



## **ELECTION COMMISSION OF INDIA**

### **QUESTION BANK FOR CERTIFICATION PROGRAMME OF RETURNING OFFICERS**

**(GOA, MANIPUR, PUNJAB, UTTARAKHAND AND UTTAR PRADESH)**

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**INDIA INTERNATIONAL INSTITUTE OF DEMOCRACY AND  
ELECTION MANAGEMENT**

## INDEX

<b>S.No.</b>	<b>TOPIC</b>	<b>PAGE NO.</b>
<b>1.</b>	<b>District Election Management Plan, Constituency Plan &amp; Vulnerability Mapping</b>	<b>3-16</b>
<b>2.</b>	<b>Model Code of Conduct</b>	<b>17-35</b>
<b>3.</b>	<b>Election Expenditure Monitoring</b>	<b>36-38</b>
<b>4.</b>	<b>Qualifications &amp; Disqualification to Contest Elections</b>	<b>39-43</b>
<b>5.</b>	<b>Nomination of candidates</b>	<b>44-50</b>
<b>6.</b>	<b>EVM &amp; VVPAT</b>	<b>51-58</b>
<b>7.</b>	<b>Conduct of Polls</b>	<b>59-67</b>
<b>8.</b>	<b>Postal Ballot</b>	<b>68-69</b>
<b>8.</b>	<b>Election Campaign</b>	<b>70-73</b>
<b>9.</b>	<b>Counting &amp; Declaration of result</b>	<b>74-76</b>

## **District Election Management Plan, Constituency Plan and Vulnerability Mapping**

Question 1: What is District Election Management Plan (DEMP)?

Answer: DEMP is a plan for listing out detailed arrangements for the poll in advance. It is a District Level Plan at various stages of election process to manage the elections effectively in free, fair and peaceful manner.

Question 2: Which details should be given in a district profile for preparation of DEMP?

Answer: Details on following items should be given in district profile for preparation of DEMP:-

- (a) Important officials and their contact numbers,
- (b) Geography,
- (c) Demography,
- (d) Administrative Units (including consistencies),
- (e) General Law & Orders, History of the District- constituency specific- to the extend possible,
- (f) Past electoral offences- including details of action taken against each of them and the list of pending cases.

Question 3: What details of electors should be given for preparation of DEMP?

Answers: Electors details on following points should be given while preparing DEMP:-

- (a) Sex ratio -constituency wise in prescribed formats,
- (b) Voter population ratio -constituency wise in prescribed formats,
- (c) Inclusion and deletion of electors in prescribed formats,
- (d) EPIC coverage in prescribed formats.

Question 4: What details of polling stations should be collected for preparation of DEMP?

Answer: Following details on polling stations should be collected for preparation of DEMP:-

- (a) Constituency wise numbers of polling stations, numbers of polling locations, polling stations categorized by number of voters etc.,
- (b) constituency wise list of polling stations showing telephone numbers against each polling station, name and mobile number of BLO against each polling station,
- (c) Special information like list of polling station accessible by vehicle, their distance from road head, list of polling stations without telephone line,
- (d) Vulnerable villages/ hamlets- list in prescribed formats after due identification in accordance with ECI's instructions.

Question 5: For preparation of DEMP manpower requirement is also to be assessed. For which purposes manpower will be required?

Answer: Large scale manpower will be required for appointment as polling personal like sector/zonal magistrates, nodal officers, presiding officers, polling officers etc., facilitation of

electors at polling stations, preparation of working copies of electoral rolls, transportation arrangement, printing of ballot papers, issue of postal ballot papers and EDC, route-chart preparation, counting of votes, training of various personal, polling personal welfare measures, communication, vulnerability mapping , observance of Model Code of Conduct, videography, facilitation center for postal balloting, media center, storage of EVMs after checking/preparation etc., election expenditure monitoring, procurement and distribution of election materials, SVEEP activities, Observer staff, Micro Observer, computerization/randomization, arrangement at distribution/ reception/ counting centers, Law and Order, control rooms etc.

Question 6: To meet out manpower requirement for conduct of elections what information should be collected?

Answer: Complete database reflecting particulars of officers and officials working in all the Central Government offices, State Government offices, Public Sector Undertakings of Central and State Government and all other institutions covered under section 159 of R.P. Act 1951 should be prepared.

Database shall be prepared in software as directed by ECI. Particulars like name, sex, home A.C., work place A.C., designation, office, pay scale, phone/mobile no., name & No. of A.C. and other details of the enrollment as voter about officers/officials should be entered in prescribed format. Every employee of all such departments, PSUs etc. must be covered in the database, irrespective of the fact that an employee will be assigned the election duty or not.

Question 7: For conduct of elections buildings and premises will be required for various activities. Which are such activities?

Answer: Requirement of buildings and premises for various activities should be assessed in DEMP. For following activities building and premises will be required:-

- (i) Storage of polling material,
- (ii) Training classes to polling personnel etc.,
- (iii) Checking and preparation of EVMs and their storage.
- (iv) Storage of EVMs to be used in training,
- (v) FLC and storage of EVMs AC wise after first randomization.
- (vi) Dispersal centers,
- (vii) Safe custody of polled EVMs and counting of votes,
- (viii) Boarding and lodging of central forces/ outside police forces,
- (ix) Boarding and lodging of polling personnel, if required.

Question 8: What details should be given in Sector Movement Plan?

Answer: A detailed Sector Movement Plan should be drawn showing movement of polling parties, security forces, zonal/ sector magistrates, sector officers indicating sectors and polling stations and their detailed route chart with physical and time distance. Category of the route, whether metalled or Kachcha, should be mentioned.

Question 9: Whether vehicle requirement should be assessed for DEMP?

Answer: Yes. The requirement of vehicles like buses, LMVs and heavy vehicles for transportation of EVMs, movement of polling parties, security forces, sector officers, zonal magistrates etc. should also be assessed. Availability of vehicles in the district should also be assessed.

Question 10: Whether deployment of police personal should be planned for DEMP?

Answer: Yes. The requirement of police personnel for Sectoral movement, to man polling stations and other security requirements should also be assessed. A detailed returned journey plan for polled EVMs/ polling material, their storage security plans till counting should also be prepared.

Question 11: What information should be incorporated in the Communication Plan?

Answer: List of landline telephones and cellular connections available in/ nearby each of the polling station alongwith particulars of persons to be contacted should be prepared. List of polling personnel, sector/zonal magistrates, sector officers with their mobile Nos. should also be prepared. Modes of communication such as VHF/HF linkage to ensure connectivity with each polling station on the day of poll where no landline/mobile telephone connection is available should also be planned with details. All such information should be incorporated in the communication plan.

Question 12: Which points should be considered for preparation of Counting Plan in the DEMP?

Answer: First of all proper place(s) for storage of polled EVMs and counting of votes should be identified with reference to standing directions/guidelines of the ECI. The proposal for the counting centers so identified should be furnished by the DEO through Chief Electoral Officer for the ECI's approval well in advance.

Counting staff requirement and availability should be assessed. Other logistic arrangements for counting, media arrangements, security arrangements and arrangements for communication and furnishing the data should also be planned.

Question 13: About election material what points are to be incorporated in the DEMP?

Answer: Requirement and availability of all type of election material including EVMs, indelible ink, forms etc. should be assessed and procurement thereof should be planned. Preparation of packets/kits of polling material should also be planned.

Question 14: What provisions for polling staff welfare measures should be incorporated in the DEMP?

Answer: There shall be a separate chapter in the election arrangement book-let dedicated to the polling staff welfare. Following are the main provisions for polling staff welfare measures:-

- (i) Senior officer should be appointed as nodal officer to coordinate and supervise Welfare measures,
- (ii) Basic amenities and "help-desk" at training venues, dispersal centers/ reception Centers should be arranged properly.
- (iii) Refreshment arrangements on payment or otherwise should be done at training Venues, dispersal centers/ reception centers,
- (iv) Basic amenities should be provided at polling stations,
- (v) Arrangements for Health care/ first-aid,
- (vi) Instructions of ECI and court orders should be complied with regarding assignment of polling duties to women employees.

Detailed instructions are given in the ECIs letter No. 464/INST/2008/EPS dt.12-09-2008.

Question 15: How the Constituency Election Plan will be prepared?

Answer: i) Information about polling stations in the assembly constituency will be collected. Polling stations shall be classified as 'rural polling stations' and 'urban polling stations'.

ii) Information on number of polling locations shall be collected. Number of such polling locations category wise, according to number of polling stations located thereat, shall be shown in prescribed format for the Constituency Plan.

iii) The polling station (Nos.), polling locations and Sectors shall be plotted on a sketch map showing the approach road and route to the locations.

iv) The polling locations shall be organized into clusters to be called as 'Sector'

Question 16: What is a Sector?

Answer: Sector is a part of an assembly segment/constituency and a cluster of some polling locations.

Question 17: What is ideal size of a Sector?

Answer: One Sector ideally should not have more than 8 polling locations. The minimum can even be one location if that location has too many polling stations and has other sensitivities like not easily accessible or law and order problem prone area etc.

Polling station locations within a Sector should not be at a distance more than one hour in urban area. Time distance for coverage in rural area can be upto two hours.

Question 18: What points should be considered in formation of a Sector?

Answer: As far as possible the polling station locations in a Sector should fall on one common road route. Economy of time and ease of access are prime criteria. A circular route is ideal. All

polling stations in a Sector can be visited within one hour at the most in urban area and two hours in rural area.

Question 19: Who will be incharge of a Sector?

Answer: Sector Officer shall be the incharge of a Sector. Each Sector shall be put under a responsible Sector officer.

Question 20: Who will appoint the Sector Officers?

Answer: The DEO shall appoint Sector Officers.

Question 21: How Sector Officer shall be appointed?

Answer: For the purpose of appointment of Sector Officers, the best of the officers in the district should be identified and database created. They may be drawn from all permissible departments, preferably of the State.

Question 22: What facilities and information shall be provided to the Sector Officers?

Answer: Sector Officers should be provided with a vehicle and fuel to enable them to familiarize themselves with the area under their jurisdiction.

A sketch map including route map of Sector giving the broad lay-out and location of polling stations in the Sector should be provided to the Sector Officers.

Voter details including electoral roll with hamlets name etc. should also be provided.

To monitor any breach of Model Code of Conduct a videographer should also be provided immediately after notification of election.

Question 23: How the work of Sector Officers shall be monitored?

Answer: The Returning Officer or the District Election Officer should take weekly review with all Sector Officers to monitor the works done by them as well as to review the action taken by officers/department concerned on the reports/ shortcomings pointed out by the Sector Officers in their reports.

The Sector Officers shall also submit report to the Returning Officer in prescribed formats.

Question 24: From which date the Sector Officers should start functioning?

Answer: Immediately after announcement of the election programme the Sector Officers will report on their duty. Training of Sector Officers should be imparted well before the announcement of elections.

Question 25: What are the duties of Sector Officers about polling booths?

Answer: Sector Officers shall ascertain the approach and accessibility to polling booths, the infrastructure at the polling booths, physical condition of the structure of polling booths in his jurisdiction.

Question 26: What are the duties of Sector Officers about observance of Model Code of Conduct?

Answer: Sector Officers should also report on observance of the model Code of conduct, especially on movement of unauthorized campaign vehicles, defacement of properties, campaigning beyond permitted hours, misuse of public buildings for campaign purposes, misuse of government vehicles etc.

Question 27: What are the duties of Sector Officers about the voters?

Answer: The Sector Officers shall generate awareness about the functions of EVMs amongst voters of each polling stations, give specific information to voters about their EPIC coverage, inform voters about helpline numbers and locations of their polling stations.

Question 28: How the Sector Officer will identify the vulnerable areas/ communities in his Sector?

Answer: For such identification the Sector Officer, soon after declaration of elections, should do exercise by, -

- (a) visiting the catchment area of every polling station,
- (b) meeting with community, local intelligence etc.,
- (c) identify source of threat and intimidation,
- (d) considering incidence and current apprehensions,
- (e) consultation with local administrative/ police officers/ officials ,
- (f) candidates' "Worry List" when candidates are finalized and Observers have arrived,
- (g) Identify names of people who are likely to cause undue influence/ intimidation.

Question 29: After identification of vulnerable areas / hamlets information on which points shall be prepared by the Sector Officer?

Answer: Sector Officer shall prepare,-

- (a) The list of vulnerable households/ families,
- (b) The list of persons and factors causing such vulnerability ,
- (c) Contact No. of household/ contact point within the habitats/ community vulnerable,
- (d) Action taken/ proposed,
- (e) Contact No. and address of the person who are to be tracked/ prevented from intimidating/ wrongly influencing the voters.
- (f) All other information required to fill-up the Format VM-SO.

Question 30: After visiting the area and collecting information on vulnerability how the information shall be submitted to the Returning Officer by the Sector Officer?



Answer: Sector Officer shall fill-up detailed information in prescribed format (Format VM-SO) for each polling station. Each Format VM-SO must contain the details of all vulnerable localities/ pockets/ voter segments in one polling station area.

The Sector Officer shall certify that no locality/pocket/ voter segment which vulnerable has escaped or been missed from inclusion in the format.

The Sector Officer shall submit all filled-in Formats VM-SO to the Returning officer.

Question 31: After collecting Formats VM-SO from the Sector Officers what will be next step to be adopted by the RO?

Answer: On basis of Formats VM-SO received from Sector Officers the RO shall prepare Formats VM-RO and will send it to DEO.

Question 32: What are the main duties of Sector Officers on the poll eve?

Answer: The Sector Officer shall be responsible for ensuring that the polling team and all the materials and equipments have reached the polling stations. He will report any missing team/member of a team to the RO immediately. He shall also report that the Force deployed according to the plan has reached the polling stations.

Question 33: What are the main duties of Sector Officer on the poll day?

Answer: Sector Officer will visit all the polling stations during the first two hours of poll and give the poll commencement report to the RO for polling stations. Sector Officer will ensure replacement of any EVM that would not operate at the start and during the poll hours. Thereafter the Sector officer will oscillate between his polling stations and make himself available/contactable to every Presiding Officer and ensure that the poll is conducted in a free and fair manner and without interruptions. He will ensure that there is no obstruction to any of the vulnerable pockets/ population identified earlier in approaching the polling station and casting of votes. Any such thing shall be reported to the RO immediately. He will give an OK report on conduct of poll. Sector officer will safely escort and get deposited the polled EVMs at designated counters.

Question 34: What is vulnerability in the context of elections?

Answer: In the context of election vulnerability may be defined as,-

Susceptibility of any voter or section of voter, whether or not living in a geographically identifiable area being wrongfully prevented from or influenced upon in relation to the exercise of his right to vote in free and fair manner through intimidation or use of undue influence or force of any kind on him/her.

Question 35: For exercise of vulnerability mapping in the context of elections which points should be undertaken?

Answer: The exercise of vulnerability mapping in the context elections should be undertaken with the point of view,-

- (i) to clearly identify vulnerable voter/ section of voter,
- (ii) to identify the persons/ factors causing such vulnerability, and
- (iii) to plan and take adequate corrective action well in advance.

Question 36: On vulnerability mapping exercise what follow-up actions should be undertaken by RO?

Answer: RO should do frequent visits as such locations for confidence building measures. He should take regular feedback from all possible sources. He should interact with candidates and political parties. A specific officer will be designated at Thana level for tracking the individual trouble mongers. Preventive actions under sections 107/116/151 CrPC , forcing trouble mongers' appearance in police thana etc. should also be taken.

Question 37: During poling hours on the day of poll how special attention at vulnerable pockets/ households shall be given?

Answer: SO will verify whether voter from vulnerable habitats/ communities/ households are turning up for voting or not. It can be gauged from the marked copy of electoral roll where voters who have voted are ticked. In case SO find that some section of voters is conspicuously absent then he should inform the RO about this immediately and special squad will be sent to ascertain that there is no hindrance.

Question 38: On which points draft orders should be kept ready by the District Administration for issuance at the time of announcement of election?

Answer: District Administration should keep ready some draft orders for immediate issuance thereof at the time of announcement of elections, viz.:-

- (i) Prohibitory orders u/s 144 Cr.P.C. in certain cases,
- (ii) Prevention of defacement property,
- (iii) Inviting attention of Government Servant towards provisions of MCC and Conduct Rules,
- (iv) Appointment of Sector Officers,
- (v) Inviting attention of Political Party towards provisions of MCC and ECI guidelines on Election Expenditure Monitoring,
- (vi) Appeal to general public about awareness regarding bribery, inducement etc. by candidates/political parties.

Question 39: Whether the area assigned to the Sector Officer and the Police Mobile party should be the same?

Answer: As far as possible the area of Sector Officer and Police Mobile party should be same.

Question 40: Whether CAPF can be kept as strike reserve?

Answer: No. CAPF cannot be kept as strike reserve. Full and optimal utilization of CAPF must be ensured.

Question 41: Whether a section of CAPF can be split?

Answer: After certification of the SP of the District that the area is insurgency/ naxalite free, CAPF can be split into half section.

Question 42: In whose Chairmanship the District Deployment Plan will be prepared?

Answer: District Deployment Plan will be prepared under the Chairmanship of District Election Officer. It will be approved by Observer.

Question 43: When the District Deployment Plan will prepared?

Answer: District Deployment Plan will be prepared in advance however it should be finalized at-least one week before the poll.

Question 44: Whether Home Guards or any other force, other than State Police and CAPF, can be deployed for conduct of poll without prior permission of ECI?

Answer: No. Deployment of any force, other than State Police and CAPF will require prior permission of ECI. Home Guards etc. may be deployed only after prior permission of FCI.

Question 45: How the counting center will be cordoned?

Answer: Three tier cordoning will be set-up at counting center – outermost first cordon under control of State Police and middle corridor of the counting center under control of State Police shall be set-up. The third cordon will be set-up for inner security including security of strong rooms and counting halls.

Question 46: Which force shall be deployed for guarding strong room after the poll?

Answer: The CAPF shall be deployed for guarding strong room after the poll. In case of non availability of CAPF, the Sate Armed Police shall be deployed.

Question 47: How the CAPF or State Armed Police or District Police shall be deployed at the polling stations in view of sensitivity?

Answer: The forces shall be deployed at the polling stations in the following order of sensitivity- CAPF followed by SAP followed by DAP.

Question 48: Till two days before the poll for what purposes the CAPF can be used?

Answer: Till two days before the poll, CAPF will be used for area domination, flag marches, confidence building amongst voters, checking of borders, deployment in flying squads etc.

Question 49: On the day of poll for what purposes the CAPF can be used?

Answer: On the day of poll CAPF can be used in static duty at chosen polling stations, patrolling duty on assigned routs, patrolling duty as flying squads in a defined area, escorting duty of polled EVMs with polling personnel back to the collection centers after poll.

Question 50: In what manner the CAPF Jawan will function in static duty at a polling station?

