

HANDBOOK

FOR

PRESIDING OFFICERS

(For the conduct of Panchayat Elections)

February 2020

Issued by
Election Authority under Panchayati Raj Act, 1989
(Chief Electoral Officer, Jammu and Kashmir)

PREFACE

Democracy, at the grassroots, is synonymous with constitution of the Panchayati Raj Institutions. This, obviously, begins with free and fair elections to the Panchayats. The legal framework laid out for the purpose enables the elections machinery to achieve this objective.

Cornerstone for any act on the part of the election machinery has to be adherence to the principle of natural justice, complete transparency and total neutrality. This handbook aims to guide the Presiding Officers as also the District Panchayat Election Officers (Deputy Commissioners) who are entrusted with the onerous responsibility of conduct of panchayat elections. They are expected to undertake detailed planning, display due diligence and ensure that their every action is as per the law. Therefore, it is absolutely essential for the officers to go through this handbook very carefully and clarify doubts, if any, well in advance.

Proper care has been taken to ensure that all the material contained in this handbook is in conformity with the legal provisions. At the same time, the officers are advised to be aware of the Panchayati Raj Act, 1989 and Rules framed there under so that their actions are never in conflict with the same.

Suggestions for improvement in this handbook are always welcome.

Jammu

February, 2020

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CHAPTER I

GUIDELINES FOR PRESIDING OFFICERS FOR THE CONDUCT OF PANCHAYAT ELECTIONS

- 1.1 As a Presiding Officer (appointed under Rule 6 of Panchayati Raj Act 1989 & Panchayati Raj Rules 1996), you have an important role to play in the conduct of poll. You enjoy full legal power to control the proceedings in the polling station under your charge. It is your primary duty and responsibility to ensure a free and fair poll at your polling station. You must equip yourself fully with the law and procedure and the relevant instructions and directions of the Election Authority in relation to the conduct of elections so as to enable you to act strictly.
- 1.2 Broad outline of duties:-
The provisions of the laws which have a bearing on your duties as a presiding officer are as contained in these guidelines. While detailed instructions and guidance are contained in the various chapters of this handbook, some of the salient and important aspects of your duty are reproduced below for your guidance.
- i. You must acquaint yourself with members of your polling party and keep contact with them right from your appointment as Presiding Officer.
 - ii. You must keep in ready possession all relevant instructions of the Returning Officer.
 - iii. You must have a clear idea of the location of your polling station and your itinerary to and from the polling station.
 - iv. You must attend all rehearsals and training classes without fail.
 - v. While collecting election materials, you should ensure that all items have been handed over to you. The most important items are ballot papers, ballot boxes, marked copy of electoral roll and other copy, indelible ink, arrow cross mark rubber stamp for voting, self inking pad, statutory forms and sealing wax. **The term marked copy of the Electoral Roll wherever it appears in this Handbook implies that copy of the Electoral Roll which is supplied to the polling party for the conduct of polls. The marked copy of Electoral Roll will bear the marking related to the migrant Postal Ballots (MPB) only.**
 - vi. You should ensure that the ballot box/boxes issued to you are in good working order and properly numbered (embossed/painted). These should be made ready with fixing of paper seals as per instructions contained in Para 4.7 of Chapter IV and after showing to the candidates/Polling agents present that those are empty.
 - vii. On arrival at the polling station, you should have clear idea of the arrangement to be made for setting-up of a polling station especially to secure secrecy of voting,

regulation of queue of voters, protection of poll proceedings free from outside interference etc.

- viii. You are required to sign your name in full on the back of each ballot paper before issue (but not on the counterfoil of the ballot paper). To enable the commencement of poll at the appointed time, you should keep in advance some ballot papers signed.
- ix. The identity of an elector should be properly verified by the First Polling Officer and the unofficial identity slips carried by an elector should not be accepted as a matter of routine and ballot paper issued on that basis.
- x. The instructions for establishing the identity of the elector should be followed carefully.
- xi. After an elector is identified with reference to his entry with particulars in the electoral roll, his left forefinger should be marked with, the indelible ink. His signature or thumb impression should also be obtained on the counterfoil of the ballot paper and thereafter he should be issued with the ballot paper.
- xii. In order to ensure that the indelible ink mark put on the voter's finger has properly dried up and developed into a distinct indelible ink mark, it may be necessary that his left forefinger is again checked up by the 2nd Polling Officer before the elector leaves the station. If the ink mark is not distinct or found removed, the elector's forefinger should again be marked with the indelible ink.
- xiii. After an elector has been identified in the marked copy of the electoral roll, the entry relating to the elector should be underlined. A tick mark (✓) will also be put in the case of a female elector. The serial No. of the ballot paper should not be noted at all in the marked copy of the electoral roll against the elector's name.
- xiv. Signatures/thumb impression of the elector on the counterfoil of the ballot paper is obligatory before an elector is issued a ballot paper. If an elector refuses to put his signature or thumb impression on the counterfoil, he should not be issued a ballot paper.
- xv. The ballot papers need not be issued to electors in consecutive serial order as that would enable the election agents to work out the serial number of ballot paper that is being issued to individual voters. At the same time, if the first one or two bundles of ballot papers (50 in a bundle) are shuffled and bundles used at random and not in consecutive serial order, then the object would be served. At the close of the poll, the numbers of the ballot papers issued to the electors should be in continuous and in an unbroken series to avoid confusion in drawing up the ballot paper account.
- xvi. If you consider an elector to be much below the minimum age of voting, i.e., 18 years, but are otherwise satisfied about his identity and the fact of inclusion of name in the electoral roll you should obtain a declaration from him about his age on a plain paper in the format indicated at Annexure 4.

- xvii. If an elector to whom a ballot paper is issued, refuses even after warning given to him to observe the procedure relating to the maintenance of secrecy of voting within the polling station, the ballot paper issued to him shall, whether he has recorded his vote or not, be taken from him by you or under your direction and thereafter cancelled.
 - xviii. You have to go on recording the relevant events as and when they occur in the Presiding Officer's diary given to you.
 - xix. You have to regulate the proceedings in the polling station for peaceful and smooth conduct of poll. This requires tact but at the same time you should be firm and impartial.
 - xx. You are required to make available authenticated copies of ballot paper account to the candidates or their polling agents present at the close of the poll.
 - xxi. You should ensure that after the closing hour of poll, nobody is allowed to join the queue and for that purpose, you should distribute slips to all electors' standing in the queue at the closing hour, starting the operation from the end of the queue.
 - xxii. You should follow carefully the instructions for sealing election papers in different covers so that no avoidable mistake is committed which cannot be rectified later.
 - xxiii. It is your responsibility to hand over the ballot boxes and other election materials after poll under proper receipt at the collection/counting centre.
- 1.3** Check Memo: To ensure that you have fulfilled the various statutory requirements in connection with the election, Election Authority has drawn up a CHECK MEMO placed on next page. Refer to the check memo as frequently as necessary so that nothing is missed.
- 1.4** If any person behaves in a disorderly manner, report the matter to the police personnel on duty. Similarly nobody should be allowed to use megaphone or a loudspeaker as it may interfere with the smooth conduct of the poll.
- 1.5** If any person unauthorisedly takes or attempts to take a ballot paper out of a polling station, report the matter to the police at once.
- 1.6** If any Presiding or Polling officer is without reasonable cause, found guilty of any act or omission, he shall be liable to disciplinary action under Rules.

CHECK MEMO FOR PRESIDING OFFICER

Item No.	Action to be taken	Remarks
1.	Obtaining and keeping in position all relevant instructions from the Returning Officer	Whether obtained and kept
2.	Familiarization with the other members of the polling parties	Whether done
3.	Collection of election material	Whether done
4.	Checking up of ballot papers, paper seals, ballot boxes, marked copy of electoral rolls, arrow cross mark rubber stamps etc.	Whether done
5.	Preparation & display of notice specifying the area and the number of electors assigned and also copy of list of candidates	Whether displayed
6.	Obtain the signature of candidates/Polling agents on the back of the paper seal before inserting in the lid of the ballot box.	Whether done
7.	Allowing the candidates/Polling agents to note the Serial No. on the paper seal and the ballot box.	Whether done
8.	Putting signatures on the back of the ballot paper	Whether done
9.	Shuffling of bundles of ballot papers.	Whether done
10.	Allowing candidates/Polling agents to see the bundles of ballot papers and note the first and last serial number of the ballot papers.	Whether allowed
11.	Marking of indelible ink on left forefinger of the voter and obtaining his signature/thumb impression on the counterfoil of the ballot paper.	Whether being properly done
12.	Declaration from apparently under-aged electors on a Plain sheet of paper	Whether obtained.
13.	Maintenance of Presiding Officers Diary.	Whether events noted regularly
14.	Preparation of paper seal account.	Whether prepared
15.	Supply of copies of ballot paper account to the agents of the candidates	Whether supplied
16.	Sealing of election papers and ballot boxes.	Whether done according to the instructions.
17.	Ascertain the location of collection centre for depositing of used ballot boxes and election material.	Whether ascertained

CHAPTER II

FORMATION OF POLLING PARTY AND REHEARSALS/TRAININGS

2.1 Appointment of Presiding Officers:

- i. The District Panchayat Election Officer (Deputy Commissioner) shall appoint such number of Presiding Officers as may be required for holding of elections. Generally one Presiding Officer would be simultaneously incharge of two polling stations.
- ii. The District Panchayat Election Officer may appoint for each polling station two Polling Officers and one attendant to assist the Presiding Officer in the performance of his functions.
- iii. The Presiding Officer shall perform the functions required to be performed by him under these rules and it shall be his general duty to keep order at polling station/stations assigned to him and to see that the poll is fairly taken.

