



A

HAND BOOK

FOR

PRESIDING OFFICERS

FOR THE

CONDUCT OF ELECTIONS TO MUNICIPALITIES

THROUGH

ELECTRONIC VOTING MACHINE

2020

STATE ELECTION COMMISSION, HIMACHAL PRADESH

ARMSDALE, SHIMLA-171002.



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Handbook for Presiding Officers of polling stations 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 perform your duties as a Presiding Officer. However, it may be noted that this Handbook cannot be treated as an exhaustive compendium in all aspects and as a substitute reference for various provisions of election law related to the conduct of poll.
- 1.2 You have been appointed under the provision of rule 33 of the Himachal Pradesh Municipal Election Rules, 2015 and under the provisions of Section 281(4) of the Himachal Pradesh Municipal Act, 1994 thereof, you alongwith other officers designated for the conduct of any election shall deemed to be on deputation with the State Election Commission for the period during which you are so required and accordingly such officers shall during that period be subject to the control, superintendence and discipline of the State Election Commission. As a Presiding officer, you are the most important officer at the polling station. A very important role has been assigned to you to perform at the polling station in the conduct of poll. You enjoy full legal power to control 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. At the polling station, it is your primary duty and responsibility to ensure a free and fair poll at your polling station. For this purpose it is necessary that you are fully conversant with the law and procedure and the relevant instructions and directions of the Commission in relation to the conduct of elections.
- 1.3 Electronic Voting Machines are used now at each and every polling station during Municipal Elections. You as the Presiding Officer at the polling station should acquaint yourself fully with the latest position about the rules and procedures prescribed for the conduct of poll by voting machines. You should not only familiarise yourself thoroughly with rules and procedures but also with each step to be taken in the conduct of poll at the polling station, and with the operation of voting machine. A slight mistake or lapse or wrong application of the law or rules or inadequate knowledge of various functions of the voting machine may vitiate the poll at your polling station.

2. Brief introduction to voting machines

- 2.1 The Electronic Voting Machines are being manufactured by two Central Government undertakings, namely, Electronics Corporation of India Limited, Hyderabad and Bharat Electronics Limited, Bangalore. There are two models of the Electronic Voting Machines being used for the conduct of election in the State – existing model and upgraded model. There is only one difference, pertaining to the display on the panels of the machines, in the two models, which has been explained in the subsequent chapters of the handbook.
- 2.2 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.

- 2.3 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, one end of which 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 and names of contesting candidates and the symbols respectively 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. Simultaneously a beep sound will also be heard.

- 2.4 One control unit can record the votes polled by a maximum of 64 candidates.

For this purpose four ballot units linked together are 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**'. 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**' for ascertaining separately the result, in case of of parliamentary and assembly polls (*at present the machine is used for only one poll – either parliamentary or assembly*) and (iii) '**Clear**' button on the right side, for clearing the data recorded in the machine, when the data is no more required. In the bottom portion of the control unit, there are two 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. (*In the upgraded model the '**Result II**' button has been replaced with '**Print**' button, by pressing which a printout of the detailed result can be obtained. For this purpose a special gadget is to be attached to the Control Unit.*)

Legal provisions regarding conduct of poll

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

4. Broad outlines of duties

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. (This has been described in details under Para 2 titled 'Brief introduction to voting machines' above).
- (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 classes, 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, strip 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 dispersal 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 these 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.
- (ix) You should be clear that if there is no mock poll at a polling station, there shall be

no poll at that polling station.

- (x) **After holding the mock poll, the votes recorded at 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 therefor and the strip seal. The procedure for this sealing is explained in detail in **Chapters XI and XII.**
- (xi) 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 292 of the Himachal Pradesh Municipal Act, 1994 should be read out and brought to their notice.
- (xii) At the commencement of poll, you have to make a declaration in a prescribed form about the demonstration of the voting machine, marked copy of the electoral roll and the Register of Voters to candidates or their polling agents present and get it signed by them.
- (xiii) All electors who have been issued with Electors Photo Identity Cards (EPICs) by ECI may produce those cards to exercise their franchise at all general and bye-elections. In the case of those electors whose identity cannot be established by means of the EPICs. shall be established by means of any of the **alternative documents prescribed by the State Election Commission.**
- (xiv) The identity of elector 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.
- (xv) 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).
- (xvi) After an elector has been identified, the entry relating to the elector in the marked copy of the electoral roll should be underlined. In addition, if the elector is a female elector, a tick mark (✓) will also be put on the left side of entry.
- (xvii) After an elector is identified with reference to his entry in the electoral roll and with the help of the document(s) prescribed by the State Election Commission, the **left forefinger** should be marked with the indelible ink by the Second Polling Officer. (The method of marking the left hand middle finger has been explained in **Chapter VI.**
- (xviii) 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).
- (xix) The signature or thumb impression of the elector should be obtained 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. 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 and the signature or thumb impression of the elector shall be obtained against such remark. 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 straightaway 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.

- (xx) 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 incharge 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.
- (xxi) The State Election Commission has also provided the option of "**None of the Above**" (**NOTA**), "नियुक्त के अलावा कोई उम्मीदवार" on the ballot paper therefore, if any elector after putting his signature or thumb impression on the register of voters (Form-26 A) 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.
- (xxii) 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, he shall be issued a voter's Slip (**in the prescribed form**) showing the serial number at which the entry relating to him has been made in the Register of voters.
- (xxiii) 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.
- (xxiv) 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**.

- (xxv) It is your foremost duty to go on recording the relevant events as and when they occur in the Presiding Officer's Diary.
- (xxvi) 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 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.
- (xxvii) 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.
- (xxviii) 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.
- (xxix) You have to periodically verify the total number of votes polled till a particular hour by pressing 'Total' button.
- (xxx) 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.
- (xxxi) 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 candidates' agents in the form prescribed by the Commission.
- (xxxii) 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.

(xxxiii) 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:

Now that the poll is conducted with the use of Electronic Voting Machines, your party will consist of yourself and three Polling Officers, at an election. As per proviso of rule 33 of the HP Municipal Election Rules, 2015, if the 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 during the absence of the former Officer and inform the Returning Officer accordingly.

For the conduct of poll your party will consist of yourself and five Polling Officers.

2. Polling trainings

- 2.1 The Returning Officer/Assistant Returning Officers will arrange training classes for you and the Polling Officers. Attend all such training classes. These classes 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, where voting machines are to be used.
- 2.2 You must take with you the Polling Officer authorised to perform your duties 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, strip seal 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 abreast about 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. By the last of the training classes you should be thorough in the operation of the Electronic Voting Machines, fixing of blue paper seal, special tag, strip seal and all sealing procedure.

3. Elector on Poll duty entitled to Vote:

- 3.1 The electors who are on poll duty within the same municipality shall be entitled to vote. (See Chapter XXII).

- 3.2 During rehearsals/training classes, a copy each of the electoral rolls for all the constituencies of the Municipality 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 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:

- (i) 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.

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

“Election to Urban Local Bodies 20-----

Name of Municipalities -----

Control Unit No. _____

Name of Office _____

Name and No. of Polling Station _____

Date of Poll _____

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

“Election to Urban Local Bodies 20 -----

Name of Municipalities _____

Ballot unit No. _____

Name of Office _____

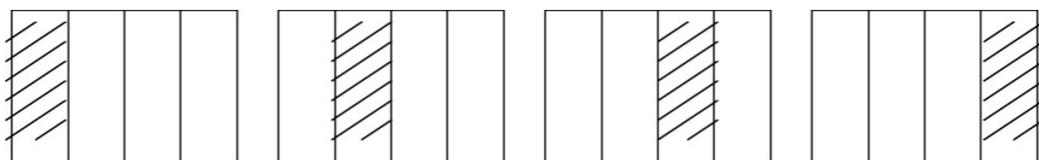
Name and No. of Polling station _____

Date of Poll _____

- (ii) That the 'Cand Set Section' of control unit is duly sealed and the address tag is firmly attached thereto.
- (iii) 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.**
- (iv) 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 dependant 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 above mentioned 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.**

The slide switch has markings 1, 2, 3 and 4. The switch should be kept in position '1', '2', '3' or '4' as explained above. The position of the switch can be seen through the small window at the right side top of the Ballot unit.

The position of the Slide switch in the upgraded model will be seen as shown below:—



- (v) If you find any discrepancy in the fixing of the slide switch, immediately bring it to the notice of Sector Magistrate/Returning Officer. But in any case you or your Polling Officers should not fiddle with the Slide switch.
- (vi) 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.

- (vii) That the candidates' blue buttons which have been unmasked and are visible on the ballot units are equal to the number of contesting candidates, and that the remaining buttons, if any, have been masked.
- (viii) 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-

- (i) that 2 phials of 5 cc of indelible ink have been provided in the kit and there is sufficient quantity 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;
- (ii) that all the three copies of the relevant part of the electoral roll are complete and identical in every respect and, in particular, that—
 - (a) the 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;
 - (e) the marked copy of the electoral roll (copy of the electoral roll to be used for 'marking' the names of electors, who are allowed to vote) does not contain any remarks other than those used for issuing poll duty ballot papers.
- (iii) That the tendered ballot papers supplied to you are for the same municipalities 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.
- (iv) 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.

- (v) 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 be at the polling station with your party at least 2 hours before the time at which the poll is due to commence. In case you are not in a position to reach the polling station on the day of poll in time as mentioned above, you can reach the polling station on the day previous to the day of poll and sleep at the polling station itself. In such case beware that you do not open the Electronic Voting Machine.

2. Set up of Polling Stations

- (a) A layout plan of the polling station where three sets of EVMs are to be used for taking simultaneous poll (i.e. for President, Vice President and Member elections together) is given at **Annexure V**. In the layout, only one door for entry and exit of voters has been shown. However, if the room where the polling station has been set up has two doors, the entry and exit may be arranged from different doors.
- (b) A Notice with bold letters on the "Voting Compartments" with the words "**VOTING COMPARTMENT**" shall be pasted on each of the voting compartments.

VOTING COMPARTMENT – SAMPLE DRAWING

- (c) Voters have to vote in secrecy and for this purpose, the ballot units are required to be kept in voting compartment. A sample drawing of the voting compartment may be seen at **Annexure V**. Voting compartment has three sides covered. The ballot unit is 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 voters. The voting compartment should be located at sufficient distance from the table where the control unit shall be kept and operated. The interconnecting cable between the ballot unit and the control unit has a length of approximately five meters and is permanently attached to the ballot unit. The cable should be so routed that it does not obstruct the movement of voters inside the polling station and they have not to tread or trip over it, 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. **However, this aperture in the voting compartment should also not be so wide as to violate the secrecy of voting.** While placing the EVM in the voting compartment, it must be ensured without fail that secrecy of voting is not violated. For this purpose, it must be ensured that it is not near the window or the door of the polling station. It must be ensured that the voting compartment has been made away from the window/door.
- (d) If the polling station is located in a private building/private institution, the building and the area around it up to a radius of one hundred metres should be under your control. No person

(chowkidar/guard or anybody else) connected with the owner, whether armed or unarmed, should be allowed to remain either at the polling station or within a radius of two hundred metres around it. The security arrangements at the polling station and within the above area will be entirely the responsibility of the police under your control.

- (e) 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.
- (f) 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 wherever practicable the facsimile of the symbol of each candidate.

3.2 The language of the notice should be the same as for the list of contesting candidates and the order of the names should also be the same as in the list of contesting candidate.

4. ARRIVAL OF THE VOTER AT POLLING STATION

4.1 The voters when they enter the polling station will proceed to the first Polling Officer. The **first Polling Officer** will identify the electors and make necessary entries in the marked copy of the electoral roll. The method of making necessary entries in the marked copy of the electoral roll has been explained in para 4 (xvi) in Chapter I.

