

राजस्थान सरकार
(निर्वाचन विभाग)

क्रमांक एफ 3(1)(2)प्रथम/निर्वा/2021/2237

जयपुर, दिनांक 12.6.2023

प्रेषक : मुख्य निर्वाचन अधिकारी,
राजस्थान, जयपुर।
प्रेषिति : समस्त जिला निर्वाचन अधिकारी,
(कलक्टर), राजस्थान।

विषय : Scrutiny of Form 17-A and other documents- reg.

प्रसंग : भारत निर्वाचन आयोग का पत्र क्रमांक 464/INST-17 A/2023-EPS दिनांक
10 जून, 2023

महोदय,

उपरोक्त विषयान्तर्गत लेख है कि भारत निर्वाचन आयोग फॉर्म 17-ए एवं अन्य दस्तावेजों की संवीक्षा के संबंध में समय-समय पर विभिन्न दिशा-निर्देश जारी करता रहा है, जो निम्नानुसार है:-

Sl. No.	Letter No.	Dated
1.	464/INST/2007/PLN-I	12.10.2007
2.	464/INST/2009/EPS	02.03.2009
3.	464/INST/2009/EPS	15.04.2009
4.	464/INST/2009/EPS	16.04.2009
5.	464/INST/2009/EPS	19.04.2009
6.	464/Instruction/2011/EPS	24.09.2011
7.	464/INST/2012-EPS	27.01.2012
8.	464/INST/2012/EPS	08.02.2012
9.	No.464/INST/2014-EPS	04.04.2014
10.	464/INST//EPS-2016	21.04.2016

वर्तमान में भारत निर्वाचन आयोग ने प्रासंगिक पत्र द्वारा उक्त समस्त मौजूदा दिशा-निर्देशों की समीक्षा कर इनके अधिकरण में निम्नांकित बिन्दुओं पर संकलित दिशा-निर्देश जारी किये हैं:-

1. Purpose of scrutiny of Form 17A and other documents.
2. Intimation to all the contesting candidates.
3. Documents to be Scrutinized.
4. Collection of Information at Reception Center.
5. Opening and closing of the strong room(s) having Form 17A and other documents.
6. Transportation of Documents to be Scrutinized.
7. Criteria for selection of Polling Stations for scrutiny.
8. Procedure for Scrutiny of Documents.
9. Post-scrutiny procedure.

भारत निर्वाचन आयोग ने प्रासंगिक पत्र के साथ मतदान पूर्ण होने के पश्चात् रिटर्निंग अधिकारी द्वारा प्रत्येक मतदान केन्द्र के संकलित किये जाने वाले EVMs एवं VVPATs तथा अन्य दस्तावेजों से संबंधित एनेक्सर-। एवं फॉर्म 17ए और अन्य दस्तावेजों की संवीक्षा के पश्चात् रिटर्निंग ऑफिसर एवं पर्यवेक्षक द्वारा रि-पोल की सिफारिशों के संबंध में एनेक्सर-।। संलग्न कर प्रेषित किया है।

अतः इस संबंध में लेख है कि आयोग के प्रासंगिक संकलित दिशा-निर्देश समस्त रिटर्निंग अधिकारियों को एवं चुनाव संबंधी प्राधिकारियों को प्रेषित कर आगामी समस्त आम/उप चुनावों में अक्षरशः पालना सुनिश्चित करवायी जावें।

संलग्न: उपरोक्तानुसार

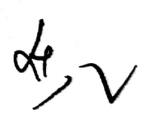
भवदीय,


(प्रवीण कुमार)

मुख्य निर्वाचन अधिकारी,
राजस्थान, जयपुर।

क्रमांक एफ 3(1)(2)प्रथम/निर्वा/2021/2237 जयपुर, दिनांक 12-6-2023
प्रतिलिपि निम्न को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित है :-

1. निजी सचिव, मुख्य निर्वाचन अधिकारी, राजस्थान, जयपुर।
2. निजी सचिव, अतिरिक्त मुख्य निर्वाचन अधिकारी, राजस्थान, जयपुर।
3. विशेषाधिकारी, प्रशिक्षण शाखा, निर्वाचन विभाग, राजस्थान, जयपुर।
4. प्रभारी अधिकारी, भंडार शाखा, निर्वाचन विभाग,
राजस्थान, जयपुर।


विशेषाधिकारी, निर्वाचन विभाग,
राजस्थान, जयपुर।

भारत निर्वाचन आयोग
ELECTION COMMISSION OF INDIA

EPABX 011-23717391-98
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निर्वाचनसदन,
अशोकरोड, नई दिल्ली-110001-
Nirvachan Sadan,
Ashoka Road, New Delhi-110001.

