

PREFACE

Free and fair conduct of elections mainly depend on the Returning Officer. He occupies a very important position in the affairs connected with the election. Even a slight mistake, lapse or inept application of law may vitiate the entire election process.

He has to perform multifarious duties concerning election beginning with the issue of public notice to the declaration of the result. Receipt of nomination papers, their scrutiny, allotment of symbols, printing of ballot papers, arranging training and rehearsal classes for Polling Officers, distribution of election materials, conduct of poll using Electronic Voting Machines, counting of votes, declaration of results, keeping the election papers in safe custody are some of the duties and responsibilities of the Returning Officer. Since all the works related to election cannot be handled properly by the Returning Officer alone, the Election Commission(UT) has also appointed Assistant Returning Officers to assist the Returning Officer in carrying out his manifold duties pertaining to an election. As such, the Returning Officers and Assistant Returning Officers should have an in-depth knowledge of the various provisions relating to election under the Daman and Diu Panchayat Regulation,2012 and the Daman and Diu Panchayats(Election Procedure) Rules,2014 issued thereunder.

This Hand Book for Returning Officer contains some of the important matters pertaining to the conduct of elections. The Returning Officer and the Assistant Returning Officers should thoroughly familiarise with them. Although an attempt has been made to discuss all the issues relating to election, this Hand Book shall not be considered to be complete by itself. As such, the Returning Officer and the Assistant Returning Officers should also get themselves acquainted with the various provisions in the aforesaid Acts and Rules. However, it is hoped that this Hand Book shall prove useful to the Returning Officers and the Assistant Returning Officers in the due performance of their duties and functions.

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CONTENTS

Chapter No.	Particulars	Page No
I.	Introduction	5
II.	Nominations	9
III.	Qualification and Disqualification	12
IV.	Scrutiny of Nominations.....	15
V.	Withdrawal of Candidature and Allotment of Symbols.....	21
VI.	Uncontested Election.....	26
VII.	Polling Teams	28
VIII.	Polling Rehearsal	30
IX.	Electronic Voting Machines.....	31
X.	Sorting of EVMs	33
XI.	Assessment and Commissioning of EVMs	35
XII.	Poll Day	56
XIII.	Actual Poll.....	68
XIV.	Transmission of Voting machine and Election papers to the Returning Officers	80
XV.	Counting.....	83
XVI.	Declaration of Results.....	100
XVII.	Refund of Security Deposit.....	103
XVIII.	Miscellaneous	105

XIX. Annexures/Forms

- I Intimation Letter as per Rule 32(6)
- II Notice to Contesting Candidates regarding Penal Provisions
in the Election Law

- III Extract from Symbols Order.....
- IV List of polling materials
- V Declaration by Presiding Officer
- VI Sticker for Pairing EVMs
- VII Instructions to Counting Supervisors and
Counting Assistants
- VIII Report on retrieving result from Control Unit by
using Auxiliary Display Unit and Printer
- IX Report on non-retrieving of result from Control
Unit by using Auxiliary Display Unit and Printer
- X Application for refund of deposit (BY A CANDIDATE)
- XI Application for Refund of Deposit
(by Legal representative)
- XII Appointment of Counting Supervisors/ Assistant
- XIII Log Book of Building in which voting
machines have been stored pending counting
- XIV Entry Pass for Counting Agents
- XV Entry Pass for Polling Agents
- XVI Register for distribution and receipt of CU, BU and DMM
from ROs to POs and from PO to RO
- XVII Form for maintenance of Records of Voting Machines with RO
- XVIII Declaration by the Companion of Blind or Infirm elector
- XIX Letter of complaint to the SHO,Police
- XX Order of appointment of Presiding and Polling Officers
- XXI Report of the Returning Officer

Form 4 Notice of Election
Form 5 Nomination Paper
Form 6 Notice of Nomination
Form 7 List of validly nominated candidates
Form 8 Notice of withdrawal of candidature
Form 9 List of contesting candidates
Form 10 Appointment of Election Agent
Form 11 Revocation of appointment of Election Agent
Form 12 Appointment of Polling Agent
Form 13 Revocation of appointment of Polling Agent
Form 14 Appointment of Counting Agent
Form 15 Revocation of the appointment of Counting Agent
Form 16 List of Challenged Votes
Form 17 List of Blind and Infirm Voters
Form 18 List of Tendered Votes
Form 19 Ballot Paper Account
Form 20 Final Result Sheet
Form 21 Declaration of Result
Form 21A Declaration of Result
Form 21B Declaration of Result
Form 21C Declaration of Result (casual vacancy)
Form 22 Return of Election
Form 23 Certificate of Election
Form 25 Register of Voters
Form 26 Account of Votes Recorded

Chapter – I

INTRODUCTION

1.1 Free and fair elections require an independent body to hold, supervise, direct and conduct the elections. In order to ensure the purity of election process, the responsibility to hold election to the three-tier Panchayats and the Municipality has been entrusted to the Election Commission(UT) insulated from political or executive interference. Election to these local bodies has great significance, as these local bodies are truly units of local self government created by 73rd and 74th amendments to the Constitution of India, with certainty, continuity and strength and with powers and authority for economic development and social justice. Election to these local bodies are entrusted to the Election Commission(UT) under Articles 243K and 243ZA of the Constitution of India. The Election Commissioner(UT) is having the Status of a Judge of a High Court. The Election Commission(UT) is to function independently of the State Government in respect of its powers of superintendence, direction and control of all elections and preparation of electoral rolls for the conduct of election to Panchayats and Municipalities. In terms of Article 243K and 243ZA the same powers are vested in the Election Commission(UT) as the Election Commission of India under Article 324. (*Kishan Sing Tomar V. Municipal Corporation, Ahmadabad (2006)8 SCC 352*). Besides, the Commission has to discharge manifold functions namely to decide the qualifications of the elected members and councillors, to decide whether any member of a local authority has become disqualified under the Provisions of sections 14 and 58 of the Daman and Diu Panchayat Regulation,2012 and to conduct election to various offices of the Panchayats and Municipalities.

Returning Officer

1.2 The Election Commission(UT) has, in consultation with the Administrator, designated one or more Officers of the U.T. Administration or of a local authority as Returning Officer for every Panchayat. The smooth and successful conduct of an election, right from the issue of public notice for election to the declaration of the result and the safe custody of the election materials thereafter depends on how a

Returning Officer performs his duties. Even a slight mistake, lapse or inept application of law may vitiate the entire election. The Returning Officer has a well defined and vital role to play in the entire election process. It is, therefore, essential that the Returning Officers and Assistant Returning Officers have an in-depth knowledge of various provisions of the Rules and Regulation relating to different stages of election process. The nature of duties of a Returning Officer while conducting the Scrutiny of nominations and counting of votes is of a quasi - judicial character.

Assistant Returning Officer

1.3 The process of an election is so vast that, all the works related to elections cannot be handled properly by the Returning Officer alone. Therefore, the Election Commission(UT) has appointed one or more Assistant Returning Officers to assist the Returning Officer in the performance of his function (See Rule 25 of the Daman and Diu Panchayats(EP) Rules,2014). Under the law, every Assistant Returning Officer shall be competent to perform, subject to the control of the Returning Officer, all or any of the functions of the Returning Officer. When the Assistant Returning Officer performs any of the functions of the Returning Officer, he shall sign the papers as "Assistant Returning Officer" and not as "for the Returning Officer" He shall, however, not perform any of the functions of the Returning Officer which relates to scrutiny of nominations unless the Returning Officer is unavoidably prevented from performing the said function.

Duties and responsibilities of a Returning Officer

1.4 The Kingpin for the conduct of any election is the Returning Officer. He occupies the most important position in all the affairs connected with the election. It shall be his general duty to do all such acts and things as may be necessary for effectually conducting the election in the manner as provided in the Rules and Regulation or Orders made there under. The main duties of the Returning Officer are as follows :-

The Returning Officer shall -

1. draw up well in advance a programme for the smooth conduct of election;
2. procure the materials, forms etc. in adequate quantity;

3. issue of public notice of election in Form No.4 of the Daman and Diu Panchayats (EP) Rules,2014;
4. Receive Nomination papers and deposit from candidates;
5. ensure that the names and serial numbers of the candidates and their proposers as entered in the nomination paper are the same as those entered in the electoral roll;
6. Conduct a preliminary examination of nomination papers ;
7. administer the oath or affirmation to the candidates and obtain their signatures thereon;
8. publish the list of nominations received in Form No.6;
9. conduct Scrutiny of nomination papers;
10. record the reasons in brief for rejecting any nomination paper;
11. publish list of validly nominated candidates in Form No. 7;
12. receive notice of withdrawal of nomination;
13. allot symbols to the contesting candidates;
14. Publish the list of Contesting Candidates in Form number 9;
15. convene meetings of candidates and political parties to discuss problems relating to the smooth conduct of election;
16. impart training to Polling Personnel in the all aspects of election including Electronic Voting Machine and arrange rehearsal classes;
17. make arrangements for printing of ballot labels for the ballot units of Electronic Voting Machine, ballot papers for tendered votes and postal votes and despatch postal ballot papers in time;
18. prepare Electronic Voting Machine, do the pairing and the candidate setting in the presence of candidates/their election agents;
19. depute polling teams for the conduct of poll with Electronic Voting Machines and other polling materials;
20. make effective supervision of the poll;
21. transport and store Electronic Voting Machines under proper security arrangements;

22. make arrangements for counting of votes.
23. declare results of the election;
- 24 . take steps for the safe custody of Detachable Memory Module and the packet containing used tendered ballot papers, marked copy of the electoral rolls and all other relevant records relating to election in the Treasury;
25. keep in safe custody:-
 - (a) nomination papers
 - (b) the packets of unused ballot papers with counterfoils attached thereto;
 - (c) the packets of used ballot papers whether valid, tendered or rejected;
 - (d) the packets of the counterfoils of used ballot papers;
 - (e) the packets of the marked copy of the electoral rolls; and
 - (f) all other papers relating to the election.

Chapter – II

NOMINATIONS

Notification and Public notice of election

2.1 The Election Commission(UT) under rule 29 of the Daman and Diu Panchayats (EP) Rules,2014 shall, by notification in the Gazzette appoint the last date for making nomination, the date for scrutiny of nomination, the last date for the withdrawal of candidature and the date of poll or polls, if necessary. The schedule for election shall invariably be followed.

2.2 On the issue of a notification by the Election Commission (UT), the Returning Officer shall give public notice of the intended election inviting nomination of candidates for such elections and specifying the place at which the nomination papers are to be delivered. The Returning Officer will be informed beforehand the date of issuing such public notice. The said public notice of election shall be issued in the following manner.

- (i) The public notice shall be in form No.4 (rule 30 of the Daman and Diu Panchayats(EP) Rule,2014) and shall be published on the day on which the Election Commission(UT) issues notification. The notice shall be published even if it is a public holiday.
- (ii) The notice shall be published in English and in any other language specified by the Election Commission(UT).
- (iii) Every notice should be published in each of the languages on the notice board of the office of the Returning Officer, office of the concerned Panchayat, Municipality and such other places as the Commission may direct.

It is the Election Commission(UT) that fixes a programme for election to local authorities in the UT. The Supreme Court held that the court shall not interfere in the matter of fixing the election programme by the Election Commission.

Submission and receipt of the nomination

2.3 A candidate may present his nomination paper on the very day of notification or on any of the seven days following that day unless any of these days is a public holiday. The nomination papers shall be in Form No.5 and it shall be supplied free of cost to the candidates. If the last day for filing nomination is a public

holiday, the nomination paper can be filed on the next day, which is not a public holiday. Similarly the date for scrutiny of nomination is declared a public holiday the scrutiny will be held on the next day which is not a public holiday. Likewise, the last day for withdrawal of candidature has been notified by the Government as a public holiday, the notice for withdrawal shall be considered as having been delivered in due time, if it is delivered before 3'O Clock in the afternoon on the next succeeding day which is not a public holiday.

2.4 The nomination papers may be presented either before the Returning Officer or before any of the Asst. Returning Officers specified in the public notice on any of the days at the place or places specified in the notice at any time between 11 a.m. and 3 p.m., and not at any other hour or place. If a candidate or his proposer seeks to present a nomination paper either before 11 a.m. or after 3 p.m. the Returning Officer shall not accept nomination paper. Each nomination paper must be serially numbered, as soon as it is presented, by the officer who is receiving it. He must also note on the body of the nomination paper the exact time at which it has been received by him. A list of nominations received everyday shall be published in Form 6 in the notice board. Besides, the Returning Officer shall, as soon as the last day and time fixed for the receipt of nomination paper is over, publish a consolidated list of nomination received in form No.6.. A copy of the nomination paper shall be given to an elector of a constituency if an application is made in that behalf of an elector.

2.5 Nomination papers can be presented personally either by the candidate or his proposer and by no one else, at the office of the Returning Officer or the Asst. Returning Officer as specified in the public notice. The Returning Officer shall, on the presentation of the nomination papers, conduct a preliminary examination of the nomination paper. The Returning Officer shall permit any misnomer or inaccurate description or clerical, technical, or printing error to be corrected (Rule 32 of the Daman and Diu Panchayats(EP) Rules,2014)

2.6 Under sub-rule (7) of rule 32 of the Daman and Diu Panchayats (EP) Rules,2014, a maximum of four nomination papers can be presented on behalf of any candidate. If a candidate seeks to present any nomination paper or papers in excess of these numbers it shall not be accepted. A person nominated as a candidate to fill a constituency of a Panchayat/ward of a Municipality shall not be nominated as a candidate for another constituency/ward of the same Panchayat or Municipality.

2.7 Where the candidate is an elector of a different constituency, a copy of the electoral roll of that constituency or of the relevant part thereof or a certified copy of the relevant entries of such roll shall be produced along with the nomination paper. If he has not produced the same, intimation shall be given to him. (Annexure-1). The receipt portion of the same obtained from the candidate or proposer shall be kept along with the nomination paper.

2.8 Where a constituency/ward is reserved to SC/ST, a candidate shall produce along with the nomination paper a community certificate issued by a competent Officer, showing that he belongs to the particular caste or tribe for which the constituency or ward is reserved.

2.9 A candidate shall be qualified to be nominated for election only if he deposits or causes to be deposit a sum of `Rs. 2,500 (Rupees Two thousand five hundred only). In the case of a candidate belonging to Scheduled Caste/Scheduled Tribe the amount of deposit shall be Rs.1,000 (Rupees One thousand only). Where a candidate has been nominated by more than one nomination paper, not more than one deposit shall be required of him. Unless the amount is deposited with the Returning Officer, a receipt in proof of the deposit shall be enclosed with the nomination paper presented on behalf of the candidate.

Chapter – III

QUALIFICATION AND DISQUALIFICATION

Qualifications:

3.1 A person shall be qualified for being nominated to Panchayat, if -

- (i) his name appears in the electoral roll of any of the constituency/ward of the respective Panchayat
- (ii) he has completed his 21st year of age on the date of submission of nomination
- (iii) in the case of a seat reserved for Scheduled Caste/Scheduled Tribe, he is a member of any of the SC/ST as the case may be
- (iv) he has not been disqualified under any provisions of Daman and Diu Panchayat Regulation, 2012 and the rules made thereunder.

Disqualifications:

3.2 A person shall be disqualified for being chosen as, and for being a member of a Gram Panchayat/District Panchayat or to continue as such, if he/she-

- has failed to pay arrears for more than one year or any tax, fee or any sum due to the Gram Panchayat:

Provided that such disqualification shall be operative only if notice for such arrears has been duly served upon such person and such arrears have been displayed on the public notice board of the Gram Panchayat not less than three months prior to the date of election; or

- holds any salaried office or office of profit under the Gram Sabha or the Gram Panchayat or District Panchayat; or
- has directly or indirectly or through immediate family member any share or monetary interest in any work done by or to the Gram Panchayat or in any contract of employment with or under or by or on behalf of, the Gram Panchayat or District Panchayat; or
- is a Government servant or in service of any municipality or Gram Panchayat or District Panchayat; or

- has been dismissed from the service of the Government or of municipality or District Panchayat or Gram Panchayat for misconduct within five years prior to the date of poll; or
 - has not attained the age of twenty-one years; or
 - has been ordered to give security for good behaviour under section 109 or section 110 of the Code of Criminal Procedure, 1973; or
 - has been convicted by a criminal court of any offence involving violence or moral turpitude and sentenced to imprisonment for not less than three months and five years have not elapsed since his release; or
 - is without permission of the Gram Panchayat or District Panchayat, absent from three consecutive meetings; or
 - is of an unsound mind and has been so declared by a competent court; or
 - has been declared by a competent court to be an insolvent; or
 - has been disqualified under any law for the time being in force by competent court for adopting a corrupt practice or for commission of an election offence at an election during the period of such disqualification; or
 - if disqualified by or under any law for the time being in force for the purpose of election to the House of the People; or
 - is not a citizen of India.
- A person shall be disqualified for being a member of the Gram Panchayat or District Panchayat if he is so disqualified under the Fifth Schedule of the Regulation.

Conviction under IPC & RP Act.

- A person convicted for electoral offences under Chapter IX A of IPC or under Section 8 of the Representation of the People Act, 1951 shall be disqualified for being elected in any election to Local Authorities.

Even if the convicted person is sentenced to fine for the offences specified under section 8 (1), he would be disqualified for a period of 6 years from the date of such conviction. In case of imprisonment, disqualification shall be from the date of such conviction and shall continue to be disqualified for further period of 6 years since his release.

Section 8 (2) of the RP Act, 1951 provides that for conviction of offences specified therein (like Dowry Prohibition Act, Food Adulteration Act and for offences of hoarding, profiteering etc.) and sentenced to imprisonment for not less than 6 months, such persons shall be disqualified from the date of conviction and shall continue to be disqualified for a further period of 6 years since his release.

Section 8 (3) of the RP Act provides that a person convicted of any offence and sentenced to imprisonment for not less than two years (for any offence other than referred to S. 8(1) & (2) shall be disqualified from the date of conviction and shall continue to be disqualified for a further period of six years since his release.

A subsequent acquittal in Appeal or setting aside conviction and sentence will not wipe out the disqualification which existed on the date of scrutiny (Prabhakaran V. Jayarajan (2005) 1 SCC 754. A member convicted by criminal court - even if sentence is suspended by Appellate court disqualification is attracted (S1 by SEC 2004(2) KLT1106).

CHAPTER IV

SCRUTINY OF NOMINATIONS

4.1 The Scrutiny of nominations is a quasi-judicial function and so utmost care has to be taken in the performance of such function. The Scrutiny of nomination should be done only by the Returning Officer and not by any of the Assistant Returning Officers. The only exception to this mandatory requirement is that when the Returning Officer is unavoidably prevented from doing so. In such a situation one of the Assistant Returning Officers specially authorized by the Returning Officer in that behalf can do the Scrutiny. The reasons for authorizing the Assistant Returning Officer shall be recorded in writing and the matter shall be intimated to the District Election Officer.

Persons to be admitted at the time of scrutiny -

4.2 On the date fixed for scrutiny of nomination, the candidates, their election agents, one proposer of each candidate and one other person duly authorised in writing by each candidate can be admitted at the time of scrutiny. No other person shall be admitted.

Examination of Nomination Papers

4.3 The Returning Officer shall be impartial and courteous, and he shall treat all candidates equally. The Returning officer shall only be guided by the provisions of law. The Returning Officer shall discharge his duty judiciously. He shall not be guided by any personal or political bias. The Returning Officer shall give the candidate or their election agent reasonable opportunity for examining the nomination papers of all candidate (See rule 36 of the Daman and Diu Panchayats (EP) Rules,2014). The qualification or disqualification of the candidate shall be considered with reference to the date of scrutiny of the nomination. But it must be noted that the candidate should have completed the age of 21 on the date of filing nomination.

All nomination Papers are to be Scrutinized

4.4 All nomination papers of a candidates are to be taken one after another and to be scrutinized. If more than one nomination paper has been presented by or on behalf of one candidate, all nomination papers are required to be scrutinized. In case where there is any minor error in any one of the nomination papers of a candidate in regard to particulars such as part number, name, serial numbers etc of the electoral roll, it can be made up with the correct particulars given in another nomination paper by the same candidate. All his nomination papers must be scrutinized. Merely because one or more nomination papers of a candidate have already been found valid, it would not be correct to pass over the other nomination papers of the same candidate.

The scrutiny of nomination is a highly important function of the Returning Officer as any lapse on his part might ultimately result in the entire election being declared void thereby causing huge loss to the exchequer. The Returning Officer at the time of scrutiny of nomination acts as a quasi judicial authority and shall act independently of deciding the validity or otherwise of a nomination paper. He is not bound by any directions or instructions of any of his superiors including the Election Commission(UT) and no such instructions can be issued to him in the performance of his quasi judicial function.(Sasidharan V Election Commission of India 2009(2)KHC 743).

Objections and summary enquiry.

4.5 If an objection is raised with regard to any nomination paper, the Returning Officer shall hold a summary inquiry thereon to decide whether the nomination paper is valid or not. The reasons for the decision shall be recorded on every objection raised. The objector may be supplied with a certified copy of the decision accepting the nomination paper of a candidate overruling the objection raised by him upon his request. The decision may be challenged later in an election petition and so a brief statement of reason should be recorded at that time. Even if no objection has been raised to a nomination paper, the Returning Officer should himself satisfy that the nomination paper is valid.

4.6 At the time of scrutiny of nominations, an objection in regard to the validity of nomination of a candidate can be raised by any of the candidates, or any of the proposers, election agents or authorized representatives present. Such objections can also be raised by the Returning Officer **suomotu**. The enquiry by the Returning

Officer into the question of validity or otherwise of a nomination is a summary enquiry.

4.7 It must be remembered that whenever a candidate's nomination paper has been improperly rejected and thereby he is prevented from contesting the election, there is a legal presumption that the result of the election has been materially affected by such improper rejection. In case of a reasonable doubt as to the validity of a nomination paper, the benefit of such doubt should go to the candidate concerned and the nomination paper should be held to be valid. It is advisable that a comparatively liberal approach may be adopted in overlooking minor, technical or clerical errors.

4.8 It is not necessary that a candidate or his representative should be present at the time of scrutiny of nominations, and no nomination can be rejected solely on the ground of absence of the candidate or his representatives during the scrutiny proceedings. It should be accepted or rejected on merit. If any objection is raised with regard to the nomination of candidate and there is no one to rebut it on his behalf, the Returning Officer may be justified in rejecting the nomination if he finds substance in the objection raised in relation to his nomination. The Returning Officer shall hold the scrutiny on the date appointed in this behalf and shall not allow any adjournment of the proceedings except when such proceedings are interrupted or obstructed by riot or open violence or by cause beyond his control. In case objection is raised by the Returning Officer or made by any other person, the candidate concerned may be allowed time to rebut it not later than the next working day but one following date fixed for scrutiny. The Returning Officer shall record his reasons on the date to which the proceedings have been adjourned.

Grounds which are insufficient for rejecting nomination paper

4.9 No nomination paper shall be rejected on the ground of any defect which is not of a substantial character (rule 36 of the Daman and Diu Panchayats (EP) Rules,2014). Any mistake or error of a technical/clerical/nature should therefore be ignored. The nomination paper should not be rejected on the following grounds when mistakes are made in nominations paper regarding -

- (i) the year of election;
- (ii) name of constituency/ward;
- (iii) the electoral roll number;

(iv) choice of symbols;

(v) age, name or other particulars of the candidate or his proposer as given in the nomination paper and in the electoral roll;

4.10 The law enjoins upon the Returning Officer to make preliminary examination of each nomination paper as soon as it is presented to him by or on behalf of a candidate. In such preliminary scrutiny, he is required to check and satisfy himself that the name of the candidate and the name of the proposer and their electoral roll numbers as given in the nomination paper are the same as that are entered in the relevant electoral roll. If he finds any discrepancy, he can have the same corrected, then and there, by the candidate or his proposer who has presented the nomination paper. Further, he can direct any inaccurate description or any clerical or technical error to be corrected. The Returning Officer should examine meticulously the receipt for payment made as deposits with reference to the seals of the authority etc. and make sure that the deposit has actually been made.