4.2 The voter will then move to second Polling Officer. The **second Polling Officer** will first apply the indelible ink mark on his left hand forefinger and ask him to sign or put thumb impression in the voters register. **If the voter puts his thumb impression, the polling officer should ask the voter to wipe off the residuary stamp pad ink from his thumb with a piece of wet cloth kept on the table for this purpose. The second Polling Officer will also give him a slip and direct him to go to third Polling Officer.**

5. VOTING

5.1 After receiving the voter slips, the voter will go to the third Polling Officer who is in charge of the CONTROL UNIT. He will hand over the voter slip to the third Polling Officer. After satisfying that it is the turn of that voter to vote, the **third Polling Officer** after making initial on the voter slip shall press the 'Ballot' button on the control unit kept on his table, and direct the voter to go into the voting compartment for poll.

5.2 The voter will then enter the voting compartment for and exercise his right to vote by pressing the blue button of the candidate of his choice on the ballot unit kept inside.

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 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.
- (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 Reception Center. Details in this regard shall be worked out by the DEO (Municipalities) and SP in consultation with Observer in advance.

The Security personnel shall also be responsible for guarding the Strong Room where the polled EVMs are stored and kept till the counting.

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.

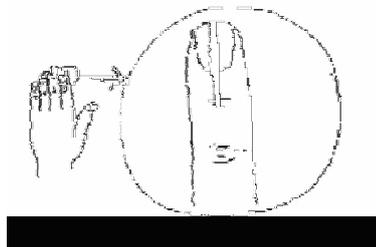
2. Duties of Polling Officers :

2.1 First Polling Officer

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

2.1 Second Polling Officer

The second Polling Officer will be in charge of indelible ink. After the election has been identified by the first Polling Officer, the second Polling Officer will inspect the elector's left hand forefinger to see that it does not bear any sign or trace of indelible ink and then put a mark with the indelible ink on the voter's left hand finger. The indelible ink will be applied on voter's left hand forefinger as a line from the top end of the nail to the bottom of the first joint of the left forefinger as shown in the diagram below:—



2.3 The second Polling Officer will also be in-charge of the register of voters in Form 26A. He will be responsible for maintaining in that register the proper account of electors whose identity has been established and who vote at the polling station. He will obtain the signature or thumb impression of each elector in that register before the elector is allowed to vote. The second Polling Officer will also issue a voter's slip to each elector after he has entered his (elector's) particulars in the register of voters. It should be ensured that sufficient time has elapsed after the indelible ink mark was put so that the mark dries up by the time he leaves the polling station. For this purpose, only after the mark of indelible ink is applied, signature/thumb impression may be obtained in the register of voters. It should be ensured that the indelible ink mark has dried up before the voter leaves the polling station.

2.4 Third Polling Officer

The third Polling Officer will be in-charge of the control unit of the voting machine for

election. 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).

It may appear that the 3rd Polling Officers have been given a very easy job. On the contrary, the success of election depends on his alertness. His job is not only to simply press the 'Ballot' button to activate the voting machine, but he will also ensure that each elector votes in his/her turn exactly in the same serial order as has been given in the voters slip. He has to keep a constant watch to ensure that when he directs any elector to go and vote, the elector goes into the voting compartment and votes accordingly. Due to ignorance or otherwise, if any elector seems to be not sure as to where to go and what to do after he has been allowed to vote, it is the duty of the third Polling Officers to ensure that the elector follows the correct procedure. Specially, during the first hour of poll, when there is usually a lot of rush, he must keep his cool and see that the voting proceeds smoothly. Whenever there is a respite and in any case after every one hour of poll, he should also tally the total votes polled with the total number of voters as shown in the voters register and as displayed in the control unit.

3. Duties of Presiding Officer:

3.1 The Presiding Officer is over all in charge of the polling station. His duties are, in brief are :—

- (i) Place the Ballot Unit in the 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 the control unit;
- (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** the candidates or their polling agents alone, who are present at the polling station at that time, affix their signatures;
- (x) See that voting compartment has been properly arranged with appropriate Notices pasted outside / Inside the Polling Station;
- (xi) Ensure that the cable to connect the Ballot Unit with the control unit is 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 materials 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 or 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) Keep, during the progress of poll, a close watch on the movements of the voters and to be alert and watchful so that no voter goes away without voting;
 - (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 in accordance with their serial numbers given on the voter's slip;
 - (xviii) Ensure that copies of Form 31A are supplied to polling agents of the respective candidates,
 - (xix) 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.

4. CLOSING THE POLL

- 4.1 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.
- 4.2 Presiding Officer should ensure that 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) Each candidate, his election agent and one duly appointed polling agent of each candidate at a time;
- (c) Persons authorised by the State Election Commission.
- (d) Public servants on duty in connection with election;
- (e) Observers appointed by the Commission;
- (f) A child in arms accompanying an elector;
- (g) A person accompanying a blind or an infirm voter who cannot move without help; and
- (h) Such other persons as you may from time to time admit for the purpose of identifying voters or otherwise assisting you in taking the poll.

1.2 You should note that the term *“Public servant on duty in connection with election”* does not normally include police officers. Such officers, whether in uniform or in plain clothes, should not, as a general rule, be allowed to enter inside the polling booth. You may, however, call them in occasionally for the maintenance of law and order or some similar purpose, whenever the necessity arises. Their presence in the polling booth without any compelling reason has on occasions given rise to complaints by some candidates who have alleged that their agents had been overawed by unnecessary show of force.

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 You should also note that the above expression, *“Public servant on duty in connection with election”* does not also include the Ministers, State Ministers and Deputy Ministers of the Union and the States. The Ministers, State Ministers and Deputy Ministers of the Union and the States, who have been given security cover at the State expense are not allowed to function as polling agents, as they can neither be allowed to enter the polling station along with their security personnel nor their lives can be put to risk by allowing them to enter the polling station without any security cover. As per standing instructions, the Security personnel accompanying Ministers or political functionaries, who enter the polling station in their capacity as candidates for elections, shall not be allowed entry inside the polling

station. They can wait standing at the door of the polling station, but shall not, in any circumstances do any act amounting to interfere in the conduct of poll.

- 1.5 Entry of persons should be strictly regulated as detailed above; otherwise, the smooth and orderly conduct of poll may be vitiated. You should allow only three or four electors to enter the polling station at a time.
- 1.6 If you have a reasonable doubt about the presence of any person, about whose credentials you have a reasonable suspicion, in the polling booth, you can have him searched, if necessary, even though the person concerned may be in possession of a valid authority letter to enter the polling booth.
- 1.7 In the performance of your duties, you are only bound by the instructions of the State Election Commission. You are not to take orders from or show any favour to your official superiors or political leaders including Ministers. Even in the matter of requests for entry into the polling booth from these, you should allow them only if they are in possession of a valid authority letter issued by the State Election Commission.
- 1.8 A village officer or other officer or a woman attendant, 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.
- (vi) 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 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 alongwith 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, in any event, be seated in a place where they have the chance of seeing voter actually recording his/her vote which would compromise secrecy of voting. For this purpose it will be preferable if you give the polling agents seats closely behind the Polling Officer in-charge of marked copy of the electoral roll. Wherever this is not practicable because of the situation of the door for entrance, they may be given seat just opposite the polling officers.
- 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 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.

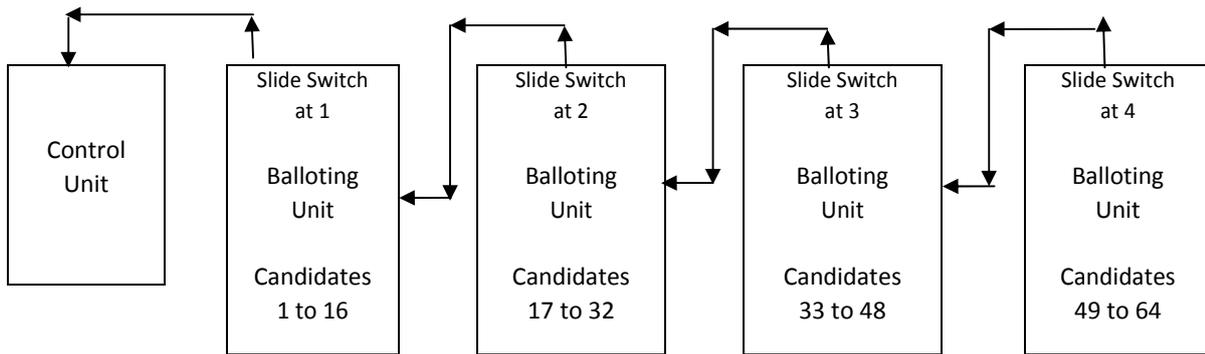
2. Preparations on the Ballot Unit

- 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 At the time of taking delivery of the voting machine alongwith other polling materials, you must have already carried out the checks mentioned in para 2 of **Chapter III**. As instructed therein, you must have checked that you have been provided with the requisite number of Ballot Units, the ballot paper on each such unit has been properly fixed and properly aligned under the ballot paper screen, the slide switch on each unit has been set to the appropriate position and each unit is duly sealed and is carrying the address tag both at the right top portion and the right bottom portion.

3. Interlinking of Ballot Units and control unit

- 3.1 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.
- 3.2 The Ballot Units shall be so inter-linked that the second Ballot Unit, i.e., the Ballot Unit in which the slide switch is set at position 2, is linked with the first Ballot Unit in which the slide switch is set at position 1. Where three Ballot Units are to be used, the third Ballot Unit will be linked with the second Ballot Unit and the second with the first, and where all the four Ballot Units are to be used, the fourth unit will be linked with the third unit, the third with the second and so on.

Diagram Showing the interconnection of the four Ballot Units



- 3.3 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 abovementioned socket of the first Ballot Unit. Likewise, the connector of the third Ballot Unit's interconnecting cable will be plugged into the second unit and that of the fourth unit into the third unit.
- 3.4 As mentioned above, the first Ballot Unit alone will be plugged into the control unit. The socket for plugging the interconnecting cable of the Ballot Unit into the control unit is provided in a compartment on the top portion of the back of the control unit.
- 3.5 The compartment on the top portion of the back of the control unit also contains the 'Power' switch and this switch when put to 'ON' position makes the battery of the voting machine operational and supplies the power both to the control unit as well 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 in paragraph 3.2 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 should connect the Ballot Units and the control unit yourself.

CHAPTER-IX

PREPARATION OF CONTROL UNIT

1. Checking of control unit :

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

2. Preparation of control unit :

- 2.1 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.
- 2.2 The preparations to be made on the control unit by the Presiding Officer are as follows:—
 - (i) Interlinking the control unit with the 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 X**);
 - (v) clearing the machine after the mock poll and setting all counts to ZERO (as explained in **Chapter X**);
 - (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 XI**);
 - (viii) closing and sealing the inner door of the result compartment by fixing the special tag (as explained in **Chapter XII**) and
 - (ix) closing and sealing the outer cover of the result section with address tag and strip seal (as explained in **Chapter XII**)

3. Connecting the control unit and Ballot Unit

You should plug the interconnecting cable of the Ballot Unit or the first Ballot Unit, where more Ballot Units than one are used, into the socket provided for the purpose in the rear compartment of the control unit. While interlinking the control unit with the Ballot Unit, you must take necessary precautions as mentioned in para 3 of chapter VIII.

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.

