

ADDITIONAL INSTRUCTIONS

INST Sl. No.	Letter No.	Date	Subject	Page No.
1	No.464/Instructions/ EPS/2011	30.12.2011	Vulnerability Mapping	1-6
2	76/2011/SDR	18.03.2011	New guidelines of the Commission for expenditure monitoring - Appointment of an additional agent for matters regarding.	7-9
3	464/INST/2011/EPS	19.03.2011.	Utilization of Voter's Slips as an alternate Voter ID – Modification of instructions on Voter Slips – regarding.	10-12
4	464/INST/2011/EPS	19.03.2011.	General Election to the State Legislative Assembly to West Bengal, Tamil Nadu, Assam, Kerala and Puducherry – regarding.	13
5	576/3/2011/SDR	22.03.2011.	Filing of nomination papers by overseas electors - regarding.	14-15
6	576/3/2011/SDR	22.03.2011	General Election-Composition of polling party – Reg.	16-17
7	464/INST/2011/EPS	23.03.2011	General election to the State Legislative Assemblies of Assam, Kerala, Tamil Nadu, West Bengal Puducherry,2011 - use of helicopters by candidates political leaders etc for campaign purposes- maintenance of proper record thereof – reg	18-19
8	3/ER/2011/SDR	23.03.2011	Filing of affidavits by candidates- details regarding bank deposits – clarification.	20
9	464/INST/2011/EPS	23.03.2011	General Elections to the Legislative Assembly to Assam, West Bengal, Kerala, Tamil Nadu and Puducherry - Request of Political Parties for vehicle permission for transporting publicity material – regarding.	21

10	464/INST/2011/EPS	23.03.2011	General elections to the Legislative Assembly to Assam, West Bengal, Kerala, Tamil Nadu and Puducherry - security cover for vulnerable areas – regarding	22
11	464/INST/2011/EPS	23.03.2011	General Election to Legislative Assembly, 2011- Vehicle permit for district office bearers of recognized political party- regarding.	23
12	51/8/7/2010-EMS	24.03.2011	Clarification regarding Second Randomization of EVMs.	24
13	437/6/INST/2011/CC&BE	24.03.2011	Model Code of Conduct- Tours of Chief Minister – regarding.	25
14	464/INST/2011/EPS	28.03.2011	General Election to Legislative Assembly, 2011- Vehicle permit for district office bearers of recognized political party- regarding.	26
15	464/INST/2011/EPS	28.03.2011	General Elections to the Legislative Assembly to Assam, West Bengal, Kerala, Tamil Nadu and Puducherry - Request of Political Parties for vehicle permission for transporting publicity material– regarding.	27
16	437/6/INST/2011/CC&BE	01.04.2011	Model Code of Conduct- Tours of Chief Minister – regarding.	28
17	51/8/7/2010-EMS	03.04.2011	Clarification regarding Second Randomization of EVMs.	29
18	437/6/INST/2011/CC&BE	27.04.2011	Model Code of Conduct- Tours of Chief Minister and Ministers of Union Govt.– regarding.	30
19	51/8/7/2010-EMS	28.04.2011	Action to be taken in case of malfunctioning of Electronic Voting Machines (EVM) during counting.	31

20	51/8/16/8/2009-EMS	29.04.2011	Procedure to be adopted in the polling stations in case there is a complaint from a voter regarding candidate lamp of the Ballot Unit at voting time.	32
21	470/TN-LA/2011/SS-I	05.05.2011	Arrangements for counting -regarding.	33-45
22	470/TN-LA/2011/SS-I	06.05.2011	Arrangements for counting -regarding.	46
23	51/8/7/2010-EMS	07.05.2011	Action to be taken during counting of votes in case Presiding Officer does not press CLOSE button of CU at the end of poll.	47-51
24	3/ER/2011/SDR	01.09.2011	Affidavit filed by the candidates with their nomination papers – regarding.	52-54
25	437/6/INST/2011/CC&BE	01.12.2011	General Elections to the State Legislative Assemblies of Goa, Punjab, Manipur, Uttarakhand and Uttar Pradesh – Transfer/Posting of Officers – regarding	55-58
26	464/INST/2011/EPS	26.12.2011	Special facilities in polling stations for women electors- regarding.	59

ELECTION COMMISSION OF INDIA

NIRVACHAN SADAN, ASHOKA ROAD, NEW DELHI – 110 001.

No. 464/INST/ 2011/EPS

Date: 30th December, 2011.

To,

The Chief Electoral Officers,

1. Goa, Panaji,
2. Manipur, Imphal,
3. Punjab, Chandigarh,
4. Uttarakhand, Dehradun,
5. Uttar Pradesh, Lucknow.

Sub ject:- Vulnerability Mapping

Ref :- Letters nos. 464/INST/2008-EPS, dated 24-10-2008 and 22-03-2009 of ECI.

Sir/Madam,

In continuation of the instructions of the Commission conveyed vide letters nos. 464/INST/2008-EPS dated 24-10-2008 and 22-03-2009, as well as other instructions on the above mentioned and related subjects conveyed from time to time from ECI, the following instructions relating to Vulnerability Mapping are being issued for timely compliance in the context of the ongoing Assembly Elections, 2012.

'Vulnerability' – in the context of elections - may be defined as the susceptibility of any voter or section of voters, whether or not living in a geographically identifiable area, to being wrongfully prevented from or influenced upon in relation to the exercise of his right to vote in a free and fair manner, through intimidation or use of undue influence or force of any kind on him.

The exercise of **Vulnerability Mapping (VM)** in the context of the Assembly Elections is to be undertaken with the point of view of clearly identifying in advance, such voters or sections of voters who are likely to be 'vulnerable', the persons or other factors causing such vulnerability, and taking adequate corrective action well in advance on the basis of such identification.

The first step in the exercise of Vulnerability Mapping has to be undertaken with immediate effect by the Sector Officer or the Sector Magistrate (who have to be appointed as per ECI instructions and posted to commence their assigned task). The Sector Officer must necessarily visit every Locality/ Pocket in the area of every Polling Station in his Sector, hold widespread discussions with people there, collect intelligence, and list the vulnerable households and families, as well as the persons and factors causing such vulnerability there.

He should, further carefully fill the **Format 'VM-SO'[Annexure I]** for each such Locality/ Pocket, preferably while he is touring the locality itself. All help, including vehicular support if needed, should be extended to the Sector Officer for this purpose. The Sector Officer must retain a copy of the filled Formats VM-SO with himself and submit all filled in Formats VM-SO to the Retuning Officer within **10th January, 2012**.

Each Returning Officer must collect all Formats VM-SO for his AC by 10th January, 2012, and prepare and make available to DEO, the **Format 'VM-RO' [Annexure II]** by **12th January, 2012** after retaining a copy of the same.

The DEO, on the same lines must collect the Formats VM-RO by **12th January, 2012**, and prepare and make available to the CEO, the **Format 'VM-DEO' [Annexure III]** latest by **14th January, 2012**.

The CEO must compile all the district formats VM-DEO of the state into a book and make this compilation available to the Commission latest by **16th January, 2012**.

Sufficient copies of these instructions and formats must be made available immediately to all concerned officials for timely compliance and completion of the assigned tasks.

Yours sincerely,

(SUMIT MUKHERJEE)
SECRETARY

Annexure I

Format VM-SO

(The Sector Officer/ Sector Magistrate has to fill a different Format VM-SO for each Polling Station in his Sector, and as many Formats VM-SO as is the number of Polling Stations in his Sector.

Each Format VM-SO must contain the details for all Vulnerable Localities/ Pockets/ Voter Segments in one Polling Station area of the Sector.

It must be ensured and certified that no locality/ pocket/ voter segment which is vulnerable has escaped or been missed from inclusion in this format for any polling station area).

Number and Name of the AC –

Number and Name of the Polling Station -

I. Name of the Locality –

Date of Information-

A. List of Vulnerable Houses/ Families

S.No.	House No./ Family Name/ other identifying details of the Household/ Family which has Vulnerable Voters in the Locality	Number of Voters identified as Vulnerable in the house/ family identified in col-2	Contact No. of the Household, if any	Action Taken/ Proposed	Remarks
1	2	3	4	5	6
Total					

B. List of Persons to be Tracked/ Prevented from Intimidating/ Wrongly Influencing Voters:

S.No.	Name of the Person	Contact No./Address of the person	Action Taken/ Proposed	Remarks
1	2	3	4	5
Total				

[CONTINUED]

II. **Name of the Locality** – ..

Date of Information-..

A. List of ..

B. List of ..

III. **Name of the Locality** – ..

Date of Information-..

A. List of ..

B. List of ..

IV. ...

CERTIFICATION BY THE SECTOR OFFICER/ SECTOR MAGISTRATE

IT IS HEREBY CERTIFIED THAT NO LOCALITY/ POCKET/ VOTER SEGMENT WHICH IS 'VULNERABLE' FROM THE POINT OF VIEW OF THE ASSEMBLY ELECTIONS, 2011 IN THE AREA OF THE POLLING STATION NO. -----, POLLING STATION NAME ----- WHICH IS INCLUDED IN MY SECTOR, HAS ESCAPED OR BEEN MISSEDFROM INCLUSION IN THIS FORMAT.

Signatures of Sector Officer/ Sector Magistrate

Name and Mobile No. of the Sector Officer/ Sector Magistrate

Format VM-RO

Name of the District –

Number and Name of the AC -

Date -

A. AC Summary on Vulnerability

S.No.	No. & Name of Polling Station	No. of Families/ Households identified as Vulnerable in the PS area by the SO	Total number of Voters identified as Vulnerable (in the families/ households identified as vulnerable) in the PS area in col 3	No. of Persons Causing Vulnerability in the PS area	Action Taken
1	2	3	4	5	6
Total					

B. List of Persons causing Vulnerability in the AC

S.No.	Name of the Person Causing Vulnerability	PS nos. in which he is causing vulnerability	Action Taken/	Remarks if any
1	2	3	4	5
Total				

Signatures of the Returning Officer

Name of the Returning Officer

Annexure III

Format VM-DEO

Name of the District – Date –

Table A

Identification of Vulnerability and Action thereon –

S.No.	AC No. & Name	Total number of Polling Stations	Number of Polling Stations in whose area Vulnerable Persons/ Families/ Households have been identified	Number of Vulnerable Voters identified in these Polling Station areas	Action being taken to prevent these Vulnerable Voters from being intimidated or wrongfully influenced before and during the poll
1	2	3	4	5	6
Total					

Table B

Report on Persons causing Vulnerability –

S.No.	AC No. and Name	Number of Identified Persons	Details of Action Taken against persons mentioned in col.3 [Numbers]				No. of Persons out of those mentioned in col.3 against whom no action has been taken	Reasons for no action as mentioned in col.8
			Bound over	Externment	In custody	Any other action (with description)		
1	2	3	4	5	6	7	8	9
Total								

Signatures of the DEO - ...

