

HANDBOOK FOR POLLING AGENTS

(At Elections where Electronic Voting Machines are used)

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CONTENTS

Para No.		Page No.
1	Introduction	5
2	Role of polling agents	5
3	Electronic voting machine system in elections	5
4	Ballot units and control units	6
5	Main duties of polling agents	8
6	Number of polling agents	8
7	Appointment of polling agents	8
8	Revocation of appointment of polling agents	9
9	Qualification of polling agents	10
10	Polling rehearsals	10
11	Arrival at the polling station	10
12	Material for polling agents	11
13	Production of appointment letter by polling agents	11
14	Passes for polling agent	11
15	Wearing badges by polling agents	12
16	Seating of polling agents	12
17	Arrangements for free and fare election	13
18	Preliminaries before the commencement of poll	14
19	Preparation on the voting machine by the presiding officer before commencement of poll	15
20	Conducting the mock poll	17
21	Fixing green paper seal in the control unit	19
22	closing and sealing of result section of control unit	20
23	Strip seal	21

24	Method of sealing voting machines with strip seal	24
25	Voting machine ready for actual poll	27
26	Account of paper seal	27
27	Maintenance of secrecy of voting	27
28	Commencement of poll	28
29	entry of voter into polling station	28
30	Identification of electors and application of indelible ink	29
31	Method of recording of voters by voting machines	29
32	Voting procedure at the polling station	30
33	Challenge to the identity of a voter	31
34	List of dead, absent and allegedly suspicious voters	32
35	Formal challenge to voter's identity	33
36	Challenge fee	33
37	Summary inquiry into a challenge	33
38	Return of forfeiture of challenge fee	34
39	Clerical and printing errors in the electoral rolls to be overlooked	34
40	Eligibility of voter not to be questioned	35
41	Precautions against voting by under-age voters	35
42	Voting through proxy	35
43	Voting by blind or infirm voters	36
44	Tendered votes	37
45	Electors deciding not to vote	37
46	Procedure in case of complaint about particulars printed on paper trail	38
47	Violation of secrecy of voting	39
48	Presiding officer's entry into the voting compartment during poll	39
49	Voting by persons present at closing hour	39
50	Close of poll	40

51	Transportation of voting machine and election papers to the Collection/storage centre	42
52	Polling agents to accompany vehicles carrying voting machines	42
53	Adjournment of poll for riot, booth capturing etc..	42
54	Disorderly conduct in or near the polling station	42
55	Removal of voting machine from the polling station or tampering it is an offence	43
56	Ban on canvassing	43
Appendix I	Appointment of polling Agents	44
Appendix I(A)	Format for specimen signatures of candidates and their election agents	45
Appendix II	Revocation of appointment of polling agent	46
Appendix III	Declaration by the presiding officer	47
Appendix IV	List of challenged voters	51
Appendix V	Form of declaration by elector	52
Appendix VI	Polling station wise sub list of classified service voters And proxies	53
Appendix VII	Declaration by the companion of blind or infirm electors	54
Appendix VIII	Account of votes recorded	55
Appendix IX	Mock poll certificate	58

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(At polling stations where Electronic Voting Machines are used)

1 INTRODUCTION

It is not possible for a candidate to be physically present at every polling station on the day of poll in an assembly or a parliamentary constituency. Therefore, the law allows him to appoint polling agents to act as his representative at every polling station to watch his interests. A democratic election postulates that the poll is conducted freely and fairly at every single polling station and every candidate should feel satisfied in this respect. If the polling agents who represent the candidates at the polling stations carry out their duties well and conscientiously, it will help not only the candidates whom they represent but also the election authorities in the smooth conduct of poll with full cooperation of those agents.

2. ROLE OF POLLING AGENTS

- 2.1 The polling agents play a very important role in the actual conduct of the poll, which is the most vital part of the entire election process. The task of the Presiding Officer and the Polling Officers at the polling station will be made easy and smooth if the polling agents discharge their duties with a spirit of co-operation. For this purpose, they should know their functions clearly and carry them out intelligently under the law.
- 2.2 You are going to be a polling agent at a polling station where electronic voting machine is used. You should, therefore, acquaint yourself fully with the latest rules and procedures prescribed for the conduct of elections using voting machines. You must also familiarize yourself with the operation of voting machines. For this purpose, you should attend the demonstrations of the voting machines arranged by the Returning Officer where the functioning and operation will be explained.

3. ELECTRONIC VOTING MACHINE SYSTEM IN ELECTIONS

- 3.1 Elections in India are being conducted using Electronic Voting Machines since 2000. These voting machines have been manufactured by two Central Government undertakings, namely, Electronics Corporation of India Limited, Hyderabad and Bharat Electronics Limited, Bangalore. They have been so designed as to keep intact all the salient features of the system under which ballot paper and ballot boxes were used.
- 3.2 A voting machine consists of two units, namely, 'Control Unit' and 'Balloting Unit'. These two units are interconnected when the voting machine is put in operation

by means of a cable, one end of which is permanently attached to the balloting unit. The free end is plugged into the control unit when the machine is put to use for recording votes.

- 3.3 The machine operates on a 7.5 volt alkaline battery and can be used anywhere and under any conditions. It is tamper-proof, error-free and easy to operate. Both the units of the machine are supplied in two separate carrying cases. The polling information once recorded in the machine is retained in its memory even when the battery is removed.
- 3.4 The machine, especially the balloting unit, is so designed as to keep all essential features of the conventional voting system intact. The only change is that the voter is required to press the blue button provided opposite the name and symbol of the candidate of his choice as against the use of an arrow cross mark rubber stamp which is affixed on the ballot paper on or near the symbol of his choice under the conventional system of voting. The process of voting by voting machine is very simple, quicker and foolproof. Every vote is recorded accurately and there is no invalid vote.
- 3.5 As per proviso to Rule 49A of the Conduct of Election (Amendment) Rules, 2013 a printer with a drop box of such design approved by the Election Commission may also be attached to a voting machine for printing a paper trail of vote, in such constituency or constituencies or parts thereof as the Election commission may direct. This is referred to as the **Voter Verifiable Paper Audit Trail System (VVPAT)**. In the constituencies where the printer for paper trail is used, the presiding officer will keep the printer along with the ballot unit in the voting compartment; the printer shall be connected to the EVM in the manner as directed by Election Commission. For this purpose the voting compartment should be increased proportionally. In respect of such polling booths where printer for paper trial with drop box is used on pressing the balloting button, the electors shall be able to view the printed paper slip for 7 seconds showing the serial number, name and the symbol of the candidate for whom he has cast his vote. Such paper slip stays displayed for 5 seconds before it gets cut and drop in the drop box attached to the printer.

4 BALLOT UNITS AND CONTROL UNITS

- 4.1 The provision for **None of the Above' [NOTA]** option is a facility for expression of the decision not to vote for the contesting candidates. The Hon'ble Supreme Court, in its judgment dated 27 the September 2013, in Writ Petition No 161 of 2004 directed that the Commission should make necessary provision in the ballot papers/EVM for "None of the Above(NOTA)" option so that the electors who do not wish to vote for any of the candidates can exercise their right not to vote for any candidate without violation of the secrecy of their decision. A panel with the

words “None of the Above’: NOTA” will be printed after the panel containing the name and particulars of the last candidate on the ballot paper. The electors who do not wish to vote for any of the candidates can exercise their right not to vote for any candidate without violation of the secrecy of their decision. For example, if there are 12 candidates contesting the election, the words “None of the Above” shall be written on the 13th panel “and the ballot button against such 13th panel shall also be kept open.

- 4.2 One balloting unit caters upto a maximum of 16 candidates. If the number of candidates is 15, the last panel will be ‘None Of The Above (NOTA)’; but if there are 16 candidates, there will have to be an additional balloting unit for ‘NOTA’. On the balloting unit, there is provision for display of the ballot paper containing the particulars of the election, serial numbers and names of contesting candidates and the symbols respectively allotted to them. Against the name of each candidate and the panel for NOTA, there is a blue button by pressing which the voter can record his vote. Alongside the said button, there is also a lamp for each panel which will glow red when the vote is recorded by pressing the said button.
- 4.3 Four balloting units linked together catering up to sixty three candidates and one panel for NOTA, can be used with one control unit. There is provision for displaying various information and data recorded in the machine, like the number of contesting candidates, total number of votes polled, votes polled by such candidates etc on the top most portion of the control unit. For easy reference this portion is called 'Display Section' of the control unit. There is a compartment for fixing the battery on which the machine runs below the display section. By the side of this compartment, there is another compartment in which there is a button for setting the machine for the number of candidates contesting the particular election and one panel for NOTA. This section of the control unit consisting of 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 used for closing the poll, (ii) two 'Result I' & 'Result II' buttons for ascertaining the results in Pre-2006 EVMs. In post- 2006 EVMs it has two buttons namely “ Result” and “ Print”and (iii) 'Clear' button for clearing the data recorded in the machine when not required. In the bottom most portion of the control unit, there are two buttons-one marked 'Ballot' by pressing which the balloting unit becomes ready to record vote and the other marked 'Total' by pressing which the total number of votes recorded upto that stage can be ascertained. Please note that by pressing the ‘Total’ button the display indicates only the total votes and not the candidate-wise tally. This section is known as the 'Ballot Section' of the control unit.

5. MAIN DUTIES OF POLLING AGENTS

The main duty of the polling agents is to see that the interests of the candidates who have appointed them are safeguarded at the polling stations. Their other duties are:

(a) to take part in the mock poll and satisfy themselves that the EVM is in proper working order,

(b)to help the Presiding Officer to detect and prevent impersonation of voters by challenging persons whose identity as real elector is doubtful,

(c)to help in having the voting machine properly secured and sealed according to the rules before, during and after the close of poll,

(d)to see that all election records relating to the poll are secured and sealed properly after the close of poll as required by law, and

(e)to see that the serial numbers of Control Unit, the Ballot Unit and printer with drop box of the EVM being used in the polling station are in conformity with the details provided by the Returning Officer.

