-27 and the same shall be made over to the polling agent for production at the polling station.

(3) No polling agent shall be admitted into the polling station unless he has delivered to the Presiding Officer the documents of his appointment under **sub-rule (2)** after duly completing and signing the declaration contained therein before the Presiding Officer.

47. Non-attendance of agent. - Where any act or thing is required or authorized by these rules to be done in the presence of agents, the non-attendance of any such agent or agents at the time and place appointed for the purpose shall not, invalidate the act or thing done.

51. Adjournment of poll in emergencies. - (1) If at an election the proceedings at any polling station are interrupted or obstructed, by riot or open violence, or if it is not possible to take the poll at that polling station on account of any natural calamity or any other sufficient cause, the Presiding Officer for such polling station, shall announce an adjournment of the poll for a date to be notified later and shall forthwith inform the Returning Officer.

(2) Where a poll is adjourned under sub-rule (1), the Returning Officer shall immediately report the circumstances to the Commission and to the Government and shall, as soon as may be, appoint the day on which the poll shall recommence and fix the polling station at which and the hours during which, the polling shall take place. The votes cast at such election shall not be counted until such adjourned poll is completed and the ballot box used at such polling station shall be sealed and kept in safe custody till the commencement of

the counting.

(3) In all the cases under this rule, the Returning Officer shall affix a notice specifying the date, place and hours of polling fixed under sub-rule (2) at his office and in the office of the Corporation and the Tehsil concerned.

52. Fresh poll in the case of destruction etc. of the ballot box. - (1) If at any election any ballot box is unlawfully taken out of the custody of the Presiding Officer or is in any way tampered with, or is either accidentally or intentionally destroyed, lost or damaged, the polling at the polling station to which such ballot box relates shall be liable to be declared as void.

Explanation. - Damage to a ballot box also includes damage or destruction of ballot papers done at the time of counting of votes but before the completion of counting and declaration of result.

(2) Whenever the polling at any polling station becomes liable to be declared as void under sub-rule (1), the Presiding Officer shall, as soon as practicable after the act or event causing such damage or destruction, report the matter to the Returning Officer who in the event of his being so satisfied that in consequence thereof the result of the poll of that polling station cannot be ascertained, declare the polling void and shall appoint a day taking the poll afresh at such polling station, and fix the hours during which the poll shall be taken and shall not count the votes cast at other polling stations of the ward until such fresh poll has been completed.

55. Procedure on adjournment of poll.-(1) If the poll at any polling station is adjourned under **rule 51** the provisions of these rules with regard to poll shall apply to every such fresh poll as they apply to the original poll.

(2) When an adjourned poll is recommend under **sub-rule (2) of rule 51**, the voter who has 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 to be held with the sealed packets containing the marked copy of the Electoral roll and required number of ballot papers and a new ballot box.

(4) The Presiding Officer shall open the sealed packet in the presence of such candidates or their agents as may be present and use the same for the conduct of adjourned poll.

60. Commencement of poll.- The Presiding Officer shall start the poll exact at the time mentioned in notice of election and before commencement of the poll, he shall bring to the notice of all, who are present, the provisions of section 22 the provisions of this section are as under:-

“22 Maintenance of secrecy of voting :- (1) Every Officer or Official, 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 authorized by or under any law) communicate to

any person any information calculated to violate such secrecy.

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

ANNEXURE III

(CHAPTER I, PARA 5)

CHECK MEMO FOR PRESIDING OFFICERS

<u>ITEM</u>	<u>ACTION OF BE TAKEN</u>	<u>REMARKS</u>
1.	Obtaining and keeping in possession all relevant instructions from the Returning Officer.	Whether obtained and kept?
2.	Familiarisation with the other members of the polling party and maintenance of close relationship with them.	Whether done?
3.	Collection of election material	Whether ensured that all the election materials and that too in sufficient quantities and numbers have been collected?
4.	Checking up of balloting unit & control unit of the voting machine, marked copies of the electoral roll, arrow cross mark rubber stamp, blue paper seals, register of voter's, voter's slips, etc.	Whether done?
5.	Separate entrance and exit for voters at polling stations.	Whether ensured?
6.	Display of notice specifying the polling area and the numbers of electors assigned and also a copy of the list of contesting candidates	Whether displayed?
7.	Inter-linking of control unit and balloting units and switching on the battery.	Whether done?
8.	Conducting mock control	Whether Conducted?
9.	Fixing blue paper seal on result compartment of control unit	Whether done?
10.	Sealing the result section of the control unit.	Whether done?
11.	Declaration to be made at the commencement of the poll.	Whether made?
12.	Reading out the provisions of the Sec. 22 of HP Municipal Corporation Act, 1994 with regard to the secrecy of voting by Presiding Officer at the at the beginning of the poll.	Whether done?
13.	Allowing polling agents to not the serial numbers of balloting unit and control unit and green paper seal.	Whether allowed?