Name of the DEO - ...

ELECTION COMMISSION OF INDIA
NIRVACHAN SADAN, ASHOKA ROAD, NEW DELHI-110 001.

No. 76 /2011/SDR

Dated: 18th March, 2011

To

The Chief Electoral Officers of
All States and Union Territories.

Subject:- New guidelines of the Commission for expenditure monitoring -
Appointment of an additional agent for matters regarding.

Sir/Madam,

Under Section 40 of the Representation of the People Act, 1951, every candidate at an election is entitled to appoint a person as his/her Election Agent. The appointment of Election Agent is to be made in Form 8 appended to the Conduct of Elections Rules, 1961 in the manner mentioned in rule 12 of the said Rules. The Election Agent so appointed can perform all functions mentioned in the 1951 Act on behalf of the candidate.

2. The Commission had convened a meeting on 09.03.2011 of the recognized National Parties and the recognized State Parties of the States going to polls currently, to brief them about the new guidelines issued by the Commission for closer and better monitoring of the election expenses. Under the new guidelines there are several activities required on the part of the candidates to facilitate the new monitoring mechanism. There was a suggestion from the Parties at the meeting that for convenience and better compliance of the instructions in the new guidelines, it would be helpful if the candidates were allowed to appoint an additional agent for assisting the candidate for this purpose.

3. The Commission has approved the above suggestion. Accordingly, every candidate would be permitted to appoint an additional agent for assisting the candidate in the various expenditure related matters. The appointment is to be made in the format enclosed herewith. A person who is disqualified under the law for being chosen as,

and for being, a Member of Parliament or State Legislature and who cannot be appointed as Election Agent under the said Section 40, should not be appointed as such additional agent. The general prohibition against appointing Minister/MP/MLA/MLC/ Mayor of Corporation/Chairman of Municipality/ Zilla Parishad, as any agent for a candidate, would also apply for such additional agent.

4. It has to be noted that such additional agent would be for the purpose of performing only the non-statutory duties related to the expenditure monitoring matters. The statutory duties that the Election Agent is authorized to perform on behalf of the candidate can be performed only by the Election Agent appointed under Section 40 read with rule 12 referred to in para 1 above.

5. These instructions may be brought to the notice of all District Election Officers, Returning Officers and other election officials in the States. This should also be brought to the notice of all the political parties based in the States including the State Units of recognized National Parties and State Parties of other States. This should also be brought to the notice of all the candidates filing nominations for the current elections.

Yours faithfully

(K.F. WILFRED)
SECRETARY

**FORMAT FOR APPOINTING ADDITIONAL AGENT
OF EXPENDITURE MATTERS**

(For the general/bye election, ----- (mention the year))

1. Name of the State:-
2. Name of the Constituency:-
3. Name and Address of the Candidate:-
4. Party Affiliation, if any:-
5. Name of the Additional Agent:-
6. Full Postal Address of the Additional Agent:-
7. Contact Telephone Number:-

I..... (mention the name of the candidate) do hereby appoint Shri/Smt./Ms....., as my additional agent for the above election. I hereby declare that he/she is not disqualified under the law for being chosen as, and for being, a member of Parliament or State Legislature and that the said person is not a Minister/MP/MLA/MLC/Corporation Mayor/ Chairman of Municipality/Zila Parishad and is not a person to whom security cover has been provided by the State.

Signature of the Candidate

Place:
Date:

ELECTION COMMISSION OF INDIA

NIRVACHAN SADAN, ASHOKA ROAD, NEW DELHI-110001

No.464/INST/2011/EPS

Dated: 19th March 2011

To

The Chief Electoral Officers of

1. Assam, Dispur
2. West Bengal, Kolkata
3. Kerala, Thiruvananthapuram
4. Tamil Nadu, Chennai
5. Puducherry, Puducherry

Subject: Utilization of Voter's Slips as an alternate Voter ID – Modification of instructions on Voter Slips – regarding.

Sir/Madam,

I am directed to invite your kind attention to the Commission's instructions No. 464/INST/2011/EPS dated 18th February, 2011 regarding Distribution of official Voters' Slips to the voters by District Administration, wherein the Commission directed that Voters' Slips including photograph of voters, where available in the photo roll, be distributed to all enrolled voters by District Administration.

The Commission has, after careful consideration, decided that the Voters' Slips should be authenticated by the Electoral Officer/BLO concerned before distribution, so that they can be used as an alternative identification document by a voter for the purpose of casting one's vote in the forthcoming polls.

The sample Voter's Slip enclosed in the above said corrections of the Commission dated 18.02.2011 will stand modified to that extent and note (i) therein will also stand modified. A revised sample is sent herewith where these slips have

already been printed the above corrections may be carried out by means of a rubber stamp.

All concerned should be appropriately briefed and the training of Polling Staff/RO/ARO/Sector Officers should be updated accordingly.

Yours faithfully,

**(SUMIT MUKHERJEE)
UNDER SECRETARY**

Election to the Legislative Assembly of

Voter Slip

No. and Name of AC.....

Part No.

Name

Sex.....

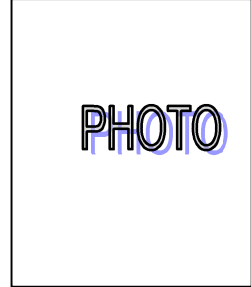
EPIC No.

Father's/ Mother's/husband's name

Voter Serial Number.....

Polling Station No. & Name

Poll Date, Day and Time



Note 1: Bringing this voter slip to the Polling Station is, not compulsory. It is issued only as convenience to electors, so that the voters know their polling station and Voters Sl. No.

Note 2: If this voter slip does not have a photograph or it has wrong particulars or Photograph, the voter can still be allowed to vote based on EPIC or alternative identity documents permitted by Election Commission of India.

Date:

Signature and Stamp of
Returning Officer/BLO

ELECTION COMMISSION OF INDIA
NIRVACHAN SADAN, ASHOKA ROAD, NEW DELHI-110001.

No.464/INST/2011/EPS

Dated: 19th March 2011

To,

- The Chief Electoral Officers of
1. Assam, Dispur
 2. West Bengal, Kolkata
 3. Kerala, Thiruvananthapuram
 4. Tamil Nadu, Chennai
 5. Puducherry, Puducherry

Subject: - General Election to the State Legislative Assembly to West Bengal, Tamil Nadu, Assam, Kerala and Puducherry – regarding.

Sir/Madam,

The Commission vide its letters No. 464/INST/2009/EPS dated 12th May, 2009 issued detailed guidelines regarding security and safety measure for EVM in Strong Room (copy enclosed).

Now the Commission has reviewed the matter and has decided as under: -

1. In addition to deployment of CPF, State police force shall also be deployed in adequate number for each hall of the strong room to guard the Strong Room containing polled EVM and election related documents.
2. As per Standing Instructions it is reiterated that Video Cameras or CCTV Cameras should be installed outside the strong rooms and such video recordings should be kept in safe custody.

This should be brought to the notice of all concerned.

Yours faithfully,

(SUMIT MUKHERJEE)
UNDER SECRETARY

ELECTION COMMISSION OF INDIA

Nirvachan Sadan, Ashoka Road, New Delhi-110001

No.576/3/2011/SDR

Dated 22nd March, 2011

To

The Chief Electoral Officers of
All States and UTs

Subject: Filing of nomination papers by overseas electors - regarding.

Sir,

As you are aware the Parliament has recently amended the Representation of the People Act, 1950 vide the Representation of the People (Amendment) Act, 2010. By this amendment, a new Section (Section 20A) has been inserted in the Representation of the People Act, 1950. This new Section 20A provides that every citizen of India, who has not acquired citizenship of any other country and who is absenting from his place of ordinary residence in India owing to employment, education or otherwise outside India (whether temporarily or not), shall be entitled to have his/her name registered in the Electoral Roll of the constituency, at his/her place of residence in India as mentioned in his/her passport.

2. Consequently, amendments have been made in the Registration of Electors Rules, 1960 vide Registration of Electors (Amendment) Rules, 2011, notified vide Notification No. H-7(18)/9 8-Leg.II(Vol. IV), dated 03-02-.2011 and subsequent Corrigenda and notification dated 09.02.2011 and 23-02-2011 of the Ministry of Law & Justice.

3. In pursuance of these amendments, an overseas elector who is entitled to be registered in the roll under Section 20A of the Representation of People Act, 1950 shall be included in the part of the roll pertaining to the locality in which his place of residence in India as mentioned in his passport is located and has to submit his claim application. The claim application in Form 6A shall be submitted either in person directly to the ERO of the constituency concerned or sent by post to the ERO alongwith self attested copy of the requisite documents as mentioned in Form 6A. Necessary instructions of the Commission for processing such applications have

already been conveyed to you vide the Commission's letter No.3/1/2010/SDR dated 14.2.2011 and subsequent letter dated 12-3-2011.

4. Enrolment in the electoral roll would also confer on an overseas elector the right to contest elections, subject to the fulfillment of the other requirements of the law. One of the essential qualifications prescribed under the law (Articles 84 and 173 of the Constitution, section 4(a) of the Government of UT Act, 1963, or section 4 (a) of the Government of NCT of Delhi Act, 1991, as the case may be,) is that the candidate should make and subscribe an oath or affirmation in the prescribed form, before a person authorized by the Commission in this behalf. The Commission, vide its three separate notifications dated 18th March, 1968, has notified the persons before any one of whom the candidate may make and subscribe the oath or affirmation. These notifications are reproduced in Annexure XIII of the Handbook for Returning Officers (2009 edition). The RO and ARO are among the persons so authorized for this purpose. In the case of a candidate who is outside India, the oath can be made before the diplomatic or consular representative of India in the country where the candidate happens to be. An overseas elector may approach the authorized person in the Indian Mission of the country concerned for making the oath or affirmation.

5. If an overseas elector who may file nomination papers is in India at the time of filling nomination, he may make the oath or affirmation before the RO/ARO. If a candidate who is an overseas elector appears before the RO/ARO to make the oath, the RO/ARO concerned shall ensure that the identity of the person is properly verified by carefully going through the particulars in the passport of the person. Thus, such person will necessarily have to produce his/her original passport for verification by the RO/ARO at the time of making the oath or affirmation.

