

Andhra Pradesh Panchayat Raj (Conduct of Elections) Rules, 2006
Published vide Notification No. G.O. Ms. No. 142, P.R. & R.D. (Elections) Department, dated 03.05.2006

[ap565]

No. G.O. Ms. No. 142. - In exercise of the powers conferred by section 268 read with sections 8,11,12,13,14, 19-B,151,156, 179, 201A, 230A and 230B of the Andhra Pradesh Panchayat Raj Act, 1994 (Act No. 13 of 1994), and in supersession of the rules issued in G.O.Ms.No.755, Panchayat Raj, Rural Development & Relief (Mdl.I) Department, dated.30-11-1994, as amended from time to time, the Governor of Andhra Pradesh, hereby, makes the following Rules relating to Conduct of Election of Members and Sarpanch of Gram Panchayat, Members of Mandal Praja Parishad and Members of Zilla Praja Parishad.

CHAPTER-I

Preliminary

- 1. Short title and application.** - (1) These Rules may be called the "Andhra Pradesh Panchayat Raj (Conduct of Elections) Rules, 2006".
 (2) These rules shall apply for filling ordinary and casual vacancies in the offices of Member and Sarpanch of Gram Panchayat, Member of Mandal Praja Parishad and Member of Zilla Praja Parishad.
- 2. Definitions.** - (1) In these rules, unless the context otherwise requires -
- (a) 'Act' means the Andhra Pradesh Panchayat Raj Act' 1994;
 - (b) 'ballot box' includes any box' bag or other receptacle used for the insertion of ballot papers by voters;
 - (c) 'counterfoil' means the counterfoil attached to a ballot paper printed under the provisions of these rules;
 - (d) 'election' means an election to fill a vacancy in the office of Member or Sarpanch of Gram Panchayat or Member of Mandal Praja Parishad or Zilla Praja Parishad;
 - (e) 'elector' in relation to an election to any Gram Panchayat or Mandal Praja Parishad or Zilla Praja Parishad means' any person entitled to vote at such election;
 - (f) 'electoral roll' in relation to a Gram Panchayat or Mandal Praja Parishad or Zilla Praja Parishad means' the electoral roll published under section 11 of the Act;
 - (g) 'Electronic Voting Machine' means the voting machine referred to in section 201A of the Act;
 - (h) 'Form' means a form appended to these rules;
 - (i) 'marked copy of the electoral roll' means the copy or copies of the electoral roll set apart for the purpose of marking the names of electors to whom ballot papers are issued at an election;
 - (j) 'polling station' in relation to any election held under these rules means' the place fixed for taking the poll at such election;
 - (k) 'Presiding Officer' includes any polling officer performing any of the functions of a Presiding Officer under these rules;
 - (l) 'Returning Officer' means any officer of the local authority or the Government authorised or appointed by the Collector and District Election Authority to do any act or perform any function in connection with the conduct of elections under these rules.

Explanation. - The Collector and District Election Authority may appoint one or more persons who shall be an Officer or Officers of the local authority or the Government' as Assistant Returning Officer or Officers to assist the Returning Officer in the performance of his functions and every Assistant Returning Officer so appointed shall' subject to the control of the Returning Officer' be competent to perform all or any of the functions of the Returning Officer and the expression Returning Officer shall be deemed to include such Assistant Returning Officer also.

- (m) 'Section' means a section of the Act;
- (2) The words and expressions used but not defined in these rules shall have the same meaning assigned to them in the Act.
 (3) For the purpose of these rules, a person who is unable to write his/her name shall, unless otherwise expressly provided in these rules, be deemed to have signed an instrument or other paper, if -
- (a) he/she has placed a mark on such instrument or other paper in the presence of the Returning Officer or the Presiding Officer or such other Officer specified in these rules;
 - (b) such Officer on being satisfied as to his/her identity has attested the mark as being the mark of that person.

CHAPTER-II

General Provisions

- 3. Administrative Machinery for the Conduct of Elections.** - The Administrative Machinery for the purpose of conducting elections under these rules, shall be such as may be specified by the State Election Commission, by an order made under Article 243K of the Constitution of India.
- 4. Issue of election notification by the State Election Commission.** - (1) For the purpose of holding elections to fill ordinary or casual vacancies, the State Election Commission shall, by notification published in the Andhra Pradesh Gazette, call upon, on such date or dates, as may be specified therein, the voters of the Gram Panchayat or Mandal Praja Parishad or Zilla Praja Parishad, as the case may be, to elect Sarpanch and members of the Gram Panchayat and/or Members of the Mandal Praja Parishad and/or Members of Zilla Praja Parishad, in accordance with the provisions of the Act, the rules and orders, if any, made thereunder.
 (2) The notification shall specify the last date for making nominations, the date for scrutiny of nominations, the last date for withdrawal of the candidature, the date or dates on which and the time during which the poll shall, if necessary, be taken and the date and time of counting of votes.

- (3) The dates appointed for the various stages of the election shall be subject to the following guidelines, namely -
- (a) the last date for making nominations shall be not earlier than fourth day and not later than tenth day after the publication of the notification referred to in sub-rule (1) whether or not it is a public holiday;
 - (b) the date for the scrutiny of nominations shall be the day immediately following the last date for making nominations whether or not it is a public holiday;
 - (c) the last date and time for withdrawal of the candidatures shall not be later than 3-0,clock in the afternoon of the third day succeeding that appointed for scrutiny of the nominations, whether or not it is a public holiday;
 - (d) the date or dates on which a poll shall, if necessary, be taken, which or first of which shall be a date not earlier than the fifth day after the last date for withdrawal of the candidatures;
 - (e) counting of votes shall be taken up -
 - (i) for the offices of Ward Member and Sarpanch of the Gram Panchayat, after the completion of poll, on the same day; and
 - (ii) for the offices of Member, Mandal Praja Parishad and Member, Zilla Praja Parishad, on the date and time appointed by the State Election Commission.

5. Display of voters list. - The Returning Officer shall affix a notice on the notice board of the office of the Gram Panchayat or Mandal Praja Parishad or Zilla Praja Parishad showing the voters list thereof, or any ward or territorial constituency thereof, notified for elections on the day of publication of notice under rule 6.

6. Issue of election notice by the Returning Officer. - (1) The Returning Officer shall, on the basis of the election notification issued by the State Election Commission under rule 4, give public notice of the intended elections for Gram Panchayats in Form-I and for Mandal Praja Parishad and Zilla Praja Parishad in Form-II in Telugu language which shall be published in such manner as the Returning Officer thinks fit.

7. Special Election Programme. - Notwithstanding anything contained in these rules, where the election process is interrupted or the election programme has to be altered on account of the orders of any court of law or for other valid reasons to be recorded in writing, it shall be competent for the State Election Commission either generally or in respect of specified Gram Panchayat or Mandal Praja Parishad or Zilla Praja Parishad, as the case may be, to alter the election programme notified under sub-rule (2) of rule 4 and re-notify the election programme as it deems fit in the circumstances of the case without having regard to the guidelines mentioned in sub-rule (3) of rule 4 and the Returning Officer shall give effect to the same:

Provided that where the election programme is re-notified under this rule commencing from the making of nominations, the nominations already made shall be disregarded and the deposits, if any, made under rule 10 shall be refunded.

8. Nomination of Candidates. - (1) Any person may be nominated as a candidate for election to the office of Member or Sarpanch of a Gram Panchayat, Member of a Mandal Praja Parishad and Member of a Zilla Praja Parishad if he/she is qualified to be chosen to fill the seat under the provisions of the Act. Every nomination paper shall be in Form-III for Gram Panchayat and in Form-IV for Mandal Praja Parishad and Zilla Praja Parishad. This shall be presented by the candidate or by his proposer in person, between the hours specified, and signed by the candidate and by the proposer. The candidate shall sign the declaration on the nomination paper expressing his willingness to stand for the election.

(2) (a) A candidate for the office of Member and Sarpanch of Gram Panchayat, Member of Mandal Praja Parishad and Member of Zilla Praja Parishad shall be a person whose name is registered in the electoral roll for that Gram Panchayat or Mandal Praja Parishad or Zilla Praja Parishad, as the case may be.

(b) The proposer for member of a ward in the Gram Panchayat or for Member of Mandal Praja Parishad or Zilla Praja Parishad shall be a registered voter in the concerned ward or the territorial constituency. The proposer to the office of Sarpanch shall be a registered voter in any ward of the concerned Gram Panchayat.

(c) A candidate for the office of Member or Sarpanch in a Gram Panchayat or Member in Mandal Praja Parishad or Zilla Praja Parishad, which is reserved, to be filled by a person belonging to the Scheduled Tribes or Scheduled Castes or Women or Backward Classes, as the case may be, shall not be deemed to be qualified to be chosen to fill that seat unless his nomination paper contains a declaration by him specifying the particular tribe or caste or class of which he is a member and the area in relation to which that Tribe or Caste is a Scheduled Tribe or as the case may be, a Scheduled Caste or Backward Class of the State. This declaration shall be made before any Gazetted Officer of the Government or before any Officer of the Revenue Department not below the rank of a Mandal Revenue Officer.

(d) Each candidate shall be nominated on a separate nomination paper.

(e) A candidate may be nominated by more than one proposer separately for the same elective post in a separate nomination paper.

(3) A candidate may file nominations for more than one ward in a Gram Panchayat or territorial constituency of a Mandal Praja Parishad or Zilla Praja Parishad, as the case may be, but he shall withdraw his nominations to all but one ward or territorial constituency, as the case may be, of his choice, before the date and time fixed for withdrawal of candidature, failing which, all his nominations shall become invalid and he shall not be allowed to contest from any ward or territorial constituency, referred to above.

9. Presentation of Nomination Paper and Requirements of Valid Nominations. - (1) On receiving nomination paper, the Returning Officer shall forthwith number the nomination paper serially in the order in which it is presented and give a receipt as provided in Form-III for Gram Panchayats and in Form-IV for Mandal Praja Parishads and Zilla Praja Parishads. The Returning Officer or such other authorised person shall satisfy himself that the name and number of the candidate and his proposer, as entered in the nomination paper, are the same as those entered in the electoral roll. Where necessary, he shall direct that the nomination form be amended so as to be in accordance with the electoral roll.

(2) The Returning Officer may while interpreting an entry in the electoral roll overlook merely clerical or printing errors, but he shall record the interpretation adopted by him, together with the reasons therefore, while making the formal acceptance or rejection on scrutiny of a nomination.

(3) Every candidate shall, along with the nomination paper also file a declaration with regard to his criminal antecedents, assets and liabilities and educational qualifications as required by the State Election Commission and in the prescribed format attested by two witnesses.

10. Deposits. - (1) The State Election Commission may, before ordinary election, by notification, specify the amount of deposit, which each candidate has to make and different amounts may be specified for different offices and categories of candidates. At or before the time of presentation of his nomination paper each candidate shall remit or cause to be remitted the specified amount of deposit, in any

Government Treasury or Bank or in cash with the Returning Officer. Where the deposit is made in cash a receipt therefor shall be given by the Returning Officer. No candidate shall be deemed to be duly nominated, unless the deposit as aforesaid has been made:

Provided that where a candidate has been nominated in more than one nomination paper, not more than one deposit shall be required to be made.

Explanation. - The delivery to the Returning Officer of a receipt from Government Treasury or from the Bank in which the concerned local body has an account, evidencing the payment by or on behalf of a candidate to the credit of Gram Panchayat or Mandal Praja Parishad or Zilla Praja Parishad as the case may be of the amount required to be deposited under this sub-rule shall be deemed to be a deposit of such amount within the meaning of this sub-rule, made by or on behalf of such candidate at the time of such delivery;

(2) If no nomination paper is received within the time appointed in that behalf, in respect of any person by whom or on whose behalf the deposit referred to in sub-rule (1) has been made or if the nomination of any such person is rejected, or if he withdraws his candidature in the manner and within the time specified in sub-rule (1) of rule 14, the deposit shall be returned immediately to the person by whom it was made, and if any candidate dies before commencement of the poll, any such deposit if made by him shall be returned to his legal representative, if not made by the candidate, shall be returned to the person by whom it was made.

(3) If a candidate by whom or on whose behalf the deposit referred to in sub-rule (1) has been made, is not elected and the number of valid votes polled by him does not exceed one eighth of the total number of valid votes polled by all the candidates, the deposit shall be forfeited, to the Government.

(4) The deposit made in respect of a candidate shall, if it is not forfeited under sub-rule (3) be returned to the candidate or to the person who has made the deposit on his behalf, as the case may be, within thirty days after publication of the result of election.

(5) A deposit required to be returned to any person under sub-rule (2) or sub-rule (4) shall, if such person is dead, be returned to his legal representative.

(6) Notwithstanding anything contained in this rule, immediately after publication of the result of election, the Returning Officer or the person authorised by the District Collector in this behalf, shall pass an order as to whether a deposit made under sub-rule (1) shall be refunded or forfeited. The executive authority concerned shall, within thirty days from the date of publication of the result, return the deposit to the person who made the deposit or to his legal representative when such deposit is refundable. In the case of forfeiture of deposit under sub-rule (3), the Returning Officer shall communicate an order to the person concerned who made the deposit citing the reason for such forfeiture.

(7) The amounts received towards election deposit, and credited to the Gram Panchayat/Mandal Praja Parishad/Zilla Praja Parishad fund shall be remitted to Government Account by the Executive Authority concerned after deducting any refunds made to the concerned for any reason provided under these rules.

11. Publication of list of nominations received. - On the last day appointed for the receipt of nomination papers and immediately after the hour fixed for their receipt is past, the Returning Officer or such other authorised person shall publish at his office in Telugu language a list in Form-V of all the nominations received, with a notice that the nomination papers will be taken up by the Returning Officer for scrutiny at the specified place, and on the date and time appointed.

12. Scrutiny of Nomination Papers. - (1) On the date appointed for scrutiny of the nominations, the candidate, the proposer of each candidate and one other person duly authorised in writing by each candidate, may attend at such time and place specified. No other person shall be entitled to be present. The Returning Officer may, however, admit such other persons as he thinks fit to assist him. He shall give such persons all reasonable facilities to examine the nomination papers of all the candidates, which have been received as aforesaid.