In the case of upgraded model of the EVM 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 01-01-16 TME
06-45-30

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

SLNO-H00003

Indicates the serial number of the Control Unit PCB

CCANDIDATES 10

Indicates the contesting candidates are ten (assuming there are 10 candidates in the constituency)

BATTERY HIGH

Indicates the status of the battery is 'HIGH'

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-X

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, (in upgraded model of the voting machine the 'Result I' and 'Result II' buttons have been replaced by the 'Result' and 'Print' buttons) 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' ('Print' button in the upgraded model of the machine) 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.

(The displays on the Display Panel in the case of upgraded model of the voting machine are different from the displays shown above and have been shown separately in the next Chapter.)

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

2. Mock Poll

2.1 After demonstrating as above that no votes are already recorded in the machine, you should hold 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) You have been instructed in **Chapter VI** to conduct **mock poll** to ensure and demonstrate to the polling agents that the EVM is in perfect working condition and then clear the mock poll result before sealing the Control Unit and thereafter prepare the Certificate of mock poll.

(Method of conducting mock poll has been explained in **Chapter X**.) 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, close the Control Unit and resume the poll with a fresh machine. Try also to retrace and recall the voters, who had voted before the suspension of the poll and allow them to vote afresh. Use some method of marking their left hand finger to prevent double/multiple voting by the same voter.

CHAPTER-XI

FIXING OF BLUE PAPER SEAL IN THE CONTROL UNIT

1. Fixing blue paper seal

- 1.1 In order to maintain the secrecy of ballot, In the conventional system of voting where ballot papers and ballot boxes were used, the ballot boxes used to be sealed and secured by fixing a blue paper seal specially got printed by the Commission. Once the blue paper seal was fixed in a ballot box and the lid of the box was closed, the box could not be opened and the ballot papers contained therein could not be tampered with or taken out for counting unless the blue paper seal was torn. Similar safeguard has been provided in the voting machine so that once the control unit is sealed and poll commences, nobody should be able to tamper with the voting machine. To achieve and ensure this, provision has been made for fixing the same blue paper seal in the control unit of the voting machine, as was used for securing the ballot box.
- 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, 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, where as in the case of voting machines manufactured by Electronics Corporation of India Limited, Hyderabad, there is only one frame providing arrangement for fixing only one green paper seal. *(In the upgraded model of the Electronic Voting Machine, whether manufactured by BEL, Bangalore or ECIL, Hyderabad, only one paper seal is used as in the pre-upgraded model of the ECIL machine.)*
- 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



ECIL 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.

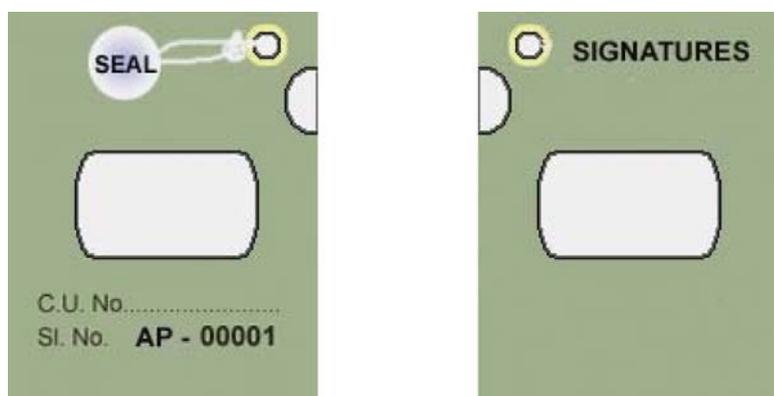
3. Account of paper seals

- 3.1. You should keep a correct account of the paper seals supplied for use at the polling station and the paper seals actually used for sealing and securing the control unit. Such account shall be maintained by you in the form specifically prescribed for the purpose vide Item 9 of Part I of Form31A.
- 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-XII

CLOSING AND SEALING OF CONTROL UNIT

1. **Special Tag:** It looks as under:—



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

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

Its thickness is equal to the thickness of a postcard. There is a hole on the right corner on top of front side with a metal ring, 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 supplies you with 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



Sealing the inner door with Special Tag



BEL Machine



BEL Machine

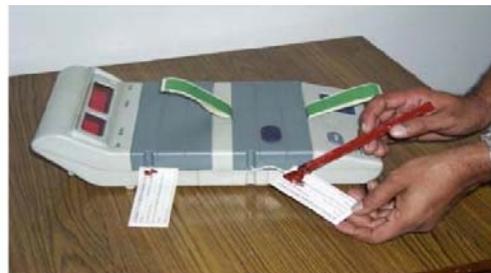
Closing the inner door with thread Sealing the inner door with Special Tag ECIL Machine ECIL Machine

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

2.1 After the inner compartment of result section of the control unit has been closed and sealed, the outer cover of the result section should be pressed fit for closing that section. Before pressing that outer cover, it should be ensured that the two open ends of the paper seal 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:-



The address tag will contain the following particulars:

- 2.3 Election to Urban Local bodies 20..... Name of MC/NP.....
Control Unit No..... Name & No. of Office.....
Sl. No. and Name of Polling Station.....
Date of Poll

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

3. Strip Seal:

3.1 To further improve the sealing arrangements for Electronic Voting Machines, the Commission has introduced an additional outer seal for sealing the “Result Section” of the control unit completely with an Outer Paper Strip Seal (hereafter referred to as “Strip Seal)

so that this portion of the control unit cannot be opened once the polling has been started and till the counting is taken up. This will ensure that from the time the first vote is cast in the machine at the polling station and till it is brought to the counting table, no person can open the result section without damaging the strip seal.

3.2 Accordingly at every polling station where the election is held with the use of EVM, the control unit shall be secured and sealed from outside completely with the strip seal so that this section cannot be opened without damaging the strip seal. The strip seal shall be positioned on the outer door of "Result Section" just below the rubber cap covering the "CLOSE" button in such a way that the rubber cap covering the "CLOSE" button is not covered by the strip seal. (This will allow the rubber cap to be removed for pressing the 'CLOSE' button in case of emergent situation such as booth capturing).

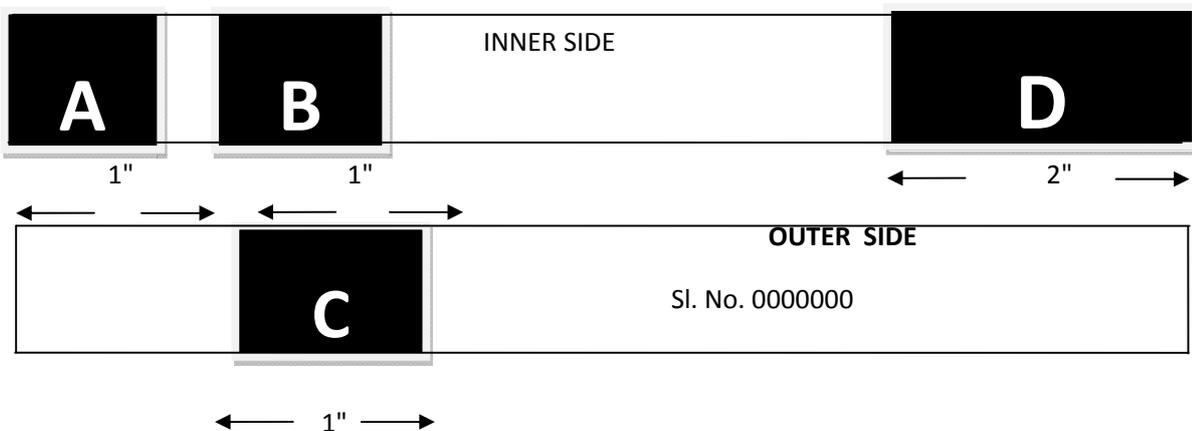
Strip Seal – Physical features:

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

On the **outer side** of the strip, there is only one pre-gummed portion marked 'C'. A drawing of the strip seal showing the outer side and inner side is given below. The dark portions are the gummed portions on inner side and outer side of the strip.

Drawing of Strip Seal

(Pre-gummed portions are shown in dark shade)



4. **COMPLETE METHOD OF SEALING CONTROL UNIT INCLUDING USE OF STRIP SEAL**

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

- (i) Before the commencement of the actual poll, you will conduct a mock poll.
- (ii) After conducting mock poll and showing the result, you shall clear the control unit of the data relating to mock poll by operating “Clear” button.
- (iii) After clearing the data you shall switch off the control unit and then insert the green paper seal (two seals in the case of BEL machines and only one in case of ECIL machine) to cover the windows of the inner door of the result section. While inserting the green paper seals, care should be taken to ensure that the green portion of the seal is visible 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-1 (BEL Machine) / Photo-2 (ECIL Machine)**].
- (vii) Then you shall seal the outer door with thread and address tag.
- (viii) Next you shall proceed to fix the strip seal around the control unit to seal the result section from outside completely so that this section cannot be opened without damaging the strip seal after the poll commences.
- (ix) Before the strip seal is fixed to seal the result section from outside you should affix your signature in full immediately below the serial number of the paper seal. It shall be got signed by such of the contesting candidates or their polling agents as are present and are desirous of affixing their signatures. You should verify that the signatures of the polling agents on the Strip Seal tally with their signatures on their letters of appointment.
- (x) The strip seal shall, then, be positioned just below rubber cap covering the “CLOSE” button. The detailed procedure to fix the strip seals is given below. There is a slight difference in the methods of fixing the strip seal for BEL make machines and ECIL make machines. Follow the instructions below depending on the make of the EVM available in your State.

5. **Method of Sealing BEL MAKE MACHINES with Strip Seal:**

Step-1: Keep the strip seal with the pre-gummed portion 'A' positioned near the base of the blue paper seal protruding from the lower portion of the outer door

(See Photo-3). Remove the wax paper covering 'A'. Then press the inner layer of the blue paper seal over the gummed portion 'A'. Also keep the outer layer of the blue paper seal

over the inner layer protruding from the lower portion of the outer door.



Step-2: Remove the wax paper over the pre-gummed portion 'B' and press this pre-gummed portion 'B' over the outer layer of blue paper seal protruding from the lower portion of the outer door.



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



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



Step-4: Take the remaining portion of the strip seal around the control unit from leftside taking care that the strip passes below the rubber cap covering the “CLOSE” button. Bring the other end of the strip seal from right side of the control unit on top of the outer door where the pre-gummed portions ‘A’, ‘B’ and ‘C’ have been pasted.



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



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

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

6. After fixing the Strip Seal Put the Power Switch of the Control Unit on.

7. At the end of the poll at prescribed hour, you shall remove the rubber cap covering the “CLOSE” button without disturbing the strip seal 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 with the strip seal intact, 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. Important precautions while sealing with strip seal:

- (i) The strip seal shall be positioned to cover the portion below the rubber cap covering the “CLOSE” button on the outer door of the result section. While fixing this strip, ensure that the rubber cap covering the “CLOSE” button is left clear and not covered even partially by this strip so that there is no difficulty in removing the rubber cap and operating that ‘CLOSE’ button when required.
- (ii) The strip seal should be fixed firmly and shall not be loose.
- (iii) DAMAGED STRIPS HAVE NOT TO BE USED IN ANY CIRCUMSTANCES.
- (iv) Each polling station will be supplied with four (4) strip seals like blue paper seals.
- (v) You shall account for each strip seal supplied to the polling station for the conduct of poll in the Presiding Officers’ Diary.
- (vi) You should return every strip seal that has not been used [including the strips (or pieces thereof) damaged accidentally] to the Returning Officer, who will be held responsible if any strip seal is found in the hands of any unauthorized person at any time.
- (vii) The Returning Officer shall keep a record of the serial numbers of the strip seals supplied to each Assistant Returning Officer. Similarly, each Assistant Returning Officer shall keep a record of the strip seals supplied to each polling station.
- (viii) Commission will issue samples of strip seals for the purpose of demonstration as well as training. These sample strips seals also shall be kept in safe custody. After using the strip seals for training or demonstration, as the case may be, the used strips should be destroyed by shredding them.