2.2 Polling Party:

- i. At an election to the Panchayat Halqa your party will consist of yourself and two Polling Officers. While appointing the polling party, your District Panchayat Election Officer/Returning Officer will authorize one of the Polling Officers in your party to perform the duties of Presiding Officer in case you are to be unavoidably absent from the polling station.
- ii. Taking into consideration the constraints on suitable manpower you may be appointed as Presiding Officer simultaneously for two polling stations in the same location.

2.3 Contact with other members of the Polling Parties:

Ascertain as soon as it is practicable, who the other members of your polling party are going to be. It is necessary for you to have the residential addresses of all the Polling Officers appointed to work under you. You should get together with them as frequently as possible, and explain to them, the part to be taken at the poll by each member of the party. Unless there is teamwork, your task as Presiding Officer will be more difficult.

2.4 Polling Rehearsals:

- i. Attend as many polling rehearsals as you can. This is essential for obtaining a clear idea of the procedure to be followed and for understanding the provisions of the law. ▯

- ii. You must take with you the Polling Officer authorized to perform your duties in case of your unavoidable absence to these rehearsals. It is very necessary that you and such authorized Polling Officer should do the various operations with the ballot box yourself/himself and should not be content with simply watching the demonstration. Both of you should also familiarize yourselves with the fixing of the blue paper seals.
- iii. You should also prepare a sample ballot paper account and paper seal account.
- iv. Even in case you had worked as a Presiding Officer in some earlier election, you must attend the training classes/rehearsals, as the election law and procedure are being amended from time to time and it is necessary that you should follow the revised procedure as otherwise the conduct of election may not be in accordance with the latest procedures or instructions. You must appreciate that the procedures involved during the conduct of Panchayat Elections are somewhat different than the procedures during the Assembly/Parliamentary Elections. Further, it is always advantageous to refresh your memory even if there is no change in the law and procedure.
- v. You should maintain close contact with your Returning Officer/Assistant Returning Officer.

CHAPTER III

COLLECTION OF POLLING MATERIALS

3.1 Polling Materials:

- i. On the day previous to the poll or on, the day of departure to the polling station you will be supplied with all the election materials, a list of which is detailed in 3.2. Before leaving for your polling station, make sure that you have received all the items. Check in particular that each of the ballot boxes is in working order, that there is sufficient quantity of indelible ink in each of the phials supplied to you and that the stamp pads are not dry. Compare the two copies of the electoral rolls carefully and see that both the copies are identical in every respect, in particular, the manuscript of page numbering and that –
 - (a) the relevant part given to you pertains to the area for which the polling station has been set up and that it is complete in all respects along with the supplements, if any, in every copy;
 - (b) all deletions of names and corrections of clerical or other errors as per the supplement have been incorporated in all the copies;
 - (c) all the pages in each working copy of the roll have been serially numbered in manuscript from No.1 onwards;
 - (d) the printed serial numbers of the voters are not corrected and no new numbers are substituted for them;
 - (e) give one copy of the roll to the first Polling Officer and keep one copy with you.
- ii. The Retuning Officer will supply you one self inking pad of purple color, for taking the thumb impression of the voter on the counterfoil of the ballot paper and also for marking the ballot paper by arrow cross mark rubber stamp. Check that the ink on the pad has not dried.
- iii. Check also that, the ballot papers supplied to you are for the constituency in which the polling station assigned to you is situated and that they are not defective in any respect. You should also check that the serial numbers tally with the details supplied to you. You must meticulously check each and every ballot paper and its counterfoil in every stitched bundle of ballot papers issued to you to ensure that the serial number on the ballot paper and its counterfoil is identical. In case the serial number of the ballot paper and its counterfoil does not tally, you should cancel that ballot paper and should not issue it to the elector. Defective ballot papers cancelled by you at the polling station may also be kept in the cover containing cancelled ballot papers. On the counterfoil of such ballot paper will be endorsed “Cancelled, defective ballot paper”. It has to be accounted for in the ballot paper account form.

- iv. Also check that the ballot boxes supplied to you have their serial numbers duly engraved/embossed on them. Do not accept any ballot box, which is not so serially numbered.
- v. Check also that photocopies of specimen signatures of the contesting candidates and their election agents are also given to you. This will help you in verifying genuineness of the signature of the candidate/his Polling agents in the appointment letter of polling agent(s) at the polling station.
- vi. Check that the arrow cross mark rubber stamps given to you are in good condition.
- vii. Check that the serial numbers of the paper seals tally with your record.

3.2 List of election material for a Polling Party/Polling Station:

LIST OF ELECTION MATERIAL FOR A POLLING PARTY/POLLING STATION

S.No.	Name of Article	Quantity required per polling station
1.	Ballot box	1 No.
2.	Self Inking Pad (purple)	1 No.
3.	Ball pointed pen (Red)	1 No.
4.	Ball pointed pen (Blue)	2 No.
5.	Fool Scape White Paper	1 Sheet
6.	Pins (packet of 50 pins)	1 Packet
7.	Sutli (plastic)	250 gm.
8.	Sealing Wax	2 Sticks
9.	Voting compartment	1 No.
10.	Pins for voting compartment	6 Nos.
11.	Gum paste (100 gm)	1 No.
12.	Thin Metal Pusher	1 No.
13.	Match Box	1 No.
14.	Blade	1 No.
15.	Plastic scale (1 feet)	1 No.
16.	Needle (big)	1 No.
17.	Arm band for Presiding Officers	1 No.
18.	Arm band for Polling Officers	2 Nos.
19.	Card Board pieces	2 Nos.
20.	Flexible wire	2 pieces
21.	Plastic cup to fix phial of indelible ink	1 No.
22.	Carbon paper	2 sheets
23.	Khadder cloth	½ metre per station
24.	Cloth lined envelope (big)	1 No.
25.	Ordinary envelope (small)	4 Nos.
26.	HandBag	1 No.

27.	Ordinary pencil	1 No.
28.	Indelible Ink Phial	2 Nos.
29.	Arrow cross Mark Rubber stamp	2 No.
30.	Cover for other unused ballot paper (No.1)	2 Nos.
31.	Cover for counterfoils of used ballot paper (No.2)	2 Nos.
32.	Cover for tendered ballot papers and the list in form No.18 (No.3)	2 Nos.
33.	Cover for returned and other cancelled Ballot papers on any account (No.4)	2 Nos.
34.	Cover for unused ballot papers signed By Presiding Officer (No.5)	2 Nos.
35.	Cover for unused paper seals (No.6)	1 No.
36.	Cover for ballot paper account and paper seal account (No.7)	1 No.
37.	Cover for the list of challenged votes (No.8)	1 No.
38.	Cover for appointment letters of Polling agents (No.9)	1 No.
39.	Cover for Presiding Officer Diary (No.10)	1 No.
40.	Cover for receipt of cash forfeited (No.11)	1 No.
41.	Cover for declaration by a companion of blind and infirm voters (No.12)	1 No.
42.	Cover for marked copy of electoral roll (No.13)	1 No.
43.	Cover for other copy of electoral roll (No.14)	1 No.
44.	Blue Paper Seal	1 No.
45.	Marked Copy of Electoral Roll	1 No.
46.	Address Label	1 No.

CHAPTER IV

SETTING UP OF POLLING STATIONS

4.1 Itinerary:

Have a clear idea of the routes and timings that you have to follow to reach your station or stations. Details of the itinerary including the means of transport for yourself and for the other members belonging to your party will be supplied to you in advance by the Returning Officer / Assistant Returning Officer.

4.2 Arrival at the Polling Station:

You should be at the polling station with your party at least 1 hour before the poll is due to commence.

4.3 Absence of Polling Officer:

If any Polling Officer appointed for your polling station is absent from the polling station, you have the power to appoint another on the spot in his place with information to DPEO & RO. Do not, however, appoint any person who is an active supporter of any of the candidates or an active opponent of any candidate.

4.4 Delegation of duties of Presiding Officer:

- i. If you yourself have to be absent from the polling station on account of illness or other unavoidable reason, the Polling Officer previously authorised in this behalf by the District Panchayat Election Officer/Returning Officer will act in your place. He will exercise all the powers and duties of the Presiding Officer.
- ii. You may also delegate any of your functions in the polling station to any Polling Officer working with you at the polling station. Such delegation, however, does not relieve you of your own responsibility as you are in overall charge of the entire polling station in any case.

4.5 Setting up of Polling Station :

- i. On your arrival at the place where the polling station is to be set up, inspect the building proposed for the purpose. Diagram of a model polling station showing the layout is set out in Annexure I. It is open to you to make minor modifications in the actual set up of the polling station, but make sure—
 - a) that there is enough space for the voters to wait outside the polling station;
 - b) that there is separate waiting space for men and women as far as practicable;
 - c) that there is separate entrance and exit for voters;

- d) that there is easy flow of voters from the time they enter the polling station to the time they leave it and there is no crisscross movement within the polling station;
 - e) that the candidates or their authorized agents should be seated in such a way that they can see the face of an elector as and when he enters the polling station and is identified by the first Polling Officer so that they can challenge the identity of the elector, if need be. But they should not in any event be seated in a place where they have the chance of seeing voter actually marking ballot papers on the symbol of his choice;
 - f) that the seating arrangement of both the Polling Officers should be such that they are not in a position to see the voter actually marking the ballot papers;
 - g) that even if there is only one door to the room housing the polling station, separate entrance and exit can be provided with the help of a bamboo and ropes in the middle of the doorway;
 - h) and that the inside of the voting compartment is sufficiently lighted. If necessary, arrange for a suitable light to be provided for the compartment.
- ii. If sufficiently large number of ‘pardanashin’ women electors are assigned to your polling station, you should make special arrangements for their identification and application of indelible ink on their left forefinger by a lady Polling Officer in a separate enclosure having due regard to privacy, dignity and decency. For such special enclosure you may use locally available but absolutely inexpensive devices and using ingenuity such as use of charpoys or cloth such as bed spreads.
 - iii. If more polling stations than one are located in same building you should satisfy yourself that necessary arrangements have been made for segregating the voters and making them wait in different parts of the space in front of each polling station without causing confusion.
 - iv. If the polling station is located in a private building, the building and the area around it up to a radius of 200 meters should be under your control. No watch and ward or other personnel connected with the owner, whether armed or unarmed, should be allowed to remain either at the polling station or within a radius of hundred meters around it. The security arrangements at the polling station and within the above area will be entirely the responsibility of the Police under your control.
 - iv. No photos of leaders of political parties or slogans having a bearing on elections should be exhibited and if they are already there, you should take steps to remove them till poll is over.
 - vi. No cooking or lighting of fire for any purpose should be allowed inside the polling station during the day of the poll.

