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**GENERAL OBSERVER HANDBOOK**  
**FOR**  
**DISTRICT DEVELOPMENT COUNCILS**  
**&**  
**VACANT SARPANCH/PANCH**  
**ELECTIONS**  
**2020**

# GUIDELINES FOR OBSERVERS

SS

## **Introduction:**

Observers for the conduct of election of DDCs and vacant Panchayats are appointed by Election Authority, (State Election Commission) J&K in exercise of powers vested under Section 36 of the Jammu and Kashmir Panchayati Raj Act 1989 and perform their duties under the superintendence, control and discipline of the Election Authority for the period from their appointment till the completion of process of election.

By dint of their seniority and long experience in the administrative service, they are expected to be in a position to assist the Election Authority in the conduct of free and fair polls. For all purposes they will act as the eyes and ears of the Election Authority (EA) during the period of the election and provide direct inputs to the EA from the field as an interface with the election machinery, the candidates and electors to ensure that the acts, rules, procedures, instructions and guidelines related to elections are strictly and impartially complied with by all concerned.

These elections are being conducted under the provisions of Jammu and Kashmir Panchayati Raj Act and Rules and accordingly all statutory references should be made to these and other instructions issued by the department of Rural development and Election Authority in this regard from time to time.

## **ROLE OF OBSERVERS:**

Observers are expected to observe and report to the Election Authority with regard to all the steps involved in election conduct and management. A brief of the functions to be performed is as under:

### **1. Monitoring the process of Nominations, Withdrawal, Scrutiny and Symbol allotment.**

The Observer shall watch the process of filing of nominations to get an overview of compliance of Election Authority instructions and report major violations, if any. Scrutiny is a quasi judicial process and should be conducted by the Returning Officer without any outside influence. However, Observer can ensure that the Returning Officer is aware of the latest instructions, including the latest symbol order. The Observer should observe the scrutiny process and report any glaring error to the Election Authority if any reported. Observer should, however, abstain from directing or advising the Returning Officer. Allotment of symbol is a process that is very technical and requires due care. It should be ensured that Returning Officer is aware of the provision of issue of allotment order. After allotment of symbols, the list of finally contesting candidates should be prepared.

### **2. Electoral Rolls:**

Electoral Rolls to be used in the election of DDCs and vacant Panchayat seats are photo electoral rolls and it should be ensured that the copies given to the candidates and the ones used on the poll day by the polling party are legible, authentic and updated.

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### 3. Campaign Period- Model Code of Conduct:

Observers are required to monitor implementation of Model Code of Conduct and measures to prevent occurrence of electoral offenses. The Observers should bring any lapse to the notice of the District Panchayat Election Officer (Dy. Commissioner) and the Election Authority, if required, but abstain from any direct executive action on their part. The main areas for strict vigil are:-

- a. Use of vehicles for campaigning without required permission;
- b. Use of muscle power to mobilize or restrain people from voting;
- c. Flow of liquor and money and 'gifts' to ensure voting in favor of a particular candidate;
- d. Divisive tactics through inflammatory and condemnable speeches/acts, and
- e. Dealing with defacement of property as per prevailing law, if any, of the UT, in case of absence of any such law as per the latest instruction of the ECI.

However, the approach of observer should be to get the complaint inquired by DEO/RO through the inquiry officer and tracking how the inquiry is conducted and how the concurrent corrective measure is affected. The Observer should request/intimate the RO/DEO about the violations and appropriate action to be taken. However in case of lapses on part of the authorities even after request/intimation of the Observers, the Observers should immediately communicate lapses to the Election Authority. Observer should use videography as an effective tool to implement Model Code of Conduct.

Observers are eyes and ears of the Election Authority and not the executives in the field. There are several instances where implementation of Model Code of Conduct has been handled for the same issue in different manner in different constituencies. Some instances are given as case studies to sensitize you to this aspect.

### 4. Visit of areas in the Constituencies and Polling Stations

After finalization of contesting candidates by the Returning Officer, the observer should visit as many polling stations as possible to understand the Constituencies in social, economical and political context. During their visits, the observer shall definitely visit all new polling stations, critical polling stations and distant polling stations.