14.	Marking of indelible ink on left fore-finger and obtaining the signature/thumb impression on the Registers of Voters (Form 26A)	Whether being properly done?
15.	Declaration from under-aged electors	Whether obtained? Whether events are recorded from time to time as and when they occur?
16.	Maintenance of Presiding Officer's Diary	
17.	Maintenance of Visit Sheet	Whether maintained?
18.	Close of poll at the appointed hour	Whether Done?
19.	Supply of account of votes recorded in Form 43A copies given to all the polling agents?	Whether attested Whether made?
20.	Declaration to be made at the close of poll	Where done according to instructions?
21.	Sealing of voting machine and election papers	

ANNEXURE IV
(CHAPTER III, Para I)

**List of polling materials for a polling station
where Electronic Voting Machine is used.**

1	Control Unit	1
2	Balloting Unit(s)	1 (Depending upon the Nos. of Candidates)
3	Register of voters (Form 26A)	2 Books 1000(or keeping in view no. of elector in a polling station)
4	Voter's Slip	
5	Working Copies of Final Electoral Rolls	3
6	Ballot Papers (for tendered votes)	20
7	Indelible Ink	2 Phial of 5 C.C. each
8	Address Tag for Control Unit	3
9	Address Tag for Balloting Unit	3
10	Special Tag for ceiling inner door & result section	2
11	Blue Paper Seals for EVM	2
12	Rubber Stamp Arrow Cross Mark	1
13	Stamp Pad (Purple)	1
14	Metal Seal for Presiding Officer	1
15	Match Box	1
16	Presiding Officer's Diary	2
17	Distinguishing Mark Rubber Stamp	1
18	<u>FORMS</u>	
	1. List of Contesting Candidates(Form-25)	3
	2. List of Challenged Votes (Form-42)	6
	3. List of Blind and Infirm Voters (Form-40)	6
	4. List of Tendered Votes (Form-29A)	5
	5. Accounts of votes Recorded (Form-43)	10
	6. Receipt Book for deposit of challenged votes fee	1 Book
	7. Letter to S.SH.O.	5
	8. Declaration by the Presiding Officer before the Commencement of Poll and at the end of poll (Part I to IV)	5
	9. Declaration by Elector about his age	10
	10. List of Electors who voted after giving	10

declaration/refused to give declaration	
11 Declaration by the companion of blind and infirm voter	10
12 .Passes for Polling Agents	15

20 **ENVELOPS**

1. For smaller envelopes (Statutory Covers)(SE-8)	1
2. For marked copy of electoral rolls (SE-8)	1
3. For other copies of electoral rolls (SE-8)	1
4. For Tendered Ballot Paper and Tendered Voters List	1
5. For Declaration by the Presiding Officer before commencement of the poll and at the end of the poll (SE-7)	1
6. For account of votes recorded (Form 43A) (SE-5)	1
7. For list of challenged votes (SE-5)	1
8. For unused and spoiled paper seals (SE-5)	1
9. For appointment letters of Polling Agents (SE-6)	1
10. For list of blind and infirm voters (SE-5)	1
11. For Presiding Officer's Diary's report (SE-6)	1
12. For Poll Duty (SE-5)	1
13. For Receipt Book and Cash forfeited (SE-6)	1
14. For declaration of comparisons (SE-5)	1
15. For smaller envelopes (others) (SE-7)	1
16. For Register of Voters containing signatures of voters (Form 26A) (SE-8)	1
17. For other relevant papers (SE-5)	1
18. For smaller envelopes (SE-8)	1
19. Cover for Presiding Officer's brief record under rule /direction 14 (SE-6)	1
20. Envelopes (SE-7)-2 (SE-8)-3	5
21. For unused ballot papers (SE-7)	5
For any other paper that the R.O. has decided to keep in the sealed	1
22. cover	
23. Cover for unused and damaged special tag (SE-7)	1

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

21 **SIGN BOARDS**

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

- (d) Exit
- (e) Polling Agent
- (f) Miscellaneous Notice specifying area etc. as required by Rule 30(1)(a)