10. Voting machine ready for actual poll

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

10.2. Before commencing the poll, you should place the balloting unit(s) inside the voting compartment. As already instructed, the voting compartment should be located at sufficient distance from your table where the control unit shall be kept and operated. The interconnecting cable between the balloting unit and the control unit has a length of approximately five metres. Therefore, the voting compartment should be reasonably distanced. Also, the cable should be so routed that it does not obstruct the movement for voters inside the polling station and they have not to tread or trip over it, but the entire length of the cable should be visible and under no circumstances be concealed under the cloth or under the table. While placing the EVM in the Voting Compartment, it must be ensured without fail that secrecy of voting is not violated.

Method of Sealing ECIL MAKE MACHINES with Strip Seal:

In ECIL machine only one blue paper seal is used. Therefore, the loose ends of the same blue paper seal protrudes from either ends of the outer door over result section. (In the upgraded model of the voting machine also, whether manufactured by BEL or ECIL only

one blue paper seal is used). Following are the steps to seal ECIL MAKE MACHINES (and also the upgraded model of the voting machine) with strip seal:-

Step 1: First double fold the blue paper seal, protruding from the lower portion of the outer door of the Result Section, in the middle ensuring that the blue side of the seal remains outside.



Step 2: Then keep the strip seal with the pre-gummed portion 'A' positioned near the base of the blue paper seal protruding from the lower portion of the outer door of the result section. Remove the wax paper over 'A' and press the inner layer (blue side) of the blue paper seal over this gummed portion and press.



Step 3: Now remove the wax paper over the pre-gummed portion 'B' and press this gummed portion over the folded portion (again blue side) of the blue paper seal.



Step 4: After pasting 'B' over the blue paper seal the pre-gummed portion 'C' will come to the top position. Remove the wax paper over 'C', press the blue paper seal protruding from the upper portion of outer door so that the blue paper seal is firmly pasted over 'C'.(Now the white side of the blue paper seal will come on top and will be visible from outside.)



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



Step 6 : Remove the wax paper covering the pre-gummed portion 'D' and press it firmly over the blue paper seal, which was protruding from the upper portion of the door and was pasted on the pre-gummed portion 'C'. The pre-gummed portion 'D' spills over the strip seal below the "CLOSE" button. Press this spilled over portion of 'D' firmly over the strip seal.



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

11. Various types of display which appear on this display panel and what these mean are indicated below:

- | | | |
|-----|----------------------------|--|
| (a) | LINK ERROR- | Indicates 'LINK ERROR' of first BU, <i>i.e.</i> , 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
6 235 | Indicates that the Candidate No.6 has polled 235 votes |

- (m) ----- indicates that the Power pack is weak
- (o) CHANGE BATTERY Indication for change of power pack as battery status reached for **BATTERY** replacement
- (p) 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 15-12-15 TME
09-43-34 Indicates the Date and Time
- (s) 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 Indicates the Poll Starting Time and Poll end Time
- (v) RESULT PDT
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 Indicates date is in DD-MM-YY and time is in HH-MM-SS Format

DTE 15-12-15
TME 09-43-34 Indicates the serial number of the Control Unit

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 – Poll date)
PDT 16-01-07

PST 09-50-20 (PST – Poll start time)
PET 15-32-10

	(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 15-12-15 TOTAL 50

.....
.....
.....

PDY 17-12-15 TOTAL 50

Indicates the number of votes polled on the date displayed.

SL NO=H00003

CANDIDATES 9

TOTAL POLLED VOTES - 2000

CANDIDATE-01
VOTES - 10

CANDIDATE-09
VOTES - 10

END

(This is only an example)

When the '**Total**' button is pressed to obtain hourly/periodical total votes polled, the following displays will appear on the Display Panel:—

BATTERY HIGH

DTE 15-12-15
TME 07-05-50

CANDIDATE 9

TOTAL POLLED
VOTES - 200

When the '**Close**' button is pressed for closing the EVM, after the hour fixed for the close of the poll and the last voter has recorded his/her vote, the following display will appear on the Display Panel:—

CLOSING

DTE 15-12-15
TME 10-34-56

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

CHAPTER-XIII

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 292 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.

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.

- 6.1 There should be separate queues for men and women electors. Only three or four voters will be allowed inside 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 that 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 permanent 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-XIV

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 292 of the Himachal Pradesh Municipal 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-XV

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 304-G of the Himachal Pradesh Municipal Act, 1994. **(See Annexure I).**

3. **Disorderly conduct in or near the polling station:**

Enforce the provisions contained in section 304-H of the Himachal Pradesh Municipal Act, 1994, If any person behaves in a disorderly manner, you can have him arrested then and there by a police officer and have him prosecuted. The police have the power to take such steps, and use such force, as may be reasonably necessary for preventing such behaviour. These powers should, however, be resorted to only when persuasion and warning have proved ineffective.

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 304-I of the Himachal Pradesh Municipal 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 he may take action to prosecute the offender under section 304-K of the Himachal Pradesh Municipal 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. In this connection section 304-O of the Himachal Pradesh Municipal Act, 1994, may be seen).

7. Breach of official duty by election officers

Your attention is also drawn to section 304-L of the, Himachal Pradesh Municipal 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 304-N of the Himachal Pradesh Municipal Act, 1994 (other than the Returning Officer, the Presiding Officer, any police officer and any other person appointed to maintain peace and order at a polling station who is on duty at the polling station) can, on a polling day, go armed with arms, as defined in the Arms Act, 1959, of any kind within the neighbourhood of a polling station. If any person contravenes these provisions, he is liable to imprisonment for a term, which may extend to two year or with fine, or with both. The offence is cognizable.

CHAPTER-XVI

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

1. Verification of elector's identity

1.1 Although the photograph of most of the electors is available in the electoral roll. But in case photograph of an elector is not available in the electoral roll and his identity is challenged then the elector is required to produce the electoral photo identity card (EPIC) issued by the Election Commission of India to establish his / her identity. Those electors, who have not been issued with the identity card, or those who are unable to produce the identity card for reasons beyond their control, should produce one of the alternative documents of identification specifically permitted by the State Election Commission. The Polling Officer-in-charge of identification must satisfy himself about the identity of the elector after examining the EPIC or the alternative documents, as the case may be, and in case of any doubt the elector should be directed to present himself before you. You should make a further probe to satisfy yourself about the identity of the elector. You should hand over the person to the police with a written complaint in case he is proved to be an impersonator. It may be noted that —

- (a) minor discrepancies in the entries relating to elector's name, father's/mother's/husband's name, sex, age address in the electors photo identity card shall be ignored and the elector allowed to cast his vote so long as the identity of the elector can be established by means of that card,
- (b) any discrepancy in the serial number of the electors photo Identity card as mentioned in the electoral roll shall be ignored, and
- (c) if an elector produces an electors photo identity card, which has been issued by the Electoral Registration Officer of another assembly constituency, such card shall also be taken into account provided the name of that elector finds place in the electoral roll pertaining to the ward/polling station where the elector has turned up for voting. But in such cases, it should be ensured that the elector does not vote at more than one place by thoroughly checking the left hand forefinger of the elector to see that there is no indelible ink mark thereon, and by applying the indelible ink on the left forefinger properly while allowing him to vote.

1.2 As has already been explained in **Chapter VI**, an elector on entering the polling station will proceed direct to the first Polling Officer, who will be incharge of the marked copy of the electoral roll and responsible for identification of electors. The Polling Officer should properly verify his identity as explained above. (It should be noted that carrying of unofficial identity slip by an elector does not guarantee the identity of the voter nor does it absolve the Polling Officer of his duty and responsibility of satisfying himself about the identity of such voter) .

1.3. Usually, each voter brings with him an unofficial identity slip, which might have been issued to him by a contesting candidate or his agents. This slip will be on a plain white paper and may contain the name of the elector, his serial number in the electoral roll, part number of the electoral roll and the number and name of the polling station where he is to cast his vote. The slip ordinarily should not contain the name of the contesting candidate and/or the name of the party and/or the facsimile of symbol allotted to him (as that would amount to

campaigning). If you come across any such slip, which has been issued by a contesting candidate or his party in violation of these instructions of the Commission and has been brought to the polling station by any elector, you should bring it to the notice of the polling agent of the candidate concerned forthwith for putting an immediate end to such violation.

- 1.4 The 'unofficial identity slip' which an elector brings to the polling station, only serves the purpose of locating the entries relating to an elector in the electoral roll, it cannot be automatically taken for granted that the person producing the slip is that particular voter. Further, an illiterate voter cannot read the entries in the unofficial identity slip and satisfy himself that the slip held by him/her actually relates to him/her. Therefore, the first Polling Officer should simply take the slip and read out only the Serial Number of the entry of the elector in the electoral roll and *not* read out his/her name and other particulars from the slip. Thereafter, the Polling Officer should ask the person to tell his/her name and if necessary other particulars relating to the entry so as to ensure that he/she is the genuine voter producing the identity slip. If any person is found to be impersonator, the Presiding Officer should hand him over to the police.

2. List of dead, absent and allegedly bogus voters.

It is expected that polling agents may bring with them a copy of the list of the names of dead, absent and allegedly bogus voters. The contesting candidate or his party 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) or one of the alternative documents of identification specifically permitted by the Commission. This will not amount to a formal challenge.

3. Challenged votes

The polling agents can also challenge the identity of a person claiming to be a particular elector by depositing a sum of **Rs.20 (Rupees twenty only)** in cash with you for each such challenge. You shall hold a summary inquiry into the challenge. If after the inquiry you consider that the challenge has not been established, you shall allow the person challenged to vote. If you consider that the challenge has been established, you shall debar the person challenged from voting and shall handover such person to the police with a written complaint. See rule 71 of the Himachal Pradesh Municipal Election Rules, 1994.

4. 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 correctly and proving his identity with the help of identification documents is that voter. If there is a challenge or if you feel any reasonable doubt about the identity of the person from the surrounding circumstances, you should hold a summary inquiry and decide the question.

5. 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 therefor to the challenger. Warn the person challenged

about the penalty for personation, read out the relevant entry in the electoral roll in full and ask him whether he is the person referred to in that entry, enter his name and address in the list of Challenged Votes (Form 42) and ask him to sign or affix his thumb impression thereof. If he refuses to do so, do not allow him to vote.

6. 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.

7. 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.

8. 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.

9. Declaration of elector about his age

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

9.2 If you are prima facie satisfied about his identity and the fact of inclusion of his name in the electoral roll but consider him to be below the minimum voting age, you should obtain a declaration as in **Annexure 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.

9.3 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-XVII

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

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

- 1.1 As soon as may be, after the identity of an elector has been verified by the first Polling Officer, and if there is no challenge as to the elector's identity, his left hand forefinger will be inspected by the second Polling Officer for any indelible ink mark thereon. If no mark is seen on the finger, the second Polling Officer shall mark the elector's left hand forefinger with indelible ink in the manner described in **para 3.1 in Chapter VI** 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.
- 1.2 In case it is noticed that an elector has applied any oily or greasy substance on his finger in order to neutralise the indelible ink mark to be put on his finger, such oily or greasy substance should be removed by the Polling Officer with the help of a piece of cloth or rug before putting indelible ink mark on the finger of that elector.
- 1.3 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 no left hand forefinger, then indelible ink should be applied on any such finger which he has on his left hand. Further, if he does not have any fingers on his left hand, the ink should be applied on his right hand forefinger and if he has no right hand forefinger, on any other finger which he has on his right hand starting with his forefinger. If he has no fingers on either hand, ink should be applied on such extremity (stump) of his left or right hand as he possesses.