(2) The Returning Officer shall then examine the nomination papers and shall decide on all objections which may be made at the time to any nomination and may either on such objection or on his own motion after such summary enquiry as he thinks necessary, reject any nomination on any of the following grounds, name1y -

- (i) that the candidate is ineligible for election as a Member or Sarpanch of Gram Panchayat, Member of Mandal Praja Parishad and Member of Zilla Praja Parishad under sections 17, 18, 19, 19A, 19B, 20A, 155, 156, 183 and 184 of the Act; or
- (ii) that the name of the candidate is not registered in the electoral roll of the Gram Panchayat, Mandal Praja Parishad or Zilla Praja Parishad;
- (iii) the name of the proposer is not registered in the electoral roll of the Gram Panchayat in the case of Sarpanch, in the electoral roll of the concerned ward in the case of Member, Gram Panchayat and in the electoral roll of the concerned territorial constituency in the case of Member, Mandal Praja Parishad and Member, Zilla Praja Parishad; or
- (iv) that the candidate or his proposer has failed to comply with any of the provisions of rules 8, 9(3) and 10,
- (v) that, in case the office is reserved for any community or women, the candidate does not belong to that community or is not a women, as the case may be; or
- (vi) that the signature/thumb impression of the candidate or the proposer in the nomination paper is not genuine:

Provided that the nomination of a candidate shall not be rejected merely on the ground of any incorrect description of his name or of the name of his proposer, or of any other particulars relating to the candidate or his proposer as entered in the electoral roll, if the identity of the candidate or proposer, as the case may be, is otherwise established beyond reasonable doubt.

(3) The Returning Officer shall endorse on each nomination paper, his decision, accepting or rejecting the same and, if the nomination paper is rejected, he shall record in writing a brief statement of his reasons for such rejection. The scrutiny shall be completed on the date appointed in this behalf and no adjournment of the proceedings shall be allowed except where such proceedings are interrupted or obstructed by riot or open violence or for causes beyond the control of the Returning Officer:

Provided that in case an objection is made, the candidate concerned may be allowed time to rebut the same not later than the next day and the Returning Officer shall record his decision on the date to which the proceedings are adjourned.

(4) Immediately after all the nomination papers have been scrutinised and the decisions, accepting or rejecting the same have been recorded, the Returning Officer shall prepare a list of validly nominated candidates, and affix it on the notice board of his office in Form-VI. There shall be one entry only in respect of each validly nominated candidate in the list, although more nomination papers than one in respect of him may have been accepted as valid.

13. Appeal against rejection of nomination. - A person whose nomination paper is rejected may prefer an appeal against the decision of the Returning Officer before the concerned Revenue Divisional Officer in the case of election to Sarpanch and Member, Gram Panchayat and Member, Mandal Praja Parishad and before the District Collector in the case of election to Member, Zilla Praja Parishad on the day immediately following the date of scrutiny of nominations. The appeal shall be disposed off by the appellate authority the day immediately following the date of filing of appeal.

14. Withdrawal of candidature. - (1) Any candidate may withdraw his candidature by notice in writing in Form-VII signed by him and delivered to the Returning Officer by such candidate in person at any time after the presentation of his nomination paper and not later than 3-0, Clock in the afternoon of the third day succeeding that appointed for scrutiny of the nominations whether or not it is a public holiday.

Where such notice is not delivered by such candidate in person, it shall be delivered by his proposer or election agent who has been authorised in this behalf in writing by such candidate. The Returning Officer shall give a receipt for the same as provided in Form-VII on being satisfied as to the genuineness of the notice of withdrawal and the identity of the candidate.

(2) The Returning Officer on receiving a notice of withdrawal under sub-rule (1) shall, as soon as may be, cause a notice of the withdrawal to be published in Form-VIII.

(3) A candidate, who has withdrawn his candidature under sub-rule (1) shall not be allowed to cancel the withdrawal.

15. Publication of List of Contesting candidates. - (1) On the expiry of the time allowed for withdrawal of candidature under rule 14, the Returning Officer shall prepare in Telugu language a list of Form-IX of persons whose nominations have not been rejected and who have not withdrawn their candidature and publish it on the notice board of his office forthwith whether or not it is a public holiday. The list shall contain the names of the candidates in alphabetical order in Telugu and shall describe them as in their nomination paper.

(2) In the election to Member, Mandal Praja Parishad and Member, Zilla Praja Parishad, for the purpose of listing, the names of the candidates shall be classified as follows namely:-

- (i) candidates of recognized political parties;
- (ii) candidates of registered political parties with a reserved symbol;
- (iii) candidates of registered political parties without a reserved symbol;
- (iv) Independent candidates.

(3) The arrangement of names of candidates shall be on the basis of first letter of his name irrespective of whether the name given is a proper name or surname. The initials, if any, prefixed to the name of the candidate shall be ignored for the aforesaid purpose. If two candidates in the same category have the same name but different initials, then the two names should be arranged inter se with reference to the first letter of the initial. Further, if two or more such candidates have the same name but different surnames, then their names should be arranged inter-se in alphabetical order with reference to the surnames.

(4) If two or more candidates falling under the same category bear the same name, they shall be distinguished by the addition of their occupation or residence or in some other manner. In the list of contesting candidates, the names of such candidates shall be arranged in the order in which their nominations were received by the Returning Officer.

There will also be no objection to the addition of any honorific, academic, hereditary, professional or any other title to the name of a candidate, but such title should on no account be taken into consideration, in the arrangement of names in alphabetical order.

(5) If the poll is found to be necessary, the Returning Officer shall assign to each contesting candidate a distinctive symbol subject to such directions as may be issued by the State Election Commission in that behalf.

Provided that the Returning Officer shall not allot to any contesting candidate any symbol reserved for a recognized political party and registered political party in the case of elections to the gram panchayats. However, he shall allot symbols including symbols reserved for a recognized or registered political party, where any candidate is set up by such political party in case of elections to the office of Member, Mandal Praja Parishad and Zilla Praja Parishad.

Provided further that in case of election to Member, Mandal Praja Parishad and Member, Zilla Praja Parishad, the Returning Officer shall assign to every contesting candidate a distinctive symbol as per the provisions of paragraph 6 of the Registration of Political Parties and Allotment of Symbols Order, 2001, and any other instructions issued by the State Election Commission in this behalf from time to time.

(6) In every case where a symbol has been assigned to a candidate under sub-rule (5) such candidate or his election agent shall forthwith be informed of the symbol so assigned and be supplied with a specimen thereof by the Returning Officer.

16. Declaration of Result of Uncontested Election. - (1) If the number of contesting candidates is more than one, poll shall be taken.

(2) If there is only one validly nominated candidate, the Returning Officer shall forthwith declare such candidate is duly elected in Form-X and send the same to the State Election Commission, Election Authority and the District Election Authority.

17. Death of candidate before poll. - (1) If a contesting candidate in respect of Gram Panchayat dies and a report of his death is received before commencement of the poll, the Returning Officer shall upon being satisfied of the fact of the death of the candidate, countermand the poll and election proceedings shall be started afresh in all respects as if for a new election:

Provided that no fresh nomination, shall be necessary in the case of a candidate who stood validly nominated at the time of countermanding of the poll.

(2) In respect of elections to the office of Member of Mandal Praja Parishad or the office of Member of Zilla Praja Parishad,-

- (a) Where an independent candidate or a candidate of a Registered Political Party without a reserved symbol dies before the poll, it shall not be necessary to countermand the poll;
- (b) If a candidate, set up by a recognised or registered political party with a reserved symbol, -
 - (i) dies at any time after 10.00 AM on the last date of making nominations and his nomination is found valid on scrutiny under rule 12;
 - (ii) whose nomination has been found valid on scrutiny under rule 12 and who has not withdrawn his candidature under rule 14 dies and in either case, a report of his death is received at any time before the publication of the list of contesting candidate under rule 15; or
 - (iii) dies as a contesting candidate and a report of his death is received before the commencement of the poll;

the Returning Officer shall, upon being satisfied about the fact of the death of the candidate, by order, announce an adjournment of the poll to a date to be notified later and report the same to the State Election Commission, Election Authority and to the District Election Authority:

Provided that no order adjourning a poll shall be made in a case referred to in clause (b) (i) except after the scrutiny of all the nominations including the nomination of the deceased candidate.

- (c) The State Election Commission shall, on receipt of a report from the Returning Officer under clause (b), call upon the recognized or registered political party with a reserved symbol as the case may be, whose candidate has died, to nominate another candidate for the said poll within seven days of issue of such notice to such recognized or registered political party and the provisions of rules 4 to 15 shall, so far as may be, apply in relation to such nomination as they would apply to other nominations;

Provided that no person who has given a notice of withdrawal of his candidature under sub-rule (1) of rule 14 before the adjournment of the poll shall be ineligible for being nominated as a candidate for the election after such adjournment.

- (d) where a list of contesting candidates had been published under sub-rule (1) of rule 15 before the adjournment of the poll, the Returning Officer shall again prepare and publish a fresh list of contesting candidates under the aforesaid rule so as to include the name of the candidate who has been validly nominated.

- 18. Appointment of Election Agent.** - (1) A candidate at an election may appoint any one person other than himself to be his election agent. The notice of such appointment shall be given in Form-XI by forwarding the same in duplicate to the Returning Officer who shall return one copy thereof to the election agent after affixing therein his seal and signature in token of his approval of the appointment.
- (2) An election agent may perform such functions in connection with the election as are authorised by or under these rules to be performed by an election agent.
- (3) (i) Any revocation of the appointment of an election agent shall be signed by the candidate and shall operate from the date on which it is lodged with the Returning Officer;
- (ii) In the event of such revocation or of the death of an election agent the candidate may appoint in like manner another person to be his election agent; and when such appointment is made, notice thereof shall be given in the manner laid down in sub-rule (1).

- 19. Appointment of Polling Agent.** - (1) The number of polling agents that may be appointed by a contesting candidate or his election agent, shall, in respect of each polling station, be one agent and a relief agent.
- (2) Every such appointment shall be made in Form XII and shall be made over to the polling agent for production at the polling station.
- (3) No polling agent shall be admitted into the polling station unless he has delivered to the Presiding Officer the instrument of his appointment under sub-rule (2) after duly completing and signing before the Presiding Officer the declaration contained therein.
- (4) A polling agent may perform such functions in connection with the poll as are authorised by or under these rules, to be performed by a polling agent.
- (5) Any revocation of the appointment of a polling agent shall be signed by the candidate or his election agent, as the case may be. Such revocation shall operate from the date on which it is lodged with the Returning Officer. In the event of such a revocation or of the death of a polling agent before the close of the poll the candidate or his election agent may appoint another polling agent at any time before the poll is closed and shall forthwith give notice of such appointment as laid down in sub-rule (2).

- 20. Appointment of Counting Agent.** - (1) Each candidate may appoint such number of counting agents at the place or places fixed for counting as may be specified by the District Election Authority.
- (2) Every such appointment shall be made in Form-XIII in duplicate one copy of which shall be forwarded to the Returning Officer while the other copy shall be made over to the counting agent for production before the Returning Officer not later than one hour before the time fixed for counting.
- (3) A counting agent may perform such functions in connection with the counting of votes as are authorised by or under these rules to be performed by a counting agent.
- (4) Any revocation of the appointment of a counting agent shall be signed by the candidate or his election agent as the case may be. Such revocation shall operate from the date on which it is lodged with the Returning Officer. In the event of a revocation or of the death of a counting agent at any time before the counting of votes is commenced, the candidate or his election agent may appoint another person as the counting agent and when an appointment is made, a notice of such appointment in the manner prescribed above shall be given to the Returning Officer.

- 21. Rights of candidates and his election agent.** - (1) At every election where a poll is taken, each contesting candidate at such election and his election agent shall have a right to be present at any polling station.
- (2) A contesting candidate himself or his election agent may do any act or thing which any polling agent or the counting agent of such contesting candidate if appointed, would have been authorised by or under these rules to do, or may assist any polling agent or counting agent or such contesting candidate in doing any such act or thing.

- 22. Non-attendance of agents.** - Where any act or thing is required or authorised by or under these rules to be done in the presence of the polling or counting agents, the non-attendance of any such agent or agents at the time and place appointed for the purpose shall not, if the act or thing is otherwise duly done, invalidate the act or thing done.

CHAPTER-III

Postal Ballot

- 23. Voting by postal ballot.** - At an election where a poll is taken, any member of the Armed Forces of the Union or a member of the Armed Police Forces of the State serving outside the State may give his vote by a postal ballot and such person shall not be entitled to give his vote in any other manner. The wife of any such person may also give her vote by postal ballot.
- 24. Electors under preventive detention.** - (1) Subject to the other provisions of these rules, a voter of a Ward/Territorial Constituency may, if he is subject to preventive detention under any law for the time being in force, give his vote by postal ballot at any election in such Ward/Territorial Constituency where a poll is taken.
- (2) As soon as possible, after a notice is published under rule 6, the Returning Officer shall ascertain in writing from the Collector of the District whether any voter is subject to preventive detention under any law for the time being in force. The Collector shall within five days from the date of receipt of such communication from the Returning Officer forward list of names of any such voters in that Ward/Territorial Constituency, if any, together with their addresses and the particulars about their place of detention to the Returning Officer.
- (3) Any voter who is subject to preventive detention under any law for the time being in force or on his behalf any member of his family may within ten days from the date of publication of the notice apply to the Returning Officer of the Ward/Territorial Constituency for permission to give his vote by postal ballot at the election. Every such application shall specify the name of the voter, his address, his serial number in the electoral roll and the particulars regarding his place of detention.
- (4) If the Returning Officer is satisfied that the person whose name has been forwarded under sub-rule (2) or who has made an application under sub-rule (3) is under preventive detention and is a voter in the Ward/Territorial Constituency to which the election relates and is entitled to vote at such election he shall permit such person to give his vote at the election by postal ballot.
- (5) While granting any such permission, the Returning Officer shall, at the same time, put the letters ,P.B., against his name in the marked copy of the electoral roll which means that a postal ballot has been issued.
- 25. Intimation by voters on election duty.** - (1) A voter on election duty who wishes to vote by post at an election shall send an application in Form-XIV to the Returning Officer so as to reach him atleast seven days or such shorter period as the Returning Officer may allow before the date of poll and if the Returning Officer is satisfied that the applicant is such public servant and voter on election duty, he shall issue a postal ballot paper to him. The Returning Officer shall mark ,P.B., against his name in the marked copy of the electoral roll to indicate that a postal ballot paper has been issued to him.
- (2) Where such voter, being a Presiding Officer, Polling Officer or other public servant on election duty in the Ward/Territorial Constituency of which he is an elector, wishes to vote in person at an election in a Ward/Territorial Constituency and not by post, he shall send an application in Form-XV to the Returning Officer so as to reach him atleast four days, or such shorter period as the Returning Officer may allow, before the date of poll; and if the Returning Officer is satisfied that the applicant is such public servant and voter on election duty in the Ward/Territorial Constituency he shall—
- (a) issue to the applicant an election duty certificate in Form-XVI;

(b) mark ,EDC, against his name in the marked copy of the electoral roll to indicate that an election duty certificate has been issued to him, and

(c) ensure that he is not allowed to vote at the polling station where he would otherwise have been entitled to vote.

26. Form of postal ballot paper. - Every postal ballot paper shall have a counterfoil attached thereto, and the said ballot paper and the counterfoil shall be in such form, and the particulars therein shall be in such language or languages as the State Election Commission may direct.

27. Issue of postal ballot paper. - (1) The Returning Officer shall, in case of every voter who is entitled to give his vote at the election by postal ballot, as soon as may be after the publication of list of contesting candidates at the election, send by post under certificate of posting to each such voter a ballot paper together with -

(a) a declaration in Form-XVII.