Answer: In static duty at polling station, one CAPF Jawan will be stationed at the entrance of polling booth to watch on the proceeding inside the booth. When a building has multiple booths and CAPF deployment is not sufficient to cover every booth door then the CAPF Jawan on duty at entrance of the booth will oscillate from one booth door to the other. He will report to the officer incharge of CAPF or Observer if anything unusual observed by him.

Question 51: In what manner the CAPF can be deployed for static duty at polling station?

Answer: CAPF can be deployed for static guarding of polling station solely and exclusively by CAPF. It can also be used for static guarding of polling station as part of a composite team with local Police Force.

Question 52: How can the local police be mixed with CAPF at polling station for static duty?

Answer: CAPF and local Police can be mixed in the ratio 1:1 at polling station. In such case the CAPF Jawan will take position at the door of polling booth.

Question 53: In which manner CAPF can be deployed in mobile patrolling party?

Answer: CAPF can be assigned duty of mobile patrolling party on day of poll. The patrolling party will move in the defined area particularly in vulnerable hamlets/ habitats. CAPF will be provided list of critical polling stations and vulnerable hamlets, sketch map etc.

Question 54: In the catchment area of polling stations who will maintain the general law and order – the State Police or the CAPF?

Answer: Local Police will be deputed for maintenance of general law and order in catchment area of the polling station as well as inside and outside of the polling premises.

Question 55: When the CAPF is assigned duty in a Flying Squad mode, whether Executive Magistrate will be required to accompany it?

Answer: Yes. When the CAPF is assigned duty in a Flying Squad mode, it shall be accompanied by a Zonal/ Executive Magistrate.

Question 56: Whether meetings with political parties and Standing Committee should be incorporated in the DEMP?

Answer: Yes. Meetings, as often as may be convenient after declaration of election, should be held. The representatives of political parties/ candidates should be asked to cooperate in the

observance of Model Code of Conduct for free and fair elections, to follow instructions/guidelines for election expenditure and to maintain law and order.

Minutes of such meetings should also be drawn.

Question 57: What is the role of CAPF about vulnerable areas?

Answer: The CAPF shall be provided list of critical polling stations, vulnerable hamlets etc. When CAPF is assigned duty of mobile patrolling they will ensure the fidelity of election process and visit the critical polling stations, vulnerable hamlets etc.

Question 58: Whether CEO should be consulted in preparation of State Level Police Deployment Plan?

Answer: Yes. State Deployment Plan should be prepared in consultation with CEO after taking account the available forces of State Police/ SAP and CAPF which will be made available by the Government of India.

Question 59: Which level of an officer shall be appointed as Nodal Officer to look into matter of CAPF facilities?

Answer: IG level officer at Police Head Quarter should be appointed as Nodal Officer to look into matter related to CAPF facilities, their movement, accommodation, transportation etc.

Question 60: What information should be given to CAPF?

Answer: CAPF shall be provided sketch map of the constituency and Sectors indicating polling station locations, their sensitive gradations, name and contact No. of Sector Officers/ RO/ Observer etc., route chart, list of critical polling stations, vulnerable hamlets and any other significant information of the area concerned.

Question 61: Whether local police officer can supervise and control over the CAPF?

Answer: No. Local police officer cannot supervise and control over the CAPF at polling station.

Question 62: Whether local police may replace the CAPF at polling station where the CAPF has been assigned duties solely and exclusively?

Answer: No. Local police shall not replace the CAPF at polling station where the CAPF has been assigned duties solely and exclusively.

Question 63: Whether CAPF personnel should be briefed about their duties etc. after arrival in the constituency?

Answer: Yes. Briefing to CAPF personnel should be given by Observer and RO about their duties, functioning of forces, structure, constituency details, challenges of area etc.

Question 64: Whether every contesting candidate should be provided a security cover?

Answer: Security cover to contesting candidate can be provided only as per assessment of threat and not in a routine manner.

Question 65: What arrangements should be planned in DEMP for visits by Observers?

Answer: Boarding/ lodging, transport and security arrangement for Observers should be planned by DEO in advance. They shall be provided wireless communication, guide, secretarial assistance, telephone with fax facility, etc. Requirement on all these items should be assessed and planned.

Question 66: What is the role of Sector Officer immediately after close of poll on the polling day?

Answer: At the end of poll SO will submit special report to RO that voters in vulnerable habitats were able to vote or not. So, will give an OK report on conduct of poll in polling stations. SO will safely escort and get deposit the polled EVMs and polling materials at designated counters.

Question 67: For confidence building measures how the CAPF should be used?

Answer: Wherever CAPF arrive in advance they may be used in area domination. Conducting flag march, checking of borders to prevent infiltration of antisocial and disruptive elements, flying squad duties.

Question 68: What is role of the Observer regarding vulnerable habitats?

Answer: Upon the arrival of the Observer, the DEO/ RO shall handover the details of the polling station wise vulnerability mapping. The Observer will also visit such locations and interact with the voters and constantly monitor the developments. He shall give full attention at every stage.

Question 69: Whether the polling party and the static armed force party to guard the polling booth may move separately or together?

Answer: Polling party and static armed force party deputed for same polling station should move together and not separately.

Question 70: When the polling party and static police force deputed for a polling station should reach at that place?

Answer: The polling party and static police force which has been deputed for a polling station should reach at that polling station latest in afternoon on the day prior to poll day.

Question 71: Whether a person can lodge his complaint on call center or a website?

Answer: Yes. Any person may lodge his complaint either on the complaint redressal website or by calling the call center.

Question 72: Whether the call center or the website for redressal of public grievance can be integrated?

Answer: Yes. The call center and the complaint redressal website will be integrated in such a manner that action taken on complaints lodged on any of them can be seen on either system.

Question 73: How a person can become a user of the system of complaint redressal website or the call center?

Answer: A person can become a user of the system either by registering himself on the complaint redressal website or by the calling the call center. In either case, cell-phone No. will be the user ID. If he registers on the website, he can set his own password. In case he call the call center, the call center will set his cell-phone No. both as his user ID and password and request him to change the password whenever he accesses the website next time.

For registration on the website, as soon as a person enters his cell-phone No., a system generated code will be sent by SMS to his cell-phone. He will be prompted to enter this code on website to complete registration.

Question 74: When a person can enter his complaint on website?

Answer: After registration, a person can enter the details of his complaint. For this purpose, he will choose the district and the subject of the complaint from the combo boxes and type a brief description of the complaint in a text box.

Question 75: How the complainant will know about the status of his complaint?

Answer: As soon as the complaint is registered, one SMS will go to the complainant giving system generated unique complaint ID and the approximate time limit for resolution of the complaint. Simultaneously, a SMS will go to the concerned DEO, RO/ ERO and Observer giving the complaint ID, time limit for complaint resolution and cell-phone No. of the complainant.

Question 76: What is the time limit of resolution of complaint by the candidate about permit for vehicle to be used in election campaigning?

Answer: Any complaint/ application by a candidate in an election seeking permission to use vehicle(s) in campaigning should be disposed of within 48 hours.

Question 77: What is the time limit of resolution of complaint by the candidate about permission for a meeting in election campaigning?

Answer: Any complaint/ application by a candidate in an election seeking permission to hold a meeting for campaigning should be disposed of within 48 hours.

Question 78: Whether status of complaint will be displayed on the website?

Answer: Yes. Status of complaint will be displayed on the website in the prescribed format.

Question 79: How the complaint redressal system of website and call center shall be monitored?

Answer: For the purpose of monitoring by senior officers, daily SMS giving information on prescribed points shall be sent by system automatically.



## Model Code of Conduct

Question80. What is the Model Code of Conduct?

Answer. The Model Code of Conduct for guidance of political parties and candidates is a set of norms which has been evolved with the consensus of political parties who have consented to abide by the principles embodied in the said code and also binds them to respect and observe it in its letter and spirit.

Question81. What is the role of Election Commission of India to ensure Model Code of Conduct?

Answer. The Election Commission ensures its observance by political party(ies) in power, including ruling parties at the Centre and in the States and contesting candidates in the discharge of its constitutional duties for conducting the free, fair and peaceful elections to the Parliament and the State Legislatures under Article 324 of the Constitution of India. It is also ensured that official machinery for the electoral purposes is not misused.

Further, it is also ensured that electoral offences, malpractices and corrupt practices such as impersonation, bribing and inducement of voters, threat and intimidation to the voters are prevented by all means. In case of violation, appropriate measures are taken.

Question82. From which date the Model Code of Conduct is enforced and operational up to which date?

Answer. The Model Code of Conduct is enforced from the date of announcement of election schedule by the Election Commission and is operational till the processes of elections are completed.

Question83. What is applicability of code during general elections and bye-elections?

Answer. a. During general elections to House of People (Lok Sabha), the code is applicable throughout the country.

b. During general elections to the Legislative Assembly (Vidhan Sabha), the code is applicable in the entire State.

c. During bye-elections, the code is applicable in the entire district or districts in which the constituency falls.

Question84. What are the salient features of the Model Code of Conduct?

Answer. The salient features of the Model Code of Conduct lay down how political parties, contesting candidates and party(s) in power should conduct themselves during the process of elections i.e. on their general conduct during electioneering, holding meetings and processions, poll day activities and functioning of the party in power etc.

## On Official Machinery

Question85. Whether a Minister can combine his official visit with electioneering work?

Answer. The Ministers shall not combine their official visit with electioneering work and shall not also make use of official machinery or personnel during the electioneering work.

Question86. What are the ECI's instructions related to use of Govt. transport for electioneering work by the candidates/party?

Answer. The Govt. transport including official air-crafts, vehicles etc. shall not be used for furtherance of the interest of any party or a candidate.

Question87. What is the process for making transfers and postings of officials who are related to election work?

Answer. There is a total ban on the transfer and posting of all officers/officials connected with the conduct of the election. If any transfer or posting of an officer is considered necessary, prior approval of the Commission shall be obtained by the Govt.

Question88. Suppose an officer related to election work has been transferred by the Govt. before enforcement of model code of conduct and has not taken over charge at new place. Can such officer take over charge of office at new place after announcement of the code?

Answer. Status-quo-ante shall be maintained.

Question89. Can an official meet the minister on his private visit to the Constituency where elections are being held?

Answer. Any official who meets the Minister on his private visit to the constituency shall be guilty of misconduct under the relevant service rules; and if he happens to be an official mentioned in Section 129 (1) of the Representation of People Act, 1951 (DEO, RO, ARO, Presiding/Polling Officer, etc) he shall also be additionally considered to have violated the statutory provisions of that Section and liable to penal action provided thereunder.

Question90. Whether Ministers are entitled for official vehicle during the election?

Answer. Ministers are entitled to use their official vehicles only for commuting from their official residence to their office for official work provided that such commuting is not combined with any electioneering or any political activity.

Question91. Whether Ministers or any other political functionaries can use pilot car with beacon lights affixed with siren?

Answer. Minister or any other political functionary is not allowed during election period, to use pilot car or car with beacon lights of any colour or car affixed with sirens of any kind whether on private or official visit, even if the State administration has granted him a security cover requiring presence of armed guards to accompany him on such visit. This prohibition is applicable whether the vehicle is government owned or private owned.

Question92. Suppose there is a visit of President / Vice President at any place in the State. Is a Minister allowed to use VIP Car with other protocol?

Answer. The Minister may use VIP car and other protocol from his headquarters to the place of visit of President/ Vice President and return to his headquarters without attending any other function/ meeting with any other political functionary. This restriction shall be applicable from the time he leaves the Headquarters and till he reaches back the headquarters.

Question93. Suppose a vehicle has been provided to Minister by the State and the Minister is given an allowance for maintenance of such vehicle. Can it be used by the Minister for election purposes?

Answer. Where a vehicle is provided by the State or the Minister is given an allowance for maintenance of the vehicle, he cannot use such vehicle for election.

Question94. Whether a Chief Minister/Minister/Speaker can attend a “State Day” function of a State?

Answer. There is no objection provided that he does not make any political speech on the occasion and the function is to be conducted only by Govt. officials. No advertisement depicting the photograph of Chief Minister/Minister/Speaker shall be released.

Question95. Whether Governor/Chief Minister/Ministers can participate and address the Convocation function of University or Institute?

Answer. Governor may participate and address the Convocation. Chief Minister or Ministers may be advised not to participate and address the Convocation.

Question96. Whether hoardings/advertisements etc. depicting the achievements of the party(s) in power at Centre/State Governments at the cost of public exchequer can be continued?

Answer. All such hoardings, advertisements etc. on display shall be removed forthwith by the concerned authorities. Further, no advertisements should be issued in the newspapers and other media including electronic media at the cost of public exchequer.

Question97. Suppose work order has been issued in respect of a scheme or a programme. Can it be started after announcement of election programme?

Answer. Work shall not be started in respect of which work order has been issued before announcement of election but the work has actually not started in the field. If a work has actually started in the field that can be continued.

Question98. Whether fresh release of funds under MPs/MLAs/MLCs Local Area Development Fund of any scheme can be made?

Answer. Fresh release of funds under MPs/MLAs/MLCs Local Area Development Fund of any scheme shall not be made in any area where election is in progress, till the completion of the election process.

Question99. There are various rural development programmes/ schemes of Central government like Indira Awas Yojana, Sampoorna Grameen Rozgar Yojana, Swarnajayanti Gram Swarozgar Yojana, National Food for Work programme, National Rural Employment Guarantee Act. Are there any guidelines for implementation of these schemes/programmes?

Answer. Following guidelines shall be followed in respect of each scheme/programme as enumerated below:-

(a) Indira Awas Yojana (IAY)

Beneficiaries, who have been sanctioned housing scheme under IAY and have started work, will be assisted as per norms. No new constructions will be taken up or fresh beneficiaries sanctioned assistance till the elections are over.

(b) Sampoorna Grameen Rozgar Yojana (SGRY)

Continuing works in progress may be continued and funds earmarked for such works can be released. In case of any Panchayat where all ongoing works have been completed and there is a requirement for taking up new wage employment works and where funds released directly to the Panchayats from the Ministry of Rural Development are available, new works can be started from approved annual action plan for the current year with the prior consent of the District Election Officer. From other funds, no new works shall be started.

(c) Swarnajayanti Gram Swarozgar Yojana (SGSY)

Only those help groups which have received part of their subsidy/grant will be provided the balance installments. No fresh individual beneficiaries or SHGs will be given financial assistance till the elections are over.

(d) National Food for Work Programme (NFWP)

There is no objection for continuance of old works and sanction of new works in those districts where no elections have been announced. In those districts where elections have been announced and are in progress, only those works may be undertaken that have already started physically on ground, provided outstanding advance given for implementation of such works at a given time shall not exceed the amount equivalent to work for 45 days.

(e) National Employment Rural Guarantee Act (NERGA)

The Ministry of Rural Development shall not increase the number of districts in which it is being implemented after announcement of elections. The job card holders will be provided employment in the ongoing work, if they demand work, after announcement of elections. In case no employment can be provided in ongoing works, the competent authority may start new work(s) from the shelf of projects that has been approved and inform the fact to concerned District Election Officer (DEO). No new work shall be started by the competent authority till

such time employment can be given in ongoing works. In case no shelf of project is available or all works available on shelf have been exhausted, then the concerned competent authority shall make a reference to the Commission for approval through the concerned DEO. The competent authority shall also furnish a certificate to DEO to the effect that the new work has been sanctioned as no employment can be given to the job card holder in the ongoing work.

Question100. Whether a Minister or any other authority can announce any financial grants in any form or promises thereof or lay foundation stones etc. of projects or schemes of any kinds etc.?

Answer. Ministers and other authorities shall not announce any financial grants in any form or promises thereof; or (except civil servants) lay foundation stones etc. of projects or schemes of any kind; or make any promise of construction of roads, provision of drinking water facilities etc. or make any ad-hoc appointments in Government, Public Undertakings etc. In such case, senior Govt. Officer may lay foundation stone etc. without involving any political functionary.

Question101. A budget provision has been made for a particular scheme or the scheme has been sanctioned earlier. Can such scheme be announced or inaugurated?

Answer. Inauguration/announcement of such scheme is prohibited during election period.

Question102. Is there any bar to release of payments for completed work?

Answer. There shall be no bar to the release of payments for completed work subject to the full satisfaction of the concerned officials.

Question103. Whether financial institutions funded, partially or wholly by the Governments can write off loans advanced to any individual, company, firm, etc.?

Answer. The financial institutions funded, partially or wholly by the Governments shall not take recourse to writing off loans advanced to any individual, company, firm, etc. Also, financial limits of such institutions, while granting or extending loans, should not be enhanced by issuing of loans indiscriminately to beneficiaries.

Question104. Whether meeting of Municipal Corporation, Nagar Panchayat, Town Area Committee, etc. can be convened to review the revenue collection and preparing draft annual budget etc?

Answer. Provided that at such meetings only the matters of routine nature relating to day-to-day administration may be taken up and not the matters relating to its policies and programmes.

Question105. Whether media campaign can be made for effective implementation of statutory warnings, etc. on sale of cigarettes and other tobacco products?

Answer. Provided that photos/messages of political personalities etc. shall not be associated with the campaign.

Question106. Whether Govt. can release convicted criminals on parole after following due procedures?

Answer. If the Govt. feels that the release of any convict on parole is absolutely essential for certain compelling reasons, in that case Govt. shall consult the Chief Electoral Officer before granting parole.

Question107. Whether State Govt. can seek clarification/ clearance/approval in respect of any proposal directly from the Election Commission?

Answer. Any proposal from State Govt. for seeking clarification/clearance/approval from the Election Commission should only be routed through Chief Electoral Officer, who will make his recommendation or otherwise in the matter.

### **Election Campaign**

Question108. What are the main guidelines for political parties/candidates while making election campaign?

Answer. During the election campaign, no party or candidate shall indulge in any activity which may aggravate existing differences or create mutual hatred or cause tension between different castes and communities, religious or linguistic. Further, criticism of other political parties, when made, shall be confined to their policies and programme, past record and work. Parties and candidates shall refrain from criticism of all aspects of private life, not connected with the public activities of the leaders or workers of other parties. Criticism of other parties or their workers based on unverified allegations or distortion shall be avoided.

Question109. Are there any restrictions in using religious places for election propaganda?

Answer. Religious places like Temple, Mosque, Church, Gurudwara or other places of worship shall not be used as forum for election propaganda. Further, there shall be no appeal to caste or communal feelings for securing votes.

Question110. Can a candidate go to the office of Returning Officer for filing a nomination with a procession?

Answer. The maximum number of vehicles that will be allowed to come within the periphery of 100 meters. of Returning Officer's office has been restricted to 3 and maximum number of persons that will be allowed to enter the office of Returning Officer has been limited to 5 (including the candidate).

Question111. How many persons are allowed at the time of scrutiny of nominations by the Returning Officer?

Answer. The candidate, his election agent, one Proposer and one other person (who can be an advocate) duly authorized in writing by the candidate, but no other person, may attend at the time fixed for scrutiny of nominations by Returning Officer.