### 5. Pre-Poll Election Management

- a. The first level randomization of the election staff is done before the arrival of Observers. The second and third levels of randomization are, however, done in the presence of Observer.
- b. Training is an activity on which special emphasis should be provided. Observers should monitor that proper training is arranged for the election staff, especially with regards to recent instructions of EA and also related to Ballot Boxes.
- c. Visit polling stations and monitor that all polling stations are visited by election officials for verification from fitness angle. Verify that the list of polling stations is approved by the EA.



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- d. Ensure that proper arrangements for dispatch have been made. The dispatch should normally be the day before the poll.
  - e. Review counting arrangements.

#### **6. Poll Day Management**

- a. Monitor placement of ARO and RO.
- b. Review the pace of poll and percentage of polling at regular intervals.
- c. Keep track of occurrence of any special events during the poll day.
- d. Keep track of any delays or temporary suspension of poll.
- e. Report anything exceptional to the DPEO (Dy. Commissioner) and the EA.
- f. Ensure that proper arrangements for receipt of polling staff and polling material are made. Every receiving team should be well equipped with a checklist of items to be received. Ensure that the non-statutory documents are not locked with the Ballot Boxes in the strong room (Trunks).

#### **7. Training:**

Training is an activity on which special emphasis should be provided. Observers should monitor that proper training is arranged for the election staff, especially with regards to recent instructions of Election Authority and related to Ballot Boxes.

#### **8. Polling Stations:**

Observers must verify that the polling stations have been setup as per the list of polling stations approved by the Election Authority. They should visit polling stations and monitor that all arrangements.

#### **9. Distribution/Dispatch of Polling Material and staff:**

Ensure that proper arrangements for dispatch of material and polling staff have been made. The dispatch should normally be the day before the poll. Also review the arrangement of staff for the counting purpose.

#### **10. Postal Ballots**

Tracking dispatch of postal ballot papers to the Notified Voters (Kashmiri Migrants) and Absentee Voters, ensuring/monitoring the setting up of the facilitation counters for polling personnel in accordance with the recent guidelines of the Election Authority J&K and sending specific report in this regard to the Election Authority.

#### **11. Poll Day Management:**

Monitor deployment of all poll personnel at the polling stations. Monitor the start of poll, availability of ballot boxes, etc. on the day of poll. Review the percentage of polling at regular intervals. Keep track and record of occurrence of any special incidents during the poll day. Keep track and record of any delays or temporary suspension of poll. Report anything exceptional to the DPEO (Dy. Commissioner) and the Election Authority.

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**12. Post Poll:**

Report to the Election Authority about conduct of poll and requirement of re-poll, if any. Ensure that proper arrangements for receipt of polling staff and polling material are made at the collection center. Every receiving team should be well equipped with a checklist of items to be received. Ensure that the non-statutory documents are not locked with the Ballot Boxes in the strong room (Trunks).

**13. Counting:**

Review the arrangements for counting made by the DPEO (Dy. Commissioner). The randomization of counting staff is done in the presence of Observer. The Observer has to ensure that the results as tabulated by the counting staff and the counting supervisor are checked and found tallied.

**14. INTERFACE WITH Election Authority:**

The Observers may get in touch with the Officers in the office of Election Authority in case of any necessity. For any serious matter warranting intervention at the highest level, Observers may contact the Election Authority directly.

**15. VISITS BY GENERAL OBSERVERS:** Most of the observers are assigned two or more DDCs/blocks and thus they must ensure that they frequently visit all the DDCs/blocks assigned to them. However, they can establish their office in one of the DDCs/blocks for ease of functioning but at the same time ensure that they visit the other DDCs/blocks frequently enough to observe all critical events in the process of election.

**16. REPORTS BY OBSERVERS :**

The Election Authority has prescribed three mandatory reports to be submitted by the Observers, which are annexed herewith. However, in case of any serious deviations, the observer should bring it to the notice of Election Authority through interim report(s). These three reports are as under:

- a. The first report is to be submitted on the last day of filing nominations.
- b. The second report is to be submitted after the completion of poll.
- c. The third report is to be submitted after completion of the polls and declaration of results.