6. At the time of voting also, the identity of the overseas electors has to be verified by checking the particulars in their passports. The Commission has separately issued instructions in this regard that the overseas electors shall produce their original passport when they come to the polling station for voting.

7. This may be immediately brought to the notices of all concerned.

Yours faithfully,
(K.F.WILFRED) SECRETARY

ELECTION COMMISSION OF INDIA

Nirvachan Sadan, Ashoka Road, New Delhi-110001

No. 576/3/2011/SDR

Dated 22nd March, 2011

To

The Chief Electoral Officer,
Of all states/Uts

Subject: General Election-Composition of polling party – Reg.

Sir,

I am directed to state that as per existing instructions of the Commission, a polling party would, in normal course, consist of a Presiding Officer and three polling officers. The First Polling Officer is in charge of the marked copy of electoral roll and responsible for identification of the voters. The Second Polling Officer makes the entries in the Register of Voters (Form 17 A) including EPIC/other identification document details, takes the signature of the voters or the thumb impression (in the case of illiterate voters), applies indelible ink on the left forefinger of the voters and issues voters slip to the voters indicating the serial number in which they would be going into the voting compartment to cast vote. The Third Polling Officer is the custodian of the “CU” and activates the “BU” by pressing “BALLOT’ button of the “CU” and allows the voter to go inside the voting compartment for casting vote, in the order of the serial number on the voters slip issued by the Second Polling Officer. The Commission has decided that in the event of shortage of polling staff in any particular District/Constituency, then in such places, the polling party may consist of a Presiding Officer and two polling officers as against the three polling officers which is the standard norm. In that case, the duty of the First Polling Officer will also include 2 application of indelible ink on the finger of the voter, after identification of the voter.

The Second Polling Officer will be the custodian of the ‘CU’ also in such cases, in addition to his normal duties of making the entries in Form 17 A (Register of Voters) and taking the signature/thumb impression of electors therein. It is clarified that in such cases where only two polling officers are used, it is not necessary to prepare the voters slip serial numbers. Instead, the Second Polling Officer will activate

the "CU" and then send the voters inside the voting compartment exactly in the same sequence in which they sign in the Register of Voters (Form 17A). There will be no need to prepare the voters slips at the polling stations in such cases. Further, in the cases where number of polling officers is restricted to two, the contesting candidates should be informed in writing in advance about this. The duties to be performed by the two polling officers should also be explained to the candidates. Training content for training of polling personnel shall also accordingly be modified in such cases.

Kindly acknowledge receipt.

Yours faithfully,

(K.F.WILFRED)
SECRETARY

ELECTION COMMISSION OF INDIA

Nirvachan Sadan, Ashoka Road, New Delhi-110001

No. 464/INST /2011/EPS

Dated: 23rd March, 2011

To

The Chief Electoral Officers of

1. Assam, Dispur
2. West Bengal, Kolkata
3. Kerala, Thiruvananthapuram
4. Tamil Nadu, Chennai
5. Puducherry, Puducherry

Subject:- General election to the State Legislative Assemblies of Assam, Kerala, Tamil Nadu, West Bengal and Puducherry, 2011 - use of helicopters by candidates, political leaders etc for campaign purposes- maintenance of proper record thereof – reg

Sir/Madam,

I am directed to state that during the election period candidates, star campaigners of political parties and other political functionaries may be using helicopters/aircraft, for election campaign and other purposes and may be landing in various Districts. In this connection I am directed to say for this purpose political parties may be requested to intimate three days in advance regarding their itinerary and the details of persons who will travel and the materials that will be carried in helicopter/aircrafts. The Commission has further directed that the District Administration/ District Election Officers should maintain a log book and enter the details of the helicopters which landed and took off in their Districts and the purpose for which they landed and the persons who were in the said aircraft/helicopter and also indicate whether the aircraft/helicopter had taken permission for landing. The District Election Officers shall send daily report about the arrival and departure of

such helicopters/ aircrafts to the Chief Electoral Officer, concerned and endorse a copy to the Commission. You are requested to bring this to the notice of all District Election Officers for compliance.

Yours faithfully,

**(SUMIT MUKHERJEE)
UNDER SECRETARY**

ELECTION COMMISSION OF INDIA

Nirvachan Sadan, Ashoka Road, New Delhi-110001

No.3/ER/2011/SDR

Dated 23rd March, 2011

To

The Chief Electoral Officers of
All States & Union Territories

Subject: Filing of affidavits by candidates- details regarding bank deposits –
clarification.

Sir,

In the affidavit to be filed by the candidates as per the format prescribed by the Commission vide its order dated 27-03-2003, which was amended recently vide the Commission's letter No. 3/ER/2011/SDR , dated 25th February, 2011, the candidates are required to furnish details of deposits in bank, post office, etc. under the heading "Details of Moveable Assets". In this connection, a question has been raised whether the Account No. for the said deposits need to be mentioned. It is clarified that it is not necessary to mention the Account Number in the bank, post office etc. while giving the details of the amounts of deposits in the various financial institutions.

This may be brought to the notice of all elections authorities and all political parties in the State/UT.

Yours faithfully,

(K.F.WILFRED)
SECRETARY

ELECTION COMMISSION OF INDIA

Nirvachan Sadan, Ashoka Road, New Delhi-110001

No. 464/INST /2011/EPS

Dated:23rd March, 2011

To

The Chief Electoral Officers of

1. Assam, Dispur
2. West Bengal, Kolkata
3. Kerala, Thiruvananthapuram
4. Tamil Nadu, Chennai
5. Puducherry, Puducherry

Subject: - General Elections to the Legislative Assembly to Assam, West Bengal, Kerala, Tamil Nadu and Puducherry - Request of Political Parties for vehicle permission for transporting publicity material – regarding.

Sir,

The Commission has decided that if any political party makes a request to the Chief Electoral Officer for grant of vehicle permission for distribution of their publicity material to their various party offices in the State, the Chief Electoral Officer may grant permission for such vehicles. However, the concerned political party (the applicant) will have to specify the name of the District, the route map and the dates for which the vehicle will be required for the above purpose. For such vehicles, the CEO may issue permission, but he will ensure that such vehicles will also be subjected to normal checks and they will not be used for election campaigning. The expenditure on account of such vehicle shall be apportioned equally among the candidates of the party contesting from the Assembly Constituencies for which vehicle permit has been sought.

Yours faithfully,

**(SUMIT MUKHERJEE)
UNDER SECRETARY**

ELECTION COMMISSION OF INDIA

Nirvachan Sadan, Ashoka Road, New Delhi-110001

No. 464/INST /2011/EPS

Dated: 23rd March, 2011

To

The Chief Electoral Officers of

1. Assam, Dispur
2. West Bengal, Kolkata
3. Kerala, Thiruvananthapuram
4. Tamil Nadu, Chennai
5. Puducherry, Puducherry

Subject:- General elections to the Legislative Assembly to Assam, West Bengal, Kerala, Tamil Nadu and Puducherry - security cover for vulnerable areas - regarding.

Sir,

I am directed to state that the Commission has considered the issue of providing full protection and opportunity to electors of vulnerable areas and locations. The Commission has directed that on the day(s) of poll, the Sector Magistrates and the mobile state forces should visit at least twice such villages/hamlets/dwelling areas which are identified as vulnerable areas and where there are reports of possible intimidation of the voters. The Sector Magistrates and mobile state forces during their visit to these areas will ensure that wherever required, adequate security cover is provided to such vulnerable voters.

This should be brought to the notice of all District Election Officers, Returning Officers, Sector Magistrates and Police Mobile team for compliance.

Yours faithfully,

(SUMIT MUKHERJEE)
UNDER SECRETARY

ELECTION COMMISSION OF INDIA

Nirvachan Sadan, Ashoka Road, New Delhi-110001

No.464/INST/2011/EPS

Dated: 23rd March, 2011

To

The Chief Electoral Officers of

1. Assam, Dispur
2. West Bengal, Kolkata
3. Kerala, Thiruvananthapuram
4. Tamil Nadu, Chennai
5. Puducherry, Puducherry

Subject: General Election to Legislative Assembly, 2011- Vehicle permit for district office bearers of recognized political party- regarding.

Sir,

I am directed to state that it has been decided that if any political party applies for permission for vehicles to be used by their district level office bearers / leaders (other than the star campaigner) for their visit to multiple ACs within the district for electioneering purposes, necessary permission should be given by the DEO of the district concerned. In such cases, the permit shall be in the name of the person while also mentioning the registration No. of the vehicle. The expenditure on this vehicle shall be booked/ distributed in the election expenses of the party's candidate(s) of the district where they have visited. This permit should not be used for travel in other districts.

It is further stated that the permit should be issued indicating the name of the political leader, the No. of vehicle and also the period for which issued. The permit may be issued on a paper of a colour different from those used for issuing permits to candidates and star campaigners, so that it can be easily recognized. An attested copy of the permit shall be prominently displayed on wind screen of the vehicle and original be kept by the person for checking by police or any other authorities. The surveillance teams should also be informed in the matter.

Yours faithfully,

**(SUMIT MUKHERJEE)
UNDER SECRETARY**

By Camp Bag/Speed Post/Fax

ELECTION COMMISSION OF INDIA

Nirvachan Sadan, Ashoka Road, New Delhi-110001

No.51/8/7/2010-EMS

Dated : 24th March, 2011

To

The Chief Electoral Officer,
West Bengal,
Kolkata.

Subject: Clarification regarding Second Randomization of EVMs.

Sir

I am directed to refer to your letter No. 2370-Home(Elec), dated 17th March, 2011, on the subject cited, and to clarify that second randomization of EVMs shall be done after preparation of EVMs. As regards your query on issue of notice regarding date, time and place of preparation of EVMs to candidates, it is clarified that ROs may be advised to issue the notice to the contesting candidates about preparation of EVMs, as per their convenience, keeping in mind that the preparation of EVM should start as soon as possible, after the last date of withdrawal of candidature and candidates/their representatives will remain present at the time of preparation of EVMs.

Yours faithfully,

(Dilip K Varma)
Under Secretary

Copy to the Chief Electoral Officers of all States/UTs (except CEO, West Bengal).