4.11 The electoral roll is conclusive as to the qualifications of a person as being a registered voter, except where a disqualification is expressly alleged and proved in relations to him being such elector. An objection cannot be raised before the Returning Officer at the time of scrutiny of the nominations that the candidate is not ordinarily resident in the constituency/ward in which his name is registered, as such objections be raised only before the Electoral Registration Officer.

Grounds for rejection of Nomination papers

4.12 Nomination paper of a candidate shall be rejected, if:-

(i) the candidate is not qualified in law to be member/ councillor of the Panchayat/Municipality concerned; or

(ii) the candidate is disqualified in law to be such member; or

(iii) the nomination paper has been delivered before 11 A.M. or after 3 p.m. or

(iv) the nomination paper has been presented to the Returning Officer or the Assistant Returning Officer by a person other than candidate or his proposer; or

(v) the nomination paper has been delivered at a place other than that specified in the public notice; or

(v) the nomination paper is not submitted in the prescribed form; or

- (vi) the nomination paper has not been signed by the candidate and his proposer or the signature of the candidate or the proposer on the nomination paper is not genuine.
- (vii) the proposer is not an elector of the constituency ward at the time of presentation of the nomination paper; or
- (viii) proper deposit has not been made in accordance with rule 34 of the Daman and Diu Panchayats (EP) Rule, 2014
- (ix) he has filed nomination paper to contest from more than one constituency/ ward of the same panchayat/ municipality, or
- (x) the candidate does not belong to the scheduled caste or scheduled tribe and he files nomination paper to contest a seat reserved for the scheduled castes or, as the case may be, the scheduled tribes, or
- (xi) the candidate has omitted to specify his age in the nomination paper ; or

the failure to make the declaration as to the age in the nomination paper shall be a defect of substantial character for which the nomination paper shall be liable to be rejected (Brijendra lal Gupta V. Jwala Prasad AIR 1960 SC 1049)

- (xiii) the nomination paper has not been signed either by the candidate or his proposer at the appropriate places meant for such signature; or
- (xiv) where the candidate is an elector of a different constituency, a copy of the electoral roll of that constituency or of the relevant part thereof or a certified copy of the relevant entries in such roll has not been produced before the Returning Officer despite intimation given to him.

4.13 The Returning Officer shall invariably record the reason for rejecting a nomination paper, then and there, and supply certified copies of the order immediately in case where all the nomination papers filed by a candidate have been rejected. This may be done even in the absence of an application from him. If the Returning Officer accepts one of the nomination paper of a candidate and rejects other nomination papers, he shall furnish a copy thereof to the candidate who applies for it.

4.14 *The decision of the Returning Officer accepting or rejecting the nomination of a candidate is not subject to any review/revision by any authority including the court or the Election Commission(UT), until the process of election is over. It can be challenged only by*

means of an election petition before the appropriate court after the completion of election and not when the election process is still on (N.P. Ponnuswami V.R.O AIR 1952 SC 64).

List of validly nominated candidates

4.15 Immediately after the Returning Officer has completed the scrutiny of all nomination papers, he has to prepare a list of validly nominated candidates in Form No. 7. Only one entry is necessary in respect of each of the validly nominated candidates in the list, although more than one nomination papers in respect of him may have been accepted as valid. If none of the nomination papers of a candidate has been found valid on scrutiny his name should not be entered in the list. The list of validly nominated candidates should be sent immediately to the Election Commission(UT).

If a candidate considers that his name is incorrectly spelt or otherwise incorrectly shown in his nomination paper he may furnish in writing to the Returning Officer, before publishing the list of candidates, the corrections to be made in his name. The Returning Officer shall, if satisfied as to the genuineness of the request, make the necessary correction or alteration in the name of the candidate in the list of contesting candidates before preparation of the list of contesting candidates.

CHAPTER - V

WITHDRAWAL OF CANDIDATURE &

ALLOTMENT OF SYMBOLS

5.1 Every candidate who has been validly nominated has a right further to reconsider and make up his mind whether he finally wants to contest the election or not. Similarly, some political parties also may ultimately decide not to field their candidates in any particular constituency/ward and, therefore, the candidate set up by them withdraw from the contest. Rule 37 of the Daman and Diu Panchayats (EP) Rules ,2014 enable a candidate to withdraw his candidature by notice in writing in Form No.8 to the Returning Officer before 3'O clock in the afternoon of the last day fixed for such withdrawal. Notice in any other form shall not be accepted for this purpose. Every notice of withdrawal must be delivered to the Returning Officer by -

- (i) the candidate, or
- (ii) his proposer, or
- (iii) his election agent

In case the proposer or election agent delivers the notice he must have been authorised in writing by the candidate in this behalf. If the last day fixed for the withdrawal is a public holiday, such holiday should be excluded and notice for withdrawal can be given before 3 0' clock in the afternoon on the next succeeding day which is not a holiday. In other words the notice of withdrawal should neither be delivered to, nor be received by the Returning Officer on a day which is a public holiday.

5.2 A candidate may give a notice of withdrawal only after the scrutiny of nomination is over. Such notice can be given on the date of scrutiny or after the scrutiny is over or on the next day or on the second day after the date of scrutiny.

Receipt for withdrawal

5.3 The Returning Officer shall accept the notice of the withdrawal of candidature only after he has satisfied himself as to the genuineness of the notice of withdrawal and also with regard to the identity of the person presenting the notice. Such satisfaction on the part of the Returning Officer is necessary so as to avoid acceptance of any fake notice. Receipt portion in Form No.8 after filling in the

required particulars, shall be detached from the body of the Form and handed over to the person delivering the notice.

Valid withdrawal not to be cancelled

5.4 No person who has given a notice of withdrawal of his candidature shall be allowed to cancel the notice.

5.5 The Returning Officer shall, on being satisfied as to the genuineness of the notice and identity of the person delivering it, affix a copy of the notice in some conspicuous place in the office of the Returning Officer and in the office of the Panchayat concerned.

List of contesting Candidate

5.6 Immediately after 3 p.m. on the last day fixed for withdrawal of candidature, the Returning Officer shall prepare a list of contesting candidates, that is, the list of validly nominated candidates who have not withdrawn their candidature. The Returning Officer shall, as soon as it is prepared, publish the list in some conspicuous place of his office. He shall also supply a copy of the list of contesting candidates to each of such candidates or his election agent. The list of contesting candidate should be prepared in Form No.9. Any delay may seriously affect the programme for printing of ballot labels (ballot papers) to be used in the EVM.

5.7 The Returning Officer shall inform the commission immediately by fax or by special messenger the names of contesting candidates and symbols allotted to each of them.

5.8 Rule 38 of the Daman and Diu Panchayats (EP) Rules, 2014 requires that the list of contesting candidates to be published in the office of the concerned Panchayat / Municipality besides its publication in the office of the Returning Officer.

Papers relating to nominations, scrutiny and withdrawal of candidature to be kept in the safe custody of Returning Officer.-

5.9 All papers and proceedings relating to nomination, scrutiny and withdrawal of candidature should be put together in an envelope/Packet which should be sealed and kept in the personal custody of the Returning Officer.

5.10 The list of contesting candidates shall be prepared in English and Gujarati language and the names shall be arranged in English alphabetical order. It should

contain the address of the contesting candidates as given in the nomination papers and the symbols allotted to each of the candidates.

Rule 36(8) of the Daman and Diu Panchayats (EP) Rules,2014 provides that the list of contesting candidates has to be prepared in English alphabetical order as given in the nomination paper. Rule 56 (2) provides that the names of candidates shall be arranged in the ballot paper in the same order in which they appear in the list of contesting candidates. Sub-rule (3) of Rule 56 provides that if two or more candidates bear the same name, they shall be distinguished by the addition of their occupation or residence or in some other manner. Under the Representation of the Peoples Act, 1951 names of candidates are classified into three categories, namely candidates of recognized national party, recognized state party and other candidates and then arranged in alphabetical order inter se.

The Returning Officer can also permit the candidates to prefix or suffix the name of their occupation, academic, honorific or any other title like Doctor, Professor, Advocate to their names.

Issue of Identity Card to the Contesting Candidate.-

5.11 After the finalisation of the list of contesting candidates the Returning Officer shall issue an identity card to each of the contesting candidates bearing his photograph and signature/thumb impression.

Attention of candidate to be invited to law relating to corrupt practices and electoral offences

5.12 For the sake of purity of election and for the guidance of the contesting candidates, the Returning Officer shall draw attention of the contesting candidates by a notice in writing to the provisions relating to corrupt practices and electoral offences. The notice shall be given in the prescribed form. (Annexure II). The notice shall be given to the contesting candidates immediately after the last date fixed for withdrawal of candidature.

Appointment of election agents

5.13 Rule 40 of the Daman and Diu Panchayats (EP) Rules ,2014 provides that a candidate at an election may appoint any person other than himself to be his election agent. Every appointment has to be made by a communication in Form 10 by the candidate in duplicate and shall be forwarded to the Returning Officer. He shall return one copy thereof to the election agent after affixing thereon his seal and

signature as token of his approval. It may be noted that under the law it is not necessary or obligatory on the part of a candidate to appoint an election agent at the time of filing of nomination paper. Such appointment may, if the candidate so desires, be made at any time he likes or not at all. In other words, the appointment of an election agent has, in the first place, been made optional and secondly, has been made independent of the nomination. Any person who is for the time being disqualified for being a member / councillor shall be disqualified for being an election agent so long as such disqualification subsists.

Revocation of appointment of election agent

5.14 A candidate is free to revoke the appointment of his election agent at any time by a letter in Form 11 which is to be lodged with the Returning Officer. Such revocation shall operate from the date on which it is lodged with the Returning Officer. In the event of revocation of the appointment of the election agent or his death, the candidate concerned may appoint another person as his election agent.

Approved election symbols – candidate to choose symbols :

5.15 Symbols to candidates shall be allotted only as per the provisions contained in the Election symbols (Reservation and Allotment) order, 1968 read with Daman and Diu Panchayats Election Symbols (Reservation and Allotment) Order 2000 as amended from time to time. A copy of the order is reproduced as Annexure III. In case more than one nomination paper has been filed for a candidate the symbol made in the first nomination paper can be considered for allotment. It is mandatory that a symbol shall be allotted to every contesting candidate.

5.16 Concession to candidates set up by a Political Party recognized as a State Party at elections in other States or Union Territories: If a political party which is recognised as a State Party in some State or States, sets up a candidate at an election in a constituency in any other State or Union Territory in which it is not a recognised State party, then such candidate may, to the exclusion of all other candidates in the constituency, be allotted the symbol reserved for that party in the State or States in which it is a recognised State Party, notwithstanding that such symbol is not specified in the list of free symbols for such other State or Union Territory, on the fulfillment of each of the following conditions, namely :-

(a) that an application is made to the Commission by the said party for exclusive allotment of that symbol to the candidate set up by it, not later than the third day after the publication in the Official Gazette of the notification calling the election;

(b) that the said candidate has made a declaration in his nomination paper that he has been set up by that party at the election and that the party has also fulfilled the following requirements :-

(1) a notice by the political party in writing, in Form B, to that effect has, not later than 3 p.m. on the last date for making nominations, been delivered to the Returning Officer of the constituency;

(2) the said notice in Form B is signed by the President, the Secretary or any other office bearer of the party, and the President, Secretary or such other office bearer sending the notice has been authorised by the party to send such notice;

(3) the name and specimen signature of such authorised person are communicated by the party, in Form A, to the Returning Officer of the constituency and to the Director of Panchyat Elections of the Union Territory, not later than 3 p.m. on the last date for making nominations;
and

(4) Forms A and B are signed, in ink only, by the said office bearer or person authorised by the party: Provided that no facsimile signature or signature by means of rubber stamp, etc., of any such office bearer or authorised person shall be accepted and no form transmitted by fax shall be accepted.

(c) that in the opinion of the Commission there is no reasonable ground for refusing the application for such allotment.

5.17 Objections to the allotment or assignment of symbols. -

Any political party or a person authorised by it in this behalf may file objection regarding the allotment or assignment of symbols to a political party, before the Commission.

Chapter - VI

UNCONTESTED ELECTION

DECLARATION OF THE RESULT OF UNCONTESTED ELECTION

6.1 Rule 39 of the Daman and Diu Panchayats(EP) Rules,2014 provides that if in any constituency / ward there is only one contesting candidate, the Returning Officer shall declare the candidate to be duly elected immediately after the last hour for the withdrawal of candidature. In that case, a poll is not necessary. For the purpose of declaring a candidate as elected, the Returning Officer shall fill in Form No.21-B (for general election) or 21-C (for casual vacancy) and sign it. Copies of it shall be forwarded to the Election Commission (UT), Local Self Government Department, and the Director of Panchayat Elections.

Certificate of Election

6.2 As soon as may be after a candidate has been declared elected, the Returning Officer shall issue a Certificate of Election in Form 23 to the candidate and obtain acknowledgement of its receipt duly signed by him. It is essential that the acknowledgement is signed by the candidate himself and the signature is attested by the Returning Officer. The acknowledgement form is given in Chapter XVI. The acknowledgement is required by the authority for verifying the identity of the elected candidate at the time of making and subscribing the oath or affirmation by him as a member in a Panchayat.

Date of declaration of the result

6.3 The date to be given in the declaration shall be the date on which the result of the election is declared and to the date on which the declaration is despatched. Even if an occasion arises when the Returning Officer has to rectify some error in the original declaration, there should be no change in the date. It should continue to be the date on which the result was declared.

6.4 If the elected candidate is not present at the time of declaration of results or does not arrive at the place shortly thereafter, the certificate may be handed over to a person duly authorised by the candidate in that behalf after satisfying its genuineness. the acknowledgement signed by the candidate shall be obtained through the same person.

Chapter – VII

POLLING TEAMS

Appointment of Polling Personnel

7.1 Rule 27 of the Daman and Diu Panchayats (EP) Rules,2014 empower the Returning Officers to appoint a Presiding officer for each Polling Station and such polling officers as are necessary for the smooth conduct of poll. The Returning Officer, the Polling officer and any other Police officer designated for the time being for the conduct of election shall be deemed to be on deputation to the Election Commission (UT) for the period from the date of notification to the date of declaration of the result and accordingly such officer shall be subject to the control, supervision and disciplinary authority of the Election Commission(UT) during that period. The appointment of the polling personnel shall be in Annexure-XX.

Number of Polling Personnel

7.2 There shall be a polling team for every polling station and the team shall consist of a Presiding officer and three polling officers. The Returning officer shall ensure that the Polling Personnel reach their respective polling stations the day before the poll.

Transport of Polling Teams

7.3 The Returning officer shall draw up a programme for transportation of polling team and polling materials for each polling station and inform the same to the Director of Panchayat Elections well in advance. The Director of Panchayat Elections will arrange vehicles for the transportation of the Polling Parties, Police Personnel and Polling materials etc. If more vehicles are required, requests in the regard shall be made. It should be ensured to have a reserve of sufficient vehicles to meet emergencies.

Accommodation of Polling Parties

7.4 Make arrangements for accommodation and ensure availability of water for the Polling Parties.

Reserve Polling Personal

7.5 Have a reserve list of Presiding Officers and Polling Officers to deal with emergencies at any of the Polling Stations.

Election Materials

7.6 Polling materials required for each Polling Station is given in Annexure -IV

Chapter- VIII

POLLING REHEARSAL

8.1 It is essential that the Returning Officer should himself attend the training programme and election rehearsals arranged by the Election Commission(UT) or the Director of Panchayat Elections to acquaint himself with the various procedures relating to the election right from the issue of public notice for election to the declarations of results including the conduct of Poll using multi post Electronic Voting Machines in the two tier Panchayats. He shall also arrange for Polling rehearsals at convenient places for the Presiding Officers and Polling Officers. It should be ensured that the Presiding Officers and the first Polling Officers attend the election rehearsal. He should also bring the instructions contained in the Hand Book for Presiding Officers and other instructions that may have been issued by the Election Commission (UT) relating to election process to the notice of the Polling Personnel. The Returning Officer should see that every Presiding Officer can correctly and promptly draw up paper seal accounts, accounts of recorded votes in Form 26 and the Presiding officers Diary.

8.2 As the Presiding Officer shall have to furnish to all Polling agents present at the Polling Station at the end of the poll a copy of the entries made in Form 26 under rule 106 of the Daman and Diu Panchayats(EP) Rules, 2014 after obtaining a receipt for it, the Presiding Officer should get himself thoroughly acquainted with the preparation of Form in 26

Chapter - IX

ELECTRONIC VOTING MACHINES

Introduction

9.1 The Electronic Voting Machines (EVMs) that are used for election to the Panchayat Raj Institutions are manufactured by the Electronics Corporation of India Limited (ECIL), Hyderabad. The model designed for the Election Commission(UT), for the use in the Daman and Diu Panchayati Raj Institutions is Model No. CU 7514 and BU 7409. The uniqueness of the model is that there is a Detachable Memory Module (DMM) in the **Cand Set** section of the Control Unit. Thus DMM is an extra memory which can be detached from the machines and stored separately. Thus a huge space can be saved for the storage of EVMs.

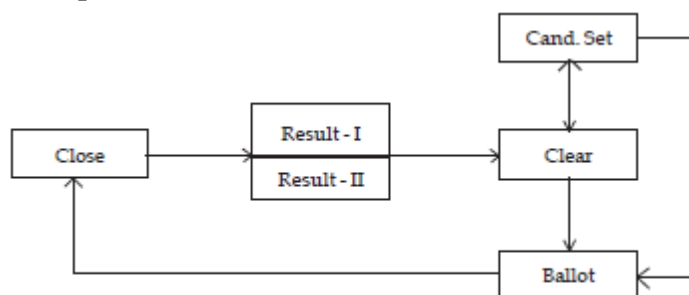
9.2 The Electronic Voting Machine operates on a 7.5 volts battery and can be used anywhere and under any conditions. It is tamperproof, error-free and easy to operate. This Electronic Voting machine consists of two units, namely, Control Unit and three Ballot units. These four units are interconnected, when the voting machine is put in operation, by means of a cable, one end of which is permanently attached to the ballot unit. Both the units of the machine are supplied in separate carrying cases which are easily portable. The polling information once recorded in the machine is retained in its memory and also in DMM, even when the battery is removed. EVMs to be used in Daman and Diu for the Panchayati Raj Institutions are 1+3 type, that is 1CU + 3 BUs. In order to enable visually handicapped persons signage features in the ballot unit has been incorporated.

9.3 In the ballot unit, there is provision for the display of the ballot paper (label) containing the particulars of election, serial numbers and names of contesting candidates and the symbols allotted to them. A Blue-grey button is provided against the name of each candidate. By pressing this Blue-grey button, the voter can record his vote in favour of the candidate of his choice. Alongside of the said button, there is also a lamp for each candidate. This lamp will glow red when the vote is recorded. Simultaneously a beep sound will also be heard. One ballot Unit caters upto fifteen candidates. The last button in the 1st and 2nd ballot units in the series will be masked.

9.4 One control unit can record the votes polled for a maximum of 60 candidates. For this purpose four ballot units linked together are connected with one control

unit. On the top most portion of the control unit, there is provision for displaying various information and data recorded in the machine, like the number of contesting candidates, total number of votes polled, votes polled for each candidate, etc are recorded. This portion is called, the 'Display Section' of the control unit. Below the display section, there is a compartment for fixing the battery, which runs the machine. On the right side of this compartment, there is another compartment in which there is a button for candidate setting in the particular election. This button is called the 'Cand Set' button and the whole section of the control unit containing these two compartments is called the 'Cand Set Section'. Below the cand set section is the 'Result Section' of the control unit. This section contains (i) 'Close' button on the left side, for closing the poll, (ii) two buttons in the middle - 'Result I' & 'Result II'. Result I is for the result stored in the Control Unit and Result II for the result stored in the DMM and (iii) 'Clear' button on the right side, for clearing the data recorded in the machine, when the data are no more required. In the lower portion of the control unit, there are two buttons - one marked 'Ballot' and other marked 'Total'. By pressing the 'Ballot' button, the ballot unit becomes ready to record the vote and by pressing the 'Total' button, the total number of voters voted up to that stage (but without the candidate-wise break up) can be ascertained. This section is known as the 'Ballot Section' of the control unit.

The process flow chart of the machine is as above.



Chapter - X

SORTING OF EVMS

Distribution of EVMs Block Wise

10.1 The Director of Panchayat Elections/District Election Officers will chalk out a programme/schedule for the distribution of machines to the Returning Officers. The number of EVMs to be distributed to the Returning Officers are as follows:

- a) 1 CU + 3 BU for a Polling Station.
- b) Polling Stations that are remote and inaccessible by Sectoral Officers will be given two sets of EVMs.
- c) Block wise list of Polling Stations which are remote has to be prepared by the Director of Panchayat Elections and handed over to District Election Officers. This will further be sorted RO wise by District Election Officers and handed over to RO.

10.2 The District Election Officers will arrange necessary transportation of EVMs from the district headquarters. The District Election Officers will arrange distribution centres also taking in to consideration the security arrangements and the quantity of Electronic Voting Machines. The Machines handed over to the RO will be entered in the software by the District Election Officer. Two copies in Annexure XVI will be generated an acknowledgment obtained.

EVMS for Poll and for Sectoral Officers

10.3 Required number of EVMs shall be given to the Returning Officer and an acknowledgment obtained and the details entered in the register in Annexure XVI . The details of the above EVM, ie, CU number, BU number, DMM number and details of polling stations will be entered by the District Election Officers in the software so as to enable the Director of Panchayat Elections to know to which RO the respective CU and BU are allotted. One copy of the above will be kept by the District Election Officer and another copy by the RO.

EVM Reserve

1. CUs and BUs and DMM kept as reserve will be marked as RESERVE in carry cases by a sticker.
2. The reserve EVMs will be kept with the RO(HQ) and distributed only in case of necessity.

Chapter - XI

ASSESSMENT AND COMMISSIONING OF EVMS

11.1 The Returning Officers of District/Gram Panchayat will decide the requirement of additional ballot units or control units after the lists of contesting candidates are finalized (Form No. 6). The formula for requisition is as follows:

Sl. No	Number of Candidates			EVMS Required	
	GP	SP	DP	CU	BU
1	= / <15	= / <15	= / <15	1	3
2	>15<30	= / <15	= / <15	1	4
3	= / <15	<30	= / <15	1	4
4	= / <15	= / <15	>15<30	1	4
5	>15<30	>15<30	= / <15	2	5
6	>15<30	= / <15	>15<30	2	5
7	>15<30	>15<30	>15<30	2	6

Legend:

= / < 15 = Less than Fifteen

> 15 = Greater than Fifteen

Commissioning of EVM

11.2 The Returning Officer shall make the following preparations before the machines are handed over to the Presiding Officers. These preparations are to be made in the presence of the candidates or their agents.

Notice to the candidates regarding preparation of voting machines

11.3 The Returning Officer shall, at least one week before the date of preparation of the voting machines, give notice to each candidate or his election agent informing him the place or places where the machines will be so prepared and the date and time at which such preparation will commence. The candidate/his election agent shall be intimated regarding the number of representatives that every candidate will be permitted to bring with him at the aforesaid place or places. This will again depend on the number of machines to be prepared for poll.

11.4 If for any reason, none of the candidates or their agents is present on the date and time given in the notice sent to them, the process shall not be postponed. If

any candidate/his election agent or person duly authorized by the candidate in writing arrives late, he will also be allowed to witness the process from there onwards.

When the candidates and their agents are present, the procedure to be followed for preparing the voting machines should be explained. They will be allowed to inspect the control units and balloting units during the process of the preparation.