No 464/INST-17 A/2023-EPS

Dated: 10th June, 2023

To,

The Chief Electoral Officers of
all States and Union Territories

Subject: Scrutiny of Form 17-A and other documents- reg.

Reference:

Sl. No.	Letter No.	Dated
1.	464/INST/2007/PLN-I	12.10.2007
2.	464/INST/2009/EPS	02.03.2009
3.	464/INST/2009/EPS	15.04.2009
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10.	464/INST//EPS-2016	21.04.2016

Sir/Madam,

In reference to the above-mentioned instructions issued on the subject cited, I am directed to state that the Commission has reviewed these instructions and issued the following consolidated instructions in supersession of all the existing instructions on the subject:

1. Purpose of scrutiny of Form 17A and other documents:

Effective and thorough scrutiny of critical documents created during the poll process will be necessary to identify cases of poll vitiation at any polling station. This exercise shall be carried out under close

supervision of Observers and Returning Officers. The Commission desires to ensure that even subtle and concealed electoral malpractices at the polling station shall be detected through this document scrutiny process.

2. Intimation to all the contesting candidates:

All contesting candidates shall be given an advance notice in writing under proper acknowledgement so that they or their election agent/authorized representatives remain present. Candidates can authorize as many representatives as places fixed for scrutiny by the Returning Officer and Observer to watch the proceedings of scrutiny. In such notice, it shall be mentioned that either the candidate himself or his election agent or one representative duly authorized by the candidate in writing may be present to watch, ***repeat only to watch***, the proceedings of scrutiny.

3. Documents to be Scrutinized:

Following documents should be scrutinized by Observer and Returning Officer in the presence of contesting candidates or their election agents:

- (a) Presiding Officers' diary
- (b) Form 17-A (Register of Voters)
- (c) Other related documents which include but not restricted to Micro Observers Reports, visitor sheets, reports of zonal magistrates or sector officers, report of Presiding Officer, still photography, videography recordings, CCTV and Webcasting footages
- (d) If the number of blind/infirm voters voting at a Polling Station (*Rule 40, Conduct of Election Rules 1961*) is more than 1% of the total no. of electors in that polling station, scrutiny of Form 14A (list of blind/infirm voters).

4. Collection of Information at Reception Center:

To facilitate identification of polling stations, where scrutiny of Form 17-A and other documents referred as above, is required, the Returning Officer shall collect the information for each Polling Station in prescribed format (**Annexure-I**) at the time of receipt of polled EVMs & VVPATs and other documents after completion of polls.

Polled EVMs and VVPATs along with envelopes containing original Form-17C and mock poll VVPAT slips shall be kept in the 'Polled Strong Room' as per existing instructions. Polling Station wise documents required for scrutiny should be stored separately in a strong room other than the Polled Strong Room having polled EVMs and VVPATs. For the sake of convenience in taking out the documents for scrutiny, it will be ideal to keep them separate in a clearly demarcated area so there is no confusion at the time of taking out the document.

5. Opening and closing of the strong room(s) having Form 17A and other documents

(i) Strong room(s) having Form 17A and other documents shall be opened, at the time so appointed, in the presence of DEO/RO, Observer and contesting candidates/their election agents/their authorised representatives under videography.

(ii) After taking out the packets containing Forms 17A and other documents required for scrutiny in respect of such polling stations selected for scrutiny, the strong room shall be duly closed and sealed after making entry in the log-book and obtaining the signatures of all candidates or their representatives as may be present.

(iii) In case of more than one strong room in the same premises or in the same town, opening and closing of strong rooms can be coordinated in such a way that one of the Observers remains present at the time of closing of each strong room without any deviation.

(iv) In case strong room locations are distributed in the

constituency, Observers shall decide, in advance in consultation with the Returning Officer(s) or District Election Officer, to ensure presence of one of the Observers at the time of opening and closing of strong room(s). The information should also be made available to the contesting candidates or their election agents in advance.

(v) Even after making these arrangements, if the number of Observers is still less than the number of strong rooms, the Returning Officer/ District Election Officer and Observers concerned shall authorize one of the Micro Observers with due care to remain present as a representative of the Observer. In such cases, the DEO/RO shall ensure that one senior officer along with one of the AROs remain present. In such cases, a joint report along with videography will be submitted by the ARO and Micro Observer jointly to the RO and Observer concerned. After getting joint report from ARO/Micro Observer, the RO and the Observer concerned shall record their satisfaction about the process of opening and closing of strong room(s).