(b) a cover in Form-XVIII.

(c) a large cover addressed to the Returning Officer in Form-XIX.

(d) instructions for the guidance for the elector in Form-XX.

Provided that the Returning Officer may in case of voter on election duty deliver the ballot paper and forms or cause them to be delivered to such voter personally.

(2) The Returning Officer shall, at the same time -

(a) record on the counterfoil of the ballot paper, the number of the elector as entered in the marked copy of the electoral roll;

(b) mark the name of the elector in the marked copy of the electoral roll to indicate that a postal ballot paper has been issued to him without however recording therein the serial number of the ballot paper issued to that elector; and

(c) ensure that the elector is not allowed to vote at a polling station.

(3) Every officer under whose care or through whom a postal ballot paper is sent shall ensure its delivery to the addressee without delay.

(4) After all the ballot papers are issued under this rule, the Returning Officer shall seal in a separate packet, the counterfoils of the ballot papers issued to the voters entitled to vote under postal ballot and record on the packet a brief description of its contents and the date on which it was sealed.

(5) No election shall be invalid by the reason that a voter has not received his postal ballot paper.

28. Recording of vote. - (1) An elector who has received a postal ballot paper and desires to vote shall record his vote on the ballot paper in accordance with the directions contained in Part I of Form-XX and then enclose it in the cover in Form-XVIII.

(2) The elector shall sign the declaration in Form-XVII in the presence of, and have the signature attested by, a stipendiary magistrate or such other officer specified below, as may be appropriate, to whom he is personally known or to whose satisfaction he has been identified

(a) in the case of a service voter, such officer as may be appointed in this behalf by the Commanding Officer of the unit, ship or establishment in which the voter or her husband, as the case may be, is employed;

(b) in the case of a voter on election duty, any gazetted officer or the Presiding Officer of the polling station at which he is on election duty.

(c) in the case of an elector under preventive detention, the Superintendent of the Jail or the Commandant of the detention camp in which the elector is under detention; and

(d) in any other case, such officer as may be notified by the State Election Commission.

29. Assistance to illiterate or infirm voters. - (1) If an elector is unable through illiteracy, blindness or other physical infirmity to record his vote on a postal ballot paper and sign the declaration, he shall take the ballot paper, together with declaration and the covers received by him to an officer competent to attest his signature under sub-rule (2) of rule 28 and request the officer to record his vote and sign his declaration on his behalf.

(2) Such officer shall thereupon mark the ballot paper in accordance with the wishes of the elector in his presence, sign the declaration on his behalf and complete the appropriate certificate contained in Form-XVII.

30. Re-issue of ballot paper. - (1) When a postal ballot paper and other papers sent under rule 27 are for any reason returned undelivered, the Returning Officer may re-issue them by post under certificate of posting or deliver them or cause them to be delivered to the elector personally on a request being made by him.

(2) If any elector has inadvertently dealt with the ballot paper or any of the other papers sent to him under rule 27 in such a manner that they cannot conveniently be used, a second set of papers shall be issued to him after he has returned the spoiled papers and satisfied the Returning Officer of the inadvertence.

(3) The Returning Officer shall cancel the spoiled papers so returned and keep them in a separate packet after noting thereon the particulars of the election and the serial numbers of the cancelled ballot papers.

31. Return of ballot paper. - (1) After an elector has recorded his vote and made his declaration under rule 28 or rule 29, he shall return the ballot paper and declaration to the Returning Officer in accordance with the instructions communicated to him in Part II of Form-XX so as to reach the Returning Officer before the hour fixed for the commencement of counting of votes.

(2) If any cover containing a postal ballot paper is received by the Returning Officer after the expiry of the time fixed in sub-rule (1), he shall note thereon the date and time of its receipt and shall keep all such covers together in a separate packet.

32. Safe Custody of postal ballots. - The Returning Officer shall keep in safe custody until the commencement of the counting of votes all covers containing postal ballot papers received by him.

CHAPTER - IV

Voting by Ballot

33. Voting at Polling Station. - (1) If poll has to be taken, the Returning Officer shall appoint forthwith one Presiding Officer and one or more polling officers at each polling station and may pay the remuneration as fixed by the Government for their services:

Provided that if a polling officer is absent from the polling station, the Presiding Officer may appoint any person who is present at the polling station other than a person who has been employed by or on behalf of or has been otherwise working for a candidate in or about

the election, to be the polling officer during the absence of the former officer and inform the Returning Officer accordingly.

(2) A polling officer shall, if so directed by the Presiding Officer perform all or any of the functions of a Presiding Officer under these rules or any rules or orders made thereunder.

(3) If the Presiding Officer, owing to illness or other unavoidable cause, is obliged to absent himself from the polling station, his functions shall be performed by such Polling Officer as has been previously authorised by the Returning Officer to perform such functions during any such absence.

34. Right to vote (Voting to be in person). - All electors voting at an election shall do so in person at the polling station provided for them under the rules.

35. Form of Ballot Paper. - Every Ballot paper shall have a counterfoil attached thereto and the said ballot paper and the counterfoil shall be in such form as the State Election Commission may, by order, direct.

35A. None of the Above (NOTA) option on Ballot Papers. - (1) Notwithstanding anything contained in these Rules, in the Postal Ballot Papers and in the Ballot Papers used for conduct of poll at polling stations with Ballot Boxes or Electronic Voting Machines (EVMs), provision shall be made for ,None of the Above, (NOTA) option for the benefit of those electors who may wish to exercise their option of not voting to any of the candidates in the fray. The last panel of the ballot paper below the last candidate shall be earmarked for ,None of the Above, (NOTA) option.

(2) The State Election Commission may give such directions, as may be necessary, for effective implementation of ,None of the Above, (NOTA) option.

36. Arrangements at Polling Station. - (1) Outside each polling station there shall be displayed prominently,-

(a) a notice specifying the polling area, the serial number of electors in the relevant electoral roll who are entitled to vote at the polling station; and

(b) a copy of the list of contesting candidates with the serial numbers and the symbols assigned to them.

(2) At each polling station there shall be set up one or more voting compartments in which electors can record their votes, screened from observation.

(3) Where the elections for Gram Panchayats and Mandal Praja Parishads and Zilla Praja Parishads are held simultaneously there shall be two ballot boxes kept in the polling station, one for the Member and Sarpanch of Gram Panchayat and the other for the Member of Mandal Praja Parishad and Zilla Praja Parishad. Where the elections are held separately only one ballot-box either for Gram Panchayat or for Mandal Praja Parishad or for Zilla Praja Parishad, as the case may be, shall be kept.

(4) The names of the contesting candidates along with their symbols shall be displayed inside the polling station, above the ballot box to enable the voter to exercise his franchise without difficulty.

(5) The Returning Officer shall provide at each polling station sufficient number of ballot boxes, copies of the electoral roll or such part thereof as contains the names of the electors entitled to vote at the polling station, ballot papers, instruments for stamping the distinguishing mark on the ballot paper and articles necessary for electors to mark the ballot papers, stationery and such forms as may be necessary.

37. Admission to Polling Station. - (1) The Presiding Officer shall keep order at the polling station, shall see that the election is fairly conducted, shall regulate the number of electors to be admitted at any one time inside the polling station and shall exclude therefrom all persons other than, -

(a) his polling officers and such persons as the Presiding Officer may, from time to time, admit for the purpose of identifying electors;

(b) other public servants on duty in connection with the election;

(c) the candidates, their election agents, and one polling agent of each candidate at a time;

(d) a child in arms accompanying an elector;

(e) a person accompanying blind or infirm voters who cannot move without help; and

(f) persons authorised by the State Election Commission.

(2) (a) Where a woman elector cannot be identified by the identification officers appointed for the purpose by reason of her observing ,purdah, she may be required to be identified by any of her near relatives unless she otherwise satisfies the Presiding Officer of her identity.

(b) If any question arises as to whether a person is or is not a near relative within the meaning of clause (a) above, it shall be decided by the Presiding Officer and his decision shall be final.

38. Preparation of Ballot Boxes. - (1) Where a paper seal is used for securing a ballot box, the Presiding Officer shall affix his own signature on the paper seal and obtain thereon the signature of such of the polling agents present as are desirous of affixing the same.

(2) The Presiding Officer shall thereafter fix the paper seal so signed in the space meant therefor in the ballot box and shall then secure and seal the box in such manner that the slit for the insertion of ballot paper therein remains open.

(3) The seals used for securing a ballot box shall be affixed in such manner that after the box has been closed, it is not possible to open it without breaking the seals.

(4) Where it is not necessary to use paper seals or securing the ballot boxes, the Presiding Officer shall secure and seal the ballot box in such manner that the slit for the insertion of ballot papers remains open and shall allow the polling agents present to affix, if they so desire, their seals.

(5) Every ballot box used at a polling station shall bear label both inside and outside marked with:-

(a) the details of the Ward/Territorial Constituency;

(b) the serial number and name of the polling station;

(c) the serial number of the ballot box (to be filled in at the end of the poll on the label outside the ballot box only) and;

(d) the date of poll.

(6) Immediately before commencement of the poll the Presiding Officer shall demonstrate to the polling agents and other persons present, that the ballot box is empty and bears the labels referred to in sub-rule (5).

(7) The ballot box shall then be closed, sealed, secured and placed in full view of the Presiding Officer and polling agents.

39. Demonstration of the marked copy of the electoral roll. - Immediately before commencement of the poll, the Presiding Officer shall demonstrate to the polling agents and others present, the marked copy or, as the case may be, marked copies of the electoral roll to be used during the poll.

40. Facilities for woman electors. - (1) Where a polling station is for both men and women electors, the Presiding Officer may direct that they shall be admitted into the polling station alternately in separate batches.

(2) The Returning Officer or the Presiding Officer may appoint a woman to serve as an attendant at any polling station to assist women electors and also to assist the Presiding Officer generally in taking the poll in respect of women electors, and in particular, to help in searching any woman elector in case it becomes necessary.

41. Identification of electors. - (1) The Presiding Officer may employ at the polling station such persons, as he thinks fit to help identification of the electors or to assist him otherwise in taking the poll.

(2) As each elector enters the polling station, the Presiding Officer or the polling officer authorised by him in this behalf shall check the elector's name and other particulars with the relevant entry in the electoral roll and then call out the serial number, name and other particulars of the elector.

(3) Every elector shall produce identity card issued to him/her under the provisions of the Registration of Electors Rules, 1960 made under the Representation of the Peoples Act, 1950 or any such document as may be specified, by order, by the State Election Commission before the Presiding Officer or the polling officer authorized by him in this behalf, in order to establish his/her identity at the polling station.

(4) In deciding the right of a person to cast his vote, the Presiding Officer or the polling officer, as the case may be, shall overlook the clerical or printing errors in an entry in the electoral roll if he is satisfied that such person is identical with the elector to whom such entry relates.

42. Facilities for public servants on election duty. - (1) The provisions of rule 41 shall not apply to any person who produces at the polling station an election duty certificate issued by Returning Officer and seeks permission to cast his vote at that polling station although the polling station is different from the one where he is entitled to vote.

(2) On production of such certificate the Presiding Officer shall -

(a) obtain thereon the signature of the person producing it;

(b) have the person's name and electoral roll number as mentioned in the certificate entered at the end of the marked copy of the electoral roll; and

(c) issue to him a ballot paper, and permit him to vote, in the same manner as for an elector entitled to vote at that polling station.

43. Challenging of Identity. - (1) Any polling agent may challenge the identity of a person claiming to be a particular elector by first depositing a sum of five rupees in cash with the Presiding Officer for each such challenge.

(2) On such a deposit being made, the Presiding Officer shall:-

(a) warn the person challenged, of the penalty for personation;

(b) read the relevant entry in the electoral roll in full and ask him whether he is the person referred to in the entry.

(c) enter his name and address in the list of challenged votes in Form-XXI; and

(d) require him to affix his signature in the said list.

(3) The Presiding Officer shall thereafter hold a summary inquiry into the challenge and may for that purpose -

(a) require the challenger to adduce evidence in proof of the challenge and the person challenged to adduce evidence in proof of his identity;

(b) put the person challenged any question necessary for the purpose of establishing his identity and require him to answer them on oath; and

(c) administer an oath to the challenger and any other person offering to give evidence.

(4) If, after the inquiry, the Presiding Officer considers that the challenge has not been established, he shall allow the person challenged, to vote; and if he considers that the challenge has been established, he shall debar the person challenged from voting.

(5) If the Presiding Officer is of the opinion that the challenge is frivolous or has not been made in good faith, he shall direct that the deposit made under sub-rule (1) be forfeited to the Government and in any other case he shall return it to the challenger on the conclusion of the inquiry.

44. Safeguards against personation. - (1) Every elector about whose identity the Presiding Officer or the Polling Officer, as the case may be, is satisfied shall allow -

(a) the inspection of his left fore-finger by the Polling Officer; and

(b) an indelible ink mark to be put on his left fore-finger.

(2) If any such elector -

(a) refuses to allow such inspection of his left fore-finger; or

(b) refuses to allow an indelible ink mark to be put on his left fore-finger; or

(c) does any act in order to remove any such mark after it has been put; or

(d) fails or refuses to produce his identity card or any other document specified by State Election Commission to establish his identity under rule 41 of these rules; or

(e) refuses to put his signature or thumb impression on the counter-foil;

he shall not be entitled to be supplied with any ballot paper or to record his vote at the election.

(3) A person who already has such a mark on his left fore-finger at the time he enters the polling station shall not be supplied with any ballot paper.

(4) Any reference in this rule to the left fore-finger of an elector shall, in the case where the elector has no left fore-finger be construed as a reference to another finger of his left hand and shall in the case where there are no fingers on his left hand be construed as a reference to the fore finger or any other finger on his right hand and shall in the case where he has no finger on both the hands be construed as a reference to such extremity of his right or left arm as he possesses.

45. Distinguishing Mark. - Before a ballot paper is issued to an elector, the ballot paper and the counterfoil attached thereto, shall be stamped on the back with such distinguishing mark as the State Election Commission may direct and every ballot paper before it is issued shall be signed in full on its back by the Presiding Officer.

46. Issue of ballot paper. - (1) At the time of issuing a ballot paper to an elector, the polling officer shall,-

- (a) record on its counterfoil the electoral roll number of the elector as entered in the marked copy of the electoral roll, and
- (b) obtain the signature or thumb impression of that elector on the said counterfoil:
- (c) mark the name of the elector in the marked of the electoral roll to indicate that a ballot paper has been issued to him, without however, recording therein the serial number of the ballot paper issued to the elector:

Provided that no ballot paper shall be delivered to an elector unless he has put his signature or thumb impression on the counterfoil of that ballot paper.

(2) No person in the polling station shall note down the serial numbers of the ballot papers issued to the electors.