Preparation of EVM

11.5 Each EVM has to be prepared at the Returning Officer's level as follows:

1. Arrange all the Control Units (CU) and Ballot Units (BU) required for the polling station.
2. Remove the BU from the carrying case.
3. Place the plastic bubble sheet on the table.
4. Place the BU's in face down position on the plastic bubble sheet.
5. Paste the sticker (Annexure - VI) on the back side of CUs and BUs and write the serial number.
6. Check whether DMM is present.
7. Note down the serial number of the BU in the Issue Register (Annexure - XVI).
8. Note down the machine serial number on the four (4) address tags for each of the BU. The four (4) tags will be required at the time of the Returning Officers (RO) sealing, which are to be placed as follows:
 - A tag for sealing after inserting ballot label under the Ballot label Screen
 - A tag for sealing the BU's at the right top side after closing.
 - A tag for sealing the BU's at the right bottom side after closing.
 - A tag on the carrying case after placing the BU. (This may not be sealed but only tied to one corner hole of the carrying case using a thread.)
9. Affix the Distinguishing Mark seal on all the address tags.
10. Place the address tags for each polling station near the corresponding BU.
11. Place the BU's in face up position on the table.
12. Open the top cover of the BU'
13. The sequence of arrangement of Labels in the Ballot Units would be **Gram Panchayat, Sarpanch & District Panchayat**. The Colour of Gram Panchayat

label (ballot Paper) is White, Sarpanch is Pink and District Panchayat is Sky Blue.

14. Set the slide switch at the appropriate position ie 1 for 1st BU, 2 for 2nd BU, 3 for 3rd BU and 4 for 4th BU as the case may be, according to the number of such BU which may be used depending upon the number of candidates and the sequence in which they are to be used.
15. Open the transparent acrylic Ballot Label Screen.
16. Place the Ballot Label (this should already be signed on the reverse by the RO) under the transparent acrylic cover and ensure that the lines are aligned. After ensuring alignment, close and press fit the Ballot Label Screen to secure firmly underneath the screen.

After the ballot label has been firmly fixed and the ballot screen is pressed firmly on the upper side of the top cover, the screen is to be sealed inside the top cover. This is to be done by passing the thread through the two holes on the screen specially provided for the purpose and by putting the thread seal on the address tag, showing the particulars of election with the seal of the Returning Officer.

17. Unmask all the buttons in which candidates are assigned. In a Ballot Unit there are 16 candidate buttons. Out of the 16 candidates buttons the last button is Red Colored. This button is marked "END" which cannot be used for voting. **This "END" button should be masked except in the last BU of the series.**

Control Unit

The control unit is to be prepared by the Returning Officer by -

- a. installing the new power pack.
- b. checking the presence of Detachable Memory Module (DMM).
- c. sealing the number of contesting candidates.
- d. sealing the Cand. Set button compartment and
- e. setting the Candidate section.

Power Pack Installation

11.5 Open the cover of the Candidate Set section by pressing slightly inward the latch provided on the left side. Install the power pack specially supplied by mating the socket of the power pack to the plug. Ensure that the power pack is pressed tight.

18. Remove the Control Unit (CU) from its carrying case and place it on the right side of the corresponding BU's.

19. Note down the serial number of the CU in the issue register.
20. Note down the serial number on two (2) address tags for the CU. The two tags are required at the same time of sealing, which are placed as follows:
 - A tag for sealing the Candidate Set Section and
 - A tag on the carrying case. (This may not be sealed but only tied on the carrying case using thread.)
21. Affix the distinguishing mark on the address tags.
22. Place the address tags for each polling station near the corresponding CU. Inter connect the BU with the CU as per the pairing.

Inter Connection Guidelines

11.6 Proper interconnection is very important. If inter-connection is not made properly it will lead to Link Error. As the male connector of BU cable and female socket of CU are multi pin connectors, it will need some practice to interconnect them properly. The male connector goes into the female socket in one way only which can be found out easily by looking at the orientation of the pins and 'Top' printed on the connector hood. After the male and female connectors are connected properly they are to be locked by pressing connector hood inside. One side of BU cable connector spring clip is in 'RED' color. Also one side of the female socket in rear side compartment of CU is in 'RED' colour for easy identification at the time of insertion. The colour of the latches should be matched while connecting the cable to CU.

Inter Connection and Removal are explained as follows:

i) Inter Connection of BU Cable connector to CU Connector

1. Open the CU rear side compartment door. 2. Press the two latches of BU connector hood simultaneously. Ensure the 'RED' colour spring latch of BU 9 pin male connector and 'RED' colour side of 9 pin female socket in rear side compartment of CU appear at the same side for correct insertion. 3. Hold the CU vertically. Hold the BU cable connector with 'TOP' side facing the CU and insert it observing the 9 pin orientation into CU connector. 4. Press BU connector hood inside for firm fixing.

ii) INTERCONNECTION OF ONE BU CABLE CONNE-CTOR TO THE OTHER BU REAR CONNECTOR

1. Keep the BU in horizontal and upside down position. Open the door of connector compartment.
2. Align the BU cable connector properly with 'TOP' side facing the unit.
3. Insert one BU cable connector into the other BU rear side connector.
4. The connector gets locked with proper insertion as explained above.

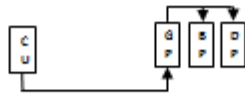
iii) REMOVAL OF BU CABLE CONNECTOR FROM CU CONNECTOR

1. Open the CU rear side compartment door.
2. Switch OFF CU
3. Press both latches of BU cable connector hood simultaneously.
4. Pull out the BU cable connector.
5. Close the CU rear side compartment door.

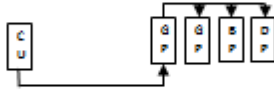
iv) REMOVAL OF BU CABLE CONNECTOR FROM OTHER BU CONNECTOR

1. Open the BU rear door of connector compartment from where the connector is to be removed.
2. Press and hold both the latches of BU cable connector hood simultaneously.
3. Then pull out the BU cable connector from the rear compartment.
4. Close the BU connector compartment door.

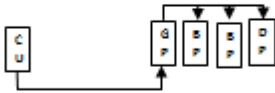
CANDIDATES 15 OR LESS THAN 15 IN EACH LEVEL



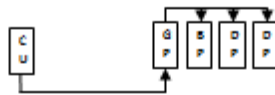
CANDIDATES 15 OR LESS THAN 15 IN BP & DP BUT MORE THAN 15 IN GP



CANDIDATES 15 OR LESS THAN 15 IN GP & DP BUT MORE THAN 15 IN BP

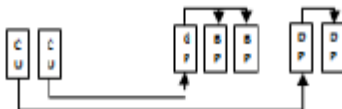


CANDIDATES 15 OR LESS THAN 15 IN GP & BP BUT MORE THAN 15 IN DP

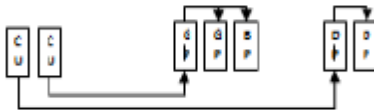


CANDIDATES 15 OR LESS THAN 15 IN ONE LEVEL BUT MORE THAN 15 IN TWO LEVELS

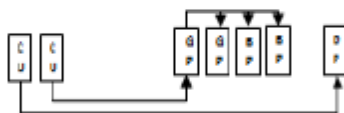
1. GP 15 OR LESS THAN 15 & BP & DP THAN 15



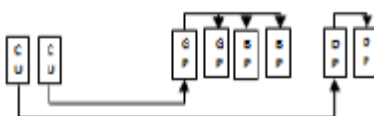
2. GP Greater than 15 & BP Less than 15 & DP Greater than 15



3. GP Greater than 15 & BP Greater than 15 & DP Less than 15



CANDIDATES MORE THAN 15 IN ALL LEVELS



25. Switch On power in the bottom compartment of the BU.

26. Clear all the previous recordings by pressing the clear button.

11.7 Installation procedure when original Detachable memory module (DMM) is lost / removed for storage of an election data

Both DMM and CU are in Result state

- 1) If CU is switched 'ON' without the DMM, 'MEMORY CHANGED' will be displayed on the display panel.
- 2) If the corresponding DMM is lost / removed and a new DMM is inserted, and CU switched on, the display will show 'MEMORY CHANGED'.

Candidate Setting with another DMM.

In order to perform candidate setting, adopt the following procedure.

- i) Connect CU and BU.
- ii) Insert another DMM.
- iii) Switch 'ON' CU 'MEMORY CHANGED' and battery status will be displayed momentarily and disappears.
- iv) Press and hold 'Clear' button. (If INVALID message is displayed press and hold Cand. Set. button also along with 'Clear' button)
 - 'MEMORY CHANGED' and battery status will be displayed.
 - Then there shall be a long beep.
 - During the long beep the 'Clear' button can be released.
 - Wait till all displays are completed.
- v) Switch 'OFF' CU.
- vi) Switch 'ON' the CU and verify the DMM serial number displayed.
- vii) Perform the candidate setting.

Either CU or DMM is not in Result state

- 1) If EVM is switched 'ON' without the DMM, 'MEMORY CHANGED' will be displayed on display panel.
- 2) If the corresponding DMM is lost / removed and a new DMM is inserted, and CU is switched 'ON' the display will show 'MEMORY CHANGED'
- 3) In order to perform candidate setting, adopt the following procedure.
 - i) Connect CU and BU.
 - ii) Insert another new DMM.
 - iii) Switch 'ON' CU. 'MEMORY CHANGED' and battery status will be displayed momentarily and disappears.
 - iv) Press & hold 'Clear' button.
Memory change / followed by Invalid operation will be displayed.
 - v) Press Cand Set button & hold CLEAR & Cand. Set buttons simultaneously till long beep is heard.

- Memory clear operation will be performed.
- Switch 'OFF' CU.
- Switch 'ON' the CU and and verify the DMM serial number.
- Perform the candidate setting as explained below.

Candidate Setting :

There are three posts in rural areas i.e Gram Panchayat, Sarpanch and District Panchayat. For Candidate Setting, the details of No. of posts, post identity, first and last candidate etc are to be entered. Candidate button keys in the 1st BU are to be used. Buttons 1 to 9 used for digit entry 1 to 9, 10th key for digit 0, 11th key for hyphen (-), 15th key for backspace/Clear. 16th key (END) in the 1st Ballot Unit is ENTER key. Post identity is 12 characters long and will contain digits 0 to 9 and hyphen (-) only. Each of the 12 characters should be entered. Settings can be best understood by the following.

Button to be Pressed for Entry of Values in Control Unit

Button	Values
1	1
2	2
3	3
4	4
5	5
6	6
7	7
8	8
9	9
10	0
11	- (hyphen)
15	Back Space / Clear
16	Confirm / Enter

Eg.: There are 3 posts ie GP, SP and DP and let it be assumed that the number of Candidates and the Post identity are as follows: (post identity is available in the voters list).

Post No	Post Name	No of Contesting Candidates
1	Grama Panchayath	4
2	Sarpanch	9
3	District Panchayath	5

First Ballot Unit will be for Gram Panchayat, second Ballot Unit for Sarpanch and third Ballot Unit for District Panchayat.

To prepare the EVM for the above post, follow the instructions given in the table.

EXAMPLE 2: (Multiple Post – Single Seat)

WARD NUMBER: 0127

BOOTH NUMBER: 0189

Post No.	Post Name	No. of Contesting Candidates	No. of seats
1	Ward Member	4	1
2	Sarpanch	9	1
3	District Panchayat	5	1

Set the 1st Ballot Unit for Ward Member (Color1) ballot label, 2nd Ballot Unit for Sarpanch (Color2) ballot paper, 3rd Ballot Unit for District Panchayat (Color3) ballot label. The slide switch for the 1st BU should be set in the first position, for the 2nd BU in the second position and 3rd BU in the third position. Inter connect three BU's in series (BU 3 is connect to BU2, BU2 is connect to BU1).

Connect the first Ballot Unit to the Control Unit.

After plugging the connectors properly, Power on Control Unit, Press Cand.Set Button in the candidate Set Section. There upon the display panel in the Display Section will now flash the message 'ENTER WARD NUMBER --' with interrupted beep sound.

Note: If the display panel shows the 'INVALID OPERATION', it signifies that data relating to some previous operation is in the machine. In such situation, the previous data has to be cleared for setting the number of contesting candidates. For this purpose, press the 'Close' button then press the 'Result I' button. Now press the 'Clear' button. In brief, this operation is known as 'CRC'. Thereafter press the

'Cand. Set' button and now the display flashes 'ENTER WARD NUMBER --' with

The Display will be as follows after pressing Candidate Set Button:

ENTER WARD
No ---

Enter Ward No. through BU 1 with corresponding candidate buttons 1 to 10 (where button 1 is taken as digit 1 and 10 as digit 0).The Maximum Ward Number allowed is 9999. After entering the ward number press END button of BU1.

ENTER BOOTH
No ----

Enter Booth No. through BU 1 with corresponding candidate buttons 1 to 10 (where button1 is taken as digit 1 and 10 as digit 0). The Maximum Booth Number allowed is 9999. After entering the Booth Number press END button of BU1.

NUMBER OF
POSTS ---

Enter Number of Posts through BU 1 with corresponding candidate button 3 for three posts.

*POST 1
1 ST CAND --*

Press the Candidate Button against the First candidate of the post 1(example: Button 1 of BU1).

*POST 1
LAST CANDIDATE --*

Press the Candidate Button against the Last candidate of the post 1(example: Button 4 of BU1).

*P1 CANDS 4
SEATS ---*

Press the candidate button according to number of seats counting from 1st candidate of corresponding post as digit 1.

The Same procedure is repeated for remaining Posts.

The entire procedure is described in the following table.

Note	Display Flashed	BU No.	Button to be pressed	Meaning
To enter Ward No. 0127	ENTER WARD NO - -	1	10,1, 2 & 7 then 16th END button to confirm	To enter ward No. as 0127 press 10, 1 st , 2 nd and 7 th candidate keys of BU1, the one which is connected to CU. To confirm Ward No press 16 th 'END' key.
To enter Booth No. 0189	ENTER BOOTH NO --	1	10, 1, 8 & 9 then 16th END button to confirm	To enter booth No. as 0189 press 10, 1 st , 8 th & 9 th candidate keys of BU1, to confirm Booth No press 16th 'END' key.
To enter 'three' against NUMBER OF POSTS	NUMBER OF POSTS --	1	3	For three POSTS press third candidate button of BU1.
On 'WARD MEMBER' Ballot paper, four candidates are contesting, whose names are spread from button 1 to button 4 of BU1. So we should Mask Button No.5 to Button No.16. Display flashes for 1 st candidate of Post 1.	POST 1 1 ST CAND--	1	1	Name of the 1 st candidate for Post no.1 is opposite to button no.1 of BU1. Press button 1 of BU 1.
On confirming 1 st candidate of Post 1, display flashes for last candidate of Post 1.	POST 1 LAST CAND --	1	4	Press 4 th button of BU1, as last candidate name of Post 1 is against 4 th button of BU1.
On confirming Last candidate of Post 1, display flashes for No. of seats.	P1 CANDS 4 SEATS- -	1	1	Press button 1 of BU1, which represents first candidate button for Post-1. 'Ward Member' has four candidates contesting for one seat.
On 'SARPANCH' Ballot paper, nine candidates are contesting whose names are spread from button 1 to button 9 of BU2. so we should Mask Button	POST 2 1 ST CAND---	2	1	Name of the First candidate for Post no. 2 is opposite to button no. 1 on BU 2. Press candidate button 1 of BU2.

No.10 to Button 16.Display flashes for 1 st candidate of Post 2.				
On confirming 1 st candidate of Post 2, display flashes for last candidate of Post 2.	POST 2 LAST CAND --	2	9	Press 9 th button of BU 2, as last candidate of Post 2 is against 9 th of BU2.
On confirming last candidate of Post 2, display flashes for No. of seats.	P2 CANDS 9 SEATS--	2	1	Press button 1 of BU2, which represents first candidate button for Post-2. 'SARPANCH' has nine candidates contesting for one seat.
On 'DISTRICT PANCHAYAT' Ballot paper, Five candidates are contesting, whose names are spread from button 1 to button 5 of BU3. so we should Mask Button No.6 to Button No.15 (last Ballot). Display flashes for 1 st candidate of Post 3.	POST 3 1ST CAND --	3	1	Name of the 1st candidate for the Post no.3 is opposite to button no.1 of BU3. Press button 1 of BU3.
On confirming 1 st candidate of Post 3, display flashes for last candidate of Post 3.	POST 3 LAST CAND--	3	5	Press 5 th button of BU3, as last candidate name of Post 3 is against 5 th of BU3.
On confirming last candidate of Post 3, display flashes for No. of seats.	P3 CANDS 5 SEATS- --	3	1	Press button 1 of BU3, which represent first candidate button for Post-3. 'DISTRICT PANCHAYAT' has five candidates contesting for one seat.
On BU No.3 button no.16 is kept open. On the Ballot paper space opposite button no. 16 'UNDER VOTE / NO VOTE' is printed.	-	-	-	If the voter does not wish to vote / wishes to vote partially he has to press the 16 th button on BU No.3 (in red colour with 'END' marking) to record his

				voting.
--	--	--	--	---------

After Entering the Number of seats of the Last Post, Machine displays all the candidate settings as follows for verification.

WARD NO -127
BOOTH -189

NUMBER OF
POSTS 3

POST 1

CANDS 4
SEATS 1

POST 2

CANDS 9
SEATS 1

POST 3



CANDS 5
SEATS 1

Switch OFF the CU by pushing the power switch downwards to OFF position. Then switch ON the CU and confirm that the values set during candidate set session remain in tact in the EVM.

29. Switch OFF the CU (IMPORTANT).

30. Mask all the unused candidate buttons in the all BUs. The END buttons in all BUs except the END button in the last BU should also be masked.

31. Affix the address tags placed at the right bottom covers of the BU and seal them.

32. Pink seal should be pasted on the lower part of the BU. Details of the serial number should be entered in the Issue Register

33. Disconnect the BU from the CU and close the rear cover of the CU.

34. Close and seal the Candidate Set Section of the CU with an Address Tag.
35. Arrange the interconnecting cable of the BU in the proper fold with the rubber band.
36. Place the BU inside the plastic cover and place it in its carrying case.
37. Place the CU inside the plastic cover and place it in its carrying case.
38. Tie the respective address tags on the carrying cases with threads. They are ready for transportation to the Polling Station.

Note: 1. PUT A CARDBOARD WHILE SEALING WITH THE LAC. (wax) TO AVOID SPILLING OR FALLING OF MOLTEN WAX ON THE MACHINE.

2. PUT CELOTAPE FOR FIXING THE ADDRESS TAGS PROPERLY.

Safe Preservation of Prepared Voting Machines

11.8 All the voting machines which have been prepared for use at the election, including the reserve machines, should be kept and preserved in the safe custody in a strong room under double lock which should be sealed with the seal of the Returning Officer. The candidates and their agents may also be permitted to put their seals on the lock if they so desire.

The strong room should be opened only on the appointed date and time when the machines are to be supplied to the polling parties before they leave for their polling stations. All contesting candidates or their election agents should be given a notice in writing of such date and time of opening of the strong room. A proper log book should be maintained giving details of closing and opening of the strong room. (Annexure-XIII)

If for any emergent or unavoidable reason, it becomes necessary to open the strong room before the appointed date and time, RO should send for the candidate or their authorised representative and open the room in their presence. The room should be again closed and sealed immediately after the purpose for which it was opened. Details of such opening and closing should also be accurately and fully reflected in the above mentioned log book (Annexure-XIII).

The strong room should be kept fully guarded at all times under the charge of a senior Officer not below the rank of a Deputy Superintendent of Police.

Maintenance of records of voting machines

Returning Officers should maintain complete record of all the control units and ballot units used at the election. That record should show clearly the number of

control units and ballot units used at each polling station along with the serial numbers of each such unit. The record should also show the number of control units and ballot units along with their serial numbers which have been prepared for use and kept in reserve. If any of such control units or ballot units has been put to use, a complete record as to where each such unit was used, should be properly maintained. It should also contain reasons why the use of such reserve unit became necessary. EVMs used for training and demonstration purposes are not to be used for poll without conducting FLC.

For the above purpose of maintaining a complete record of the voting machines, a Register should be kept in Annexure - XVII.

Supply of voting machines to polling parties

11.9 The voting machines should be supplied to the Presiding Officer against a proper receipt. For this purpose, RO should keep a separate register showing the number and name of the polling station, the name of the Presiding Officer and serial numbers of control unit and balloting unit(s) supplied to him and his full signature is obtained in token of having received the same (Annexure - XVII).

That register should have further provision for keeping proper account of the machines received back from the Presiding Officer. The officer who receives the machines from the Presiding Officer after the poll should clearly note down the serial numbers of the control unit, ballot unit(s) in Annexure XVI and put his signature as token of having received the same.

If any machine is received back in a damaged condition, a full record of each such machine should be maintained.

Designing of Labels for Voting Machines

11.10 On every ballot unit, a ballot label (Ballot paper) shall be displayed in the space meant thereof. The said ballot label shall be in the following form and language(s):-

- a. The total length of the ballot label will be 460 mm and its width shall be 140 mm.
- b. At the top of the ballot label, there shall be a space provided for indicating the particulars of the elections such as number and the name of the constituency, of the size 12.7 mm x 140 mm as shown below.





- c. In the space so provided, on the top left hand corner, the serial number of the ballot label shall be printed. On the top right hand corner, the sheet number shall be printed if the ballot label is printed on more than one sheet, where the number of contesting candidates exceeds 15. The particulars of the election shall also be printed, in the said space. These particulars will contain the serial number and name of the GP/SP/DP Constituency, as the case may be, the year of election and the nature of election and details of reservation, if any, shall be printed. The following specimen will make the position clear.



Specimen (Ballot Paper)





Gram Panchyat

Sarpanch

District Panchyat

SL. No.	Gram Panchyat- Malapuram	
01	AMAR NATH	
02	DALVEER SINGH	
03	MAHESH	
04	MOHAN LAL	

SL. No.	Sarpanch-Malapuram	
01	ANITA	
02	SHAMSHER	

SL. No.	District Panchyat-Malapuram	
01	RAJENDER	
02	SOHAN LAL	
03	VIJAY	
04	WAZIR CHAND	

- a. Below the space provided at the top for printing the particulars of the election, there shall be a thick black line of 2.1 mm.
- b. Below this line, there shall be printed the serial number of each contesting candidate, his name and the symbol allotted to him, in a separate panel for each candidate.
- c. The size of the panel for each contesting candidate shall be 25.4 mm x 140 mm.
- d. The names of the contesting candidates shall be arranged on the ballot label in the same order in which their names appear in the list of contesting candidates.

- e. If the number of contesting candidates exceeds fifteen at any level the ballot label shall be printed on two sheets of the above mentioned size and dimensions. If the number of candidates exceeds thirty, the ballot label shall be printed on three sheets and if the number of contesting candidates exceeds forty five, on four sheets.
- f. In such cases where the ballot label is printed on more than one sheet, the names of the contesting candidates from S. No. 16 to 30 shall be printed on the second sheet, from S. No. 31 to 45 on the third sheet and from 49 onwards on the fourth sheet. If the number of candidates is 30 or less the space below the panel from the last contesting candidate in the second sheet, shall be kept blank. Similarly for the third and fourth sheets of the ballot labels.
- g. On each such sheet, in the space provided for indicating the particulars of the election, its number shall be indicated in bold figures, e.g.,1/2, 2/2 .
- h. The names of the contesting candidates shall be printed in the same language or languages and in the order in which the list of contesting candidates has been prepared (Form 6). The serial number of the candidate shall be indicated in the international form of Indian numerals.
- i. Serial number and the name of the candidate panel shall be printed on the left hand side and his symbol on the right hand side in the space meant for him.

Precautions for Printing of Labels

11.11 The ballot labels shall be printed in such a way that after fixing the ballot label on the ballot unit in the space provided for the purpose, dividing line drawn below the space in which the particulars of election are printed and the dividing lines below the panel of each candidate shall be in complete alignment with the corresponding grooves or lines engraved on the ballot unit. Utmost care will, therefore, have to be taken while printing the ballot papers and to ensure that the ballot label have been correctly printed. *The ballot unit may be shown to the technicians of the printing press, if necessary. They may be asked to take the exact measurements of the space meant for printing the particulars of election and the panels of candidates and the thickness of the dividing lines so that the ballot labels are printed in exact alignment.*

It is not necessary to get the ballot labels which are to be fixed on the ballot units, stitched into bundles.