(Refer: Sec. 36 (1) of Representation of People Act, 1951)

Question112. Are there any guidelines regarding use of vehicles by ministers/political functionaries/ candidates, who have been provided security cover by the State?

Answer. In respect of persons covered by security, the use of State owned one bullet proof vehicle for the particular person (PP) will be permitted in all cases where the security agencies, including the intelligence authorities, have prescribed such use. The use of multiple cars in the name of stand-by should not be permitted unless so specifically prescribed by security authorities. The cost of propulsion of such bullet proof vehicles where such use of bullet proof vehicles is specified will be borne by the particular person. The number of vehicles to accompany the carcade including pilots, escorts etc. will be strictly in accordance with the instructions laid down by the security authorities and shall not exceed them under any circumstances. The cost of propulsion of all such vehicles, whether owned by Government or hired vehicles, will be met by the State Government. The restrictions do not apply to the Prime Minister whose security requirements are governed by the Government's Blue Book.

Question113. Whether there is any restriction for plying of vehicles for electioneering purposes?  
Answer. Candidate can ply any number of vehicles (all mechanized/motorized vehicles including two- wheelers) for the purpose of election campaign but he has to seek prior approval of the Returning Officer for plying such vehicles and must display permit issued by Returning Officer in original (not photocopy) prominently on the windscreen of the Vehicle. The permit must bear the number of the vehicle and name of the candidate in whose favour it is issued.

Question114. Whether a vehicle for which permission has been taken for election campaign in the name of a candidate, can be used for election campaign by another candidate?

Answer. Use of such vehicle for election campaign by another candidate shall invite action under section 171H of Indian Penal Code.

Question115. Can a vehicle be used for electioneering purposes without getting permit from the District Election Officer/Returning Officer?

Answer. Such vehicle shall be deemed to be unauthorized for campaigning by the candidate and may attract penal provisions of Chapter IX A of the Indian Penal Code and shall therefore be immediately out of the campaigning exercise and shall not be used for further campaign.

Question116. Is external fitting/modification allowed in the vehicles used for campaigning?

Answer. External modification of vehicles including fitting of loudspeaker thereon, would be subject to the provisions of the Motor Vehicles Act/Rules as well as other Local Act/Rules. Vehicles with modifications and special campaign vehicles like Video Rath etc. can be used only after obtaining the requisite permission from the competent authorities under the Motor Vehicles Act.

Question117. Is there any restriction or use of rest houses, dak bungalows or other Govt. accommodation for campaign office or for holding any public meeting for the purpose of election propaganda?

Answer. Rest houses, dak bungalows or other Govt. accommodation shall not be monopolized by the party in power or its candidates and such accommodation shall be allowed to use by other parties and candidates but no party or candidate shall be allowed to use as campaign office.

Further, it shall be ensured that –

- (i) no functionary can use the Circuit House, Dak bungalow to set up campaign office as the Circuit Houses/Dak bungalows are only for temporary stay (boarding and lodging) during transit of such functionaries,
- (ii) even casual meeting by Members of political parties inside the premises of the Government owned guesthouse etc. are not permitted and any violation of this shall be deemed to be a violation of the Model Code of Conduct,
- (iii) only the vehicle carrying the person allotted accommodation in the guest house and not more than two other vehicles, if used by the person, will be permitted inside the compound of the Guest House,
- (iv) Rooms should not be made available for more than 48 hours to any single individual, and
- (v) 48 hours before the close of poll in any particular area, there will be freeze on such allocations till completion of poll or re-poll.

Question118. Are there any conditions for getting Govt. aircraft/helicopters (including Public Sector Undertakings) by political parties/candidates?

Answer. While allowing the chartering of Govt. aircrafts/helicopters to political parties/candidates or private companies etc., the following conditions should be followed:-

- i) There should be no discrimination between the ruling party on the one hand and the other parties and contesting candidates on the other.
- ii) The payment will be made by the political parties or the contesting candidates and proper record maintained.
- iii) The rates and terms and conditions should be uniform for all.
- iv) The actual allotment should be made on the first-come first-served basis. For this purpose, the date and time of receipt of the application should be noted down by the authorized receiving authority.
- v) In the rare case when both the date and time of two or more applicants is the same, the allotment will be decided by draw of lots.
- vi) No individual, firm, party or candidate will be allowed to charter the aircraft/helicopter for more than three days at a time.

Question119. Is there any restriction on displaying poster, placard, banner, flag etc of the party concerned or the candidate on a public property?

Answer. Candidate may display poster, placard, banner, flag etc of the party concerned or the candidate on a public property subject to provisions of local law and prohibitory orders in force. For details, refer Commission's instructions No.3/7/2008/JS-II,dated 7.10.2008.

Question120. Is there any restriction on displaying/carrying poster/ placard/ banner/flag of the party concerned or of the candidate on the vehicle during the procession?

Answer. Candidate may display /carry one poster/placard/banner/flag of Candidate's party/or his own on vehicle during the procession subject to conformity with the provisions of Motor Vehicle Act and any other local laws/bye-laws.

Question121. Whether there is any ban on use of plastic sheets for making use of posters/banners during the election campaign?

Answer. The political parties and candidates should try to avoid the use of plastic/polythene for preparation of posters, banners etc. in the interest of environmental protection.



Question122. What are the modalities for printing of pamphlets, posters etc?

Answer. Candidate shall not print or publish, or cause to be printed or published any election pamphlet or poster which does not bear on its face names and addresses of the printer and the publisher thereof.

(Refer: Section 127A of Representation of 1951)

Question123. Whether there is any restriction on air dropping of leaflets/pamphlets by the Political parties/candidates?

Answer. There is no restriction on air dropping of leaflets/pamphlets by political parties/candidates provided that all the expenses in this regard have been booked against the election expenses of the candidate, on whose behalf the leaflets/pamphlets are being dropped.

Question124. Is wearing of special accessories like cap, mask, scarf etc. of a candidate permitted during the campaigning?

Answer. Wearing of special accessories like cap, mask, scarf etc. of a candidate during campaigning is permitted provided they are accounted for in the election expenses of the candidate concerned. However supply and distribution of main apparels like saree, shirt, etc. by party/candidate is not permitted as it may amount to bribery of voters.

Question125. Whether dummy ballot units of EVM can be prepared by the candidate for the purpose of educating the voters?

Answer. The dummy ballot units may be made of wooden, plastic or ply board boxes, half the size of the official ballot units and may be painted brown, yellow or grey.

Question126. Whether there is restriction to display to the public any election matter by means of cinematograph, television or other similar apparatus?

Answer. Candidate cannot display to the public any election matter by means of cinematograph, television or other similar apparatus during the period of 48 hours ending with the hour fixed for the conclusion of poll.

(Refer: Sec. 126 of Representation of People Act, 1951)

Question127. Whether a candidate can print and distribute the diary/calendar/sticker depicting his image or image of Gods/ deities etc.

Answer. Printing and distribution of diary/calendar/sticker depicting image of candidate or image of Gods/ deities etc, amounts to bribery under section 171E of Indian Penal Code.

Question128. Are there conditions/guidelines for setting up and operating of Temporary Offices by Party or candidate?

Answer. Such offices cannot be opened by way of any encroachment either on public or private property/ in any religious places or campus of such religious places/ contiguous to any educational institution / hospital / within 200 meters of an existing polling station. Further, such offices can display only one party flag and banner with party symbol/photographs and the size of the banner used in such offices should not exceed '4 feet X 8 feet' subject to the further condition that if the local laws prescribe a lower size for banner / hoarding etc., then the lower size prescribed by local law shall prevail.

Question129. Whether restriction on presence of political functionaries in a constituency after campaign period is over is applicable in the case of office bearer of a political party who is in-charge of election in the State?

Answer. Such restriction is not insisted upon during the general elections to Lok Sabha/State Assembly only in respect of the office bearer who is in-charge of the State during the election period. Such office bearer shall declare his place of stay in the State Headquarters and his movement during the period in question shall remain confined normally between his party office and place of his stay. The above restrictions will be applicable to all other functionaries in all elections.

Question130. Whether there is any restriction for holding public meeting or taking out processions?

Answer. Prior written permission should be obtained from the concerned police authorities for holding of a meeting at any public or private place and for taking out processions.

Question131. Whether loudspeakers can be used for public meetings or for processions or for general propaganda without obtaining permission from Police authorities?

Answer. Prior written permission should be obtained from the concerned police authorities for using loudspeakers.

Question132. Whether there is any time limit for using loudspeakers?

Answer. Loudspeaker cannot be used at night beyond 10.00 P.M. and up to 6.00 A.M. next day.

Question133. What is the deadline after which no public meetings and processions can be taken out?

Answer. Public meetings cannot be held after 10 PM and before 6.00 AM. Further, Candidate cannot hold public meetings and processions during the period of 48 hours ending with the hour fixed for the conclusion of poll.

(Refer: Sec. 126 of Representation of People Act, 1951)

Question134. Whether there are any guidelines for political parties/candidates for issue of unofficial identity slips to voters?

Answer. The unofficial identity slip, on white paper, shall contain only the particulars of the voter i.e. name, Serial number of voter, part No. in the electoral roll, s.no. and name of Polling Station and date of Poll. It should not contain the name of candidate, his photograph and symbol.

Question135. Is there any restriction on appointment of a Minister/M.P./M.L.A/M.L.C or any other person who is under security cover as an Election Agent/Polling Agent/Counting Agent?

Answer. A candidate cannot appoint a Minister/M.P./ MLA/MLC or any other person who is under security cover, as an election/polling agent/counting agent, as his personal security shall be jeopardized with such appointment, because his security personnel will not under any circumstances be permitted to accompany him into the 100 meter perimeter of polling stations described as the "Polling Station Neighborhood" and within the polling booth and campus of counting centre and within the counting centre. Also any person having security cover will not be allowed to surrender his security cover to act as such agent of a candidate.

Question136. Is a candidate allowed to appoint persons as polling agents from anywhere?

Answer. Such person who is appointed by the candidate as a polling agent must be an ordinarily resident and elector of the concerned polling station area only and not from outside the concerned polling area. Such person must also have Elector's Photo Identity Card. However, in the case of polling stations exclusively manned by the women polling personnel, the restriction of resident of same polling area shall not be applied for.

Question137. Who is the authority to issue permits to Star Campaigners (Leaders) of the Political Parties who avail benefit under Section 77(1) of R.P Act, 1951?

Answer. In case the mode of road transport is to be availed of by Star Campaigners (Leaders) of political, the permit will be issued centrally by the Chief Electoral Officer. If such party applies for issue of permit for the same vehicle to be used by any leader for election campaigning throughout the State, the same may be issued for such vehicle centrally by the Chief Electoral Officer, which will be prominently displayed on windscreen of such vehicle(s) to be used by concerned leader(s). If different vehicles are to be used by such party leaders in different areas, then the permit can be issued against the name of the person concerned who will display it prominently on the windscreen of the vehicle being used by such leader.

Question138. Whether there is any restriction for transmitting Short Messages Service (SMSs)?

Answer. Transmitting objectionable messages on SMSs during election is prohibited. For objectionable SMSs which may violate the law and ECI instructions issued in this behalf, the police authorities shall advertise special mobile numbers on which the receiver of such SMS can forward the said SMS with the mobile number of sender. The police authorities shall take action under the law.

Question139. Recently, one more Para in Model Code of Conduct has been added, pursuant to Hon'ble Supreme Court's directions. Which matter does it relate to?

Answer. On the direction of Hon'ble Supreme Court, a Para i.e. Para 8 has been added to the Model Code of Conduct. Under the said Para, it has been advised to the Political Parties and Candidates that while releasing election manifestos for any election to the Parliament or State Legislatures, shall adhere to the following guidelines :- (i) The election manifesto shall not contain anything repugnant to the ideals and principles enshrined in the Constitution and further that it shall be consistent with the letter and spirit of other provisions of Model Code of Conduct. (ii) The Directive Principles of State Policy enshrined in the Constitution enjoin upon the State to frame various welfare measures for the citizens and therefore there can be no objection to the promise of such welfare measures in election manifestos. However, political parties should avoid making those promises which are likely to vitiate the purity of the election process or exert undue influence on the voters in exercising their franchise. (iii) In the interest of transparency, level playing field and credibility of promises, it is expected that manifestos also reflect the rationale for the promises and broadly indicate the ways and means to meet the financial requirements for it. Trust of voters should be sought only on those promises which are possible to be fulfilled.

Question140. Ordinarily how many days before the notification, the Election Commission announces the schedule for any election.

Answer. An agreement was reached between Election Commission and Central Government on 16<sup>th</sup> April 2001 that such announcement shall not ordinarily be made more than three weeks in advance of the date of notification of the election.

Question141. Without going into the field, can the Chief Minister or Ministers held video conferencing with the officers, during the operation of MCC?

Answer. No, it is prohibited by the Election Commission.

Question142. Can Chief Ministers and Union Ministers take non- gazette officials on visit to attend urgent official work during the operation of MCC?

Answer. They are permitted to take one non-gazetted official to accompany them on official visits to attend urgent official work.

Question143. In case of bye-election, if a Minister who is going for official work in other district, can he make a halt in the district of bye-election?

Answer. No, he shall not halt in the district, where MCC is in force and shall not attend to any political work.

Question144. If a bye-election is being held in a state, whether a minister can call the officers of the district to attend a meeting in other district?

Answer. A minister cannot call officials of any rank of the district where bye- election is being held, to attend any meeting in any district, that is to say, even in the other district where election is not being held.

Question145. If in a district where bye-election is being held, DEO gets the information of any proposed visit of a Central of State Minister, what action is he supposed to take in advance?

Answer. The CEO of the State shall be kept informed in advance by the DEO of any visit proposed to be undertaken by any Minister of the Central or State Government to the district where bye-election is being held and the CEO shall forthwith communicate the same to the Election Commission.

Question146. During the period of last 48 hours ending with the hours fixed for completion of poll, can the Central Ministers / Chief Ministers/ Ministers stay in a constituency where they are not candidate/elector?

Answer. Central Ministers / Chief Ministers/ Ministers in the state cannot stay in a constituency undergoing election, in which they are not a candidate or elector, even after the campaign period is over, in the period of 48 hours ending with the hour fixed for the close of poll.

Question147. What is the provision, which is invoked when an official meets the Minister on his private visit, if the official is the one who is mentioned in section 129 (1) of the 1952 Act (i.e. officials who has been put on duty to perform any duty in connection with an election).

Answer. He will be deemed to have done an act (other than giving the vote) for the furtherance of the prospects of the candidate and shall be punishable with imprisonment which may extended to six month or with fine or with both v/s 129 (3) of the 1951 Act.

Question148. Who are the stakeholders to whom MCC is applicable?

Answer. Government, Political parties and candidates are the stakeholders to whom MCC is applicable.

Question149. Which of the following statements is correct:-

Answer. Registered beneficiaries of MNREGA may be covered under existing projects.

Question150. In what circumstances, new projects under MNREGA may be undertaken during operation of MCC?

Answer. If it is for the already registered beneficiaries and the project is already listed in the approved and sanctioned shelf of projects for which funds are also earmarked. If shelf has already exhausted then after obtaining in permission from the Election Commission, new project can be undertaken.

Question151. Can global tenders be evaluated and finalized?

Answer. Global tenders already floated can be evaluated and finalized where anytime limits are specified for such purpose.

Question152. Can tenders be evaluated during operations of MCC?

Answer. Tenders other than global tenders, that are already floated may be evaluated but not finalized without prior approval of the Commission. If they are not already floated, they shall not be floated without prior approval of the Commission.

Question153. What conditions should be observed in distribution of relief to persons affected in a natural disaster, during the operation of MCC.

Answer. Ex-gratia payments and gratuitous relief in the aftermath of a disaster can be given directly to the affected persons, at the current rates or scales of assistance presently in force, under intimation to the Commission.

Question154. Can payments be made to the patients from Chief Minister or Prime Ministers Relief fund?

Answer. In lieu of direct cash payments to individuals patients (beneficiaries') payment directly to hospitals, will be permissible without reference to Commission.

Question155. Is prior approval necessary for emergency relief works and measures in case of disaster?

Answer. Emergency relief works and measures that are aimed at mitigating the hardships, directly and solely, of the persons affected in a disaster may be taken up, under intimation to the Commission.

Question156. Can new work may be undertaken to mitigate the likely effect of natural disasters, like repair of embankments, water channels etc.?

Answer. They can be taken up only with prior permission of the commission.

Question157. What is the procedure that the Central/ State Govt. should follow to declare an area drought/ flood affected or any such calamity during election period?

Answer. The Central/State Govt. should obtain prior approval of the Commission in such cases.

Question158. What is the procedure to extend or expand operation of any existing project or scheme or programme during the election period by the State/Central Govt.?

Answer. Area of operation of any existing project or scheme or programme can only be extended or expanded with prior permission of the Election Commission.

Question159. Can an MOU or Agreement, where the Government is a party be signed during operation of MCC?

Answer. Signing an MOU or Agreement where the Government is a party will require prior clearance of the Commission.

Question160. Which category of recruitment require prior clearance of the commission?

Answer. Recruitment through non- statutory bodies will require prior clearance by the commission.

Question161. If works are undertaken or functions are to be held in fulfillment of international commitments, what precaution is to be taken?

Answer. Prior concurrence of the Commission shall be taken.

Question162. According to the guidelines for observance on Doordarshan/AIR the telecasts/broadcasts, what kind of contents are not permitted during elections?

Answer. (i) Attack on religions or communities and anything obscene or defamatory  
(ii) Criticism of other countries  
(iii) Incitement to violence

Question163. Under what provision the candidate has to furnish the details of his email id and social media accounts?

Answer. Every candidate has to file an affidavit in Form 26 along with his nomination paper. In that affidavit the candidate has to furnish these details.

Question164. Does advertisement on social media by political parties and candidates require pre certification?

Answer. Any advertisement on social media by political parties and candidates will require pre-certification from the Media Certification Committee, in the same manner in which the advertisement on other electronic media and radio, including FM channels require to be certified.

Question165. Are the contents posted on the internet by the political parties and candidates covered under provisions of M.C.C?

Answer. The provision of MCC and related instructions of the Commission, from time to time, shall also apply to the contents being posted on the internet including social media websites, by political parties and candidates.

Question166. Is expenditure incurred on posting of contents on social media websites and internet is covered under expenditure on election by a candidate?

Answer. All expenditure on advertisements on social media, operational expenditure on salaries and wages paid to the team of workers employed to maintain the social media account, by a candidate is covered under expenditure on election.

Question167. Is there any other time limit than between 6 am to 10 pm, for use of peripatetic loudspeakers on moving vehicles, for use during election campaign?

Answer. It is same time limit now. In 1994, such peripatetic loudspeakers were permitted only between 8 am to 7 pm, but in view of Hon'ble Supreme Court's order dated 18/07/2005, ECI modified earlier decision on 26/09/2005 and now "A public address system or loudspeaker or any sound amplifier, whether fitted on vehicles of any kind whatsoever or in static position, used for public meetings for electioneering purpose, shall not be used at night between 10 pm and 6 am."