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

- 4.1 After the left 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 prepare a voter's slip for that elector in the following form:

Voter's Slip

Serial No. of elector as per Col. (1) of the Register of voters
Serial No. of elector as entered in the electoral roll
Allowed to vote (Mark).....
Initial of PO i/c-----

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

CHAPTER-XVIII

RECORDING OF VOTES AND VOTING PROCEDURE

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

2. Permitting elector to record vote

- 2.1 When the elector comes with the voter's slip to third polling officer in-charge of control unit, the voter's slip will be taken from him and he will be allowed to vote.
- 2.2 A voter's slips collected from electors shall be carefully preserved and kept in a separate cover at the end of poll. The Returning Officer will provide a special cover for the purpose, which will be sealed and secured in the manner directed in **Chapter XXVIII**.
- 2.3 Immediately after the voter slip has been collected from the elector, his left forefinger shall be checked by you/third polling officer in-charge of the control unit. If the indelible ink mark made thereon is indistinct or has been removed, the same shall be marked again, so as to leave a clear indelible mark.
- 2.4 The elector shall then be directed to proceed to the voting compartment to record his vote.

3. Voting procedure

- 3.1 To enable the elector to record his vote, the ballot unit(s) kept in the voting compartment has to be activated. For this purpose the 'Ballot' button on the control unit shall be pressed by third polling officer in-charge of that unit. On the 'Ballot' button being pressed, the 'Busy' lamp in the control unit will glow red and simultaneously the 'Ready' lamp on each ballot unit in the voting compartment will start glowing green. This will indicate that the ballot unit of the Electronic Voting Machine is now ready to record the vote according to the choice of the elector.
- 3.2 The elector will record his vote in the voting compartment by pressing the 'Blue Button' provided on the ballot unit against the name and symbol of the contesting candidate of his choice. When he presses that button, the lamp provided on the ballot unit against the name and symbol of that contesting candidate will start glowing red and green light on the ballot unit will go off.

Also, a beep sound will be heard emitting out from the control unit. After a few seconds, the beep sound and the red light in the candidate's lamp on the ballot unit and the red light in the 'Busy' lamp on the control unit will also go off.

- 3.3 These visual and audio signs are indicative of the fact that the voter inside the voting compartment has recorded his vote. The voter should forthwith come out of the voting compartment and leave the polling station.
- 3.4 The above procedure will be repeated in respect of all electors. It should be ensured that only one voter at a time goes inside the voting compartment to vote. It should also be ensured that after an elector records his/her votes, the 'Ballot' button on the control unit is pressed for the next voter only when the earlier voter has come out of the voting compartment.

4. Tallying of number of votes polled periodically

- 4.1 At any time, if the total number of votes polled upto that time has to be ascertained, the 'Total' button on the control unit should be pressed. The display panel on the control unit will then show the total number of votes polled by that time. This should be periodically done and tallied with the number of electors allowed to vote upto that time as reflected in the register of voters.
- 4.2 In any event, you must ascertain and tally the number of votes polled during every two hours interval and record the number of votes polled in the relevant columns in the Presiding Officer's diary. 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.

5. Presiding Officer's right to enter the voting compartment during poll

- 5.1 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-XIX

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 mentioned in **Chapter XVIII**.

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-XX

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 Rules,2015 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 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 from the companion in the form prescribed by the Commission for the purposes vide **Annexure X**.
- 1.4 You shall also keep a record of all such cases in Form 28. This record of blind and infirm voters in Form 28 will be kept in a packet superscribed 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 elector to record vote on his behalf.

CHAPTER-XXI

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 The signature or thumb impression of the elector shall also be obtained against such remark.
- 1.4 It shall, however, not be necessary to make any change in the serial number of the elector or of any succeeding electors in column (1) of the Register of Voters.
- 1.5 If the “Ballot” button on the control unit has been pressed to make the ballot unit ready for recording a vote by an elector but he refuses to vote, either you/third/fourth/fifth Polling Officer, whoever is incharge 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/third Polling Officer, whoever is incharge 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 XXII

VOTING BY ELECTOR ON POLL DUTY

The electors who are on poll duty within the municipality shall be entitled to vote at an election of Municipality.

The relevant rules as inserted vide the Himachal Pradesh Municipal (Election) (Amendment) Rules, 2010 are reproduced as under:—

*“49A. Electors on Poll duty entitled to vote.—*Subject to their fulfilling the requirement hereinafter specified, the electors who are on poll duty within the same municipality shall be entitled to vote in the manner specified in rule 49B.

*49B. Intimation by voter on poll Duty.—(1)*An elector on poll duty within the same municipality who wishes to vote at an election shall apply in Form-43 to the Returning Officer of the concerned municipality so as to reach him at least seven days or such shorter period as the State Election Commission may allow before the date of poll; and if the Returning Officer is satisfied that the applicant is an elector on poll duty, he shall issue to him a Poll Duty Ballot, each to be used for the election of President, Vice-President and member of that municipality”.

- (1) The elector shall use form 43-A for declaration, cover for Poll Duty paper in form 43-B and large cover for Poll Duty ballot papers in form 43-C strictly in accordance with the instructions contained in Annexure”A”

“62-A. Counting of Poll Duty Ballot Papers.—(1) The poll duty ballot papers received in time will be counted first.

- (2) The poll duty ballot received after the hours fixed for the commencement of the counting of votes shall not be opened

- (3) Thereafter counting of votes recorded in the Electronic Voting Machines will be undertaken in the manner to be specified by the State Election Commission”.

B. After Form 42, the following new forms and Annexure A shall be added namely:-

Form 43
(See rule 49-B)

LETTER OF INTIMATION TO THE RETURNING OFFICER

To

The Returning Officer,

Municipal.....,

District.....

Sir,

I am a voter on election duty within the Municipality and my name is entered at Sr. No..... of the electoral roll for ward No..... of Municipality.

I intend to cast my vote at the ensuing elections to the said Panchayats from ward No.....It is, therefore, requested that ballot paper may kindly be issued to me

Yours faithfully,

Place.....

Date.....

FORM 43-A

DECLARATION BY ELECTOR

Election to the.....

(This is to be used only when the elector signs the declaration himself)

Thereby declare that I am the elector to whom the poll duty ballot paper bearing serial number.....has been issued at the above election.

Signature of elector.

Date.....

Address.....

Attestation of Signature

The above declaration has been signed in my presence by.....(elector) who is personally known to me and has been identified to my satisfaction by.....(identify) who is personally known to me.

Signature of Attesting Officer.

Signature of identifier, if any.....

Designation.....

Address.....

Date.....

FORM-43B

COVER FOR POLL DUTY BALLOT PAPER

(Put only one Ballot Paper)

A.

<p>NOT TO BE OPENED BEFORE</p> <p>COUNTING</p> <p>*Election of.....(Name of office of Municipal for which elections are to be held)</p> <p>from..... Constituency.</p> <p>POLL DUTY BALLOT PAPER</p>
--

Serial number of ballot paper.....

*Appropriate particulars of the election to be inserted here.

FORM 43-C

LARGE COVER FOR POLL DUTY BALLOT PAPERS B.

<p>ELECTION-IMMEDIATE</p> <p>POLL DUTY BALLOT PAPER</p> <p>COVER NOT TO BE OPENED BEFORE COUNTING</p>

To

The Returning Officer

For election of.....(Name of office of Municipal for which elections are to be held)
from..... * Constituency.

Signature of sender

*Returning Officer to insert here the name of the appropriate Constituency of the Municipality.

FORM-28E

INSTRUCTIONS FOR GUIDANCE OF ELECTORS

(To be used at an election to the Municipal)

Election to the*.....from the.....

The persons whose names are printed on the ballot paper sent here with are candidates at the above election. Record your vote by placing clearly a mark opposite the name of the candidate to whom you wish to cast your vote.

The mark should be so placed as to indicate clearly and beyond doubt to which candidate you are casting your vote. If the mark is so placed as to make it doubtful to which candidate you have cast your vote, your vote will be invalid.

The number of members to be elected is one. Please remember that you have only one vote. Accordingly you should not vote for more than one candidate. If you do so, your ballot paper will be rejected.

Do not put your signature or write any word or mark, sign or writing whatsoever on the ballot paper other than the mark required to record your vote.

After you have recorded your vote on the ballot paper, place the ballot paper in the smaller cover marked 'A' sent herewith. Close the cover and secure it by seal or otherwise.

You may then sign the declaration in Form 43-A.

After your declaration has been signed and your signature has been attested, place the declaration in Form 43-A as also the smaller cover marked 'A' containing the ballot paper in the larger cover marked 'B'. After closing the large cover, deliver it to the Returning Officer or the Officer authorized in this behalf by the State Election Commission personally.

You have to give full signature in the space provided on the cover marked 'B'.

*Appropriate particulars of the election, to be inserted here.

You must ensure that the cover is delivered to the Returning Officer or the Officer authorized in this behalf by the State Election Commission before***on.....

Please note that—

- (i) If you fail to get your declaration attested or certified in the manner indicated above, your ballot paper will be rejected; and
- (ii) If the cover reaches the Returning Officer or the Officer authorized in this behalf by the State Election Commission after**on the **your vote will not be counted.

*(here specify the hour and date fixed for the commencement of counting of votes).

CHAPTER-XXIII

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. Design of tendered ballot paper

2.1 The State Election Commission has specified under rule 43 of the Himachal Pradesh Municipal Election Rule, 1994 that the tendered ballot paper shall be of the same design as the ballot paper, which shall be used for display on the ballot unit of the voting machine at the polling station.

2.2 The Returning Officer will, therefore, provide to **each polling station thirty additional ballot papers**, which he has got printed for use in the ballot units of voting machines, to be used as tendered ballot papers. In case it becomes necessary to supply any additional ballot papers to any polling station for the above purpose (*i.e.* if the number of tendered votes exceeds 30), the same will be arranged by the Returning Officer to be supplied to the Presiding Officer of the polling station concerned on demand through the zonal officer-in-charge of that polling station.

2.3 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 with 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 a tendered ballot paper 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 paper, 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.
- 5.3 The elector will then fold the tendered ballot paper and after coming out of the voting compartment hand it over to you.
- 5.4 You shall keep all the tendered ballot papers and the list of such tendered ballot papers prepared in Form 29A in a cover specially provided for the purpose and seal the cover at the close of the poll.
- 5.5 If owing to blindness or physical infirmity, such elector is unable to record his vote without assistance, you shall permit him to take with him a companion in accordance with the procedure mentioned in **Chapter XX**.

CHAPTER XXIV

ADJOURNMENT OF POLL DUE TO RIOT, BOOTH CAPTURING, ETC.

1. Adjournment of Poll in emergencies

Under Rule 36 of the Himachal Pradesh Municipal Election Rules, 1994, the Presiding Officer of a polling station is empowered to adjourn the poll as per procedure of rule reproduced hereunder:—

- (1) If at an election the proceedings at any polling station are interrupted or obstructed, by riot or open violence, or it is not possible to take the poll at that polling station on account of natural calamity or any other sufficient cause, the Presiding Officer for such polling station, shall announce an adjournment of the poll to 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 State Election Commission and to the State 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 poll will be taken and the votes cast at such election shall not be counted until such adjourned poll is completed and the ballot boxes/EVM used at such polling station shall be sealed and kept in safe custody till the commencement of the counting.