47. Maintenance of secrecy of voting by electors and voting procedure. - (1) Every elector to whom a ballot paper has been issued under rule 46 or any other provisions of these rules shall maintain secrecy of voting within the polling station and for that purpose observe the voting procedure hereinafter laid down.

(2) The elector on receiving the ballot paper or papers, as the case may be, shall forthwith-

- (a) proceed to one of the voting compartments,
- (b) make a mark on the ballot paper or papers with the instrument supplied for the purpose on or near the symbol / symbols allotted to the candidate / candidates for whom he intends to vote,
- (c) fold the ballot paper / papers vertically first and thereafter horizontally so as to conceal his vote,
- (d) if required, show to the Presiding Officer the distinguishing mark on the ballot paper or papers,
- (e) insert the folded ballot paper into the specified ballot box, and
- (f) leave the polling station by the exit provided.

(3) Every elector shall vote without undue delay.

(4) No elector shall be allowed to enter a voting compartment when another elector is inside it.

(5) If an elector to whom a ballot paper has been issued refuses, after warning given by the Presiding Officer to observe the procedure laid down in sub-rule (2), the ballot paper issued to him shall, whether he has recorded his vote thereon or not, be taken back from him by the Presiding Officer or a polling officer, under the direction of the Presiding Officer.

(6) After the ballot paper has been taken back, the Presiding Officer shall record on its back the word "Cancelled: voting procedure violated" and put his signature below these words and all such ballot papers shall be kept in a separate cover which shall bear on its face the words "Ballot Papers - voting procedure violated".

(7) Without prejudice to any other penalty to which an elector, from whom a ballot paper has been taken back under sub-rule (5) may be liable, the vote, if any recorded on such ballot paper shall not be counted.

48. Recording of votes of Blind or infirm voters. - (1) If the Presiding Officer is satisfied that owing to blindness or other physical infirmity, an elector is unable to recognise the symbols on ballot paper or to make a mark thereon without assistance, the Presiding Officer shall permit the elector to take with him a companion of not less than eighteen years of age to the voting compartment for recording vote on the ballot paper on his behalf and in accordance with his wishes and if necessary, for folding the ballot paper so as to conceal the vote and insert it into the ballot box:

Provided that no person shall be permitted to act as the companion of more than one elector at any polling station on the same day:

Provided further that when any person is permitted to act as the companion of the elector on any day under this rule, the person shall be required to declare in Form -XXII that he shall keep secret the vote recorded by him on behalf of the elector and that he has not already acted as the companion of any other elector at any polling station on that day.

(2) The Presiding Officer shall keep a record of all cases under this rule in Form-XXIII.

49. Spoilt and returned ballot papers. - (1) An elector who has inadvertently dealt with his ballot paper in such manner that it cannot be conveniently used as a ballot paper, may, on returning it to the Presiding Officer and on satisfying him of the inadvertence, be given another ballot paper and the ballot paper so returned and the counterfoil of such ballot paper shall be marked as "Spoilt:Cancelled" by the Presiding Officer.

(2) If an elector after obtaining a ballot paper decides not to use it, he shall return it to the Presiding Officer, and the ballot paper so returned and the counterfoil of such ballot paper shall be marked as "Returned Cancelled" by the Presiding Officer.

(3) All ballot papers cancelled under sub-rule (1) and sub-rule (2) shall be kept in a separate packet.

50. Tendered Votes. - (1) If a person representing himself to be a particular elector seeks to vote after another person has already voted as such elector, he shall, on, satisfactorily answering such questions relating to his identity as the Presiding Officer may ask, be entitled, subject to the following provisions of this rule, to mark a ballot paper (hereinafter in these rules referred to as a "Tendered Ballot Paper) in the same manner as any other elector.

(2) Every such person, shall, before being supplied with a tendered ballot paper, sign his name against the entry relating to him in a list in Form - XXIV.

(3) A tendered ballot paper shall be the same as the other ballot paper used at the polling except that it shall be -

- (a) serially the last in the bundle of ballot papers issued for use at the polling station; and
- (b) endorsed on the back of the ballot paper and its counterfoil with the words "Tendered Ballot Paper" by the Presiding Officer in his own hand and signed by him.

(4) The elector, after marking a tendered ballot paper in the voting compartment and folding it, shall instead of putting it into the ballot box, give it to the Presiding Officer, who shall place it in a cover specifically kept for the purpose.

51. Closing of Poll and Sealing of Ballot Boxes and covers after poll. - (1) The Presiding Officer shall close the polling station at the hour appointed for closing and shall not thereafter admit any elector into the polling station:

Provided that all electors present at the polling station before it is closed shall be allowed to cast their votes.

(2) If any question arises whether an elector was present at the polling station before it was closed, it shall be decided by the Presiding Officer and his decision shall be final.

(3) The Presiding Officer of each polling station, as soon as practicable, after the close of the poll, shall close the slit of the ballot box and where the box does not contain any mechanical device for closing the slit, he shall seal up the slit and also allow any polling agent present to affix his seal. The ballot box shall thereafter be sealed and secured.

(4) Where it becomes necessary to use a second ballot box by reason of the first ballot box getting full, the first box shall be closed, sealed and secured as provided in sub-rule (3) before another ballot box is put into use.

(5) The Presiding Officer of each polling station, as soon as practicable, after the close of the poll, shall in the presence of any candidate or polling agents who may be present make up the following into separate packets and seal with his own seal and the seals of such candidates or agents as may desire to affix their seals:

- (i) the tendered ballot papers;
- (ii) the unused ballot papers;
- (iii) the spoilt and returned ballot papers;
- (iv) the marked copy of the electoral roll;
- (v) the tendered votes list;
- (vi) the list of challenged votes;
- (vii) the counterfoils of used ballot papers;
- (viii) the ballot papers cancelled for violation of voting procedure; and
- (ix) any other papers directed by the State Election Commission to be kept in a sealed cover / packet.

(6) Each packet shall be numbered and shall bear a note as to its contents, description of the election and the polling stations. Where no vote has been recorded at any polling station, the Presiding Officer shall submit a ,nil, report.

52. Account of ballot papers. - (1) The Presiding Officer shall at the close of the poll prepare a ballot paper account in Form-XXV and place it in a separate cover with the words "Ballot Paper Account" superscribed thereon.

(2) The Presiding Officer shall furnish to every polling agent present at the close of the poll a true copy of the entries made in the ballot paper account after obtaining a receipt from the said polling agent therefor and shall also attest it as a true copy.

53. Delivery of ballot boxes to Returning Officer. - (1) The Presiding Officer shall then, as soon as may be, deliver the ballot boxes and all such packets and papers used at the polling station or cause them to be delivered to the Returning Officer at such places as he may direct.

(2) The Returning Officer shall make adequate arrangements for the safe transport of all ballot boxes, packets and other papers referred to in this rule from polling stations and for their safe custody until the commencement of this counting of votes.

54. Procedure on adjournment of poll. - (1) If the poll at any polling station is adjourned under section 225 B, the provisions of rules 51 to 53 shall, as far as practicable, apply as if the poll was closed at the hour fixed in that behalf.

(2) When an adjourned poll is recommended under sub-section (2) of section 225B, the electors who have already voted at the poll so adjourned shall not be allowed to vote again.

(3) The Returning Officer shall provide the Presiding Officer of the polling station at which such adjourned poll is held, with the sealed packet containing the marked copy of the electoral roll and a new ballot box.

(4) The Presiding Officer shall open the sealed packet in the presence of the polling agents present and use the marked copy of the electoral roll for marking the names of the electors to whom the ballot papers are issued at the adjourned poll, without however recording therein the serial number thereof.

(5) The provisions of rules 33 to 53 shall apply in relation to the conduct of an adjourned poll as they apply in relation to the poll before it was so adjourned.

55. Fresh Poll in case of destruction of ballot boxes. - If at any election any ballot box used at a polling station is unlawfully taken out of custody of the Presiding Officer or Returning Officer or is accidentally or intentionally destroyed or lost or is damaged or is tampered with to such an extent that the result of the poll at that polling station cannot be ascertained or any such error or irregularity in procedure is likely to vitiate the poll is committed at the polling station, the procedure prescribed in section 225 C of the Act shall be followed.

56. Counting of votes. - (1) The counting of votes shall commence on the day and at the place and hour appointed in that behalf. Votes shall be counted by or under the supervision of the Returning Officer.

(2) The postal ballot papers shall be counted first.

(3) Each candidate, the election agent and the counting agent of each candidate shall have a right to be present at the time of counting. No other person shall be allowed to be present except such person as the Returning Officer may appoint to assist him in counting votes and no person shall be appointed to assist in counting votes who has been employed by or on behalf of any candidate for any purpose whatsoever connected with the election.

(4) The Returning Officer shall, before he commences to count the votes, read out the provisions of section 217 of the Act to such person as may be present and shall then count and check all the ballot boxes placed for the counting of votes and satisfy himself that all such ballot boxes contain the ballot papers which are to be counted at such place have been received and accounted for.

(5) The Returning Officer shall allow, the candidates and their election agents and counting agents present at the counting, reasonable opportunities to inspect the ballot boxes and their seals for satisfying themselves that they are in order.

(6) If any ballot box is found by the Returning Officer to have been tampered or interfered with or destroyed or lost, or if at any time, before counting of votes is completed any ballot papers used at a polling station or at a place fixed for the poll are unlawfully taken out of the custody of the Returning Officer or are accidentally or intentionally, destroyed or lost or are damaged or tampered with to such an extent that the result of the poll at that polling station or place cannot be ascertained, the Returning Officer shall follow the procedure laid down in section 225 D of the Act.

(7)(a) Subject to such general or special directions, if any, as may be given by the State Election Commission in this behalf the ballot papers shall be counted after mixing the votes ward-wise/ Gram Panchayat wise/ Territorial Constituency-wise, as the case may be.

(b) The Returning Officer shall open, or cause to be opened, simultaneously the ballot box or boxes used at more than one polling station and shall have the total number of ballot papers found in such box or boxes counted and recorded in Part II of ballot paper account in Form-XXV.

(c) Discrepancy, if any, between the total number of such ballot papers recorded as aforesaid and the total number of ballot papers issued to voters as shown in Item 3 of Part I of the said Form - XXV minus the number of ballot papers cancelled as shown in item 4 thereof and the number of papers as shown in item 5 thereof, shall also be recorded in Part II of Form-XXV.

(8) The Returning Officer shall, as far as practicable, proceed continuously with the counting of the votes and shall, during any necessary intervals during which the counting has to be suspended, place the ballot papers, packets and other documents relating to the election under his own seal and the seals of such candidates or agents as may desire to affix them and shall cause adequate precautions to be taken for their custody.

57. Counting of Postal Ballot Papers. - (1) The Returning Officer shall first deal with the postal ballot papers in the manner hereinafter provided.

- (2) No cover in Form-XIX received by the Returning Officer after the expiry of the time fixed in that behalf shall be opened and no vote contained in any such cover shall be counted.
- (3) The other covers shall be opened one after another and as each cover is opened, the Returning Officer shall first scrutinise the declaration in Form-XVII contained therein.
- (4) If the said declaration is not found, or has not been duly signed and attested, or is otherwise substantially defective, or if the serial number of the ballot paper as entered in it differs from the serial number endorsed on the cover in Form-XVIII, that cover shall not be opened, and after making an appropriate endorsement thereon, the Returning Officer shall reject the ballot paper therein contained.
- (5) Each cover so endorsed and the declaration received with it shall be replaced in the cover in Form-XIX and all such covers in Form-XIX shall be kept in separate packet which shall be sealed and on which shall be recorded the details of the ward/constituency, the date of counting and a brief description of its content.
- (6) The Returning Officer shall then place all the declarations in Form-XVII which he has found to be in order in a separate packet which shall be sealed before any cover in Form-XVIII is opened and on which shall be recorded the particulars referred to in sub-rule (5).
- (7) The covers in Form-XVIII not already dealt with under the foregoing provisions of this rule shall then be opened one after another and the Returning Officer shall scrutinise each ballot paper and decide the validity of the vote recorded thereon.
- (8) A postal ballot paper shall be rejected -
- if it bears any mark (other than the mark to record the vote) or writing by which the elector can be identified; or
 - if no vote is recorded thereon; or
 - if the vote is given on it in favour of more candidates than one; or
 - if it is a spurious ballot paper; or
 - if it is so damaged or mutilated that its identity as a genuine ballot paper cannot be established; or
 - if it is not returned in the cover sent along with it to the elector by the Returning Officer.
- (9) A vote recorded on a postal ballot paper shall be rejected if the mark indicating the vote is placed on the ballot paper in such manner as to make it doubtful to which candidate the vote has been given.
- (10) A vote recorded on a postal ballot paper shall not be rejected merely on the ground that the mark indicating the vote is indistinct or made more than once, if the intention that the vote shall be for a particular candidate clearly appears from the way the paper is marked.
- (11) The Returning Officer shall count all the valid votes given by postal ballot in favour of each candidate, record the total thereof in the result sheet in Form-XXVI and announce the same.
- (12) Thereafter, all the valid ballot papers and all the rejected ballot papers shall be separately bundled and kept together in a packet which shall be sealed with the seals of the Returning Officer and of such of the candidates, their election agent or counting agents as may desire to affix their seals thereon and on the packet so sealed shall be recorded the details of the ward/constituency, the date of counting and a brief description of its contents.

58. Grounds for rejection of ballot papers. - (1) The Returning Officer shall reject a ballot paper, -

- if it bears any mark or writing by which the elector can be identified, or
- if it bears no mark at all to indicate the vote, it bears a mark elsewhere than on or near the symbol of one of the candidates on the face of the ballot paper or, it bears a mark made otherwise than with the instrument supplied for the purpose, or
- if votes are given on it in favour of more than one candidate, or
- if the mark indicating the vote thereon is placed in such manner as to make it doubtful as to which candidate the vote has been given, or
- if it is a spurious ballot paper, or
- if it is so damaged or mutilated that its identity as a genuine ballot paper cannot be established, or
- if it bears a serial number, or is of a design, different from the serial numbers, or, as the case may be, design, of the ballot papers authorised for use at the particular polling station, or
- if it does not bear both the distinguishing mark and the signature which it should have borne under the provisions of rule 45.

Provided that where the Returning Officer is satisfied that any such defect as is mentioned in clause(g) or clause (h) has been caused by any mistake or failure on the part of a Presiding Officer or Polling Officer, the ballot paper shall not be rejected merely on the ground of such defect:

Provided further that a ballot paper shall not be rejected merely on the ground that the mark indicating the vote is indistinct or made more than once, if the intention that the vote shall be for a particular candidate clearly appears from the way the paper is marked.

- Before rejecting any ballot paper under sub-rule (1), the Returning Officer shall allow candidates and their counting agents present a reasonable opportunity to inspect the ballot paper but shall not allow them to handle it or any other ballot paper.
- The Returning Officer shall endorse on every ballot paper which he rejects the word "rejected" and the grounds of rejection in abbreviated form either in his own hand or by means of a rubber stamp and shall initial such endorsement.
- All ballot papers rejected under this rule shall be bundled together.
- Every ballot paper which is not rejected under this rule shall be counted as one valid vote.