Observers should send these reports by email to [ceo-jk@nic.in](mailto:ceo-jk@nic.in) and by fax where internet facility is not available followed by sending physical copy by speed post. All reports of the Observers shall be sent to the Election Authority. Observers shall not under any circumstances, share the contents of their reports or any information therein with anyone, repeat anyone, except the Election Authority.

**17. ARRIVAL OF OBSERVERS IN THE BLOCK HEADQUATER:**

All Observers are required to monitor the process of nomination filing and specially the scrutiny part and thus it is mandatory for all to report to the

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concerned District Panchayat Election Officers at least by the last date of filing nominations. The DPEO (Dy. Commissioner) shall appoint an officer as the liaison officer for the observer and the liaison officer shall receive the observer on his arrival. On his/her arrival an Observer is required to submit Arrival Report on the Format appended herewith.

**18. INTERFACE OF ROs/AROs AND ELECTION OFFICIALS WITH THE OBSERVERS:**

The DPEO (Deputy Commissioner) should organize a structured meeting with the observers as early as possible. All the Returning Officers, Assistant Returning Officers, other election officials including the nodal officers for media cell, model code of conduct and the designated officers for expenditure monitoring should be present in the meeting to apprise the Observers about the specific issues needing special attention.

19. Though checking the account of expenditure of the candidates is entrusted to Expenditure Observers, however, General Observer are also required to do so, in case of exigencies, if directed by the Election Authority.

**20. REPOLL AND ADJOURNED POLL CASES:**

The report of the Observer is the most important input for the Election Authority in taking a decision on ordering re-poll or adjournment of polls. The Observers should therefore be vigilant and alert about any incident or activity which might or might have vitiated the poll process so that they can send a specific report to the Election Authority on this matter. Sometimes, information received from other sources is referred back to the Observers on telephone by the Election Authority and the Observers are expected to make such enquiries and verification as are possible within the constraints of the time available. After this and after taking into consideration other inputs made available to the Election Authority, repoll/adjournment is ordered in such of the polling stations as is considered necessary and appropriate by the Election Authority

**21. END OF POLL REPORT:**

Observers must send a report in the form prescribed in Observers Report 2 at the end of poll showing the role of polling agents and the number and nature of complaints received in regard to each polling station. In addition to this, the Observer has to send a comprehensive report highlighting all important factors, in case any re-poll is recommended by him for a particular polling station(s).

**22. COUNTING OF VOTES:**

The observer should monitor counting process and bring to the notice of the Election Authority any discrepancies in this regard. The Observers should ensure after the declaration of result that the Returning Officer sends the duly filled and corrected copies of (i) Final Result Sheet (ii) Certificate of Election to the DPEO (Dy. Commissioner).



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**Arrival/Departure Report of Observers**  
(To be Submitted Immediately after Arrival / Departure)

1	Date of Reporting	
2	Name of Observer	
3	E-Mail ID	
4	No & Name of Constituency/Committee	
5	Name of the District	
6	Mobile No	
7	Fax No	
8	Date of arrival / Departure of Observer (please strike out the portion which is not applicable)	
9	Was there any break taken by the Observer from the duty	
10	If Yes, give details	
11	Was there late reporting on the duty	
12	If, Yes give details	

Name & Signature of the Observer

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### OBSERVER REPORT - I

Poll preparedness Report (please indicate done or not done)

1	Name of the Observer		
	Name of the Block(s)/DDCs		
2	Arrangement for	Done	Not done
	(a) Ballot paper printing		
	(a) Ballot Box preparation		
3	Poll personnel list preparation		
	Date of Randomization	Day	

Training Date of poll personnel	Day	Date	Remarks

		Yes	No	Remarks (if any)
1.	Adequate preventive steps taken for maintenance of law and order			
2	Mapping of critical polling stations	Yes	No	
3	Arrangements for dispatch, receiving and counting centre	Done	Not done	
4	Arrangement for Model Code of Conduct implementation	Yes	No	
5	System of receiving complaints and monitoring	Done	Not done	
6	Communication plan	Yes	No	
7	Establishment of Control Rooms	Yes	No	

Overall Observation (indicate any arrangements not made, requiring improvements, overall coordination assessment) Indicate areas of concern at least three in order of priority.