CHAPTER- XXV

CLOSE OF POLL

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

- 1.1 The poll should be closed at the hour fixed for the purpose, even if for certain unavoidable reason it had commenced somewhat later than the hour appointed for the commencement of poll. 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. 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. You will be supplied **Pre-Printed Serial Numbered Slips (about 100 slips for each polling station) as per sample (ANNEXURE XIV) alongwith** the other material.

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 circumstance.

3. Closing the Control Unit of Voting Machine

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

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 31A. This should be prepared in duplicate.
- 1.2 As already explained in the preceding chapter, the total number of votes recorded in the voting machine at the close of poll shall be ascertained by pressing the 'Close' button. If necessary, that button can again be pressed to get the required information.
- 1.3 You must not forget that the total number of votes recorded in the voting machine must be equal to the total number of voters registered as per column (I) of the Register of Voters (Form 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 31A is given for your guidance at Annexure XI.
- 1.5 The account of votes recorded in Form 31A should be kept by you in a separate cover with the words 'Account of Votes Recorded' superscribed therein.

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

- 2.1 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 31A, 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 31A has to be deposited at the Collection Centre (Strong Room) along with the voting machine. The duplicate copy of Form 31A 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 31A you will be supplied with as many copies of the printed form (Form 31A) as the number of contesting candidates plus one or two more for the original account. If possible, you should prepare the required number of copies with the help of carbon paper, while filling in the entries in the original account itself, so that all such copies, supplied to polling agents and the original account are identical in every respect.
- 2.3 In simultaneous elections to the Member, Vice-President and President of the Municipality, it should be noted that account of votes recorded in Form 31A should be prepared separately for each office. Copies of Form 31A for the election of Member should be given only to the agents of the contesting candidates of Member, copies of Form 31A for the election of Vice-President should be given only to the agents of contesting candidates of Vice-President and similarly the copies of Form 31A for the election of President should be given only to the agents of contesting candidates of President.

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-XXVII

SEALING OF THE VOTING MACHINE AFTER CLOSE OF POLL

- 1.1 After the poll has been closed and the 'account of votes recorded' in the voting machine has been prepared in Form 31A 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-XXVIII

SEALING OF ELECTION PAPERS

1. Sealing of election papers in packets

- 1.1 After the close of poll, all election papers relating to the poll shall be sealed in separate packets .
 - 1.2 All the packets so sealed, except the packets containing (1) the account of votes recorded and paper seal (in Form 31A), (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 29A;
 - (v) the unused tendered ballot papers;
 - (vi) the list of challenged votes;
 - (vii) the unused and damaged paper seals, if any;
 - (viii) appointment letters of polling agents; and
 - (ix) any other papers that the Returning Officer has directed to be kept in a sealed packet.

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

In order to avoid delay and inconvenience of waiting 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 superscribed 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 tendered ballot papers;
- (v) the sealed cover containing the used tendered ballot papers and the list in Form 29A.

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 superscribed as "NON-STATUTORY COVERS":

- (i) the cover containing the copy or copies of electoral roll (other than the marked copy);
- (ii) the cover containing the appointment letters of polling agents in Form 24;
- (iii) the cover containing the election duty certificate.
- (iv) the sealed cover containing the list of challenged votes in Form 30;
- (v) the cover containing the list of blind and infirm electors in Form 28 and the declarations of the companions in Form 27;
- (vi) the cover containing the declarations obtained from electors as to their age and the list of such electors (**Annexure-IX**);
- (vii) cover containing the receipt book and cash, if any, in respect of challenged votes;
- (viii) cover containing unused and damaged paper seals;
- (ix) cover containing unused voter's slips ;
- (x) cover containing unused and damaged special tags; and
- (xi) cover containing unused and damaged strip seals.

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 30) in order to save time. All these unsealed covers and the sealed cover, containing list of challenged votes in Form 30, 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 centres. The first packet marked "Statutory Covers" should, however, be sealed by you after checking of the contents at the collection centre.

CHAPTER-XXIX

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

1. Preparation of the diary

- 1.1 You should record the proceedings connected with the taking of the poll in the polling station in the diary to be maintained for the purpose. The proforma of diary is reproduced at **Annexure XII**. 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 create 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 machine and election papers to the Returning Officer

- 2.1 After the voting machine and all election papers have been sealed and secured by you after the close of poll in the manner explained in **Chapters XXVII and XXIX**, 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 twelve 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) material for voting compartment;
- (ix) lantern, if supplied;
- (x) waste paper basket;
- (xi) polythene bag/gunny bag to carry polling materials; and
- (xii) fourth packet containing all other items, if any. All the above items will be cleared by the receiving official(s) at the collecting centre in your presence and there after you will be relieved.

CHAPTER-XXX

BRIEF GUIDELINES FOR THE PRESIDING OFFICERS/ POLLING OFFICERS

- (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 'PD'.

- 2.5 See that :
 - (i) deletions of names and corrections as per supplement have been incorporated in all copies of electoral roll;
 - (ii) all pages of working copy of roll are serially numbered in manuscript;
 - (iii) printed serial numbers of voters are not corrected 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 Set up polling station as per model layout as far as practicable.

- 3.3 Ensure separate entrance and exit for voters at polling station.

- 4. On the day of Poll, display outside your polling station—
A notice specifying the polling area, copy of the list of contesting candidates.

- 5. Appoint a Polling Officer locally if any Polling Officer is absent.

6. Start preparation of voting machine including conduct of mock poll at least one hour before the hour fixed for the commencement of poll.
- 7.1 Interlink 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 green 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 Secure and seal the Control Unit from outside completely with the strip seal.
- 9.3 Allow the polling agents also to affix their seals on the outer cover of result section of control unit.
- 10.1 Place the 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 PD.
- 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 292 of the HP Municipal 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 smoke 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 five Polling Officers, are as under:—**

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 & to prepare voter slip.

The third Polling Officer will be in charge of the Control Unit for Member Election.

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

The Fifth Polling Officer will be in charge of the Control Unit for President Election.

- 20.2 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 ten rupees in cash. Maintain record of such challenged votes in Form 30.
- 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 28.
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. 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 29A. Keep the tendered ballot papers and list in Form 29A 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 Lose 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.
- 33.3 The second packet of "NON-STATUTORY COVERS" should contain eleven covers.
- 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 open violence or riot takes place at the polling station, adjourn the poll. 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.

[Chapter-I Para 3]

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

281. State Election commission.—(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 municipalities shall be vested in the State Election Commission constituted under articles 243-K and 243-ZA of the Constitution of India and section 160 of the Himachal Pradesh Panchayati Raj Act, 1994 in the manner, as may be prescribed by rules.

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

(3) The Governor shall, when so requested by the State Election Commissioner, make available to him such staff as may be necessary for the discharge of the functions conferred on him under this Act.

(4) The officers or staff so employed in connection with the preparation, revision and correction of the electoral rolls for, and the conduct of election shall be deemed to be on deputation with the State Election Commission for the period during which they are so employed.

281-A. Requisitioning of premises, vehicles etc., for election purpose.—

(1) If it appears to the State Government that in relation to the municipalities,—

- (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.

292. Secrecy of Voting.—(1) No witness or other person shall be required to state for whom he has voted at an election.

(2) Every Officer, clerk, agent or other person who performs any duties 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.

(3) Any person who willfully act in contravention of the provisions of this section shall be punished with imprisonment of either description for a term not exceeding three months, or with fine, or with both.

301. Corrupt practices.—(1) The following shall be deemed to be corrupt practices for the purposes of this Chapter :—

(1) Bribery, that is to say :—

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

- (a) a person to stand or not to stand as, or to withdraw from being a candidate at an election; or
- (b) an elector of the municipal area to vote or refrain from voting at an election; or as a reward to—
 - (i) a person for having so stood or not stood, or for having withdrawn his candidature; or
 - (ii) an elector of the municipal area for having voted or refrained from voting;

(B) the receipt of or agreement to receive any gratification, whether as a motive or a reward :—

- (a) by a person for standing or not standing as, or for withdrawing from being a candidate; or
- (b) by any person whomsoever for himself or any other person for voting or refraining from voting or inducing or attempting to induce an elector of the municipal area to vote or refrain from voting, or any candidate to withdraw his candidature.

Explanation.—For the purpose of this clause, the term "gratifications" is not restricted to pecuniary gratification or gratifications estimable in money and it includes of all forms of entertainment and all forms of employment for reward but it does not include the payment of any expenses *bona fide* incurred at, or for the purpose of any election.

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

Provided that—

(a) without prejudice to the generality of the provisions of this clause any such person as is referred to therein who—

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

(ii) induces or attempts to induce a candidate of an elector of the municipal area to believe that he, or any person in whom he is interested, will become or will be rendered an object or divine displeasure or spiritual censure :

shall be deemed to interfere with the free exercise of the electoral right of such candidate or an elector of the municipal area within the meaning of this clause;

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

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

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

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

(6) The hiring or procuring, whether on payment or otherwise, of any vehicle by a candidate or his agent or by any other person with the consent of a candidate or his agent, for the conveyance of an elector of the municipal area other than the candidate himself the members of his family or his agent to or from any polling station or a place fixed for the poll.

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

(6A) The incurring or authorising of expenditure in contravention of section 17A.

(7) The obtaining or procuring or abetting or attempting to obtain or procure by a candidate or his agent, or by any other person with the consent of 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, the Government of India or the Government of any other State or a local authority.

304-A. Promoting enmity between classes 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.

304-B. Prohibition of public meetings during period of forty-eight hours ending with hour fixed for conclusion of poll.—(1) 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.

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

304-C. 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 refuse 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.

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

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

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

(b) unless within 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 Commissioner; 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 for multiplying copies of a document, 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 placed or poster having reference to an election, but does not include any hand-bill, placed or poster having reference to an election, but does not include any and bill, placard or porter 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.

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

(2) Any person who contravenes 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.

304.F. Officers etc. at elections not to act for candidates or to influence voting.—(1) No person, who is district election officer or a returning officer, or an assistant returning officer, or a presiding or polling officer at an election, or an officer or clerk appointed by the returning officer or the presiding officer to perform any duty in connection with an election, shall in the conduct or the management of the election to any act (other than the giving of vote) for the furtherance of the prospects of the election of a candidate.

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

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

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

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

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

304-G. Prohibition of canvassing in or near polling stations.—(1) No person shall, on the date or dates on which a poll is taken at any polling station, commit any of the following acts within the polling station or in any public or private place within a distance of one hundred meters of the polling station, namely:—

- (a) canvassing for votes; or
- (b) soliciting the vote of any elector; or
- (c) persuading any elector not to vote for any particular candidate; or
- (d) persuading any elector not to vote at the election; or
- (e) exhibiting any notice or sign (other than an official notice) relating to the election.

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

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

304-H. Penalty for disorderly conduct in or near polling stations.—(1) No person shall, on the date or dates on which a poll is taken at any polling station:—

- (a) use or operate within or at the entrance of the polling station, or in any public or private place in the neighbourhood thereof, any apparatus for amplifying or reproducing the human voice, such as a megaphone or a loud speaker, or
- (b) shout or otherwise act in a disorderly manner, within or at the entrance of the polling station or in any public or private place in the neighbourhood thereof, so as to cause annoyance to any person visiting the polling station for the poll, or so as to interfere with the work of the officers and other persons on duty at the polling station.

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

(3) If the presiding officer of a polling station has reason to believe that any person is committing or has committed an offence punishable under this section, he may direct any police officer to arrest such person, and thereupon the police 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.

304-I. Penalty for misconduct at the polling station.—(1) Any person who during the hours fixed for the poll at any polling station misconduct, himself or fails to obey the lawful directions of the presiding officer may be removed from the polling station by the presiding officer or by any police officer on duty or by any person authorised in this behalf by such presiding officer.