6. NUMBER OF POLLING AGENTS

Every contesting candidate is entitled to appoint one polling agent and two relief agents to act as the polling agents at each polling station. Only one of them can, however, remain present inside the polling station at a time. They can relieve each other from time to time. Any relief agent can take the place of the polling agent when the latter goes out. Of the three, whoever is inside the polling station is treated as polling agent of the candidate for the time being; he has the same rights and responsibilities as given to the polling agent by law. No polling agent shall however be allowed to leave the polling station or allowed to be substituted by his relieving agents after 3.00 p.m

7. APPOINTMENT OF POLLING AGENTS

7.1 The appointment of a polling agent can be made either by the candidate himself or by his election agent, and by no one else. The appointment has to be made by a letter of appointment in the prescribed form (**Appendix I**) and signed by the person making the appointment, i.e., the candidate or his election agent. The polling agent formally accepts his appointment by signing the letter of appointment. If possible, the polling agent should sign his letter of appointment in the presence of the candidate or his election agent. Such letter of appointment will

be handed over to the polling agent for production in original at the polling station, so that the Presiding Officer may admit him into the polling station. The polling agent will have to sign again in the presence of the Presiding Officer at the polling station.

- 7.2 If any candidate and/or his election agent refuse(s) to affix specimen signature on the format (**Appendix-1A**), the Presiding Officer may not entertain any appointment letter in Form 10 from the polling agents appointed by him where the Presiding Officer is in reasonable doubt as to the genuineness of the signature of the candidate or his election agent, whose specimen signature is not available in the prescribed format (**Appendix-IA**).
- 7.3 If a change in the appointment of an election agent is made at the last moment, when the Presiding Officers have already been supplied with the copy of the format containing the specimen signatures as originally furnished by the contesting candidate (**Appendix-IA**), then it shall be the responsibility of the candidate concerned to supply a copy of Form 9 revoking the appointment of the election agent and a copy of Form 8 appointing the new election agent to each Presiding Officer.
- 7.4 There is no time limit for the appointment of polling agents. However, it is desirable that they are appointed sufficiently in advance, say, about 10 days before the date of poll, so that they may be in a position to apply for postal ballot papers if they are entitled to vote by means of postal ballot at the election.

8. REVOCATION OF APPOINTMENT OF POLLING AGENTS

- 8.1 The candidate or his election agent can also revoke the appointment of a polling agent. The revocation of appointment of a polling agent is made by the candidate or his election agent in the prescribed form (**Appendix II**).
- 8.2 If the appointment of any polling agent is revoked or if any polling agent dies before the close of the poll, the candidate or his election agent can appoint another polling agent at any time before the poll is over.

9. QUALIFICATIONS FOR POLLING AGENTS

- 9.1 The law does not prescribe any qualification for a person to be appointed as a polling agent. However, it will be in the interest of the candidate if he appoints a person who is quite grown up and mature enough to act as his polling agent so that his interests are properly looked after. A local person might be knowing many of the electors personally and might be of assistance in preventing impersonation at election. Therefore, the polling agents shall be ordinarily resident and electors of the concerned polling areas or of the neighbouring polling station. The polling agent should preferably have EPIC or photo voter slip issued by ERO/BLO or any alternate identity prescribed by the Commission. Whenever, any Sector Magistrate asks a polling agent to disclose his Identity, the EPIC or photo voter slip or any one of the alternate identity prescribed by the Commission should be produced.
- 9.2 No person in the service of the Government can act as a polling agent of a candidate (Section 134-A of the R.P. Act, 1951). If he does so, he is punishable with imprisonment for a term, which may extend to 3 months or with fine or with both.
- 9.3 A minister of a government or any other person who has been given security cover at state expense is not allowed to function as a polling agent, as he can neither be allowed to enter the polling station along with his security personnel nor can his security be compromised by allowing him to enter the polling station without security cover. The security personnel accompanying Ministers or political functionaries shall not be allowed entry inside the polling station. They can stand waiting at the door of the polling station, but shall not identify the voters or check their EPICs or other alternative documents of identification during this period.

10. POLLING REHEARSALS

- 10.1 You should attend as many polling rehearsals held by the election officers in your locality as you can so that you can familiarise yourself with the procedure to be followed at the polling station and learn the correct method of sealing and securing the voting machine and other election records.

11. ARRIVAL AT THE POLLING STATION

- 11.1 You should normally arrive at the polling station at least one hour before the hour fixed for the commencement of poll. This is to enable you to be present when the Presiding Officer goes through the preliminaries including mock poll before starting the actual polling process. If any polling agent arrives late and any part of these preliminaries has already been gone through by then, the Presiding Officer will not commence proceedings denovo to accommodate the late comer.

11.2 The law does not specify any time limit for the arrival of a polling agent and even if he turns up late at a polling station he will be allowed by the Presiding Officer to participate in the further proceedings at the polling station.

12. MATERIAL FOR POLLING AGENTS

12.1 You should provide yourself with the following items when you come to the polling station:-

- (a) Your letter of appointment;
- (b) A copy of the latest electoral roll for the polling station along with all the supplementaries (if any).
- (c) A small brass seal, which you can use for putting your seal on the carrying case(s) of the balloting units(s) before they are transported to the counting/collection centre.; and
- (d) Pen, paper and pencil..
- (e) Details of Control and Ballot units of EVM to be used in the polling station as provided by the Returning Officer.

12.2 You are allowed to carry your copy of electoral rolls inside the polling station and make tick marks whenever voters cast their vote. However, it is clarified that under no circumstances, will you or your relieving agent be permitted to carry the electoral roll available with you outside the polling station during the course of the polling and till the polling is closed. Under no circumstances the agent can be allowed to send slips outside indicating the sl.no of the voters who have voted or not voted.

13. PRODUCTION OF APPOINTMENT LETTER BY POLLING AGENTS

13.1 Every polling agent is required to produce before the Presiding Officer, his appointment letter duly completed in all respects and signed by the candidate or his election agent who has appointed him and also by the polling agent. The Presiding Officer will then ask him to complete the document and sign the declaration there in his presence. The Presiding Officer will then keep the letter of appointment with him and will admit you into the polling station.

14. PASSES FOR POLLING AGENTS

14.1 The polling agent who has been admitted into the polling station will be given a pass by the Presiding Officer on the authority of which he can come in and go out of the polling station as and when necessary.

15. WEARING BADGES BY POLLING AGENTS

- 15.1 Within the polling station or 100 meters thereof, you should not wear any badge containing the photograph of a leader of a party or the flag or symbol of a party. If you do so, your act might amount to an electoral offence of canvassing or soliciting votes of electors or exhibiting any notice or sign (other than the official notice) relating to the election (Section 130 of R.P. Act, 1951). The above offence is cognizable and punishable with fine which may extend to `250.
- 15.2 You may, however, wear, if you so desire, a small badge showing the name of the candidate for whom you are acting as a polling agent.
- 15.3 Polling agents are not allowed to either carry or use cellular phones, cordless phones, wireless sets, etc., in the 100 meter perimeter of the Polling Stations described as the "Polling Station Neighbourhood" and within the polling booth. Observers/Micro Observers, Presiding Officer, Sector Officers and security personnel will however be allowed to carry their mobile phone kept in silent mode.

16. SEATING OF POLLING AGENTS

- 16.1 The Presiding Officer will make arrangements to provide seats to the polling agents at such place from where they will have adequate opportunity of identifying electors and observing the entire operation particularly of the table where the control unit of the voting machine will be kept, the movement of the elector from the Presiding Officer's table to the voting compartment (where the balloting unit of the voting machine will be kept) and the elector leaving after he has recorded his vote inside the voting compartment.
- 16.2 According to the instructions of the Commission, the seating arrangements for polling agents of candidates belonging to various political parties inside in the polling station will be governed by the following priority.
- (i) candidates of recognised National parties;
 - (ii) candidates of recognised State parties;
 - (iii) candidates of recognised State parties of other States allowed to use their reserved symbols in the constituency;
 - (iv) candidates of registered-unrecognised parties; and
 - (v) independent candidates.
- 16.3 You should be in the seats provided to you and should not unnecessarily move about inside the polling station.

16.4 Smoking inside the polling station is prohibited. If any polling agent desires to smoke, he should go out of the polling station without causing any dislocation to the polling.

17 ARRANGEMENTS FOR FREE AND FAIR ELECTION

17.1 The Election commission of India has introduced the system of appointment of **sector officers** for every 10-12 polling stations for election management from the day of announcement of schedule of election till the completion of poll process. They will be designated as Zonal magistrates 7 days before the poll day and will have powers of special executive magistrate and will be accompanied by police officer. The Sector Officers will frequently visit the polling station allotted to them to facilitate their smooth functioning.

17.2 There is a legal restriction placed on the **persons to be admitted inside the a polling station** . Those who can be admitted by the Presiding Officer are:

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

17.3 The Commission has drawn up clear guidelines for the **management of critical polling stations**. Depending on the locations of the polling station, connectivity, availability of paramilitary force, micro-observers, the Commission has directed that one of the following be employed to ensure free and fair elections:

i) Videography at the polling station

The Commission has already issued instructions for videography of critical events of the election process and also at hypersensitive and sensitive polling stations to the extent possible. Proper care shall be taken to ensure that while doing the videography, the same does not violate the

secrecy of vote. No photography/videography shall, however, be allowed by the media persons or by any other unauthorized persons inside the polling station, to maintain general order and secrecy of vote. The videography of all other critical events of electoral process shall continue to be done.

ii) Central Para Military Force (CPMF)

In the sensitive polling station deployment of CPMF is one of the alternative arrangements for building confidence among voters.

iii) Web casting of the procedure in the polling station is yet another arrangement in the critical polling stations.

iv). Appointment of Micro-Observer

Observers have a very crucial role to play in the conduct of an independent, free and fair election. To strengthen the system of observation, the Commission has consciously decided to deploy micro observers where necessary. These micro-observers would directly work under control and supervision of the general observer.

18. PRELIMINARIES BEFORE THE COMMENCEMENT OF POLL

18.1 About one hour before the hour fixed for the commencement of poll, the Presiding Officer will start going through the preliminary preparations for the conduct of poll.

18.2 The Presiding Officer will-

(a) demonstrate to the polling agents and other persons present that the voting machine to be used for the poll is clear and no vote is already recorded therein (in cases where VVPAT system is used, the drop box attached to the printer is also required to be shown to the polling agents).