4.6 Display of notice:

- i. Display prominently outside each polling station—
 - (a) a notice specifying the polling area and the particulars of electors to be served by the polling station; and
 - (b) a copy of the list of contesting candidates in Form PEL-10 (given at the end of this Chapter) and wherever practicable the facsimile of the symbol of each candidate.
- ii. The language of the notice should be the same as for the list of contesting candidates and the order of the names should also be the same.
- iii. These documents may be prepared by you in neat hand, if the same have not been provided to you by the Returning Officer.

4.7 Preparation of the Ballot Box for poll:

- i. One Ballot Box should be used at a time.
- ii. Study carefully the diagram of ballot box given at Annexure-12
- iii. Start preparation of Ballot Boxes at least 30 minutes before the time of the commencement of poll
- iv. Paste a label outside the Box indicating number and name of the Panchayat Halqa and the number of the Panch Constituency and the serial number of the ballot box (1,2 etc.). Format of the label is given at Annexure-2.
- v. Obtain the signatures of the Polling agents present on the white side of the paper seal. Check that the signatures tally with those given in their appointment letters. Allow the candidates/election agents to note down the serial number of the paper seal. You should also put your signatures on the white side of the paper seal alongwith date. In addition, you should put your full signatures at the centre on the blue side of the paper seal with the help of the red pen supplied to you, put a dash and then add the serial number of the Ballot Box.
- vi. Insert the ends of the paper seal through the inner chinks on either side of the central part of the frame so that white side of the paper seal should be visible below the lid of the box (from inside). In effect, the blue side of the paper seal will be visible from the window of the ballot box. Adjust the paper seal in such a way that your signatures made in red ink are also visible through the window. Since the paper seal will be 10 inches long, you should take care that the ends of the paper seal are properly folded and do not hang loose inside the ballot box. The padding of the paper seal should be thick enough so that the paper seal is held firmly in position, check this by pulling it gently. The paper seal should not

move at all. It would be desirable that two top corners of the cardboard are secured to the paper seal and to the inner side of the lid of the ballot box by sealing wax. After the paper seal is inserted, close the lid of the box gently. Take care that the loose ends of paper seal remain within the ballot box. Turn the button clock-wise until it stops with a click. The slit should now be fully opened in the correct balloting position. Do not turn the button further otherwise the slit will get closed and no ballot paper can be inserted thereafter. If this happens through carelessness, the box will have to be reopened after destroying the paper seal and will have to be prepared afresh once again for balloting with a fresh paper seal. As a mark of precaution to prevent damage to the paper seal during polling, the window cover should be turned anti clockwise so as to cover the window and other end of the window cover be tied with a wire to the button to prevent its inadvertent movement during the polling.

- vii. Only one paper seal is to be used for one ballot box;
- viii. Prepare a paper seal account on the proforma (see Annexure 5) supplied to you at the end of the day and keep it in a sealed envelope for handing over at the collection centre.

Please note that unlike the Parliamentary or Assembly Polls, no declaration is required to be signed or made at the time of commencement of the Panchayat Polls.

4.8 Procedure to be followed at the time of use of additional boxes:

During the course of poll, if it becomes necessary to use more than one ballot box, follow the procedure as above in respect of the new Box.

4.9 Candidate's election assistance booth:

No candidate should be allowed to set up an election booth as such booths near the polling station can pose many difficulties in the way of holding free, fair and smooth elections by creating obstructions to voters, confrontation among various party workers and law and order problem. You may, however, allow the candidates to provide one table and two chairs for the use of their agents and workers for the distribution of unofficial identity slips to voters beyond a distance of two hundred metres from the polling station with an umbrella or a piece of tarpaulin over their head to protect them from the Sun/ rain. No crowd should be allowed to collect around such tables. If any instance of violation of these instructions is brought to your notice, you should report the matter to the Sector Magistrate or the other officials responsible for maintenance of law and order around your polling station for necessary remedial action by them.

4.10 Precautions regarding indelible ink:

As only two phials of indelible ink has been supplied for use at your polling station, adequate precautions should be taken to ensure that the phial does not get tilted and the

ink spilt during the poll. For this purpose, take some sand or loose earth in a plastic cup (supplied to you) and push the phial down three quarters of its length into the centre of the cup, so that it is steadily embedded in the sand or earth. Also ensure that the plastic rod attached to the cork is left standing in the phial and not taken out except for the purpose of marking the voters forefinger. The rod should always be held with its marking end pointing vertically downwards. Otherwise, some of the ink will drop down the rod and spoil the finger of the person using it.

4.11 Summary of guidelines for the Presiding/Polling Officers:

A. Before the Poll:

- i. Maintain close relation with other members of your Polling Party.
- ii. Ensure that all the Polling materials have been received by you.
- iii. Check up ballot papers, ballot box, marked copies of electoral roll, arrow cross mark rubber stamp for voting, paper seal, sealing wax, indelible ink, rubber stamp, etc.
- iv. Compare marked copies of Electoral Roll and see that both are identical and are superscribed – “for use during polls by the polling parties”.
- v. “Check that all pages of working copies of Roll are serially numbered in manuscript”.
- vi. Check that the printed serial numbers of voters are not corrected and no new number substituted.

B. On the day of Poll:

- i. Arrive at least one hour before Poll at the Polling Station.
- ii. If any Polling Officer is absent, appoint a polling officer in consultation with RO.
- iii. Set up Polling Station as per model.
- iv. Ensure separate entrance and exit for voters at Polling Station.
- v. Display outside your polling station—
 - a) A notice specifying the Polling area.
 - b) A copy of the list of contesting candidates.
- vi. Commence the Poll at the stroke of hour fixed for the purpose.

FORM PEL 10

LIST OF CONTESTING CANDIDATES

Panchayat Halqa

Constituency

Notice is hereby given that the following is the list of contesting candidates (in alphabetical order) for the above constituency.

S.No.	Name	Party affiliation (if any)	Symbol allotted
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			

Signed.....

Returning Officer.....

Date.....

CHAPTER V

DUTIES OF POLLING OFFICERS

5.1 Voting procedure in polling station and duties of Polling Officers:

For efficient and smooth conduct of poll at your polling station, you should be thoroughly conversant with the procedure that is to be followed from the time an elector comes into the polling station and till he/she leaves it after casting his /her vote. Such voting procedure and the duties, which each Polling Officer has, to perform in this whole operation are explained below.

5.2 Duties of Polling Officers at Panchayat Elections:

- i. **First Polling Officer:** He will be basically in charge of the marked copy of the Electoral Roll and will be responsible for identifying the elector:-
 - (a) On entering the polling station the elector will proceed direct to the First Polling Officer who will be in-charge of the marked copy of the electoral roll and responsible for identification of the electors. Usually each voter comes in with an unofficial identity slip, which he has received, from a candidate or his agent. The slip should be on plain paper and may contain the name of the elector, his serial number in the electoral roll. The slip should not contain the name of the candidate and or the name of his party and/or facsimile of symbol allotted to him. The elector should not be compelled to bring an identity slip, nor should he be turned away solely because he has not brought such a slip. The Polling Officer should not treat the identity slip brought by an elector as conclusive proof of his identity;
 - (b) In case no identity slip is brought by the elector, the first Polling Officer will himself locate the name of the elector in the electoral roll and after checking it with the particulars in the relevant entry in the roll, will call out loudly the page number, the part number, the serial number and the name of the elector for the benefit of the hearing of the candidate/agent and the second Polling Officer;
 - (c) If there is no challenge as regards the identity of the voter, the Polling Officer will underline in every case the entry relating to the elector in the marked copy of the electoral roll with him and where the elector is female, put a tick mark (✓) also on the left hand side of the name of the female elector. Such tick marking will not be necessary at polling station set-up exclusively for women. At the end of the day's polling he should count the number of men and women voters who have voted and record the result in the Presiding Officer's diary. One easy method of doing this would be to write down all the serial numbers from 1 to 200 or 300 on two separate sheets of paper before the commencement of the poll. One such sheet may be used for recording the number of men voters and the other for women

voters. The serial number on the relevant number sheet should be struck off in consecutive order, according to the sex of the voters as and when they come to vote. This will also help in ascertaining instantly the total number of men and women voters who have voted up to a particular hour. Thus the job of the first Polling officer is two fold viz., to establish the identity of the elector and at the same time keep track of the number of ballot papers issued to the electors.

ii. Second Polling Officer:

- (a) The Second Polling Officer will be in-charge of indelible ink and the bundles of ballot papers. As the First Polling Officer reads aloud the part number and serial number of the elector, the Second Polling Officer will record on the counter foil of the ballot paper the electoral roll part number and the serial number of the elector, as entered in the marked copy of the electoral roll.
- (b) He will then inspect the voter's left forefinger to see that it does not bear any sign or trace of indelible ink and then put a mark with indelible ink above the root of the nail in such a way that the ink also spreads on the ridge between the skin and the root of the nail and a clear mark is left on the forefinger. Note that the voter need not be touched at the time of applying the indelible ink on his left forefinger and care be taken not to take excess ink with the whole length of the rod, Only the tip of the rod should be dipped in the ink. This will avoid wastage of the ink. The glass (plastic) rod after dipping in the ink should be gently pressed on the finger and rotated so that a clear mark is left on the finger.
- (c) It must be ensured that voter's forefinger is perfectly in the horizontal position at the time of application of the ink and for at least thirty seconds immediately after the application of the ink so that the solvent gets evaporated. If the rod is only lightly touched or rubbed against the voter's finger it will merely leave a smudge, which is not sufficient. In case it is noticed that an elector has applied any oily or greasy substance on his finger in order to neutralize the indelible ink mark to be put on his finger, such oily or greasy substance should be removed by the Polling Officer with the help of the piece of cloth or rag, supplied before putting indelible ink mark on the finger of the elector. The voter should not be allowed to rub off the mark for at least half a minute after it has been applied on the finger. If an elector has no left forefinger, then indelible ink should be applied on any such finger, which he has on his left hand, If he does not have any finger on his left hand the ink should be applied on his right forefinger and if he has no right forefinger, on any other finger which he has on his right hand starting with his right forefinger. If he has no finger on either hand ink should be applied on such extremity (stump) of his left or right hand, as he possesses. It would be perfectly lawful for the Presiding Officer to allow an attendant to perform this task of application

of indelible ink on the finger of the electors under the supervision of the second Polling Officer.