59. Preparation of Results Sheet. - After counting of all ballot papers contained in all the ballot boxes used in ward/gram panchayat/Territorial Constituency, as the case may be have been completed, the Returning Officer shall make the entries in a result sheet in Form-XXVI and announce the particulars.

60. Recount of Votes. - (1) After such announcement has been made under rule 59, a candidate or, in his absence, his election agent or any of his counting agents may apply in writing to the Returning Officer for recounting of the votes either wholly or in part stating the grounds on which, he demands such recount.

- On such an application being made the Returning Officer shall decide the matter and may allow the application in whole or in part or may reject it wholly if it appears to him to be frivolous or unreasonable.
- Every decision of the Returning Officer under sub--rule (2) shall be in writing and contain the reasons therefor.
- If the Returning Officer decides under sub-rule (2) to allow a recount of the votes either wholly or, in part he shall -
 - do the recounting in accordance with rule 56.

(b) amend the result sheet in Form - XXVI to the extent necessary after such recount; and

(c) announce the amendments so made by him.

(5) After the total number of votes polled by each candidate has been announced under sub-rule (4), the Returning Officer shall complete and sign the result sheet in Form-XXVI and no application for a further or second recount shall be entertained thereafter.

61. Equality of Votes. - If, after the counting of the votes is completed an equality of votes is found to exist between any candidates and the addition of one vote will lead to any of those candidates being declared elected, the Returning Officer shall forthwith decide between those candidates by lot, and proceed as if the candidate on whom the lot falls had received the additional vote.

62. Declaration of result of election and return of election. - (1) The Returning Officer shall subject to the provisions of rule 61 in so far as they apply to any particular case -

(a) declare in Form-XXVII the candidate to whom the largest number of valid votes have been given to be elected for the seat and send signed copies thereof to the State Election Commission, Election Authority and District Election Authority.

(b) complete and certify the return of election in Form-XXVIII and send copies thereof to the State Election Commission, Election Authority and District Election Authority.

(2) Any candidate or his agent shall, on application be permitted to take a copy of an extract of the return of election in Form-XXVIII.

63. Grant of Election Certificate. - As soon as may be after a candidate has been declared by the Returning Officer under rule 16 or, as the case may be, under rule 62 to have been elected, the Returning Officer shall grant such candidate a certificate of election in Form-XXIX and obtain from the candidate an acknowledgement of its receipt duly signed by him immediately.

64. Publication of Results. - The Returning Officer shall publish on the notice board in the Office of the Gram Panchayat/Mandal Praja Parishad/Zilla Praja Parishad concerned a notification signed by him, stating the names of the candidates duly elected.

65. Sealing of used ballot papers. - The valid ballot papers of each candidate and the rejected ballot papers shall thereafter be bundled separately and the several bundles made up into a separate packet which shall be sealed with the seals of the Returning Officer and of such of the candidates, their election agents or counting agents as may desire to affix their seals thereon, and on the packets to be sealed shall be recorded the following particulars, namely:-

(a) number of ward/name of the Gram Panchayat or Territorial Constituency of the Mandal Praja Parishad, or the Zilla Praja Parishad, as the case may be; and

(b) the date of counting.

66. Disposal of Ballot Papers. - (1) The Returning Officer shall, after declaring the results, forward a copy of the return to the Executive Authority concerned and shall handover to the Officer authorised by the District Election Authority the packets of ballot papers, whether counted, rejected or tendered. These packets shall not be opened and their contents shall not be inspected or produced except under the orders of an authority competent to decide election disputes.

(2) The Officer so authorised shall retain packets and the marked copies of the electoral roll for a year and shall then, unless otherwise directed by the orders of an authority competent to decide election disputes, cause them to be destroyed.

CHAPTER-V

Voting by Electronic Voting Machines

67. Design of Voting Machine. - Every Electronic Voting Machine (hereinafter referred to as the voting machine) shall have a Control Unit and a Balloting Unit and shall be of such designs as may be approved by the State Election Commission.

68. Preparation of Voting Machine by the Returning Officer. - (1) The Balloting Unit of the voting machine shall contain such particulars in such language or languages as the State Election Commission may specify.

(2) The names of the candidates shall be arranged on the Balloting Unit in the same order in which they appear in the list of the contesting candidates.

(3) If two or more candidates bear the same name, they shall be distinguished by the addition of their occupation or residence or in some other manner.

(4) Subject to the foregoing provisions of this rule, the Returning Officer shall; -

(a) fix the label containing the names and symbols of the contesting candidates in the Balloting Unit and secure that unit with his seal and the seals of such of the contesting candidates or their election agents present as are desirous of affixing the same.

(b) set the number of contesting candidates and close the candidate set section in the Control Unit and secure it with his seal and the seals of such of the contesting candidates or their election agents present as are desirous of affixing the same.

69. Arrangements at the Polling Stations. - (1) Outside each polling station there shall be displayed prominently,-

(a) a notice specifying the polling area, the electors of which are entitled to vote at the polling station; and

(b) a copy of the list of contesting candidates.

(2) At each polling station there shall be set up one or more voting compartments in which the electors can record their votes free from observation.

(3) The Returning Officer shall provide at each polling station one or more voting machines and copies of relevant part of the electoral roll and such other election material as may be necessary for taking the poll.

70. Admission to Polling Station. - The provisions of rule 37 shall apply to regulate the entry of electors and other persons inside the polling station.

71. Preparation of voting machine for poll. - (1) The Control Unit and Balloting Unit of every voting machine used at a polling station shall bear a label marked with:-

(a) the details of Territorial Constituency;

(b) the serial number and the name of the polling station;

(c) the serial number of the unit; and

(d) the date of poll.

(2) Immediately before the commencement of the poll, the Presiding Officer shall demonstrate to the polling agents and other persons present that no vote has been already recorded in the voting machine and it bears the label referred to in sub-rule(1).

(3) A paper seal shall be used for securing the Control Unit of the voting machine, and the Presiding Officer shall affix his own signature on the paper seal and obtain thereon the signature of such of the polling agents present as are desirous of affixing the same.

(4) The Presiding Officer shall thereafter fix the paper seal so signed in the space meant therefor in the Control Unit of the voting machine and shall secure and seal the same.

(5) The seal used for securing the Control Unit shall be fixed in such manner that after the unit has been sealed, it is not possible to press the "result button" without breaking the seal.

(6) The Control Unit shall be closed and secured and placed in full view of the Presiding Officer and the polling agents and the Balloting Unit placed in the voting compartment.

72. Marked copy of electoral roll. - Immediately before the commencement of the poll, the Presiding Officer shall also demonstrate to the polling agents and others present, that the marked copy of the electoral roll to be used during the poll does not contain any entry other than that made with regard to issue of postal ballot papers and election duty certificates.

73. Facilities for Women electors. - With regard to facilities to women electors, the provisions of rule 40 shall apply.

74. Identification of electors. - For the purpose of identification of electors, rule 41 shall apply.

75. Facilities for public servants on election duty. - With regard to facilities for public servants on election duty provisions of rule 42 shall apply.

76. Challenging of Identity. - Where the identity of an elector is challenged, the provisions of rule 43 shall apply.

77. Safeguard against personation. - (1) Every elector about whose identity the Presiding Officer or the polling officer, as the case may be, is satisfied, shall allow his left forefinger to be inspected by the Presiding Officer or polling officer and an indelible ink mark to be put on it.

(2) If any elector; -

(a) refuse to allow his left forefinger to be inspected or marked in accordance with sub-rule (1) or has already such a mark on his left forefinger or does any act with a view to removing the ink mark, or

(b) fails or refuses to produce his identity card or such other document as specified by order of State Election Commission under sub-rule (3) of rule 41, he shall not be allowed to vote.

(3) Any reference in this rule to the left forefinger of an elector shall, in the case where the elector has his left forefinger missing, be construed as a reference to any other finger to his left hand, and shall, in the case where all the fingers of his left hand are missing, be construed as a reference to the forefinger or any other finger of both the hands are missing be construed as a reference to such extremity of his left or right arm as he possesses.

78. Procedure for voting by voting machines. - (1) Before permitting an elector, to vote the polling officer shall, -

(a) record the electoral roll number of the elector as entered in the marked copy of the electoral roll in a register of voters in Form-XXX

(b) obtain the signature or the thumb impression of the elector on the said register of voters; and

(c) mark the name of the elector in the marked copy of the electoral roll to indicate that he has been allowed to vote:

Provided that no elector shall be allowed to vote unless he has affixed his signature or thumb impression on the register of voters.

(2) It shall not be necessary for any Presiding Officer or polling officer or any other officer to attest the thumb impression of the elector on the register of voters.

79. Maintenance of secrecy of voting by electors within the polling station and voting procedure. - (1) Every elector who has been permitted to vote under rule 78 shall maintain secrecy of voting within the polling station and for that purpose observe the voting procedure hereinafter laid down.

(2) Immediately on being permitted to vote the elector shall proceed to the Presiding Officer or the polling officer in-charge of the Control Unit of the voting machine who shall, by pressing the appropriate button on the Control Unit, activate the Balloting Unit, for recording of elector's vote.

(3) The elector shall thereafter forthwith, -

(a) proceed to the voting compartment;

(b) record his vote by pressing the button on the Balloting Unit against the name and symbol of the candidate for whom he intends to vote; and

(c) come out of the voting compartment and leave the polling station.

(4) Every elector shall vote without undue delay.

(5) No elector shall be allowed to enter the voting compartment when another elector is inside it.

(6) If an elector who has been permitted to vote under rule 78 or rule 82 refuses after warning given by the Presiding Officer to observe the procedure laid down in sub-rule (3) of rule 79 or sub-rule (3) of rule 82, the Presiding Officer or a polling officer under the direction of the Presiding Officer shall not allow such elector to vote.

(7) Where an elector is not allowed to vote under sub-rule (6), a remark to the effect that voting procedure has been violated shall be made against the elector's name in the register of voters in Form-XXX by the Presiding Officer under his signature.

80. Recording of votes of blind or infirm electors. - (1) If the Presiding Officer is satisfied that owing to blindness or other physical infirmities an elector is unable to read the names or recognise the symbols on the Balloting Unit of the voting machine or unable to record his vote by pressing the appropriate button thereon without assistance, the Presiding Officer shall permit the elector to take with him a companion of not less than eighteen years of age to the voting compartment for recording the vote on his behalf and in accordance with his wishes:

Provided that no person shall be permitted to act as the companion of more than one elector at any polling station on the same day:

Provided further that before any person is permitted to act as the companion of an elector on any day under this rule that person shall be required to declare in Form -XXII that he will keep secret the vote recorded by him on behalf of the elector and that he has not already acted as the companion of any other elector at any other polling station on that day.

(2) The Presiding Officer shall keep a record of all cases under this rule in Form-XXIII.

81. Elector deciding not to vote. - If an elector, after his electoral roll number has been entered in the register of voters in Form-XXX and has put his signature or thumb impression thereon decides not to record his vote, a remark to this effect shall be made against the said entry in Form-XXX by the Presiding Officer and the signature or thumb impression of the elector shall be obtained against such remark.

82. Tendered Votes. - (1) If a person representing himself to be a particular elector seeks to vote after another person has already voted as such elector, he shall, on satisfactorily answering such questions relating to his identity as the Presiding Officer may ask, be, instead of

being allowed to vote through the Balloting Unit, supplied with a tendered ballot paper which shall be of such design and the particulars of which shall be in such language or languages as the State Election Commission may specify.

(2) Every such elector shall before being supplied with tendered ballot paper affix his signature or thumb impression against the entry relating to him in a list in Form-XXXI.

(3) On receiving the ballot paper he shall forthwith, -

- (a) proceed to the voting compartment;
- (b) record there his vote on the ballot paper by placing a cross mark "X" with instrument or article supplied for the purpose, on or near the symbol of the candidate for whom he intends to vote;
- (c) fold the ballot paper so as to conceal his vote;
- (d) give it to the Presiding Officer who shall place it in a cover specially kept for the purpose; and
- (e) leave the polling station.

(4) If owing to blindness or physical infirmities, such elector is unable to record his vote without assistance the Presiding Officer shall permit him to take with him a companion, subject to the same conditions and after following the same procedure as laid down in rule 80 for recording the vote in accordance with his wishes.

83. Presiding Officer's entry into the voting compartment during poll. - (1) The Presiding Officer may whenever he considers it necessary to do so, enter the voting compartment during poll and take such steps as may be necessary to ensure that the Balloting Unit is not tampered or interfered with in any way.

(2) If the Presiding Officer has reason to suspect that an elector who has entered the voting compartment is tampering or otherwise interfering with the Balloting Unit or has remained inside the voting compartment for unduly long period, he shall enter the voting compartment and take such steps as may be necessary to ensure the smooth and orderly progress of the poll.

(3) Whenever the Presiding Officer enters the voting compartment under this rule, he shall permit the polling agents present to accompany him if they so desire.

84. Closing of Poll. - (1) The Presiding Officer shall close a polling station at the hour fixed in that behalf.

Provided that all electors present at the polling station before it is closed shall be allowed to cast their votes.

(2) If any question arises whether an elector was present at the polling station before it was closed it shall be decided by the Presiding Officer and his decision shall be final.

85. Account of votes recorded. - (1) The Presiding Officer shall at the close of the poll prepare an account of votes recorded in Form-XXXII and put it in a separate cover with the words "Account of Votes Recorded" superscribed thereon.

(2) The Presiding Officer shall furnish to every polling agent present at the close of the poll, a true copy of the entries made in Form-XXXII after obtaining a receipt from the said polling agent therefor and shall attest it as a true copy.

86. Sealing of voting machine after poll. - (1) As soon as practicable after the closing of the poll, the Presiding Officer shall close the Control Unit to ensure that no further votes can be recorded and shall detach the Balloting Unit from Control Unit.

(2) The Control Unit and the Balloting Unit shall thereafter be sealed, and secured separately in such manner as the State Election Commission may direct and the seal used for securing them shall be so affixed that it will not be possible to open the units without breaking the seals.

(3) The polling agents present at the polling station, who desire to affix their seals, shall also be permitted to do so.

87. Sealing of other packets. - (1) The Presiding Officer shall then make into separate packets, -

- (a) the marked copy of the electoral roll;
- (b) the register of voters in Form-XXX;
- (c) the cover containing the tendered ballot papers and the list in Form-XXXI;
- (d) the list of challenged votes; and
- (e) any other papers directed by the State Election Commission to be kept in a sealed packet.

(2) Each packet shall be sealed with the seal of the Presiding Officer and with the seal either of the candidate or of his election agent or of his polling agent who may be present at the polling station and may desire to affix his seal thereon.