Assessment of Requirement of Labels

11.12 The number of ballot labels to be printed depends upon the number of polling stations to be set up, number of voting machines to be used including reserve machines and the number of ballot labels to be supplied to each polling station for using as tendered ballot papers. The total requirement of ballot papers to be printed thus has to be made on the following basis:-

- (i) One label (ballot) shall be required for display on each ballot unit. Therefore, the number of ballot labels required for this purpose will be equal to the number of Ballot Units to be used, including the reserve machines, in the constituency.
- (ii) The Presiding Officer shall cancel one ballot label and keep it in the cover along with the ballot paper account in Form 26
- (iii) Each polling station may be supplied with fifteen ballot papers to be used, if necessary, as tendered ballot papers. The total requirement of ballot papers to be supplied to the polling stations for use as tendered ballot papers shall accordingly be worked out depending upon the number of polling stations in the constituency.

15 candidates : 1 label (one page)

16-30 Candidates : 2 labels (two pages)

- (iv) In addition to the total requirement of ballot papers worked out in accordance with Paragraphs (i) and (ii) above, 25% of the above number may be printed as extra ballot papers to meet the contingencies, like mutilation at the time of fixing the ballot papers in the ballot units, defective ballot papers, supply of additional tendered ballot papers to the polling stations, if necessary, through the Sectoral Officers.

Arrangements for Printing of Ballot Papers

11.13 The arrangements for printing of ballot papers required for the constituency will be made by the Director of Panchayat Elections. The Government Press where the Ballot Papers to be printed will be intimated in due course. Requisition has to be sent to the press concerned, proof verification, scrutiny, printing and transportation of the required ballot paper have to be done in time by the Returning Officer.

Special arrangements should be made to collect the ballot papers from the printing press immediately after the same have been printed. The arrangements for

the transport of ballot papers should be done under proper security. The ballot papers shall be kept under lock and seal in the treasury or as directed by the Director of Panchayat Elections till it is required for the purpose of the poll.

Safe Custody of Undistributed Ballot Papers

11.14 Some ballot papers may remain undistributed with RO after the same have been fixed on the ballot units of the voting machines and supplied to the polling stations for use as tendered ballot papers. Such undistributed ballot papers should be kept by RO for supply to any polling stations as may be required on the day of poll. Proper safeguards must be taken to ensure that such undistributed ballot papers remain in the custody either of the RO or of the Assistant Returning Officers.

Tendered Ballot Papers (Rule 69)

11.15 Rule 69 provides that the tendered ballot paper shall be of such design and the particulars of that ballot paper shall be in such language or languages as the Commission may specify.

The Commission, therefore, specifies that the tendered ballot paper shall be of the same design and shall be printed in the same language or languages as the ballot paper used for display on the balloting unit. In other words, the ballot papers to be used on the balloting unit and the tendered ballot papers and postal ballot papers shall be the same. Such tendered ballot paper shall be serially the last in the bundle of ballot papers issued for use at the polling station; and shall be endorsed on the back with the words 'Tendered Ballot Paper' by the Presiding Officer in his own hand and signed by him.

Chapter -XII

POLL DAY

Preliminary

12.1 The Presiding Officer at the polling station should acquaint himself with the latest position of the rules and procedures prescribed for the conduct of poll using voting machines. The RO should also thoroughly familiarize with each step to be taken in the conduct of poll at the polling station, and with the operation of voting machine. A slight mistake or lapse or wrong application of the law or rules or inadequate knowledge of various functions of the voting machine may vitiate the poll at the polling station.

Voting Compartment

12.2 Voters have to cast their vote in secrecy and for that purpose, the Ballot Units are required to be kept in Voting Compartments. The Voting Compartment has its three sides covered. The Ballot Units are to be placed inside the Voting Compartment on a Table. The Ballot Units are to be placed in such a way that voters do not find any difficulty in casting their votes. The connecting Cable, which is permanently attached to the Ballot Unit, has to come out from the back portion of the Voting Compartment through an aperture cut out at the bottom of back portion of the Voting Compartment. This aperture should be wide enough so that that portion of the Ballot Unit through which the Cable comes out is visible from outside. This is necessary to keep a watch that no voter tries to tamper or damage the Cable while inside the Voting Compartment. However, this aperture in the Voting Compartment should not be too wide as to violate the secrecy of voting. For this purpose, it must be ensured that it is not near the window or at the door of the polling station. It must be ensured that the voting compartment is made of corrugated cardboard and is of the prescribed dimension and has been placed away from the window/door. Adequate lighting should be provided.

Checking Before Mock Poll

12.3 Before an EVM is used at the polling station for poll, its control unit needs to be prepared further by taking the following steps in the presence of the candidates/their agents. The Presiding Officer should start the preparations about an hour before the time fixed for the commencement of the poll. If any polling agent

is not present, the preparations by the Presiding Officer should not be postponed for the arrival of the polling agent. If any polling agent turns up late there is no need to do the preparations again. Any polling agent arriving late can watch the subsequent stages of preparation only.

Checking of Ballot Unit

12.4 The ballot unit has already been duly prepared in all respects at the RO's level and as such the Presiding Officer is not required to do anything more at the polling station on the day of poll, except that the interconnecting cables have to be plugged carefully into the control unit.

However, the Presiding Officer should see that –

- i. The ballot labels are properly fixed in the ballot display panels under the ballot label screen; and
- ii. The two seals affixed at the top and bottom portion on the right hand side of each ballot unit are intact.
- iii. Pink paper seal is fixed at the lower most portion of the -BU in such a manner that no candidate's button or candidate's name or symbol is hidden by the seal.
- iv. The cable connecting the ballot unit to the control unit should be visible to the polling agents throughout its entire length.

Checking the Control Unit

12.5 The Presiding Officer will check whether the seal put by the Returning Officer on the 'Candidate Set Section' on the left side of the control unit is intact.

The following preparations are then to be made by PO on the control unit:

12.6 Connecting the control unit with the ballot unit

- a) Presiding Officer should plug the interconnecting cable of the first ballot unit into the socket provided for the purpose in the rear compartment of the control unit. Inter connecting cable of the IInd BU shall be connected to the socket provided in the Ist BU. The process will continue till the last BU is connected.
- b) The 'Power' switch provided in the same compartment of the control unit should then be put to 'ON' position, whereupon there will be a beep sound and the 'ON' lamp on the display section of the control unit will glow green.

- c) Close the rear compartment after performing the functions at (a) and (b) above
- d) Open the cover of the Result section by pressing slightly inwards the latch provided on the left side.
- e) The door of the inner compartment of the result section should be opened by inserting the thumb and a finger through the two apertures above the 'Result I' and 'Result II' buttons and then pressing the inner latches simultaneously, slightly inwards. (In no case, this inner door should be forced open without releasing the latches in the manner described above, to avoid any damage to this most vital compartment).
- f) After opening the inner compartment, 'CLEAR' button is visible. 'CLEAR' button is used to clear the data and make the votes polled (data) to all the candidates to 0. The clearing operation is initiated on pressing this button. This operation takes about 15 seconds with "Beep" sound. On completion of the clearing process, the display panel will start displaying the following information sequentially.

DELETING POLLED VOTES
NUMBERS OF POSTS 3
TOTAL VOTERS 0
POST 1
POLLED VOTES 0
UNDER VOTES 0

CANDS 4 SEAT 1
CANDIDATE 01 VOTES 0
CANDIDATE 02 VOTES 0
POST 2
POLLED VOTES 0
UNDER VOTES 0
CANDIDATE 01 VOTES 0

POST 3
POLLED VOTES 0
UNDER VOTES 0
CANDS 5 SEATS 1
CANDIDATE 01 VOTES 0
CANDIDATE 02 VOTES 0

The display will continue till the last candidate of the last post is displayed. Once all the candidates of all the posts are displayed "END" will be displayed on screen.

END

The display of the above information on the display panel is for showing the polling agents present at the polling booth that no votes are already recorded in the machine.

MOCK POLL

1. After demonstrating as above that no votes are already recorded in the machine, a mock poll should be held by recording some votes. For that purpose, perform the following operations :-
 - a) Press the 'Ballot' button on the Ballot section of the Control Unit. On pressing the 'Ballot' button, 'Busy' lamp in the display section will glow RED. Simultaneously, the 'Ready' lamp on the Ballot Unit will start glowing 'GREEN'.
 - b) Ask any polling agent to vote to candidates of his choice, by pressing the candidate button on BU. The corresponding arrow lamp adjacent the button glows 'RED'.
 - c) After completion of voting, the GREEN 'Ready' lamp and the RED light in the candidate's lamp of BU, RED busy lamp of CU and the beep sound will go off simultaneously which indicated the voter's choice has been recorded in the Control Unit and the machine is now ready to receive next vote.
 - d) Repeat the process explained in the preceding paras (a), (b) and (c) for voting by other polling agents. Keep a careful account of the votes so recorded (manually noted record) in respect of each candidate.
 - e) When the votes are being so recorded, press the "Total" button on the Ballot section to verify at any time that the total number of voters who voted till then as recorded in the machine tally with the number of mock voters as recorded manually.
 - f) At the end of mock poll, press the 'Close' button in the Result section. On the 'Close' button being so pressed, the Display Panel in the Display Section will show the following information sequentially

Note: Total button should be pressed only after all the votes have been recorded for all the candidates and the 'Busy' lamp in the Display Section is off i.e., when the system is idle condition.

Example:

- Ward No: 0189
- Booth No: 0279
- No. of POSTS 3

- No. of voters 9
- For Post 1 to elect 1 out of 3
- For Post 2 to elect 2 out of 6
- For Post 3 to elect 1 out of 3
- All candidates may not get equal votes

DISPLAY SEQUENCE:

CLOSING

*NUMBER OF
POSTS 3*

*DTE 20-02-15
TME 07-25-50*

*TOTAL VOTERS
9*

*SN DNCU12345
DM DNM012345*

*POLL
CLOSED*

Note : Subject to availability of time, there is no objection to permit the recording of more / less voters at mock poll. It is also not necessary that the number of votes recorded for each candidate should be the same.

- g) Now press the button marked 'Result - I' in the result section. On that button being pressed, the display panel will start showing the following information sequentially:

*SN DNCU12345
DM DNM012345*

*POLL RESULT
PDT 20-10-12*

*PST 07-00-00
PET 07-10-00*

*NUMBER OF
POSTS 3*

*TOTAL VOTERS
9*

POST 1

*CANDIDATE-01
VOTES - 1*

*POLLED
VOTES 9*

*CANDIDATE-02
VOTES - 4*

*UNDER
VOTES 0*

*CANDS 3
SEATS 1*

*CANDIDATE-03
VOTES - 4*

POST 2

*POLLED
VOTES 6*

*UNDER
VOTES 12*

*CANDS 6
SEATS 2*

*CANDIDATE-01
VOTES – 1*

This Result continues till the Last Candidate of Last Post is
displayed.

*UNFINISHED
VOTERS 0*

END

To demonstrate under vote / no vote during mock poll the END button may be pressed.

- h) Verify and demonstrate that the results displayed on CU and actually polled data match during mock poll.
- i) Next press the 'Clear' button to clear the account of votes recorded during the mock polling. Display shows Total Voters recorded as '0' and votes polled for each candidate of respective Post as '0'.

CAUTION: DO NOT FORGET TO CLEAR THE MOCK POLL VOTES.

After END is displayed, then switch off the Control Unit.

Note that: Total voters = Polled votes (per post) + Under votes for that post.

Once the candidates and/or their agents are satisfied with the result, the EVM has to be cleared before the actual polling. For this press the 'CLEAR' button. After displaying 'DELETING' the EVM will display the votes to show that all the votes recorded in the EVM are cleared.

Now switch off the Control Unit.

12.7A Declaration by the Presiding Officer before Commencement of the Poll

In order to ensure that the Presiding Officer has duly carried out the foregoing instructions about the demonstration of the marked copy of the electoral roll and the Register of Votes and obtaining the signatures of the candidates/polling agents on the green paper seal and allowing them to note down their serial numbers, which are necessary safeguards for ensuring free and fair election, Presiding Officer shall sign the declaration prescribed by the Commission in **Annexure-V(Part-I)** before the commencement of the poll. He should also obtain thereon the signatures of such of the polling agents as are present and are willing to affix the same. If any polling agent declines to affix his signature on the declaration, the Presiding Officer should record the name of such polling agent in that declaration.

Chapter - XIII

ACTUAL POLL

1. For that purpose, perform the following operations.

**CAUTION: DO NOT FORGET TO SWITCH OFF THE CONTROL UNIT
BEFORE SEALING THE RESULT SECTION.**

a) **Fixing a Green Paper seal and closing of inner compartment:**

These seals have been printed specially on security Paper with serially numbered. One such paper seal has to be fixed in the frame provided for the purpose on the inner side of the door of the inner compartment. In order that the seal is firmly fixed in the frame and does not shift from its position, a thin cardboard padding may be provided. The seal should be so fixed that its green surface is seen through the apertures from the outer side. As shown in Fig.

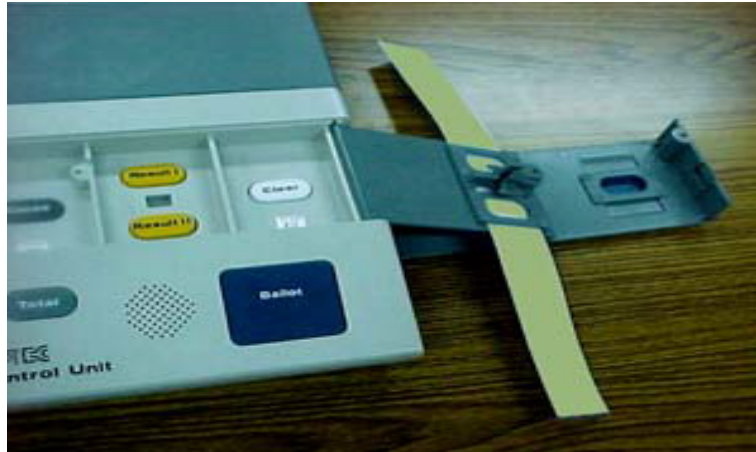


Fig. (a): FIXING OF GREEN PAPER SEAL

After fixing the seal, the door of the inner compartment should be closed in such a manner that the two open ends of the paper seal project outwards from the sides of the inner compartment as shown in Fig. (b).



Fig. (b): CLOSING OF INNER COMPARTMENT WITH GREEN PAPER SEAL

On the white surface of the paper seal projecting outwards, the Presiding Officer should affix his signature in full immediately below the serial number of the seal. It shall also be get signed by the candidates / polling agents who are present and desire to put their signatures. Note down the serial number of the paper seal used and also allow the candidates / polling agents present to note down the numbers.

The door of the inner compartment be sealed by passing a twine thread through the two holes provided for the purpose on the left side of the inner door and tie a knot. Then pass the loose ends of the twine thread through the hole in the Special Tag and put a knot. Seal the knot on the Special Tag with the seal of the Presiding Officer.

After sealing, adjust the Special Tag over the Close button and fit the tag in the “Close” button compartment, care is to be taken such that ‘close’ button is easily accessible for operation.

b) Closing of Result Section :

The outer cover of the result section has to be pressed for closing this section. After pressing the outer cover, the Result Section should be sealed by passing a thread through the two holes provided for the purpose on the left side of the outer cover and putting a thread seal with the seal of the Presiding Officer as shown in Fig. 21(c).



Fig. (c): CLOSING OF RESULT SECTION

NOTE: Take care that direct flame does not come in contact with the unit and molten wax does not fall on any part of the machine.

c) SEALING PROCESS OF GREEN PAPER SEAL AND ABCD STRIP SEAL

Double fold the projecting lower end of the Green Paper Seal with the green side of the seal visible from outside as shown in Fig. 22(d).



Fig. (d): SEALING PROCESS OF GREEN PAPER SEAL

Now use the ABCD long seal strip paper with self adhesive at ABCD portions to get glued to the green paper seal.

The following steps show the fixing of long seal strip:

STEP 1:

Keep the long seal Strip Seal with the pre-gummed portion 'A' near the base of the Lower fold of Green Paper Seal as shown in Fig. 22(e).

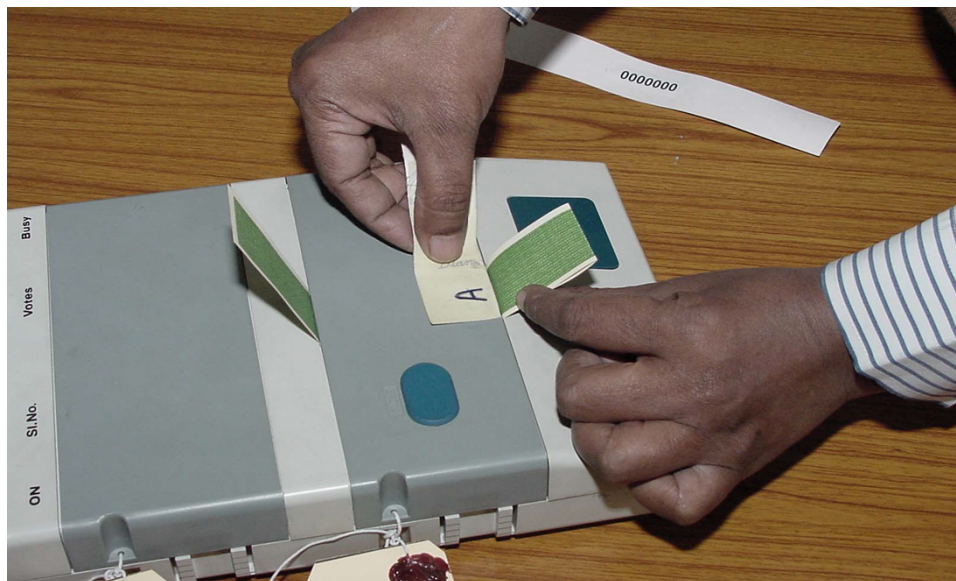


Fig. (e): ABCD STRIP SEALING STEP 1

STEP 2:

After pasting 'A', Remove the wax paper from pre-gummed portion 'B'. Fold the seal strip to the left side and place it upside centre on the folded green paper seal such that 'c' is on the top side as shown in Fig. 22(f)



Fig. (f): ABCD STRIP SEALING STEP 2

STEP 3:

Remove the wax paper from pre-gummed portion 'C'. Then place the green paper serial number (i.e. which is on the top end side) and glue it to the portion 'C' of long seal strip as shown in Fig. 22(g).



Fig. (g): ABCD STRIP SEALING STEP 3

STEP 4:

Finally glue 'D', take the long seal strip around the outer compartment and Remove the wax paper from pre-gummed portion 'D' and glue it on the serial number portion, such that the serial number is clearly visible. The long seal strip should be across the border of the outer compartment (i.e. close door) and it should not block the tail cap as shown in Fig. 22(h) & Fig. 22(i).



Fig. (h): ABCD STRIP SEALING STEP 4

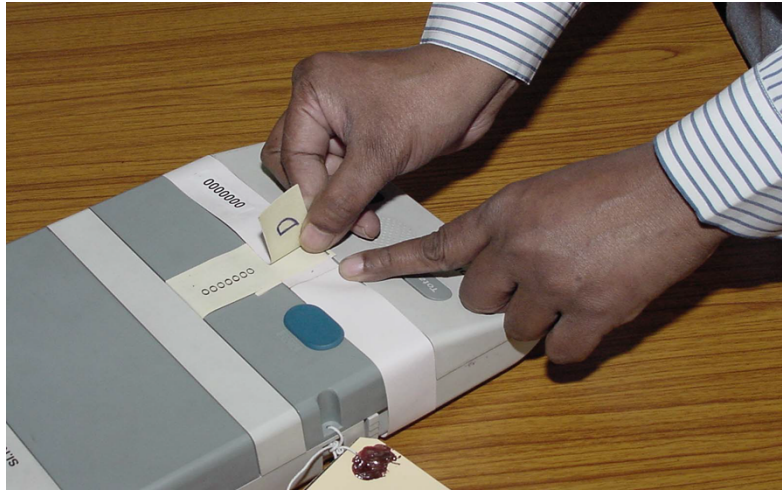


Fig. (i): ABCD STRIP SEALING STEP 5

2. Now the EVM is ready in all respects for use in actual poll. **Switch on the Control Unit.**

3. Before commencing the poll, however, place the Ballot Unit inside the voting compartment. This compartment should be located at sufficient distance from the table of the Presiding Officer where the Control Unit shall be kept and operated by him. The Interconnecting Cable between the Ballot Unit and the Control Unit has the length of approximately five meters. Therefore, the voting compartment should be reasonably distanced. Also, the cable should be so routed that it does not obstruct the movement of the voters inside the polling station and they have not to tread or trip over it. **Also, the cable may be tied to one of the table legs at Control Unit side as well as Ballot Unit side.**

Procedure During Poll

13.4 The Polling shall commence at the hour fixed for such commencement. **Press the 'Total' button and ensure that the total displayed is zero.** After all procedural requirements relating to identification of voter, application of indelible ink on his/her forefinger and obtaining his/her signature/thumb impression in the register of voters have been completed with regard to the first voter, the voter concerned has to be allowed for recording his vote. For that purpose, press the 'Ballot' button on ballot section of the Control Unit which would make the Ballot Unit ready for recording of the vote.

Repeat the above procedure every time the next voter is to be allowed to record his/her vote. It should be ensured that only one voter goes inside the voting compartment to vote. **Special care should be taken to ensure that a voter goes in**

that compartment in the same order in which his Name is entered in the 'Register of Votes. Also ensure that the ballot button is pressed only when the earlier voter has come out of the voting compartment. At any time, if the total number of voters who voted has to be ascertained, 'Total' button should be pressed. The display panel will then show the total number of voters who voted till that time. **Please remember that the 'Total' button is to be pressed only when the 'Busy' lamp is OFF.**

Note: Confirm the Recording of Votes by Pressing the 'Total' Button of the machine after Completion of First or Second Vote

Seating arrangements for Polling agents

13.5 Suitable arrangement for polling agents should be made inside the Polling stations. Their seats should be provided at the back of the first and second polling officers so that they may have adequate opportunity for challenging the identity of persons before they are allowed to vote in the voting machines.

Identifying officers

13.6 Rule 60 of the Daman and Diu Panchayats (EP), 2014 Rules permits a presiding officer to employ at the Polling station, such person as he thinks fit to help in the identification of electors or to assist him otherwise in taking the poll.

Persons to be admitted inside Polling station

13.7 Rule 58 provides that the presiding officer shall admit inside the Polling station only the following persons-

- a) Polling Officers;
- b) Public servants on duty in connection with election
- c) Persons authorised by Election Commission
- d) Candidates, their election agents and one polling agent appointed by each candidate. In case relief polling agents are also appointed by each candidate only the principal polling agent or the relief agent should be admitted inside the polling station at a time and not both at the same time;
- e) A child in arm accompanying an elector;
- f) A person accompanying a blind or infirm elector who cannot move without help;
- g) Such other persons as the Returning Officer or the presiding Officer may employ under sub-rule(2) of rule 59 or sub rule(1) of rule 60.

Explanation:- The expression “public servants on duty” does not include ministers State and Central, Chairpersons/Deputy Chairpersons of Municipalities, Presidents/Vice-presidents of Panchayat. The above expression also does not normally include a police officer; such officers whether in uniform or in plain clothes should not, as a general rule, be allowed to enter inside a polling a polling station or a counting hall, unless the presiding officer or the Returning Officer decides to call them in for maintenance of law and order or for some other similar reasons.

Subject to the maintenance of peace and order at the polling station, there is no objection to any photographer taking photographs of crowds outside the polling station. But no such persons including publicity officials of the central or state government should, be allowed inside the polling station without a letter of authority from the Election Commission.