- (d) The Polling Officer will then obtain the signature/thumb impression of the voter on the counterfoil of ballot paper. For the purpose of obtaining the thumb impression, the stamp pad of purple colour supplied to your polling station should be used and for obtaining signature the ball-pointed pen should be used. For the use of voters whose thumb impression has been taken on the counterfoil of the ballot paper, a wet piece of cloth may be kept on the table of this Polling Officer for removing the ink. The ballot paper will then be detached from the counterfoil with the help of the plastic scale having a sharp edge on the lengthwise side. It will thereafter be delivered to the voter and he will be directed to the voting compartment which will be located in between the row of the two polling officers and the table of the Presiding Officer on which the ballot box will be kept. **No ballot paper should be delivered to an elector unless he has put his signature or thumb impression on the counterfoil of the ballot paper.** It is not necessary to have the thumb impression of the elector on the counterfoil attested by the Presiding Officer or a Polling Officer or by any other officer.
- (e) At the time of fresh poll/countermanded poll/repoll, the marking with indelible ink made at the original poll should be ignored and fresh marking with indelible ink should be put at the root of the nail of the voter's left middle finger in such a way that a portion of the ink also spreads in the ridge between the skin and the root of the nail and leaves a clear mark.
- (f) Before the voter leaves the polling station, the Second Polling Officer will examine his/her forefinger and satisfy that the indelible mark has not been rubbed off. If the voter has done so, the Polling Officer will put the mark again in such a way that the marking is clear and is not immediately removed.
- (g) The Second Polling Officer will also be in charge of the arrow cross mark rubber stamps and the self inking pad. He will guide the elector about the voting procedure.

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CHAPTER VI

REGULATION OF ENTRY INTO AND SEATING ARRANGEMENTS IN THE POLLING STATION

6.1 Right to Vote:

- i. No person whose name is not entered in the electoral roll pertaining to the constituency shall be entitled to vote in that constituency.
- ii. No person shall vote at an election in any constituency if he is not qualified to be voter under the Provisions of the Act.
- iii. Every voter shall have right to cast only one vote for the Panch and one Vote for the Surpanch.
- iv. The votes shall ordinarily be cast in person. Provided that Election Authority may generally or in respect of any specific class of persons, may issue instructions for casting of votes.

6.2. Persons to be admitted inside the Polling Station:

- i. The Presiding Officer should admit into the Polling Station only the following persons :—
 - a) the electors ;
 - b) polling officers ;
 - c) Each candidate, his election agent and one polling agent of each candidate for Sarpanch election at a time ;
 - d) persons authorised by the Election Authority/District Panchayat Election Officer ;
 - e) public servants on duty ;
 - f) a child in arms accompanying an elector ;
 - g) a person accompanying a blind or an infirm voter who cannot move or vote without help ;
 - h) such other persons as the Presiding Officer may in specific situations admit for the purpose of identifying voters or otherwise assisting him in taking the poll.
 - i) Observers, if any, appointed by the Election Authority.
- ii. The Returning Officers have been asked to issue identity cards to the contesting candidates. In case a necessity arises, you may ask for its production. Similarly, the election agents of the candidates can be asked to produce the duplicate copy of their appointment letters, which is attested by the Returning Officer.

- iii. You should note that the term “Public servant on duty in connection with election” does not normally include police officers. Such officer, whether in uniform or in plain clothes, should not as a general rule, be allowed to enter inside the polling booth, unless you decide to call them in for the maintenance of law and order or some similar purpose. Their presence in the polling booth without any compelling reason on occasions can give rise to complaints by some candidates or parties who may allege that their agents are overawed by unwarranted show of force.
- iv. Similarly, security personnel accompanying, if any, an elector, candidate, his election agent/ polling agent/counting agent should not be allowed to enter the polling station.
- v. You should also note that the expression, “Public servant on duty in connection with election” does not include the Ministers, State Ministers and Deputy Ministers of the Union and the States. The Election Authority has made it already clear that they cannot be allowed to be appointed even as election agents / polling agents / counting agents.
- vi. Even the Returning Officer is not empowered to authorise any person who is not an elector or who is not required to assist you in taking the poll, to enter a polling station. Any such person including publicity officials of the State Government should not be allowed inside a polling station without a letter of authority from the Election Authority or the DPEO.
- vii. Entry of persons should be strictly regulated as per instructions for the smooth and orderly conduct of poll. You should allow only three or four-electors to enter the polling station at a time.
- viii. If you have a reasonable doubt about the credentials of any person present in the polling booth you can have him searched, if necessary, even though the person concerned may be in possession of a valid authority letter to enter the polling booth.
- ix. In the performance of your duties, you are only bound by the instructions of the Election Authority. You are not to take orders from or show any favour to your official superiors or political leaders including Ministers. Even in the matter of requests for entry into the polling station from these persons, you should allow them only if they are in possession of a valid authority letter issued by the Election Authority/District Panchayat Election Officer.
- x. A village officer or other officer or a woman attendant employed by you for helping you in the identification of electors or to assist you otherwise in the conduct of poll should normally be seated outside the entrance to the polling

station. He/she should be admitted into the polling station only when he/she is required for identification of a particular voter or for assisting you for a particular purpose in connection with the conduct of the poll. No one inside the polling station should be allowed to influence or try to influence the voters by words or gestures to vote in a particular way.

6.3 Attendance of polling agents:

- i. The polling agents of the candidates should be asked to reach the polling station at least 15 minutes before commencement of poll in order to be present when you are going through the preliminaries. If any part of these preliminaries has already been gone through the proceedings need not be commenced *de novo* to accommodate any late comer.
- ii. The law does not specify any time limit for the appointment of polling agents and even if a polling agents turns up late at a polling station he should be allowed to participate in the further proceedings at the polling station.

6.4 Production of appointment letters by polling agents:

- i. Every polling agent must produce before you the appointment letter in a format as given in Annexure 3. Check that the appointment is for your polling station. The election agent should then complete the document, sign the declaration therein in your presence, and then deliver it to you before he can be admitted into the polling station. Preserve all such appointment letters and at the end of the poll send them in a cover to the Returning Officer along with other documents.
- ii. In case of any doubt about the genuineness of appointment letter in the said prescribed format of any election agent presented before you, you should compare the specimen signature of the candidate/his election agent with their specimen signatures as provided by the Returning Officer.

6.5 Passes for polling agents:

- i) Each candidate for the seat of Sarpanch can appoint one polling agent and one relief polling agents at each polling station. However. Only one polling agent of a candidate should be allowed inside the polling station at any point of time. Give every polling agent who is admitted in the polling

station a permit or pass on the authority of which he can come in and go out of the polling station as may be necessary.

- ii) The candidates for the seat for Panch or their election agents are not allowed to appoint any polling agent”.

6.6. Seating of polling agents:

- i. Give the polling agents seats close behind the Polling Officer in-charge of marked copy of the electoral roll. Where this is not practicable because of the situation of the door for entrance, they may be given seat just opposite these polling officers. In any seating arrangement they should be provided opportunity of seeing the faces of the electors and challenging their identity whenever necessary. The polling agents should not be allowed to move about in the polling station.
- ii. The Election Authority has made it clear that the seating arrangement at the polling station for the polling agents of candidates shall be guided by the following categories of priorities, namely:
 - a) Candidates of Recognised National Parties;
 - b) Candidates of Recognised State Parties;
 - c) Candidates of Registered Unrecognised Parties; and
 - d) Independent Candidates.

6.7 Smoking to be prohibited inside polling station:

6.8 Facilities to Press Representatives and Photographers:

- i. Subject to the maintenance of peace and order there is no objection to any photographer taking photographs of a crowd of voters lining up outside the polling station.
- ii. In no circumstances will any photograph be allowed to be taken of a voter while marking his ballot paper.

6.9 Facilities to Observers appointed by the Election Authority:

During the day of poll, some Observers appointed by the Election Authority might visit your polling station. It is quite possible that the Observer may start his round of the constituency with the visit to your polling station and may be present there when you are going through the preliminaries before the commencement of poll. You should show him due courtesy and regard when he visits your polling station and should furnish him with such information as he may require from you for the purpose of his report to Election Authority. He will only observe the poll being taken at your polling station, but will not give you any direction. If, however, he makes any suggestion with a view to

providing more convenience to electors or making the poll process at your polling station smoother you may consider such suggestion. In case, you are facing any particular problem or feeling any difficulty at your polling station, you may bring it to his notice, as he might be of help to you in solving that problem or removing that difficulty by bringing the matters to the notice of the Returning Officer or other authorities concerned for necessary remedial action.

Observers will be wearing badges issued by the Election Authority on their person and will also be carrying appointment letters and authority letters issued by the Election Authority.