22 **STATIONERY**

1. Ordinary & copying pencil	1 each
2. Ball Pen	2
3. Full scape Paper	3 sheets
4. Pins	25 pieces
5. Sealing Wax	2 Sticks
6. Voting Compartment	1
7. Gum paste	1 bottle
8. Blade	1
9. Candles	1 sticks
10. Thin Twine Thread	20 mtrs.
11. Metal rule	1
12. Carbon Paper	3
13. Cloth or Rag for removing oil etc.	3
14. Packing paper	2 sheets
15. Cup/Empty tin/Plastic Box for holding indelible ink bottle	1
	1
16. Cello Tape(small)	

23 Lists of material to be returned by the Presiding Officer to the Returning Officer: –

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

ANNEXURE - V

(CHAPTER IV, Para 2)

MODEL POLLING STATION FOR ELECTRONIC VOTING MACHINE

(Deleted)

Annexure VI

(Chapter XIII, Para 1 &2)

DECLARATION BY THE PRESIDING OFFICER

PART-I

Declaration by the Presiding Officer before the commencement of the poll in

Election to the Councilor from Ward No. & Nameof M. Corporation

Serial No. and name of polling station.....

Date of poll.....

I hereby declare:

- (1) that I have demonstrated to the polling agents and other persons present –
 - (a) by holding a mock poll that the voting machine is in perfect working order and that no vote is already recorded therein;
 - b) that the marked copy of the electoral roll to be used during the poll does not contain any marks other than those used for issuing postal ballot papers and election duty certificates;
 - (c) that the Register of Voters (Form 26-A) to be used during the poll does not contain any entry in respect of any elector;
- (2) that I have affixed my own signature on the paper seal(s) used for securing the result section of control unit of the voting machine and obtained thereon the

signatures of such of the polling agents as are present and desirous of affixing the same.

- (3) that I have written the serial number of the control unit on the special tag, and I have affixed my signature on the back side of the special tag and also obtained thereon the signatures of such of the candidates/polling agents as are present and desirous of affixing their signature.
- (4) that I have read out the pre-printed serial number of the special tag and asked the candidates/polling agents present, to note down the serial number.

Signature

Signature of polling agents:

Presiding Officer

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

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

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

Signature.....

Date.....

Presiding Officer

PART II

DECLARATION BY THE PRESIDING OFFICER AT THE TIME OF USE OF

SUBSEQUENT VOTING MACHINE, IF ANY,

Election to the Councilor from Ward No. and Nameof M Corporation
Ser, No. and name of polling station.....
Date of poll.....

I hereby declare:

- (1) that I have demonstrated to the polling agents and other persons present –
- (a) by holding a mock poll that the voting machine is in perfect working order and that no vote is already recorded therein;
 - b) that the marked copy of the electoral roll to be used during the poll does not contain any marks other than those used for issuing postal ballot papers and election duty certificates;
 - (c) that the Register of Voters (Form 26-A) to be used during the poll does not

- contain any entry in respect of any elector;
- (2) that I have affixed my own signature on the paper seal(s) used for securing the result section of control unit of the voting machine and obtained thereon the signatures of such of the polling agents as are present and desirous of affixing the same.
- (3) that I have written the serial number of the control unit on the special tag, and I have affixed my signature on the back side of the special tag and also obtained thereon the signatures of such of the candidates/polling agents as are present and desirous of affixing their signature.
- (4) that I have read out the pre-printed serial number of the special tag and asked the candidates/polling agents present, to note down the serial number.

Signature.....

Signature of polling agents:

Presiding Officer

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

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

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

Date.....

Signature

Presiding Officer

PART- III DECLARATION AT THE END OF POLL

I have furnished to the polling agents, who were present at the polling station at the close of the poll and whose signatures are affixed below, an attested copy of each of the entries in 'Part-I-Account of Votes Recorded' of Form 31-A

Date.....

Signature.....

Presiding Officer

Time.....

*Received an attested copy of the entries in the accounts of votes recorded (Part I of Form 31-A) in respect of the election of **Councilor** from Polling station No and name.....
.....in respect of ward No.....of Municipal Corporation.

Signature of polling agents :

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

The following polling agents who were present at the close of the poll declined to receive an attested copy of Part I of Form 31-A and to give a receipt therefore and so an attested copy of that Form was not supplied to them.

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

*The following polling agents who were present at the close of the poll declined to receive an attested copy of Part I of Form 31-A and to give a receipt therefore and so an attested copy of that Form was not supplied to them.

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

Signature of.....

Date

Presiding Officer

Time.....

*Strike out whichever not applicable.