Question168. Can wall writing, pasting of posters and similar other permanent/semi permanent defacement which is not easily removable be restore to with the consent of owner of the property?

Answer. If the local law does not expressly permit, wall writing, pasting of posters and similar other permanent/semi-permanent defacement which is not easily removable, the same shall not be resorted to under any circumstances, even on the pretext of having obtained the consent of the owner of the property.

Question169. If wall writing, pasting of posters and similar other permanent/semi permanent defacement which is not easily removable is permitted under local law, then what is the condition to be observed by the candidate?

Answer. Where local law expressly permit wall writings and pasting of posters, putting up hoardings, banners etc on private premises with the owner's permission, the contesting candidates or the political parties concerned shall obtain prior written permission from the owner of the property and submit photo copies of the same within 3 days, to the Returning Officer, or an Officer designated by him for the purpose.

Question170. What are the details that should be mentioned in case wall writing, pasting of posters and similar other permanent/semi permanent defacement which is not easily removable is permitted under local law?

Answer. The permission should clearly mention the name and address of the owner of the property from whom such permission has been obtained, together with expenditure incurred or likely to be incurred for the purpose.

Question171. If a person makes some expenses for promoting or procuring the election of a candidate, without authority from the candidate, what action can be taken against him?

Answer. Action can be taken under Section 171 H of IPC. Illegal payments in connection with an election whosoever without the general or special authority in writing of a candidate incurs or authorities expenses on account of the holding of any public meeting or upon any advertisement, circular or publication, or in any other way whatsoever for the purpose of promoting or procuring the election of such candidate, shall be punished with fine which may extend to five hundred rupees; provided that if any person having incurred any such expenses not exceeding the amount of ten rupees without authority, obtains within ten days from the date from the date on which such expenses were incurred, the approval in writing of the candidate, he shall be deemed to have incurred such expenses with the authority of the candidate.

Question172. If expenditure has been incurred on exclusive campaign for party, can provisions of Sec 171 H be invoked?

Answer. If expenditure has been incurred on exclusive campaign for a party, without indicating any candidate, it shall not be added to candidate's expenditure. If such display of banners, flags etc aims to solicit vote for any particular candidate, then the provisions of Sec 171H can be invoked.

Question173. Can expenditure made on removing the defacement of property after meeting be recovered from the persons responsible?

Answer. If after meeting is over, any defacement (Permanent / Semi-permanent) of property is not removed after notice by R.O/DEO, the district authorities may take action to remove the defacement – expenses to be recoverable from political party/association/candidate/person responsible – the amount shall also be added to the election expenditure of the candidate concerned.

Question174. Is there any provision, under which a person who is aggrieved by the compensation provided for requisitioning his vehicle, may get relief?

Answer. If a person, whose vehicle has been requisitioned, is aggrieved by the amount of compensation, he may apply within 14 days from the date of determination of the amount of Compensation to the State Government for referring the matter to an arbitrator [Provision to Section 161 (2) of RP ACT, 1951 read with Rule 99 of the CE 1961 Rules].

Question175. Is there any limit on the number of vehicles that may be used by a political party, candidate or his supporter and workers during election campaign?

Answer. The law does not prescribe any limit on the number of vehicles that may be used by a political party, candidate or his supporters and workers during campaign.

Question176. Then what is the check and how the use of unauthorized vehicle may be prevented so that monitoring of Election expenditure is done properly?

Answer. The political parties and candidates are required to obtain written permits from the district election officers for the vehicles being used by them for election campaign and are further required to display those permits on the windscreen of the concerned vehicles.

Question177. If any unauthorized vehicle (i.e. without obtaining permit) is found to be in use during checking, what action or actions can be taken?

Answer. If any unauthorized vehicle is found to be in use following actions may be taken:-

- (i) If the candidate, in whose favor the electioneering was done, disowns the use of vehicle, the owner of the vehicle will be liable for penal action v/s 171 H of IPC for incurring or authorizing election expenditure without the permission of the candidate.
- (ii) The vehicle may be liable to requisition by the State Government/DEO for official use in connection with election work.

Question178. How to maintain traffic to prevent inconvenience to the common people from long conveys of vehicles?

Answer. All bigger conveys should be broken up and not more than ten vehicles should be allowed to move in conveys, even if they are carrying any minister of Central or State Government, subject to any security instructions in respect of any such person. [Also check for any latest instructions].

Question179. How many vehicles are permitted for nominations?

Answer. For nominations, the Election Commission has instructed that only three vehicles will be permitted to come within the radius of 100 meters of the office of the Returning Officer.

Question180. If a voter or voters are provided conveyance for returning after the polling of their voters by any candidate or his agent then, is it also to be checked by the flying squad and other officers/teams which are on duty?

Answer. Officers on duty should check this also, as free conveyance of voters to or from a polling station by a candidate or his agents is a corrupt practice under Section 123 (5) of the RP Act, 1951.

Question181. What are the restrictions on use of vehicle by the candidate and his agent/workers, on the poll day?

Answer. Under Election Commissions letter no. 437/6/2006-PLN-III dated 23<sup>rd</sup> Nov.2007;

For an election to the House of People

- a) One vehicle for use by him in respect of the entire constituency
- b) One vehicle for use of his election agent for entire constituency
- c) In addition, one vehicle for use of electioneering by his workers or party workers for each of the Assembly segments contained in the parliamentary constituency.

Similarly for an election to the State Assembly

- a) One vehicle for own use by the candidate
- b) One vehicle for use of his election agent
- c) One vehicle for use by workers of party or candidate

Question182. How many persons are allowed in the above vehicles?

Answer. Not more than 5 persons, including driver, will be allowed to move on the day of poll. No other person will be allowed to use the vehicle allotted for candidates or his election agent's use.

Question183. What are the conditions, which should be observed by the newspaper in publishing the pre-poll surveys?



Answer. Press Council suggested that whenever the newspapers publish pre-poll surveys, they should take care to prepare them conspicuously by indicating the institutions which have carried out such surveys, the individuals and organizations which have commissioned the surveys, the size and nature of sample selected, the method of selection of the sample of the findings and the possible margin of error in the findings.

Question184. What are the restrictions on publication of exit-poll surveys?

Answer. No newspapers shall publish exit-poll surveys, however genuine they may be, till the last of the poll is over. If a number of bye-elections held together, the period may commence from the beginning of the hour fixed for poll on and from the first day of poll and continue till half an hour after closing of the poll.

Question185. Is mobile covered under 'Electronic Media'?

Answer. 'Electronic Media' includes internet, radio and television including Internet Protocol Television, Satellite, Terrestrial or cable channels.

Question186. What are covered under "Print Media"?

Answer. "Print Media" includes any newspaper, magazine as periodical, poster, placard, handbill or any other document.

Question187. What is the provision for ban on liquor on poll day and counting day ?

Answer. Liquor shops and vends remain closed during 48 hours as prescribed u/s 135 C of the RP Act, 1951 during the poll. For counting, the Election Commission instructs the State Governments to issue appropriate orders under the relevant state laws for observance of 'dry days' on the day(s) of counting, one day prior thereto and one day following the date of completion of counting.

Question188. For restriction on use of arms in the election there is a provision u/s 134 B of the RP Act, 1951. But why is it not considered sufficient?

Answer. Under the above provision, if strictly interpreted, a person cannot go armed within the neighborhood of a polling station, but he may be free to move around fully armed on the highways, market places and other places away from the polling stations, thus invoking only this provision may not be sufficient to check the menace of booth capturing.

Question189. Are the officers, drafted for election works, but are not CEO/Joint CEO/Dy. CEO etc of CEO's office, Divisional Commissioners, DEO, RO, ARO ad officers of the police department, covered under the ban on the transfer of officers?

Answer. Yes. Other officers of different departments, drafted for election works like Zonal/Sector Magistrates or officers along with officers working in different cells like Transport/Printing/Material Procurement and Distribution/Training /EVM cell etc are covered under the ban.

Question190. Are representatives of all political parties members of the Standing Committee constituted in Districts under the Chairmanship of Head of the District administration?

Answer. No. Only the representatives of all recognized and registered political parties are members of it.

Question191. What are the provisions which are to be announced in local language by Flying Squads, through a public address system, fitted onto its vehicles?

- Answer. Provisions of section 171 B of IPC – giving or accepting any gratification in cash or kind during election process with a view to inducing the person to exercise his electoral right, is punishable with imprisonment up to one year or with fine or with both.
- Question192. What are the places where the Static Surveillance Teams (SST) are posted?  
Answer. Static Surveillance Teams, with one Executive Magistrate with some police personnel's shall be posted at check posts at check points (posts)/Expenditure sensitive pockets/hamlets.
- Question193. What is the duty of Static Surveillance Teams?  
Answer. They shall keep a watch on movement of illicit liquor, items of bribe or large amount of cash, arms and ammunition, and also movement of antisocial elements in their area.
- Question194. What should be done by the Govt. in case of any doubt on announcement of new projects or programmes or concessions or financial grant in any form or promises thereof or laying of foundation stones etc?  
Answer. A clarification should be obtained from the CEO/Election Commission of India [vide instructions in Election Commission's letter no. 464/INST/2007-PLN-1 dated 07/01/2007].
- Question195. which are the persons who cannot be appointed as election agent or polling agent or counting agent by a candidate?  
Answer. No person who has been assessed to be having a security threat and therefore provided official security or who has private security guards for himself, shall be appointed as an election agent or polling agent or counting agent.
- Question196. When under instructions of the Commission any new work is to be started as a relief work or in the urgent public interest a completed project is to be inaugurated without involving political functionary, then what other precautions need to be taken?  
Answer. In such cases, as a matter of good practice, normal functions and publicity, even with the presence of official functionaries should be kept to the minimum.
- Question197. Whether the MCC apply to Commissioner, Corporations, Committees etc.  
Answer. MCC apply to all organizations/committees, corporations, Commissions etc funded wholly or partially by the Central or any State Govt. like Electricity Regulatory Commission, Jal Boards, Transport Corporations, and any other Development Authority etc.
- Question198. MCC operates from the date of announcement of Election schedule till the date when election is to be completed. Can its operation cease before that?  
Answer. Yes. The Commission has clarified in ECI letter no. 437/6/2011/CC & BE dated 11<sup>th</sup> October, 2011, that once the 'Due Constitution Notification' constituting the new House (s) concerned is issued by the Commission, irrespective of the date (s) before which the election is to be completed as mentioned in the election notification, the MCC ceases to be in operation. In the case of all elections to the Legislative Councils of States, it shall cease to be in operation on the declaration of result of election by the Returning Officer concerned.
- Question199. Whether the use of educational institutions including their grounds (whether Govt aided, private or Govt.) for political campaigns and rallies is allowed?

Answer. Previously it was not allowed under instructions of the Commission issued in the letter no. 3/7/2008/JS-II dated 7<sup>th</sup> October, 2008. But later on the Election Commission issued revised instruction in the letter no. 464/INST/2009/EPS dated 18<sup>th</sup> March, 2009 in which the use of Educational institute's (Vidyalaya and Mahavidyalaya) grounds was allowed with the riders that-

- a) Academic Calendar shall not be disturbed in any case
- b) Management of the College/institute has no objection and prior permission of such publicity etc has been obtained from the concerned SDM/Competent Authority.
- c) The permission has been accorded on the first come first serve basis.
- d) Any violation of this in the allotment shall be look into seriously by the Commission and the SDM will be accountable.
- e) Political Parties, Candidates and their agents shall ensure that the above conditions are not violated.

## **Election Expenditure Monitoring**

Question200. When will the first visit of expenditure observer start?

Answer. He shall reach the constituency on the day of the notification of elections for duration of 3 clear days.

Question201. How many times, the expenditure observer shall visit the constituency?

Answer. His first visit shall start on the day of the notification, 2<sup>nd</sup> visit on the date immediately after the date of withdrawal of candidates and shall remain till completion of the poll and the 3<sup>rd</sup> visit on 25<sup>th</sup> day after the declaration of results and stay for clear 8 days to assist the DEO in scrutinizing the statement of accounts submitted by candidates.

Question202. How many times the expenditure register will be inspected by the Election Expenditure Observer?

Answer: At least three times during the campaigning period, the gap between two inspections should not be less than 3 days and the last inspection should be fixed not before 3 days from the poll day.

Question203. How many expenditure observers shall be appointed in a district?

Answer. There shall be at least one expenditure observer for each district, but each expenditure observer ordinarily shall not have more than five assembly constituencies under his observation.

Question204. Who appoints Assistant Expenditure Observers (AEO)?

Answer. AEO shall be appointed for each constituency on the date of notification by the DEO and if a change is suggested by the Expenditure Observers, the same shall be carried out.

Question205. Are there more than two MCMC for a constituency?

Answer. There shall be a Media Certificate and Monitoring Committee in each district. This will be in expansion of the existing committee at the level of Returning Officer already in place vide Commission's letter no. 509/75/2004/JSI dated 15<sup>th</sup> April 2004.

Question206. Who identifies Expenditure Sensitive Constituency?

Answer. The CEO shall identify the constituencies which are prone to high expenditure and corrupt practices.

Question207. To whom shall submit the AEO his daily report as per prescribed proforma, during the absence of EO?

Answer. Till the EO reaches the constituency, the AEO shall submit his report to DEO/RO, which shall be brought to the notice of the EO afterwards.

Question208. What precautions are to be taken by Video Surveillance Team?

Answer. The Video Surveillance Team, at the beginning of the shooting, shall record in voice mode the title and the type of the event date, place and the name of the party and candidate organizing the event. It shall videograph the vehicles / event/ poster/ cut outs etc. in such a way that the evidence of each vehicle, its make and registration number, number of furniture, size of rostrum, banner and cut-out etc. can be clearly seen and the expenses thereon can be calculated. During the shooting of the event, the video team shall also record in voice describing the estimated number and type of vehicles, chairs/ furniture/ lights/ loud speakers etc. the approximate size of rostrum / banner/ poster cut-out etc. used in the event. They shall also record the speech and other events to monitor whether any MCC violation has occurred.

Question209. In which constituencies, DIG level officers from outside the state shall be deployed?

Answer. In expenditures sensitive constituencies, Police Observer not below the rank of DIG level officers from outside the State shall be deployed to inter-alia supervise the operation of flying squads, and state surveillance teams, in the region comprising of a few districts.

Question210. For which teams Standard Operating Procedure (SOP) has been issued by the election commission?

Answer. For the purpose of maintaining purity of elections, the Election Commission of India has issued a SOP for flying squads, State surveillance teams and check posts, constituted for keeping vigil over excessive campaign expenses.

Question211. Who shall identify the Expenditure Sensitive Pockets in the constituency?

Answer. The DEO and SP in consultation with the expenditure observer shall identify the expenditure sensitive pockets.

Question212. How the 'Shadow Observation Register' will be maintained?

Answer. The accounting teams shall work under the guidance of Assistant Expenditure Observer for maintaining the 'Shadow Observation Register' and 'folder of evidence' of each candidate of the assembly Constituency / Segment.

Question213. Whether the Shadow Observation Register should reflect payments made prior to a date of filing nomination?

Answer. The accounting teams shall ensure that the expenditure on all the election campaign material which is used after the filing of nomination is included in the Shadow Observation Register, though the payment for it may have made before filing the nominations.

Question214. What is the procedure for calculation of expenditure incurred on advertisements through TV channels / Radio Channels/ Newspaper, broadcasting / circulated in the State/UT?

Answer. The CEO shall obtain standard rate cards from the TV channels/ Radio channels/ newspaper / broadcasting/ circulated in the State/ UT, six months before due date of expiry of Lok Sabha / State/ UT assembly. Such rate cards will be given to the Accounting Team for calculation of rates of advertisement. In case of bye- election to parliamentary or assemble constituency, the standard rate card will be obtained by the DEO concerned immediately on announcement of the bye-election.

Question215. What is the main duty of Nodal Officer of expenditure monitoring cell in the district?

Answer. The Nodal Officer of Expenditure Monitoring Cell in the district headquarters will coordinate with the DEO for providing adequate manpower and facilities of office space and equipment's. The Nodal Officer will train the manpower engaged in various teams of the expenditure monitoring work as well in advance, before the notification of election.

Question216. How many folders of evidence shall be maintained by the Accounting Team?

Answer. All pieces of evidence collected against any expenditure entered in the Shadow Observation Register shall be kept in the folders of evidence. As Shadow Observation Register is to be kept for each candidate, the Shadow Observation Registers are also to be maintained for the same numbers.

Question217. Can the Shadow Observation Register be shown to the candidate or his representative and any member of the public?

Answer. Yes, but only up to the period/entries for which inspection of the register for accounts of election expenditure maintained by the candidate/his election agent has been done.

Question218. What is the period for which any candidate is required to keep a separate and correct account of expenditure in connection with the election?

Answer. As per sec 77 of RP Act 1951, every candidate during an election shall, either by himself or by his election agent, keep a separate and correct account of all expenditure in connection with the election, incurred or authorized by him or by his election agent between the date on which he has been nominated and the date of declaration of the result thereof, both dates inclusive.

Question219. With whom and when is the Accounts of Election Expenditure to be submitted?

Answer. The Accounts of Election Expenditure shall be submitted by the candidate/his election agent with the DEO within 30 days from the date of declaration of result of that election. In the computation of 30 days period, the date of declaration of result is excluded.

Question220. Is there any mechanism to explain the legal provisions and instructions of the Commission relating to maintenance of Accounts of Election Expenditure?

Answer. (A) The DEO shall hold a meeting of all the recognised National and State level political parties within 3 days of announcement of elections by the Commission to explain all the legal provisions and instructions of the commission relating to election expenditure and its monitoring and consequences.

(B) The RO shall hold a meeting of all the candidates immediately after allotment of symbols to explain the same.

Question221. How and by whom the rate list of various items of election expenditure are to be notified?

Answer. The DEO shall notify the rates of various items of election expenditure, the standard rate charts of newspaper, TV and other media. If the rates are not available then DAVP/ DPIP rates of advertisement in the local/ national dailies/ magazines (English/Regional) shall be notified by DEO, within 3 days of announcement of election on which election expenditure will be assessed.

## Qualifications & Disqualifications to Contest Elections

Question222. Can a non-citizen be a candidate? Where do you find provision relating to this?

Answer. A non-citizen cannot be a contesting candidate in the elections. Article 84 (a) of the Constitution of India envisages that a person shall not be qualified to be chosen to fill up a seat in the Parliament unless he is a citizen of India. Similar provision exists for State Legislative Assemblies in Article 173 (a) of the Constitution.

Question223. What is the minimum age for becoming a candidate for Lok Sabha or Assembly election? What is the crucial date for determining age?

Answer. Twenty Five Years on the date of security of nomination by the RO. Article 84 (b) of Constitution of India provides that the minimum age for becoming a candidate for Lok Sabha election shall be 25 years. Similar provision exists for a candidate to the Legislative Assemblies vide Article 173 (b) of the Constitution read with Sec. 36 (2) of the R. P. Act, 1950.