Marked copy of the Electoral Roll

13.8 Immediately before the commencement of the Poll, the Presiding Officer has to show to the polling agents and other present that the marked copy of the electoral roll to be used during the poll. Three marked copies are necessary to be issued to each Polling station.

Sequence of Events inside the Polling Station

13.9 The Sequence of events when an elector enters the polling station is as follows:

A. When an elector enters the polling station , he will have to go first to the 1st Polling officer. The first Polling Officer shall be in the charge of the marked copy of the election roll. He shall -

- (i) Check whether his name is in the electoral roll being used for the poll;
- (ii) Check his identity document prescribed by the Commission;
- (iii) Callout the name and Sl.No.of the elector so that the polling agents may note down it in their copy of electoral roll.
- (iv) Having established the elector’s identity, score the entry relating to his name in the marked copy of the electoral roll diagonally starting from the left bottom corner to right corner and round the the serial number of the elector, if the voter is a female. This will help to count the number of women voters at the end of the poll.

- B. Then elector will move to the 2nd Polling Officer who will,
- (i) Note down the serial number of electoral roll of that elector as it is read out aloud by 1st Polling Officer.
 - (ii) Apply indelible ink on the left forefinger of the elector in such a way to make a line from the top end of the nail to the bottom of the left forefinger. If any elector refuses to allow his left forefinger to be inspected or marked with indelible ink or he has already such a mark on his left forefinger, or he does any act with a view to removing the ink mark, he shall not be allowed to vote. After the ink has been applied;
 - (iii) obtain the signature or thumb impression of the elector in the relevant column of Register of votes in Form 25;
 - (iv) Prepare a voter's slip filling all required particulars; and;
- C. Thereafter, the elector will move to 3rd Polling Officer or the Presiding Officer, who is in charge of Control Unit
- (i) Who will first check that the indelible mark is clear on the finger of the elector. If it is found that it is not clear or has been wiped off, then apply ink once again.
 - (ii) Thereafter, he will take voters slip and allow the voter to go to voting compartment so that he may cast his vote. For this, he will press "Ballot" button of the machine. **The voter shall be allowed to vote exactly in the same sequence in which his details have been recorded in Register of Votes (Form 25).**
- D. The voter shall cast his vote and then leave the compartment immediately.

Failure of Machines

13.10 In case of errors the following will be displayed. The Presiding Officers can rectify these defects by taking action as per Column 4.

Sl. No.	Errors	Reasons	Action to be taken
1.	'ON' lamp does not glow when the EVM is switched on.	Power pack is not fixed properly or voltage is low.	Insert the power pack properly or replace the power pack with a new one.
2.	Display showing 'INVALID OPERATION' and a beep sound is heard.	The button pressed is not in proper sequence of operation.	Press the button in proper sequence.
	a. When 'Cand. Set' button is pressed.	CRC (close, result and clear) not done in that order.	Perform CRC by pressing 'CLOSE', 'RESULT1' and 'CLEAR' in that order.
	b. When 'Clear' button is pressed.	Result of the previous poll is not seen.	EVM accepts Clear button only when result of the previous poll is seen. Hence press 'Result I' button.
	c. When 'Ballot' button is pressed.	'Close' button was pressed to close the poll and hence no further polling is possible.	This button will become effective only when the previous result is seen and the EVM is cleared.
	d. When 'Result I' button is pressed.	The polling is not closed by pressing the 'Close' button.	Close the poll by pressing the 'Close' button before pressing 'Result I'.

3	No response to 'Total' button in the Control Unit.	'Busy' lamp is 'ON'.	Allow the voter to record his vote. Once the vote is recorded, the 'Busy' lamp goes 'OFF'.
4.	When the Presiding Officer presses the 'Ballot' button, the 'Busy' lamp does not glow. Instead 'PRESSED ERROR-1' appears on the display panel and a short interrupted 'Beep' sound is heard.	Some voter must have left one of the candidate buttons in the Ballot Unit pressed or jammed and this may not be coming back to its normal position.	Go inside the voting compartment and gently press all the buttons once. The pressed button will resume its original position and 'PRESSED ERROR-1' display and 'Beep' sound will not recur. Normal voting can be continued by pressing the 'Ballot' button.

The Errors that cannot be rectified are as follows:

Sl. No.	Errors	Reasons	Action to be taken
1.	If 'INOPERATIVE' is displayed on panel.	EVM status is Inoperative	These errors cannot be rectified at PO level. The existing EVMs shall be closed and sealed as poll has been completed. Poll has to be continued using another EVM.
2.	When switching on the "Power ON" switch, if display shows 'SECURITY NOT CONFIGURED'	EVM has to be configured.	
3.	In BU if ready lamp flashes	BU status is inoperative	
4	No beep sound and display indication when the EVM is switched ON.	The Control Unit is defective and not fit for use.	

Failure of Machines in Polling Stations where Additional EVMs are Allotted

13.11 There are occasion when EVMs are required to be replaced in the polling station after commencement of poll. Such situation arises when the EVMs develop problems in the midst of poll. In Polling Stations which were identified as remote, additional EVMs after candidate setting will be issued. When such replaced EVMs are used, the Presiding and Polling Officers should ensure that the requirement of conducting mock poll should be fulfilled as in the case of new EVMs and clear the data as in the case of originally allotted EVMs.

Failure of Machines in Polling Stations where Additional EVMs are not Allotted

13.12 In case of failure of machines during poll, the Presiding Officers will immediately contact the Sectoral Officer and Returning Officer for replacement of the machines. Then the Sectoral Officer will provide a new set of EVM along with the other materials to be used for candidate setting. The RO will carry out the

candidate setting in the presence of candidates or their agents representatives of the political parties in the polling station.

In case of such replacement of EVMs, the entire set including the CU and all the BUs shall be replaced. Before commencement of the poll with the new EVM, a mock poll will be done according to the instructions for the same and the Presiding Officer will make a declaration in Annexure-V(Part-II).

In case of replacement, the unique ID numbers of the CU and BUs which have been used after replacement should be entered in the EVM tracking software by the District Election Officer.

EVMs Used for Re-poll

In case of re-poll, the EVM required for the same shall be drawn from the reserve list and the CU/BU number shall be informed to the candidates/agents in writing. It shall be mentioned in the address tag on the CU and BU that the EVMs are being used for re-poll showing the date and the Polling Station number.

After re-poll, the strong room shall be re-opened in the presence of the candidates/ their agents for the storage of the EVMs. This EVM used in re-poll should be placed together with the old EVM that was used earlier in the original poll. A tag 'Not to be counted' shall be put prominently on the old EVM and another tag 'Repoll EVM -to be counted' shall be put on the new re-poll EVM. RO shall sign both the tags.

In case of re-poll, the unique ID number of the CU and BUs used in re-poll should be entered in the EVM tracking software.

Procedure at the Close of Poll

After the hour fixed for the close of the poll, and the last voter has recorded his vote, EVM has to be closed so that no further recording of votes in the machine is possible. For that purpose, perform the following operations.

- (a) Remove the plastic cap over the 'Close' button.
- (b) Press the 'Close' button.
- (c) Note down the details in the prescribed Forms the total number of voters and votes polled against each post as displayed in the display panel.
- (d) Replace the plastic cap over the 'Close' button.
- (e) Open the rear compartment of CU.

- (f) **Switch OFF the EVM by pushing power switch to OFF position.**
- (g) Disconnect the BU cable by pressing the two latches and pulling the cable out.
- (h) Close the rear compartment.
- (i) Put back the Ballot Unit and Control Unit in their respective carry cases.
- (j) Seal the carry cases by passing the thread through the two holes provided for the purpose on both sides of the carry cases and put thread seal on the prescribed address tag showing the particulars of the polling station with the presiding Officer's seal and also with the seal of such polling agents as are present and desirous of putting their seals. While sealing proper care should be taken to ensure that the direct flame does not come in contact with carry cases and the molten wax does not fall on any part of the machine.
- (k) The sealed cover containing vote account (Form 26), a cancelled ballot label (for each Grama Panchayat, Sarpanch and District Panchayat) should be closed in a cover and pasted on the side of the control unit's carry case with Cello tape.
- (l) The Presiding Officer will make a declaration in Part III of Annexure -V

Now the EVM is ready to be transported from polling station to storage place (i.e., strong room).

Chapter - XIV

TRANSMISSION OF VOTING MACHINE AND ELECTION PAPERS TO THE RETURNING OFFICER

14.1 After the voting machine and all election papers have been sealed and secured by the Presiding Officer, the Presiding Officer has to deliver them or cause them to be delivered at such place as R.O. may direct.

R.O should make proper arrangements for the safe transportation and custody of voting machines and other election papers and materials after the close of the poll from the polling stations to the storage centre, where the voting machines and election papers will be stored till counting. In this connection, the following instructions should be particularly taken note of and followed:-

- (a) It will be desirable to take the sealed voting machines and other election papers and materials after the completion of the poll direct to the place fixed for counting of votes. This arrangement would ensure that the sealed voting machines are handled only once before the votes are counted. It must be ensured that there are sufficient arrangements for the safe transportation and custody of voting machines.
- (b) The candidates or their election agents should be informed sufficiently in advance about the programme of the collecting parties being sent, if any, and the route chart for the collection of the voting machines and other election materials from the polling station after the conclusion of the poll, so that the candidates may make their own arrangements, if they so desire, for sending their agents to accompany such collecting parties. The agents of the candidates should, however, make their own arrangements for their transport and they, in no case, should be allowed to travel in the same vehicles in which the voting machines and other election materials and polling parties are being transported.

Sufficient number of counters should be opened and polling station numbers should be so distributed that at any time neither any counter should be crowded nor any counter left free.

Safe Custody of Voting Machines after Poll

14.2 All Returning Officers or the Collecting Parties should deposit the voting machines and election papers and materials at the storage centres without any delay. Any officer who defaults in this respect will make himself liable to disciplinary action.

Floor space of the storage room or building may be marked, in the form of squares, in advance for stacking the voting machines received from the particular polling stations. The arrangement for this should follow the serial number of polling stations.

All ballot unit(s) and control units received from the polling stations of one constituency/ward must invariably be kept together at one place on the same square. The control unit should be kept on top of the ballot unit(s) with Form-26, as returned by the Presiding Officer concerned. Sealed envelope containing the declarations made by the Presiding Officers before the start of the poll and at the end of the poll, the paper seal account should be kept under RO's safe custody along with the Presiding Officers Diary and other records like Register of Votes in Form 25. Under no circumstance, these papers/records should be put in strong room where polled EVMs are kept.

Sufficient space should be left between rows of voting machines as they are being stacked so that other machines received subsequently out of turn (from the point of view of serial numbers of the polling stations) may be kept at their appropriate allotted space without the necessity of having to shift any of the voting machines received and stacked in earlier point of time.

If any of the contesting candidates so desires, he may be permitted to post an agent to keep watch at the place where the voting machines are stored pending the counting and allow him to affix his own seals to the doors and windows of the building in which the voting machines are stored in addition to the seals that may be affixed by the RO. It should also be ensured that immediately after all the voting machines have been received and stored, the room is locked forthwith. Thereafter, no one will be allowed to enter the hall till the day of counting. If during this interval, for some unavoidable reason, the room has to be opened, RO should send

for the candidates or their authorized representatives by giving them intimation in writing and open the room in their presence and immediately after the purpose for which the room is opened is over, the candidates or their representatives should again be allowed to put their seal on the door lock and windows.

Whenever it is necessary to open the room in which the voting machines are stored, proper entries should be made in the logbook giving details of the persons entering the room, the purpose of such entry, time of entry, time of exit, signature of the guards, etc. The form in which the log book should be maintained is given in Annexure -XIII

Chapter - XV

COUNTING

15.1 The Counting Halls, including partitions as planned, should be got ready at least three clear days ahead of the date of counting and a report sent by each RO to the Director of Panchayat Elections. Director of Panchayat Elections shall send a consolidated report to the Commission.

Notice to candidates about the date, time and place of counting, should be given in advance.

Rules 108 to 110 of the Daman and Diu Panchayats (EP) Rules,2014 deal with the procedure for the counting of votes polling station-wise. The Returning Officer should familiarise himself thoroughly with the provisions before counting. Detailed instructions for the guidance of the counting supervisors and counting assistants are given in Annexure VII

Date, Place and time of counting

15.2 The place for counting of votes shall be such as may be determined by the Director of Panchayat Elections, with the previous approval of the Election Commission(UT).

The room or the hall must be large enough to accommodate the Returning Officer, the Counting Assistants, the candidates and their agents. The table of the Returning Officer should preferably be on a raised platform within the room from where he can easily supervise all the counting tables. The candidates may be given seats on the same platform. There must be sufficient space in between the rows to enable a person to go up and down.

There should be proper lighting arrangements. Stand-by arrangements like generator or gas lights should be provided to meet emergencies created by power failure.

Counting at different places

15.3 The counting for the entire Gram Panchayat Constituencies/Municipal wards should be done at one place under the direct supervision of the Returning Officer. Counting should commence at 8.00 a.m. in the morning.

The law enables the Assistant Returning Officers also to count votes. It is legally permissible to count votes at different places on the same day; when the Returning Officer takes up the counting at one place, the Assistant Returning Officer(s) can take up counting at the other places, or, if the counting is arranged at one place the Assistant Returning Officer can also do the counting independently.

Number of counting agents

15.4 Each candidate should be allowed to appoint as many counting agents as there are counting tables for counting of votes at the election and one more to watch the counting at the Returning Officer's table.

Letters of appointment of Counting Agents

15.5 Inform the candidates about the number of counting agents they can appoint and ask them to send their letters of appointment before the time fixed for counting. A candidate may appoint all his counting agents by a single letter in Form 14 suitably modified. The photographs of the Counting agents should also be produced. In that case, all the agents should also have signed the letter in token of their acceptance of the appointment and should sign the declaration later in the presence of the Returning Officer. After necessary verification, the Returning Officer may give them for production at the time of entry into the counting hall passes in Annexure-XIV. On the date of counting votes, only those counting agent holding the pass will be allowed inside the counting hall. All the contesting candidates of the constituencies/wards and political parties should be informed, well in advance, of the aforesaid arrangements.

The counting agent should be seated near the tables and should not be allowed to move about all over the hall. The extra counting agent may sit and watch the proceedings at the table of Returning Officer. However, as far as possible, only one person namely the candidate or his election agent or his counting agent should be allowed to present at that table in order to avoid overcrowding.

The candidates and their election agents will be free to go around any part of the hall. In the absence of both the candidate and his election agent, his extra counting agent at the table of the Returning Office may be allowed to go around any part of the hall.

Appointment of Counting Assistants

15.6 Appointment of counting supervisors and counting assistants shall be in Annexure XII. The Returning Officer should appoint as counting supervisors, Officers of the Union Territory or Local Bodies or statutory bodies. They should be given intensive training in counting.

The Returning Officer shall not appoint as counting supervisor or as counting assistant anyone who has been employed by or on behalf of, or has otherwise been working for a candidate in or about an election.

Maintenance of discipline and order at counting hall

15.7 Post Police personnel on duty at the door or doors of the counting hall. Do not allow any person to enter or leave the room without the permission of the RO. The Returning Officer should ensure that complete order and discipline prevail in the counting place. Any person who persists in disobeying the direction of the Returning Officer may be removed from the place by the Returning Officer or by the Police Officer on duty or any person authorised in this behalf by the RO (Rule 77).

Warning about secrecy of ballot

15.8 Read out and explain, as necessary, the provisions of rule 78 of the Daman and Diu Panchayats (EP) Rules, 2014 to those who are present and then start counting.

Persons allowed in counting hall

(a) Only the following persons can be allowed inside the counting hall.

- (i) Counting supervisors and Counting assistants;
- (ii) Persons authorised by the Election Commission;
- (iii) Public servants on duty in connection with the election; and
- (iv) Candidates, their election agents and counting agents.

(b) The term 'Public Servant on duty in connection with election' does not normally include police officers. Such officers whether in uniform or in plain clothes should not, as a general rule be allowed to enter inside the counting hall, unless the Returning Officer decides to call them in, for the maintenance of law and order or

some similar purpose. Again the above term does not include the Ministers, State Ministers and Deputy Ministers of the Union and the State or Chairperson/Deputy Chairperson of Municipalities or President, Vice President of Panchayats.

In the performance of the duties, the Returning Officer is only bound by the instructions of the Election Commission. The Returning Officer shall not take orders from his official superiors or from any political or service organisation. If any of them requests for entry in to the counting hall, the Returning Officer shall allow entry, only if he is in possession of a valid authority letter issued by the Election Commission(UT).

The RO's table shall be in the counting hall itself. It should be a separate table with a demarcated area. Candidates and their Election Agents will also be seated at this table and watch the counting proceedings. In order to ensure proper watch over the counting process, the seating arrangements of counting supervisors, counting assistants should be made in a sequence. They should not be allowed unnecessarily to roam here and there in the counting hall.

Similarly, the table and the computer on which the computation and compilation of data from each table shall be in the counting hall alongside the RO's table where the candidate/agent will also be seated. In case the table is a separate one from RO's table then one additional counting agent shall be allowed to sit at that table. This should not be in any other room under any circumstance.

After every stage of counting, the results of that stage should be written on a board. ONLY after that the EVMs for the next stage shall be brought from the strong room to the counting hall. Instruction to Counting supervisions and counting Assistants are give in Annexure VII.

Counting of Votes Recorded in Voting Machines, Scrutiny and Inspection of Control Units

15.9 After commencement of the counting of postal ballots, counting of votes in the EVM can commence. The CUs can be brought under escort (agents can accompany) from the strong room to the counting hall even if the counting of the postal ballot is still going on. Distribution of control units to the counting tables should be done in the serial order of the polling stations.

RO will arrange a senior officer to function as nodal officer for this purpose. An account of such distribution should be kept. EVMs brought for counting for a particular stage are properly counted and after recording the votes in Form 26, the EVMs for next stage are brought to the counting hall.

At the time of counting, only the control unit of the voting machine is required for ascertaining the result of poll at the polling station at which the control unit has been used. The ballot unit used at a polling station is not required. The ballot units have to be kept in strong room. It may be taken to the counting hall only if its inspection becomes necessary in any particular case on demand by any candidate or his agent or otherwise.

The sealed cover containing the relevant Account of Votes Recorded in Form 26 and the cancelled ballot papers pertaining to a polling station shall also be supplied to the counting table along with the control unit used at that polling station.

Opening of Carry Cases of Control Units

15.10 The control units are received from the polling stations duly kept and sealed in their carrying cases by the Presiding Officers. As each, carrying case is brought to the counting table, the seals put thereon by the Presiding Officer at the polling station should be examined. Even if the seal of a carrying case is not intact, the control unit kept therein could not have been tampered with, if the seals thereon and particularly the paper seals on that unit are intact.

After breaking the seals of the carry case, take out the control unit and place it on the counting table for the inspection and checking of seals thereon by the candidates or their agents present at the counting table.

Checking Seals on the Control Units

15.11 Before the votes recorded in the control unit of any voting machine are counted, the candidates or their election agents or their counting agents present at the counting table shall be allowed to inspect the outer strip seal, the special tag, the papers seals and such other vital seals as may have been affixed on the carry case and the control unit to satisfy themselves that the seals are intact. It should be ensured that none of the voting machines are tampered with. In any case it is felt that any voting machine has in fact been tampered with, the votes recorded in that machine shall not be counted and the matter shall be reported to the Election Commission (UT) immediately.

As each control unit is taken out of the carrying case, RO shall first check its serial number and satisfy that it is the same control unit, which was supplied by the RO to the Presiding Officer for use at that polling station. Then, check the Serial Number of Paper Seal used for sealing the Control Unit, the seal on the Candidate Set section of the control unit (which had been put at RO's level before the supply of the machine to the polling station) and also the Outer Strip Seal, and seal on Special Tag on the outer cover of result section which was put by the Presiding Officer at the polling station after mock poll. Even if any of these seals is not intact, the control unit could not have been tampered with, if the paper seal put on the inner cover of the Result Section is intact.

Comparing the Serial Number in the Paper Seal

15.12 Remove the outer strip seal and the seal on the outer cover of the Result Section and open that cover. On opening the outer cover of the Result Section it will be seen that the inner cover is sealed with the special tag and seal of the Presiding Officer. In the inner cover of the Result Section, there will be a green paper seal.

Instructions have been issued that the green paper seal should be so fixed that the two open ends of the seal project outwards from the sides of the inner compartment in which the result buttons are located. On one such open end of the paper seal will be the printed serial number of that seal. That serial number on the paper seal should be compared with the serial number as given in the paper seal account prepared by the Presiding Officer in Part I of Form 26. Allow, without fail, the candidates or their agents present at the counting table also to compare such serial numbers of the paper seal and special tag and satisfy themselves that the paper seal and the special tag are the same which had been fixed by the Presiding Officer at the polling station before the commencement of poll.

Checking of Serial Number of Control Unit

15.13 On the counting table, the counting supervisor shall verify and satisfy that the serial number of the control unit taken up for counting is the same as what is noted in the Part-I of Form 26

Control Units to be Kept Apart if Found Tampered With

15.14 If the voting machine has been tampered with, or is not the same which was supplied for use at that polling station, the machine should be kept apart and the votes recorded therein should not be counted. The matter should be reported to the Election Commission(UT). It is not necessary to adjourn the entire counting if any voting machine has been found by RO to have been tampered with. RO may, proceed with the counting in respect of the other polling stations.

After satisfying that i) the paper seal is intact, ii) the control unit is the same as was used at the polling station and there is no tampering with the same, the votes recorded therein shall be counted. The following procedure should be followed for counting of votes recorded in the machine:-

- i. Switch 'on' the control unit by lifting the power switch provided in the rear compartment to 'on' position. The On' lamp in the Display Section of the control unit will then glow green.
- ii. Pierce the paper seal over the Button with a paper knife provided below the upper aperture of the inner cover of Result Section.
- iii. Press the "Result I" Button.
- iv. At the "Result I" Button being so pressed, the total number of votes recorded for each candidate at the polling station shall be displayed automatically in the Display Panels of the control unit.

Ascertaining Result

___ During counting, Counting Supervisors will ensure that at the time of pressing the result button on the control unit of the EVM, the counting agents of all candidates are shown in the display panel of the control unit to their satisfaction so that they can note down the votes polled in favour of each candidate as displayed on the control unit display panel. For this purpose, the control unit may be kept lifted, if necessary, by one of the counting assistants in such manner and position that the display panel is clearly visible to the counting supervisor, the second counting assistant sitting at the counting table, and also to the counting agents of candidates. In case, any counting agent desires to have the result displayed on EVM more than once, it shall be done by pressing the Result Button again to the Counting Supervisor to the satisfaction of the counting agents.

- v. The counting supervisor shall note down, carefully, the above result as displayed sequentially candidate-wise in 'Part II - 26. If required, press the "Result I" Button again to show the result.

After the result has been noted, close the cover of Result Section and **switch 'OFF' the control unit.**

Detachable Memory Module (DMM)

15.15 After the results are noted, the machines are placed at off position, the DMM will be detached from the Control Unit and placed in a plastic box provided. This box is then sealed in a cloth lined cover and signature of representatives of political parties obtained. The RO after affixing his signature and seal store all DMMs in a canvas bag which is again kept in a metal ballot box which is sealed using metal wire and sealing wax.

This shall be kept under safe custody in Treasury on obtaining acknowledgement. The DMM shall not be taken out except under orders of a court of competent jurisdiction or of the Election Commission (UT).

Result from DMM

For retrieving the result from the DMM the following procedure has to be done. The DMM can be installed in any CU for obtaining the result. After installing, the CU should be kept in 'ON' position. Then the following display will appear.

Name of EC
Memory changed
Battery High

For obtaining the details stored in DMM, "Result II" button should be pressed and kept holding for one minute. Data in DMM will be displayed as Bank 2. The machine will display as follows:

Memory Changed
Bank 2
No of EVM
Poll Result
Date of Poll
Poll start time
Poll End time
No of Posts
Total voters
Post 1
Votes under
Under votes

This will continue till the end of the data stored in the DMM and lastly END will be displayed.