6.10 Wearing of badges etc. inside polling station:

- i. No person should be allowed within the polling station or within 100 metres thereof wearing badges, emblems, etc. bearing the names of candidates or political leaders and/or their symbols or pictorial representation thereof.
- ii. The polling agents may, however; display on their person a badge showing the name of the candidate whose agents they are.

CHAPTER VII

PREPARATION OF BALLOT PAPERS FOR ISSUE

7.1 Preliminaries before the poll:

In order that the poll is commenced at the hour fixed for the purpose, you should start making preliminary preparations, like the preparation of ballot box for reception of votes, preparation of ballot papers for issue to elector, etc., at least 30 minutes before the time fixed for the commencement of poll.

7.2 Preparation of ballot papers for issue:

- i. You will be supplied ballot papers with counterfoils equal to the number of voters allotted to your polling station, rounded off to the next ten. The ballot papers will be ordinarily in bundles of 50 each and one or more bundles containing less than 50 ballot papers. As there will be only one polling station for every Panch Constituency the requirement of the distinguishing mark has been dispensed with. However, in order to eliminate the possibility of fraud the following procedure be adopted :—
 - (a) the Presiding Officer shall put only his full signatures (not initials) on the back of each of the ballot papers (white) meant for the Panch Constituency;
 - (b) in case of coloured ballot paper (normally pink) meant for the Sarpanch seat the Presiding Officer shall put his full signatures & also mention in his own hand the number of the Panch Constituency for which he is the Presiding Officer. This number can be seen on the front portion of the white ballot paper meant for the election of Panch. (Please note this refers to the number of the “constituency” and not the serial number of the ballot paper.
 - (c) to facilitate the issue of ballot papers without interruption and to avoid the chance of any ballot paper being issued without your signatures, you should have the above process completed on the day of poll before the poll is commenced as directed by the Returning Officer.
- ii. You may put your signatures on about 50% of the ballot papers issued to you immediately before the commencement of the poll. This should be done a few minutes before the commencement of the poll. Usually it would take only about 5 minutes to sign 100 ballot papers and so the signing of the ballot papers should begin not more than 15 minutes before the commencement of the poll. Thereafter you should sign the remaining ballot papers according to necessity as the poll progresses.
- iii. Where the number of contesting candidates exceeds 9, the ballot paper would have been printed in two or more columns and the manner of putting the signatures on the back of such ballot papers will be slightly different. In such

case, the signature may be put on the back of the ballot paper immediately on the top right side of the shaded line dividing the ballot paper vertically into two halves. Though such middle line will be printed only on the front side of the ballot paper, its impression on the back of ballot paper will be visible through the ballot paper. The object of putting the signatures in this way is that it should be clearly seen from outside after the ballot paper is folded for being put in the ballot box. The signatures on the back of the counterfoil will continue to be on the top right hand corner.

- iv. At the closing stage of the poll, it would be necessary for you to sign each ballot paper as and when a voter turns up for voting. This will ensure that no signed ballot paper is kept in the bundle of unused ballot papers after the poll.
- v. All the above instructions notwithstanding, if there are more than one polling station in a Panch constituency, those polling stations would be assigned different serial numbers and these would be indicated by you on the back of the ballot paper and the counterfoil along with your signatures in your hand.

7.3 Summary of instructions:

In a nut shell –

- a) Sign your name in full on back of each of the Ballot papers.
- b) Indicate serial No. of Panch Constituency on back of Ballot papers meant for election of Sarpanch. This is not necessary in case of Ballot papers meant for the Election of a Panch
- c) Allow polling agents to see the bundles of Ballot papers and note the first and last serial number of Ballot paper and the serial number of defective Ballot paper at the time of the commencement of the poll.
- d) Initially shuffle a few bundles of Ballot papers and use bundles at random.
- e) Do not issue Ballot paper to electors in consecutive serial order.
- f) Obtain signature or thumb impression of voters on the counterfoil of Ballot paper and then only issue Ballot paper.
- g) Do not issue Ballot paper unless signature or thumb impression is given by elector.

CHAPTER VIII

COMMENCEMENT AND CONDUCT OF THE POLL

8.1 Commencement of the poll:

Commence the poll at the stroke of the hour fixed for the purpose. Your preliminaries like preparation of Ballot box & preparation of ballot papers etc. should be over by then. If unfortunately the preliminaries are not over, admit about half a dozen voters at hour fixed for the commencement of the poll and let the Polling Officers deal with them in regard to their identification, etc. until the preliminaries by you are over. However, this sort of overlapping of preliminaries is very undesirable and every effort should be made to avoid it. Even if for any unforeseen reason you do not commence the poll at the appointed hour, you shouldn't extend the appointed closing time except as provided in Chapter-I (item xxi).

8.2 Timing of poll:

Considering the smaller No. of votes, the polling time would be considerably less (4 to 5 hrs.) than that is fixed for the Assembly or Parliamentary Polls.

Ascertain carefully from the Returning Officer, the exact timing fixed by the Election Authority and adhere to it strictly.

8.3 Serial number of ballot paper to be used at polling station and shuffling of bundles:

- i. Before commencing the poll, you should allow the candidates or their authorized agents to see the bundles of ballot papers and note the first and last of serial numbers of the ballot papers which will be used at the polling station and also any ballot paper duly cancelled by you on account of its defective nature.
- ii. The candidates or their authorized agents should not, however, be permitted to take notes of the serial number of any ballot paper issued to any voter. Nor should they take any other notes, which may enable one to work out these serial numbers, as this would destroy the secrecy of the vote. You have the authority to prevent anyone from taking any such notes as this amounts to misconduct as being an attempt to violate the secrecy of the vote. You are competent to seize and forfeit any document on which an election agent/polling agent may have taken any such note. If any election agent/polling agent persists in taking such notes inspite of warnings, you should not allow him to remain in the polling station.
- iii. In order to see that the polling agents are not able to note down the serial number of ballot papers issued to particular voters, the Election Authority has issued instructions that the ballot papers may not be issued in consecutive serial order but may be issued at random. As shuffling of individual ballot papers in stitched bundles will not be possible, you should do the shuffling in respect of the

bundles by issuing the first few bundles of ballot papers at random to the Polling Officer incharge of ballot papers (2nd Polling Officer), and not in consecutive serial order. This process of shuffling of bundles of ballot papers should not, however, be repeated towards the close of the poll so that on the completion of the poll the serial numbers of ballot papers issued to voters are, as far as possible, in continuous unbroken series.

8.4 Precautions against ballot papers sticking together:

You have to see that two or more ballot papers do not stick together (as a result of which more than one ballot paper are issued to a voter). The best way to check this is that the Polling Officer in-charge of ballot papers should take out the ballot paper meant for a voter while the voter's identity is being verified and to see that the serial number of the ballot paper left at the top of the bundle is next to the serial number of the ballot paper taken out for issue.

8.5 Defective ballot paper:

While issuing ballot papers if any ballot paper is found defective, it should not be issued to any voter but should be cancelled by you. Such a cancelled ballot paper should also be kept in the cover meant for returned and other ballot papers cancelled on any account. The counterfoil of such a ballot paper will remain in the bundle with an endorsement "cancelled: defective ballot paper". It has to be accounted for in the ballot paper account.

8.6 Pre-folding of ballot paper:

Before a ballot paper is handed over to an elector for marking his vote thereon, the Polling Officer incharge of ballot papers will fold the same first vertically and then horizontally in such a way that the signature of the Presiding Officer on the back of the ballot paper is clearly visible at the top right hand corner. He will then unfold the ballot paper and hand it over to the elector.

In case of ballot paper where the number of the contesting candidates exceeds 9, the mode of folding the ballot paper will be different. In such a case the ballot paper may be folded vertically first in the middle of each of the two halves and thereafter the third fold may be made along the shaded vertical line dividing the two halves. It should then be folded horizontally in such a manner that the signature of the Presiding Officer on the back of the ballot paper is clearly visible at the top right hand corner. He will then unfold the same and hand it over to the elector.

8.7 Identity of Electors:

Immediately before the ballot paper is delivered to a voter, the Polling Officer shall satisfy himself as to the identity of the voter with reference to the entries relating to that voter in the voters list. He shall also hear and decide, then and there, any objection raised in this behalf. He may refuse to issue a ballot paper to any person who declines to answer any reasonable question put to him for the purpose of ascertaining such identity

or whose identity is not established to his satisfaction, but issue of ballot papers shall not be refused merely on the ground of any clerical error or omission in the relevant entries in the voters list, if the identity of voters is otherwise established.

8.8 Clerical and Printing errors in the electoral roll to be overlooked :

The particulars in respect of a voter as entered in the electoral roll are sometimes incorrectly printed or have become out of date e.g. regarding the exact age of the voter. You should overlook mere clerical and printing errors in any entry relating to a voter in the roll provided that you are otherwise satisfied about the identity of the person claiming to be the voter according to other particulars entered in the electoral roll. When the electoral roll has been prepared in two languages i.e. Urdu and Hindi and even if the name of a person appears in the electoral roll in one version only, such a person should be allowed to vote. An entry in respect of every such elector should be noted by you in the electoral roll in other version.

8.9 Issue of ballot paper to electors& application of indelible ink:

- (i) The Polling Officer shall while issuing a ballot paper to a voter, put an indelible ink mark on his left-finger; and thereafter issue the ballot paper/papers to the voter. While doing so, he shall obtain the signatures/thumb impression of the voter on the counterfoil/s of the ballot paper/s.
- (ii) If the voter has no left forefinger, then go by the instructions contained in sub-para (c) of para 5.2 (ii) of Chapter V.
- (iii) While the Second Polling Officer issues a ballot paper to a voter, the first Polling Officer shall underline the name of voter in the Electoral Roll in all cases and also place a tick mark against the serial number of female voter in the copy of the voter list in use with him to denote that the voter has received a ballot paper.