PART- IV

DECLARATION AFTER THE SEALING OF THE VOTING MACHINE

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

Date.....

Signature----- T
Presiding Officer

Time.....

(1) The following polling agents have affixed their seals.

Signature of polling agents for **Councilor** Election:-

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

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

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

Date.....

Signature.....
Presiding Officer

Annexure VII
(Chapter XVI, Para 4)

LETTER OF COMPLAINT TO THE S.H.O POLICE

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

Subject: Election to the Councilor from Ward No. and Name..... of Municipal Corporation

Sir,

I am to report that Sh.....S/O Sh.....and resident of.....has challenged the identity of the person who is being handed over to.....This person claimed to be.....whose name appears at serial no..... in the electoral roll of polling station no and name for ward No. and Name..... of Municipal Corporation election. He could not prove himself to be this elector. In my opinion he is an imposter. I am to request you to take necessary action as required under section 171-F of the Indian Penal Code.

Yours faithfully,

Signature
Presiding Officer

Place.....
Dated.....

Copy forwarded to the RO/ARO of Municipal Corporation

Signature
Presiding Officer

RECEIPT

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

Signature of SHO

ANNEXURE- VIII
(Chapter XV, Para 7.2)

FORM OF DECLARATION BY ELECTOR ABOUT AGE

I hereby solemnly declare and affirm that my age was more than 18 years on the first date of January, 2012, 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 for making any false declaration in connection with the inclusion of any name in the electoral roll or the preparation, revision or correction of the electoral roll.

Signature/Thumb impression of the Elector

.....

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

Number & Name of ward

Name of Municipal Corporation.

Serial number of elector.....

Dated

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- IX

(Chapter XV, Para 7.3)

*Election to the Councilor from Ward No. and Name.....of M Corpn.

Part I

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

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

Part II

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

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

Dated

Signature of Presiding Officer

Number & Name of Polling SStation.....

Annexure - X
(Chapter XIX, Para 1.3)
Form-39
DECLARATION BY THE COMPANAION OF
BLIND OR INFIRM ELECTOR

*Election to the Councilor for Ward No. & Name _____ of Municipal Corporation

No. and name of Polling Station _____

I son of..... Aged.....

resident of (Full address).....

hereby declare that:

(a) I have not acted as companion of any other voter at this or any other polling station
Today, the and;

(b) I will not disclose the secrecy of the vote recorded by me on behalf of
.....

Date.....

Place.....

Signature of Companion

*Strike off the inappropriate.

PRESIDING OFFICER'S DIARY

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

- 8 Number of polling agents and the number who arrived late :
9. Number of candidates who had appointed polling agents at the polling stations:
10. (i) Total no. of voters assigned to the polling station:
- (ii) Number of electors allowed to vote according to Marked copy of the electoral roll
- (iii) Number of electors who actually voted as per the Register of Voters (Form 26-A).
- (iv) Number of votes recorded as per the voting machin

Signature of first Polling Officer

Signature of Polling Officer
In-charge of Register of voters

11. Number of electors who voted-
Men.....
Women.....
Total.....
12. Challenged vote-
Number allowed.....
Number rejected.....
Amount forfeited Rs.....
13. Number of persons who have voted on production of Electionl Duty Certificate (EDC) :
14. Number of electors who voted with the help of companions :
15. Number of votes cast through proxy:
16. Number of tendered votes :
17. No. of electors-
(a) From whom declarations as to their age obtained.....

- (b) Who refused to give such declaration.....
18. Whether it was necessary to adjourn the poll and if so, the reasons for such adjournment :
19. Number of votes cast-from 7 a.m. to 9 a.m. from 9 a.m. to 11 a.m. from 11 a.m. to 1 p.m. from 1 p.m. to 3 p.m.
20. Number of slips issued at the closing hour of the poll :
21. Electoral offences with details :
- Number of cases of-
- (a) canvassing within one hundred metres of the polling station :
 - (b) impersonation of voters :
 - (c) fraudulent defacing, destroying or removal of the list of notice or other document at the polling station.
 - (d) bribing of voters :
 - (e) intimidation of voters and other persons :
 - (f) booth capturing
22. Was the poll interrupted or obstructed by-
- (1) riot :
 - (2) open violence :
 - (3) natural calamity :
 - (4) booth capturing:
 - (5) failure of voting machine:
 - (6) any other cause :
- Please give details of the above.
23. Was the poll vitiated by any voting machine used at the polling station
24. having been-

- (a) unlawfully taken out of the custody of the Presiding Officer:—
- (b) accidentally or intentionally lost or destroyed :
- (c) damaged or tampered with :

Please give details

- 24. Serious complaints, if any, made by the candidate/agents :
- 25. Number of cases of breach of law and order :
- 26. Report of mistakes and irregularities committed, if any, at the polling station:
- 27. Whether the declarations have been made before the commencement of the poll and if necessary during the course of poll when a new voting machine is used and at the end of poll as necessary :

Place :

Date :

Presiding Officer

This diary should be forwarded to the Returning Officer along with the voting machine.