Completion of Part II of Form 26

15.16 As the votes secured by each candidate are displayed on the Display Panels of the control unit, the counting supervisor should record the number of such votes separately in respect of each candidate in Form No. 26 (Part II). He should

verify whether the total number of votes as shown in that Part-II tallies with the total number of votes shown against Item 5 of Part I of that Form. After completing that form in all respects, the counting supervisors should sign it. He should also get it signed by the candidates or their agents present at the counting table. He should handover that Form to the Returning Officer. The Commission has also directed that when tabulation sheet of each polling booth (Form-26) is received at the RO's table, it will be the responsibility of the Returning Officer to show it to the candidates/their election agents/counting agents sitting at the Returning Officer's table to enable them to note down the results of each candidate for each polling station. RO should countersign the Form after satisfying that the same has been properly filled in and completed in all respects. The Returning Officer shall compile the details of votes and declare the result in Form 21B/21C

The entries of votes polled to each candidate, polling station wise as entered in Form 21B/21C should be written on a display-board put up conspicuously so that each counting agent can see and note down /cross check the entries therein. The RO may announce the same through public address system. This will enable RO to proceed uninterruptedly with the counting of votes at other polling stations.

It is possible that a particular CU used at a polling station does not display result due to technical mal-functioning of the same. Then technicians of ECIL, may be called to retrieve the data. If they also are not able to do so, then that EVM shall be sealed and kept aside. It must, without fail, be brought to notice of the Election Commission (UT) for further directions. The counting of remaining machines will continue unabated. If any machine has been kept apart and not counted for this reason or found tampered with, then Commission's written approval will be needed before declaring the result of the election of that constituency.

If any discrepancy is found in the result obtained from the table and that ascertained through random checking, then:

- (i) The result of that stage for each table shall be verified from the EVMs.
- (ii) Such staff as is found to be wrongly noted the counting result would be replaced by another set of staff. Severe disciplinary action will then follow on the erring staff for their omissions and errors.
- (iii) The result provided by such staff (and table) in the preceding stages would be checked again and corrected sheets prepared, wherever necessary.

- (iv) The result from the counting table after correction will be passed on to the data entry operator managing 'e-trend' for uploading in the software.

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

Action to be Taken in Case of Malfunctioning of Electronic Voting Machines (EVM) During Counting of Votes

15.17 In the case of malfunctioning of an EVM during counting of votes during *General Election/By elections*, the following actions to be taken.

- a. *In case any Control Unit does not display result, it should be kept back inside its carrying case and then be kept in the Returning Officer's custody in the counting hall. Counting of votes in other machines should continue as usual.*
- b. *When counting of votes in other machines is complete, the Returning Officer should see whether difference in the margin of votes between the candidate having the highest votes and the candidate having next higher votes is more than or less than the votes polled in the malfunctioned machine (s).*
- c. *In both the cases where the margin of votes is more than or less than the total votes polled in the malfunctioned machine (s), the Returning Officer should try to retrieve the result from this machine, with the help of engineers of ECIL, using Auxiliary Display Unit (ADU) in the presence of candidates or their election agents. If the result can be retrieved by using an ADU, the result of the election can be declared accordingly. In such a case, the Returning Officer should send a detailed report to the Commission in the format mentioned in Annexure - VIII*
- d. In case it is not possible to retrieve the result from the malfunctioned machine even by using ADU, then the returning officer should try to retrieve the result from the machine by taking a print out of the result with the help of engineers of ECIL. If the result can be retrieved by using a printer, the result of the election can be declared accordingly. In such a case also the Returning Officer should send a detailed report to the Commission in the format mentioned in Annexure VIII.
- e. If the result from the malfunctioned machine cannot be retrieved even by using printer, the matter should be reported to the EC(UT) by the Returning Officer in Annexure IX
- f. Where the margin of vote between the candidate having the highest vote and the candidate having the next higher votes is more than the votes polled in

the malfunctioned control unit, the RO shall report the matter in Annexure IX (Part-II) to the EC(UT) for its decision.

- g. Where the margin of vote between the candidate having the highest vote and the candidate having the next higher votes is less than the votes polled in the malfunctioned control unit, the RO shall report the matter in Annexure IX(Part-III) to the EC(UT) for its decision.
- h. The malfunctioned control unit shall be kept and safely sealed in its carry case and no attempt should be made repair the machine.

Action to be Taken During Counting of Votes in Case Presiding Officer Does Not Press Close Button of CU at the End of Poll

In case a Presiding Officer is found to have not pressed the 'CLOSE' button of Control Unit at the end of poll, the following action should be taken during counting of votes in the presence of candidates/their authorised agents.

The Returning Officer shall first check the serial number of the strip seal and the serial number of the green paper seal and satisfy that the number of green paper seal tallies with the number as entered in Part I of Form 26. Further verification may be done with the number shown in Presiding Officer's diary. He shall also verify the total number of voters entered in the Register of votes in Form 25. He should ascertain the total number of votes displayed in the EVM by pressing the total button. If the total number of voters as per the voting machine and the number of voters in Form 25 are the same, the RO shall press the Close button in the presence of Counting Agents /Candidates. Then the RO shall press the Result I button and continue to count the votes as usual.

In case, total votes polled in the machine does not tally with the total voters in the Register of Votes in Form 25, the matter should be reported to the EC(UT) by the Returning Officer for its decision and action may be taken as per the direction of the Commission.

Redisplaying of Votes

Normally, there will be no question of recounting of votes recorded in the voting machines. Every vote recorded by the voting machines is a valid vote and no dispute will arise as to its validity or otherwise. At the most, some candidates or their agents may not have noted down the result of voting at any particular polling station properly when the control unit displayed that information. If necessity arises for re-

verification, the Result Button can be pressed, whereupon the result of voting at that polling station will again be displayed in the Display Panels of that control unit.

Accordingly, when the counting is completed and the Final Result Sheet in Form 25 has been prepared, RO should announce the total number of votes polled to each candidate as entered in the Final Result Sheet. RO should then wait a minute or two. If during this period any candidate, or in his absence, his election agent or any of the counting agents, asks for a recount, RO should allow of such reasonable time as required for him for applying for recount in writing. RO will wait for receiving the written application for recount. RO should not sign the Final Result Sheet in Form 20 until the expiry of the time so allowed.

When an application for recount is made within the time allowed, RO should consider the grounds urged and decide the matter on merit. In every case RO should record a brief statement of reasons for his decision. The Decision of the RO is final.

If in any case, if an application for recount either wholly or in part is allowed, the votes recorded in the voting machines are to be counted again. After the recount, correct the final result sheet to the extent necessary. Announce the amendments so made, if any, by RO. After the total number of votes polled to each candidate after recount have been announced, the RO shall complete and sign the Result Sheet. No candidate has a right to demand a recount after RO has completed and signed the Final Result Sheet in Form No. 20. Reject any demand for any recount of votes after RO has completed and signed the Final Result Sheet.

Adjournment of Counting

RO should proceed with the counting at each place continuously. In case RO has to suspend or adjourn the counting before its completion for any unavoidable reason, seal up all the voting machines and also all other papers relating to elections. Allow every candidate or his agent, if he so desires, to put his seal on every voting machine and packet, etc., in which the election papers are kept.

N.B. It is preferable to keep all the sealed voting machines and packets, etc., in a separate room and have the room sealed and secured with seal of the RO and the seals of candidates or their agents.

Procedure to be Followed in Case of Destruction, Loss, etc., of Voting Machines before Completion of Counting

The Commission may direct, after taking all material circumstances into account, the counting of votes to be stopped and, if necessary, order fresh poll if it is reported by the Returning Officer before completion of the counting of votes that the voting machine used at a polling station has been

- i. Unlawfully taken out of RO's custody, or
- ii. Accidentally or intentionally destroyed or lost, or
- iii. Damaged or tampered with, to such an extent that the result of the poll at that polling station cannot be ascertained. If any such occasion arises, RO should forthwith report full facts of the case to the Commission and await its directions in regard to the counting of votes.

Procedures to be Followed in the Case of Booth-Capturing at the Counting Centre

If booth capturing takes place at any counting centre, the Returning Officer shall forthwith report the matter to the Election Commission(UT).

On receipt of the report of the Returning Officer, the Commission shall, after taking all circumstances into account, either direct a re-poll at the affected polling stations or countermand the election. Therefore, once RO has reported the matter to the Commission, RO has to wait for the directions of the Election Commission(UT) in the regard.

Procedure for Holding Fresh Poll

The Election Commission (UT) may declare the poll at a polling station as void, if at that polling station -

- (i) any voting machine has been unlawfully taken away by an unauthorized person, or
- (ii) any voting machine has been accidentally or intentionally destroyed or lost or damaged or tampered with and the RO is satisfied that the result of the poll at that polling station cannot be ascertained for that reason, or
- (iii) any voting machine develops a mechanical failure during the course of the recording of votes and the use of a subsequent machine becomes not possible, or
- (iv) any error or irregularity in procedure as is likely to vitiate the poll has been committed.

The Returning Officer should report the facts forthwith to the EC (UT) and the Director of Panchayat Elections. Thereupon the EC(UT) shall, after taking all the material facts and circumstances of the case into account, either

- (i) declare the poll at the polling station to be void and fix the hours for taking a fresh poll of the polling station, or
- (ii) if satisfied that the result of the poll at the polling station will not in any way affect the result of election or that the error or irregularity or the mechanical failure developed in the voting machine in procedure is not material, issue such direction to the RO as it may deem proper for the further conduct or completion of election.

Returning Officer should send a consolidated report in that format in respect of all the polling stations where the poll has been vitiated. The EC(UT) will not accept piecemeal reports in this regard.

After considering all the material circumstances, the Commission will, if necessary –

- (i) declare the poll at the polling station to be void; and
- (ii) formally fix the date and hours for a fresh poll.

On receiving intimation from the Commission, Returning Officer should inform in writing the contesting candidates or their election agents of the date, time and place fixed for the fresh poll and affix a notice on his notice board, notifying the date and hours so fixed. Also, wide publicity should be given in the polling area concerned about the place, date and hours so fixed.

All electors entitled to vote at the polling station or stations in question will be entitled to vote at the fresh poll. The marks of the indelible ink made at the 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 Commission directs that the mark of the indelible ink should be put on the voter's left middle finger at the fresh poll.

A new voting machine [the ballot unit(s) as well as the control unit] and a new marked copy of electoral roll shall be used at the fresh poll.

The provisions of the Daman and Diu Panchayats (EP) Rules, 2014 and orders made thereunder will apply to the fresh poll exactly in the same way as they apply

to the original poll. All the voting machines used for the original poll at the polling station(s) where fresh poll has been directed by the Commission should be preserved carefully, unopened and with the seals intact.

Chapter XVI

DECLARATION OF RESULTS

16.1. The Returning Officer shall complete and sign the result sheet in Form No.20 and declare the result in Form 21 or 21A, whichever is applicable, in respect of each constituency / ward and declare the candidate to whom the largest number of valid votes have been given, to have been elected.

The date to be given in the declaration should be the date on which the result of the election is declared and not on the date on which the declaration is despatched. Even if an occasion arises where an error in the original declaration is to be rectified, there should be no change in the date on which the result was declared.

Immediately after the declaration of the result and on the same day, copies of the declaration are to be sent to the Election Commission (UT), Local Self Government Department, the Director of Panchayat Elections. A copy of the result sheet in Form No. 20, two copies each of the declaration in Form 21/21A, Certificate of Election in Form 23 and Return of Election in Form 22 shall be sent immediately to the Election Commission by FAX.

The Returning Officer of the Gram/District Panchayat constituency shall declare the result only after counting in all Gram Panchayats/Constituencies comprised within the District Panchayat is completed and all documents received by him from the respective Asst. Returning Officers. After Returning Officer has declared the result in the manner aforesaid, the Returning Officer should complete the return of election in Form 22 and authenticate the same. The candidate/their agents may be allowed to take a copy/extract from this return.

If, after the counting of vote is completed an equality of votes is found to exist between candidates, the Returning Officer, shall forthwith decide between those candidates by lot and proceed as if the candidate on whom the lot falls had received an additional vote. That is to say, the person whose name is drawn shall be declared elected.

Report of Result of Election

16.2 The Returning Officer shall intimate the results of every election, to-

(i) The Election Commission (UT)

(e-mail : sec_foruts@yahoo.com; phone- 011-23382554)

(ii) The Director of Panchayat Elections

Certificate of Election

As soon as may be, after a candidate has been declared elected, the Returning Officer shall grant to such candidate a certificate of election in Form 23 and obtain from the candidate an acknowledgement of its receipt duly signed by him. It is essential that this acknowledgement is signed by the candidate himself and his signature is attested by the Returning Officer personally, before despatch. Thereafter he shall immediately send this acknowledgement by Registered post to the Director of Panchayat Elections, under rule 89 of the Daman and Diu Panchayats (EP) Rules,2014. The acknowledgement shall be in the form shown below.

Form 'D'

FORM OF ACKNOWLEDGEMENT

'I acknowledge receipt of the certificate of election in Form 23 in respect of my election to from..... constituency, declared on

(signature of the returned candidate)

Date

Attested and forwarded to the Director of Panchayat Elections

..... Returning Officer

The certificate of election should be handed over to the candidate, and his acknowledgment obtained immediately after declaration of result, if he happens to be present at the counting. Where he is not so present, he should be contacted as quickly as possible and despatch the acknowledgements within a day or two. These acknowledgements are required by the authorities concerned for verifying the identity of the elected candidates at the time of making or subscribing the oath or affirmation by them.

Chapter XVII

REFUND OF SECURITY DEPOSIT

17.1 Rule 34 of the Daman and Diu Panchayats(EP) Rules,2014, deals with the method of disposal of the deposits made by the candidates. Utmost care shall be taken while disposing of the applications for the return of the deposit by the candidates or on their behalf. Application for refund of deposit shall be in form Annexure X.

A deposit shall be refunded only to the person in whose name it was made in the treasury, or to his legal representatives, if he is dead.

Return of Deposits

17.2 If the candidate is not shown in the list of contesting candidates or if he dies before the commencement of the poll, the deposit should be returned as soon as practicable after the publication of the list or after his death, as the case may be. Some candidates may have made along with their second and subsequent nominations further security deposits. The second and the subsequent deposits should be returned, as far as possible, after the publication of the list of contesting candidates. In other cases, the deposit should be returned as soon as practicable after the result of the election is declared.

If the candidate has died, his legal representative may make an application to the Returning Officer for refund of Deposit in form (Annexure XI).

Conditions for refund

17.3 The Returning Officer shall order a refund of the deposit in respect of every candidate, whose name was not entered in the list of contesting candidates, as soon as the list is published.

Forfeiture of Deposit

17.4 The deposits shall be forfeited if, at an election where a poll has been taken, the candidate does not secure one sixth of the total number of the valid votes polled.

Chapter XVIII

MISCELLANEOUS

Manuscript, Typewritten, Cyclostyled or Privately Printed Forms to be accepted

18.1 As sufficient number of any particular form printed officially may not always be available to satisfy public demand they would be put to a lot of inconvenience if officially printed Forms are insisted upon by officers. In order to avoid any such inconvenience, the Election Commission specifies that although Forms for various purposes may have been printed, the Returning Officers, Presiding Officers and other Election Officers may freely accept manuscript/typewritten/photostats or privately printed copies of every form so long as they have been correctly copied and such officers shall not reject any document merely because it has not drawn up on a Form officially printed

Submission of Report by the Returning Officer

18.2 The Returning Officer shall, immediately after the declaration of the result in the constituency/ward, forward to the Election Commission (UT) through the Director of Panchayat Elections two copies of the Report on Election in Annexure XXI in respect of the various items shown in therein. It should be ensured that the Report on Election in Annexure XXI is forwarded to the Director of Panchayat Elections within fourteen days from the declaration of the result. The Returning Officer shall submit separate Reports for each constituency and submission of the report shall not be delayed on the ground that any particular information in respect of an item is not readily available. Any information which could not be included in the report before the due date for submission of the report shall be sent by a supplementary report of the Returning Officer.

Safe Custody of Election Materials

18.3 Director of Panchayat Elections shall be responsible for the Safe Custody of the packets containing the following election papers (Rule 93)

1. the packets of unused ballot papers and counterfoils, unused ballot labels intended for using in EVMs
2. the packets of the used ballot papers whether valid, tendered or rejected and the list in Form 18
3. the packets of the counterfoils of used ballot papers;

4. the packet containing the marked copy of the electoral roll.
5. the packet containing voter register in Form 25.
6. packet containing declaration of electors and all other papers relating to election

The Director of Panchayat Elections shall keep the above mentioned papers in trunks under double lock in the Treasury.

However, the Returning Officer shall keep the nomination papers in the custody of the Returning Officer himself as these items do not come within the purview of those papers which are to be kept under the safe custody in Treasury as per rule 93 of the Rules. In the event of transfer, the Returning Officer shall hand over these papers to his successor/the officer who is taking his charge, after making necessary entries in the appropriate register.

ANNEXURES

Annexure I

(See para 2.8)

Office of the Returning Officer,
.....Constituency

Letter No.....

Date.....

To

.....
(Name of candidate)

In your nomination paper, you have mentioned that you are an elector of a different constituency, namely.....Constituency, but you have not produced documentary evidence thereof as required by sub rule (6) of section 32 of the Daman and Diu Panchayat (EP) Rules,2014 which reads as follows:-

Where the candidate is an elector of a different constituency, a copy of the electoral roll of that constituency or of the relevant part thereof of a certified copy of the relevant entries in such roll shall, unless it has been filed along with the nomination paper, be produced before Returning Officer at the time of scrutiny” .

.....
Returning Officer,

.....Constituency.

Date.....

-----Cut Here -----

Received letter No.....dated.....from the Returning Officer,
.....Constituency, today.

Place.....

Date..... (Signature of candidate or proposer)

Annexure II

(See para 5.14)

Notice to Contesting Candidates regarding Penal Provisions in the Election Law

Please take note that following are the provision relation to the corrupt practices and electoral offences in the Daman and Diu Panchayat Regulation,2012/ Daman and Diu Panchayats (EP) Rules,2014, and of the offences relation to election in Chapter IX A of I.P.C

A. Corrupt Practices

- i). bribery;
- (ii). undue influence;
- (iii). appeal on the ground of religion, race, caste, community of language or the use of, or appeal to religious or national symbols;
- (iv). promotion of feelings of enmity or hatred between different classes of citizens on grounds of religion, race, caste, community or language;
- (v). publication of false statement in relation to the personal character or conduct of a candidate or his candidature;
- (vi). the hiring or procuring of vehicles or use of such vehicle for the free conveyance of voters;
- (vii). the incurring or authorising of election expenses in excess of the prescribed limit;
- (viii). The obtaining or procuring of or attempting to obtain or procure the assistance from specified categories of Government Servants; and
- (ix). booth capturing by the candidate or his election agent or by any person with the consent of candidate or his Election Agent.

B. Electoral Offences

Promoting enmity between different classes in connection with election.

Holding of public meetings during the prohibited period.

Disturbance at election meetings.

Restrictions on the printing of pamphlets, posters, etc.

Maintenance of secrecy of votes.

Prohibition of canvassing in or near polling stations.

Disorderly conduct in or near Polling Stations.

Misconduct at polling station.

Illegal hiring or procuring of conveyances at elections.

Removal of ballot papers from Polling Stations.

Booth capturing by candidates or election agent or by any person at the instance of any candidate or election agent.

Fraudulent or unauthorised destruction of election papers, documents, ballot papers, ballot boxes etc.

C. Offences relating to election in Chapter IX A of the Indian Penal Code. Viz.

- (a). Section 171 B - Bribery
- (b). Section 171 C - Undue influence at elections.
- (c). Section 171 D - Personation at elections.
- (d). Section 171 G - False statement in connection with an election.
- (e). Section 171 H - Illegal payments in connection with an election.

(f). Section 171 I - Failure to keep election accounts.

ELECTION COMMISSION
Daman and Diu
F- Blick, 1st Floor, M.S. Aprtments
KG Marg, New Delhi – 110 001.

No.7-9/EC/A&N/2015
2015

Dated the 28th July,

ORDER

Whereas, the Election Commission for the Union territory of Daman and Diu, in exercise of the powers conferred by sub-section (1) of section 9A of the Daman and Diu Village Panchayats (Amendment) Regulation, 1994 read with rule 28 and 33 of the Daman and Diu (Panchayats) (Election Procedure) Rules, 1995 had, vide its Order No.7-9/EC/DD/99/323 dated 03.07.2000, issued the Daman and Diu Panchayats Election Symbols (Reservation and Allotment) Order 2000 and subsequently modified it vide Order No.7-9/EC/DD/2005 dated 26.08.2005 and Order No.7-9/EC/DD/2010 dated 26.07.2010;

Whereas Table-1 and Table-3 of the said Order have become outdated;

Now, therefore, in pursuance of sub-section (1) of section 99 of the Daman and Diu Panchayat Regulation, 2012 read with rule 28 and 33 of the Daman and Diu Panchayats (Election Procedure) Rules, 2014 and in partial modification of its Order No No.7-9/EC/DD/99/323 dated 03.07.2000, as amended from time to time, the Election Commission for the Union territory of Daman and Diu, hereby specifies:-

...p/2-

- (a) In Table-I, the National Parties and the Symbols respectively reserved for them and postal address of their Headquarters;
- (b) In Table-II, the State Parties;
- (c) In Table-III, the free symbols.

As for the size and facsimile of the Symbols reserved for the National parties mentioned in Table-I and the free symbols mentioned in Table-III, these shall be the same as approved by the Election Commission of India vide its Notification No.56/2015/PPS-II dated 13.01.2015.

TABLE-1
NATIONAL PARTIES

Sl.No.	Name of the Party	Symbol reserved	Address
1	Bahujan Samaj Party	Elephant (In all States/UTs except in the State of Assam, where its candidates will have to choose a symbol from out of the list of free symbols specified by the Commission)	4, Gurudwara Rakabganj Road, New Delhi-110 001
2	Bharatiya Janta Party	Lotus	11, Ashoka Road, New Delhi – 110 001
3	Communist Party of India	Ears of Corn and Sickle	Ajoy Bhawan, Kotla Marg, New Delhi 110 002
4	Communist Party of India (Marxist)	Hammer, Sickle and Star	A.K. Gopalan Bhawan, 27-29, Bhai Vir Singh Marg (Gole Market), New Delhi – 110 001.

5	Indian National Congress	Hand	24, Akbar Road, New Delhi – 110 001
6	Nationalist Congress Party	Clock	10, Bishambhar Das Marg, New Delhi – 110 001

-3-

TABLE-2

LIST OF STATE PARTIES

NIL

TABLE-3

LIST OF FREE SYMBOLS

Sl.No.	Symbol	Pictorial representation of the Symbol
1	Almirah	As approved by the Election Commission of India
2	Battery Torch	-do-
3	Brush	-do-
4	Black Board	-do-
5	Camera	-do-
6	Candles	-do-
7	Ceiling Fan	-do-
8	Coconut	-do-
9	Cot	-do-
10	Cup & Soucer	-do-
11	Glass Tumbler	-do-
12	Harmonium	-do-
13	Letter Box	-do-
14	Pressure Cooker	-do-
15	Ring	-do-
16	Scissors	-do-
17	Sewing Machine	-do-
18	Table	-do-
19	Television	-do-
20	Trumpet	-do-

(Ms. Bhupinder Prasad)
Election Commissioner

Annexure IV

(See para 8.6.)