ELECTION COMMISSION OF INDIA

Nirvachan Sadan, Ashoka Road, New Delhi-110001

No.437/6/INST/2011-CC&BE

Dated: 24th March, 2011

To

- 1) The Cabinet Secretary
Cabinet Secretariat
Rashtrapati Bhawan, New Delhi.
- 2) The Chief Secretaries of
All States and Union Territories
- 3) The Chief Electoral Officers of
All States and Union Territories

Subject:- Model Code of Conduct- Tours of Chief Minister – regarding.

Sir,

I am directed to state that according to Commission's existing instructions on the subject cited, the personal staff of the Chief Ministers or other Ministers shall not be allowed to accompany them during their private tours during the period of Model Code of Conduct.

2. The matter has been reconsidered by the Commission. It has been decided that during the Model Code period, one member of personal staff of the Chief Ministers of States/Union Territories may be allowed to accompany them on personal/private tour. However, such personal staff shall not take part in any political activity or assist the Chief Minister in his political work.

3. This may be brought to the notice of all concerned.

Yours faithfully,

**(DILIP K. VARMA)
UNDER SECRETARY**

ELECTION COMMISSION OF INDIA

Nirvachan Sadan, Ashoka Road, New Delhi-110001

No.464/INST/2011/EPS

Dated: 28th March, 2011

To

The Chief Electoral Officers of

1. Assam, Dispur
2. West Bengal, Kolkata
3. Kerala, Thiruvananthapuram
4. Tamil Nadu, Chennai
5. Puducherry, Puducherry

Subject: General Election to Legislative Assembly, 2011- Vehicle permit for district office bearers of recognized political party- regarding.

Sir,

With reference to the subject cited and in partial modification of the Commission's instruction of even no. dated 23rd March, 2011, I am directed to state that the Commission has reviewed the matter and has now decided that if any political party applies for permission for vehicles to be used by their district level office bearers/ leaders (other than the star campaigner) for their visit to multiple ACs within the district for electioneering purposes, necessary permission should be given by the DEO of the district concerned. In such cases, the permit shall be in the name of the person while also mentioning the registration No. of the vehicle. The expenditure on this vehicle shall be incurred by the political party and not by the candidates. This permit should not be used for travel in other districts.

I am to further state that the Commission has directed that for a particular district only one permit may be issued for a recognized party whether national or state.

It is further stated that the permit should be issued indicating the name of the political leader, the No. of vehicle and also the period for which issued. The permit may be issued on a paper of a colour different from those used for issuing permits to candidates and star campaigners, so that it can be easily recognized. An attested copy of the permit shall be prominently displayed on wind screen of the vehicle and original be kept by the person for checking by police or any other authorities. The surveillance teams should also be informed in the matter.

Yours faithfully,

(SUMIT MUKHERJEE)
UNDER SECRETARY

ELECTION COMMISSION OF INDIA

Nirvachan Sadan, Ashoka Road, New Delhi-110001

No.464/INST/2011/EPS

Dated: 28th March, 2011

To

The Chief Electoral Officers of

1. Assam, Dispur
2. West Bengal, Kolkata
3. Kerala, Thiruvananthapuram
4. Tamil Nadu, Chennai
5. Puducherry, Puducherry

Subject: - General Elections to the Legislative Assembly to Assam, West Bengal, Kerala, Tamil Nadu and Puducherry - Request of Political Parties for vehicle permission for transporting publicity material – regarding.

Sir,

With reference to the subject cited and in partial modification of the Commission's instruction of even no. dated 23rd March, 2011, I am directed to state that the Commission has reviewed the matter and has now decided that if any political party makes a request to the Chief Electoral Officer for grant of vehicle permission for distribution of their publicity material to their various party offices in the State, the Chief Electoral Officer may grant permission for one vehicle for a recognized political party (whether national party or state party). The concerned political party (the applicant) will have to specify the name of the District, the route map and the dates for which the vehicle will be required for the above purpose. For such vehicles, the Chief Electoral Officer shall issue permission, but he will ensure that such vehicles will also be subjected to normal checks and they will not be used for election campaigning. The expenditure on account of such vehicle is to be incurred by the political party concerned and not by the candidates.

Yours faithfully,

**(SUMIT MUKHERJEE)
UNDER SECRETARY**

By Spl. Messenger/By Speed Post

ELECTION COMMISSION OF INDIA

Nirvachan Sadan, Ashoka Road, New Delhi-110001

No.437/6/INST/2011-CC&BE

Dated: 1st April, 2011.

To

- 1) The Cabinet Secretary
Cabinet Secretariat
Rashtrapati Bhawan, New Delhi.
- 2) The Chief Secretaries of
All States and Union Territories
- 3) The Chief Electoral Officers of
All States and Union Territories

Subject:- Model Code of Conduct- Tours of Chief Minister – regarding.
Sir,

In partial modification of the Commission's instructions contained in Para (2) of its letter of even number dated 24th March, 2011, regarding the tours of Chief Ministers, the Commission has decided that during the Model Code period, one member of personal staff of Chief Minister of the State/Union Territory, who has been allowed to accompany him on personal/private tour should be a **nongazetted** officer. Further, as already instructed, such personal staff shall not take part in any political activity or assist the Chief Minister in his political work. The Commission has also decided that these instructions will be applicable also in the case of the Prime Minister/Union Cabinet Ministers.

This may be brought to the notice of all concerned.

Yours faithfully,

(DILIP K. VARMA)
UNDER SECRETARY

By Camp Bag/Speed Post/Fax

ELECTION COMMISSION OF INDIA

Nirvachan Sadan, Ashoka Road, New Delhi-110001

No.51/8/7/2010-EMS

Dated : 3rd April, 2011

To

The Chief Electoral Officers of
All States and Union Territories.

Subject: Clarification regarding Second Randomization of EVMs.

Sir

I am directed to refer to the Commission's letter of even number, dated 24th March, 2011, on the subject cited, whereby by the Commission has clarified that second randomization of EVMs shall be done after preparation of EVMs. It has been brought to the notice of the Commission that some difficulties are being faced by the Returning Officers to do second randomization of EVMs after preparation of EVMs as the address tag of EVM is sealed at the time of preparation of EVM (Candidate Set). The purpose of second randomization of EVMs is to allocate EVM randomly polling station-wise to ensure more transparency in allocating EVMs to polling stations. Apart from that both the process of second randomization of EVMs and preparation of EVMs are invariably done in the presence of the contesting candidates/their agents. In view of the aforesaid procedure, the Commission has no objection, if Returning Officers/Assistant Returning Officers do second randomization of EVMs on or before the day of preparation of EVMs in the presence of candidates/their representatives.

The aforesaid instructions may be brought to the notice of all concerned.

Yours faithfully,

(Dilip K Varma)
Under Secretary

ELECTION COMMISSION OF INDIA

Nirvachan Sadan, Ashoka Road, New Delhi-110001

No.437/6/INST/2011-CC&BE

Dated: 27th April, 2011.

To

- 1) The Cabinet Secretary
Cabinet Secretariat
Rashtrapati Bhawan, New Delhi.
- 2) The Chief Secretaries of
All States and Union Territories
- 3) The Chief Electoral Officers of
All States and Union Territories

Subject:- Model Code of Conduct- Tours of Chief Minister and Ministers of Union Govt.– regarding.

Sir/Madam,

In partial modification of Commission's Instruction No.437/6/INST/2011-CC&BE, dated 01st April, 2011, the Commission has decided that the restriction regarding personal staff members who can accompany on personal/private tours shall not apply to the Prime Minister.

Yours faithfully,

**(K.AJAYA KUMAR)
SECRETARY**

By Camp Bag/Speed Post/Fax

ELECTION COMMISSION OF INDIA
NIRVACHAN SADAN, ASHOKA ROAD, NEW DELHI-110001

No.51/8/7/2010-EMS

Dated: 28th April, 2011

To

1. The Chairman-cum-Managing Director,
Electronics Corporation of India Limited,
MCU Complex, Phase-II, IDA Cherlapalli,
PO: HCL, Hyderabad-500051,
Andhra Pradesh.
2. The Chairman-cum-Managing Director,
Bharat Electronics Limited,
Nagavara, Outer Ring Road,
Bangalore-560045, Karnataka.

Subject: Action to be taken in case of malfunctioning of Electronic Voting Machines (EVM) during counting.

Sir,

I am directed to refer to the Commission's letter of even number dated 27th December, 2010, on the subject cited, whereby the Commission has directed that engineers of the manufacturers (BEL & ECIL) shall carry Auxiliary Display Units (ADUs) for the EVMs having 17 Segment Display (new version EVMs), like printers to use during counting process in the elections, when they go to a State/Constituency for back up support during counting of votes. Once the process of counting is over, they will bring back the same to their headquarters. The Commission has directed that the above instructions should be followed in letter and spirit.

Yours faithfully,

(Dilip K. Varma)
Under Secretary

Copy to the Chief Electoral Officers of all States/UTs.

BY FAX/CAMP BAG/SPEED POST

ELECTION COMMISSION OF INDIA

NIRVACHAN SADAN, ASHOKA ROAD, NEW DELHI-110001

No. 51/8/16/8/2009-EMS

Dated: 29th April 2011

To

The Chief Electoral Officers of
All States and Union Territories.

Subject: Procedure to be adopted in the polling stations in case there is a complaint from a voter regarding candidate lamp of the Ballot Unit at voting time.

Sir/Madam,

I am directed to state that the Commission has directed that in case there is a complaint with respect to candidate lamp of the Ballot Unit at the time of voting, the EVM should be replaced immediately and the matter reported to the Commission. This may be brought to the notice of all concerned immediately.

Yours faithfully,

(Dilip K Varma)

BY EMAIL / BY FAX / SPEED POST

ELECTION COMMISSION OF INDIA
Nirvachan Sadan, Ashoka Road, New Delhi-110001

No. 470/TN-LA/2011/SS-I/

Dated 5th May, 2011.

To

The Chief Electoral Officers,
1. Tamil Nadu, Chennai.
2. West Bengal, Kolkata
3. Kerala, Thiruvanthpuram
4. Assam, Dispur
5. Puducherry, Puducherry

Sub: Arrangements for counting - regarding.