88. Transmission of voting machines, etc., to the Returning Officer. - (1) The Presiding Officer shall then deliver or cause to be delivered to the Returning Officer at such place as the Returning Officer may direct -

- (a) the voting machine;
- (b) the account of votes recorded in Form-XXXII;
- (c) the sealed packets referred to in rule 87; and
- (d) all other papers used at the poll.

(2) The Returning Officer shall make adequate arrangements for the safe transport of the voting machine, packets and other papers for their safe custody until the commencement of the counting of votes.

89. Procedure on adjournment of poll. - (1) If the poll at any polling stations is adjourned under section 225B of the Act, the provisions of rules 85 to 88, shall, as far as practicable, apply as if the poll was closed at the hour fixed in that behalf.

(2) When an adjourned poll is recommended under sub-section (2) of section 225B of the Act, the electors who have already voted at the poll so adjourned shall not be allowed to vote again.

(3) The Returning Officer shall provide the Presiding Officer of the polling station at which such adjourned poll is held, with sealed packet containing the marked copy of the electoral roll, register of voters in Form-XXX and a new voting machine.

(4) The Presiding Officer shall open the sealed packet in the presence of the polling agents present and use the marked copy of the electoral roll for marking the names of the electors who are allowed to vote at the adjourned poll.

(5) The provisions of rules 67 to 87 shall apply in relation to the conduct of an adjourned poll before it was so adjourned.

90. Closing of voting machines in case of booth capturing. - Where the Presiding Officer is of opinion that booth capturing is taking place at a polling station or at a place fixed for the poll, he shall immediately close the Control Unit of voting machine to ensure that no further votes can be recorded and shall detach the Balloting Unit from the Control Unit and thereupon the provisions of section 231 of the Act, in so far as they relate to booth-capturing at a polling station shall apply.

91. Scrutiny and inspection of voting machines. - (1) The Returning Officer may have the Control Units of the voting machines used at more than one polling station taken up for scrutiny and inspection and votes recorded in such units counted simultaneously.

(2) Before the votes recorded in any Control Unit of a voting machine are counted under sub-rule (1), the candidate or his election agent or his counting agent present at the counting table shall be allowed to inspect the paper seal and such other vital seals as might have been affixed on the unit and to satisfy themselves that the seals are in tact.

(3) The Returning Officer shall satisfy himself that none of the voting machines has in fact been tampered with.

(4) If the Returning Officer is satisfied that any voting machine has in fact been tampered with, he shall not count the votes recorded in that machine and shall report the matter to the State Election Commission.

92. Counting of votes. - (1) After the Returning Officer is satisfied that a voting machine has in fact not been tampered with, he shall have the votes recorded therein counted by pressing the appropriate button marked "Result" provided in the Control Unit whereby the total votes polled and votes polled by each candidate shall be displayed in respect of each such candidate on the display panel provided for the purpose in the unit.

(2) As the votes polled by each candidate are displayed on the Control Unit, the Returning Officer shall have, -

- (a) number of such votes recorded separately in respect of each candidate in Part II of Form-XXXII;
- (b) Part II of Form-XXXII completed in other respects and signed by the counting supervisor and also by the candidates or their election agents or their counting agents present; and
- (c) corresponding entries made in a result sheet in Form-XXVI and the particulars so entered in the result sheet announced.

93. Sealing of Machines. - (1) After the result of voting recorded in Control Unit has been ascertained candidate-wise, and entered in Form-XXXII and in the form prescribed for this purpose, the Returning Officer shall reseal the unit with his seal and the seals of such of the candidates or their election agents present who may desire to affix their seals thereon, so however that the result of voting recorded in the unit is not obliterated and the unit retains the memory of such result.

(2) The Control Unit so sealed shall be kept in specially prepared boxes on which the Returning Officer shall record the following particulars, namely, -

- (a) the details of the territorial constituency;
- (b) the particulars of the polling station where the Control Unit has been used;
- (c) serial number of the Control Unit;
- (d) date of poll; and
- (e) date of counting.

94. Custody of voting machines and papers relating to election. - (1) All voting machines used at an election shall be kept in the custody of the concerned Collector & District Election Authority or the Officer authorized by him.

(2) The Collector & District Election authority or the Officer authorized by him shall keep in the safe custody, -

- (a) the packets of marked copy of the electoral roll;
- (b) the packets containing register of voters in Form-XXX;
- (c) the packets containing the number of votes recorded in respect of each candidate in Form-XXXII;
- (d) all other papers relating to election.

95. Production and Inspection of voting machines and election papers. - (1) While in the custody of the Collector & District Election Authority or the Officer authorized by him, -

- (a) the packets of marked copy of electoral roll;
- (b) the packets containing registers of voters in Form-XXX shall not be opened and their contents shall not be inspected by, or produced before any person or authority except under the order of the competent court.

(2) The Control Unit sealed as per the provisions of rule 93 and kept in the custody of the Collector & District Election Authority or the Officer authorized by him shall be stored in Government Treasury or sub-Treasury and shall not be opened and inspected by, or produced before any person or authority except under the order of the competent court.

96. Safe custody of voting machines and all other packets. - (1) The Voting machines kept in the custody of the Collector & District Election authority or the Officer authorized by him shall be retained in tact for such period as the State Election Commission may direct and shall not be used at any subsequent election without the previous approval of the State Election Commission.

(2) All other packets relating to elections where there is no election petition, shall be destroyed as per the provisions of these rules.

97. Power of the State Election Commission to issue directions. - Subject to the other provisions of these rules, the State Election Commission may issue such directions as it may consider necessary to facilitate the proper use and operation of the voting machines and also as occasion requires to facilitate the holding of elections under these rules.

CHAPTER-VI

Miscellaneous

98. Filling up of Casual Vacancies. - Any casual vacancy of Member and Sarpanch of Gram Panchayat and Members of Mandal Praja Parishad/Zilla Praja Parishad shall be filled up within a period of one hundred and twenty days from the date of occurrence of such vacancy in accordance with the provisions of these rules and orders made there under.

99. Interpretation of rules. - (1) If any question arises on the interpretation of these Rules, otherwise than in connection with an enquiry held under the rules for the decision of disputes as to the validity of an election, the question shall be referred to the State Election Commission whose decision thereon shall be final:

Provided that the State Election Commission shall not entertain any petition relating to elections that may arise from the time of calling for nomination till the declaration of results. Such cases shall be decided by a court of competent jurisdiction.

(2) If any difficulty arises as to the holding of an election under these rules, the State Election Commission may by order, do anything not inconsistent with these rules, which appear to them necessary for the proper holding of elections.

100. Particulars of account of election expenses. - (1) The account of election expenses to be kept by a candidate or his election agent shall contain such particulars and shall be in such proforma as may be specified by the State Election Commission.

(2) The account of election expenses shall be submitted to the District Election Authority through the Mandal Parishad Development Officer within forty-five days of the declaration of the result of the election. The date of submitting the return in the office of the MPDO shall

be deemed to be the date of filing the return under Section 230B of the Act. The MPDO shall forward all returns received by him to the District Election Authority immediately on the expiry of forty-five days from the date of declaration of the results of elections.

(3) The Mandal Parishad Development Officer shall also send a list of contesting candidates who have failed to submit the accounts of election expenditure within the time specified in sub-rule (2). He shall also forward any accounts of election expenditure submitted after the due date with his report.

101. Notice by District Election Authority for inspection of accounts. - The District Election Authority shall, within two days from the date on which account of election expenses has been received by him under rule 100, cause a notice to be affixed on his notice board, specifying,-

- (a) the date on which the account has been lodged before the Mandal Parishad Development Officer;
- (b) the name of the candidate; and
- (c) the time and place at which such account can be inspected by any intending person.

102. Inspection of account and the obtaining of copies thereof. - Any person shall on payment of a fee of one rupee, be entitled to inspect any such account and shall be entitled to obtain attested copies thereof on payment of cost of making copies thereof.

103. Report by District Election Authority as to the lodging of the account of election expenses and the decision of the State Election Commission thereon. - (1) As soon as may be, after the expiration of the time specified in section 230B for the lodging of the accounts of election expenses at any election, the District Election Authority shall, report to the State Election Commission,-

- (a) the name of each contesting candidate;
- (b) whether such candidate has lodged his account of election expenses, and if so, the date on which such account has been lodged; and
- (c) whether in his opinion such account has been lodged within the time and in the manner required by the Act and these rules.

(2) Where the District Election Authority is of the opinion that the account of election expenses of any candidate has not been lodged within the due date or lodged but not in the manner required by the Act and these rules, he shall make a report to the State Election Commission and with every such report, forward the account of election expenses of that candidate and the vouchers lodged along with it, if any.

(3) Immediately after the submission of the report referred to in sub-rule (1) the District Election Authority shall publish a copy thereof affixing the same on his notice board.

(4) As soon as may be, after the receipt of the report referred to in sub-rule (1), the State Election Commission shall, consider the same and decide whether any contesting candidate has failed to lodge the account of election expenses within the time and in the manner required by the Act and these rules.

(5) Where the State Election Commission decides that a contesting candidate has failed to lodge his account of election expenses within the time and/or in the manner required by the Act and these rules, it shall by notice in writing call upon the candidate to show cause why he should not be disqualified, and declared to have ceased to hold office under section 19 B of the Act for the failure in case he is elected.

(6) Any contesting candidate who has been called upon to show cause under sub-rule (5) may, within twenty days of the receipt of such notice, submit in respect of the matter a representation in writing to the State Election Commission, and shall at the same time send to District Election Authority a copy of his representation together with a complete account of his election expenses if he had not already furnished such an account.

(7) The District Election Authority shall, within five days of the receipt thereof, forward to the State Election Commission, the copy of the representation and the account, if any, with such comments as he wishes to make thereon.

(8) If, after considering the representation submitted by the candidate and the comments made by the District Election Authority, and after such inquiry as it thinks fit, the State Election Commission is satisfied that the candidate has no good reason or justification for the failure to lodge his account, it shall declare him by an order made under section 19B of the Act to be ineligible for a period of three years, from the date of the said order, to contest any election held for any office under the Act and if he is an elected candidate declare him to have ceased to hold office with immediate effect and publish the order in the Official Gazette.

104. Maximum election expenses. - The total of the election expenses incurred or authorized to be incurred by each contesting candidate in connection with an election shall not exceed the amount specified for each office in the order made by the State Election Commission in this behalf.

Form-I
(See Rule 6)

Notice for the Election of Member / Sarpanch

- (i) Name of the Gram Panchayat
- (ii) Name of the Mandal Praja Parishad
- (iii) Number of Members inclusive of Sarpanch
- (iv) Number of the wards for which the Members are to be elected.
- (v) Reservation particulars where the office of Sarpanch is reserved:
- (vi) Reservation particulars of ward members

Category	Ward Nos.
ST(W)	
ST(G)	
SC (W)	
SC (G)	
BC (W)	
BC(G)	
Women	

(vii) Nomination papers shall be presented

- (a) On (dates)
- (b) Time (hours) from to
- (c) Place
- (d) To (Whom)

(viii) Scrutiny of nomination papers

- (a) Place
- (b) Date
- (c) Time

(ix) Withdrawal of candidature

- (a) Place
- (b) Last Date
- (c) Time

(x) Polling shall be held

- (a) Place
- (b) Date
- (c) Time

(xi) Counting of votes

- (a) Place
- (b) Date
- (c) Time

(xii) Declaration and publication of results

- (a) Place
- (b) Date
- (c) Time

(xiii) Meeting for the election of Upa-Sarpanch

- (a) Place
- (b) Date
- (c) Time

Returning Officer

Form-II
(See Rule 6)

Notice of Election for the Office of Members, Mandal Parishad / Zilla Praja Parishad

Notice is hereby given that -

(1) An election is to be held for the office of the Members of Mandal Praja Parishad / Zilla Praja Parishad

(a) Total number of members of Territorial constituencies :

(b) Reservation particulars :

Reservation Category	Name of the territorial constituency
ST(W)	
ST(G)	
SC (W)	
SC (G)	
BC (W)	
BC(G)	
Women	

(2) Nomination papers may be delivered by a candidate or his proposer to the undersigned or to (person authorized) between 10.30 A.M. and 5.00 P.M. from to

(3) Forms of nomination papers may be obtained at the place and time aforesaid.

(4) The nomination papers will be taken up for scrutiny at on at

(5) Notice of withdrawal of candidature may be delivered by a candidate or his proposer or by his election agent who has been authorised in writing to deliver it either of the officers specified in paragraph (2) above at his office before 3.00 P.M. on the

(6) In the event of election being contested, the poll will be taken on..... between the hours of and

Place :

Date :

Returning
Officer**Form-III**

(See Rule 8 (1))

Gram Panchayat
(Scheduled Area / Non-Scheduled Area)**Nomination Paper****Part-I**

1. Name of the Office : Member / Sarpanch
2. Name or number of the ward :
3. Whether the ward is reserved for : (a) SCs
(b) STs
(c) BCs (d) Women
4. Full name of the candidate :
5. Father's /Mother's/Husband's name :
6. Serial Number of candidate in the Electoral Roll :
7. Age :
8. Sex :
9. Occupation and Address :
10. Full name of the proposer :
11. Serial Number of proposer in the electoral roll :
12. Signature of the proposer :

Part-II**(Candidate's Declaration)**

I, the candidate mentioned in Part - I assent to this nomination and hereby declare.

- (a) that I have completed years of age
- (b) that the code of conduct prescribed by the State Election Commission has been read by me/ read over to me and I will abide by it.
- (c) that my name and my father's/mother's/husband's name have been correctly spelt out above in telugu language.
- (d) that to the best of my knowledge and belief, I am qualified and not also disqualified for being chosen to fill the seat.

Signature of the candidate

Part-III**(Declaration in case of SC/ST/BC candidate)**

I hereby declare that I am a member of theCaste / Tribe which is a Scheduled Caste / Scheduled Tribe / Backward Class in the State of Andhra Pradesh is relation to District or area in the State.

Signature of Candidate

The above declaration is solemnly affirmed before me (name of the officer in block letters) by who is personally known to me / who has been identified to my satisfaction by.....of.....

Signature of the Gazetted
Officer or any other officer of
the Revenue Department not
below the rank of a MRO
(Tahsildar).

(Seal of office)

Full designation
Date**Part-IV****(To be filled by the Returning Officer)**

Serial No. of Nomination Paper

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

Signature of the Returning Officer or other authorised person

Part-V**(Decision of Returning Officer accepting or rejecting the nomination paper)**

I have examined this nomination in accordance with rule 12 of A.P.P.R. (Conduct of Elections) Rules, 2006 and decide as follow:

Accepted / Rejected

Date:.....

Returning
Officer

..... (Perforation)

Part-VI**Receipt for Nomination Paper and Notice for Scrutiny**

(To be handed over to the person presenting the nomination paper)

Serial No. of Nomination Paper.....