(b) conduct a mock poll to satisfy the polling agents that the voting machine is functioning properly;

(c) clear the votes recorded at such mock poll from the control unit of the voting machine as well as from the printer and drop box (where VVPAT is used) so that no data relating to the mock poll remains in the memory of the machine;

(d) prepare mock poll certificate and obtain the signatures of the polling agents;

- (e) fix green paper seal in the frame provided for fixing the green paper seal on the inner door of the inner compartment of result section of the control unit;
- (f) close the inner door of the result section of the control unit with thread and seal it with 'Special Tag'. The printer with drop box shall also be sealed by fixing the " Address Tag".
- (g) close the outer cover of that (Result) section of the control unit with thread and seal it with 'Address Tag';
- (h) secure and seal the Result Section from outside with 'Strip Seal';
- (i) demonstrate to the polling agents and other persons present 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 postal ballot papers and election duty certificates; and that the deletions appearing in the supplement, if any, appended to the draft roll as well as the supplement prepared after disposal of claims and objections before final publication have been reflected in the reprinted mother roll by strikethrough method the word "D E L E T E D" superimposed on the concerned elector detail box in case of photo electoral roll;

(the electoral roll would be duly signed by one of the AEROs and one more official) and
- (j) demonstrate to the polling agents and other persons present that the 'Register of Voters' (From 17A) does not already contain any entry in respect of any elector.

19 SETTING THE VOTING MACHINE BY THE PRESIDING OFFICER BEFORE COMMENCEMENT OF POLL

- 19.1 Before a voting machine is put to actual use at the polling station, some preparations, in addition to the preparations made at the Returning Officer's level in the presence of the candidates and their agents, are necessary. The Presiding Officer shall start the preparations about an hour before the time fixed for the commencement of the poll. If any polling agent is not present, the preparations by the Presiding Officer will not be postponed so as to await his arrival. Nor will the presiding officer start the preparations again if any polling agent turns up late.

Setting the balloting unit

- 19.2 The balloting unit is already duly prepared in all respects at the Returning Officer's level and no further preparation of this unit is required at the polling station on the day of poll, except that its inter-connecting cable has to be plugged into the control unit.

19.3 Where more than one balloting unit to be used at a polling station, they have to be inter-connected in the correct sequential order. In such a case, only the first balloting unit will be connected with the control unit. The polling agents may satisfy themselves that the Presiding Officer has correctly linked the control unit with the balloting units. If there is any defect in such interlinking, it will immediately be noticed since the display panels in the control unit will flash the letter 'LE', i.e. linking error.

19.4 The polling agents should also check and ensure that

- (i) the ballot paper is properly fixed in the ballot display panel under the ballot paper screen;
- (ii) the two seals fixed by the Returning Officer at the top and bottom portion on the right hand side of the balloting unit are intact;
- (iii) the 'slide switch' on the balloting unit has been secured with the help of transparent tape.
- (iv) Pink paper seal has been used to secure ballot unit.

Preparations on the control unit

19.5 You will first be allowed to check that the seal put by the Returning Officer on the 'Candidate Set Section' on the left side of the control unit is intact.

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

- (i) interlinking the control unit with the balloting unit or the first balloting unit where more balloting units than one are used;
- (ii) switching the power switch to 'ON' position;
- (iii) closing the rear compartment after performing the functions at (i) and (ii) above;
- (iv) conducting the mock poll (as explained in para 20.1 to 20.3);
- (v) clearing the machine after the mock poll and setting all counts to ZERO (as explained in para 18.2(c));
- (vi) switching the power switch to 'OFF' position;
- (vii) fixing the green paper seal (s) to secure the inner compartment of the result section (as explained in para 21);
- (viii) closing and sealing the inner door of the result compartment by fixing the special tag (as explained in paras 22.1 to 22.43 and
- (ix) closing and sealing the outer cover of the result section with address tag and strip seal (as explained in foregoing paras 22.4 to 22.9 and 23)

- 19.7 When the power switch in the control unit is set to 'ON' position, there will be beep ' sound and the 'ON' lamp on the display section of the control unit will glow green.
- 19.8 The Presiding Officer will then close the rear compartment. To keep it firmly closed, a piece of thin wire or a thick thread may be run through the two holes provided for the purpose and the ends of the wire may be given a few twists or a knot, as the case may be. You should note that the rear compartment is not to be sealed as it will require to be opened again after the close of poll for switching 'OFF' the power and disconnecting the balloting unit.

Preparations of the Printer with Drop box

- 19.9 Where the printer for paper trail is used, the printer shall be set as per number of contesting candidates set in the control unit by the Returning Officer, duly loading the ballot paper. At the time of taking delivery of the voting machine along with the polling material the presiding officer might have checked the serial number of printer with drop box. He should verify the serial numbers and the names of candidates and symbols allotted to them as given in the balloting unit and whether sufficient quantity of paper is loaded in the printer. Where the printer for paper trail is used, the printer shall also be kept with the balloting unit in the voting compartment and shall be connected to the electronic voting machine in the manner as directed by the Election Commission. While casting the vote the elector will be able to view through the transparent window of the printer the paper slip showing the serial number, name and the symbol of the candidate for whom he has cast his vote before such slips get cut and drop in the drop box of the printer.

20. CONDUCTING THE MOCK POLL

- 20.1 Before commencing the poll, the Presiding Officer has to satisfy not only himself but all polling agents 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. For such satisfaction, he shall 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 of Pre-2006 EVM and " Result" and " Print" is also fixed in the same chamber containing " clear" button. Adjacent to this " Close" button is available in another chamber. This chamber containing " Close" button is covered when other

cover of Result Section is closed. The outer cover is provided above the inner door and covers also the compartment containing the 'Close' button. For reaching the 'Clear' button, he will first open the outer cover by pressing the latch provided on the left side slightly inwards. Thereafter, the inner door can be opened by inserting the thumb and a finger through the two apertures above the 'Result I' and 'Result II' buttons and then simultaneously pressing the latches inside slightly inwards. In no case, should this inner door be force opened without releasing the latches in the manner described above, as otherwise this most vital compartment will get damaged. When the 'Clear' button is pressed, the Display Panels on the control unit will start displaying the following information sequentially (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, the Presiding Officer should ensure that balloting units and control unit have been properly linked. He should then press the 'Close' button and thereafter press the 'Result I' button. Now when he presses the 'Clear' button, the display panels will start displaying the information. The display of the information on the display panels shall satisfy the polling agents present at the polling station that no votes are already recorded in the machine.

20.2 After demonstrating as above that no votes are already recorded in the machine, the presiding officer shall conduct a mock poll by recording atleast 50 votes at random for each of the contesting candidates. For that purpose, he will perform the following operations:-

- (a) He will press the 'Ballot' button on the ballot section of the control unit. On pressing the 'Ballot' button, 'Busy' lamp in the display section will glow red. Simultaneously, the 'Ready' lamp on the balloting unit will also start glowing green.
- (b) Then he will ask any polling agent to press any of the candidate's blue buttons on the balloting unit according to his choice. It has to be ensured that each of the blue (unmasked) buttons is pressed equal time, so that each button left unmasked is tested and found functioning properly.
- (c) On the candidate's blue button being so pressed, the 'Ready' lamp on the balloting unit will go off and the candidate's lamp near the button will start glowing red. Also, a beep sound will be heard emanating 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 that the machine is now ready to receive the next vote.

- (d) This process as explained in the preceding paras (a), (b) and (c) will be repeated for recording one or more votes for each of the remaining candidates. A careful account of the votes so recorded in respect of each candidate has to be kept.
- (e) When the votes are being so recorded, the presiding officer may 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. If VVPAT system is also used, Paper slips will be printed on the printer with each vote.
- (f) At the end of the mock poll, when the presiding officer presses the 'Close' button in the result section, the display panels in the display section will show the information sequentially.
- (g) Now on pressing the button marked 'Result I' in the Result Section, the Display Panels will start showing the information sequentially. Next, the Presiding Officer will again press the 'Clear' button to clear the account of votes recorded during the mock voting. On the 'Clear' button being so pressed, all counts will show ZERO as explained in para 18.2(c) above. If VVPAT system is used the paper slips in the drop box should be cleared from the drop box and the drop box be sealed.

20.3 As the presence of polling agents helps in preventing impersonation and ensures that the EVM used at the polling station is in proper working condition and cleared of the votes cast at the time of mock poll, the Commission has introduced a certificate to be issued by the Presiding Officer which will indicate the names of the polling agents present and the candidates they represent and obtain their signatures on it. A proforma of the mock poll certificate is given in **Appendix - IX**.

21. FIXING GREEN PAPER SEAL IN THE CONTROL UNIT

21.1 In the conventional system of voting where ballot papers and ballot boxes are used, the ballot boxes are sealed and secured by fixing a green paper seal specially got printed by the Commission. Once the green paper seal is fixed in a ballot box and the lid of the box is closed, the box cannot be opened and the ballot papers contained therein cannot be tampered with or taken out for counting unless the

green paper seal is torn. Similar safeguard has been provided in the voting machine so that once the poll commences, nobody should be able to tamper with the voting machine. To achieve and ensure this, provision has been made for fixing the same green paper seal, which is used for securing a ballot box, in the control unit of the voting machine.

- 21.2 There is a frame provided for fixing the paper seal on the inner side of the door of inner compartment of the result section of the Control unit. (In the case of Voting machines manufactured by Bharat Electronic Limited, Bangalore the said frame provides for fixing two paper seals and accordingly two paper seals are to be used in the control units of the voting machines manufactured by that company). The seal will be so fixed that its green surface is seen through the aperture from the outer side. It should be ensured that no damaged paper seal is used in any case and if any paper seal gets damaged in the process of fixing, it should be replaced then and there before the door of the inner compartment is closed.
- 21.3 After fixing the paper seal, the door of the inner compartment will be closed by being pressed fit. It will be closed in such a manner that the two open ends of the paper seal project outwards from the sides of the inner compartment. Before the green paper seal is fixed in the frame provided for the purpose, the Presiding Officer shall affix his 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 signature.

22 CLOSING AND SEALING OF RESULT SECTION OF CONTROL UNIT

22.1 SPECIAL TAG:

After the green paper seal has been fixed and secured and signed by the Presiding Officer and you, the door of the inner compartment over the "Clear" button and "Result" buttons would be pressed fit and closed by the Presiding Officer 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 would be sealed with a 'Special Tag'. For this, the Presiding Officer would 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 and tie the thread into a knot and seal the thread on the special tag with sealing wax. Thereafter without breaking the seal, he would adjust the Special Tag in the compartment of "CLOSE" button ensuring that the "CLOSE" button protrudes through the hole cut in the middle of the special Tag.

- 22.2 Before the Special Tag is used, the Presiding Officer shall write the serial number of the control unit on the special tag.