Annexure-XII
(Chapter VI, Para 7(VII))

Mock Poll Certificate

This is certified that I Presiding Officer at the Polling Station No & Name of Municipal Corporation.....for ward No. and Name..... conducted the mock poll atAM today, the poll day i.e.following the instructions issued by the State Election Commission H.P.

A total ofvotes were polled in the mock poll and after the mock poll I have carefully cleared the memory and the total votes polled showed '0' after clearing the memory.

- A. At the time of mock poll the following of polling agents representing the candidates whose names mentioned against the names of such agents were present and I have obtained their signatures.
- B. At the time of mock poll the agent of only one contesting candidate was present. After waiting for ten more minutes I conducted the mock poll along with other polling staff at ----- I have mentioned the name of the agent present at the time of mock poll including the name of the candidate whom he represented.

(In case, no agent was present it shall be mentioned “ No Polling agent was present at the time of mock poll)

Name of the agent	Name of the Candidate	Signature of the agent
-------------------	-----------------------	------------------------

Date:

Time

Signature &
Name of the P.O

Annexure-XIII
Chapter XXIV, Para 1.2)

Slip

(For voters in Q at closing Hr. of Poll

Sr.No-1

[Signature (in full)of P.O]

Ward No._____ of MC Shimla

No. & Name of Polling Station-----

.....
SLIP

(For voters in Q at closing Hr. of Poll

Sr.No.2

[Signature (in full)of P.O]

Ward No._____ of MC Shimla

No. & Name of Polling Station-----

.....
SLIP

(For voters in Q at closing Hr. of Poll

Sr.No.3

Signature (in full) of P.O]

Ward No._____ of MC Shimla

No.& Name of Polling Station -----

.....
SLIP

(For voters in Q at closing Hr. of Poll

Sr.No.4

[Signature (in full) of P.O]

Ward No._____ of MC Shimla

No.& Name of Polling Station -----

.....
SLIP

(For voters in Q at closing Hr. of Poll

Sr.No.5

[Signature (in full)of P.O]

Ward No._____ of MC Shimla

No.& Name of Polling Station -----

SLIP

(For voters in Q at closing Hr. of poll

Sr.No.6

[Signature (in full)of P.O]

Ward No.____ of MC Shimla

No. & Name of Polling Station-----

.....
SLIP

(For voters in Q at closing Hr.of poll

Sr.7

[Signature (in full)of P.O]

Ward No.____ of MC Shimla

No.& Name of Polling Station-----

.....
SLIP

(For voters in Q at closing Hr. of poll

Sr.No.8

[Signature (in full) of P.O]

Ward No.____ of MC Shimla

No.& Name of Polling Station-----

.....
SLIP

(For voters in Q at closing Hr. of poll

Sr.No.9

[Signature (in full)of P.O]

Ward No.____ of MC Shimla

No.& Name of Polling Station-----

.....
SLIP

(For voters in Q at closing Hr. of poll

Sr.No.10

[Signature (in full) of P.O]

Ward No._____of MC Shimla

No.& Name of Polling Station-----

.....
ANNEXURE-XV

Various types of display which appear on the panel are annexed as Annexure-XV

(a)	LINK ERROR--:	Indicates 'LINK ERROR' of first BU, i.e., interconnecting cable is missing, snapped or when only one Ballot Unit is used. 'Slide Switch' in that unit has not been set to position '1' or when more than one Ballot Units are used, those units have not been linked in the proper order
(b)	PRESSED ERROR--:	Indicates any of the candidates' button in the first Ballot Unit is kept pressed or jammed.
(c)	ERROR	Indicates the Control Unit is not fit for use
(d)	INVALID	Indicates a button on the Control Unit has been pressed out of sequence.
(e)	CU ERROR	Indicates the Control Unit is to be changed.
(f)	BU - 1 ERROR	Indicates the Ballot Unit-1 is to be changed
(g)	CLOCK ERROR	Indicates the malfunction of Real Time Clock (RTC)
(h)	END	Indicates the end of display sequence after pressing of 'Clear' or 'Result' button
(i)	FULL	Indicates that the maximum number of votes (2000) for which the machine is designed, have been polled. The machine is designed to store 2000 votes in its memory.