Election Commission(UT), Election to the Daman and Diu Panchayat/District Panchayat

Sl. No.	Description of Articles	Quantity Supplied
(1)	(2)	(3)
<u>List of Stationery Materials for Polling Team</u>		
1	Ordinary Pencil (Lead)	1 No.
2	Self Inking Pad (Purple)	1 No.
3	Self Inking Pad (Red)	1 No.
4	Sketch Pen (Black)	1 No.
5	Ball Point Pen (Blue)	4 Nos.
6	Ball Point Pen (Red)	1 Nos.
7	Blotting Paper	1 Sheet
8	Writing Paper (Foolscap Size)	4 Sheets
9	Pin	1 Sheet with 25 Pin
10	White Twine (Small ball - $\frac{1}{4}$ of the usual Size)	1 ball
11	Country Twine	1 ball
12	Sealing Wax (15 cm. long)	2 Sticks
13	Gum Paste (Small Bottle) 25 ml	1 bottle
14	Brown Casing Paper	3 Sheets
15	Tag	1 Packet (10 Nos.)
16	Pencil Carbon Paper	2 Sheets
17	Material for portable voting Compartments	1 Set.
18	Gum Tape (for fixing voting compartment) 2 $\frac{1}{2}$ inch x 4 M	1 Nos.
19	Labels for Voting Compartments (1 for each tier)	3 Nos.
(1)	(2)	(3)
20	Plastic Badges (Pouch with Plastic Clip for the use + of PollingTeam)	6 Nos. (Blue 1 Black 4 + Red1)
21	Cup for Setting the Indelible Ink	1 Nos.
22	Polythene bag/ gunny bag to contain Polling Materials	1 No.
23	Waste Basket	1 No.
24	Candles	2 Nos.
25	Banyan Waste	1 Packet (100gm)

26	Blade	1 No.
27	Match Box	1 No.
28	Gem Clip	1 Packet (10 Nos)
29	Rubber Band	1 Packet (10 Nos.)
30	Dummy Ballot (for 3 Tier Panchayats)	1 No.

List of Polling Materials for a Polling Station

Paper Seals

1	Green Paper Seals	3 Nos.
2	Strip Seals	3 Nos.
3	Special Tag	3 Nos.
4	Address Tag for CU (for Municipality)	4 Nos.
5	Address Tag for CU (for Panchayat)	3 Nos.
6	Address Tag for BU (for Municipality)	3 Nos.
7	Address Tag for BU (for Panchayat)	9 Nos.

Metal Seals

1	Presiding Officers Metal Seal	2 Nos.
2	Presiding Officers Rubber Seal	2 Nos.
3	Arrow Cross Mark Seal	1 No.
4	Distinguishing Mark Seal	1 Nos.

Forms and other materials

1.	Indelible Ink (5 ml. Bottle)	3 (Bottles)
2.	Ballot Labels - 2 Nos. + Tendered Ballot Paper - 10 Nos.	
3.	Marked copy of the Electoral Roll	3/5
4.	EVMs (1CU+1BU for Municipality, 1CU + 3BU for Panchayats)	
5.	Pass to Polling Agents	20 Nos
6.	List of Contesting Candidates	2/4
7.	Notice Specifying Polling Area	4 Copies
8.	List of Contesting Candidates	4 Copies
9.	List of Challenged Voters	2/4
10.	Declaration by the Presiding Officer (10 A)	2 No.
11.	Presiding Officers Diary	3 Nos.
12.	Form of Accounts of Votes (Form 26)	10/20
13.	Form for Paper Seal Account	2
14.	Form for appointment of Polling Agents	20
15.	Form of Declaration by companion of blind or Infirm Voters	10
16.	Receipt book for deposit of challenged votes	1 Book

17. Acquittance Roll	2
18. Letter of Complaint to SHO of Police	3 Nos.
19. List of Tendered Votes	2
20. List of Challenged Votes	2
21. Vote Register (25)	1 No.
22. List of Tendered Votes	2 Nos.
23. List of Blind or Infirm Voters	2 Nos.
24. Certificate of Attendance	10 Nos.
25. Receipt for Return of Election Materials after Poll	2 Nos.
26. Form for receipt of subsequent EVM During Poll	3 Nos.

Covers

1. Cover for unused Ballot Labels	2/4
2. Cover for Tendered Ballot Papers	2 Nos.
3. Cover for Tendered Ballot Papers and list of Tendered Votes	2 Nos.

Sl. No.	Description of Articles	Quantity Supplied
(1)	(2)	(3)
1.	Cover for unused Paper Seals	2 Nos.
2.	Cover for Ballot Paper Account (Sky Blue Colour)	4 Nos.
3.	Cover for Paper Seal Accounts)	3 Nos.
4.	Cover for Marked Copies of Electoral Roll	2/4*
5.	Cover for other Copies of Electoral Roll	2
6.	Cover for list of Challenged Votes)	1/3*
7.	Cover for Letters of Appointments of Polling Agents	1/3*
8.	Cover for Presiding Officers Diary	2 Nos.
9.	Cover for Receipt Book and Cash Forfeited	2 Nos.
10.	Cover for declaration of companion of blind / infirm voters and Presiding Officer's brief record Under Rule 36	2 Nos.
11.	Cover for declaration by the Presiding Officer	2 Nos.
12.	Cover for Acquittance Roll	2 Nos.
13.	Cover for Vote Register(Big Cover)	2 Nos
14.	Plain Cover (Big)	4 Nos.
15.	Plain Cover (Small)	7 Nos.
16.	Statutory Covers Packet No. I	2 Nos.
17.	Statutory Covers Packet No. II	2 Nos.
18.	Statutory Covers Packet No. III	2 Nos.
19.	Statutory Covers Packet No. IV	2 Nos.

Note:- Any Essential articles not supplied initially or required later in any emergency may be purchased locally by Presiding Officer. The cost will be by the Election Commission(UT), Kerala.

* This indicates supply for simultaneously election to Panchayats.

Annexure V

(See para 12.7A)

Declaration by Presiding Officer

Part - I

Declaration by the Presiding Officer before the commencement of the poll for the election to District/Block/Grama Panchayat Constituency/Municipal Ward.

Serial Number &Name of Polling Station

Date of Poll

I do hereby declare:

- (1) that I have demonstrated to the polling agents and others presents-
 - (a) by holding a mock poll that the voting machine is in perfect working order and that no vote is already recorded therein;
 - (b) that the marked copy of the electoral roll to be used during the poll does not contain any marks other than those used for issuing postal ballot papers and election duty certificates;
 - (c) that the Register of Votes (Form 21A) to be used during the poll does not contain any entry in respect of any elector;
- (2) that I have affixed my signature on the paper seal(s) used for securing the Result Section of control unit of the voting machine and obtained thereon the signatures of such of the polling agents as are present and desirous of affixing the same.
- (3) that I have affixed my signature on the strip seal and also obtained thereon the signatures of such of the candidates/polling agents as are present and desirous of affixing their signature.
- (4) that I have read out the pre-printed serial number of the special tag and asked the candidates/ polling agents present, to note down the serial number.

Signature :

Name of Presiding Officer :

Signature of polling agents

1 (of candidate.....)

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

3(of candidate.....)

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

The following polling agent(s) declined to affix his/her signature(s), on this declaration.

1 (of candidate.....)

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

3(of candidate.....)

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

Date

Signature
Presiding Officer

Part II

Declaration by the Presiding Officer at the time use of subsequent

EVMs, if any.

Declaration by the Presiding Officer before the commencement of the poll for the election to
..... District/Block/Grama Panchayat
Constituency/Municipal Ward.

Serial Number &Name of Polling Station

Date of Poll

I hereby declare ;

- (1) that I have demonstrated to the polling agents and others present by holding a mock poll that the subsequent voting machine is in perfect working order and that no vote is already recorded therein
- (2) that I have affixed my signature on the paper seal(s) used for securing the Result Section of control unit of the voting machine I have affixed my own signature and obtained thereon the signatures of such of the polling agents as are present and desirous of affixing the same.
- (3) that I have affixed my signature on the strip seal and also obtained thereon the signatures of such of the candidates/polling agents as are present and desirous of affixing their signature.
- (4) that I have read out the pre-printed serial number of the special tag and asked the candidates/polling agents present, to note down the serial number

Signature :

Name of Presiding Officer :

Signature of polling agents

- 1 (of candidate.....)
- 2.....(of candidate.....)
- 3(of candidate.....)
- 4.....(of candidate.....)

The following polling agent(s) declined to affix his/her signature(s), on this declaration.

- 1 (of candidate.....)
- 2.....(of candidate.....)
- 3(of candidate.....)
- 4.....(of candidate.....)

Date

Time

Signature :

Name of Presiding Officer:

PART III

Declaration at the End of Poll

I have furnished to the polling agents, who were present at the polling station at the close of the poll and whose signatures are affixed below, an attested copy of each of the entries in 'Part I -Account of Recorded Votes' of Form 24A as required.

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

Date..... Signature :

Name of Presiding Officer :

Received an attested copy of the entries in the account of votes recorded (Part I of Form 24A)

Signature of polling agents

1 (of candidate.....)

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

3(of candidate.....)

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

The following polling agents who were present at the close of the poll declined to receive an attested copy of the Part I of Form 24A and to give a receipt there for and so an attested copy of that Form was not supplied to them:

Signature of polling agents

1 (of candidate.....)

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

3(of candidate.....)

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

Date

Time

Signature :.....

Name of Presiding Officer:.....

Annexure VI
Sticker for Pairing EVMs

EVM No :

CU No :

DMM No :

BU No. (1)

BU No. (2)

BU No. (3)

BU No. (4)

(Size seal of sticker colour pale yellow)

Annexure VII
Instructions to Counting Supervisors and
Counting Assistants

1. There shall be one Counting Supervisor and two Counting Assistants at each Counting Table for counting in elections conducted simultaneously to the Grama/Block/District Panchayat. But for counting votes in an election to Municipality/Municipal Corporation, one Counting Supervisor and one Counting Assistant are sufficient at a Counting Table
2. The Electronic Voting Machine shall be brought to the Counting Table in serial order of the constituency/ward from 1 onwards. That is, when there are ten counting tables in a counting hall voting machines of the constituencies or wards, as the case may be, from 1 to 10 shall be brought and counted first. Only after counting votes of the first ten constituencies/wards is completed in this way and the details are entered in Form 26 and signed by the Counting Supervisors, the voting machines for the constituencies/wards from 11 shall be brought to the counting tables. For the purpose of counting, only the control units of voting machines are required to be brought to the counting tables.
3. Where elections are conducted simultaneously to the three-tier Panchayats there shall be, along with the control unit, a cover, sealed by the Presiding Officer at the conclusion of the poll, containing Forms 24 pertaining to the Panchayats at each level and cancelled ballot labels (ballot papers) for each level (cancelled by Presiding Officers) from the ballot labels issued to the Polling Station for using them in the Ballot units etc. for election to the Grama Panchayat/Block Panchayat/District Panchayat.
4. Where elections to the three levels of Panchayats are conducted simultaneously, there shall be separate Forms 26 for each level and shall contain thereon the accounts of votes recorded in the machine for each level.
5. If a constituency of a Panchayat /ward of a Municipality/Corporation has more than one polling station the voting machines of that polling stations shall be brought to one counting table. Normally, there will be only one polling station in a constituency/ward. Where there are two polling stations, the voting machine in respect of the first polling stations is counted first.
6. The carry cases containing the voting machines must have already been sealed by the Presiding Officers at the polling stations. Such seals shall be opened in the presence of Counting Agents. The tags, which have been sealed in the voting machines, bears the number of the control units. Besides, the number of the control unit is also there at its bottom side. Verify this number with the number that has been recorded on Form 26 by the Presiding Officer.
7. Around every control unit, there is a strip seal which bears the signature of Presiding Officer and the signatures of the Polling Agents. It contains a unique number and emblem of Election Commission inscribed on it.

8. The outer compartment of result section can be opened by removing the strip seal and seal on the result section. When result section is opened a special seal can be seen over the 'close' button. It bears a number and signature of the Presiding Officer. Besides, there shall be a "Green Paper Seal," which bears the signature of the Presiding Officer and the signatures of the Polling Agents, in the result section. Verify whether the number of this paper seal is the same as entered by the Presiding Officer officer on Form 26.
9. If there are differences in the numbers on the seal, the same can be verified with the Paper Seal Account or the Presiding Officer's diary.
10. Pierce a round hole on the paper seal over the Result -I Button with a knife and switch on the control unit. Press the Result-I Button.
11. The serial number and names of the contesting candidates in the Grama Panchayat/Block Panchayat/District Panchayat shall be written beforehand on the respective Forms 26 in the same order as they appear on the ballot labels. The results, in the sequence which they are displayed, namely Grama Panchayat, Block Panchayat, and District Panchayat, shall be entered on Form 26. If necessary, under proper observation and supervision of the Counting Supervisor, the Counting Assistants can be utilised for this purpose. The display panel of the control unit shall be lifted in such a way so as to make the result visible to all the Counting Agents. The votes polled by each candidate shall be called out loudly and the Counting Agents shall be allowed to note down the votes secured by each candidates. If it is satisfied that the votes recorded by the Supervisor or the Counting Assistant under the direction and supervision of the Supervisor are correct, the Counting Supervisor shall sign Form 26 in respect of each level of Panchayat and obtain thereon the signature of the candidates. In any doubtful case, or any candidate/Agent makes a demand in that behalf, the Result Button- I can be pressed and the votes secured by each candidate can be seen and verified again. The Voting Machines of the next polling station shall be opened and counted only after Form 24A has been given to the Returning Officer after part - II thereof completed and signed by the Counting Supervisor.
12. As soon as the counting of one constituency/ward is completed, the Counting Supervisor shall request the Returning Officer to give the voting machine of the next constituency/ward allotted to him.
13. The candidates and their agents shall have full right to watch how the control unit of the voting machines is operated for counting of votes and to note down the votes secured by each candidate. Besides, due consideration shall also be given to their objections. But they are not allowed to handle the voting machine on any account.
14. Maintain complete discipline in the counting hall.
15. As the preparation of Form 25 by the Returning Officer is based on the entries of the supervisor on Form 26, the supervisor shall be fully responsible for the entries thereon.

Annexure VIII

Report on retrieving result from Control Unit by using Auxiliary Display Unit and Printer

Name of District :

Name of election :

Number & Name of GP/BP/DP:

Date of Counting :

It is certified that the result has been retrieved from the following malfunctioned Control Unit (s) by using Auxiliary Display Unit/Printer in the presence of the contesting candidates/their counting agents. The result of the election has been declared taking into consideration the result from this machine as well.

Sl. No.	Unique ID No. of Control Unit	DMM No.	Detailed Report	No. of votes polled in the malfunctioned Control unit as per Form 26
1	2	3	4	5

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

Sl.No.	Name of candidate	Party affiliation., if any	Votes polled
1			
2			

(Name & Signature of Returning Officer)

Annexure IX

Report on non-retrieving of result from Control Unit by using Auxiliary Display Unit and Printer

Name of District:

Name of election:

Number & Name of GP/BP/DP:

Date of Counting:

PART - I

It is certified that the result could not be retrieved from the following malfunctioned Control Unit (s) even by using Auxiliary Display Unit and Printer.

Sl. No.	Unique ID No. of CU	Detailed Report	No. of votes polled in the malfunctioned CU as per Form 26
1	2	3	4

PART - II

Statement showing votes polled by the candidate having the highest votes and the candidate having the next higher votes.

Sl.No.	Name of candidate	Party affiliation., if any	Votes polled
1			
2			

As the margin of votes between the candidate having the highest votes and the candidate having the next higher votes is more than the votes polled in the malfunctioned Control Unit (s) mentioned above, the matter is being reported to the Commission for decision.

PART - III

Statement showing votes polled by the candidate having the highest vote and the candidate having the next higher votes.

Sl.No.	Name of candidate	Party affiliation., if any	Votes polled
1			

As the margin of votes between the candidate having the highest votes and the candidate having the next higher votes is less than the votes polled in the malfunctioned Control Unit (s) mentioned above, the matter is being reported to the Commission for orders.

(Name & Signature of Returning Officer)

NB: Score whichever is not applicable.

Annexure X

Application for refund of deposit made under Section 34 of Daman and Diu Panchayat (EP) Rules, 2014 (BY A CANDIDATE)

From

Name.....

Address.....

.....

To

The Returning Officer,

..... Constituency/Ward.

Sub:— Return of deposit under section 144 of Kerala Panchayat Raj Municipality Act, 1994.

Sir,

1. I was a candidate for election to the
from the Constituency/Ward.
2. I made a deposit of Rs..... for that election in the
..... Treasury/Authorized Officer under receipt No.
..... on
3. My nomination paper was accepted/rejected by the Returning Officer.
4. I withdrew/did not withdraw my candidature in time.
5. I was /was not elected and secured more than one sixth of the total valid votes polled in the election.
6. I request that the deposit referred to in paragraph 2 may be returned to me.
7. I hereby declare that all the statements made in this application are true to my knowledge.

Yours faithfully,

Place.....

Date.....

Signature of Candidate

* Strike off the words not applicable in your case.

Annexure XI

Application for Refund of Deposit made under rule

34 of Daman and Diu Panchayat (EP) Rules,2014 BY THE LEGAL REPRESENTATIVE OF THE CANDIDATE

From

Name.....
Address.....
.....

To

The Returning Officer,
.....Constituency/Ward.

Subject:—Return of Deposit under section 144 of Kerala
Panchayat Raj Act, 1994/201 of Kerala Municipality Act , 1994.

Sir,

1. The late..... was a candidate for election to the.....Panchayat Constituency/Municipal Ward. He died on the and I am his legal representative.
- 2 He made a deposit of Rs.for the election in the Treasury/Authorized Officer under receipt No.on.....(Original receipt enclosed).
3. His nomination paper was accepted/rejected by Returning Officer.
4. He withdrew/did not withdraw his candidature in time.
5. He was /was not elected and secured more than one- sixth of the total number of valid vote polled in the election.
6. I request that the deposit referred to in paragraph 2 may be returned to me.
7. I hereby declare that I have verified all the statements made in this application, and they are true to my knowledge.

Yours faithfully

Place.....

Date.....

Signature of Applicant.

* Strike off the words not applicable in your case.

Annexure XII

Appointment of Counting Supervisors/Assistants

Election to the Panchayat/Municipality
..... Panchayat/Municipality
..... Constituency.

I(name)
.....(designation) appoint, the persons whose names are specified
below to act as Counting Supervisors/Assistants and to attend at for the
purpose of assisting me in the counting of votes at the said election.

1.
2.

Place :

Signature :

Date :

Returning Officer :

Annexure-XIII

Log Book of Building in which voting machines have been stored pending counting

District-----Gram/District Panchayat-----

Date of ks	Time of entry	Name & desiganation of the Offier entertingt	Purpose of entry	Details of other persons accompanying the Officer	Signature of the Officer entering	Signature of the OIC Police guard	Time of exit	Details of persons coming out with the Officer	Total time spent inside room	Signature of the Officer coming out
---------------	------------------	---	---------------------	--	--------------------------------------	--------------------------------------	-----------------	---	------------------------------------	---

Annexure -XIV

Sl. No. _____

ENTRY PASS OF COUNTING AGENTS

AC No. & Name:

Counting Centre No. & Name:

Name of Candidate:

Part affiliation of the candidate, if any

Name of Counting Agent:

Name of Relief Agents, if any:

Signature of Returning Officer

Annexure -XV

Sl. No. _____

ENTRY PASS OF POLLING AGENTS

AC No. & Name:

Polling Station No. & Name:

Name of Candidate:

Part affiliation of the candidate, if any

Name of Polling Agent:

Name of Relief Agents, if any:

Signature of Presiding Officer

Annexure XVI

Register for distribution of Control Unit, Ballot Unit & DMM from District Election Officers
to Returning Officer

District:

Block Warehouse No.

Sl. No. &	Date Name	Box No.	Control Unit No.	DMM No.	BU No.	Allotted to Name of RO	Desig. Sign. Of Person
1	2	3	4	5	6	7	8

Annexure –XVII

Form for Maintenance of Records of Voting Machines with Returning Officers

District :

Name of Block :

Strong Room : (No. & Name)

The total no. of CUs in the stock of RO	The total no. of BUs in such stock	The total no. of Polling Stations in the Constituencies	The total no. of CU required for use at the Polling Stations	The total no. of BUs required for use at the Polling Stations	The total no. of CUs in reserve stock	The total no. of Bus in reserve stock
1	2	3	4	5	6	7

Name & signature of Returning Officer

ANNEXURE – XVIII

(See Rule 67)

DECLARATION BY THE COMPANION OF BLIND OR

INFIRM ELECTOR

**Election to the * Daman and Diu Gram Panchayat/District Panchayat from
Panchayat from Panchayat (No. & Name)**

.....

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

I.....son
of.....

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

.....
.....

Hereby declare that :

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

the.....
.....

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

+.....

.....

.....

.....

Signature of Companion

*Strike off the inappropriate alternative.

**Full address to be given.

+Name, Part No. and Serial number of elector.

LETTER OF COMPLAINT TO THE S.H.O. POLICE

To

The Station House Officer,

.....

.....

Subject:- Election to the * Daman and Diu Gram Panchayat/District Panchayat from Panchayat from Panchayat (No. & Name).....- Impersonation at Polling Station (No. and Name).....Date of Poll.....

Sir,

I beg to report that Shri.....S/o.

Shri.....

And resident ofhas challenged the identity

Of the person who is being handed over toThis person claimed to

be.....whose name appears at Serial

No.....in

Part No.....of the electoral roll of.....ward.

He could not prove himself to be this elector. In my opinion he is an imposter. I am to request you to take necessary action as required under section 171 F of the Indian Penal Code.

Yours faithfully,

Date.....

Place.....

Signature of Presiding Officer

Copy forwarded to the Returning Officer for Daman and
Diu Panchayat No. and

Signature of Presiding
Officer

*Here insert ex-officio designation of the concerned Returning Officer.

RECEIPT

The above letter and the person referred to therein were handed over to me at
.....(hour) on.....(Date) by the
Presiding Officer.

Signature

**ORDER OF APPOINTMENT OF PRESIDING AND POLLING OFFICERS
(To be made in duplicate)**

General/ Bye-election 20----- to the Gram/District Panchayat No----- of Daman and Diu

In pursuance of sub-section (1) and sub-section (3) of section 26 of the Representation of the People Act, 1963 (43 of 1951), I hereby appoint the officers specified in column 2 and 3 of the Table below as Presiding Officer and Polling Officers respectively for the polling station specified in the corresponding entry in column 1 of the Table provided by me for*.....Gram Panchayat/District Panchayat forming part of Daman and Diu Parliamentary Constituency.

I also authorize the Polling Officer specified in column 4 of the Table against that entry to perform the functions of the Presiding Officer during the unavoidable absence, if any, of the Presiding Officer.

*Polling Station number and name with complete particulars of its location	Name of the Presiding Officer	Names of the Polling Officers	Polling Officer authorized to perform the functions of the presiding officer in the latter's absence
1	2	3	4

The poll will be taken ondate) during the hours -----to-----

The Presiding Officer should arrange to collect the polling materials from.....(full address of the place) and after the poll, these should be returned to collecting centre at (full address of the place).