The Nomination paper of..... a candidate for election of Sarpanch / Member of Ward No..... of.....
Gram Panchayat was delivered to me at (hour) on (date) by the candidate/proposer.All nomination papers will be taken up for scrutiny at..... (hour)..... on..... (date) at
..... (place).

Date:.....

Returning
Officer**Form-IV**

(See Rule 8 (1))

Nomination Paper**Part-I**Election to the Office of Member Territorial Constituency Mandal Praja
Parishad / Zilla Praja Parishad.I nominate as a candidate for election to the office of Member Territorial Constituency
Mandal Praja Parishad/Zilla Praja Parishad.

Name of the candidate :

Father's / Mother's / Husband's Name :

Postal address of the candidate :

His / her name is entered at Serial Number in Section Number of the electoral roll for
..... Gram Panchayat comprised in the Mandal Praja ParishadMy name is and it is entered at Serial Number in Section Number of the electoral
roll for the Gram Panchayat falling within the Territorial constituency of Mandal Praja Parishad
/ Zilla Praja Parishad.....

Date:.....

Signature of Proposer.

Part-II**(Candidate's Declaration)**

I, the candidate mentioned in Part-I assent to this nomination and hereby declare -

(a) that I have completed years of age.

(b) (i) that I am set up at this election by the party, which is recognised National Party / State Party / Registered
Political Party with reserved symbol (strike out which is not applicable) and that the symbol reserved for the above party be allotted
to me.

OR

(b) (ii) that I am set up at this election by the party, which is a Registered Political Party without reserved symbol
and that I am contesting this election as an independent candidate (strike out which is not applicable) and that the symbols I have
chosen, in order of preference, are:-

(i) (ii) (iii)

(c) that my name and my father's / mother's / husband's name have been correctly spelt out above in telugu.

(d) that to the best of my knowledge and belief, I am qualified and not also disqualified for being chosen to fill the seat in the Mandal
Praja Parishad / Zilla Praja Parishad.

(e) that the code of conduct proscribed by the State Election Commission is read by me/ is read over to me and I will abide by it.

Signature of the Candidate

Part-III**(Declaration in the case of Scheduled Caste / Scheduled Tribe / Backward Class Candidate)**I further declare that I am a member of the Caste / Tribe which is a Scheduled Caste / Scheduled Tribe / Backward
Class of the State of Andhra Pradesh in relation to district or area in the State.

Date:.....

Signature of the
CandidateThe above declaration is solemnly affirmed before me (name of the officer in block letters) by
..... who is personally known to me / who has been identified to my satisfaction by of
.....Signature of the Gazetted
Officer or any other officer of
the Revenue Department not
below the rank of a MRO
(Tahsildar).

(Seal of office)

Full designation
Date**Part-IV****(To be filled by the Returning Officer)**

Serial Number of Nomination Paper

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

Date:.....

Returning Officer

Part-V**(Decision of Returning Officer accepting or rejecting the Nomination Paper)**

I have examined this nomination paper in accordance with Rule 12 and decide as follows.

Accepted / Rejected

Date:.....

Returning Officer

Part-VI**(Receipt for Nomination Paper and notice for Scrutiny)**

(To be handed over to the person presenting the nomination paper)

Serial Number of Nomination paper

The nomination paper of a candidate for election to the office of Member

Territorial Constituency Mandal Praja Parishad / Zilla Praja Parishad was delivered to me at (hour) on (date) by the candidate / proposer.

All nomination papers will be taken up for scrutiny at (hour) on (date) at (place).

Date:.....

Returning Officer

Form-V

(See Rule 11)

List of Nominations Received

Election to Sarpanch / Member of Ward No. of Gram Panchayat / Member, Territorial Constituency of Mandal Praja Parishad / Zilla Praja Parishad.

S.No. of Nomination Paper	Name of Candidate	Father's or Husband's Name	Age of the candidate	Occupation & Address	Particulars of Caste or Tribes for candidates belonging to SC or ST or BC	Electoral Roll number of Candidate	Name of the Proposer	Electoral Roll No. of Proposer	* Name of the Political Party (National / State or registered) by which the candidate claims to have been set up/ independent candidate	*Symbols chosen in order of preference by the candidate
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)

The nomination papers will be taken up for scrutiny at A.M. / P.M. on (date) at (place).

Place:

Signature of the
Returning Officer or
other authorised person

Date:

Applicable in case of election to Member, Mandal Praja Parishad / Zilla Praja Parishad.

Form-VI

(See Rule 12(4))

List of Validly Nominated CandidatesElection to Sarpanch / Member of Ward No. of Gram Panchayat / Member, Territorial
Constituency of Mandal Praja Parishad / Zilla Praja Parishad.

S.No.	Name of the Candidate	Name of father's / mother's / husband's	Address of Candidate	* Party affiliation, if any
(1)	(2)	(3)	(4)	(5)
1				
2				
3				
4				
5				

Place:

Returning Officer

Date:

Applicable in case of election to Member, Mandal Praja Parishad / Zilla Praja Parishad.

Form-VII

(See Rules 14 (1))

Notice of Withdrawal of Candidature

Election to Sarpanch / Member of Ward No. of Gram Panchayat / Member, Territorial
Constituency of Mandal Praja Parishad / Zilla Praja Parishad.

To

The Returning Officer,

.....

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

Place:

Date:

Signature of Candidate

This notice was delivered to me at my office at (hour) on (date) by (name) * the candidate / candidate's proposer / candidate's election agent who has been authorised in writing by the candidate to deliver it.

Date:

Returning Officer

Receipt for Notice of Withdrawal

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

The notice of withdrawal of candidature by a validly nominated candidate at the election to the office of the Sarpanch / Member of Ward No. of Gram Panchayat / Member, Territorial Constituency of Mandal Praja Parishad / Zilla Praja Parishad was delivered to me by the * candidate / candidates proposer / candidate's election agent who has been authorised in writing by the candidate to deliver it at my office at (hour) on (date).

Returning Officer.

Strike off the inappropriate alternatives.

Form-VIII

(See Rules 14 (2))

Publication of Notice of Withdrawal of Candidature

Election to Sarpanch / Member of Ward No. of Gram Panchayat / Member, Territorial Constituency of Mandal Praja Parishad / Zilla Praja Parishad.

Notice is hereby given that the following validly nominated candidate / candidates at the above election withdraws / withdraw his candidature / their candidature today.

Name of the validly nominated candidate	Address of the validly nominated candidate	Remarks
1.		
2.		
3.		
Etc.		

Date:

Returning Officer

Form-IX

(See Rule 15)

List of Contesting Candidates

Election to Sarpanch / Member of Ward No. of Gram Panchayat / Member,
 Territorial Constituency of Mandal Praja Parishad / Zilla Praja Parishad.

S.No.	Name of the Candidate	Address of the candidate	* Party affiliation, if any	Symble Allotted
(1)	(2)	(3)	(4)	(5)
1				
2				
3				
4				
etc.				

Place :

Returning Officer.

Date:

Applicable in case of election to member, Mandal Praja Parishad / Zilla Praja Parishad.

Note:

. In the election to Member, Mandal Praja Parishad / Zilla Praja Parishad, for the purpose of listing, the names of candidates shall be placed in the following categories.

- (a) candidates of recognised political parties (National and State parties)
- (b) candidates of registered political parties with a reserved symbol.
- (c) candidates of registered political parties without a reserved symbol
- (d) independent candidates.

. Under Col. No. 1 above, the serial numbers of candidates of all above four categories shall be given consecutively and not separately for each category in case of election to Member, Mandal Praja Parishad / Zilla Praja Parishad.

Form-X

(See Rule 16)

Declaration of the Result of Uncontested Election

In accordance with Rule 16 of the Andhra Pradesh Panchayat Raj (Conduct of Elections) Rules 2006, I declare that the following candidate has been duly elected for the office of Sarpanch / Member of Ward No. of Gram Panchayat / Member, Territorial Constituency of Mandal Praja Parishad / Zilla Praja Parishad.

Name:

Address:

* Party affiliation, if any:

Place :

Signature of the
Returning Officer

Date:

Applicable in case of election to Member, Mandal Praja Parishad / Zilla Praja Parishad.

Form-XI

(See Rule 18)

Appointment of Election Agent

Election to Sarpanch / Member of Ward No. of Gram Panchayat / Member, Territorial
Constituency of Mandal Praja Parishad / Zilla Praja Parishad.

To
The Returning Officer,

I, of a candidate at the above election do hereby appoint
of as my election agent from this day at the above election.

Place :

Signature of Candidate.

Date:

I accept the above appointment.

Place :

Signature of the Election
Agent.

Date:

Approved

Signature and seal of
the Returning Officer

Form-XII

(See Rule 19)

Appointment of Polling Agent

Election to Sarpanch / Member of Ward No. of Gram Panchayat / Member, Territorial
Constituency of Mandal Praja Parishad / Zilla Praja Parishad.

I, a candidate / the election agent of who is a candidate at the above
election, do hereby appoint (name and address) as a polling agent to attend Polling
Station No. fixed for the poll at

Place :

Date :

Signature of Candidate /
Election Agent

I agree to act as such polling agent.

Signature of Polling Agent

Declaration of polling agent to be signed before Presiding Officer

I hereby declare that at above election I will not do anything forbidden by section 217 of the Andhra Pradesh Panchayat Raj Act, 1994, which I have read / has been read over to me.

Date:.....

Signature of the Polling
Agent.

Signed before me

Date:.....

Presiding Officer.

Form-XIII

(See Rule 20)

Appointment of Counting Agent

Election to Sarpanch / Member of Ward No. of Gram Panchayat / Member, Territorial Constituency of Mandal Praja Parishad / Zilla Praja Parishad.

To
The Returning Officer,

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

Name of the Counting Agent	Address of the Counting Agent
1.	
2.	
3.	

Signature of Candidate / Election Agent

I / We agree to act as such counting agents.

- 1.
- 2.
- 3.

Place :

Date :

Signature of the Counting Agents

Declaration of counting agents

We hereby declare that at the above election we will not do anything for bidden by section 217 of the Andhra Pradesh Panchayat Raj Act, 1994 which we have read/ has been read over to us.

- 1.
- 2.
- 3.

Signature of Counting Agent

Signed before me

Date

Returning Officer

Form-XIV

(See Rule 25 (1))

Application for Postal Ballot Paper

To
The Returning Officer,
Gram Panchayat / Mandal Praja Parishad / Zilla Praja Parishad.

I intend to cast my vote by post at the ensuing election to the office of the Sarpanch/ Member of Ward No. of Gram Panchayat / Member, Territorial Constituency of Mandal Praja Parishad / Zilla Praja Parishad.

My name is entered at S.No. in Section No. of the electoral roll for Ward No. of Gram Panchayat of Mandal Praja Parishad, Zilla Praja Parishad.

The Ballot paper may be sent to me at the following address:

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

Place :

Date :

Yours faithfully

Form-XV
(See Rule 25 (2))
Application for Election Duty Certificate

To
The Returning Officer,
Gram Panchayat / Mandal Praja Parishad / Zilla Praja Parishad.
Sir,

I intend to cast my vote in person at the ensuing election to the office of the Sarpanch / Member of Ward No. of
..... Gram Panchayat / Member, Territorial Constituency of
Mandal Praja Parishad / Zilla Praja Parishad.

I have been posted on election duty elsewhere than the polling station at which I am entitled to vote.

My name is entered at S.No. in Section No. of the electoral roll for Ward No. comprised in the
..... Gram Panchayat, Mandal Praja Parishad Zilla Praja
Parishad.

I request that an Election Duty Certificate in Form-XVI may be issued to enable me to vote at the polling station where I may be on
duty on the polling day. It may be sent to me at the following address.

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

Place :

Date :

Yours faithfully

Form-XVI

(See Rule 25 (2)(a))

Election Duty Certificate

Certified that is an elector in the Gram Panchayat,
Mandal Praja Parishad, Zilla Praja Parishad and his electoral roll number being of Gram Panchayat
..... that by reason of his being on election duty he is unable to vote at the polling station where he is entitled to vote and
that he is therefore hereby authorised to vote at any polling station (in the Ward No. of Gram Panchayat /
..... Territorial Constituency of Mandal Praja Parishad / Zilla Praja Parishad, as the case may be) he may be on duty
on the date of poll.

Place :

Date :

Signature

Returning Officer

(Seal)

Form-XVII

(See rules 27 (1) (a), 28 (2), 29 (2) & 57)

Declaration by Elector

Election to the Sarpanch / Member of Ward No. of Gram Panchayat / Member, Territorial
Constituency of Mandal Praja Parishad / Zilla Praja Parishad.

(This side is to be used only when the elector signs the declaration himself)

I hereby declared that I am the elector to whom the postal ballot paper bearing Serial Number has been issued
at the above election.

Date :

Signature of Elector.

Address

.....

Attestation of Signature

The above has been signed in my presence by (elector) who is personally known to me/has been identified to my satisfaction by (identifier) who is personally known to me.

Signature of identifier, if any
Address

Signature of Attesting
Officer,
Designation
Address
Date

(This side is to be used when the elector cannot sign himself)

I hereby declare that I am the elector to whom the postal ballot paper bearing Serial Number has been issued at the above election.

Signature of Attesting Officer on behalf
of elector.

Date :

Address of Elector

Certificate

I hereby certify that -

1. the above named elector in Ward No. of Gram Panchayat / Territorial Constituency of Mandal Praja Parishad / Zilla Praja Parishad is personally known to me / has been identified to my satisfaction by (identifier) who is personally known to me;
2. I am satisfied that the elector in Ward No. of Gram Panchayat / Territorial Constituency of Mandal Praja Parishad / Zilla Praja Parishad is illiterate / suffers from (infirmity) and is unable to record his vote himself or sign his declaration:
3. I was requested by him to mark the ballot paper and to sign the above declaration on his behalf; and
4. the ballot paper was marked and the declaration signed by me on his behalf in his presence and in accordance with his wishes.

Signature of identifier, if any
Address

Signature of Attesting
Officer,
Designation
Address
Date

Form-XVIII
(See Rules 27 (1) (b), 28 (1) & 57)

Cover	Not to be Opened Before Counting
'A'	
Election to the Sarpanch / Member of Ward No. Gram Panchayat / Member of Territorial Constituency Mandal Praja Parishad / Zilla Praja Parishad.	
Postal Ballot Paper	
Serial number of the ballot paper	

Form-XIX
(See Rules 27(1)(c) & 57)

Cover	[Service Unpaid]
'B'	
Election – Immediate	
<hr style="width: 20%; margin: auto;"/>	
Postal Ballot Paper	
For election to the Sarpanch / Member of Ward No. Gram Panchayat / Member of Territorial Constituency Mandal Praja Parishad / Zilla Praja Parishad	
(Not to be Opened Before Counting)	
Signature of sender	To The Returning Officer

Form-XX
(See Rules 27 (1) (d), 28(1) & 31(1))
Instructions for Guidance of Electors

Election to the Sarpanch / Member of Ward No. Gram Panchayat / member of Territorial
Constituency of Mandal Praja Parishad /Zilla Praja Parishad.