Question224. If I am not registered as a voter in any Constituency, can I contest election? Please explain in brief?

Answer. For contesting an election as a candidate a person must be registered as a voter. Sec 4 (d) of Representation People Act, 1951 precludes a person from contesting unless he is an elector in any parliamentary constituency. Section 5 (c) of R. P. Act, 1951 has a similar provision for Assembly Constituencies.

Question225. I am registered as a voter in Delhi. Can I contest election to Lok Sabha from Haryana or Maharashtra, or Orissa?

Answer. If you are a registered voter in Delhi, you can contest an election to Lok Sabha from any constituency in the country except Assam, Lakshadweep and Sikkim, as per Section 4 (c), 4 (cc) and 4 (ccc) of the R. P. Act, 1951.

Question226. If somebody is convicted for some offence and he is sentenced to imprisonment for 3 years, can he contest elections?

Answer. As per Section 8 (3) of R. P. Act, 1951, if a person is convicted of any offence and sentenced to an imprisonment of 2 years or more, this will be disqualification to contest elections.

Question227. Supposing he is on bail, pending disposal of his appeal, can he contest the election?

Answer. Even if a person is on bail, after the conviction and his appeal is pending for disposal, he is disqualified from contesting an election as per the guidelines issued by the Election Commission of India.

Question228. Can a person confined in jail vote in an election?

Answer. According to section 62(5) of the Representation of the People Act, 1951, no person shall vote at any election if he is confined in a prison, whether under a sentence of imprisonment or transportation or otherwise, or is in the lawful custody of the police.

Question229. A person is a member of Schedule Caste in a particular State. Can he contest election from any other State for Lok Sabha (House of People) from a seat reserved for Scheduled Castes?

Answer. Yes. He can contest election from any other State from a seat reserved for Scheduled Castes. (Refer : Sec. 4 of the Representation of People Act, 1951)

Question230. A person is a member of Schedule Tribe in a particular State. Can he contest election from any other State for Lok Sabha (House of People) from a seat reserved for Scheduled Tribes?

Answer. Yes. He can contest election from any other State from a seat reserved for Scheduled Tribes except Lakshadweep, other than those in autonomous Districts of Assam and excluding the tribal areas of Assam.

(Refer: Sec. 4 of the Representation of People Act, 1951)

Question231. A person is an elector in a particular State. Can he contest election for a seat in the Vidhan Sabha (Legislative Assembly) of any other State?

Answer. No. The person has to be elector in the state from where he is contesting elections for Vidhan Sabha (Refer: Sec. 5 of the Representation of People Act, 1951)

Question232. A person is registered as a voter in a particular State but he is a member of Schedule Caste of other State. Can he contest election from a seat reserved for Scheduled Castes for Vidhan Sabha (Legislative Assembly) in which he is an voter?

Answer. No. The person should belong to Scheduled Caste in the state from where he is contesting elections. (Refer: Sec. 5 of the Representation of People Act, 1951)

Question233. A person is registered as a voter in a particular State but he is a member of Schedule Tribes of other State. Can he contest election from a seat reserved for Scheduled Tribes for Vidhan Sabha (Legislative Assembly) in which he is a voter?

Answer. No. (Refer: Sec. 5 of the Representation of People Act, 1951)

Question234. A person is a member of Scheduled Castes or Scheduled Tribes community. Can he contest an election from a general constituency?

Answer. Yes. (Refer: Sec. 4 & 5 of the Representation of People Act, 1951)

### **Oath of Affirmation**

Question235. Is it necessary for a candidate to make and subscribe an oath or affirmation before an officer authorized by the Election Commission?

Answer. Yes. It is a constitutional and legal requirement. (Refer: Article 84 (a) or Article 173 (a) of the Constitution, Section 4(a) of Govt. of Union Territory Act, 1963 or section 4(a) Govt. of National Territory of Delhi Act, 1991)



Question236. When the oath or affirmation by the candidate is required to be made?

Answer. The candidate, in person, is required to make the oath or affirmation immediately after presenting his nomination papers and in any case not later than the day previous to the date of the scrutiny.

### Security Deposit

Question237. Which candidates lose the deposit?

Answer. Section 158 (4) RP Act, 1951.

A defeated candidate who fails to secure more than one sixth of the valid votes polled in the constituency will lose his security deposit.

Question238. At an election all the contesting candidates secured less than 1/6 th of valid votes. What will happen to the security deposit of winning candidates?

Answer. Security deposit of all candidates except winner will be forfeited.

Question239. Every candidate is required to make security deposit. How much is the security deposit for Lok Sabha election?

Answer. Rupees Twenty five Thousand

As per Section 34 1 (a) of R. P. Act, 1951, every candidate is required to make a security deposit of Rs. 25,000/- (Rupees Twenty five Thousand Only) for Lok Sabha elections.

Question240. Is there any concession in security deposit for a candidate belonging to Scheduled Caste or Scheduled Tribe for Lok Sabha (House of People) election?

Answer. Yes, The same section 34 of R. P. Act, 1951 provides that a candidate belonging to Scheduled Caste and Scheduled Tribe is required to make a security deposit half of the amount of Rs. 12,500 (Rupees Twelve Thousand five hundred Only).

Question241. How much is the security deposit for an Assembly election?

Answer. Rupees Ten Thousand. As per Sec. 34 (1) (b) of the R. P. Act 1951, a general candidate for contesting an Assembly election will have to make a security deposit of Rs. 10,000/-. A candidate belonging to Scheduled Caste / Tribe will have to make a security deposit of Rs. 5,000/- (Five Thousand Only).

Question242. Is there any concession in security deposit for a candidate belonging to Scheduled Caste or Scheduled Tribe for Vidhan Sabha (Legislative Assembly) election?

Answer. Yes. It is Rs. Five Thousand. (Refer Sec. 34 (1) (b) of Representation of People Act, 1951)

### Allotment of Election Symbols

Question243. Who allots the election symbols to contesting candidates?

Answer. Returning Officer. [Refer: The Election Symbols (Reservation and Allotment) Order, 1968]

Question244. How reserved election symbol is allotted to candidate of a recognized National or State Party?

Answer. For allotment of reserve symbol, the candidate has to declare in his nomination form that he has been setup by the concerned recognized party and has to submit prescribed declaration in Form B from the authorized office bearer of the party to the effect that he has been setup by that party. The declaration in Form B should be duly signed by the office bearer of the Party whose specimen signatures have been communicated in Form –A subject to condition that both the Forms have been delivered to Chief Electoral Officer of the State and Returning Officer before 3 P.M on the last date of making nominations. [Refer: Para’s 8 and 13 the Election Symbols (Reservation and Allotment) Order, 1968.]

Question245. Can a candidate deliver the declaration in Form A and Form B with facsimile signature or signature by means of rubber stamp etc. of the office bearer of the political party?

Answer. No. Form A & Form B must bear the signatures in ink of authorized office bearer of the political party. [Refer: Para 13 the Election Symbols (Reservation and Allotment) Order, 1968.]

Question246. Can a candidate sponsored by a registered unrecognized political party or a candidate contesting as independent choose any one of the free symbols specified in the list of free symbols?

Answer. Yes, for the purpose, such candidate may choose 3 free symbols from the list, in order of preference and mention the same in his nomination paper.

[Refer: Para 12 of the Election Symbols (Reservation and Allotment) Order, 1968.]

Question247. What is the requirement for a candidate sponsored by registered unrecognized political party to submit the Form A & Form B?

Answer. The candidate sponsored by all the political parties, recognized or unrecognized, have to submit form A & B to the Chief Electoral Officer of the State and Returning Officer. [Refer: Para 13 of the Election Symbols (Reservation and Allotment) Order, 1968.]

Question248. What are the new provisions for allotment of common symbols to register but unrecognized political parties?

Answer. The new provisions added as Para 10B of the symbol order provide one time facility for these parties – Under this provision a registered political party can request for one time common symbol to contest election under conditions enumerated in the said Para 10B. Under these provisions even those political parties who were recognized earlier but now have become unrecognized can avail this concession.

### **Corrupt practices & Electoral offences**

Question249. When you are walking down to your polling station, some candidate or his agent offers you a free lift to the polling station. Can you accept that offer of lift?

If you accept which offence will be committed by you?

Answer. No, It is a corrupt practice under section 123 (5) of the R. P. Act, 1951. This offence is punishable under Section 133 of the same Act, with imprisonment which may extend upto 3 months and/or with fine.

Question250. Can you accept such lift when you are going back to your house after you have cast your vote?

Answer. No, the provision of Corrupt Practice under section 123 (5) as mentioned above will cover conveyance of any elector, to or from any polling station.

Question251. Somebody offers you some money to vote for a candidate. Can you accept such money? Explain in brief?

Answer. No, acceptance of money to vote for a candidate is a corrupt practice of bribery under Section 123 (1) of R. P. Act, 1951. It is also an offence under section 171-B of Indian Penal Code and is punishable with imprisonment of either description for a term which may extend to one year or with fine or both.

Question252. Somebody offers you some money, not to vote for a certain candidate. Can you accept such money? Explain in brief?

Answer. No, the corrupt practice of bribery will also be attracted, if a person accepts money not to vote for a particular candidate.

Question253. Somebody makes any offer of whisky, liquor or other intoxicant or gives you a dinner to vote for a particular candidate or not to vote for him. Can you accept such offer? Explain in brief?

Answer. No, acceptance of any offer of liquor or other intoxicants or a dinner to vote for a particular candidate or not to vote for him is bribery.

Question254. Can anyone threaten a voter that he would be excommunicated if he votes for a particular candidate or does not vote for another particular candidate?

Answer. No, any threat to a voter that he would be excommunicated if he votes for a particular candidate or does not vote for another particular candidate is a corrupt practice of undue influence under Section 123 (2) of R. P. Act, 1951. It is also punishable under sec 171 F of Indian Penal Code with imprisonment of either description for a term which may extend to one year or with fine or with both.

Question255. Can anyone tell another person that he should vote for a particular person, or not to vote for him, because the candidate belongs to a particular religion, caste or creed or speaks a particular language?

Answer. No, any one telling another person that he should vote for a particular candidate or not to vote for him because he belongs to a particular religion, caste or creed or speaks a particular language is a corrupt practice under section 123 (3) of R. P. Act, 1951.

## Nomination of Candidates

Question256. Can a proposer of any candidate be also a candidate for the same constituency?

Answer. Yes, as per law there is no bar.

Question257. If information given by a candidate in affidavit is wrong, can RO reject the nomination of the candidate? Especially, if other candidates raise objection and give proof that information in affidavit is wrong?

Answer. No, the nomination of a candidate cannot be rejected for suppressing or giving false information in the affidavit. The copies of the nomination papers filed by each candidate along with copy of the affidavit accompanying the nomination should be displayed on the notice board in the office of RO on the day the nomination is filed. If anyone furnishes any information contradicting the statements in the nomination form or affidavits by means of a duly sworn affidavit, copies of such affidavits should also be displayed on the notice board. If the RO is satisfied that the information given by the candidate in the affidavit is wrong he is required to file a formal complaint before the appropriate Court under section 125A of the R.P. Act, 1951 and Section 177 of IPC (read with section 200 Cr PC).

Question258. If a complaint is received that a person who has filed nomination is of unsound mind, what course of action will be taken by RO?

Answer. The complainant has to prove by producing a declaration by the competent court under the Lunacy Act to the affect that the person concerned is of unsound mind. Disqualification is attracted only when there is a declaration by competent court.

Question259. What if 5 or more than 5 persons, who are proposers, happen to be illiterate & their thumb impressions are to be attested, can we allow more than 5 persons in the RO room in that case?

Answer. Thumb impressions on the nomination paper has to be attested for which thumb impressions have to be put before the RO or before an Administrative Officer not below the rank of SDO. To enable the proposers to put their thumb impressions before RO, they shall be called by the RO in batches of four for putting the thumb impression in his presence.

Question260. Should the affidavits in Form 26, be in both English & official language of the state concerned or in any one language?

Answer. It has to be given either in English or in one local language of the state which is the official language.

Question261. For an independent candidate 10 proposers are required to sign the nomination paper before RO. If during scrutiny one proposer says it was not signed by him, what will RO do?

Answer. The RO shall ask the person concerned to submit an affidavit to this affect. If affidavit is submitted then RO shall make a summary inquiry to satisfy himself as to the authenticity of the signature of the proposer. The candidate shall be given adequate opportunity to present his case. In case it is proved that the signature was forged, the nomination of the candidate will be rejected since the nomination with 9 proposers cannot be accepted as a valid nomination paper as

per law in the case of candidates sponsored by registered unrecognized party and independent candidates. The person who filed the nomination with forged signature/thumb impression will have to be prosecuted under the law.

Question262. Whether nomination papers of a candidate who was physically present just a minute before 3:00 PM on the last day of nomination, but without documents will be received or not?

Answer. Nomination paper if available with the candidate has to be received but no other document shall be permitted to be brought into his office after 3.00 PM. In the check list, the fact of not having submitted the relevant documents will be entered. Question of rejection of nomination paper will be decided at the time of scrutiny.

Question263. What is the time limit for filing Form 6, to include name in electoral rolls in case applicant wants to be candidate also?

Answer. Minimum 10 (Ten) days before the last date of making the nomination for an election. However, Form-6 filed thereafter upto the last date for filing nomination shall be received by the ERO but orders can be passed on each such Form only after completion of the election. Under the law, no order for inclusion of name in electoral roll can be made after the last date for making nomination. There is Court ruling clarifying that the cut-off time for passing orders in this regard would be 3.00 PM on the last day of filing of nomination. There is other statutory requirement of displaying the applications on the notice board by the ERO for 7 days, etc. before the ERO can pass orders on the claim application.

Question264. What document should be taken as proof of citizenship?

Answer. There is no requirement to submit any document to prove the citizenship, while making nomination. The presumption in normal course would be that such person is a citizen of India. In case somebody challenges the citizenship of a candidate, the onus is on the objector to produce sufficient proof before the RO in this regard. If this onus is discharged by the objector, the RO should prima-facie give reasonable opportunity to the intending candidate to rebut the complaint.

Question265. If illiterate proposer himself denies about his thumb impression, how RO can decide on thumb impression validity? Should he call finger print expert?

Answer. The illiterate person proposing a candidate has to put his thumb impression before the RO or an Administrative Officer not below the rank of SDO. Therefore, the question of denial would not arise. In case the proposer denies, the RO has to satisfy himself by making summary inquiry.

Question266. If major portion of affidavit is not filled at all, is it ground for rejection?

Answer. As per the latest instructions of the Commission, if any of the columns of the affidavit is left blank, the Retuning Officer, after making preliminary enquiry at the time of submission of nomination paper, will ask the candidate to file a fresh affidavit with all columns filled in. If, however, the candidate does not submit affidavit with all columns filled in, the nomination paper is liable to be rejected. The candidate, however, can write "NIL or Not Applicable", as the case may be, in the column.

Question267. If during scrutiny, a proposer says on affidavit that he has not signed on nomination papers, then what will RO do?

Answer. The RO has to satisfy himself about the signature of the proposers. In case he is satisfied after summary enquiry that the signature is not of the proposer as claimed by him then the nomination paper shall be rejected for want of required number of proposers and the person who filed the nomination paper with forged signature/thumb impression will have to be prosecuted under the law. However, the candidate concerned should be given adequate opportunity to present his case. If necessary, scrutiny proceedings in that candidates' case can be adjourned.

Question268. Is oath required every time? With every nomination filed at different intervals of time by same candidate?

Answer. No. The oath is required to be taken and subscribed only once for an election. Even if a candidate is contesting from two constituencies, one oath is sufficient. It should be noted that oath can be taken only after the nomination paper is filed. It would be for the candidate to produce before the RO, the certificate of taking of oath as per the requirement of law.

Question269. What if independent candidate submits nomination paper with more than 10 proposers? Will it be valid?

Answer. Yes, minimum 10 proposers are required for independent candidate under the law. Excess is not a problem.

Question270. Can the nomination papers be Photocopied & allowed to be examined by other candidate? Or only original papers are to be given for examination?

Answer. Copies of nomination filed by each candidate along with the affidavit accompanying the nomination should be displayed on the notice board in the office of RO on the same day of filing nomination. At the time of scrutiny, the other candidate may be given opportunity to examine the original nomination papers without being allowed to physically handling the paper.

Question271. If in case of an overseas elector, the nomination paper is delivered on the last date of nomination, then he takes an Oath before a consular representative and if he or the consular representative faxes or sends a scanned copy of that form of Oath or a written communication to the RO, can it be allowed? Or the RO should insist for an original document?

Answer. Yes, fax/scanned copy can be relied upon if the original is not received before the scrutiny of nomination. The consular representative should, however, send the original of the oath or affirmation made and signed by the candidate to the RO subsequently.

Question272. Can a candidate withdraw nomination immediately after scrutiny or has to wait till list of validly nominated candidates is prepared in Form-4?

Answer. He should wait till the RO prepares the list of validly nominated candidates in Form-4.

Question273. If a candidate has been issued SC/ST certificate from other state as she has been after marriage residing in other state & contesting election there, how RO should proceed further?

Answer. A person shall not be qualified to be chosen to fill a seat in the Legislative Assembly of a State unless in the case of a seat reserved for the Scheduled Castes or for the Schedule Tribes of that State, he should belong to any of those castes or of those tribes, as the case may be, in that state, and is an elector for any Assembly constituency in that State. In such cases, there should be a SC certificate issued by the competent authority of the State in which the person is contesting election.

Question274. How many persons are allowed to enter the RO's room when the nomination papers are being filed by independent/ unregistered party candidate? Is it 4+1 only? Also in case of illiterate proposers please?

Answer. Only 4 persons can enter the office of RO other than the candidate. Since, illiterate person has to put a thumb impression before the RO or an Administrative Officer not below the rank of SDO, all illiterate proposers who have not already appended their thumb impression before any other authorized officer, shall be called by the RO in batches of four, for putting the thumb impression in front of him.

Question275. Suppose, a candidate filing nomination papers is not a voter of that particular Assembly Constituency, then he will produce a certified extract from the electoral rolls. But as continuous revision is going on, which should be the latest date of that certificate?

Answer. The certified extract should be in respect of the electoral rolls in force. Such extract can be filed till the time of scrutiny of nomination.

Question276. If an independent candidate's nomination form has 12 proposers and proposer no. 3 and 4 is not valid. Total 10 are valid out of the 12, is that acceptable?

Answer. Yes, as the requirement is only of 10 proposers for candidates of registered unrecognized parties and independents.

Question277. Is a candidate needed to file in the affidavit all the particulars of only government dues or also dues of local self government like Municipality, Panchayat etc. and also dues pending for government contracts?

Answer. Details of dues to Departments dealing with the Government accommodation, supply of water and electricity, telephone/mobiles, transport (including aircraft and helicopters), income/wealth/service tax, municipality property tax will have to be shown in respective columns provided in Item (8)(ii) of Form-26. Any other Government dues will have to be shown in the last row of Item (8)(i).