Place

Signature of Returning Officer

Date-----

ANNEXURE XXI

REPORT ON THE ELECTION BY THE RETURNING OFFICER

1	Name of the constituency	
2	Date or dates of poll in the constituency:	
3	Number of the polling parties deployed in the Constituency, the composition of each party including police or similar officers employed for maintaining order at the polling station:	
4	Total number of electors in the Constituency – Men women; Number of electors in the part relating to service voters;	
5	Names of candidates nominated and the choice of symbols expressed by each in the nomination paper first delivered by or on his behalf:	
6	Number of nomination papers filed on behalf of each candidate:	
7	Names of candidates whose nomination papers were rejected with brief reasons:	
8	Names of candidates who withdraw their nominations	
9	Names of contesting candidates together with the description of the symbol allotted to each and party affiliation:	
10	Names of candidates who renounced their party after allotment of symbols:	
11	Names of candidates (independents), subsequent to the last date of withdrawal joined some other party, or some party claims that its candidate is contesting the elections as a party candidate	
12	Number of polling stations located- (i) in Government and Quasi- Government buildings: (ii) in private buildings: (iii) in temporary structures: Total:	
13	Names of polling stations, if any, where poll was adjourned and repoll was ordered and reasons for such adjournment or repoll:	
14	Number of blind or infirm voters who voted with the help of companions	
15	Percentage of votes polled to total electorate	
16	Date and time of commencement of counting	
17	Number of valid votes polled by each contesting candidate	
18	Number of votes rejected	
19	Challenged vote Total: Number allowed: Number rejected: Amount forfeited:	
20	Tendered votes-Total:	
21	Date and time of declaration of result:	

22	Number of Polling Officers recruited locally:	
23	Number of candidates: party wise (also independents and others)	
24	(a) forfeited deposit (b) amount of deposit forfeited:	
25	Number of candidates who were their own election agents:	
26	Number of election agents appointed	
27	Number of polling agents appointed:	
28	Number of candidates who appointed polling agents	
29	Number of counting agents appointed by candidates	
30	Number of Voting Machines used: (I)Number of Control Units: (ii)Number of Balloting Units; (iii) Number of Voting Machines kept in reserve stock: (a) Number of control Units (b) Number of balloting Units (iv) Whether any machine from the reserve stock was used: if so, how many control units and how many balloting units	
31	Number of paper seals used:	
32	Number of indelible ink phials supplied to each polling party	
33	Number of Electoral Offences with their details- Number of cases of- (a) disorderly conduct at election meetings (b) convening, holding or attending public meetings within the constituency on a polling day: (c) illegal hiring or procuring of conveyances for the transport of voters: (d) canvassing within one hundred meters of a polling station: (e) impersonation of voters: (f) fraudulent defacing, destroying or removal of a list or notice or other document at a polling station: (g) bribing of voters: (h) intimidation of voters (and other persons): (i) booth capturing	
34	Mistakes and irregularities committed by Presiding Officers	
35	Highest and lowest polling-polling station-wise:	
36	(a) No. of votes cast- from 7.00 a.m. to 9.00 a.m.: from 9.00 a.m. to 11.00 a.m.: from 11.00 a.m. to 1.00 p.m.: from 1.00 p.m. to 3.00p.m.: from 3.00 p.m. to 5.00 p.m. (b) Number of slips issued at the closing hour of the poll:	
37	Serious complaints, if any, made by the candidates	
38	Number of cases of breach of law and order	
39	Recounting of votes- (i) Number of application received for recounting in part or in toto: (ii) Number of applications allowed for recounting in part or in toto: (iii) Result before recounting and after recounting of votes:	
40	Was the poll interrupted or obstructed by- (1) riot (2) open violence (3) natural calamity (4) failure of voting machine (5) any other cause Please give details of the above.	
41	Was the poll vitiated by-	

	<p>(1) any ballot box used at the polling station having been unlawfully taken out of the custody of the Presiding Officer-</p> <p>(a) accidentally or intentionally destroyed or lost:</p> <p>(b) damaged or tampered with:</p> <p>(2) Booth capturing</p>	
42	Whether declarations have been made by all the Presiding Officers before the commencement of the poll and at the end of poll as necessary:	

FORM 4

{see rule 30}

NOTICE OF ELECTION

Notice is hereby given than:-

1. An election is to be held of a member to.....ward of.....
Gram Panchayat/District Panchayat.
2. Nomination papers may be delivered by a candidate or his proposer to the
Returning Officer, ator to the Assistant Returning Officer,
atbetween at 11.00 a.m. and 3.00 p.m. on any day
(other than a public holiday) not later than the.....
3. Forms of nomination paper may be obtained at the place and time aforesaid:
4. The nomination papers will be taken up for scrutiny at
(place).....
on.....at (time).....
5. Notice of withdrawal of candidature may be delivered by a candidate or his
proposer or his election agent who has been authorized in writing by the
candidate to deliver it to either of the officers specified in paragraph 2 above at
his office before 3.00 p.m. in
the.....
6. In the event of the election being contested, the poll will be taken
on.....
Between the hours
of.....and.....

Place:.....

Date:.....

Returning Officer

FORM 5

{See rule 32}

NOMINATION PAPER

Election to theward
of.....Gram

Panchayat/District Panchayat.

I nominate as a candidate for election to theGram
Panchayat/

District Panchayat.

Candidate's Name :

Father's/Husband's Name :

His postal address :

His name is entered at S. No.....in part No.....of the
Electoral roll for.....ward.

My name isand it is entered at S. No.....in
Part No..... of the electoral roll forward.

Dated.....
Proposer

Signature of

I, the above-mentioned candidate, assent to this nomination and hereby declare:

- (a) That I have completed 21 years of age;
 - (b) That I am set up at this election by the.....Party
 - (c) That the symbols I have chosen are, in order of preference
 - (i).....(ii).....
 - and (iii).....
 - (d) That my name and my father's/husband's name have been correctly spelt out above in.....(name of the language).
 - (e) That to the best of my knowledge and belief. I am qualified and not also disqualified for being chosen to fill the seat in the
- *I further declare that I am a member of the _____caste which

is a Scheduled Caste in the Union Territory.

*I further declare that I am a member of the _____tribe which is a Schedule Tribe in the Union Territory.

*I further declare that I am a woman.

Cash deposit Receipt bearing No. Dated for rupees
..... Is attached/has already been attached with my
nomination paper received at Sl. No.

Dated
candidate)

(Signature of

*Score out the inappropriate alternative.

(To be filled by the Returning Officer)

Serial No. of nomination paper

This nomination was delivered to me at my office at(hour) on(date) by the *candidate/proposer.

Date.....

Returning Officer

Decision of Returning Officer accepting or rejecting the nomination paper.

I have examined this nomination paper in accordance with rule 36 of the Daman & Diu (Panchayats) (Election Procedure) Rule, 2014 and decide as follows:-

Date:

Returning Officer

.....(perforation)

.....

Receipt for Nomination paper and notices of scrutiny (To be handed over to the person presenting the nomination paper) Serial No. of nomination paper

The nomination paper of a candidate in election fromward of the Gram Panchayat / District Panchayat was delivered to me at my office at(hours) on (date) at(place)

Date.....

Returning Officer

FORM 6

{See rule 35}

NOTICE OF NOMINATION

Election to the.....Gram Panchayat/District Panchayat
from.....Ward.

Notice is hereby given that the following nominations in respect of the above election have been received upto
3.00 p.m. today_____

S. No. of Particulars	Name of candidate	Name of Electoral roll No.	Name of Candidate proposer	Age of Name of	Address	Party Electoral	Whether the candidate is a Scheduled Castes	Particulars of caste belonging to Scheduled Tribes
--------------------------	----------------------	----------------------------------	----------------------------------	-------------------	---------	--------------------	--	--

(1) (2) (3) (4) (5) (6) (7) (8) (9)
(10) (11) (12)

Place:

Dated:

Returning Officer

Form 7

[See rules 36(8) and 36(9)]

LIST OF VALIDITY NOMINATED CANDIDATES

Election to the Gram Panchayat / District
Panchayat from Ward.

Sr. No.	Name of candidate	Name of father / husband of the	Address	Party affiliation candidate
(1)	(2)	(3)	(4)	(5)

Place:

Returning Officer

Date:

Form 8

[see rule 37(1)]

Notice of withdrawal of candidature

Election to the Gram Panchayat/District Panchayat
..... Ward.

To
The Returning Officer,

I, A candidate
validity nominated at the above election do hereby give notice that I withdraw my
candidature.

Place :

Date :

Signature of validity

Nominated candidate

This notice was delivered to me at my office at(hour) on
..... (date) by
..... (Name) the *
.....

Date:

Returning Officer

.....
.....

RECIEPT FOR NOTICE OF WITHDRAWAL

(To be handed over to the person delivering the notice)

The notice of withdrawal of candidature by a validity nominated candidate at the election to the Gram Panchayats / District Panchayat from ward was delivered to me by the * at my office at (hour) on (date).

Returning Officer

.....
.....

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

- (1) Candidate.
- (2) Candidate's proposer who has been authorized in writing by the candidate to deliver it.

FORM 9

[see rule 38(1)]

LIST OF CONTESTING CANDIDATES

Election to Gram Panchayat / District Panchayat for

..... ward.

S. No.	Name of candidate	Address of Candidate	Party affiliation	Symbol allotted
(1)	(2)	(3)	(4)	(5)

1.

2.

3.

4.

5.

6.

7.

8.

It is hereby declared that the poll will be taken on
(date) between the hours of and at the
polling stations.

Place:

Dated:

FORM 10

[see rule 40(1)]

APPOINTMENT OF ELECTION AGENT

Election to Gram Panchayat / District Panchayat from
..... Ward.

To

The Returning Officer

..... (Ward)

I,

..... a
candidate at the above election do hereby appoint
ofmy election agent from this day at the above
election.

Place :

Date :

Signature of the candidate

I ACCEPT THE ABOVE APPOINTMENT

Place :

Date :

Signature of Election Agent

APPROVED

Signature and seal of the
Returning Officer

.....
...

Note:- To be submitted to the Returning Office in duplicate

Form 11

[see rule 40(3)]

Revocation of Appointment of Election Agent

Election to Gram Panchayat / District Panchayat from the
..... ward.

To

The Returning Officer

I,
..... a
candidate at the above election do hereby revoke the appointment of
.....my election agent.

Place :

Date :

Signature of the candidate

Form 12

[see rule 41(1)]

APPOINTMENT OF POLLING AGENT

Election to Gram Panchayat / District Panchayat from
..... Ward.

I, a candidate/ the
election agent ofwho is a candidate at the
above election do hereby appoint

.....
.....

(name and address) as a polling agent to attend polling station No.
..... fixed for the poll
..... at

Place :

Date :

Signature of the candidate /

Election Agent

I agree to act as such polling agent

Place :

Date :

Signature of polling agent

DECLARATION OF POLLING AGENT TO BE
SIGNED BEFORE PRESIDING OFFICER

I hereby declare that at the above election, I will not do anything forbidden by the Daman and Diu (Panchayats) (Election Procedure) Rules, 2014 which I have read / have been read over to me.

Date:

Signature of polling agent

SIGNED BEFORE ME

Presiding Officer

.....
...

*To be handed over to the polling Agent for production at the polling station fixed for the poll.

Form 13

[See rule 41(4)]

Revocation of Appointment of Polling Agent

Election to Gram Panchayat/District Panchayat from
ward.

To

The Presiding Officer,

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

Signature of the candidate

**/Election Agent.

Place :

Date :

FORM 14

[See rule 42(1)]

APPOINTMENT OF COUNTING AGENTS

Election to..... Gram Panchayat / District
Panchayat from Ward.

To

The Returning Officer,

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

I, a
candidate **/the election agent of who
is a candidate at the above election, do hereby appoint the following persons as my
**/his counting agents to attend the counting of votes at
.....

Name of the
Counting Agent

Address of the
Counting Agent

- 1.
- 2.
- 3.

etc.

Signature of the candidate**/

E

lect
ion
Ag
ent
.

We agree to act as such counting agents.

1.

2

.

3

.

etc.

Place :

Date :

Signature of the counting agents.

Declaration of the Counting Agents

(To be signed before the Returning Officer)

We hereby declare that at the above election we will not do anything forbidden by Daman and Diu (Panchayats) (Election Procedure) Rules, 2014 which we have read **/ has been read over to us.

1.

2

.

3

.

Etc.

Date :

Signature of counting Agent

Signed before me

Date :

Signature of Returning Officer

Form 15

[See rule 42(3)]

Revocation of Appointment of Counting Agent.

Election toGram Panchayat/
District Panchayat from the ward.

To

The Returning Officer

I,.....a candidate **/the
election agent of who is a candidate at the above
election hereby revoke the appointment of
.....my **/his counting agent.

Place :

Date :

Signature of the candidate**/

Election Agent

FORM 16

{See rule 63(2)(c)}

LIST OF CHALLENGED VOTES

Election to the.....Gram Panchayat/District Panchayat
from.....Ward.

Number and name of Polling Station In
Ward

S. No. of entry	Name of Name of Challenger	Name of elector Officer	Sl. No. Order of Presiding of roll refund of deposit	Sl. No. Signature Challenge of elector's on receiving of name in that part	Signature of thumb impression of the person challenges	Address of the candidate person Challenger	Name of Identifier if any
(1)	(2)	(3)	(4)	(5)	(6)	(7)	
(8)	(9)	(10)					

Dated:

Officer

Signature of Presiding

FORM 17

[see rule 67(2)]

List of blind and infirm voters

Election to Gram Panchayat / District Panchayat form the
..... ward.

Number and name of the polling station
.....

Part No. & of	Full Name of Elector Companion	Full name of Companion	Address of Companion	Signature
(1)	(2)	(3)	(4)	(5)

Date:

Signature of Presiding Officer

F O R M 18

[see rule 69(2)]

List of Tendered votes

Election to Gram Panchayat / District Panchayat for
..... ward.

Number and name of the polling station :-

Part No. & thumb	Address of Elector	Serial No. of tendered ballot paper	Serial No. of ballot issued to the person who has already voted	Signature or impression of person vote
(1)	(2)	(3)	(4)	(5)

Date:

Signature of Presiding Officer

FORM 19

[see rule 72(1)]

Part I : Ballot Paper Account

Election to Gram Panchayat / District Panchayat from the
..... ward.

Number and name of the polling station

	<u>Serial Nos.</u>		
	From	To	Total

1. Ballot paper received _____

2. Ballot paper unused
(i.e. not issued to voters _____

a) with the signature of the Presiding Officer _____

b) without the signature of Presiding Officer _____

* Total (a+b)

3. * Ballot paper used at the
Polling station (1-2-3)

4. *Ballot paper used at
Polling station but inserted into the
Ballot Box

a) Ballot paper cancelled for

Violation of voting procedure

b) Ballot papers cancelled for

Other reasons

c) Ballot papers used as tendered

Ballot papers

* Total (a+b+c)

5.*Ballot papers to be found

In the ballot box (3-4+5)

* Serial number need not be given

** Strike off whichever is inapplicable

Date:

Signature of Presiding Officer

PART II RESULT OF COUNTING

{See Rule 81(7)(a)}

1.	Name of candidate	No. of valid vote caste
1.		
2.		
3.		
4.		
5.		
1.	None Of The Above (NOTA)	
etc.		
II.	Rejected Ballot Papers	
III.	Total	
	Whether the total number of ballot papers shown in Item No.III tallies with the total shown against item No. 5 of part I or any discrepancy noticed between these two totals.	

Place:

Date:

Signature of the Counting Supervisor

Place:

Date:

Signature of the Returning Officer

FORM 20

[see rule 81(7)(b)]

FINAL RESULT SHEET

Election to Gram Panchayat / District Panchayat from the
..... ward.

Sl. No. No. Of Polling tendered Station	No. of Valid votes cast in favour of <u>Candidates</u> A B C D	Total No. of NOTA votes	Total No. of valid votes	No. of Rejected votes	Total No. of valid and rejected votes	Total of votes
---	---	-------------------------------	--------------------------------	-----------------------------	---	----------------------

-
- 1.
 - 2.
 - 3.
 - etc.

Total votes polled

Place:

Date:

Returning Officer

FORM 21

[see rule 88(2)]

**Declaration of the result under rule 88(2) (a) of Daman and Diu (Panchayats)
(Election Procedure) Rules, 2013**

Election to Gram Panchayat / District Panchayat from
..... ward ** reserved for Women/Scheduled Caste/Tribes.

In the pursuance of the provisions contained in rule 87(2) (A) of Daman and Diu (Panchayat) (Election Procedure) Rules, 2014. I declare that

..... (Name)

..... (Address)

Sponsored by name of the recognized/registered Political Party) has been duly elected to fill the seat in the said Panchayat from the above Ward.

Place:

Date:

Returning Officer

FORM 21(A)

[see rule 88(2)]

**Declaration of the result under rule 88(2) (a) of Daman and Diu (Panchayats)
(Election Procedure) Rules, 2013**

Election to Gram Panchayat / District Panchayat from
..... ward.

In the pursuance of the provisions contained in rule 88(2) (a) of Daman and
Diu (Panchayat) (Election Procedure) Rules, 2014.

I declare that

(Name)

..... (Address) Sponsored by
..... Name of the recognized Political Party) has been duly elected
to fill the vacancy caused in the above Panchayat by death of
..... election of
..... Having been declared void and seat of
..... Having become/having been declared vacant.

Place:

Date:

Signature of Returning Officer

FORM 21(B)

[see rule 39(1)]

(For use in General Election when seat is uncontested)

Declaration of the Result of election under rule 39 Election to
..... Gram Panchayat / District Panchayat from
..... ward.

In the pursuance of the provisions sub-rule (1) of rule 39 of Daman and Diu
(Panchayats) (Election Procedure) Rules, 2014. I declare that
..... (Name) Sponsored by
..... (Name of the recognized Political Party)
..... (Address of the candidate) has
been duly elected to fill the seat in that Panchayat from the above ward.

Place:

Date:

Signature of Returning Officer

FORM 21(C)

[see rule 39(1)]

(For use in Election to fill a casual vacancy when seat is uncontested)

Declaration of the Result of election under rule 39, Election to
..... Gram Panchayat / District Panchayat from
..... ward.

In the pursuance of the provisions sub-rule (1) of rule 39 of Daman and Diu
(Panchayats) (Election Procedure) Rules, 2014. I declare that
..... (Name)
..... (Address) Sponsored by
..... (Name of the Political Party) has been duly
elected to fill the vacancy caused in that Panchayat by the resignation/death/election
of (having been declared void) and
the seat having been vacant.

Place:

Date:

Signature of Returning Officer

FORM 22

[see rule 88(2)(b)]

Return of Election

Election to the Gram
Panchayat / District Panchayat from the ward
reserved for **Scheduled Tribes/Scheduled Castes/Women.

Return of Election

Sl. No. polled	Name of Candidate	Party affiliation	Number of votes
-------------------	-------------------	-------------------	-----------------

—

Total number of electors

Total number of valid polled

Total number of rejected votes

Total number of tendered votes

I declare that

..... Name

..... Address

has been duly elected to fill the seat.

Place:

Dated:

Returning Officer



FORM 23

[see rule 89]

Certificate of Election

I, Returning Officer for the *
..... village Panchayat / District
Panchayat from ward hereby certify that I
have on the Day of 20..... declared
Shri / Smt. of
..... sponsored by
..... (name of recognized political party) to have duly
elected by the said ward in the General Election/Bye-election to be a member /
Sarpanch of the said Panchayat and that in token thereof I have granted to him this
certificate of Election.

Place:

Dated:

Returning Officer

(Seal)

FORM 25

[see rule 101 (1)(a)]

(Voting by Electronic Voting Machine)

Register of voters

Election to the Gram Panchayat / District Panchayat from the
..... ward and Name of Polling Station

Part No. of Electoral Roll

Sl. No.	Sl. No. of elector In the electoral roll	Signature / Thumb impression or elector	Remarks
---------	---	--	---------

1.

2.

3.

4.

etc.

Signature of the Presiding Officer

Form 26

[See Rule 106(1)(b)]

Part-I-Account of Votes Recorded

Election to the * Daman and Diu Gram Panchayat/District Panchayat from Panchayat from Panchayat (No. & Name).....

No. and name of Polling Station.....

“Identification No. of Voting Machine used at the Polling Station :-

Control Units;

Balloting Units;

1. Total No. of electors assigned to the Polling Station.
2. Total No. of voters as entered in the Register for Voters (Form 25).
3. No. of voters deciding not to record votes after putting their signature/thumb impression on the Register(Form-25)
4. No. of voters not allowed to vote under rule-66
5. Total No. of votes recorded as per voting machine.
6. Whether the total No. of votes as shown against item 5 tallies with the total No. of voters as shown against item 2 minus Nos. of voters deciding not to record votes as against item 3 minus No. of Voters against item 4 (2-3-4) or any discrepancy noticed.
7. No. of voters to whom tendered ballot papers were issued under rule 69.
8. No. of tendered ballot papers.

Sl. No.

From To

(a) received for use.....

(b) issued to electors.....

(c) Not used and returned

9. Account of paper seals

Sl. Nos

From To

1. Serial Numbers of paper seals supplied
From.....To.....

Polling Agents

1. _____

2. _____

2. Total Number supplied

3. _____

3. Number of paper seals used.

4. _____

4. Number of unused paper seals returned

5. _____

to Returning Officer (Deduct item 3 from item 2)

6. _____

5. Serial number of damaged paper seal, if any.

Date.....

Signature of Presiding

Officer

Place.....

Polling Station No.

*strike off the inappropriate alternative.

PART II-RESULT OF COUNTING

Sl. No. recorded	Name of Candidate	No. of Votes
---------------------	-------------------	--------------

1.

2.

3.

- 4.
- 5.
- 6. None Of The Above(NOTA)

Total

Place.....

Date.....

Signature of Counting Supervisor

Name of Candidate/election agent/counting agent

Full signature

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

Place.....

Date.....

Signature of Returning Officer

E. DOs AND DON'Ts



1. Read the manual carefully before operating the EVM.
2. Press the latches gently and in the manner specified.
3. Protect the EVM from dust, heat, rain, fire and other such hazardous environments.
4. Use only the power pack specially supplied by the Electronics Corporation of India Limited (ECIL).
5. Inform authorities concerned or M/s. ECIL in case of any problem.
6. Remove power pack from the Control Unit while storing for longer periods.
7. Ensure that the covers / doors of the sections / compartments in the Ballot Unit and the Control Unit rest properly on the plain surface, when opened.
8. Ensure that the connector of the Interconnecting Cable mates properly with the connector of the Control Unit before pressing in. This will mate in one direction only.
9. Always place CU and BU in the Carrying cases and then transferred to Bulk Carrying Cases while storing for longer periods.



1. Do not exert undue pressure on latches, hinges etc.
2. Do not keep EVM near heater or other hot objects.
3. Molten sealing wax should not fall on the EVM, while sealing.
4. Do not open by force the cover or doors of the various sections.
5. Do not try to open the top portion of the Control Unit. (By unscrewing the screws).
6. Do not remove the seal of the power pack unless it is required for use.
7. Do not hit / smash the connector fixed at the end of the interconnecting cable against any hard surface / object.
8. Do not press the connector fixed at the end of the interconnecting cable into the connector of the Control Unit in reverse direction.

9. Do not pull the interconnecting cable while disconnecting it from the Control Unit without pressing the spring type clips on either side of the hood of the connector.
10. Do not connect/ Disconnect BU to CU when CU is in 'on' condition.
11. Do not Insert/Remove DMM into/from CU when CU is in 'on' condition.



F. STORAGE OF EVMs

INSTRUCTIONS FOR STORING BULK CARRYING CASES

1. The BU's and CU's are to be placed in the individual carrying cases and then kept in Bulk Carrying Cases for storage for longer period.
2. The Bulk Carrying Cases have to be arranged as shown in Fig. 23 (LAY –OUT OF STORE). They can be kept back to back as shown in Fig. 23.
3. The boxes can be stacked one above the other up to a maximum of FOUR nos. with wooden platform as shown in Fig. 24 (WOODEN PLATFORM). We do not recommend usage of Tarpaulin for the floor.
4. Ballot Units and Control Units should be kept in separate bays for easy identification and movement.
5. Fire extinguisher should be kept fixed to the sidewalls for every 15 meters.
6. The building / walls should be strong enough to withstand attacks from rodents.
7. The inner side of walls and floor should be cleanly maintained to avoid insects and white ants.
8. In places where there is possibility of temperature going below 0 degree Celsius, it is advisable to insulate the walls with THERMOCOLE.
9. Storage should be such that the boxes are not exposed to direct sunlight.
10. Proper ventilation for good air circulation / lighting should be provided for the building.
11. There should be no seepage of water from ceiling sidewalls and floor. If required Tarpaulin covers may be used to protect boxes.

G.  **DISPOSAL OF EVMs**

- a) The Electronic Voting Machine should not be disposed of in the general waste.
M/s. Electronics Corporation of India Limited may be contacted for the disposal procedure after its useful life.
- b) The individual cells of the Power Pack should be disposed with regular trash after removing from the plastic box. Large quantities of batteries should be disposed off at a secure landfill in accordance with State and Local regulations. The plastic box can be scrapped and recycled for other purpose.