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

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

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

304-J. 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 papers issued to him shall be liable for cancellation.

304-K. Penalty for illegal hiring or procuring of conveyance at elections.—If any person is guilty of any such corrupt practices as specified in sub-section (6) of section 301 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.

304-L. Breaches of official duty in connection with election.—(1) If any person to whom this section applies is without reasonable cause guilty of any act or omission in breach of his official duty he shall be punishable with fine which may extend to five hundred rupees.

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

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

(4) The persons to whom this section applies are the district election officers, returning officers, assistant returning officers, presiding officers, polling officers, and any other person appointed to perform any duty in connection with the receipt of nominations or withdrawal of candidature or the recording of counting of votes at an election; and the expression "official duty" shall for the purposes of this section be construed accordingly, but shall not include duties imposed otherwise than by or under this Act.

304-M. 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.

304-N. 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 neighbourhood 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.

304-O. Removal of ballot papers from polling station to be an offence.—(1) Any person who at any election un-authorisldly takes, or attempts to take, ballot paper out of a polling station, or willfully aids or abets the doing of any such act, shall be punishable with imprisonment for a term which may extend to one year, or with fine which may extend to five hundred rupees, or with both.

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

Provided that when it is necessary to cause 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 handed over for safe custody to a police officer by the presiding officer, or when the search is made by a police officer, shall be kept by such officer in safe custody.

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

304-P. 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 one year but which may extend to three years, and with fine, and where such offence is committed by a person in the service of the Government, he shall by punishable with imprisonment for a term of which shall not be less than three years but which may extend to five 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 a person or persons making polling authorities surrender the ballot papers or voting machines and doing of any other act which affects the orderly conduct of election;
- (b) taking possession of a polling station or a place fixed for the poll by any person or persons and allowing only his or their own supporters to exercise their right to vote and prevent others from free exercise of their right to vote;
- (c) coercing or intimidating or threatening directly or indirectly any elector and preventing him from going to the polling station or a place fixed for the poll to cast his vote;
- (d) seizure of a place for counting of votes by any person or persons, making the counting authorities surrender the ballot papers or voting machines and the doing of anything which affects the orderly counting of votes; and
- (e) doing by any person in the service of Government of all or any of the aforesaid activities or aiding or conniving at any such activity in the furtherance of the prospects of the election of a candidate.

304-Q. Grant of paid holiday to employees on the day of poll.—(1) Every person employed in any business, trade, industrial undertaking of any other establishment and entitled to vote at election to the Municipalities 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 any employer contravenes the provisions 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.

304-R. 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.

304-S. Other offences and penalties therefore.—(1) A person shall be guilty of an electoral offence if at any election he:—

- (a) fraudulently deface or fraudulently destroys any nomination paper; or
- (b) fraudulently defaces or fraudulently destroys or removes any list, notice or other document affixed by or under the authority of returning officer; or
- (c) fraudulently defaces or fraudulently destroys any ballot paper or the official mark on any ballot paper of any declaration of identity or official envelop used in connection with voting by postal ballot; or
- (d) without due authority supplies any ballot paper to any person or receives any ballot paper from any person or is in possession of any ballot papers; or
- (e) fraudulently puts into any ballot box anything other than the ballot paper which he is authorised by law to put in; or
- (f) without due authority destroys, takes, opens or otherwise interferes with any ballot box or ballot papers then in use for purposes of the election; or
- (g) fraudulently or without due authority, as the case may be, attempts to do any of the foregoing acts or willfully aids or abets the doing of any such acts.

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

- (a) if he is a returning officer or an assistant returning officer or a presiding officer at a polling station or any other officer or clerk employed on official duty in connection with the election, be punishable with imprisonment for a term which may extend to two years, or with fine, or with both; and
 - (b) if there is any other person, be punishable with imprisonment for a term which may extend to six months, or with fine, or with both.
- (3) For the purposes of this section, a person shall be deemed to be on official duty if his duty is to take part in the conduct of an election or part of an election including the counting of votes or to be responsible after an election for the used ballot papers and other documents in connection with such election, but the expression "official duty" shall not include any duty imposed otherwise than by or under this Act.
- (4) An offence punishable under sub-section (2) shall be cognizable.

(CHAPTER I Para 3)

EXTRACTS FROM THE HIMACHAL PRADESH MUNICIPAL ELECTION RULES, 1994

20. Appointment of polling personnel.— (1) The Returning Officer shall appoint Presiding Officers and such number or Polling Officer, 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 Municipal 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 function shall be performed by such polling officer, as has been previously authorised by the Returning Officer to perform such functions during any such absence.

32. Appointment of polling agents.—(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-24 and shall be made over to the polling agent for production at the police station.

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

33. Non-attendance of agent.— Where any act or thing required or authorised 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, if the act or thing is otherwise duly done invalidate the act or thing done.

36. 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 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 to 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 State Election Commission and to the State 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 poll will be taken and 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 every such case as aforesaid, 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 offices of the Municipality and Tehsil concerned.

37. 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 will be taken and shall not count the votes cast at other polling stations of the ward until such fresh poll has been completed.

40. Procedure on adjournment of poll.—If the poll at any polling station is adjourned under rule 36 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 recommended under sub-rule (2) of rule 36, 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 held with the sealed packets containing the marked copy of the electoral roll 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.

45. 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 292 of the Himachal Pradesh Municipal Act, 1994 (Act 13 of 1994). The provisions of this section are as under:—

"292. Secrecy of voting.—(1) No witness or other person shall be required to state for whom he has voted at an election.

(2) Every Officer, Clerk, Agent or other person who performs any duties 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.

(3) Any person who willfully acts in contravention of the provisions of this section shall be punished with imprisonment of either description for a term not exceeding three months, or with fine, or with both.

Copy of directions on VOTING BY ELECTRONIC VOTING MACHINE to be inserted here

FORM - 26A
REGISTER OF VOTERS

Election to Urban Local Bodies 20-----

Name of Distt. & Municipal Council/Nagar panchayat-----

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-29A

LIST OF TENDERED VOTES

*Election to the Member for Ward No. & Name _____ of Municipal Council/Nagar Panchayat _____

*Election to the office of President/Vice President of _____ Municipal Council/Nagar Panchayat.

No. and name of Polling Station _____

Sl. No.	Name of elector	Sl. No. of elector in electoral roll	Sl. No. in Register of voters of the person who has already voted in place of elector	Signature/Thumb Impression of elector
1	2	3	4	5
1.				
2				
3				
4				
5 etc.				

Dated:

Signature of the Presiding Officer

*Strike off the inappropriate.

FORM-31A

PART-I-ACCOUNT OF VOTES RECORDED

Election to the Municipal Council /Nagar PanchayatDistt..... H.P

for office bearer of Member/Vice-President/President (kindly appropriate office)

From Ward No.....
 No. and Name of Polling Station
 Identification No. of Voting Control unit No
 Machine 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.**

	Sl.No	To
(a) received for use
(b) issued to electors
(c) not used and returned

Serial No

9. Account of paper seals. From..... To.....

1. Sr. Number of paper seals supplied No.....
2. Total Number supplied No.....
3. Number of paper seal used No.....

4. No. of unused paper seals returned to RO/ARO(Deduct item 3 from item 2) No..... ..
5. Serial number of damaged Paper seals if any No..... Sr.No.....

Signature of Polling Agents.

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

Date_____

Signature of Presiding Officer

Place_____

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

PART-II

RESULT OF COUNTING

Sl.No.	Name of Candidate	No.of votes recorded
1.		
2.		
3.		
4.		
5.		
6.		
7.		
8.		
9.		
10., 11., 12., & so on.....		
Total..		

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

Place-----

Date-----

Signature of Counting Supervisor.

Name of Candidate/Election agent/Counting Agent

Full Signature

- 1.
- 2.
- 3.
- 4.
- 5.
- 6.
- 7.
- 8.

Place _____

Date _____

Signature of Returning Officer.

(CHAPTER- I, PARA 5)

CHECK MEMO FOR PRESIDING OFFICERS

Item	Action Of Be Taken	Remarks
1.	Obtaining and keeping in possession all relevant instructions from the Returning Officer.	Whether obtained and kept?
2.	Familiarisation with the other members of the polling party and maintenance of close relationship with them.	Whether done?
3.	Collection of election material	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. 292 of HP MC Act, 1994 with regard to the secrecy of voting by Presiding Officer 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?

16.	Maintenance of Presiding Officer's Diary	Whether events are recorded from time to time as and when they occur\
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 31A copies given to all the polling agents?	Whether attested
20.	Declaration to be made at the close of poll	Whether made?
21.	Sealing of voting machine and election papers	Whether done according to instructions?

(CHAPTER-III, Para-I)

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

1	2	3
1.	Control Unit	3
2.	Balloting Unit(s)	3 (Depending upon the Nos. of Candidates)
3.	Register of voters (Form 26A)	3 Books
4.	Voter's Slip	1000
5.	Working Copies of Electoral Rolls	3
6.	Ballot Papers (for tendered votes)	30(each for three offices)
7.	Indelible Ink	2 Phial of 5 C.C. each
8.	Address Tag for Control Unit	7x3=21
9.	Address Tag for Balloting Unit	7x3=21
10.	Special Tag	2x3=06
11.	Blue Paper Seals for EVM	4x3=12
12.	Strip Seal	3x3=09
13.	Rubber Stamp Arrow Cross Mark	1
14.	Stamp Pad (Purple)	1
15.	Metal Seal for Presiding Officer	1
16.	Match Box	1
17.	Presiding Officer's Diary	1
18.	Distinguishing Mark Rubber Stamp	1
20. FORM		
	1. List of Contesting Candidates(Form-23)	3
	2. List of Challenged Votes (Form-30)	6

1

2

3

3. List of Blind and Infirm Voters (Form-28)	6
4. List of Tendered Votes (Form-29A)	6
5. Accounts of votes Recorded (Form-31A)	30
6. Receipt Book for deposit of challenged votes fee	1 Book
7. Letter to SH.O.	5
8. Declaration by the Presiding Officer before the Commencement of Poll and at the end of poll(Part-I to IV).	10
9. Declaration by Elector about his age	10
10. List of Electors who voted after giving declaration/refused to give declaration.	10
11. Declaration by the companion of blind and inform voter	30
12. Passes for Polling Agents	20

21 ENVELOPS

1. For smaller envelopes (Statutory Covers)(SE-8)	1
2. For marked copy of electoral rolls (SE-8)	1
3. For other copies of electoral rolls (SE-8)	1
4. For Tendered Ballot Paper and Tendered Voters List	1
5. For Declaration by the Presiding Officer before commencement of the poll and at the end of the poll (SE-7)	1
6. For account of votes recorded (Form 31A) (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 envelops (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 envelops (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
22. For any other paper that the R.O. has decided to keep in the sealed cover.	1
23. Cover for unused and damaged special tag (SE-7)	1
24. Cover for unused and damaged strip seal (SE-7)	1

(Wherever the envelopes are smaller in size the packing paper may be used and 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 pencil | 2 |
| 2. Ball Pen | 2 |
| 3. Full scape paper | 3 sheets |
| 4. Pins | 25 pieces |
| 5. Sealing Wax | 2 Sticks |
| 6. Material for Voting Compartment | 2 + 2+2 = 6 |
| 7. Gum paste | 1 bottle |
| 8. Blade | 1 |
| 9. Candles | 3 sticks |
| 10. Thin Twine Thread | 20 mtrs. |
| 11. Metal rule | 1 |
| 12. Carbon Paper | 3 |
| 13. Cloth or Rag for removing oil etc. | 3 |
| 14. Packing paper | 2 sheets |
| 15. Cup/Empty tin/Plastic Box for holding indelible ink bottle. | 1 |
| 16. Cello Tape(small) | 1 |