Question278. Whether 1st Class Magistrate & Executive Magistrate are the same. Kindly elaborate with legal provisions?

Answer. It varies from State to State. Generally, Executive Magistrates cannot be equated with 1st Class Magistrate.

Question279. Whether the mentally retarded person or unsound mind person are to be treated as same or there is legally some difference? Kindly elaborate.

Answer. For contesting election, only if a person has been declared by the competent court as of unsound mind under the Lunacy Act, he/she cannot contest any election.

Question280. Whether the nomination paper filed by a candidate not signed at the time of submission or filing of nomination papers can be signed thereafter before scrutiny of nomination papers or not?

Answer. At the time of scrutiny, if any nomination paper of a candidate is found without the signature of the candidate, the RO should reject the nomination as it is a defect of substantial nature. Signature cannot be affixed subsequently.

Question281. In case of reserved constituency, the SC/ST certificate if objected to on the ground that the caste/ tribe do not figure in the list of the Constitution (Scheduled Castes) and (Scheduled Tribes), Order 1950, even though the certificate is proved to be issued by a competent authority, then what happens?

Answer. A person shall not be qualified to be chosen to fill a seat in the Legislative Assembly of a State unless in the case of a seat reserved for the Scheduled Castes or for the Schedule Tribes of that State, he should belong to any of those castes or of those tribes of that state, as the case may be, and is an elector of any Assembly constituency in that State. If the Caste/Tribe to which the candidate belongs is not one of the Castes/Tribes in the list of Scheduled Castes/Tribes for the State, then the candidate cannot be treated as qualified to contest from that reserved seat.

Question282. Does “Magistrate 1st Class” before whom the affidavit on Form 26 is to be sworn include “Executive Magistrate”?

Answer. Affidavit should be sworn before only the magistrate of 1st class, notary public and commissioner of oath appointed by the High Court of the state concerned. Executive Magistrates cannot be treated as 1st Class Magistrates for this purpose, unless they are also specified as 1st Class Magistrate in any State.

Question284. Suppose, I am a candidate of a recognized National or State party, how many proposers I require for my nomination?

Answer. Only one. (Refer: Sec. 33 (1) of Representation of People Act, 1951)

Question285. If I am an independent candidate or a candidate of registered unrecognized Political Party, how many proposers I require for nomination?

Answer. Ten. (Refer: Proviso to Sec. 33(1) of Representation of People Act, 1951)

Question286. Can a person contest election to Lok Sabha (House of People)/Vidhan Sabha (Legislative Assembly) from as many constituencies as he likes?

Answer. No. A person cannot contest from more than two constituencies at a general election for Lok Sabha (House of People) or the Vidhan Sabha (Legislative Assembly) (Refer: Section 33 (7) of Representation of People Act, 1951)

Question287. Whether same restriction applies in relation to bye-elections to any House held simultaneously?



Answer. Yes. You cannot contest more than two bye-elections to the same House, if called simultaneously by the Election Commission. (Refer: Section 33 (7) of Representation of People Act, 1951)

Question288. How many nomination papers can be filed by candidate in the same constituency?

Answer. A candidate can file maximum four nomination paper. (Refer: Proviso to section 33 (6) of Representation of People Act, 1951)

Question289. Can I go to the office of Returning Officer for filing a nomination with a procession?

Answer. No. The maximum number of vehicles that will be allowed to come within the periphery of 100 mtrs of Returning Officer's office has been restricted to 3 and maximum number of persons that will be allowed to enter the office of Returning Officer has been limited to 5 (including the candidate).

Question290. How many persons are allowed at the time of scrutiny of nominations by the Returning Officer?

Answer. The candidate, his election agent, one Proposer and one other person (who can be an advocate) duly authorized in writing by the candidate, but no other person, may attend at the time fixed for scrutiny of nominations by Returning Officer. (Refer: Sec. 36 (1) of Representation of People Act, 1951)

Question291. If a candidate, to whose nomination paper an objection has been raised, applies for time to rebut such objection, can Returning Officer grant time for such candidate?

Answer. Yes. The Returning Officer may adjourn the hearing of the objection till the next day or the day after that but not beyond 11.00 a.m. on that day. The hearing in any case should be completed by Returning Officer well before 3.00 p.m. on the last day fixed for withdrawal of candidatures.

Question292. Democratic Party, a recognized State Party in Himachal Pradesh, is setting up candidate for legislative assembly of Punjab. What is the minimum number of proposers needed for this candidate for a valid nomination?

Answer. It will require minimum 10 proposers for valid nomination of its candidate.

Question293. A woman candidate belonging to Scheduled Caste is contesting election to a Legislative Assembly from a general seat. What is the security deposit amount applicable in her case?

Answer. She will have to deposit half the amount of the security deposit prescribed for general candidates.

Question294. Who is competent to issue public notice of election in Form 1?

Answer. Returning officer concerned is competent to issue public notice in Form 1.

Question295. What is the cut-off time for filing Forms 'A' and 'B' for a candidate of a political party?

Answer. Forms 'A' and 'B' for a candidate of a political party can be filed by 3:00 PM on the last date of making nomination.

Question296: can any person become a proposer?

Answer: The proposer should be an elector from the same constituency where the candidate is filing nomination paper.

Question297: An engineer has submitted his resignation to the competent authority in his department. Can he contest election?

Answer: He can contest election only when his resignation is accepted by the competent authority before scrutiny of nomination papers.

Question298: If a candidate is contesting from two constituencies, does he require to submit security deposit in respect of both the ACs.

Answer: The candidate is required to submit security deposit in respect of both the ACs.

Question299: How you can get the list of persons who have been disqualified for not filing accounts of election expenditure at all or in the manner required by law?

Answer: The list of persons who have been disqualified for not filing accounts of election expenditure at all or in the manner required by law is provided to the Returning Officers by the Election Commission through the Chief Electoral Officers of the state.

## Electronic Voting Machines and VVPAT

### Electronic Voting Machines

Question300. What is an Electronic Voting machine? In what way its functioning is different from the conventional system of voting?

Answer. An Electronic Voting Machine consists of two Units – a Control Unit and a Balloting Unit – joined by a five-meter cable. The Control Unit is with the Presiding Officer or a Polling Officer and the Balloting Unit is placed inside the voting compartment. Instead of issuing a ballot paper, the Polling Officer in-charge of the Control Unit will press the Ballot Button. This will enable the voter to cast his vote by pressing the blue button on the Balloting Unit against the candidate and symbol of his choice.

Question301. How can EVMs be used in areas where there is no electricity?

Answer. EVMs run on an ordinary 7.5 volt alkaline battery manufactured by Bharat Electronics Ltd., Bangalore and Electronic Corporation of India Ltd., Hyderabad. Therefore, even in areas with no power connections, EVMs can be used.

Question302. What is the maximum number of votes which can be cast in EVMs?

Answer. The number of votes cast in EVM varies with its model as given below:

I.	Pre 2006 EVMs	-	3840 votes
II.	Post 2006 EVMs	-	2000 votes
III.	Upgraded Post 2006 EVMs	-	2000 votes

Question303. What is the maximum number of candidates which EVMs can cater to?

Answer. EVMs can cater to a maximum of 64 candidates including NOTA. There is provision for 16 candidates in a Balloting Unit. If the total number of candidates exceeds 16, a second Balloting Unit can be linked parallel to the first Balloting Unit. Similarly, if the total number of candidates exceeds 32, a third Balloting Unit can be attached and if the total number of candidates exceeds 48, a fourth Balloting Unit can be attached to cater to a maximum of 64 candidates. The upgraded Post 2006 can cater to 24 BUs i.e., 384 candidates including NOTA.

Question304. What will happen if the number of contesting candidates in a constituency goes 64 or above?

Answer. In case the number of contesting candidates goes beyond 64 in any constituency, Pre & Post 2006 EVMs cannot be used in such a constituency. The conventional method of voting by means of ballot box and ballot paper will have to be adopted in such a constituency. However, in case of upgraded Post 2006 (2013 onward) EVMs can be used upto 384 candidates.

Question305. What will happen if the EVM in a particular polling station goes out of order?

Answer. An Officer is put on duty to cover about 10 polling stations on the day of poll. He will be carrying spare EVMs and the out-of-order EVM can be replaced with a new one. The votes recorded until the stage when the EVM went out of order will be safe in the memory of the Control Unit and it will be sufficient to proceed with the polling after the EVM went out of order. It is not necessary to start the poll from the beginning.

Question306. In our country a sizeable section of the population being illiterate will it not cause problems for the illiterate voters?

Answer. In fact, voting by EVMs is simpler compared to the conventional system, where one has to put the voting mark on or near the symbol of the candidate of his choice, fold it first vertically and then horizontally and thereafter put it into the ballot box. In EVMs, the voter has to simply press the blue button against the candidate and symbol of his choice and the vote is recorded. Rural and illiterate people had no difficulty in recording their votes and, in fact they have welcomed the use of EVMs.

Question307. How can booth capturing be prevented by the use of EVMs?

Answer. The presiding Officer or one of the Polling Officers can press the "close" button as soon as they see some intruders inside the polling station. It will not be possible to record any vote when once the 'close' button is pressed. This way the further recording of votes in EVM is prevented and this will frustrate the efforts of the booth-capturers.

Question308. What are the advantages in using EVMs?

Answer. The most important advantage is that the printing of millions of ballot papers can be dispensed with, as only one ballot paper is required for fixing on the Balloting Unit at each polling station instead of one ballot paper for each individual elector. This results in huge savings by way of cost of paper, printing, transportation, storage and distribution. Secondly, counting is very quick and the result can be declared within 2 to 3 hours as compared to 30-40 hours, on an average, under the conventional system. Thirdly, there are no invalid votes under the system of voting under EVMs. The importance of this will be better appreciated, if it is remembered that in General Elections, the number of invalid votes is more than the winning margin between the winning candidate and the second candidate, in a number of constituencies. To this extent, the choice of the electorate will be more correctly reflected when EVMs are used.

Question309. Does the use of EVMs slow down the pace of poll?

Answer. No. In fact the pace of poll is quickened by the use of EVMs as it is not necessary for the voter to first unfold the ballot paper, mark his preference, fold it again, go to the place where the ballot box is kept and drop it in the box. What he has to do under the system of EVMs is simply to press the button near the candidate and symbol of his choice.

Question310. How long the Control Unit stores the result in its memory?

Answer. The Control Unit can store the result in its memory for 10 years and even more.

Question311. Wherever an election petition is filed, the result of the election is subject to the final outcome. The courts, in appropriate cases, may order a recount of votes. Whether EVMs can be stored for such a long time and whether the result can be taken in the presence of the officers authorized by Courts? Will not the battery leak or otherwise damage EVMs?

Answer. The battery is required only to activate the EVMs at the time of polling and counting. As soon as the polling is over, the battery can be switched off and this will be required to be switched on only at the time of counting. The battery can be removed as soon as the result is taken and can be kept separately. Therefore, there is no question of battery leaking or otherwise damaging EVMs. Even when the battery is removed the memory in the microchip remains intact.

If the Court orders a recount, the Control Unit can be reactivated by fixing the battery and it will display the result stored in the memory.

Question312. Is it possible to vote more than once by pressing the button again and again?

Answer. No. As soon as a particular button on the Balloting Unit is pressed, the vote is recorded for that particular candidate and the machine gets locked. Even if one presses that button further or any other button, no further vote will be recorded. This way the EVMs ensure the principle of "one man, one vote".

Question313. How can a voter be sure that the EVM is working and his vote has been recorded?

Answer. As soon as the voter presses the 'blue button' against the candidate and symbol of his choice, a tiny lamp on the left side of the symbol glows red and simultaneously a long beep sound is heard. Thus, there is both audio and visual indications for the voter to be assured that his vote has been recorded.

Question314. Will it not be difficult to transport the EVMs to the polling stations?

Answer. No. Rather it will be easier to transport the EVMs compared to ballot boxes as EVMs are lighter, portable and come with polypropylene carrying cases.

Question315. In many areas of the country, there is no electricity connection and even in those places where there is electricity connection, power supply is erratic. In this scenario will it not create problem in storing the machines without air conditioning?

Answer. There is no need to air condition the room/hall where EVMs are stored. What is required is only to keep the room/hall free from dust dampness and rodents.

Question316. How can a presiding officer know hourly turn out of votes in the polling station by means of EVM?

Answer. By pressing total button on EVM the presiding officer can see the total number of votes poll up to the time of pressing the button.

Question317. The Balloting Unit has provision for 16 candidates. In a constituency, there are only 10 candidates. The voter may press any of the buttons from 11 to 16. Will these votes not be wasted?

Answer. No. The panels for candidates Nos. 11 to 16 will be masked before use. Further, recording of votes for candidates 11 to 16 will also be blanked off electronically, as the candidates' switch is set on 10. Therefore, there is no question of any voter pressing any of the buttons for candidates 11 to 16 or the votes for these candidates being recorded in the EVMs.

Question318. Ballot boxes are engraved so as to avoid any scope for complaint of replacement of these boxes. Is there any system of numbering EVMs?

Answer. Yes. Each Control Unit has a unique ID Number, which is engraved on the metal plate fixed on the back of each unit. Moreover, bar code sticker is pasted. Display has also unique ID of the unit. This ID Number will be allowed to be noted by the Polling Agents and will also be recorded in a Register maintained for the purpose by the Returning Officer. The address tag attached to the Control Unit also will indicate this ID Number. Therefore, there is no question of replacement of any EVM.

Question319. Is there any provision for issue of tendered ballot papers when EVMs are used?

Answer. Yes. There is provision for issue of tendered ballot papers under the system of EVMs also. But, when such a situation arises, the voter concerned will be issued an ordinary ballot paper. After marking the ballot paper with the arrow cross mark rubber stamp supplied, the tendered ballot paper will be put inside a cover specially provided for the purpose, sealed and kept by the Presiding Officer.

Question320. In the conventional system, before the commencement of poll, the Presiding Officer shows to the polling agents present that the ballot box to be used in the polling station is empty. Is there any such provision to satisfy the polling agents that there are no hidden votes already recorded in the EVMs?

Answer. Yes. Before the commencement of poll, the Presiding Officer demonstrates to the polling agents present that there are no hidden votes already recorded in the machine by pressing the result button. Thereafter, he will conduct a mock poll by asking the polling agents to record their votes and will take the result to satisfy them that the result shown is strictly according to the choice recorded by them. Thereafter, the Presiding Officer will press the clear button to clear the result of the mock poll before commencing the actual poll.

Question321. How can one rule out the possibility of recording further votes at any time after close of the poll and before the commencement of counting by interested parties?

Answer. As soon as the last voter has voted, the Polling Officer in-charge of the Control Unit will press the 'Close' Button. Thereafter, the EVM will not accept any vote. Further, after the close of poll, the Balloting Unit is disconnected from the Control Unit and kept separately. Votes can be recorded only through the Balloting Unit. Again the Presiding officer, at the close of the poll, will hand over to each polling agent present an account of votes recorded. At the time of counting of votes, the total will be tallied with this account and if there is any discrepancy, this will be pointed out by the Counting Agents.

Question322. How do voters cast their vote using EVMs?

Answer. The balloting unit of the EVM will have a securely held ballot paper on it showing the names and photographs of the candidates along with their symbols. The Presiding/Polling Officer in charge of the Control unit will press the ballot button before allowing the voter to enter the voting chamber. When the ballot button on the control unit is pressed, the balloting unit becomes ready for recording one vote which is indicated by the ready lamp on the balloting unit. Now the voter has to simply press the blue candidate button on the balloting unit against the name and symbol of the candidate of his choice.

Question323. What is printed in the ballot paper which is put in the balloting unit?

Answer. The ballot paper put on the balloting unit contains name, symbol and photograph of the candidates.

Question324. Can a voter ask for help from Presiding Officer as to how to cast vote in the EVM?

Answer. Yes. Presiding Officer can explain to the voter the voting process using the cardboard model (replica) of the EVM balloting unit (which is provided at polling station) in such a manner

that voter is able to understand but only in the presence of polling agents and not inside the voting compartment.

Question325. Whether a candidate can print Dummy Ballot Papers using his own name and symbols and indicating the place where it would appear as a publicity material for educating the voters?

Answer. Yes. Such Dummy Ballot Papers can be printed on any colour but not in pink and white colour and not showing the names and symbols of other candidates.

Question326. Is there any system of “randomization” of EVMs before same are allotted to concerned Polling Stations?

Answer. Yes. The EVMs are thoroughly checked and randomized first at the level of District Election Officer in the presence of representatives of recognized political parties and thereafter randomized list of EVMs allotted to each Assembly Constituency is given to the representatives of such parties and if a representative of party is not available, still such list is sent to such party’s office. Second randomization of EVMs is done by Returning Officer in the presence of Observer and representatives of candidates for allotting to specific polling stations. A list of such EVMs indicating current ID and machine No. allotted to each polling station is given to representatives of candidates.

Question327. Is there any procedure to seal the EVM before it is used for polling?

Answer. Physical sealing of different segments of an EVM is done to prevent access to the buttons controlling various processes of the poll. This is done in several stages. Sealing of ballot screen of the balloting unit and the candidate set section of the control unit is done under the supervision of Returning Officer in the presence of the candidates or their agents to prevent tampering with the alignment of the ballot paper and making unwanted changes in the candidate buttons that are actually required for a particular poll. Similarly, the ‘result section’ is sealed at any the polling station after the mock poll, so that no one can see the result of a particular polling station before it is taken up for counting at the counting center on the specified date. The candidates or their agents are invited by the election authorities to put their signatures on the tags/paper seals alongwith the seals of the Returning/Presiding Officers.

Question328. After poll, where the EVMs are kept till counting?

Answer. The polled EVMs are stored in a secure storage centre in the constituency or a nearby place on which the candidates or their representatives can keep a watch. Mostly it is the same place where the counting is made.

Question329. At the time of counting suppose a display in EVM is not showing the result. In such case how the result can be verified?

Answer. The manufacturers of the EVMs have developed an “Auxiliary Display Unit. With the use of this ADU, results can be retrieved most of the times when there is a failure of the original display on the Control unit.

Question330. How the votes are counted in EVMs?

Answer. In the Counting Centre, the EVMs are kept on a number of counting tables whose number does not normally exceed 14. Seating arrangements are made for the counting agents in

such a way that they can clearly watch the EVM and its display. When the result button on the control unit of an EVM is pressed, its display segment indicates the total number of votes polled in a particular polling station and then shows the votes polled by each candidate in serial order. Besides the counting staff, these are noted by the counting agents also. At the end of each round, the result of that round and the progressive total is announced. The result is compiled by summing up the round wise totals.

Question331. How the numbers of contesting candidates are set in EVM?

Answer. For setting up the number of contesting candidates the candidate set button is pressed after linking balloting unit with the control unit. As soon as candidates set button in Control Unit is pressed the display shows “candidate set”. On display of this message the last button that is NOTA button is to be pressed.