22.3 After writing the serial number of the control unit on the special tag, the Presiding Officer will put his signature on the BACK of the special tag. He will also ask the candidates/polling agents present in the polling station before the commencement of the poll to sign on the back, if they so desire. He will also read out the pre-printed serial number on the special tag and ask the candidates/polling agents present to note down that serial number. If, by any chance, the special tag is spoiled or torn, another one will be used. For this purpose, like 'Green Paper Seals', the Returning Officer supplies 3 or 4 "Special Tags".

Closing and sealing of outer cover of result section:

22.4 After the inner compartment of result section of the control unit has been closed and sealed, the outer cover of the result section should be pressed fit for closing that Section. Before pressing that outer cover, it should be ensured that the two open ends of the paper seal project outwards from the either sides of the outer cover.

22.5 After the outer cover of result section has been closed, that cover should be sealed by (i) passing a thread through the two holes provided for the purpose on the left side of the outer cover, (ii) tying thread into a knot (iii) attaching a label (address tag) similar to the one which is attached to the 'Cand Set Section' at the Returning Officer's level and sealing the thread on the address tag with wax and the seal of the Presiding Officer. The candidates or their polling agents shall also be permitted to affix their seals, if they so desire, on the outer cover.

22.6 The address tag will contain the following particulars:

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

22.8 The candidates or their polling agents present should also be permitted to affix their seals, if they so desire, on the outer covers address tag along with your seal.

22.9 By so closing and sealing the inner compartment and the outer cover, the whole result section gets sealed and secured and the votes which will be recorded by the control unit cannot be deleted or result can be seen.

23. STRIP SEAL:

23.1 To further improve the sealing arrangements for Electronic Voting Machines, the Election Commission of India has approved a system of printing an additional

outer seal for sealing the “Result Section” of the control unit completely with an Outer Paper Strip Seal (hereafter referred to as “Strip Seal”) so that this portion of the control unit cannot be opened once the polling has started and till the counting is taken up. This will ensure that from the time the first vote is cast in the machine at the polling station and till it is brought to the counting table, no person could have opened the result section without damaging the strip seal.

23.2 The Commission has, therefore, directed that at every polling station where the election is held with the use of EVM, the control unit shall be secured and sealed with the strip seal as detailed below, 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.

23.3 Strip seal – physical features:

The following are the major physical features of the strip seal;

- (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 seal is such that it can easily be wrapped round the breadth of the control unit to provide an extra outer seal of the control unit before the commencement of the poll and after the other standard seals have been affixed in the control unit.
- (ii) Each strip seal has a 'Unique Identity Number'.
- (iii) These strip seals will be supplied by India Security Press, Nashik duly approved by the Commission, and the Chief Electoral Officers will centrally procure them for each State.
- (iv) At both the ends of the strip seal, there are FOUR (4) pre-gummed portions. Of these three are about one square inch area (identified by letters 'A', 'B' & 'C') and one is of about two square inch area (identified by letter 'D'). Each gummed portion is covered by a strip of wax paper.
- (v) The strip seal has an inner side and an outer side. On the inner side of the strip, at one end there are two adjacent pre-gummed portions marked by letters '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 seal.

Important change in fixing the green paper seal

23.4 Now, there is an important change in the method of folding the Green Paper Seals. After fixing the Green Paper Seals in the slot provided in the windows of the Inner door covering the result buttons, the inner door as well as outer door above the result section shall be closed. While doing so, the loose ends of the green paper seals will be allowed to protrude outside from both the sides of the outer door above the result section. Both free ends of Green Paper Seal is sealed using strip seal.

Complete Method of sealing Control Unit including use of Strip Seal

23.5. For the sake of easy understanding, the complete sequential order of the steps to be taken by the Presiding Officer at the polling station until and including fixing the strip seal is given below:

(i) Before the commencement of the actual poll, the Presiding Officer conducts mock poll.

(ii) After conducting mock poll and showing the result, the Presiding Officer shall clear the control unit and printer with drop box of the data relating to mock poll by operating "Clear" button.

(iii) After clearing he shall insert the green paper seal (two seals in the case of BEL machines and only one in case of ECIL machine) to cover the windows of the inner door of the result section. While inserting the green paper seals, care should be taken to ensure that the green portion of the seal is visible through the windows of the inner door after it is closed.

(iv) After inserting the green paper seals, the inner door above the result buttons shall be closed.

(v) Then the inner door of the result section shall be sealed off with the special tag.

(vi) After fixing the special tag, close the outer door of the result section ensuring that the loose ends of the green paper seal(s) protrude out from both the sides of the closed outer door

(vii) Then the Presiding Officer shall seal the outer door with thread and address tag.

(viii) Next he 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. The strip seal shall be

positioned just below the “CLOSE” button. The detailed procedure to fix the strip seals given below. There is a slight difference in the method 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.

24. METHOD OF SEALING VOTING MACHINES WITH STRIP SEAL

24.1 ‘BEL’ Machines:

Step-1: The Presiding Officer will keep the strip seal with the pre-gummed portion ‘A’ positioned near the base of the green paper seal protruding from the inner end of the door (See Photo-3). He will remove the wax paper covering ‘A’. Then he will press the inner layer of the green paper seal over the gummed portion ‘A’. He will also keep the outer layer of the green paper seal over the inner layer.

Step-2: The Presiding Officer will remove the wax paper over the pre-gummed portion ‘B’ and press this pre-gummed portion ‘B’ over the outer layer of green paper seal. After pasting ‘B’ over the green paper seal, the pre-gummed portion ‘C’ will come to the top position.

Step-3: The Presiding Officer will remove the wax paper over the pre-gummed portion ‘C’ and press both the ends of green paper seal protruding from the upper portion of the outer door so that the inner layer of that green paper seal is firmly gummed to ‘C’.

Step-4: He will take the remaining portion of the strip seal round the control unit from left side taking care that the strip passes below the “CLOSE” button. Then he will 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: Now the Presiding Officer will remove the wax paper covering the pre-gummed portion ‘D’ and press it firmly over the outer layer of the green paper seal protruding from the top portion of the door. The pre-gummed portion ‘D’ spills over the strip seal below the “CLOSE” button. He will press this spilled-over portion of ‘D’ firmly over the strip seal. By the above process all the four loose ends of the green paper seals protruding from both sides of the door get firmly pasted and held by the strip seal. At the same time, the outer door over the result section is also sealed with this strip seal from all sides and this section cannot be opened without damaging this seal.

After fixing the Strip Seal

After sealing the control unit with the strip seal, the Presiding Officer 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. At the end of the poll at prescribed hour, the Presiding Officer shall remove the cap over "CLOSE" button without disturbing the strip seal and press the "Close" button to close the poll and replace the cap. After completing the other formalities at the end of the poll, the Presiding Officer 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 at the counting centre. On the day of the counting, the control unit with the strip seal intact shall be allowed to be examined by the candidates/counting agents present at the counting table. Only thereafter, the seal shall be removed taking care that the green paper seals are not damaged. After examining the green paper seals protruding outside, the thread seal on the outer door of the control unit shall be opened.

Important precautions:

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

in safe custody. After using the strips for training or demonstration, as the case may be, the used strips should be destroyed by shredding them.

24.2 'ECIL' Machines:

In ECIL machine, one Green Paper Seal is used. Therefore, the loose ends of the same Green Paper Seal protrude from either ends of the outer door over Result Section.

Following are the steps to seal ECIL MAKE MACHINES with Strip Seal:-

Step-1: The Presiding Officer will first double fold the inner end of the a green paper seal in the middle ensuring that the green portion of the seal remain outside

Step-2: He will then keep the strip seal with the pre-gummed portion 'A' positioned near the base of the inner fold of the green paper seal protruding from the inner side of the outer door of the result section. After removing the wax paper over 'A' and he will press the inner fold of the green paper seal over this gummed portion and paste.

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

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

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

Step 6 : After removing the wax paper covering the pre-gummed portion 'D' he will press it firmly over the green paper seal protruding from the top portion of the door. The pre-gummed portion 'D' spills over the strip seal below the "CLOSE" button. The Presiding Officer will press this spilled over portion of 'D' firmly over the strip seal. By the above process, both the loose ends of the green paper seal protruding from both the sides of the outer door get firmly pasted and held by the strip 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.

25. VOTING MACHINE READY FOR ACTUAL POLL

- 25.1 The voting machine is now ready in all respects for the actual poll.
- 25.2 Before commencing the poll, the Presiding Officer shall place the balloting unit(s) inside the voting compartment. As already instructed, the voting compartment should be located at a sufficient distance from his table where the control unit shall be kept and operated. The interconnecting cable between the balloting unit and the control unit has a length of approximately four metres. Therefore, the voting compartment should be at a reasonably distance. Also, the cable should be so routed that it does not obstruct the movement of voters inside the polling station and they have not to tread or trip over it. While placing the EVM in the voting compartment, it must be ensured without fail that secrecy of voting is not violated. It must be ensured that the voting compartment has been made only of cardboard or poly-propylene and not of cloth and is of the dimension 23"X23"X23" and placed away from the window/door. Where the printer for paper trail is used, the printer shall also be kept with the balloting unit in the voting compartment and shall be connected to the electronic voting machine in the manner as directed by the Election Commission.

26. ACCOUNT OF PAPER SEALS

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

27. MAINTENANCE OF SECRECY OF VOTING

- 27.1 Section 128 of the Representation of the People Act, 1951 requires every polling agent to maintain and to aid in maintaining, the secrecy of voting; no polling agent should communicate any information calculated to violate such secrecy to any person. Any one contravening the above provisions of law is punishable with imprisonment for a term, which may extend to 3 months or with fine or with both.
- 27.2 Before commencing the poll, the Presiding Officer will bring to the notice of all present the provisions of aforesaid Section 128 regarding their duty to maintain the secrecy of the vote and the penalty for any breach thereof.

27.3 In deference to the suggestion of the Hon'ble Supreme Court, the Commission has directed that digital videography of the poll proceedings may be carried out inside those polling stations where the observer considers it necessary and that too by authorized persons only. However, proper care shall be taken to ensure that while doing the videography, the same does not violate the secrecy of vote meaning thereby that the video camera must not zoom inside the voting compartment. No photography/videography shall, however, be allowed by the media persons or by any other unauthorized persons inside the polling station, to maintain general order and secrecy of vote.

28. COMMENCEMENT OF POLL

28.1 After the Presiding Officer has gone through the preliminaries, as stated above, he will make a **declaration** in the prescribed Form (**Appendix III Part I**) to the effect that he has completed those preliminaries. He will read out the declaration aloud to all persons present in the polling station and sign the declaration and will also obtain thereon the signatures of such of the polling agents as are present and willing to affix the same. You should sign the declaration as it would satisfy all that the poll had commenced in free and fair manner. If any polling agent refuses to sign that declaration, the Presiding Officer will make a note of his name in the paragraph provided for that purpose in the form of the said declaration.