Sir,

The Commission's instructions for counting of votes are detailed below:

PREPARATION OF COUNTING SPACE

1. The counting of votes will be done at Counting Centres comprising one or more Counting Halls. Each Counting Hall shall be a separate room walled on all sides preferably with separate exit and entry facilities.
2. Each Counting Center will have a distinct number and within that, each Hall will have a distinct number.
3. Where pre-constructed separate rooms are not available but large rooms are proposed to be divided for creating Halls, each part constituting a Hall will be separated by temporary partitions. These partitions will be of strong material, preferably CGI sheets. Where the owners of the Building have objections to dig holes on the floor, a suitable rigid frame, with CGI sheets fixed on two sides, may be used. The point to be ensured is that after the necessary partitioning, each Hall is an independent room walled on all four sides. It should not be possible for anybody to move from one Hall to another without coming out of the Hall. Further the partition should be so erected that it should be impossible to slip any material from one Hall to the other through the partitions. On both sides of the partitions, guards should be posted to ensure that the partitions are not disturbed.

4. Each Hall, will be used for counting for only one Assembly Constituency/Segment at a given point of time. However, if sufficiently big halls are not available, then the counting of one assembly constituency / segment may be taken up in two Halls. Counting in two halls should be considered only if the size of the Hall does not allow placing of more than 8 tables (including the table of the RO/ARO). In exceptional cases where the size of the electorate in an Assembly segment is unusually large, counting may be taken up in two Halls with a maximum of 15 tables each in each Hall for that Assembly constituency / segment. All such cases will be personally scrutinized by the DEO and the Observers after taking into account all relevant factors such as number of candidates, number of counting agents etc.
5. In cases where two Halls are being used to count an Assembly segment the Polling Station numbers will be pre-allotted to the two Halls (each room being one separate Hall) in advance.
6. Assembly Segments must be pre-allotted to Halls and this allotment made known to all concerned in advance.
7. In the counting area, a maximum of 14 counting tables (excluding the Table of Returning Officer) should be placed inside a Hall. Important considerations for deciding on the number of counting tables would be the number of Polling Stations, size of the room, the number of counting agents and candidates, and the total number of counting personnel proposed to be deployed and the security aspects. The counting tables should be placed against the barricade of woodblock and wire-mesh behind which the counting agents of candidates shall sit/ stand. The agents shall not have physical access to the EVM but must be able to clearly see and note the contents on the monitor/EVM display panel.
8. The upper limit of 14 counting tables (excluding the Table of Returning Officer) in a counting HALL can be increased only with prior written approval of the Commission. A lower limit may be fixed taking into account all relevant factors.
9. The RO's table shall be in the counting hall itself. It should be a separate table with a demarcated area. Candidates and their Election Agents will also be seated on this table and watch the counting proceedings. However from the RO's table, they shall not be allowed to access the counting tables on the inner side of the wire-mesh.
10. Similarly the table and the computer on which the computation and compilation of data from each table at the conclusion of a round shall be done shall be in the counting hall alongside the RO's table where the candidate/agent will also be seated. Under no circumstance it will be in any other room. In case the table is a separate one from RO's table

then one additional counting agent besides a micro-observer shall be allowed to sit on that table.

11. Each counting table shall have one separate video camera/webcam which shall record all contents displayed on the display panel of the EVM from the beginning to the end of counting continuously in a CD. For each counting table this video/webcam should be connected to an electronic display screen (Monitor) to facilitate clear visibility of the contents on display panel of EVM to the counting agents. In other words, while the video camera is recording the matter displayed on the EVM, the display matter should simultaneously be projected on Monitor for counting agents to watch and note.

11A. The web-cam/video cameras should be fixed on a stand and the place where Control Unit(CU) has to be kept should be marked with a marker pen so that after each round of counting when the fresh set of CUs are brought, the readjustment of webcam/video camera is not required. The webcam/video camera should be positioned in such a way that these do not hinder the view of display panel of CUs for the 3 candidates and their agents. The power cable for webcam/video camera etc. should run along the barricades/wire-mesh in such a way that no official or any other person is required to overstep the cable.

11B. Small placards should be prepared in advance indicating AC no. & name, PS no. and date of counting of votes, These placards should be placed before the each CU correctly so that CU is identified at a glance to which PS and which AC belongs to.

12. In addition, in each counting hall there shall be a sufficiently large blackboard/whiteboard on which the candidate's name and round number will be prewritten (since the numbers of rounds are already planned). After every round, once the Observers have certified, the results of that round should be written on that board. ONLY after that the EVMs for next round shall be brought from the strong room to the counting hall.

13. The Counting Halls, including partitions as planned, should be got ready at least three clear days ahead of the date of counting and a report sent by each RO to the CEO.

CEOs shall send a consolidated report to the Commission.

14. CEOs, during their tours, will specifically review arrangements proposed and inspect as many counting centers as possible.

15. The Observers of the Commission will undertake detailed inspection of counting centers during their visit and ensure that the counting Halls have been planned as per the above instructions and Assembly segments have been accordingly pre-allotted to each Hall.

They will send a specific report on this to the Commission. They should also obtain relevant drawings of each counting centres and keep it as a part of the record for their final report.

16. A system of receiving counting related information and complaints in the CEO's place should be set up. For this purpose the CEO's control room helpline nos. 1965 should be properly briefed and activated 72 hours in advance. This arrangements should be advertised through newspapers radio and other media means.

SECURITY ARRANGEMENT

17. There should be smooth flow of EVMs between the respective strong rooms and the counting halls. A proper barricading of the path used for transporting EVMs between the strong room of an AC and the counting hall for that AC should be done so that the transportation is not interrupted by the presence of non-officials and media persons. No unauthorized persons should be able to breach that barricade and access the area/path nor should the path of two different ACs crisscross.

18. 100 meter periphery around a counting premise/campus should be demarcated as „pedestrian zone“. No vehicles shall be allowed within this perimeter. Proper barricading of this demarcated zone should be done and the alighting point (same as the pedestrian entry point) clearly made out by providing an entry gate into the premise. If a public road cuts across such sanitized zone, then proper traffic diversion plan should be prepared in advance for the counting day.

19. Three tier cordoning system should be set up in all counting premises to prevent the entry of unauthorized persons inside the counting premises. The first and the outer cordon shall be at the start of the „pedestrian zone“. At this level adequate police force should be stationed to check the identity of the persons wanting to go in. No person without authorized photo identity card duly issued by the Election Commission/ District Election Officer displayed on his person, shall be allowed to cross the first cordon of the counting premise. A senior Magistrate shall be posted at the entrance to control crowd and regulate entry.

20. The second and the middle cordon will be at the gate of the counting campus/premise. This will be manned by the State Armed Police. Before allowing the entry of persons whose identities have been established by means of identity card to the second cordon, proper frisking should be made by the security personnel to ensure that no prohibited items like matchbox, arms etc. are carried inside. The frisking shall be done by state police force personnel only. Women shall be frisked only by women police personnel/women Home Guards. The forces responsible for enforcing second cordon shall also ensure that no one is loitering outside the counting halls and using mobile phones or other communication

equipment (mobile etc can only be used from designated rooms arranged for the purpose by the DEOs at the counting centres)

21. The third and the inner cordon shall be at the door of the counting hall. This will be manned largely by Central Armed Police Forces (CAPF). There will be frisking arrangements at this stage too to ensure that no mobile phones and other prohibited items are carried inside the counting hall.

22. No camera – still or video of the media (except the official video at each table and for officially recording the entire counting process) is allowed to be fixed inside any counting hall. No camera stand should therefore be allowed to be taken inside counting halls by media and journalists. Hand held cameras can be allowed to the authorized ECI pass holders. Further, while taking audio visual coverage of the counting process with camera carried in hand or on shoulders by the media/press, under no circumstances, the actual votes recorded on an individual EVM or ballot papers is to be photographed or covered by audio visual coverage. The exact location up to which the, still and video camera of the media and press can move, should be indicated by the Returning Officer in advance marked by a line or a string for guidance of all concerned.

23. All entry at all times however, is subject to the over-all requirement of maintenance of law and order, proper decorum and the conduct of peaceful counting.

COMMUNICATION FACILITY

24. At each counting center there shall be a communication room for the officials with table/chairs, a telephone with STD, a fax, computer with printer and internet facility attached to it. A hotline, wherever possible, should be provided with CEO. A senior officer should be deployed in this communication room. A separate space/cubicle reserved for the exclusive use of the Observers should also be provided for their communication with the Commission, in confidentiality.

25. Media centers have to be set up at each Counting Centre. As far as possible, a separate room of adequate size should be set apart for these centers and reasonable facilities like telephone, fax, data communication network etc have to be provided. Each returning Officer is required to exclusively deploy one senior officer to be in charge of the Media Centre, preferably from the Public Relations Department. It is important that adequate number of officers/officials are available to assist the officer in charge of the Media Centre at each counting center so that they can escort the media groups in small manageable numbers to visit counting halls from time to time. Such visits are to be of short duration only. All such visits

will be escorted visits conducted by officers identified and earmarked for this purpose in advance. In the media room, adequate arrangements shall be made to keep the mobile phones safely because the mobile phones shall not be allowed to be taken inside the counting halls. Use of mobile phones and other communication equipment shall be allowed from the media center. Mobile phones shall not be used from anywhere else within the campus.

26. Since nobody (not even the candidate or RO/ARO etc) except the Observer shall be allowed to carry a mobile phone inside the counting hall, the DEOs and ROs will also arrange another room for the candidates, their agents etc to make use of their mobile phones in case of any need. Public Communication Room should also provide for a senior officer and arrangements for safe-keeping of the mobiles etc of the candidates and their agents/representatives.

COUNTING PROCEDURE

Counting of Postal Ballot Papers

27. As per the requirement of rule 54A of C.E. Rules, 1961, the postal ballots shall be taken up for counting first at the Returning Officer's table. One Assistant Returning Officer shall be dedicated to handle the postal ballot counting. The Observer and Returning Officer should closely monitor the progress made in postal ballot counting as well as EVM counting. No cover „B“ in Form 13-C containing a postal ballot paper, received late after the time fixed for the commencement of counting will be opened and counted and a suitable endorsement to that effect on the cover in Form 13-C will be made on each such cover received after the commencement of counting. Thereafter these Covers in Form 13C will be put into a larger cover and sealed. The Observer and RO should closely monitor the postal ballot counting. Before finalizing the tally of postal ballot counting the RO should personally verify whether postal ballots considered invalid and rejected have been verified properly before being rejected. Candidate wise tally should also be verified by RO and any complaint raised by any agent should be properly inquired. Observer must oversee the entire procedure.

28. All postal ballots received till the time fixed for commencement of counting of votes shall be opened for counting. For counting of the postal ballots following points must be scrupulously followed –

28.1 All cover „B“ in Form 13-C containing postal ballot papers, which were received in time by the Returning Officer, are opened one after another.