Date :  
Place :

Signature of the Observer  
Name :



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### OBSERVER REPORT-II

General Observer name	
Name of Block(s)/DDCs	

1	Total number of polling Stations			
2	Number of Polling stations where mock poll was not confirmed(indicate the specific number of polling stations in the case of Ballot boxes)			
3	Number of polling Stations where there were no polling agents(indicate the specific number of polling stations)			
4	Number of polling stations where poll was interrupted for more than two hours or delayed in starting(indicate the specific number of polling Stations)			
5	Number of polling stations where the interrupted poll could not continue(indicate the specific number of polling Stations)			
6	Number of polling stations where poll continued beyond appointed hours(indicate the specific number of polling stations)			
7	Number of Ballot boxes replaced after the start of poll(indicated the specific number of polling stations in the case of Ballot boxes use)			
8	All Presiding Officers diaries and other documents received	Yes		No
9	Voting Details	Number of Electors	Votes polled	%age
	Male			
	Female			
	Total			

Events relating to law and order, unauthorized entry (have to be listed clearly with name and event): \_\_\_\_\_

Any need for re-poll: \_\_\_\_\_  
 If yes, then the details with reasons(Fixing the responsibility for the reason leading to re-poll) : \_\_\_\_\_

Signature of the Observer

Date:  
Place:

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**OBSERVER REPORT-III**  
**(To be sent after Counting)**

Observer Name	
Name of Block(s)	

Candidate wise break up of votes polled:

S.NO	Name of the Candidate	Number of votes polled	Remark if any

Details of proceedings in case of Tie: \_\_\_\_\_

\_\_\_\_\_

Election Result declared

(Yes/No)

Date:

Name & Signature of the Observer

*(Handwritten initials)*

**Appointment of General Observer Baramulla /**

**From :** dcbudgam@gmail.com  
**Subject :** Appointment of General Observer Baramulla /  
**To :** General Administration Department J and K <gad-jk@nic.in>, CEO UT of JK and ladakh <ceo-jk@nic.in>

Fri, Nov 06, 2020 02:12 PM

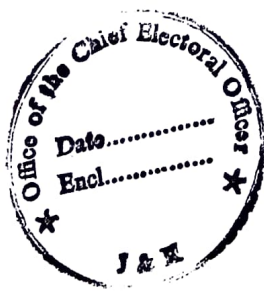
1 attachment

Please find attachments for kind perusal and necessary action

**General Observer Baramulla.pdf**  
198 KB

*Navdeep*

*(Signature)*  
07/11/2020







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Government of Jammu & Kashmir  
**Office of the Deputy Commissioner Budgam.**

Email: dcbudgam@gmail.com

Tele: 01951-255203,

No: DCB/PS-MF/4516-18

Dated: 06 /11/2020

The Commr. /Secretary to Government,  
General Administration Department  
Jammu & Kashmir

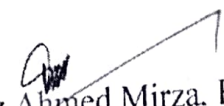
Subject: Appointment of Mr. Mohammad Ashraf Sheikh, KAS  
General Manager DIC Budgam as General Observer for  
conduct of Panchayat by-elections.

Sir,

On the recommendation of General Administration Department, Mr. Mohammad Ashraf Sheikh, KAS, General Manager DIC Budgam has been appointed as general observer for conduct of Panchayat by-elections in District Baramulla. In this regard it is submitted that the said officer has already been appointed as Nodal Officer for printing and management of ballot papers for DDC and Panchayat by-elections in Budgam which is a sensitive exercise. Sparing him at this stage may cause problems to this office in printing, preparation and management of ballot papers.

It is, as such, requested that the said officer may kindly be spared from the duties of general observer by providing a suitable replacement to the State Election Commission for smooth conduct of DDC and Panchayat by-elections in this District.

Yours faithfully,

  
Shahbaz Ahmed Mirza, KAS  
Deputy Commissioner  
Budgam.

Copy to the:

1. State Election Commissioner, J&K, Jammu.
2. Chief Electoral Officer, J&K, Jammu