28.2 The poll will be commenced at the stroke of the hour fixed for the purpose. By that time, the Presiding Officer would have completed the preliminaries. If for any unforeseen reasons the preliminaries are not over, the Presiding Officer may admit about 3 or 4 voters at the hour fixed for the commencement of the poll and let the polling officers deal with them so as to enable them to go through the process of voting.

28.3 In any event, the Presiding Officer cannot extend the appointed closing time, except for allowing such of the voters to vote who have already reached the polling station before the appointed closing time and taken their place in the queue for voting. For this purpose the Presiding Officer shall distribute slips duly signed by him to the electors, who are present at the polling station at the hour appointed for the close of poll starting from the tail of the queue towards the head

29. ENTRY OF VOTERS INTO POLLING STATION

29.1 Normally there will be separate queues for men and women voters. The persons who enforce the queues will allow three or four voters into the polling station at a time as the Presiding Officer may direct. Other voters waiting to come in will be made to stand in a queue outside. Formation of more than one queue for men

voters or for women voters should not be allowed. The Presiding Officer may, however, give precedence, if he thinks fit, to senior citizens, infirm voters and women voters with babies in arms, over others. The polling agents should not object to this. In view of the fact that women electors coming to vote at polling stations have to attend many household chores, two women voters may be allowed entry into polling station for every male voter. 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.

30. IDENTIFICATION OF ELECTORS AND APPLICATION OF INDELIBLE INK

- 30.1 The first Polling Officer in charge of the marked copy of the electoral roll and identification of electors will establish the identity of the elector with the help the electoral photo identity card or photo voter slip issued by the ERO/BLO. The Election Commission has directed that the Voters Slips including photograph of voters, where available in the photo roll, be distributed to all enrolled voters by District Administration. The Commission issues Orders regarding identification of electors. The photo voter slip is an approved document for identification. Minor discrepancies in the entries relating to elector's name, father's/mother's/husband's name, sex, age or address in the Electors Photo Identity Cards or the serial number of the Electors Photo Identity Cards 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 or the alternative document produced by him. The Presiding Officer may also allow an elector to cast his vote if he produces an Electors Photo Identity Card, which has been issued by the ERO of another assembly constituency, provided his name appears in the electoral roll pertaining to that particular polling station, where the elector has turned up for voting and further that he has not voted at any other place by checking his left forefinger.
- 30.2 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.

31. METHOD OF RECORDING OF VOTES BY VOTING MACHINES

- 31.1 You should be completely familiar with the method of recording of votes on the voting machine so that they unnecessary objections may not be raised about the procedure followed at the polling station.
- 31.2 After the procedural requirements relating to identification of an elector, application of indelible ink on his left forefinger and obtaining his

signature/thumb impression on the of (as explained in detail in the succeeding paragraphs) have been completed and the elector allowed to record his vote in the voting machine, the Presiding Officer/Polling Officer *in-charge* of the control unit of the voting machine shall press the 'Ballot' button on the control unit. This would make the balloting unit(s) ready for recording the vote of the elector. When the 'Ballot' button is pressed, the lamp marked 'Busy' on the control unit will glow red. Simultaneously, the lamp marked 'Ready' on each balloting unit kept in the voting compartment will start glowing green. For recording his vote, the elector will press the blue button (called the candidate's button) provided against the name and symbol of the candidate of his choice on the balloting unit. (For each candidate, a separate blue button is provided against his name and symbol). When the elector presses the candidate's blue button, the 'Ready' lamp will go off and the candidate's lamp provided near his blue button on the balloting unit will start glowing red. Also, a 'beep' sound will be heard by all present, emanating from the control unit. After a few seconds, the red light in the candidate's lamp on the balloting unit, the red light the 'Busy' lamp on the control unit and the beep sound will go off. These visual and audio signs will be the indication that the vote for the candidate whose button was pressed by the voter has been recorded in the control unit. The balloting unit will then get automatically locked and the next vote can be recorded only when the 'Ballot' button on the control unit is pressed again for allowing the next voter to record his vote.

- 31.3 If any voter is not properly aware of the method of voting through EVM, the Presiding Officer will demonstrate using the cardboard model of EVM kept in the polling station. We will not go inside the voting compartment to assist the voter.

32. VOTING PROCEDURE AT THE POLLING STATION

The voting procedures are briefly as follows:-

- 32.1 When an elector enters a polling station he will proceed direct to the first polling officer who will be in-charge of the identification of electors and of the marked copy of the electoral roll. After his identity has been established and there is no challenge to his identity by any of the polling agents, the elector's left forefinger will be marked with indelible ink as explained in para 30.2 above by the second polling officer. This will be done by the second polling officer before making entries in the register of voters (Form 17A) to ensure that the indelible ink mark dries up before the voter leaves the polling station, as he will also be in-charge of the 'Register of Voters' (Form 17A). That polling officer will note down in column 2 of that register his serial number as per the electoral roll. He will then enter the details of the identification document produced by the elector in Column 3 and obtain the signature or thumb impression of the elector in column 3 of the said

register against the entry relating to him. The second polling officer will also then prepare a voter's slip for the elector.

- 32.2 The elector will then go with this voter's slip to the Presiding Officer or the third Polling Officer whoever is in-charge of the control unit of the voting machine. The Presiding Officer/Third Polling Officer, as the case may be, will inspect the elector's left forefinger for the indelible ink mark thereon and allow him to record his vote in the voting machine on the basis of the aforesaid voters slip. The procedure for recording the vote by means of the voting machine has been explained in the preceding paragraphs.
- 32.3 The electors will be allowed to record their votes in the voting machine in the same order in which they have been registered in the register of voters. If for any unavoidable reason, it has not been possible to strictly maintain the above order in respect of any electors, the Presiding Officer shall indicate the exact serial numbers at which the affected electors have recorded their votes, in the remarks column of the register of voters.
- 32.4 The checking of the left forefinger of the voter in order to ensure that there is a clear indelible ink mark may be entrusted by the Presiding Officer to some other member of his party. If he finds that such mark is not clearly visible or the indelible ink has been wiped off, he shall again mark the voter's left forefinger with indelible ink.

33 CHALLENGES TO THE IDENTITY OF A VOTER

- 33.1 As stated above, one of the main duties of the polling agent is to help the Presiding Officer to detect and prevent impersonation of voters. You are, therefore, entitled to challenge the identity of a person who comes as a voter if you have personal knowledge that the person claiming to be that voter is not the same person. You should not, however, make indiscriminate challenges as this would hamper the smooth progress of the poll leading to delay in which case some voters might get frustrated and leave the queue without voting.

34. LIST OF DEAD, ABSENT AND ALLEGEDLY SUSPICIOUS VOTERS

- 34.1 The Election Commission of India has noticed that on the day of poll, some persons come to the polling station to vote in the name of voters who are dead or shifted to other places. In the course of canvassing for votes the workers and agents may find that some of the voters whose names appear in the electoral roll are dead, that some voters may have more or less permanently left the locality. The workers may be asked to prepare a list of such dead, absentee or shifted and duplicate voters for each polling station separately. If possible get a list of such

voters agreed to by all the contesting candidates and arrange to deliver the agreed list to the Returning Officer at least 7 days before the first day of the poll in the constituency. Even if the list cannot be agreed to by all the contesting candidates, get as many of them to agree as possible, or, failing even that, supply the Returning Officer with the list.

- 34.2 It is expected that a polling agent will have with him a copy of the electoral roll and also a list of the names of the dead, absent and allegedly suspicious voters which have been prepared by the candidate or his party. A copy of this list should be supplied to the Presiding Officer also. If any person claiming to be a voter has his name mentioned in that list, the polling agent should draw the Presiding Officer's attention to that fact. This will not amount to a formal challenge. The Presiding Officer will check that person's identity.
- 34.3 In order to prevent impersonation at the time of poll, the Commission has issued the following directions:
- a) A list of ASD voters should be prepared polling station wise and it should be ensured that each presiding officer is provided with a separate list of Absentee, Shifted and Dead electors(ASD List)
 - b) On the day of poll in order to cast vote, the elector, who is in such list, shall have to produce EPIC or Photo Voter Slip or any one of the alternative photo documents, if any permitted by the commission. The presiding officer shall verify the identification document personally and the details properly registered by the polling officer concerned in the register of voters in Form 17A.
 - c) In the case of an elector mentioned in ASD list turning up for voting, after thorough verification of identity thumb impression of such electors shall also be obtained in addition to signature against the column of "signature/thumb impression" of Register of voters (Form 17A). The thumb impression shall be in addition to the signature even in the case of an elector who is literate and can sign.
 - d) Presiding Officer shall maintain a record of such cases and give a certificate at the end of the poll (to be kept with Form 17A for scrutiny) that so many electors from the list of absentee and shifted electors were allowed to vote after proper scrutiny.
 - e) Wherever possible, such electors may be photographed and records kept.
 - f) The Election commission has directed that identification of overseas electors at the time of casting of votes at polling station shall be done only on the basis of original passports produced by them.

35. FORMAL CHALLENGE TO VOTER'S IDENTITY

- 35.1 If the Presiding Officer disregards the list, you may formally challenge the identity of the person provided you are satisfied that the person concerned is impersonating a voter.
- 35.2 Even if the name of a voter is not mentioned in the above list of dead, absent and allegedly suspicious voters, but you have personal knowledge that the person claiming to be the voter is not the real voter, you may formally challenge that person's identity.
- 35.3 Every person whose name is entered in the electoral roll is entitled to vote at the election and a person claiming to be a voter and giving the name and other details correctly and producing EPIC or one of the alternative documents approved by the Commission for this particular election is normally presumed to be that voter. Therefore, you are advised to challenge the identity of a voter only when you are sure about the identity of the person challenged.

36. CHALLENGE FEE

- 36.1 The Presiding Officer will not entertain any challenge by a polling agent, until the challenger pays him `2/- in cash. After the amount has been paid, the Presiding Officer will furnish a receipt there for to the challenger in the form prescribed by the Election Commission.