8.10 Instruction regarding marking of ballot paper:

- i. The Polling Officer in charge of ballot paper will instruct the voter –
 - a) to go inside the voting compartment;
 - b) to record his vote by making a mark on the symbol of a candidate of his choice with the inked rubber stamp given to him. (If any assistance is required by any voter, the procedure for marking may be explained by affixing the stamp on a plain piece of paper);
 - c) not to stamp the ballot paper more than once;
 - d) to refold the ballot paper along the pre-folded lines;

- e) to bring it out of the voting compartment in the folded form thereafter;
- f) to insert the folded ballot paper into the ballot box.
- ii. It should be ensured that the arrow cross mark rubber stamp is adequately but not excessively inked before it is handed over to the elector.
- iii. The Polling Officer concerned should check from time to time that the self-inking pad is not dry and the rubber of the cross-mark of the stamp is intact.
- iv. It should also be ensured that the self-inking pad is never kept inside the voting compartment.
- v. Particularly in respect of illiterate voters the Polling Officer must see that the voter has understood the use of the stamp.
- vi. If you have reason to believe that the voter has not put the mark on the ballot paper or has wrongly put the mark on the backside of the ballot paper, you may direct him to go back to the voting compartment and put the mark on the symbol of the candidate of his choice and then put the ballot paper in a folded form inside the ballot box.
- vii. If the voter comes out of the voting compartment with the ballot paper unfolded or folded in a wrong manner then you should rectify the defect maintaining the secrecy of the vote as far as is practicable.
- viii. The genuineness of the ballot paper being put in the ballot box should be checked by looking for your signatures put on the back of the ballot paper.

8.11 Manner of casting vote:

A voter shall on receiving the ballot paper issued to him forthwith proceed to the polling compartment and mark his ballot paper by affixing a seal provided to him by the Presiding Officer opposite the name (or on the symbol) of the candidate in whose favour he desires to cast his vote and put the ballot paper so folded up in the ballot box which shall be placed within the view of the Presiding Officer.

8.12 Spoiled ballot papers:

An elector who has inadvertently dealt with his ballot paper in such a manner that it can not conveniently be used as such may on delivering it to Polling Officer and satisfying him of the inadvertence obtain another ballot paper in place of the spoiled ballot paper and such a spoiled ballot paper together with its counterfoil shall be marked by the Polling Officer as 'cancelled' and put in the cover meant for returned or other ballot papers cancelled on any account.

8.13 Return of ballot Papers:

If any elector, after obtaining a ballot paper for the purpose of casting his vote, decides not to use the same to cast his vote, he shall return the ballot paper so issued to him to the Polling Officer and the ballot paper so returned shall then be marked by the Polling Officer as cancelled on account of such return and put in the cover meant for returned or other ballot papers cancelled on any account.

8.14 Tendered Vote:

- i. If a person representing himself to be a particular voter named in the electoral roll comes forward to vote after another person has voted as such voter, you should put such questions to him as you may think necessary to satisfy yourself about his identity. If so satisfied, you should get his left forefinger marked with indelible ink. You will then make necessary entry to that effect in the list of tendered votes (Form 18-See Annexure 6) and obtain his signature/thumb impression therein and allow him to vote. For this purpose you shall get him issued the tendered ballot paper which will be an ordinary ballot paper used at the polling station except that –
 - 1) it shall be serially the last in the bundle of ballot papers supplied to you; and
 - 2) the words ‘tendered ballot paper’ are written on the back of such ballot paper and its counterfoil by you in your own hand and signatures
- ii. The voter shall then mark the tendered ballot paper in the voting compartment, fold it and return it to you. He shall not be allowed to put that ballot paper inside the ballot box. You should keep all the tendered ballot papers and the list in Form 18 in a cover specially provided for the purpose and seal it at the close of the poll. Record of the tendered ballot papers should be reflected in the ballot paper account at the appropriate place. The packet containing the envelop of Tendered Votes and Form-18 shall be handed over separately along with other covers at the collection centre.

8.15 Challenged vote:

- i. The candidate or a election agent can also challenge the identity of a person claiming to be a particular elector by depositing a sum of Rs. 2/- in cash with the Presiding Officer for each such challenge. The Presiding Officer shall hold a summary inquiry into the challenge. If after the inquiry the Presiding Officer considers that the challenge has not been established, he shall allow the person challenged to vote. On the contrary if he considers that the challenge has been established he shall debar the person challenged from voting and shall handover

such person to the police with a written complaint. The challenge fee collected should then be returned to the challenger.

- ii. The Presiding Officer shall keep a record of such challenged votes in Form 19 appended to this book (Annexure 7).
- iii. In the case where the challenge is not proved and the person is allowed to vote, the challenge fee be forfeited to the Government and the challenger be issued a written receipt.
- iv. All the amount of challenge fee collected during the poll shall be deposited by the Presiding Officer with the Returning Officer at the time of depositing used ballot boxes at the collection centres.

8.16 Assistance to blind/infirm voters:

If a voter owing to illiteracy or physical infirmity is unable to record his vote in the manner laid down in rule 26, the Presiding Officer or Polling Officer shall do so according to the direction of the elector and shall record on the counterfoil of the ballot paper the reason for such action.

8.17 Maintenance of secrecy of voting:

You must ensure that an elector to whom a ballot paper has been issued maintains the secrecy of voting and in case he refuses to do so take back from him the ballot paper issued to him, whether he has recorded his vote or not. After the ballot paper has been taken back, you will record on its back and the counterfoil of the ballot paper, the words “Cancelled: Voting procedure violated” and put your signatures below these words. Keep such ballot papers in the cover meant for ‘returned and other cancelled ballot papers on any account’.

8.18 Preparation of the Diary and Ballot Paper Account:

i. Preparation of the diary:

- a. You should draw up the proceedings connected with the taking of the poll in the polling station in the diary to be maintained for the purpose. The proforma of diary is reproduced at PEL-14.
- b. You will be provided with the format of the diary and that alone should be used by you.

- c. You must go on recording the relevant events as and when they occur. You should mention therein all important events in the relevant columns.
- d. It has been observed during Parliamentary/Assembly Polls in many cases that the Presiding Officers do not make the entries in the relevant columns of the diary at regular interval or from time to time as envisaged and fill in all entries and complete the diary at the end of the poll. This is highly objectionable. It should be noted that any lapse on your part in the proper maintenance of diary at all points of time during the process of poll will be very seriously viewed by the Authority.

ii. Preparation of the Ballot Paper Account:

Ballot paper account (See Annexure 8) is simply a tally of the ballot papers supplied to you. The number used and the balance left out. Before filling up the required details on the standard proforma of the ballot paper account supplied to you, it would be desirable to tally the figures on a plain paper to avoid cuttings, overwriting and corrections in this important document. Fill up the format carefully, attest it by putting your signatures and share information with candidates or their agents. The ballot paper account should then be put in an envelope provided for the purpose and seal it.

8.19 Death of a candidate before poll:

Rule 22 of Jammu & Kashmir Panchayati Raj Act, 1989 and Rules 1996 states that if a contesting candidate dies and the news of death is received by the Presiding Officer before the commencement of the poll, and the number of candidates left in the contest is more than one, "the symbol in respect of the candidate who has died shall be deemed to have been cancelled". In fact it would be appropriate that the name and symbol of the dead candidate written/printed in the panel of the ballot paper is scored off by the Presiding Officer after he (the Presiding Officer) has satisfied himself about the fact of death and he should issue the modified ballot paper accordingly for polling. If it be possible to prepare a fresh ballot paper, the same should be prepared instead of modifying the ballot paper already available. No postponement of poll is required in such cases nor any countermanding of election is involved.

8.20 Effect of omission to take action as per rule 22:

- i. A question now arises as to what effect it would have on the announcement of result if the Presiding Officer does not receive the information in time or inadvertently fails to act on the same. It is clarified here that where the news of death is received after polling has commenced, no action shall be taken by the Presiding Officer under rule 22. If the dead candidate wins the election, the election shall be countermanded by the District Panchayat Election Officer who

will immediately send a report to this effect to the Election Authority. If the dead candidate loses the election, it will have no effect on the announcement of result of the election by the Returning Officer.

- ii. The position stated above shall equally apply if the news of death of a candidate is received before the commencement of or during the counting of votes.

8.21 Adjournment /stoppage of poll for riot, booth capturing, etc.:

- i. Adjournment of poll for riot etc.

The Presiding Officer may adjourn the poll on account of the following factors:—

- (a) a natural calamity like flood, heavy snowfall, a severe storm and the like; or
- (b) non-receipt or loss or damage to essential polling materials like ballot papers, ballot boxes, marked copy of electoral roll and the like; or
- (c) disturbance of peace at the polling station, making it impossible to take the poll; or
- (d) non-arrival of the polling party at the polling station due to obstruction of the way or any other serious difficulty; or
- (e) any other sufficient cause.

In case of a riot or any attempt of open violence the Presiding Officer may use the Police to control the same. However, if it cannot be controlled and it is impossible to continue the poll, he should adjourn the poll. The poll should be adjourned also if the taking of poll is rendered impossible on account of any calamity or other sufficient cause. A passing shower of rain or strong wind would not be a sufficient cause for adjournment of poll. The discretion given to him to adjourn the poll should be exercised most sparingly and only in cases where it has become physically impossible to take the poll. In every case of adjournment of poll, the Presiding Officer should report immediately full facts to the Returning Officer and wherever, a poll is adjourned he should announce formally to all present that the poll will be taken on a day to be notified subsequently by the District Panchayat Election Officer.

On the adjournment of poll the Presiding Officer should seal and secure ballot box used, ballot paper to be used, counterfoils of used ballot papers and all election papers in presence of the election agents as if the poll has come to a close in the normal way.