(j)	CANDIDATES 6	Indicates that the machine is set for 6 candidates
(k)	TOTAL POLLED VOTES 1487	Indicates that total number of votes polled is 1487
(l)	CANDIDATE 06 235	Indicates that the Candidate No.6 has polled 235 votes
(m)	-----	Indicates that the Power pack is weak
(n)	CHANGE BATTERY	Indication for change of power pack as battery status reached for BATTERY Replacement
(o)	BATTERY HIGH	Indicates that the capacity of the battery is High
(p)	BATTERY MEDIUM	Indicates that the capacity of the battery is medium
(q)	BATTERY LOW	Indicates that the capacity of the battery is low
(r)	DTE 16-01-07 TME 09-43-34	Indicates the Date and Time
	SL NO-H00003	Indicates the serial number of the Control Unit mentioned on back side of CU
(t)	COMPUTING RESULT	Indicates that the RESULT is getting computed
(u)	PST 09-50-20 PET 15-32-10	Indicates the Poll Starting Time and Poll end Time
(v)	RESULT POT 16-01-07	Indicates the Result and Date of the Poll
(w)	PRINTING	Indicates the printing is under progress.
(x)	DELETING POLLED VOTES	Indicates the deleting of polled votes from CU

When the power switch of the Control Unit is pushed upwards to 'ON' position. It will give a 'beep' sound and the 'ON' lamp on the Display section of the Control Unit will glow **GREEN** and the following display will appear turn by turn on the Display Panel:-

EVM IS ON
ECI

DTE 16-01-07
TME 09-43-34

Indicates date is in DD-MM-YY and time is in HH-MM-SS Format

SL NO-H00003

Indicates the serial number of the Control Unit

CANDIDATES
10

Indicates the contesting candidates are ten

BATTERY
HIGH

Indicates the status of the battery is 'HIGH'

SET
CANDIDATE --

Indicates that the button 'Cand. Set' has been pressed after the 'ON' lamp glowed **GREEN**. The machine has to be set according to the number of contesting candidates.

Other Displays on the Display Panel are as follows:-

When all counts are set to '0' by pressing the 'Clear' button

DELETING
POLLED VOTES

CANDIDATES
9

(If the machine is set for 9 candidates)

TOTAL POLLED
VOTES 0

CANDIDATE - 01
VOTES 0

CANDIDATE - 02
VOTES 0

CANDIDATE - 03
VOTES 0

CANDIDATE - 04
VOTES 0

CANDIDATE - 05
VOTES 0

CANDIDATE - 06
VOTES 0

CANDIDATE - 07
VOTES 0

CANDIDATE - 08
VOTES 0

CANDIDATE - 09
VOTES 0

END

At the end of the mock poll, when the 'Close' button is pressed the following displays will appear on the Display Panel:-

CLOSING

DTE 12-01-07
TME 10-34-56

SL NO-H00003

CANDIDATES
16

(When the total number of contesting candidates is 16)

TOTAL POLLED
VOTES - 200

(If the number of polled votes is 200)

POLL CLOSED

When the button marked '**Result**' in the Result section is pressed to find out the result of the election, the following displays appear on the Display Panel:-

COMPUTING
RESULT

POLL RESULT
PDT 16-01-07

(PDT – Poll date)

PST 09-50-20
PET 15-32-10

(PST – Poll start time)
(PET – Poll end time)

SL NO-H00003

(Serial number of Control Unit PCB)

CANDIDATES
9

(The number of candidates – 9)

TOTAL POLLED
VOTES -54

(The number of polled votes – 54)

CANDIDATE - 01
VOTES - 6

CANDIDATE - 02
VOTES - 6

CANDIDATE - 03
VOTES - 6

(If, only fifty four votes have been polled, six for each candidate)

When poll is taken on more than one day, the '**RESULT**' display is as follows:-

COMPUTING
RESULT

POLL RESULT
DAYS OF POLL

PDY 01-02-07
TOTAL 50

PDY 03-02-07
TOTAL 50

Indicates the number of votes polled on the date displayed.

SL NO-H00003

(If serial number of the Control Unit is H00003)

CANDIDATES
16

(If the machine is set for 16 candidates)

TOTAL POLLED
VOTES - 200

(If the total number of votes polled is 200)

POLL CLOSED