37. SUMMARY INQUIRY INTO A CHALLENGE

- 37.1 When the identity of an elector is formally challenged by a polling agent, the Presiding Officer will warn the person challenged, about the penalty for impersonation, read out the relevant entry in the electoral roll in full and ask him whether he is the person referred to in that entry, enter his name and address in the list of challenged votes (**Appendix IV**) and ask him to sign or affix his thumb impression thereon. If the person challenged refuses to do so, the Presiding Officer will not allow him to vote.
- 37.2 After the Presiding Officer has completed the entries in the list of challenged votes and obtained the signature or thumb impression of the person challenged in the relevant column in the said list, he will ask the challenger to produce evidence to show that the person challenged is not the voter that he claims to be. If the challenger fails to adduce prima facie evidence in support of his challenge, the Presiding Officer will disallow the challenge and allow the person challenged to vote. If the challenger succeeds in making out a prima facie case that the person

challenged is not the voter in question, the Presiding Officer will call upon the latter to produce evidence to rebut the challenge, i.e., to prove that he is the voter he claims to be. In the course of the inquiry, the Presiding Officer is free to ascertain the true facts by putting any questions necessary for the purpose of establishing the identity of any person whom he thinks to be helpful in his inquiry, like, the village officer, the neighbours of the voter in question or any other person present. While taking such evidence, he may administer oath to the person challenged or any other person offering to give evidence.

37.3 After the completion of the inquiry, if the Presiding Officer considers that the challenge has not been established, he should allow the person challenged to vote. Where, however, he considers that the challenge has been established, the Presiding Officer shall debar the person challenged from voting. In that case, the Presiding Officer has also been instructed to hand over the person concerned to the police man on duty, together with a complaint addressed to the SHO of Police Station, in the jurisdiction of which the polling station falls, for prosecution of the person concerned for committing the offence of impersonation.

38. RETURN OR FORFEITURE OF CHALLENGE FEE

38.1 After the inquiry is over, if the challenge is established, the Presiding Officer will return the challenge fee of `2/- to the challenger after taking his receipt in the appropriate column (column 10) in the list of challenged votes, referred in above (**Appendix IV**), and on the counterfoil of the relevant receipt in the receipt book.

38.2 Where, however, the Presiding Officer is of the opinion that the challenge was frivolous or was not made in good faith, he will forfeit the challenge fee to Government and will not return it to the challenger.

39. CLERICAL AND PRINTING ERRORS IN THE ELECTORAL ROLLS TO BE OVERLOOKED

39.1 The particulars in respect of a voter as entered in the electoral roll are sometimes incorrectly printed or have become out of date, for example, the age of the voter. You should overlook mere clerical or printing errors in any entry relating to a voter's age in the printed roll and should not raise objection about such voter, if you are otherwise satisfied about the identity of that voter. When the electoral roll has been prepared in more than one language and the name of a person has not been included in the marked copy of the electoral roll, the Presiding Officer has been instructed to allow such voter to vote if his name appears in the version of the electoral roll in the other language. You are advised not to raise any objection in respect of such an elector.

40. ELIGIBILITY OF VOTER NOT TO BE QUESTIONED

40.1 Every person whose name is entered in the marked copy of the electoral roll is entitled to vote at the election. As long as there is no doubt about the identity of such person, no question can be raised by a polling agent at the polling station before the Presiding Officer about the eligibility of such a person to be registered as a voter.

41. PRECAUTIONS AGAINST VOTING BY UNDER AGE VOTERS

41.1 As stated above, the eligibility of a person whose name is included in the electoral roll to be a voter cannot be questioned or enquired into by the Presiding Officer at the polling station. However, if the Presiding Officer is prima facie satisfied about the identity of a voter and also about the fact of inclusion of his name in the electoral roll, but considers such person to be below the minimum voting age, the Presiding Officer has been instructed by the Commission to obtain a declaration in the prescribed form (**Appendix-V**) from the person concerned about his age. Before obtaining the declaration from such elector, the Presiding Officer will inform him of the penal provisions in section 31 of the Representation of the People Act, 1950 for making a false declaration relating to the inclusion of his name in the electoral roll.

41.2 You may bring to the notice of the Presiding Officer such cases of voters whose names are included in the electoral roll, but who seem to be much below the voting age, so that the Presiding Officer may take action in respect of such voters as mentioned above.

42. VOTING THROUGH PROXY : CLASSIFIED SERVICE VOTERS

42.1 As an alternative to the postal ballot, service voters belonging to the Armed Forces and members belonging to a Force to which provisions of the Army Act, 1950 applies, have been provided the facility to opt to vote either through proxy or through postal ballot papers. Such service voters, who opt to vote through proxy, have been categorized as "Classified Service Voters" (CSVs). The CSVs are required to appoint a person who is a resident of the area covered by the constituency concerned, as his proxy. The proxy should be of at least 18 years of age and shall not be disqualified for registration as an elector. The appointment will be made in Form 13F. An appointment once made will be valid for all future elections so long as the person making the appointment continues to be a service voter or till the appointment is revoked or the proxy dies. The CSV has the option to revoke the appointment and appoint a new proxy on the death of the earlier proxy or for

other reasons. Such revocation of appointment is to be done in the newly inserted Form 13G.

- 42.2 On receipt of intimation of appointment of proxy by a CSV, the Returning Officer will mark the letters 'CSV' against the name of the service voter in the last part of the electoral roll to indicate that the elector has appointed a proxy to cast vote on his behalf. For using the facility of proxy voting at the next earliest election, intimation of appointment of proxy should reach the Returning Officer by the last date for filing nomination at that election. The Returning Officer will also maintain a separate list of CSVs and their proxies with their complete addresses in the form and manner specified by the Commission. After the last date for filing nominations, the Returning Officer will prepare polling station-wise sublists of all CSVs and their proxies. The format prescribed by the Commission for maintaining polling station-wise sub-list is enclosed as **Appendix VI**. These sub lists will be added at the end of the part of the electoral roll pertaining to the polling station concerned and the part of the electoral roll along with the sub-list will be the marked copy of the electoral roll for that polling station.
- 42.3 The proxy will record the vote on behalf of the CSVs at the polling station to which the CSV is assigned, in the same manner as any other elector assigned to that polling station. It may be noted that in the case of proxy, marking of the indelible ink under Rule 37 will be done on the middle finger of the left hand of the proxy. The proxy will be entitled to vote on behalf of the CSV in addition to the vote that he may cast in his own name if he is a registered elector in the Constituency, at the polling station to which he has been normally assigned.
- 42.4 A CSV who has appointed a proxy will not be issued a postal ballot paper.

43. VOTING BY BLIND OR INFIRM VOTERS

- 43.1 If the Presiding Officer is satisfied that a voter is unable to recognise the symbols on the ballot paper affixed on the balloting unit of the voting machine or to record his vote on it without assistance on account of being blind or infirmity, he will permit the voter to take an adult companion of not less than 18 years into the voting compartment with him for recording the vote on his behalf and in accordance with his wishes. But the illiteracy of a voter is not a sufficient cause for giving him assistance of a companion to record vote on his behalf. Further, none of the polling staff can act as a companion to record vote on his behalf.
- 43.2 Numeric in Braille signage (1 to 16) has been provided on the Ballot Unit (BU) top cover on the right of the blue button for each contesting candidate for the

convenience of the visually challenged (blind) persons. This facility is available only in the post 2006 electronic voting machines.

- 43.3 A candidate, his election agent or polling agent (provided he is not less than 18 years of age) can also act as such companion to a blind or infirm voter. But he can act as such companion of only one elector on that day. The person acting as such companion is required to make a declaration in the prescribed form (**Appendix-VI**) to the effect that he will keep secret the vote recorded by him on behalf of the elector and that he has not already acted as a companion of any other elector at any polling station on that day.

44. TENDERED VOTES

- 44.1 It may happen that a person claiming to be a particular elector comes forward to vote after some other person has already voted as such elector. In that case if the Presiding Officer is satisfied about the identity of such person to be the real voter after necessary questioning, the Presiding Officer will permit him to vote by means of a tendered ballot paper, but not by means of the voting machine. For that purpose, the Presiding Officer will make necessary entry in the list of tendered votes (Form 17B appended to the Conduct of Elections Rules, 1961) and obtain the signature or thumb impression of the voter therein. The voter will be supplied with a ballot paper which shall be similar to the ballot paper affixed on the balloting unit of the voting machine and the words 'Tendered ballot paper' will be stamped or written on its back. The elector will record his vote on the tendered ballot paper by placing a mark by means of the arrow mark rubber stamp, which is used for marking ballot papers under the traditional marking system of voting. Such tendered ballot paper, after it is marked by the voter in the voting compartment and folded, shall be handed over to the Presiding Officer, who will place it separately in a cover specially kept for the purpose.

45. ELECTORS DECIDING NOT TO VOTE

- 45.1 If an elector, after his electoral roll number has been duly entered in the register of voters (Form 17A) and he has signed/affixed his thumb impression on that register, decides not to record his vote, he shall not be forced or compelled to do so. A remark to the effect that he has decided not to record his vote – “Refused to Vote” shall be made in the remarks column against the entry relating to him in the register of voters by the Presiding Officer and the signature or thumb impression of the elector shall be obtained against such remark under Rule 49-0. It shall not be necessary to make any change in the serial number of the elector or of any succeeding elector in column 1 of the register of voters. If the “Ballot” button on the control unit has been pressed to release voting on the balloting unit by a voter

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

- 45.2. The electors who do not wish to vote for any of the candidate can exercise their right not to vote for any candidate without violation of the secrecy of their decision. A ballot panel with the words "None of the Above- NOTA" written therein is available to cast the vote.

46. PROCEDURE IN CASE OF COMPLAINT ABOUT PARTICULARS PRINTED ON PAPER TRAIL

Where printer for paper trail is used, if an elector after having recorded his vote alleges that the paper trail generated by the printer has shown the name or symbol of a candidate other than the one he voted for, the Presiding Officer shall obtain a written declaration from the elector as to the allegation, after warning the elector about the consequence of making a false declaration. If the elector gives the written declaration, the Presiding Officer shall make a second entry related to that elector in Form 17A, and permit the elector to record a test vote in the voting machine in his presence and in the presence of the candidates or polling agents who may be present in the polling station, and observe the paper slip generated by the printer. If the allegation is found to be true, the Presiding Officer shall report the facts immediately to the Returning Officer, stop further recording of votes in that machine and act as per the direction that may be given by the Returning Officer. If, however, the allegation is found to be false and the paper slip so generated matches with the test vote recorded by the elector, then, the Presiding Officer shall-

- (i) make a remark to the effect against the second entry, relating to that elector in Form 17 A mentioning the serial number and name of the candidate for whom such test vote has been recorded;
- (ii) obtain the signature or thumb impression of that elector against such remarks; and

- (iii) make necessary entries regarding such test vote in item 5 in Part I of Form 17C.