28.2 On opening the cover “B” in Form 13C, two documents are required to be found inside. The first is the declaration by the voter in Form 13-A and the second the inner cover „A“ (Form

13-B) containing the postal ballot paper. Before opening the cover „A“ containing the postal ballot paper, the Returning Officer must check the declaration (Form 13-A). He will reject a postal ballot paper without opening its inner cover (Form 13-B) in any of the following cases:

- (a) if the declaration in Form 13-A is not found inside the cover „B“ in Form 13-C;
- (b) if the declaration has not been duly signed by the elector or has not been duly attested by an officer competent to do so or is otherwise substantially defective;

(c) if the serial number of the ballot paper appearing on the declaration in Form 13A is different from the serial number as endorsed on the inner cover „A“ in Form 13-B. 28.3 All such rejected covers „A“ in Form 13-B containing the Postal Ballot Paper should be suitably endorsed by the Returning Officer or the dedicated ARO, and will be replaced back with the respective declaration in the larger covers „B“ in Form 13-C. All such larger covers „B“ will be kept in a separate packet, which will be sealed by the Returning Officer/ARO concerned, and full particulars, such as the name of the Constituency, the date of counting and a brief description of the content will be noted thereon for identifying the packet.

28.4 Thereafter, the Returning Officer/ARO will proceed to deal with the remaining covers „A“ in Form 13-B, i.e., other than those rejected as aforesaid. In order to protect the secrecy of the postal votes, all the declaration in Form 13-A which are found on scrutiny to be in order should first be placed in a separate packet and sealed. It is necessary to put these declarations away in a sealed packet before any ballot papers are brought out of their covers „A“ in Form 13-B, to ensure secrecy of vote as the declarations contain the names of the voters along with the respective serial numbers of their postal ballot papers.

28.5 After the above procedure is completed, the Returning Officer/ARO will proceed to open the covers „A“ in Form 13-B one after another to take out the postal ballot papers contained in them.. The Returning Officer /ARO will scrutinize every such ballot paper and decide its validity.

28.6 A postal ballot paper will be rejected on the following grounds:-

- (a) if no vote is recorded thereon; or
 - (b) if votes are given on it in favour of more than one candidate; or
 - (c) if it is a spurious ballot paper; or
 - (d) if it has been so damaged or mutilated that its identity as genuine ballot paper cannot be established; or
 - (e) if it is not returned in the cover „B“ sent along with it to the elector by the Returning Officer;
- or

(f) if the mark indicating the vote is made in such a way that it is doubtful to make out the candidate to whom the vote has been given; or

(g) if it bears any mark or writing by which the voter can be identified.

28.7 There is no particular mark required by law to be made by a voter to indicate his vote on a postal ballot paper. Any mark can be accepted as valid so long as it has been so made and so placed on the ballot paper that the intention of the voter to vote for a particular candidate is clear beyond any reasonable doubt. Thus a mark made anywhere in the space allotted to a candidate will be taken as a valid vote in favour of the candidate concerned.

28.8 The valid votes will then be counted and each candidate credited with the votes given to him. The total number of postal votes received by each candidate so counted, will be entered in the result sheet in Form 20 and announced for the information of the candidates/election agents/counting agents.

28.9 Thereafter all the valid postal ballot papers and all rejected postal ballot papers will be separately bundled and kept together in a packet and sealed with the seal of the Returning Officer and the seals of such of the candidates, their election agents or counting agents (not exceeding two in respect of any one candidate) as may desire to affix their seals thereon.

29. In case the victory margin is less than total number of postal ballots received then there should be a mandatory re-verification of all postal ballots. In the presence of Observer and the RO all the postal ballots rejected as invalid as well as the postal votes counted in favour of each and every candidate shall once again be verified and tallied. The Observer and the RO shall record the findings of re-verification and satisfy themselves before finalizing the result. The entire proceeding should be videographed without compromising the secrecy of ballot and the video-cassette/CD should be sealed in a separate envelope for future reference.

Counting of Votes recorded in EVMs

30. After 30 minutes of the commencement of postal ballot counting, the EVM counting can start. The EVMs can be brought under escort (agents can accompany) from the strong room to the counting hall if the postal ballot counting is still going on. However, the penultimate round of EVM counting shall not commence unless the postal ballot counting is over.

31. Each counting table shall have one GOI official as counting micro-observer. The Observer should properly train the micro-observers. The micro-observer shall be responsible for the purity of counting process on his respective table.

31.A Since the list of Control Units allotted to each polling station is already shared with all candidates and is available with the RO, the Control Unit No. and number of electors assigned to the polling station shall be filled up in advance in the round wise tabulation sheet. On the counting table, the counting supervisor shall verify and record on Form 17C-Part II itself that the serial no. of the control unit taken up for counting is the same as what is noted on the Part-I of Form 17C. In the case of EVMs procured in 2006 and thereafter, the C.U. will itself display its serial no. as soon as its power is switched on. The Micro-Observers will also note down the Serial No. of the Control Unit on the sheet maintained by him/her. If any discrepancy is noted, this should be brought to the notice of the RO and the Observer before counting the votes recorded in that Control Unit. When Individual counting sheets (Form 17C-Part II) from counting tables will come to RO's table for filling up the round-wise tabulation sheet, the RO & the Observer will ensure (by tick marking) that the pre-filled serial number of CU noted down in the round-wise counting sheet is the same as mentioned in Part I of Form 17C as well as the control unit number actually verified/displayed during counting at the table.. Extreme care will have to be taken by the RO to ensure that there are no errors in the list of polling station wise CUs shared with the candidates. Any anomaly will create doubt and confusion in the counting hall. In case any EVM had to be replaced during the poll, proper record of the same along with the serial number of the new control unit used shall be maintained and the fact mentioned clearly with full details in the round-wise counting sheet.

32. After the EVM counting at each table, a round-wise statement shall be prepared by the Returning Officer in the proforma annexed hereto (**Annexure for tabulating round-wise figures**). Both the Returning Officer and Observer shall personally verify that the number of votes posted against the name of each candidate in respect of every counting table tally with the figures as shown in Part II of Form 17 „C“ (result of counting) pertaining to that table. They shall append their initial below the total of each counting table. A copy of the detailed polling station-wise round-wise breakup of the votes as shown in the said Annexure will be kept by the Observer in his folder. In addition, on the computer installed in the Counting Hall where parallel tabulation work will be done in an Excel Sheet to counter check any human error. This data entry will also be done Polling station wise and Round wise. Even though computer tabulation will not substitute the manual tabulation being done for obtaining final result of the counting of votes, the Computer based parallel tabulation/totaling will be helpful as a double check on the accuracy of manual tabulation. The said date shall be entered in the excel sheet in the computer and a print out of the same shall be taken out and compared by the observer and also be signed by the officer. (As per Commission's instruction

no. 470/2011/EPS dated 5th March, 2011). If the computer table is located at a distant place from the Returning Officers table (but has to be within the counting hall). At the Computer Table one counting agent of each of the contesting candidate will be allowed to be seated in addition one micro observer. There shall be one micro observer at the Returning Officers table in counting halls of all Assembly Constituencies

33. For ensuring accuracy of the result of counting, at the closure of each round of counting the Observer will randomly select 2 EVMs of the concluded round and direct the additional micro-observer appointed for this purpose to check and tally the results on the 2 EVMs with Part II of 17C submitted by the counting staff. After completion of counting, the observer should send a final report in the prescribed checklist as per ECI instruction no. 470/2008/EPS dated 19th January, 2009.(copy enclosed for ready reference)

34. The Observer and Returning Officer will sign the candidate wise results for that round after checking everything and ensure that the results of that round counting of votes are immediately displayed prominently on the blackboard/whiteboard. It should also be announced through public address system. A copy of the round's results should be shared with all candidates/agents after completion of that round. A copy of the print out should be given to media room for information of press and another copy to communication room for uploading on GENESIS.

35. Next Round of counting should only start i.e. the next set of EVMs for the next round should be brought only after all tables of previous round have finished counting and the result of that round has been posted on the blackboard/whiteboard.

36. The Commission has issued detailed instructions on the flow of data through GENESYS. These instructions are to be followed scrupulously by all Returning Officers.

37. The RO will fax round-wise data to the CEO. Wherever hot lines are available with the CEO, these will be utilized to orally confirm the contents of the fax message. CEOs would set up adequate number of fax lines with hunting facility to receive the faxes. For this purpose, they can hire faxes or temporarily borrow fax machines from various government departments and corporations. The total number of such fax machines required, including a few in reserve, should be decided in advance and these should be positioned and tested at least 72 hours before the start of counting. The CEOs should have blank forms to note down the round wise data, if received orally on phone or hotline.

38. As per the above arrangements, the progress of every round, Assembly segment-wise, will be announced as soon as each round is complete. Similarly, the consolidated position of the PC by combining the position of the rounds of different ACs available from time to time

should also be announced over the public address system,, preferably from a centralized location where the public announcement booth is located. The public announcements could be repeated at suitable intervals for the knowledge of the public that gather in good number outside the Counting Centres.

39. Entire counting process must be videographed. CD of the video (and also of each table's recordings) should be kept in safe custody of the DEO.

40. As soon as the final result is declared, the data as contained in Form 21E, which is handed over to the winning candidate, will be handed over to the Observer also for immediate communication to the Commission.

41. It is important that soon after the counting is finished, the fully reconciled counting data is tabulated and checked thoroughly before the result is formally declared.

42. The Observers will ensure that the Final Result Sheet in Form 20 is filled by the RO before he declares the result in Form 21 C and sends it to appropriate quarters. One copy each of the Forms 20 , 21C and 21E duly filled in will be collected by the Observers and attached with their reports on counting.

43. Commission has decided that all Observers will keep a close watch on the process of counting of votes and compilation of results. Towards this end, neither the Observer nor the ARO/RO or any other election official should leave the counting hall till the counting is completed and result declared. Strict discipline should be maintained inside the counting premises and prompt action should be taken against anyone not observing the rules.

44. Before the Returning Officer declares result of an election, he shall obtain an authorization for declaration of result from the Observer concerned. Every Observer shall completely satisfy himself about the fairness of counting of votes and complete accuracy of compilation of result. After having done so, he shall issue an authorization to the Returning Officer concerned in the following format for declaration of result:-

“ _____ Observer (Code _____), For
_____ Assembly Constituency after having satisfied myself about the
fairness of counting of votes and complete accuracy of compilation of result in Form-20
hereby authorize the Returning Officer for _____ Assembly Constituency to
declare the result.”