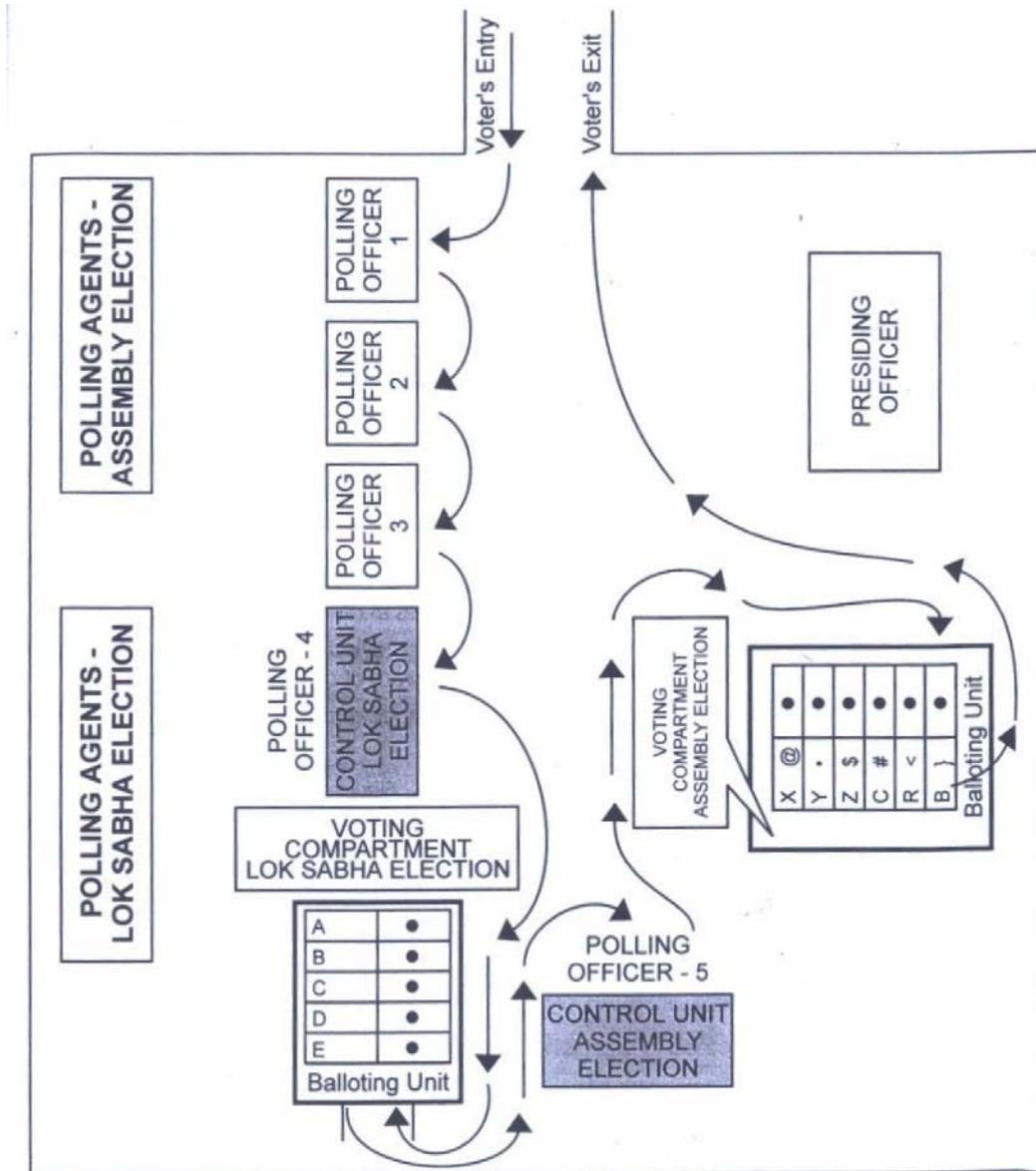
Lists of material to be returned by the Presiding Officer to the Returning Officer: –

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

(CHAPTER-IV, Para 2)

MODEL POLLING STATION FOR ELECTRONIC VOTING MACHINE

LAYOUT OF POLLING STATION FOR SIMULTANEOUS ELECTION



(Chapter-XIV, 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 Member from Ward No. & Nameof MC/NP

Election to the Office of President/Vice President ofMC/NP.

Sr.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 affixed my signature on the strip seal and also obtained thereon the signatures of such of the candidates/polling agents as are present and desirous of affixing their signature.
- (5) that I have read out the pre-printed serial number of the special tag and asked the candidates/polling agents present, to note down the serial number.

Signature
Presiding Officer.

Signature of polling agents:

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

The following polling 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 Member from Ward No. and Nameof MC/NP

Election to the Office of President/Vice President ofMC/NP.

Sr. 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 affixed my signature on the strip seal and also obtained thereon the signatures of such of the candidates/polling agents as are present and desirous of affixing their signature.
- (5) that I have read out the pre-printed serial number of the special tag and asked the candidates/polling agents present, to note down the serial number.

Signature

Signature of polling agents:

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 26-A

Date.....

Signature.....

Presiding Officer.

Time.....

*Received an attested copy of the entries in the accounts of votes recorded (Part-I of Form 26-A) in respect of the election of Member of MC/NP.....

Signature of polling agents :

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

The following polling agents who were present at the close of the poll declined to receive an attested copy of Part-I of Form 26-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.....) | |

*Received an attested copy of the entries in the accounts of votes recorded (Part-I of Form 26-A) in respect of the election of Vice-President of MC/NP.....

Signature of polling agents :

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

*The following polling agents who were present at the close of the poll declined to receive an attested copy of Part-I of Form 26A 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.....) | |

Received an attested copy of the entries in the accounts of votes recorded (Part-I of Form 26-A) in respect of the election of President of MC/NP.....

Signature of polling agents :

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

*The following polling agents who were present at the close of the poll declined to receive an attested copy of Part-I of Form 26-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.....

Presiding Officer

Date

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.....

Time.....

Signature.....

Presiding Officer.

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

Signature of polling agents for Member 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.....)

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

Signature of polling agents for Vice-President 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.....)

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

Signature of polling agents for President 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.....)

Signature

Date

Presiding Officer.

(chapter-XVI, Para 6)

LETTER OF COMPLAINT TO THE S.H.O POLICE

To

The Station House Officer,

.....

.....

Subject.—Election to the Member from Ward No. and Name.....of MC/NP or President/Vice President of.....Municipal Council/Nagar Panchayat.

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 MC/NP of ward No. and Name.....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

Place.....

Presiding Officer

Dated.....

Copy forwarded to the RO/ARO for

MC/NP.....

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.

(Chapter-XVI, Para 9.2)

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, 2010, 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.....

.....

Name of ward & Number

Name of MC/NP.

Dated.....

Serial number of elector.....

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

Signature of the Presiding Officer

.....

Number and name of polling station

Dated.....

.....

(Chapter-XVI, Para 9.3)

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

Election to the **Member** from Ward No. and Name.....of MC/NP or
President and **Vice President** ofMunicipal Council/ N.P.

Part-I

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.

(Chapter-XX, Para 1.3)

**DECLARATION BY THE COMPANAION OF
BLIND OR INFIRM ELECTOR**

*Election to the Member for Ward No. & Name.....of Municipal Council/Nagar Panchayat.....

*Election to the office of President/Vice President of.....Municipal Council/Nagar Panchayat.

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.

FORM-31A

(Chapter-XXVI, Para1.4)

ACCOUNT OF VOTES RECORDED**PART-I**

Election to the Municipal Council/Nagar PanchayatDistrict..... H.P for office bearer of Member/Vice-President/President (kindly appropriate office)

From

Ward No

1

No. and Name of Polling Station

5-ABC

Identification No. of Voting

Control unit No.....

Machine used at the Polling Station

Ballot unit No

- | | |
|--|----------------|
| 1. Total No. of electors assigned to the polling station. | 995 |
| 2. Total No. of voters as entered in the Register for Voters (Form 26A) | 761 |
| 3. No. of voters deciding not to record votes . | 2 |
| 4. No. of voters not allowed to vote . | 1 |
| 5. Total No. of votes recorded as per voting machine. | 758 |
| 6. Whether the total No. of votes as shown against item 5 tallies with the total No. of voters as shown against item 2 minus 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. | Yes,it tallies |
| 7. No. of voters to whom tendered ballot papers were issued. | |

8. No. of tendered ballot papers.

Serial No**From****To**

- | | | |
|-------------------------------|-------|-------|
| (d) received for use (10) | 00981 | 00990 |
| (e) issued to electors (3) | 00981 | 00983 |
| (f) not used and returned (7) | 00984 | 00990 |

9. Account of paper seals.

Serial No**From****To**

- | | | |
|---------------------------------------|------------|--------|
| 1. Sr. Number of paper seals supplied | 009758 | 009760 |
| 2. Total Number supplied | 3 | |
| 3. Number of paper seal used | 1 (009758) | |

4. No. of unused paper seals returned to RO/ARO(Deduct item 3 from item 2) 2
5. Serial number of damaged Paper seals if any Nil

Signature of Polling Agents.

1.

2.

3.

4.

Date.....

Signature of Presiding Officer

Place.....

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

PART-II
RESULT OF COUNTING

Sl.No.	Name of Candidate	No. of votes recorded
1.	A	109
2.	B	59
3.	C	77
4.	D	263
5.	E	38
6.	F	2
7.	G	51
8.	H	65
9.	I	94
10., 11., 12., & so on		
Total		758

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

Place.....

Date.....

Signature of Counting Supervisor

Name of Candidate/Election agent/Counting Agent

Full Signature

1.

2.

3.

4.

5.

6.

7.

8.

Place.....

Date.....

Signature of Returning Officer

(Chapter XXIX,Para 1)

PRESIDING OFFICER'S DIARY

1. Name of the MC/NP (in block letters):
2. 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
- 7B.
 - (i) Number of Strip Seals supplied:
 - (ii) S.No.(s) of Strip Seals supplied:
 - (iii) Number of Strip Seals used:
 - (iv) S.No.(s) of Strip Seals used:
 - (v) S.No.(s) of Strip Seals returned as unused:
8. Number of polling agents and the number who arrived late :

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

Signature of first Polling Officer

Signature of Polling Officer-in-charge of Register of Voters

11. Number of electors who voted-
 - Men.....
 - Women
 - Total
12. Challenged vote—
 - Number allowed
 - Number rejected
 - Amount forfeited Rs.
13. Number of persons who have voted on production of Poll Duty Certificate (PDC) :
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 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 :

Presiding Officer

Place :

Date :

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

[Chapter-VI, Para 7(VII)]

Mock Poll Certificate

This is certified that I Presiding Officer at the Polling Station No & Name of Municipal Council/Nagar Panchayat.....for Ward No. and Name..... conducted the mock poll atA.M. today, the poll day i.efollowing 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 alongwith 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

Chapter XXV, Para 1.2)

SAMPLE OF PRE-PRINTED SERIAL NUMBERED SLIPS**SLIP**

(For voters in Q at closing Hr. of Poll

Sr.No. 1

[Signature (in full)of P.O]

Ward No..... of MC/NP.....

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/NP.....

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/NP.....

No. Name of Polling Station.....

SLIP

(For voters in Q at closing Hr.of poll

Sr.No. 7

[Signature (in full)of P.O]

Ward No..... of MC/NP.....

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/NP.....

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/NP.....

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/NP.....

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/NP.....

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/NP.....

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/NP.....

No. Name of Polling Station.....