47. VIOLATION OF SECRECY OF VOTING

- 47.1 Every elector who has been allowed to record his vote is required to maintain secrecy of voting within the polling station and to observe the prescribed voting procedure. If any elector refuses to maintain the secrecy of voting even after warning given to him by the Presiding Officer and observe the voting procedure, he will not be allowed to vote by the Presiding Officer or by a Polling Officer under his direction. The voter's slip, if already issued to such elector shall be taken back from him and cancelled. The Presiding Officer will make a remark to that effect – “Not allowed to vote – Voting procedure violated” in the register of voters under his signature. It shall however not be necessary to make any change in the serial number of that elector or of any succeeding electors in column 1 of that register.

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

- 48.1 Sometimes, the Presiding Officer may have a suspicion or reason to suspect that the balloting unit kept in the screened voting compartment is not functioning properly or that an elector who has entered the voting compartment is tampering or otherwise interfering with the balloting unit or has remained inside the voting compartment for an unduly long period. The Presiding Officer has a right under Rule 49G to enter the voting compartment in such cases and to take such steps as may be considered necessary by him to ensure that the balloting unit is not tampered or interfered with in any way and that the poll progresses smoothly and in an orderly manner.
- 48.2 Whenever the Presiding Officer enters the voting compartment, he shall permit the polling agents present to accompany him, if they so desire.
- 48.3 In case there is doubt that the voter is manhandling the EVM inside the polling compartment and remains in the polling compartment for quite a long time, the Presiding Officer will ask one of the polling agents to accompany him while proceeding to the voting compartment for inquiry to avoid any confusion in the mind of polling agents.

49. VOTING BY PERSONS PRESENT AT CLOSING HOUR

- 49.1 The Presiding Officer will close the polling station at the hour fixed for the purpose and will not thereafter admit any elector into the polling station. But all electors

present at the polling station before it is closed will be allowed to cast their votes, even if for that purpose the polling is to be continued beyond the specified closing hour. For the above purpose, the Presiding Officer will distribute to all voters, who are standing in the queue and waiting to vote at the specified closing hour, slips signed by him in full and serially numbered from 1 onwards. He will not thereafter allow any person to join the queue and for ensuring this he *shall* start distribution of the above slips to such voters from the tail end of the queue and proceeding backward towards its head.

50. CLOSE OF POLL

50.1 The Presiding Officer shall close the poll after the last voter has recorded his vote, so that no further recording of votes in the machine is possible. For this purpose, the Presiding Officer shall press the CLOSE button on the control unit and set the power switch to 'OFF' position and disconnect the balloting unit(s) from the control unit. When the close button is pressed, display panels on the control unit will show the total number of votes recorded in the voting machine till the end of the poll in Pre-2006 EVM and in Post-2006 EVM it will show " Poll Closed". The voting machine will not accept any further votes now.

50.2 The total number of votes recorded in the machine shall be immediately noted by the Presiding Officer in the Account of Votes Recorded in Form 17C.

Furnishing of copy of account of votes recorded (Form 17C) by the presiding officer

50.3 Rule 49S of the Conduct of Elections Rules, 1961 provides that the Presiding Officer should, at the close of the poll prepares an account of votes recorded in the voting machine in the prescribed Form 17C. A sample Form 17C is given in **Appendix-VIII**. He is also required by the above rule to furnish to every polling agent present at the close of the poll, an attested copy of the account after obtaining a receipt therefor from the Polling Agent. You should, therefore, ensure that you receive a copy of the said account from the Presiding Officer as such account will be greatly needed by their candidates at the time of the counting of votes. Every polling agent who receives a copy of the said account from the Presiding Officer should sign on the form of declaration (**Appendix III-Part III**) prescribed by the Commission, which the Presiding Officer has to make at the close of the poll. If any polling agent refuses to accept a copy of the above account, the Presiding Officer will note down the name of such polling agent in the above mentioned declaration.

Sealing of the voting machine after the close of poll

- 50.4 After the poll has been closed and the account of votes recorded in the voting machine has been prepared in Form 17C and copies thereof furnished to the polling agents present, the voting machine shall be sealed and secured by the Presiding Officer for transportation to the counting/collection centre.
- 50.5 For sealing and securing the voting machine, the balloting unit(s), the control unit and printer for paper trial with drop box where VVPAT system is used will be disconnected and the power switch in the control unit switched off. The balloting unit(s), the control unit and printer for paper trial with drop box will be put back in their respective carrying cases. The carrying cases will then be sealed on both sides with the Presiding Officer's seal on an address tag showing the particulars of the election and the polling station.
- 50.6 The candidates or their polling agents as are present and desirous of putting their seals on the carrying cases shall be allowed to do so.
- 50.7 The names of the candidates/polling agents who have affixed their seals on the carrying cases of balloting unit(s), control unit and printer for paper trial with drop box will be noted by the Presiding Officer in the declaration which he makes at the close of the poll vide Part IV of **Appendix-IV**.

Sealing of election papers – affixation of seals thereon by polling agents

- 50.8 After the close of the poll, the Presiding Officer will also seal all the election papers in separate packets in accordance with the rules and instructions of the Election Commission. The polling agents present at polling station are also permitted to affix their seals, in addition to the seal of the Presiding Officer, on the envelopes and packets containing the following documents:-
- (i) The marked copy of the electoral roll;
 - (ii) Register of Voters;
 - (iii) Voters slips;
 - (iv) The tendered ballot papers and the list of tendered votes in Form 17B;
 - (v) The unused tendered ballot papers;
 - (vi) The list of challenged votes;
 - (vii) The unused and damaged paper seals, if any;
 - (viii) Appointment letters of polling agents; and
 - (viii) Any other papers that the Returning Officer has directed to be kept in a sealed packet.
- 50.9 You are advised, in the interest of your candidate to affix your seals on the above packets of election papers.

51. TRANSPORTATION OF VOTING MACHINE AND ELECTION PAPERS TO THE COLLECTION/STORAGE CENTRE

51.1 After the voting machine and all election papers have been sealed and secured by the Presiding Officer, he will deliver them or cause them to be delivered at the collection/storage centre.

52. POLLING AGENTS TO ACCOMPANY VEHICLES CARRYING VOTING MACHINES

52.1 You as polling agents are permitted to accompany the vehicle in which the voting machine and election papers are carried to the collection/storage centre. But you will have to make your own transport arrangements and will not be permitted to travel in the vehicle carrying the voting machine and election papers.

53. ADJOURNMENT OF POLL FOR RIOT, BOOTH CAPTURING ETC.

53.1 If before the normal close of poll, there is a riot or any attempt of violence and the situation gets out of control of the Presiding Officer, whereby it is impossible to continue the poll or there is booth capturing, the Presiding Officer may adjourn or close the poll. He may also adjourn or close the poll if the voting machine is unlawfully tampered or if the conduct of the poll is rendered impossible on account of any natural calamity or any other sufficient cause. A brief spell of rain or strong wind or minor disturbance around the polling station would not be sufficient cause for adjournment of poll. The Commission has, however, decided that an adjourned poll may be ordered at all those polling stations where polling fails to start for two hours. Any temporary suspension of poll proceedings on above account would not amount to formal adjournment of the poll. Wherever a poll is formally adjourned or closed, the Presiding Officer will announce it to all present that the poll will be taken on a date to be notified subsequently. He will then seal and secure the voting machine and election records in the presence of the polling agents as if the poll has come to a close in the normal way.

54. DISORDERLY CONDUCT IN OR NEAR THE POLLING STATION

54.1 Every person is required to conduct himself in an orderly manner in and near the polling station and obey the lawful directions of the Presiding Officer. You should maintain strict discipline and order in your conduct in the polling station. If any person behaves in a disorderly manner or misbehaves or fails to obey the lawful directions of the Presiding Officer, the Presiding Officer is authorised to have such person removed from the polling station. If any such person re-enters the polling station without the permission of the Presiding Officer, he can even be got arrested and prosecuted for an electoral offence punishable with imprisonment

for a term which may extend to three months or with fine or with both (Section 132 of the Representation of the People Act, 1951).

55. REMOVAL OF VOTING MACHINE FROM THE POLLING STATION OR TAMPERING OF IT'S SEAL IS AN OFFENCE

55.1 Any person who at any election, fraudulently or unauthorisedly takes or attempts to take a voting machine out of the polling station, or wilfully aids or abets the doing of any such act commits an electoral offence. The offence is cognizable and punishable with imprisonment for a term which may extend to one year or with fine extending upto `500 or with both. (Section 135 read with Explanation to Section 61A of the Representation of the People Act, 1951).

55.2 Likewise, receiving any voting machine or being in possession of the same without due authority or tampering with any voting machine is also a cognizable electoral offence punishable with imprisonment for a term extending upto six months or with fine or with both (Section 136 *ibid*).

56. BAN ON CANVASSING

56.1 It is an offence to canvass within 100 metres of the polling station. Any person who does so may be arrested without warrant by the police and may be prosecuted under Section 130 of the Representation of the People Act, 1951. Similarly, under the directions of the Commission setting up of camps on the polling day by candidates within 200 metres of a polling station is prohibited and if such camps are set up in contravention of such directions the authorities will remove them.

APPENDIX - I
(Para 7.1)
FORM 10
[See rule 13(2)]
***APPOINTMENT OF POLLING AGENT**

Election to the **.....

I, †a candidate/the election agent of
 who is a candidate at the above election do hereby appointofwho is a
 candidate at the above election do hereby appoint(Name and address)
as a polling agent to attend polling station No..... at/place
 fixed for the poll.....at.....

Place :..... Signature of †candidate/ election agent.

Date :.....

I agree to act as such polling agent.

Place :.....

Date :..... Signature of polling agent.

Declaration of Polling Agent to be signed before Presiding Officer

I hereby declare that at the above election. I will not do anything forbidden by section 128# of the Representation of the People Act, 1951, which I have read/has been read over to me.

Date :..... Signature of Polling Agent
 Signed before me.

Date :.....
 Presiding Officer.

* To be handed over to the polling agent for production at the polling station or at the place fixed for the poll

**Here insert one of the following alternatives as may be appropriate :-

- (1) House of the People from the constituency.
- (2) Legislative Assembly from the constituency.
- (3) Council of States by the elected members of the Legislative Assembly of (State).
- (4) Council of States by the members of the electoral college of.....(Union territory)
- (5) Legislative Council by the members of the Assembly.
- (6) Legislative Council from the constituency.