Part-I

* The Postal Ballot Paper for election to Sarpanch / Ward Member of Gram Panchayat contains only symbols. For the information of elector, the names of the contesting candidates and the symbols allotted to them in the election to the said office are listed below.

Sl.No.	Name of the candidate	Symbol allotted

Record your vote in the postal ballot paper by placing clearly a mark on the symbol allotted to candidate you wish to vote

* The postal ballot paper for election to Member, ZPTC and Member, MPTC contains names of contesting candidates and their party affiliation if any. Record your vote by placing clearly a mark against the name of the candidate whom you wish to vote.

The mark should be so placed as to indicate clearly and beyond doubt to which candidate you are giving your vote. If the mark is so placed as to make it doubtful to which candidate you have given your vote, your vote will be invalid.

The number of members to be elected is one. Please remember that you have only one vote. Accordingly you should not vote for more than one candidate. If you do so, your ballot paper will be rejected.

Do, not put your signature or write any word or mark any mark, sign or writing whatsoever on the ballot paper other than the mark required to record your vote.

After you have recorded your vote on the ballot paper, place the ballot paper in the smaller cover marked ,A, sent herewith. Close the cover and secure it by seal or otherwise.

(1) You may then sign the declaration in From-XVII also sent herewith in the presence of a stipendiary magistrate and obtain the attestation of your signature by such stipendiary magistrate.

- (2) If you are a member of the armed forces of the Union or of an armed police force of a State but is serving outside that State, the attestation may be obtained by such officer as may be appointed in this behalf by the Commanding Officer of the Unit, ship or establishment in which you or your husband, as the case may be, are employed.

applicable in case of Gram Panchayat elections.

* applicable in case of MPTC / ZPTC elections.

- (3) If you are employed under the Government of India in a post outside India the attestation may be obtained by such officer as may be appointed in this behalf by the diplomatic or consular representative of India in the country in which you are resident:
- (4) If you hold an office like the office of the (i) President, (ii) Vice-President (iii) Governors of State, (iv) Cabinet Ministers of the Union or of any State, (v) The Deputy Chairman and Members of the Planning Commission, (vi) The Ministers of State of the Union or of any State, (vii) Deputy Minister of the Union of any State, (viii) The Speaker of the House of the People or of any State Legislative Assembly, (ix) The Chairman of any State Legislative Council (x) Lieutenant Government of Union Territories, (xi) The Deputy Speaker of the House of the People or of any State Legislative Assembly, (xii) The Deputy Chairman of the Council of States or of any State Legislative council, (xiii) Parliamentary Secretaries of the union or of any State, the attestation may be obtained by an officer not below the rank of a Deputy Secretary to the Government of the Union or the State, as the case may be.
- (5) If you are on an election duty, attestation may be obtained by any gazetted officer or by the Presiding Officer of the polling station in which you are on election duty.
- (6) If you are under preventive detention, the attestation may be obtained by the Superintendent of the jail or the Commandant of the detention camp in which you are under detention.

In all the above cases you may take the declaration to the authorised officer and sign it in his presence after he has satisfied himself about your identity. The officer will attest your signature and return the declaration to you. You must not show your ballot paper to the attesting officer nor tell him how you have voted.

If you are unable to mark the ballot paper and sign the declaration yourself in the manner indicated above by reason of illiteracy, blindness or other infirmity, you are entitled to have your vote marked and declaration signed on your behalf by any of the authorised officer mentioned above. Such an officer will, at your request mark the ballot paper in your presence and in accordance with your wishes. He will also complete the necessary certificate in this behalf.

Part-II

After your declaration has been signed and your signature has been attested, place the declaration in Form XVII as also the smaller cover marked ,A, containing the ballot paper in the larger cover marked ,B,. After closing the larger cover, send it to the returning officer by post or by messenger. You have to give full signature in the space provided on the cover marked ,B,.

No postage stamp need to affixed by you, if the cover is posted in India. If, however, you are an elector employed under the Government of India in a post outside India, you should return the cover to the returning officer concerned direct by air mail service after the requisite postage stamp is duly affixed thereon by the office in which you are serving except where it is sent by diplomatic bag.

You must ensure that the cover reaches the Returning Officer before on

Please note that:-

- (i) if you fail to get your declaration attested or certified in the manner indicated above, your ballot paper will be rejected; and
- (ii) if the cover reaches the returning officer after on the your vote will not be counted.

Form-XXI

(See Rule 43 (2)(c))

List of Challenged Votes

Election to the Sarpanch / Member of Ward No. of Gram Panchayat / Member, Territorial Constituency of Mandal Praja Parishad / Zilla Praja Parishad.

Number and Name of Polling Station Ward No. Gram Panchayat

S.No	No. of Elector on Electoral Roll / Section Number Gram Panchayat	Name of Elector	Signature or thumb impression of the person challenged and his address	Name of Challenger	Signatures or thumb impression and address of identifier, if any	Order of Presiding Officer	Signature of Challenger on receiving refund of deposit
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)

Place :

Date :

Signature
of
Presiding
Officer

Form-XXII

(See Rules 48(1) & 80(1))

Declaration by the Companion of Blind or Infirm Voter

Election to the Sarpanch/ Member of Ward No. of Gram Panchayat / Member, Territorial
Constituency of Mandal Praja Parishad / Zilla Praja Parishad.

(Number and name of Polling Station in ward No..... of Gram Panchayat)

I Son of Aged Years, resident of
..... hereby declare that -

1. I have not acted as companion of any other elector at any Polling Station today the ; and
2. I will keep secret the vote recorded by me on behalf of

Signature of the Companion

Form-XXIII

(See Rules 48(2) & 80(2))

List of Illiterate, Blind or Infirm Voters

Election to the Sarpanch/ Member of Ward No. of Gram Panchayat / Member, Territorial
Constituency of Mandal Praja Parishad / Zilla Praja Parishad.

(Number and Name of Polling Station in Ward No of Gram Panchayat)

Section No. and Sl.No. of Elector	Full Name of Elector	Full Name of Companion	Address of companion	Signature of Companion

Date :

Signature of Presiding Officer

Form-XXIV

(See Rule 50 (2))

List of Tendered Votes

Election to the Sarpanch/ Member of Ward No. of Gram Panchayat / Member,

Territorial Constituency of Mandal Praja Parishad / Zilla Praja Parishad.

Number and Name of Polling Station in Ward No. of Gram Panchayat.

S. No.	Name of the Elector	No. in Electoral Roll / Section No. / Name of the Gram Panchayat	Serial No. of Tendered Ballot Paper vote	Signature of elector or thumb impression of person tendering	Serial No. of ballot paper issued to the person who had already voted
(1)	(2)	(3)	(4)	(5)	(6)

Place :

Date :

Signature of Presiding Officer

Form-XXV
(See Rules 52 & 56)
Part-I

Ballot Paper Account

Election to the Sarpanch / Member of Ward No. of Gram Panchayat / Member,
..... Territorial Constituency of Mandal Praja Parishad / Zilla Praja Parishad.

Ward No:

Gram Panchayat:

No. and Name of the Polling Station:

		Serial No(s).		Total
		From	To	
1	Ballot Papers received	.....	.....	.....
2	Ballot Papers unused (i.e. not issued to Voters):			
	(a) With the signature of Presiding Officer	.....	.....
	(b) Without the signature of Presiding Officer	.....	.....
	Total (a) + (b)			.....
3*	Ballot Papers used at the Polling Station (1 minus 2 = 3)			.....
4	Ballot Papers used at the Polling Station, but Not Inserted into the Ballot Box			
	(a) Ballot Papers cancelled for violation of voting procedure under Rule 47 (6)	.....	
	(b) Ballot Papers cancelled for other reasons	.....	
	(c) Ballot Papers used as Tendered Ballot Papers	.....		.....
	* Total (a) + (b) + (c)			
5*	Ballot Papers to be found in the Ballot Box (3 minus 4 = 5)			.....

Serial numbers need not be given

Date :

Signature of Presiding Officer

Part-II

(of Form-XXV)

Result of Initial Counting

(to be used when the counting of votes is done by mixing)

1. Total number of ballot papers found in the ballot box(es) used at the polling station
2. Discrepancy, if any, between the total number as shown against Item 1 in this Part and the total number of ballot papers to be found in the ballot box(es) shown in Item 5 of Part-I

Date :

Signature of Counting
SupervisorSignature of the Returning
Officer**Form-XXVI**

(See Rules 57(11), 59, 60 & 92)

Final Result Sheet**(to be used for recording the result where counting is done polling station wise)**Election to the Sarpanch / Member of Ward No. of Gram Panchayat / Member, Territorial Constituency of
..... Mandal Praja Parishad / Zilla Praja Parishad.

Serial No. of Polling Station	No. of valid votes cast in favour of			Total of valid votes	No. of rejected votes	Votes for 'None of the Above' (NOTA) option	No. of tendered votes
	A	B	C				
1							
2							
3							
4							
5							
Total No. of votes recorded at polling stations							
Total No. of votes recorded on Postal Ballot Papers							
Total votes polled							

Place.....

Date

Returning Officer

Form-XXVI
(See Rules 57(11), 59 & 92)
Final Result Sheet

(to be used when the counting of votes is done by mixing)

Election to the Sarpanch / Member of Ward No. of Gram Panchayat / Member, Territorial Constituency of
..... Mandal Praja Parishad / Zilla Praja Parishad.

Polling Station No.	Total votes found in the Ballot Box(es)			No. of Tendered Votes				
1								
2								
3								
4								
5								
Total								
1	Total No. of votes recorded at polling stations	Candidate's valid votes			Valid votes total	Number of rejected ballot papers	Valid and rejected votes total	Votes for 'None of the Above' (NOTA) option
		A	B	C				
	1st Round							
	2nd Round							
	3rd Round							
	4th Round							
	5th Round							
	Total							
2	Total No. of votes recorded on Postal Ballot Papers							
Grand Total								

Place.....

Date

Returning Officer

Form-XXVII

(See Rule 62 (1)(a))

(for use in election when the seat is contested)

Declaration of Result of Election

In accordance with rule 62 (1) (a) of Andhra Pradesh Panchayat Raj (Conduct of Election) Rules, 2006, I, declare that the following candidate has been elected to the office of Sarpanch / Member of Ward No. of Gram Panchayat / Member of Territorial Constituency of Mandal Praja Parishad / Zilla Praja Parishad.

Name:

Address:

* Party affiliation, if any:

Place:

Date:

Signature of Returning Officer

Applicable in case of election of Member, Mandal Praja Parishad / Zilla Praja Parishad.

Form-XXVIII
(See Rule 62(1)(b))
Return of Election

Election to the Sarpanch / Member of Ward No. of Gram Panchayat / Member, Territorial Constituency of Mandal Praja Parishad / Zilla Praja Parishad.

Serial No.	Name of the Candidate	*Party affiliation, if any	No. of votes polled
1			
2			
3			
4			
5			

Total No. of electors : _____

Total No. of valid votes polled : _____

Total No. of votes polled for ,None of the Above, (NOTA) option : _____

Total No. of rejected votes : _____

Total No. of tendered votes : _____

I declare that –

..... (Name) of
(address) has been duly elected to fill the seat.

Place.....

Date

Returning Officer

Applicable in case of election to Member, Mandal Praja Parishad / Zilla Praja Parishad.

Form-XXIX
(See Rule 63)
Certificate of Election

I, Returning Officer, for the election to the Sarpanch/ Member of Ward No. of Gram Panchayat / Member, Territorial Constituency of Mandal Praja Parishad / Zilla Praja Parishad hereby certify that I have on the day of 20.... declared Sri/Smt/ Kum of *sponsored by (name of the recognised / registered political party) to have been duly elected to the said office in the ordinary / casual election and that in token thereof I have granted to him this certificate of election.

Place.....

Date.....

Returning Officer Seal

Applicable in case of election to member, Mandal Praja Parishad / Zilla Praja Parishad.

Form-XXX
(See Rules 78,79,81,87,89,94 & 95)
Register of Voters

Election to the office of the Member Territorial Constituency of Mandal Praja Parishad / Zilla Praja Parishad.

No. & Name of the Polling Station _____

Sl .No.	Sl. No. of elector in the electoral roll	Signature / Thumb impression of elector	Remarks
1			
2			
3			
4			
Etc			

Date

Signature of the Presiding
Officer**Form-XXXI**

(See Rules 82 (2) &87)

List of Tendered VotesElection to the office of the Member Territorial Constituency of Mandal Praja Parishad /
Zilla Praja Parishad.

No. & Name of the Polling Station

Sl. No.	Name of Elector	Sl. No. of elector in electoral roll	Sl. No. in Register of voters (Form-XXX) of the person who has already voted in place of elector	Signature / Thumb impression of elector
1				
2				
3				
4				
5				
6				
7				
8				
9				
10				

Date

Signature of the Presiding
Officer**Form-XXXII**

(See Rules 85, 88, 92, 93 & 94)

Part-I**Account of Votes Recorded**Election to the office of Member Territorial Constituency of
Mandal Praja Parishad /Zilla Praja Parishad.

No. & Name of the Polling Station

Identification No. of Voting Control Unit

Machine Number used at the polling station balloting unit

1. Total No. of electors assigned to the Polling Station
2. Total No. of voters as entered in the Register of voters (Form-XXX)
3. No. of voters decided not to record Votes under Rule 81
4. No. of voters not allowed to vote under Rule 79(6)
5. Total No. of votes recorded as per voting machine
6. Whether the total No. of votes as shown against item 5 tallies with the total No. of voters as shown against item 2 minus No. of voters deciding not to record votes as against item No. 3 minus No. of voters as against item No. 4 or any discrepancy noticed
7. No. of voters to whom tendered ballot Papers were issued under Rule 82

8. No. of tendered ballot papers

	Sl. Nos.
(a) received for use	From To
(b) issued to electors	
(c) not used and returned	

9. Account of Paper Seals

	Sl. Nos.
1. Serial number of paper seal	From To
2. Total number supplied	
3. Number of paper seals used	
4. Number of unused paper seals returned to Returning Officer (Deduct item 3 from item 2)	
5. Serial number of damaged paper seals, if any	

Signature of Polling Agents

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

Date:.....

Place:.....

Signature of Presiding Officer

Polling Station No.

Form-XXXII

(See Rules 85, 88, 92, 93 & 94)

Part-II**Result of Counting**

S.No.	Name of the Candidate	No. of Votes recorded
1		
2		
3		

4		
5		
6	None of the Above (NOTA)	
	Total	

Whether the Total No. of votes shown above tallies with the Total No. of votes shown against Item 5 of Part-I or any discrepancy noticed between the two totals? If any discrepancy is noticed, the reasons for discrepancy are

Place :

Date :

Counting Supervisor

S.No.	Name of the Candidate / Election agent / Counting agent	Full signature
1		
2		
3		
4		
5		

Place :

Date :

Returning Officer