- ii. Stoppage of poll due to booth capturing:

The Presiding Officer should stop the polling if at that polling station—

- (a) any ballot paper or ballot box has been unlawfully taken away by any unauthorized person; or
- (b) any ballot paper or ballot box has been accidentally or intentionally destroyed or lost or damaged or tampered with and the result of the poll at that polling station cannot be ascertained for that reason; or
- (c) any error or irregularity in procedure as is likely to vitiate the poll has been committed; or
- (d) there has been booth capturing.

He should then immediately report full facts to the Returning Officer to enable him to report the matter to the District Panchayat Election Officer for directions. In case the District Panchayat Election Officer directs fresh poll to be taken at a polling station, such fresh poll shall be taken in the same manner as the original poll. All electors entitled to vote at polling station in question will be entitled to vote again at a fresh poll. The mark of indelible ink made at a original poll should be ignored at the fresh poll. To distinguish the marks to be made at the fresh poll from those already made at the original poll, the mark of indelible ink at the fresh poll should be put on the voter's left middle finger.

8.22 Adjournment of poll:

Adjournment of poll in case of Panchayat Elections should be avoided as far as possible. However, if the same becomes absolutely unavoidable, the Presiding Officer may adjourn the poll, and write the reasons for the same in his diary and send a report to the Returning Officer. He shall keep all the important papers like electoral rolls, bundles of used and unused ballot papers in sealed covers and await instructions of the Returning Officer. A temporary suspension of poll which does not affect completion of poll the same day shall not amount to adjournment.

8.23 Date of adjourned/fresh poll:

The date of adjourned poll /repoll should always proceed the day of counting and for this purpose the day of counting could be postponed suitably. Orders of District Panchayat Election Officer in this respect should be obtained after sending the report to him.

8.24 Procedure for completion of the adjourned poll:

- i. The Returning Officer after looking into the reasons of adjournment decides as to when the adjourned poll shall be taken. He will announce the revised date and timing of the poll after approval by the DPEO and inform the candidates and their election agent/polling agent accordingly through a written announcement

which shall be read over by him loudly and signatures of those present shall be obtained on the written statement.

- ii. Before the recommencement of the adjourned poll, the sealed packet containing the marked copy of the electoral roll shall be re-opened by the Presiding Officer in the presence of the candidates or their agents who may be present at the polling station and this very marked copy of the electoral roll shall be used for adjourned poll.
- iii. The Presiding Officer will not open the packets containing counterfoils of used ballot papers unless it becomes absolutely necessary when a person comes to the polling station claiming to be an elector in whose place somebody else has already voted and a tendered ballot paper is to be issued to such a person.

8.25 Fresh Poll:

In case of adjourned poll the polling shall commence at the stage where it was adjourned. i.e., those who had earlier voted shall not be allowed to vote again. The Presiding Officer shall use as far as is possible the old ballot box containing ballot papers already polled. However, if the polling was adjourned due to reasons which had vitiated the earlier polling, a fresh poll shall be ordered by the District Panchayat Election Officer. In such case, a new ballot box and fresh ballot papers shall be used and all the electors including those who had voted earlier shall be entitled to participate in the fresh poll. All the instructions for polling shall apply to fresh poll as well.

CHAPTER IX

CLOSING OF THE BALLOT BOX & DEPOSITING OF ELECTION MATERIAL

9.1 Transmission of Ballot Boxes and Election Papers:

- i. After the ballot boxes and all election papers have been sealed and secured by you on the close of poll in the manner explained in this Chapter, you have to transfer them or cause them to be transferred at such place as the Returning Officer may direct and in accordance with such arrangements as the Returning Officer may make.
- ii. Ballot boxes and the election papers should be delivered or caused to be delivered at the collection centre with zero delay. Any delay in this behalf will be viewed by the Election Authority with utmost concern and will invite severe disciplinary action against all concerned.

9.2 Closing and sealing of the ballot box after the poll:

After all the voters present at the close of the poll have voted, close the slit of the ballot box in the presence of the polling agents in the following manner: (Refer diagram of ballot box at Annexure XII) :—

- (i) remove the wire and cut the twine so as to free the window cover;
- (ii) move the window cover clock-wise and turn the button hard in a clock-wise direction so as to close the slit completely;
- (iii) turn the window cover anti clock-wise so as to close the window fully. Hold the button and the window cover together, run a piece of wire through the hole in the window cover and the button and secure them together firmly by twisting the wire. The ends of the wire should be made into a loop on which the sealing wax be applied, to formally seal the ballot box;
- (iv) Election agents if they so desire may be allowed to paste a paper with their signature or seal on the window cover;
- (v) Considering the fact that the counting will be held normally on the day of the poll itself, the process of further keeping the ballot box in a canvas bag or wrapping it in a cloth has been dispensed with. You must take note of this.

9.3 Account of ballot papers:

At the end of poll you have to prepare an account of ballot papers supplied to you both for Panch and Sarpanch Election in the Form PEL-11 as per Annexure 8 appended to this Hand Book. Further you shall supply a copy of the account so prepared to all the candidates or their agents who may be present at that time. Also see instruction at para 8.18 (ii).

9.4 Delivery and checking of election records and materials at the collection centre:

You will hand over to the official -incharge of the collecting centre the following items of election records and obtain a receipt:-

(A) Ballot Boxes

- i. the sealed ballot box (es);
- ii. the unused ballot box (es).

(B) The first bundle containing the following two envelopes stitched together:

- i. cover containing the paper seal account & the ballot paper account;
- ii. cover containing the Presiding Officer's Diary.

(C) The second bundle containing the following twelve envelopes:

- i. cover containing the counterfoils of used ballot papers;
- ii. cover containing the unused ballot papers signed by the Presiding Officer;
- iii. cover containing the other unused ballot papers;
- iv. cover for tendered ballot papers and the list in Form No. 18;
- v. cover for returned and cancelled ballot papers;
- vi. cover for the list of challenged votes;
- vii. cover for marked copy of the electoral roll;
- viii. cover for the other copy of the electoral roll;
- ix. cover for letters of appointment of polling agents;
- x. cover for receipt of cash forfeited in case of challenged votes;
- xi. cover for declaration by a companion of an infirm voter;

xii. cover for unused paper seals.

D) Eco-friendly handbag containing the following items of election materials etc.:

i. arrow cross mark rubber stamps;

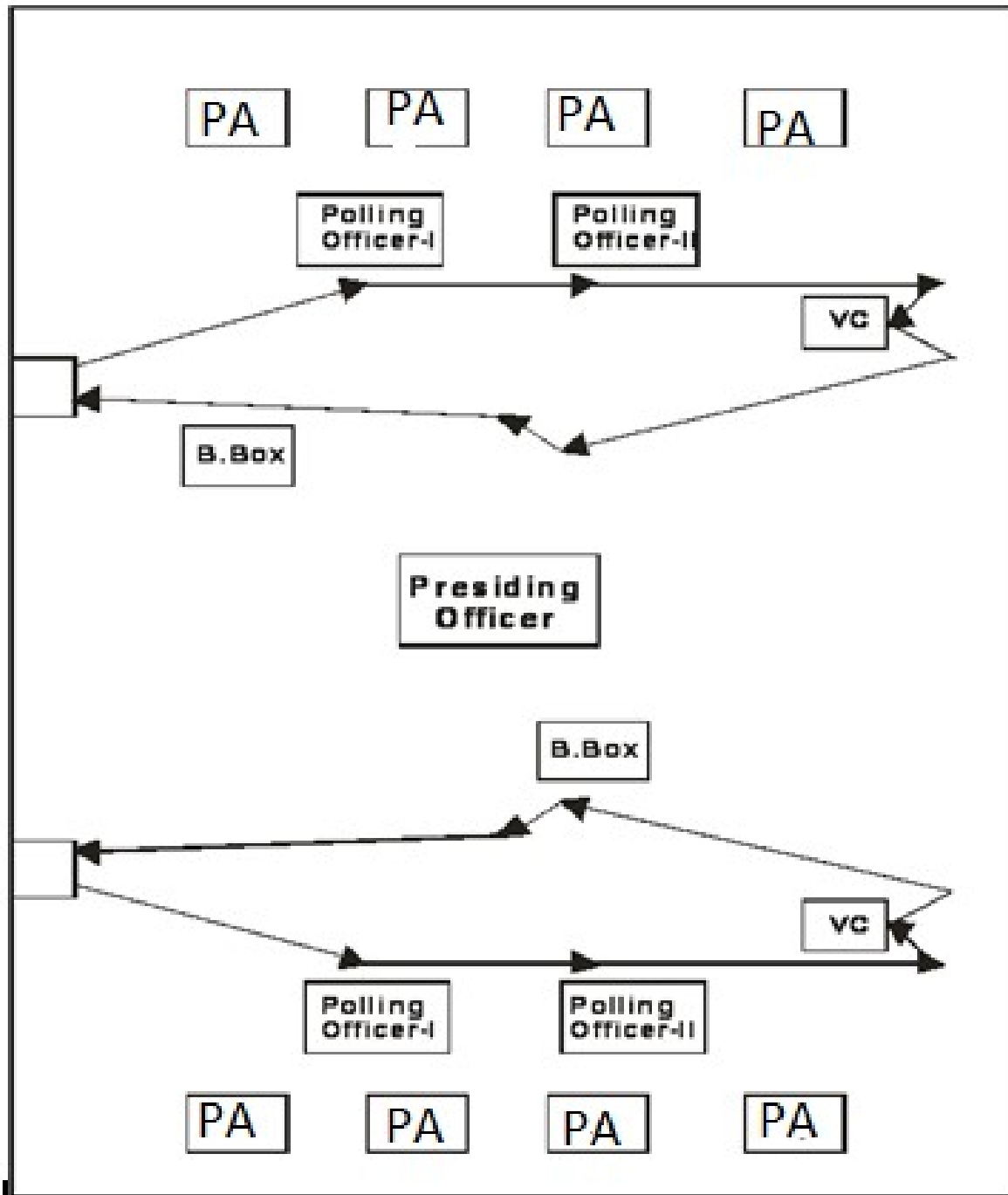
ii. material for voting compartment;

iii. thin metal pusher;

iv. all other stationery items, left after the conduct of polls.