†Strike off the inappropriate alternative.

#Section 128 of the Representation of the People Act, 1951:-

“128 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 provision of sub-section (1) shall be punishable with imprisonment for a term which may extend to three months or with fine or with both.”

APPENDIX - I(A)
(See Paras 7.2 to 7.4)
FORMAT FOR SPECIMEN SIGNATURES OF CANDIDATES AND THEIR ELECTION AGENTS

*General/Biennial/Bye-election----- (Month/Year)

No. & Name of *Assembly

Constituency _____

Lok Sabha

Constituency _____

Leg. Council

(*Delete whatever is not applicable)

The specimen signatures of contesting candidates and their Election Agents are given below for the purpose of verification of their signatures by the Presiding Officer in the letter of appointment of Polling Agents at the time of poll:-

Name of the contesting Name of his/her candidate Specimen signature Election Agent
Specimen signature

1. Shri/Smt./Ms./

(Candidate No. 1) _____ Shri/Smt./Ms. _____

2. Shri/Smt./Ms.

(Candidate No. 2) _____ Shri/Smt./Ms. _____

3. Shri/Smt./Ms.

(Candidate No. 3) _____ Shri/Smt./Ms. _____

etc.

etc.

Place :..... Signature

Date :..... (Seal)

Returning Officer

APPENDIX - II
(See Para 8.1)
[See rule 14(1)]
FORM 11

REVOCATION OF APPOINTMENT OF POLLING AGENT

Election to the*

To

The Presiding Officer,

I,.....

.....

(the election agent of

.....)

a candidate at the above election, hereby revoke the appointment of
my/his polling agent.

Place :.....

Date :.....

Signature of person revoking.

*Here insert one of the following alternatives as may be appropriate :-

- (1) House of the People from the constituency.
- (2) Legislative Assembly from the constituency.
- (3) Council of States by the elected members of the Legislative Assembly of(State).
- (4) Council of States by the members of the electoral college of(Union territory).
- (5) Legislative Council by the members of the Legislative Assembly.
- (6) Legislative Council from the constituency.

N.B.-Omit the words marked () as necessary.

APPENDIX – III
DECLARATION BY THE PRESIDING OFFICER
PART- I (Para 28.1)

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

Date of Poll.....

I hereby declare :

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

(a) by holding a mock poll that the voting machine is in perfect working order and that no vote is already recorded therein;

b) that the marked copy of the electoral roll to be used during the poll does not contain any marks other than those used for issuing postal ballot papers and election duty certificates;

(c) that the Register of Voters (Form 17A) to be used during the poll does not contain any entry in respect of any elector;

(2) that I have affixed my own signature on the paper seal(s) used for securing the Result Section of control unit of the voting machine and obtained thereon the signatures of such of the polling agents as are present and desirous of affixing the same.

(3) that I have written the serial number of the Control Unit on the special tag, and I have affixed my signature on the back side of the special tag and also obtained thereon the signatures of such of the candidates/polling agents as are present and desirous of affixing their signature.

(4) that I have affixed my signature on the strip seal and also obtained thereon the signatures of such of the candidates/polling agents as are present and desirous of affixing their signature.

(5) that I have read out the pre-printed serial number of the special tag and asked the candidates/polling agents present, to note down the serial number.

Signature

Signature of polling agents: Presiding Officer

1. (of candidate.....) 2.....(of candidate.....)

3. (of candidate.....) 4. (of candidate.....)

5. (of candidate.....) 6. (of candidate.....)

7. (of candidate) 8. (of candidate.....)

9.(of candidate.....)

54

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

Election Parliamentary/Assembly Constituency

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

Date of poll

I hereby declare :

(1) that I have demonstrated to the polling agents and other persons present –
(a) by holding a mock poll that the voting machine is in perfect working order and that no vote is already recorded therein;

b) that the marked copy of the electoral roll to be used during the poll does not contain any marks other than those used for issuing postal ballot papers and election duty certificates;

(c) that the Register of Voters (Form 17A) to be used during the poll does not contain any entry in respect of any elector;

(2) that I have affixed my own signature on the paper seal(s) used for securing the Result Section of control unit of the voting machine and obtained thereon the signatures of such of the polling agents as are present and desirous of affixing the same.

(2) that I have written the serial number of the Control Unit on the special tag, and I have affixed my signature on the back side of the special tag and also obtained thereon the signatures of such of the candidates/polling agents as are present and desirous of affixing their signature.

(3) that I have affixed my signature on the strip seal and also obtained thereon the signatures of such of the candidates/polling agents as are present and desirous of affixing their signature.

(4) that I have read out the pre-printed serial number of the special tag and asked the candidates/polling agents present, to note down the serial number.

Signature.....

Signature of polling agents: Presiding Officer

1. (of candidate.....) 2.(of candidate

3. (of candidate) 4..... (of candidate.....)

5. (of candidate) 6.....(of candidate

7. (of candidate) 8..... (of candidate.....)

9.(of candidate.....)

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

1.(of candidate) 2..... (of candidate.....)

3. (of candidate) 4..... (of candidate.....)

Signature.....

Date.....

Presiding Officer

**PART III
DECLARATION AT THE END OF POLL**

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

*Signature.....
. Presiding Officer*

Date.....

Time.....

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

Signature of polling agents :

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

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

- 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
Presiding Officer

Date

Time.....

PART IV

DECLARATION AFTER THE SEALING OF THE VOTING MACHINE

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

Date.....

Signature.....

Time.....

Presiding Officer

The following polling agents have affixed their seals.

Signature of polling agents :

- 1. (of candidate.....) 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

APPENDIX IV
(See Para 38.1)
FORM 14
LIST OF CHALLENGED VOTES
[See rule 36(2)(c)]

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

Polling Station

Sl. No	Name of elector	Part of roll	Electors name in that part	Signature or thumb impression of the person challenged	Signature of the person challenged	Address of identifier if any	Name of Challenger	Name of Presiding Officer	Challenger receiving refund of deposit
1	2	3	4	5	6	7	8	9	10

Date :.....

Signature of Presiding Officer

*Appropriate particulars of the election to be inserted here.

APPENDIX V
(See Para. 41.1)
FORM OF DECLARATION BY ELECTOR

I hereby solemnly declare and affirm that my age was more than 18 years on the first January I am aware of the Penal Provisions of Section 31 of the Representation of the People Act, 1950 for making any false Declaration in connection with the inclusion of any name in the electoral roll or the preparation, revision or correction of the electoral roll.

Signature/Thumb impression of the elector

.....

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

.....

Part Number of Electoral Roll

Serial Number of

Elector.....

Date :.....

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

.....

Signature of Presiding Officer

Number and name of Polling Station....

.....

Date:.....

APPENDIX VII

(See Para 43.3)

DECLARATION BY THE COMPANION OF BLIND OR INFIRM ELECTOR

..... Assembly Constituency (comprised within
..... Parliamentary Constituency)

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

.....

I, son of

aged..... resident of*.....

.....hereby declare that -

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

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

.....

Signature of companion

Date

* Full Address to be given

+ Name, Part No. and Serial Number of Elector.

() To be filled in the case of election to the House of the People of simultaneous elections.

**APPENDIX VIII
FORM 17C
(Para 26.1)
[SEE RULES 49S AND 56C (2)]**

PARTI. ACCOUNT OF VOTES RECORDED

**S.N. Election to the House of the People.....or Legislative Assembly
From-----Constituency**

No. And name of Polling Station -----

Identification No. of Voting Machine used at the Polling Station Control Unit No.:-----
Balloting Unit No.:-----
Printer(if used)

- 1** Total No. Of electors assigned to the Polling Station.
- 2** Total No. Of voters as entered In the Register for Voters(Form17A)
- 3** No. Of voters deciding not to record votes under rule 490
- 4** No. Of voters not allowed to vote under rule 49M
- 5** Total votes recorded under rule 49MA(d) required to be deducted-
(a) total number of votes to be deducted: Total No. S.Nos.of electors in Form 17A

.....

(b) candidate(s) for whom test vote(s) cast: S. No. Name of candidate No.of votes

.....

- 6** Total No. of votes recorded as per voting machine
- 7** 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
- 8** No.of voters to whom tendered ballot papers were issued under rule 49P

- 9** No.of tendered ballot papers **S.N. From To**
(a) received for use
(b) issued to electors

(c) not used and returned

10 Account of paper seals

1. Paper seals supplied for use:

Total No..... 1.....

S.No from...to.... 2.....

2 Paper seals used:

Total No..... 3.....

S.No from...to.... 4.....

3 Unused paper seals returned to Returning Officer:

Total No..... 5.....

S.No from...to.... 6.....

4 Damaged paper seals, if any

Total No..... 7.....

S.No from...to....

Signature of polling agents.

Date.....

Place.....

**Signature of Presiding
Officer**

**PARTII
RESULT OF COUNTING**

S.No. of candidate	Name of candidate	No. of votes displayed on control unit	Number of test votes to be deducted as per 5 item part I	Number of valid votes(3-4)
(1)	(2)	(3)	(4)	(5)
1				
2				
3				
N	NOTA			
TOTAL				

Whether the total nos.of votes shown above tallies with the total no.of votes shown against item 6 of Part I or any discrepancy noticed between the two totals: Yes, it tallies.

Place.....

Date.....

Signature of the Counting Supervisor

Name of candidate/ Election agent/ Counting agent	Full Signature
1	
2	
3	
4	
5	
6	

Place.....

Date.....

Signature of the Returning Officer

Appendix IX
(Para 20.3)
Mock Poll Certificate

This is certified that I Presiding Officer at the Polling Station No of - -- Assembly Constituency (or the ---Assembly segment under ----- Parliamentary Constituency) conducted the mock poll at ---- AM today, the poll day i.e. ----- following the instructions issued by the Election Commission of India. A total of ----- votes were polled in the mock poll and after the mock poll I have carefully cleared the memory and the total votes polled showed '0' after clearing the memory.

A. At the time of mock poll the following of polling agents representing the candidates whose names mentioned against the names of such agents were present and I have obtained their signatures.

B. At the time of mock poll the agent of only one contesting candidate was present. After waiting for ten more minutes I conducted the mock poll along with other polling staff at ----- I have mentioned the name of the agent present at the time of mock poll including the name of the candidate whom he represented.

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

Name of the agent

Name of the Candidate

Signature of the agent

Date:

Time:

Name & Signature of the P.O