Question332. Which paper seal is fixed at the time of First Level Checking? What is done after sealing?

Answer. Pink paper Seal. The representatives of political parties, engineers have to put the signature on pink paper seal.

Question333. Name the seals required for sealing of Control Unit after mock poll at the Polling Station.

Answer. Green paper Seal and Outer Paper Strip Seal (ABCD Seal) and Special tag.

Question334. How many votes are cast during mock poll at the Polling Station?

Answer. At least 50 votes

Question335. What is CRC (Close-Result-Clear) and when is it to be done?

Answer. After mock poll, the CU is supposed to be cleared for actual poll. Therefore, First Close Button is pressed for closing of Mock Poll, then Result button is pressed for viewing result and thereafter clear button is pressed for deleting the votes of mock poll.

Question336. What happens to the slips generated by the VVPAT during poll, explain in brief?

Answer. The slips generated during mock poll are counted before the polling agents present at polling station to show the results of mock poll done by them. Thereafter, they are kept in a thick black envelope duly sealed.

Question337. How many Ballot Units can be connected to one Control Unit in Post-06 model?

Answer. 4 Ballot Units

Question338. How many Ballot Units can be connected to one Control Unit in Post-13 model?

Answer. 24 ballot Units

Question339. What is the mandatory period for keeping EVMs, used in an election, untouched?

Answer. 6 months

## **Voter Verifiable Paper Audit Trail (VVPAT)**



Question340. What is Voter Verifiable Paper Audit Trail (VVPAT)? Why it is introduced?

Answer. To further increase transparency in voting, the Commission is experimenting with VVPAT in which a slip is generated after vote is cast. This slip is visible to the voter for a few seconds and then it falls in a drop box.

Question341. How many ports does a VVPAT have for making connections? Please name them.

Answer. 2 Ports. BU Interface and VSDU Interface

Question342. Name the connection port in the VVPAT where cable from Ballot Unit is connected.

Answer. BU Interface

Question343. Who loads the Ballot paper in the VVPAT?

Answer. Engineers of the manufacturers

Question344. When is the first randomization of VVPAT done?

Answer. After First level Checking of EVMs/VVPATs

Question345. When is the second randomization done?

Answer. After Preparation of EVMs/VVPATs

Question346. Which compartment of VVPAT is sealed after mock poll?

Answer. Ballot Slip Compartment

Question347. What is VSDU and where is it placed during actual poll?

Answer. It displays errors occurred in the VVPAT unit. It is placed on the table of presiding officer along with the Control Unit.

Question348. Which unit(s) is/are placed in the voter's compartment?

Answer. Ballot Unit(s) and VVPAT

Question349. After mock poll at the polling Station, how the Ballot Slips of VVPAT kept?

Answer. Mock poll slips of the VVPAT are kept in a thick black envelope and sealed in a air-tight plastic box.

Question350. When the Ballot Slips of VVPAT are counted?

Answer. If any Witten request is received by the representative of any contesting candidate

Question351. What steps are to be taken for storing of VVPAT Ballot Slips after counting?

Answer. Slips of the VVPAT are kept in a thick black envelope and sealed in a air-tight plastic box

Question352. Why are the EVMs and VVPATs kept in separate strong rooms after counting?

Answer. As the VVPAT does not have any memory and the ballot Slips are separated at the time of counting, the unit is free to use in next election. Therefore, the same is kept separate so that VVPATs are not locked in the strong room if any EP is filed

Question353. What is the mandatory period for filing an Election petition?

Answer. 45 days

Question354. If an EP is filed, can the VVPATs, used in that election, be used in any other election before disposal of the EP?

Answer. Yes. The VVPAT do not have any votes recorded. The slips generated during the conduct of actual poll are taken out and kept in a black thick envelope at the time of counting. Therefore, the VVPAT becomes empty and usable for next election.

## Conduct of Polls

### ELECTION AGENT

Question355. Who appoints election agent?

Answer. A candidate at an election may appoint an election agent. (Refer: section 40 of representation of People Act, 1951)

Question356. What is the manner of appointment of an election agent?

Answer: The appointment of an election agent shall be made by the candidate in Form 8 appended to the CE Rules, 1961. The notice of such appointment shall be given by the returning officer by forwarding that form in duplicate, and the returning officer shall thereupon retain one copy for his record and return the second copy of the election agent after affixing his signature and his seal in token of his approval of the appointment. (Refer Rule 12 of Conduct of Election Rules, 1961)

Question357. What are the qualification and Disqualification for being an election agent?

Answer. The law does not prescribe any qualification for being an election agent. However, the law stipulates that no person shall be appointed as election agent of a candidate, if he is for the time being disqualified under the Constitution or the RP Act, 1951 for being a member of either House of Parliament or of a State legislature, or for voting at elections to those Houses. (Refer Section 41 of the RP Act, 1951)

Question358. Is there any restriction on appointment of a Minister/M.P./M.L.A/M.L.C or any other person who is under security cover as an Election Agent/Polling Agent/ Counting Agent?

Answer. Yes. Candidate cannot appoint a Minister/M.P./MLA/MLC or any other person who is under security cover, as an election/polling agent/counting agent, as his personal security shall be jeopardized with such appointment, because his security personnel will not under any circumstances be permitted to accompany him into the 100 meter perimeter of polling stations described as the "Polling Station Neighborhood" and within the polling booth and campus of counting centre and within the counting centre. Also any person having security cover will not be allowed to surrender his security cover to act as such agent of a candidate.

Question359. What are the functions of election agent?

Answer. An election agent may perform such functions in connection with the election as authorized by candidate under the law. (Refer: section 45 of Representation of People Act, 1951)

## **POLLING AGENT**

Question360. By whom Polling agents are appointed? Name the form in which appointment of polling agent is made?

Answer. Polling agents are appointed by the candidates or their election agents. The appointment letter is issued in Form-10 appended to the CE Rules 1961.(Refer: Sec. 46 of Representation of People Act, 1951 and rule 13 of Conduct of Election Rules, 1961)

Question361. Can a candidate appoints a person as polling agents from anywhere?

Answer. No, a person who is appointed as a polling agent must be an ordinarily resident and elector of the concerned polling station area or from neighboring polling area. Such person must also have Elector's Photo Identity Card.

Question362. Is it necessary for a candidate to appoint polling agents for each and every polling station?

Answer. The law allows a candidate or his election agent to appoint three polling agents (one agent and two relief agents) to act as their representatives at every polling station to watch their interest. But at any given point of time only one such agent can remain inside the polling station. (Refer: Sec. 46 of Representation of People Act, 1951 and rule 13 of Conduct of Election Rules, 1961)

Question363. What are the duties of polling agents?

Answer. The main duty of polling agents is to see that interests of the candidates, who have appointed them, are safeguarded at the polling stations by helping the Presiding Officer to detect and prevent impersonation of voters by challenging persons whose identity as real elector is doubtful and to see that EVM is properly secured/sealed before, during and after the close of poll and mock poll is conducted in their presence and poll proceedings conducted in accordance with the procedure laid down by the Election Commission.

Question364. The polling agents carry with them either their EPIC or any photo bearing I.D proof. (True / false)

Answer. True

Question365. The polling agent should compulsorily be registered elector at the booth where he has been deputed. (True / false)

Answer. He should be registered elector of the polling station or from neighboring polling station.

Question366. When normally polling agents are required to reach at the polling stations?

Answer. Candidates are advised to depute your polling agents at the polling stations at least one hour before the time fixed for commencement of poll so that they are present at the time of preparation of EVM and mock poll exercise etc. by the Presiding Officer.

Question367. Is replacement of polling agent by his relieving agent allowed at polling station at any time?

Answer. Yes. But such replacement of polling agent is not allowed two hours before the close of the poll.

## **POLLING PERSONNEL**

Question368. How the polling personnel are selected for formation of polling parties?

Answer. A district database of all eligible Govt. officials (Central/State) is maintained in an electronic form by District Election Officer in the District and then it is randomized with the aid of computer and proper mix of officials drawn from different offices is made at the time of formation of polling parties. Normally, no person is assigned polling duties in an Assembly constituency in which he is posted or in which he resides or the constituency, which is his home constituency.

Question369. When the Polling parties are informed about the specific number and name of Polling Station which is assigned to them?

Answer. The number and name of actual polling station is disclosed to the polling parties when they leave the dispersal centre for duty.

Question370. How can a person be identified that he has been appointed as Polling Personnel at a polling station?

Answer. The Govt. officials who are appointed as Polling Personnel can be easily identified as they are issued Photo Identity Cards by the District Election Officer/Returning Officer.

Question371. On the day of poll, can any one vote in the name of another person, even with his consent?

Answer. No, on the day of poll no one can vote in the name of another even with his consent. If he does so it would amount to impersonation which is an offence under Section 171 D of Indian Penal Code. The offence is punishable with imprisonment of either description which may extend to one year or with fine or both.

Question372. Can any one vote more than once, even if his name is included (wrongly) at more than one place?

Answer. No, no one can vote more than once even if his name is included at more than one place. If he does so he will be guilty of impersonation which will be punishable as above.

Question373. If an individual goes to his polling station and find that somebody else has impersonated for him and already voted in his name, can he vote in such circumstance?

Answer. Yes, If a person finds that someone else has already voted in his name, then also he will be allowed to vote. But his ballot paper will be marked as a Tendered Ballot Paper by the Presiding Officer. This will be kept separately in the prescribed cover, as per Rule 42 of the Conduct of Elections Rules, 1961.

## **Micro Observers**

Question374. What is the concept of Micro Observer?

Answer. An officer/official of Central Govt./Public Sector undertakings of Central Govt. working in the district is deployed as a Micro Observer at a polling station or a group of polling stations located in a premises/building who works directly under the control and supervision of Observer of Election Commission of India.

Question375. What is the criteria for deployment of Micro Observers?

Answer. Polling stations are short listed for the purpose on the basis of various factors which contribute to vulnerability of voters.

Question376. What are the duties of Micro Observer on the poll day?

Answer. The duties of Micro Observer are mainly to watch the following aspects:-

- i. Mock poll procedures,
- ii. Presence of polling agents and observance of ECI instructions with regard to them,
- iii. Observance of entry pass system and access to polling station,
- iv. Proper identification of electors in accordance with ECI guidelines,
- v. Identification and recording procedures for the absentee, shifted and duplicate voters list (ASD list), wherever made,
- vi. Application of Indelible Ink,
- vii. Noting down particulars of electors in the register in Form 17A,
- viii. Maintenance of secrecy of voting,
- ix. Conduct of polling agents, their complaints,

If the Micro observer feels that the poll is, for any reason being vitiated he will immediately bring it to the notice of the constituency Observer for taking remedial action.

## **Presiding Officer**

Question377. Name the two documents which are displayed by P.O. outside the polling booth on the day of poll?

Answer.

- (a) The list of contesting candidates in form No. 7A.
- (b) Polling area details (locality &H.No. of the electors of the polling stations)(Refer: Rule 49C of Conduct of Election Rules, 1961)

Question378. Indelible ink is applied by which polling officer?

Answer. Second polling officer.

Question379. What are the three things which the presiding officer demonstrates to the polling agents before the start of poll?

Answer:

- a. Marked copy of electoral roll.
- b. Register of voter-(Form-17A).
- c. The Electronic Voting Machine

Question380. What entries are marked by hand in the marked copy of electoral roll?

Answer. Entries against the serial number of the respective electors are made with regard to the followings:-

- a. Postal Ballot. (PB)
  - b. Election Duty Certificate. (EDC)
  - c. Deletions & Modifications of Supplements
- (Refer: Rule 49F of Conduct of Election Rules, 1961)

Question381. The Mock poll exercise begins & ends with the pressing of which button in the control unit?

Answer. Clear Button

Question382. At what time mock poll is done and what procedure is followed during mock poll?

Answer. Mock poll shall be conducted normally one hour before the scheduled hour of commencement of actual poll. But if polling agents of atleast two candidates are not present, the Presiding Officer may wait for 15 minutes before conducting the mock poll and if the agents still not come, then the Presiding Officer may go ahead and start mock poll. The mock shall be conducted with the polling agents voting at random for each of the contesting candidates. A total of atleast 50 votes should be polled in the mock poll.

Question383. Whether mock poll is done in cases of replacement of EVMs during the poll? What will be the procedure of mock poll during such cases?

Answer: Yes, if any defect arises in the Ballot unit (BU) or Control Unit (CU) of the EVM during poll process, the entire set of EVM (both BU & CU) should be replaced by new set of EVM (BU & CU), a mock poll should be should be conducted on the new set of EVM (both BU & CU) before it is put to use. However, in this case, it would be sufficient to cast at least one vote each for each of the candidates.

Question384. Name the seals and tags used by Pr.O. for preparation of EVM before starts of poll?

Answer.           A. Special tag                    B. Green paper seal  
                      C. Add. Tag                            D. Outer strip seal

Question385. Suppose you are a presiding officer, one person approaches the polling Booth for casting his vote. The 1<sup>st</sup> Polling officer on checking the, marked copy of electoral roll tells that his vote has already been polled. What you would do?

Answer. Allow him to vote through tendered ballot paper. His signature/ thumbs impression will be obtained in Form 17B appended to the CE Rules 1961. (Refer rule 49P of CE 1961)

Question386. The details of tendered vote polled are entered in which register/Form?

Answer. Form 17B appended to the CE Rules 1961

Question387. On which finger indelible ink is applied in case of proxy voter?

Answer. Middle Finger (Refer rule 27Q of CE Rules 1961)

Question388. At the hour of close of poll, ten electors are standing in the queue, what would Presiding Officer do?

Answer. Close the gate of the Polling Booth at the hour of close of poll issue duly signed token to all the electors standing in the queue starting from the last elector and continue polling till the last elector having token No.1 cast his vote even if the voting goes beyond the prescribed hours

Question389. What declarations a person has to give to act as a companion of a blind or infirm voter?

Answer.

- a. That he shall not act as a companion of any other elector at any Polling Station on the same day.
- b. That he will keep secret the vote recorded by him on behalf of the electors  
(Refer Rule 49N of CE Rules 1961)

Question390. How many times can a companion accompany the aged or infirm electors?

Answer. Only Once

Question391. What is the colour of the statutory covers?

Answer. Green

Question392. What is the colour of the Non-statutory covers?

Answer. Yellow

Question393. On which finger the indelible ink is applied?

Answer. Marking of the indelible ink is made on fore finger of the left hand. (Refer Rule 49K of CE Rules 1961)

Question394. Where the details of identification documents of a voter should be written during poll?

Answer. In Form 17A (REGISTER OF VOTERS) (Refer Rule 49L of CE Rules 1961)

Question395. At the close of poll presiding officer gives attested copy of accounts of vote recorded (Form 17 C) to:

Answer. To all the polling agents present

Question396. Special Tag comes attached to the Control Unit, when the EVM arrives at the Polling booth? Y/N

Answer. No

Question397. Where the number of candidates contesting is 25, the position of slide switch in the second BU will be at?

Answer. At 2

Question398. Before the Mock poll, the EVM needs to be cleared? Y/N

Answer. Yes



Question399. Who signs the Green Paper Seal?

Answer. Presiding Officer

Question400. Where is the Special Tag attached?

Answer. On Inner cover of Result section

Question401. What is the fee for challenging the Identity of an Elector and in which form List of challenged votes is prepared?

Answer. Rs. 2/-. The list of Challenge votes is prepared in Form 14 of CE Rules 1961. (Refer Rule 36)

Question402. Who deposits the challenge fee?

Answer. Polling Agents

Question403. If the Challenge is established, what happens to the challenge fee?

Answer. Challenge fee of Rs 2/- is returned to the objector

Question404. How many digits of the ID Document are required to be entered in Register of Votes?

Answer. Last four

Question405. Register of Votes is maintained in which Form?

Answer. 17A

Question406. Who is the custodian of the marked copy of Electoral Roll?

Answer. Polling Officer 1

Question407. Can a voter refuse to vote, once his/her name is entered in the Register of Votes?

Answer. Yes. A entry will be made in the Register 17A that the voter has refused to vote.

Question408. The lunch timings during the Poll are fixed at 2.30 pm? Y/N

Answer. No

Question409. Can the Presiding Officer go alone, inside the voting compartment to inspect the EVM, during the Poll?

Answer. No, he has to take Polling Agents with him

Question410. Is the Presiding Officer's Diary required to be sealed? Y/N

Answer. No, it is kept in open envelope

Question411. Is the Paper seal account required to be sealed?

Answer. No

Question412. On which form is the account of votes maintained?

Answer. Form 17C appended to the CE Rules 1961.

Question413. Is the Account of votes required to be sealed?

Answer. No

Question414. Voter slips are Statutory or Non statutory item?

Answer. Statutory

Question415. Can the Poling Agents put their signatures on the strip seal.?

Answer. Yes

Question416.Are Polling Agents authorized to collect the account of votes?

Answer. Yes

Question417. What does the Presiding Officer do, if an elector seems to be underage?

Answer. Asks for filing declaration of Age

Question418. Pr.O should give special treatment to any VIP or celebrity coming to cast vote.  
(True/False)

Answer. False

Question419. An elector issued with PB can also vote personally at the polling booth. (True / false)

Answer. False

Question420. No Vehicles are allowed inside the 100 meter perimeter of a Polling Station. (True / false)

Answer. False

Question421. At the end of poll P.O should draw a line after the last entry in form 17A and record the serial number of the last entry. He should sign the above statement and also obtained the signature of polling agents. (True / false)

Answer. True

Question422. An elector issued with EDC can vote at the booth where he has been put on duty. (True / false)

Answer. True

Question423. Is it necessary to issue "Arrow Cross Mark" rubber stamp for polling material where EVM are to be used?

Answer. Yes (Refer Rule 49P of CE Rules 1961)

Question424. Under which provision of the RP Act maintenance of secrecy of voting is mentioned?

Answer. Section 128 of the RP Act 1951

Question425. To talley the figures of voting during poll what is to be done?

Answer. To tally the figures of voting during poll following steps should be taken:

1. Press "Total" button in CU.
2. Verify serial number in Form 17A.

Question426. If one of the Polling person of a Polling team is absent at the Polling Station on the day of poll what should be done by the Presiding Officer.

Answer. Any person who is available at the polling station to perform election duty can be substituted / appointed by the Presiding Officer. (Refer Section 26 of RP Act 1951)

Question427. Can a Presiding Officer adjourn poll due to extraordinary circumstances?

Answer. Yes (Refer Section 57 of the RP Act 1951)

Question428. If Presiding officer feels that polling station is being captured, then what he should do?

Answer. First close button has to be pressed and immediately switch off the CU and detach it from BU as per the provision of Rule-49 x of the Conduct of Election Rules, 1961.

Question429. What presiding officer should do during poll hours if there is any doubt that Ballot Unit not functioning or any defect is suspected or BU has been tampered with?