Signature of the Observer _____
Name of the Observer _____
Code of the Observer _____

45. No Returning Officer shall declare the result without receiving the authorization in the format as detailed in Para 44 above from the Observer. It shall be the personal responsibility of the Observer and Returning Officer to ensure fairness of counting of votes and accurate compilation of result.

46. The CEO will keep in touch with the Secretary concerned in the ECI on the progress of counting and the collection and dispatch of data in statutory forms as mentioned earlier.

47. It shall be the personal responsibility of the District Election Officer concerned to ensure that all the above mentioned instructions are strictly complied with and brought to the notice of all the Returning Officers, Observers, Candidates, Counting Agents etc sufficiently before the commencement of the Counting.

48. The Observers can make out a joint report at the end of counting. On the day immediately following the counting, they will put together their reports, along with copies of Forms 20, 21C and 21E and send them to the Commission. This should be done before the Observers leave the Constituency on completion of their duty. They will also ensure that the original Forms in two sets are dispatched by the RO through special messenger to the CEO who in turn, will send one set for all constituencies in his state, through a special messenger by flight, to the Commission.

Yours faithfully,

(Sumit Mukherjee)
Under Secretary

(ANNEXURE-II).

Check list of final Report of the observer to be sent to the Commission after Counting.

1. Whether arrangements for counting has been done as per the instruction of the Commission's letters No. 470/2007/PLN-I dated. 11.1.2007 and 29.08.2007? (yes/No)
2. If No, what are the discrepancies ?
3. Whether randomization of counting staff was done as per the instruction of the Commission in the morning? (yes/No)
4. Whether pairing of counting supervisor and counting assistant was done as per the instruction of the Commission? (yes/No)
5. Whether Micro-Observer was present? (yes/No)
6. Whether postal ballot papers were counted before the counting of votes in EVM*? (Yes/No)
7. Whether after each round or counting, random checking of 2(two) EVMs was done by the observer? (Yes/No)
8. Whether the figures at random checking done by staff drawn from reserve pool tally with the figures of round wise counting provided by the counting supervisor/counting assistant? (Yes/No)
9. Whether the signature of the counting agents taken in part –II of form 17 C? (yes/No)
10. Whether the total votes shown in part-II of form 17 C tally with the votes counted in EVM? (Yes/No)
11. Whether the counting agents of the candidates were present at the time of counting? (Yes/No)
12. Whether the seating arrangements of the counting agents were done as per the Commission's instruction? (Yes/No)
13. Whether Videography of counting was done ? (yes/No)
14. Whether there was any demand for recounting or re-totaling? (Yes/No)
15. Whether any significant incident occurred during counting of votes? If yes, give details
16. Whether candidates/ counting agents were present at the time of declaration of result? (yes/No)
17. Whether the counting was started in time? If not, give remarks.
18. Total No. of rounds counted in each assembly constituency.

No. of postal ballot	No. of postal ballot found invalid for counting
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ELECTION COMMISSION OF INDIA

Nirvachan Sadan, Ashoka Road, New Delhi-110001

No.470/TN-LA/2011/SS-1

Dated : 06th May,2011

To,

- The Chief Electoral Officers of
1. Tamil Nadu, Chennai
 2. West Bengal, Kolkata
 3. Kerala, Thiruvananthapuram
 4. Assam, Dispur
 5. Puducherry, Puducherry.

Sub: Arrangements for Counting – regarding.

Ref: Commission letter No. 470/TN-LA/2011/SS-1 dated 5th May, 2011.

Sir/Madam,

In continuation of the letter cited above on arrangements for counting, following additional instructions are given by the Commission:-

1. Copies of round-wise result sheet should be given by the Returning Officer to the candidates and their election agents as soon as the result of that round is declared by the Returning Officer.
2. There are existing instructions of the Commission that counting process should be fully videographed. A CD containing the record of complete videography of counting process should be given by the Returning Officer to all candidates or their election agents free of cost after the counting process is over.

This may be communicated to all District Election Officers, Returning Officers and Observers for strict compliance.

Yours faithfully,



(Sumit Mukherjee)
Under Secretary

By Speed Post/Camp Beg/Fax

ELECTION COMMISSION OF INDIA
NIRVACHAN SADAN, ASHOKA ROAD, NEW DELHI-110001

No.51/8/7/2010-EMS

Dated: 7th May, 2011

To

The Chief Electoral Officers
Of All States & Union Territories

Subject: Action to be taken during counting of votes in case Presiding Officer does not press CLOSE button of CU at the end of poll.

Sir,

I am directed to refer to the letter No. 8912/Elе.III/2011, dated 27.04.2011, received from the Chief Electoral Officer, Tamil Nadu, whereby, guidelines have been sought on the course of action to be taken during counting of votes, in case, Presiding Officer is found to have not pressed CLOSE button of Control Unit at the end of poll. The Commission has advised that the following action be taken during counting of votes, in such circumstances, in the presence of candidates/their authorised agents, under videography: -

- a. In case any Control Unit does not display result due to not-pressing of "Close" button by the Presiding Officer in the polling station at the close of poll, it should be kept back inside its carrying case and then be kept in the Returning Officer's custody in the counting hall. Counting of votes in other machines should continue as usual.
- b. When counting of votes in other machines is completed, the Returning Officer and Observer should see whether the margin of votes between the first candidate and the runner up is more or less than the votes polled in such machine (s).
- c. In both the cases where the margin of votes is more or less than the total votes polled in that machine (s), the Returning Officer/Counting Supervisor shall press the "Total" button of the Control Unit to see the total votes polled in that machine (s). In case, total votes polled in the machine (s) tallies with the total votes polled mentioned in the Form - 17 C, the Returning Officer/Counting Supervisor shall press the "Close" button of the Control Unit (s) so that "Result" button can be pressed for getting result data explaining the entire issue to the candidates and/or their authorised agents and

recording a proceeding in this behalf with the signatures of the candidates/their authorised agents. In such a case, the Returning Officer and Observer should send a detailed report to the Commission in the format mentioned at Annexure-A.

d. In case, total votes polled in the machine(s) does not tally with the total votes polled mentioned in the Form-17 C, the matter should be referred by the Returning Officer to the Commission for its decision and action may be taken as per the direction of the Commission. In such a case, the Returning Officer and Observer should also send a detailed report to the Commission in the format mentioned at Annexure-B, where the margin of vote between the candidates having highest vote and the runner up is more than the votes polled in the Control Unit in question, and in Annexure-C, where such margin is less.

e. After completion of counting, all such Control Units whether result has been retrieved from it or not, the Control Unit should be kept back inside its carrying case. The carrying cases should then be sealed once again. The Returning Officer and Observer should put their signatures on the seal. All candidates and their election agents should also be allowed to put their signature on the seal. The Control Unit should be then kept in the strong room (s).

The aforesaid instructions should be brought to the notice of all Political Parties and contesting Candidates in advance.

Yours faithfully,

(K.N. Bhar)
Secretary

Annexure-A

(Report on getting result data from Control Unit whose CLOSE button was not pressed by Presiding Officer at the end of poll)

Name of State/UT:

Name of District:

Name of election:

Number & Name of Assembly/Parliamentary Constituency:

Date of Counting:

It is certified that the result has been obtained from the following Control Unit(s) after pressing CLOSE button in the presence of the contesting candidates/their counting agents. The result of the election has been declared taking into consideration the result from this machine as well.

Sl. No.	Polling Station No.	Unique ID No. of Control Unit	Detailed Report	No. of votes polled in the Control Unit as per Form 17C

Final statement showing votes polled by the winning and runner up Candidates

S.No.	Name of candidate	Party affiliation, if any	Votes polled

(Name & Signature of Returning Officer)

(Name & Signature of Observer)

Annexure-B

(Report on discrepancy in total votes shown in the Control Unit whose CLOSE button was not pressed by Presiding Officer at the end of poll and as mentioned in Form 17-C)

Name of State/UT:

Name of District:

Name of election:

Number & Name of Assembly/Parliamentary Constituency:

Date of Counting:

It is certified that the discrepancy has been noticed in the total votes polled in the following Control Unit(s), after pressing TOTAL button of the Control Unit and comparing it with the total votes polled mentioned in Form 17-C.

Sl. No.	Polling Station No.	Unique ID No. of Control Unit	No. of votes polled displayed by Control Unit on pressing TOTAL button	No. of votes polled in the Control Unit as per Form 17C	Remarks

Final statement showing votes polled by the winning and runner up Candidates

S.No.	Name of candidate	Party affiliation, if any	Votes polled

As the margin of votes between the candidate having highest votes and the runner up is more than the votes polled mentioned in the Form 17C relating to the Control Unit(s) mentioned above, the matter is being referred to the Commission for permission to set aside the votes polled in the said Control Units (s) and to declare the result.

(Name & Signature of Returning Officer)

(Name & Signature of Observer)

Annexure-C

(Report on discrepancy in total votes shown in the Control Unit whose CLOSE button was not pressed by Presiding Officer at the end of poll and as mentioned in Form 17-C)

Name of State/UT:

Name of District:

Name of election:

Number & Name of Assembly/Parliamentary Constituency:

Date of Counting:

It is certified that the discrepancy has been noticed in the total votes polled in the following Control Unit(s), after pressing TOTAL button of the Control Unit and comparing it with the total votes polled mentioned in Form 17-C.

Sl. No.	Polling Station No.	Unique ID No. of Control Unit	No. of votes polled displayed by Control Unit on pressing TOTAL button	No. of votes polled in the Control Unit as per Form 17C	Remarks

As the margin of votes between the candidate having highest votes and the runner up is less than the votes polled mentioned in the Form 17C relating to the Control Unit(s) mentioned above, the matter is being referred to the Commission for appropriate orders.

Final statement showing votes polled by the winning and runner up Candidates

S.No.	Name of candidate	Party affiliation, if any	Votes polled

(Name & Signature of Returning Officer)

(Name & Signature of Observer)

ELECTION COMMISSION OF INDIA

Nirvachan Sadan, Ashoka Road, New Delhi-110001

No. 3/ER/2011/SDR

Dated: 1st September, 2011

To

The Chief Electoral Officer of
all States and Union Territories.

Sub: Affidavit filed by the candidates with their nomination papers – regarding.