All the items (excluding the stationery items) will be checked by the receiving officials at the collection centre in your presence and thereafter you will be relieved.

Diagram of a Polling Station



PA – Polling agent

VC – Voting Compartment

FORMAT OF LABEL TO BE PASTED ON THE BALLOT BOX

LABEL

Name of Panchayat Halqa

No. & Name of Panch Constituency.....

No. of Polling Station (if any)

No. of Ballot Box (1/2, 2/2, etc.)

FORM PEL-5

Appointment of Polling Agent

Election to theSarpanch Constituency.

Panchayat Halqa

Block.....

Ia candidate for election at the above election do hereby
appoint Shri/Smt.....of
.....as an polling agent to attend polling
station No..... at (place fixed for poll).

Signature of candidate

Place.....

Date

I agree to act as such polling agent.

Signature of polling agent

Place.....

Date

Form of Declaration by Elector about his Age

I hereby solemnly declare and affirm that my age was more than 18 years on the First day of Januaryi.e., the qualifying date with reference to which the existing roll of the Panch Constituency was prepared/revised.

Signature/thumb Impression of the Elector
Father/Mother/Husband's name

.....

Dated:.....

Part No. of Electoral Roll.....

S.No. in Electoral Roll.....

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

Signature of the Presiding Officer:

.....

...

Dated:.....

No. & Name of Polling Station

.....

...

PAPER SEAL ACCOUNT

Election to thePanchayat Halqa fromconstituency *** Name of the Block Name of the District		
Item	S.No. from	to Total Number
1. Paper seals received. 2. Paper seals unused: (a) With the signature of the Presiding Officer. (b) Without the signature of Presiding Officer. (c) Total (a+b): 3. Paper Seals used at the polling station (1-2=3)		

Signature of Presiding Officer

Date :

FORM NO.18*(See rule 30)*List of Tendered Votes for the Election of Panch/Sarpanch
Constituency

Panchayat Halqa.....Block.....

S.No.	Name of Voter	No. in Electoral Roll	Signature/Thumb Impression of Voter
1.			
2.			
3.			
4.			
5.			
6.			
7.			
8.			
9.			

Signature of the Presiding Officer

Dated:

FORM NO. 19

(See rule 31)

LIST OF CHALLENGED VOTES FOR THE ELECTION AT OF SURPANCH/PANCH AT
 (Name & No. of Polling Station) of
PANCHAYAT HALQA

Number in electoral roll	Name & address of voter	Signature/ Thumb Impression of voter	Name of Identifier, if any	Name of challenger	Order of Presiding Officer in each case
1	2	3	4	5	6

Signature of the Presiding Officer

Dated:

Form PEL 11

BALLOT PAPER ACCOUNT

Panchayat Halqa.....

Constituency.....

S. No. & Name of polling station.....

S.No.	For Sarpanch from S.No To S.No.....	Total	For Panch From S.No.to.....	Total
1. Ballot paper received				
2. Unused ballot papers-				
(a) With signature of Presiding Officer.				
(b) Without signature of Presiding Officer				
Total (a+b)_____				
3. Ballot papers used at the Polling Station(1-2=3)				
4. Ballot paper used at the polling station but not inserted into the Ballot box:				
(a) Cancelled ballot papers				
(b) Tendered ballot papers				
Total (a+b)_____				
5. Ballot papers to be found in the ballot box (3-4=5)				

Date:

Signature of the Presiding Officer

FORM PEL-12

RECEIPT FOR FEE

(To be prepared in duplicate using carbon paper)

S. No.....

Shri.....polling agent
of Shri/Smt.....a candidate for
election to.....

Constituency.....Panchayat Halqa challenged the identity of
Shri/Smt..... elector registered at
serial numberand deposited fee of Rs. 2 only which
was forfeited as after the enquiry, the identity of the elector was found to be in order.

Signed

P/S

Date.....

Presiding Officer

FORM PEL-13

DECLARATION BY COMPANION

I.....S/o.....

R/o.....acting

as a companion to.....an elector registered

atpolling station at serial

numberdo hereby declare that I have not acted as companion

to any other elector in today’s poll and that I will maintain the secrecy of his/her vote.

Signed.....

Date

FORM PEL 14

PRESIDING OFFICER'S DIARY

1. Name of Panch Constituency.....
2. Name of Panchayat Halqa
3. Name and number of polling station
4. Number of ballot boxes used
5. Number of Green Paper Seals used.....

Item	S. Nos. from to	Total Number
a) Paper seals received.		
b) Paper seals unused :		
i. With the signature of the presiding officer.		
ii. Without the signature of presiding officer.		
iii. Total (a+b) :		
c) Paper seals used at the polling station (a-b=c)		

6. Number of polling agents and number who arrived late.....
 - a). For Surpanch.....
 - b) For Panch.....
7. Number of ballot papers received :
 - a) For Panch
 - b) For Sarpanch.....
8. Number of electors who voted :

Men

Women

Total
9. Challenged votes

Number allowed

Amount forfeited Rs.

10. No. of tendered votes

 - a). For Surpanch.....
 - b) For Panch.....

11. Total number of ballot papers issued (including tendered votes and votes allowed in column 8) :

a) For Panch

b) For Sarpanch.....

12. No. of infirm voters

13. Whether it was necessary to adjourn the poll and if so, the reasons for such adjournment

14. Was the poll interrupted or obstructed by –

(a) Riot

(b) Open violence

(c) Natural calamity

(d) Any other cause.....

15. Was the poll vitiated by –

(1) Any box used at the polling station having been unlawfully taken out of the custody of the Presiding Officer

(a) Lost or destroyed

(b) Damaged or tampered with.

(2) The ballot papers having been unlawfully marked by any person and deposited in the ballot box:

(3) Ballot papers having been unlawfully taken away by any person

PLEASE GIVE DETAILS

16. Serious complaints, if any, made by the candidates.

17. Report of mistakes & irregularities committed at the polling station.

Presiding Officer

Place

Date

(This diary should be forwarded to the Returning Officer in a separate cover along with the ballot box)

Diagram of Ballot Box

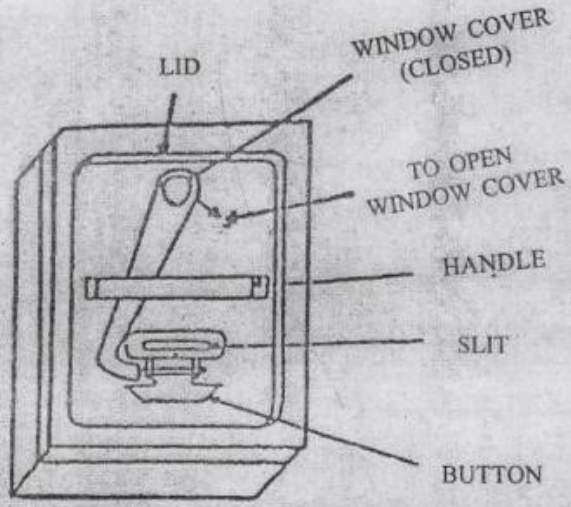
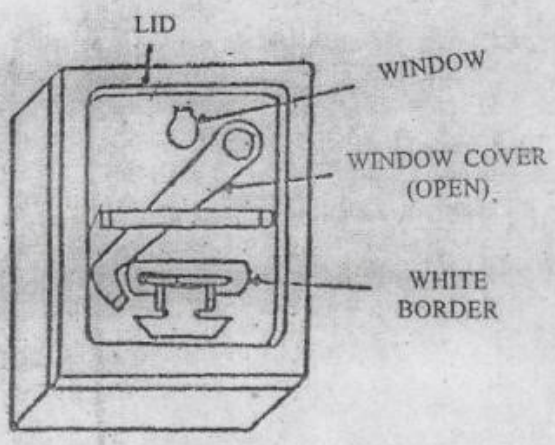


Figure 1



OFFICE OF THE ELECTION AUTHORITY

Panchayati Raj Act 1989,

(Chief Electoral Officer, J&K)

Nirvachan Bhawan, Rail Head Complex, Jammu

Phone No. 0191-2477519

Fax-0191-2477389

Email: ceo-jk@nic.in

“Greater Participation for a Stronger Democracy”

Sub: - Alternative documents for identification of Voters- Panchayat Elections- 2020.

Order No.CEO/Pyt/2020/180

Dated: 11 -02-2020

In exercise of the powers vested under proviso to Rule 23 of the Jammu and Kashmir Panchayati Raj Rules, 1996, the Election Authority, J&K hereby orders that the following documents shall be allowed for identification of voters at the polling stations during conduct of Panchayat Elections of vacant seats of Surpanches and Panches, 2020.

1. Electoral Photo Identity Cards (EPICs).
2. Passport
3. Driving Licence
4. Service Identity Card issued to the employees by State / Central Govt. Public Service Undertaking, Local Bodies, Public Limited Companies.
5. Bank /Post office passbooks with photographs
6. Income Tax Identity (PAN) Card.
7. Aadhaar Card.
8. MNREGA job cards issued in J&K Union Territory.
9. Health Insurance Smart Card issued under the scheme of Ministry of Labour.
10. Pension documents such as ex-servicemen's pension payment order, Ex-Servicemen's widow/Dependent certificates, Old Age pension order and Widow Pension order with photographs.
11. Photo Voter Slip issued by Election Authority.

Sd/-
(Shailendra Kumar)IAS
Election Authority
(Chief Electoral Officer, J&K)

No. 5206/CEO/Pyt/2020/ 517-18

Dated: 11 /02/2020

Published for general information .

Sd/-
(Anil Salgotra)
Joint Chief Electoral officer,
Jammu & Kashmir