Answer. Presiding Officer can enter in the voting compartment to verify when nobody is inside the compartment and if any polling agent(s) wish to accompany they can also be allowed (Refer Rule 49Q of CE Rules 1961)

Question430. Whom Election Duty Certificate (EDC) is issued?

Answer. A person is such public servant and voter on election duty in the constituency. (Refer Rule 20 of CE Rules 1961)

Question431. Whether police Personnel on duty at the Polling Station are authorized to verify proof of identity of an elector to enter in Polling Station?

Answer: No

Question432. Who shall hold a summary inquiry into challenged votes?

Answer: The Presiding Officer (Refer Rule 36 of CE Rules 1961)

## Postal Ballots

Question433. Who are the Persons entitled to vote by post at an election in a assembly constituency?

Answer: The following Persons are entitled to vote by post:

- (A) special voters
- (B) service voters
- (C) voters on election duty and;
- (D) electors subjected to preventive detention

(Refer Rule 20 of the CE Rules 1961)

Question434. What is the time limit for dispatching the Postal Ballots to the service Electors, after these are printed?

Answer. 48 Hours

Question435. What documents should be sent with the postal ballot paper?

Answer: A Postal Ballot Paper shall be sent to the Elector together with:

- (A) A declaration in Form 13A
- (B) A cover in Form 13B
- (C) A large cover addressed to the returning officer in Form 13C
- (D) An instructions for the guidance of the elector in Form 13D

(Refer Rule 23 of the CE Rules 1961)

Question436. What is the colour of Postal Ballots in the Election to the Legislative Assembly?

Answer. Pink

Question437. Is the symbol printed on the Postal Ballots?

Answer. No

Question438. Is the Postal Ballot Paper and the Ballot paper used in the EVM, same?

Answer. No

Question439. What is to be written on the counter foil of the Postal Ballot Paper?

Answer. SN & Part No of Voter (Refer Rule 23 of the CE Rules 1961)

Question440. When should the Postal Ballot Paper reach the Returning Officer?

Answer. Before the hour fixed for the commencement of counting of Votes. (Refer Rule 27 of the CE Rules 1961)

Question441. At what stage are the Postal Ballot Papers counted?

Answer.Counting of postal ballot paper starts half an hour before counting of votes on EVMs.

Question442. In which envelop the Postal Ballot is sent to the Elector?

Answer. 13B

Question443. In which envelop, the Electors sends his Postal Ballot back to the RO?  
Answer. 13C

Question444. The instructions for filling up of the postal ballots are contained in which Form?  
Answer. 13D

Question445. What Form is to be filled up by an official on Election duty, desirous of being issued Postal Ballot?  
Answer. Form 12

Question446. What Form is to be filled up by a person desirous of being issued EDC?  
Answer. Form 12A

Question447. A person who has been issued PB, can cast his vote at Polling Booth? Y/N  
Answer. No

Question448. What is written on the Envelope 13 B?  
Answer. SN of Postal Ballot

Question449. The elector signs the postal Ballot to mark his preference? Y/N  
Answer. No

Question450. Is a person subjected to preventive detention under any law entitled to vote in an election?

Answer. Yes. He is entitled to vote by Postal Ballot paper. Electors under preventive detention who wishes to vote by post at an election shall send an intimation in Form 12B to the returning officer so as to reach him at least ten days before the date of poll.

(Refer: Proviso to Section 62(5) of the Representation of the People Act, 1951 and Rules 18 (a) (iv) & 21 of Conduct of Elections Rules 1961).

## ELECTION CAMPAIGN

Question451. Whether there is any restriction for plying of vehicles for electioneering purposes?  
Answer. Yes. Candidate can apply any number of vehicles (all mechanized/motorized vehicles including 2 wheelers) for the purpose but he has to seek prior approval of the Returning Officer for plying such vehicles and must display permit issued by Returning Officer in original (not photocopy) prominently on the windscreen of the Vehicle. The permit must bear the number of the vehicle and name of the candidate in whose favour it is issued. The expenditure incurred on this will be booked against candidate.

Question452. Can a vehicle be used for electioneering purposes without getting permit from the District Election Officer/Returning Officer?  
Answer. No. Such vehicle shall be deemed to be unauthorized campaigning for the candidate and may attract penal provisions of Chapter IX A of the Indian Penal Code and shall therefore be immediately put out of the campaigning exercise.

Question453. Is there any restriction for displaying/carrying poster/placard/banner/flag of the party concerned or of the candidate on the vehicle during the procession?  
Answer. You may display/carry one poster/placard/banner/flag of your party/or your own on vehicle during the procession subject to conformity with the provisions of Motor Vehicle Act and any other local laws/bye-laws.

Question454. Is external fitting/modification allowed in the Vehicles used for campaigning?  
Answer. External modification of vehicles including fitting of Loudspeaker thereon, would be subject to the provisions of the Motor Vehicles Act/Rules as well as any other Local Act/Rules. Vehicles with modifications and special campaign vehicles like Video Rath etc., can be used only after obtaining the requisite permission from the competent authorities under the Motor Vehicles Act.

Question455. Is there any restriction of canvassing in or near polling station?  
Answer. Yes. Canvassing for votes etc. within a distance of one hundred meters of polling station is prohibited on the day of poll.  
(Refer: Section 130 of Representation of 1951)

Question456. Is there any restriction of going armed to or near polling station?  
Answer. Yes. No person is allowed to go armed with arms as defined in Arms Act 1959 of any kind within the neighborhood of a polling station on the day of poll.  
(Refer: Section 134B of Representation of 1951)

Question457. How many vehicles a candidate is entitled for on the day of poll at an Election to the Legislative Assembly?  
Answer. For an election to the State Legislative Assembly, a candidate is entitled to:  
(a) One vehicle for his own use  
(b) One vehicle for use of his election agent  
(c) In addition, one vehicle for use of his workers or party workers.

Question458. If the candidate is absent from the constituency on the day of poll, can the vehicle allotted in his name be used by any other person?

Answer. No. Vehicle allotted for candidate's use is not allowed to be used by any other person.

Question459. Can any type of vehicle within the limit be used on the day of poll?

Answer. No. The candidate or his agent or party workers or workers will be allowed to use only four/three/two wheeler vehicles i.e. cars (of all types), taxis, auto rickshaws, rickshaws and two wheelers. In these vehicles not more than five persons including drivers are allowed to move on the day of poll.

Question460. Whether Political Party/Candidate can make arrangements for transporting voter to and from Polling Station?

Answer. No, any arrangement, direct or indirect, to carry any voter to or from polling station by any kind of vehicle used for transport is a criminal offence. (Refer: Sec. 133 of Representation of People Act, 1951)

Question461. Whether there are restrictions on plying of Govt./private vehicles on the poll day?

Answer. No, Public transport like buses, minibuses are allowed to ply but it should be ensured that they are not used clandestinely for the conveyance of voters. Further, private cars, taxis carrying passengers to places other than polling booths like hospitals, airports, railway stations, bus stands, friends and relations houses, clubs, and restaurants will be allowed on the road. But they should not be allowed to come clandestinely near the polling areas for the conveyance of voters.

Question462. Can a leader of Political party use private fixed-wing aircraft and helicopters for the purposes of supervising and monitoring the polling and counting process on the day of poll and counting?

Answer. No, leader of a political party is not allowed to use private fixed-wing aircraft and helicopters for the purposes of supervising and monitoring the polling and counting process on the day of poll and counting.

Question463. Is there any restriction on displaying poster, placard, banner, flag etc of the party concerned or the candidate on a public property?

Answer. You may display poster, placard, banner, flag etc of the party concerned or the candidate on a public property subject to provisions of local laws and prohibitory orders in force.

Question464. If local law/bye-laws permit wall writings and pasting of posters, putting up hoardings, banners etc. on private premises/properties, is it necessary to obtain prior written permission from the owner of the premises/properties?

Answer. Yes. You are required to obtain prior written permission from the owner of the properties/premises and photocopy(s) of such permission should be submitted within 3 days to the Returning Officer or an officer designated by him for the purpose.

Question465. Whether there is any restriction for use of educational institutions including their grounds (whether Govt. aided, Private or Govt.) for political campaigns and rallies?

Answer. Use of educational institutions including their grounds (whether Govt. aided, Private or Govt.) for political campaigns and rallies are not allowed.

Question466. Is wearing of special accessories like cap, mask, scarf etc. permitted during the campaigning?

Answer. Yes, provided they are accounted for in the election expenses of the candidate concerned. However, supply and distribution of main apparels like saree, shirt, etc. by party/candidate is not permitted as it may amount to bribery of voters.

Question467. Is there any restriction on the printing of pamphlets, posters etc?

Answer. Yes. You shall not print or publish, or cause to be printed or published names of any election pamphlet or poster which does not bear on its face and addresses of the printer and the publisher thereof.

(Refer: Section 127A of Representation of 1951)

Question468. What is the deadline after which no public meetings and processions can be taken out?

Answer. As per Sec. 126 of R. P. Act, 1951, no public meetings and processions can be taken out during the period of 48 hours ending with the hour fixed for the conclusion of poll.

Question469. Are there conditions/guidelines for setting up and operating of Temporary Offices by Party or candidate?

Answer. Yes. Such offices cannot be opened by way of any encroachment either on public or private property/ in any religious places or campus of such religious places/ contiguous to any educational institution / hospital / within 200 meters of an existing polling station. Further, such offices can display only one party flag and banner with party symbol/ photographs and the size of the banner used in such offices should not exceed '4 feet X 8 feet' subject to the further condition that if the local laws prescribe a lower size for banner / hoarding etc., then the lower size prescribed by local law shall prevail.

Question470. What is the deadline after which no public meetings and processions can be taken out?

Answer. Public meetings cannot be held after 10 PM and before 6.00 AM. Further, you cannot hold public meetings and processions during the period of 48 hours ending with the hour fixed for the conclusion of poll. Suppose, poll day is 12<sup>th</sup> June 2009 (Friday) and hours of poll are from 8.00A.M to 5.00 P.M., the public meetings and processions shall be closed at 5.00 P.M on the 10th June 2009 (Wednesday).

(Refer: Sec. 126 of Representation of People Act, 1951)

Question471. Is there any restriction on the presence of political functionaries in a constituency after campaign period is over?

Answer. Yes. After the closure of campaign period (starting from 48 Hrs. before closure of poll), presence of political functionaries etc. who have come from outside the constituency and who are not voters of the constituency should not continue to remain present in the constituency. Such functionaries should leave the constituency immediately after campaign period is over.



Question472. Is such restriction applicable in the case of office bearer who is in charge of election of a political party in the State?

Answer. Yes. However, such restriction is not insisted upon during the general elections to Lok Sabha/State Assembly only in respect of the office bearer who is in charge of the State during the election period. Such office bearer shall declare his place of stay in the State Headquarters and his movement during the period in question shall remain confined normally between his party office and place of his stay. The above restrictions will be applicable to all other functionaries in all elections.

Question473. Are there any arrangements for videography of critical events during the election process?

Answer. Yes. Video Teams are formed in constituency to record and videotape critical events like meetings addressed/attended by Ministers, National/State level leaders of political parties, violent incidents, etc.

Question474. Whether Videography or photography is done inside the polling stations to monitor the poll proceedings by the election authority?

Answer. In deference to the suggestions of Supreme Court, contained in its judgment dated 11th January 2005 in Civil Appeal No.9228 of 2003 - (Janak Bingham Vs. Das Rai and Other), the photography by the Official Videographer has been allowed to be carried inside the polling stations to photograph electors and cover poll proceedings without compromising the secrecy of voting in certain identified polling stations assessed as critical on various factors.

Question475. Are there any guidelines for setting up of election booth by candidate/political parties near polling station on the day of poll?

Answer. Election booth can be set up beyond a distance of 200 meters from the polling stations, only with 1 table and 2 chairs with an umbrella or a piece of tarpaulin or cloth to protect the two occupants with one banner (3 x 4 /2 feet) to display the name of the candidate/ party / election symbol at the booth. No crowd is allowed.

Question476. Is it necessary to obtain written permission of the concerned Government authorities or local authorities for setting up of election booth?

Answer. Yes. It is necessary to obtain the written permission of the Government authorities concerned or local authorities before setting up of such booths. Written permission must be available with the persons manning the booth for production before the police /election authorities concerned on demand.

Question477. If a political party cannot set up or is not willing to setup a booth in an area, is there any facility provided to voters for locating their names in the electoral roll places?

Answer. Yes. A "VOTER ASSISTANCE BOOTH" is set up in premises/building location where three or more polling stations are located with a proper signage manned by a team of officials who are provided with lists of roll in alphabetical order to assist the voters for locating their sl. no. in the roll and polling station. If political parties inform of their inability in advance, the District Election Officer may consider making such arrangement in other areas too.

## Counting and Declaration of Result

Question478. Election Commission of India conduct elections in multiple phases, when of counting of each phase is done?

Answer. Along with counting of votes of the last phase.

Question479. Who is responsible for counting of votes and declaration of result of an election? Explain in brief?

Answer. The Returning Officer. According to Sec. 64 of the R. P. Act, 1951, votes are counted by or under the supervision / direction of the Returning Officer of the Constituency. When the counting is completed, the Returning officer declares the result as per provisions of Sec. 66 of R. P. Act, 1951.

Question480. Is there any deadline fixed for the completion of a general election?

Answer. Yes. The Election Commission fixes a date before which the elections shall be completed in all constituencies.

Question481. Does the President fix any date by which the new Lok Sabha should be constituted?

Answer. Yes. The President of India has fixes a date by which the new Lok Sabha should be constituted.

Question482. After the declaration of results in all constituencies, which authority will constitute the new Lok Sabha – President or the Election Commission? Explain in brief?

Answer. Election Commission of India (ECI). According to Sec. 73 of the R. P. Act, 1951, after the results of all Parliamentary constituencies are declared, the Election Commission will constitute the new Lok Sabha by notifying in the official gazette, the names of the elected members.

Question483. Is any other Senior Officer posted in the Counting Centre, apart from Returning Officer, to supervise/oversee the counting process?

Answer. Yes. The Election Commission of India deploys a Senior Officer as an Observer to oversee the counting process at the Counting Centre. A Central Govt. Or Central Govt. PSU Official is also appointed at each counting table.

Question484. What are the powers of ECI Observer on the counting day?

Answer. The Observer has to watch that the counting is done strictly in accordance with law and the instructions of the Commission. He has to ensure that the counting agents of candidates are given the opportunity to watch the whole process of counting from close quarters, results are announced round-wise and the totalling is made error free by doing it manually as well as through computer. The Observer has the power to withhold the declaration of result by the Returning Officer unless he is satisfied that the whole process of counting is free and fair as well as error free.

Question485. Explain in brief “randomization” of counting staff?

Answer. Yes. The posting of Counting Supervisors and Counting Assistants is done randomly in such a way that the counting officials come to know of the Assembly Constituency and the table assigned to them only at the time of their arrival at the Counting Center on the day of the counting.

Question486. What is the role of Micro Observers for counting?

Answer. Apart from one counting supervisor and one counting assistant for each counting table, one additional official of Central Govt./Central Govt. PSU is deployed in each counting table to note down details of votes exhibited by the EVMs counted in each round and handover the details to Commission’s Observer.

Question487. Who are the persons allowed to enter in the counting hall?

Answer. Only counting supervisors/assistants/Micro Observers, Persons authorized by the Election Commission, Public Servant on duty in connection with election and candidate and his election agent/counting agents.

Question488. Whether a candidate can enter the counting campus and counting hall with security personnel accompanying him?

Answer. No. If the candidate happens to be a SPG protectee, he is allowed to enter counting campus with one PSO with concealed fire arms and the PSO will position himself in such a manner as to be able to provide the requisite cover to the protectee should it become essential, without otherwise interfering with the proceedings.

Question489. Whether there is any restriction on appointment of persons who have been provided with the security cover by the State as a counting agent?

Answer. Yes. No person having security cover is allowed to be appointed as counting agent as the security personnel accompanying him cannot be allowed to enter the campus of counting centre and such person is also not allowed to surrender the security cover to enable him to become a counting agent.

Question490. How security of campus of counting centre is ensured?

Answer. A three tier cordoning system is set up in the counting centre to prevent the entry of unauthorized persons inside the counting centre.

Question491. How many counting agents can be appointed by a candidate?

Answer. Each candidate has been allowed to appoint as many counting agents as there are counting tables and one more to watch at the Returning Officer’s table.

(Refer: Section 47 of Representation of People Act, 1951)

Question492. Is there any prescribed form for making appointment of counting agents?

Answer. Yes. The candidate or his election agent has to submit a list of counting agents in Form -18 along with their photographs to the Returning Officer latest by 1700 Hrs on the day 3 days before the date of counting. The Returning Officer will prepare identity cards for such agents and issue the same to the candidate.

(Refer: Rule 52 (2) of Conduct of Elections Rules 1961)

Question493. How counting agents are deployed in the counting centre by Returning Officer?

Answer. Each counting agent is given a badge indicating whose agent he is and showing the Sl. No. of the table at which he may watch the counting and is not allowed to move about all over the hall.

Question494. Is there any upper limit prescribed for the number of counting tables which can be placed inside the counting Hall?

Answer. Normally, the upper limit is 15 tables including the table of Returning Officer.

Question495. Whether counting agents are allowed to handle EVMs?

Answer. No. In each counting hall, barricades are made for each counting table so that EVM are not handled by the counting agents. The agents are provided all reasonable facilities to see the whole process at the counting tables.

Question496. How it is ensured that Control Unit of EVM has not been tampered with?

Answer. Before votes recorded in the EVM are counted, the carrying case and control unit of EVM are placed on the counting table for the inspection and checking of seals thereon by the candidate or their agents present at the counting table. If control unit is found to have been tampered with, votes recorded in that machine are not counted and matter is reported to the Commission for further direction.

Question497. At what stage, the postal ballot papers are counted?

Answer. The postal ballot papers are counted first at Returning Officer's Table.  
(Refer: Rule 54A of Conduct of Elections Rules, 1961)

Question498. Can a candidate ask for a recount?

Answer. Yes. By a written application stating the grounds on which recount is asked for. Such application can be made to the Returning Officer, who prepares and signs Final Result Sheet (Form 20).

Question499. If problem arises with one of the EVMs during counting of votes. What action should RO take? Whether announcement of that particular round is to be withheld or of that EVM only?

Answer. If problem arises in one of the EVMs, that EVM may be kept aside and counting may proceed in other tables. The EVM with problems is taken up after counting in all EVMs are done. The total number of votes recorded in such EVMs may be seen vis-à-vis the margin of votes secured by first and second highest candidate. The matter will be reported to ECI for guidance.

Question500. What is the procedure of counting of votes at counting center?

Answer. As per Commission's instructions, the counting of Postal Ballots is to be taken up first. After half an hour, RO should start counting of votes in EVM. The counting of votes in EVM may continue till penultimate round. The last round of counting in EVM will be done when counting of all postal ballots is complete.

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