Sir/Madam,

You are aware that the Commission had in the year 2003 prescribed, in pursuance of the judgment and order dated 13th March, 2003 in People's Union for Civil Liberties and another v Union of India (Civil Appeal No. 490 of 2002) of the Apex Court, the format in which the candidates contesting elections to the Houses of Parliament and State Legislatures have to file affidavits giving information about their criminal background, assets, liabilities and educational qualifications.

Based on the experience since then, the Commission has made some modifications in the format of the affidavit for better and more effective dissemination of information to the electors about the background of the candidates. The new format was circulated to all CEOs and all recognized National and State Political Parties vide letter of even number dated 25th February, 2011 and has come into effect for use at all subsequent elections. The Political parties were also specifically informed that this format will be used for all elections from then onwards and with the advice to circulate it to all units of their party for bringing to the notice of the candidates contesting elections in future.

It has, however, been reported that during some of the recent elections some candidates had used the pre-revised format of the affidavit. The Commission has directed that the revised format of the affidavit should be brought to the notice of the Returning Officers for all elections conducted by the Commission, including elections to Rajya Sabha as well as Legislative Councils, so that they ensure that candidate file the affidavit in the revised format.

Certain clarifications issued after issue of the revised format of Affidavit are also recapitulated below for convenience: -

- (i) The Returning Officer can take the assistance of one suitable officer exclusively to check that the affidavit is filed in the revised format and all columns are filled legibly and if there is no information to be indicated/furnished against any item, "Nil" or "Not applicable", as may be appropriate, should be written against such item.
- (ii) In case, any candidate files the affidavit in pre-revised format, he should be advised to file a fresh affidavit in revised format by 3 P.M. on the last date for filing nominations.
- (iii) The candidates are required only to furnish details of deposits in banks/post offices etc under the "details of immovable assets" without mentioning their Account Nos. of banks/post offices.
- (iv) The affidavits are required to be sworn before a first class Magistrate or a Notary Public. In a writ petition (No. 8682 of 2011 and M.P. No. 1 of 2011) the Hon'ble Madras High Court has directed that the duly sworn affidavits should be on stamp paper of the value of Rs 20/-.
- (v) The value of stamp paper for affidavits is prescribed under the State Act, and hence varies from State to State. In view of the above mentioned order of the Hon'ble Madras High Court, the Commission has directed that in future the affidavits to be filed by the candidates (in States other than Tamil Nadu) should be on stamp paper of such denomination as prescribed under the State law of the State concerned on the subject. In Tamil Nadu the affidavit should be on Rs.20/- stamp paper as per the direction of the Hon'ble High Court. The Returning Officer will post a copy of the affidavit on the notice board for wider dissemination and also provide a copy to CEO for uploading it on the CEO's website after scanning. If the Office of the Assistant Returning Officer is outside the headquarters of the Returning Officer, but within the boundary of the constituency, then a copy of the affidavit is to of both Returning Officer and Assistant Returning Officer are outside the territory of the constituency then one copy of the affidavit is also required to be affixed in the notice board of Block addition to displaying the copy on the notice board of the Returning Officer.

The Chief Electoral Officer is requested to ensure that all the Returning Officers including Returning Officers for elections to Council of States and Legislative Councils receive a copy of this letter and an acknowledgement is obtained by him and kept in his record. A consolidated certificate that all the Returning Officers have received the instructions may be forwarded to the Commission within one month of receipt of this letter, for its record.

Yours faithfully,

(Ashish Chakraborty)
Secretary

Copy to President/General Secretary of all the recognized National and State Parties (as per list enclosed) in continuation of Commission's letter of even number dated 25/2/2011. They are once again advised to disseminate the revised format of the Affidavit within their party units and take such action as may considered appropriated to ensure that none of the party candidates file their Nomination paper with pre-revised affidavit. The Returning Officers have been instructed not to accept any Affidavit in any other format other than the one now prescribed by the Commission.

By Fax/Speed post

ELECTION COMMISSION OF INDIA

Nirvachan Sadan, Ashoka Road, New Delhi-110001

No.437/6/INST/2011-CC&BE

Dated: 1st December, 2011.

To,

1. The Chief Secretaries of

- (i) Goa, Panaji;
- (ii) Punjab,, Chandigarh;
- (iii) Manipur, Imphal;i
- (iv) Uttarakhand, Dehradun;
- (v) Uttar Pradesh, Lucknow.

2. The Chief Electoral Officers of

- (i) Goa, Panaji;
- (ii) Punjab,, Chandigarh;
- (iii) Manipur, Imphal;i
- (iv) Uttarakhand, Dehradun;
- (v) Uttar Pradesh, Lucknow.

Subject:- General Elections to the State Legislative Assemblies of Goa, Punjab, Manipur, Uttarakhand and Uttar Pradesh – Transfer/Posting of Officers – regarding

Sir,

I am directed to state that the general elections to the Legislative Assemblies of Goa, Punjab, Manipur, Uttarakhand and Uttar Pradesh, are required to be held during the first half of 2012. In order to ensure free, fair and peaceful conduct of elections in all these States, the Election Commission, in exercise of the powers vested in it under Article 324 of the Constitution read with the proviso to Section 15(2) of the Representation of the People Act, 1951, and taking into account the provisions of Section 13CC of the RP Act, 1950 and Section 28A of the RP Act, 1951, has decided that officers who are connected or are likely to be connected with the conduct of elections in the said States, should not serve in their home districts or places where they have served for long and directed that **no officer connected with elections,**

directly or indirectly, should be allowed to continue in the present district of posting :

(a) If she/he is posted in her/his home district; or

(b) If she/he has completed three years in that district during the last four years or would be completing 3 years on or before:-

(1) 31st March, 2012 in respect of Punjab, Uttarakhand & Manipur and

(2) 31st May, 2012 in respect of Uttar Pradesh & Goa.

(ii) These instructions will not only cover officers appointed for specific election duties like District Election Officers, Returning Officers and Assistant Returning Officers but also other district level officers like Additional District Magistrates, Deputy Collectors, Sub-Divisional Magistrates, Tehsildars, Block Development Officers or any other officer proposed to be used for election work. As far as officers in the Police Department are concerned, these instructions shall be applicable to the Range IGs, DIGs, Commandants of State Armed Police, SSPs, SPs, Addl. SPs, Sub-Divisional Heads of Police, Inspectors, Sub- Inspectors, Sergeant Majors or equivalent ranks who are responsible for deployment of police force in the district at election time. The police officials who are posted in functional departments like computerization; special branch, training, etc. are not covered under these instructions. Apart from these, the Police Officers of the level of Sub-Inspectors should not be posted in their home Assembly Constituencies. The Police Officers of the level of Sub-Inspectors should be transferred out of their police Sub-divisions if they have completed tenure of three years during last four years in that sub-division.

(iii) The Commission further desires that a detailed review may, therefore, be undertaken before the General Election to State Legislative Assembly, in all districts and all such officers be posted out of their home districts or district where they have completed or will complete on the aforesaid date a tenure of three years out of the last four years, immediately. While moving such officers, care should be taken that they are **not posted to their home districts**. While calculating the period of three years, promotion to a post within the district is to be counted. While carrying out this review it must be borne in mind that these instructions do not apply to officers posted in the State headquarters of the departments concerned.

(iv) The Commission also desires that the officers/officials against whom Commission has recommended disciplinary action or who have been charged for any lapse in any election or elections related work. shall not be assigned any election related duty.

(v) The Commission further desires that no officer/official against whom a criminal case is pending in any Court of Law, be associated with the election work or election related duty.

(vi) The Commission has in the past received complaints that while the State Government transfers officials in the above categories in pursuance of the directions issued by the Commission, the individuals try to circumvent the objective by proceeding on leave and physically not moving out of the district from which they stand transferred. The Commission has viewed this seriously and desires that all such officials who stand transferred in pursuance of the instructions referred to above shall be asked to move physically out of the districts from which they stand transferred immediately on receipt of the transfer orders.

(vii) Further, while implementing the above directions, the Commission desires that the Chief Electoral Officer of the State shall invariably be consulted while posting the new persons in place of present incumbents who stand transferred as per this policy of the Commission. The copies of the transfer orders issued under these directions shall be given to the Chief Electoral Officers concerned without fail.

(viii) The transfer orders in respect of officers/officials who are engaged in the electoral rolls revision work , if any, shall be implemented only after final publication of the electoral rolls in consultation with the Chief Electoral Officer.

(ix) Any officer who is due to retire within coming six months will be exempted from the purview of the above-mentioned directions of the Commission. Further such officers may not be engaged for performing election duties during the elections.

(x) It is further clarified that all the officials of the States/UTs who are on extension of service or re-employed in different capacities will not be associated with any election related work except those with the Office of CEOs.

2. Details of the action taken may be intimated to the Commission for its information immediately and in any case not later than **31st January, 2012**.

3. It has been observed in the past that during the General Election, numerous references are received from various States seeking clarification with reference to the applicability of transfer order to individual cases. The Commission directs that all these issues should be basically handled at the Chief Electoral Officer's level. Only when it is absolutely necessary, individual references should be forwarded to the Commission after considering all aspects at the Chief Electoral Officer's level with his/her specific recommendations.

4. The above instructions may be brought to the notice of all concerned for compliance. Receipt of this letter may please be acknowledged.

Yours faithfully,

(K. N. BHAR)
SECRETARY

ELECTION COMMISSION OF INDIA
NIRVACHAN SADAN, ASHOKA ROAD, NEW DELHI-110001.

No.464/INST/2011 /EPS

Dated: 26th December, 2011

To

- The Chief Electoral Officer of
1. Goa, Panaji,
 2. Manipur, Imphal,
 3. Punjab, Chandigarh,
 4. Uttarakhand, Dehradun,
 5. Uttar Pradesh, Lucknow.

Subject:- Special facilities in polling stations for women electors- regarding.

Sir/Madam,

The Commission has always been emphasizing for enhanced participation of women electors on poll day to improve the turnout of women electors. Instructions exist that in places where two polling stations are set up in the same building or compound, there is no objection to allotting one of them for men and the other for women'. Further, where there are a large number of women electors, especially **purdahnasheen** women, women Polling Officers should be appointed to carry out the duty of identifying the female voters. The Commission's Order No. 576/11/ESO24/94-J.S.II, dated 21.10.1994 contained in the Compendium of Instructions on Conduct of Elections-Volume-IV also refers for providing special facilities in polling stations for women voters.

The Commission has now decided, 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 entry of one male voter.

Please inform all concerned and give due publicity to this.

Yours faithfully

(SUMIT MUKHERJEE)
SECRETARY