(vi) The whole process of opening and closing of strong room(s), containing Form 17A and other documents, shall be video graphed.

6. Transportation of Documents to be Scrutinized:

Wherever relevant papers required for scrutiny of Form 17-A and other documents are required to be transported, they shall be transported under proper police escort along with Executive Magistrate. Candidates and their representatives shall be allowed to follow the vehicle transporting relevant papers. In this regard, proper information about the travel plan should be given to the candidates/their election agents or their representatives.

7. Criteria for selection of Polling Stations for scrutiny:

Based on the information collected as above, scrutiny of documents shall be done by Observers and Returning officers in the

presence of contesting candidates or their election agents for any of the following categories of the polling stations: -

- (i) In all polling stations, where any complaint of poll rigging, malpractices etc. was received by Observer, DEO or RO during the poll process.
- (ii) In all polling stations, where any significant event (EVM/VVPAT related or otherwise) was reported to the Observer, DEO or RO during poll process.
- (iii) In polling stations, where poll took place in the absence of any polling agent or in the presence of the agent of only one candidate.
- (iv) In polling stations, where the number of electors who cast their votes using documents other than EPIC (i.e., alternative documents specified by the Commission) exceeded 25% of the total votes cast in that polling station.
- (v) In polling stations, where more than 10% of such electors who had been identified as ASD turned up and voted.
- (vi) In polling stations, where polling percentage is plus 15% or minus 15% than the average polling percentage of that AC. Say, for e.g., in a particular AC 60% votes have been cast, then in all polling stations with polling percentage 75% or more and 45% or less shall be taken up for scrutiny.
- (vii) In polling stations, where there are at least 5 (five) tendered votes and challenged votes reported.
- (viii) In Polling Stations, where in 10% or more remarks column of Register of Voters (Form-17A) are blank and does not indicate use of the EPIC/alternate document.
- (ix) In Polling Stations, where Micro Observer has submitted an adverse report.

8. Procedure for Scrutiny of Documents: -

- (i) The scrutiny of Form-17A along with other documents will be

taken up preferably at 11:00 A.M. on the day following the day of poll at the location fixed, in consultation with Observer.

- (ii) An assembly constituency/segment wise schedule for taking up scrutiny shall be prepared and it will be ensured that all documents with regard to assembly constituency/segments, where strong rooms are at the place different from the RO headquarters, are brought by the ARO to RO headquarters in time for the scrutiny to be undertaken.
- (iii) The Returning Officer, in presence of Observer, shall do the scrutiny with utmost care and shall submit a report to the Commission as soon as scrutiny is over. During the process of scrutiny, the candidates / their election agents or their authorized representatives may watch the proceedings so that they can get a clear view of the proceedings but, are not permitted to handle the election papers/material or interfere with the proceedings. The entire process of such scrutiny should be videographed.
- (iv) In case of absence of observer due to his preoccupation in scrutiny work in another AC, the Observer may decide to do the scrutiny at 11:00 AM on the day following the poll day in any one of the allotted AC first and after conduct of scrutiny in the first AC, he may proceed to another AC to do the scrutiny work there.

9. Post-scrutiny procedure:

After scrutiny, the Forms 17A and marked copies of electoral roll for each polling station, other documents and material shall be re-sealed with the seal of the Returning Officer. The candidates or their election agents/representatives present, may also be allowed to affix their seal to signature thereon (sealing cloth/material), if they so desire. These sealed envelopes shall then be kept back in the strong room from which they were taken out. This shall also be done in the presence of the candidates or

their election agents/representatives. The room shall then be sealed with the seal of the Returning Officer. The candidate or their representatives may also affix their seals /signatures thereon if they so desire.

After scrutiny of Forms 17A and other documents, the Returning Officer and Observer shall make necessary recommendations as per **Annexure-II**, to the Commission for repoll, if warranted and wherever considered necessary, giving reasons polling station wise. In case of any difference of opinion, the same shall be reflected indicating the reason for the same in their respective reports.

The aforesaid consolidated instructions shall be brought to the notice of all concerned for compliance during General Elections to Lok Sabha, State Legislative Assembly and all Bye elections.

Yours faithfully,



Ajay Kumar Verma
Secretary

Annexure-I

Polling Station Data for Scrutiny Decision

S.No.	Indicators		Details
1	Total Electors in the P.S.	(i) Male	
		(ii) Female	
		(iii) TG	
		Total	
2	Number of persons who voted in the P.S.	(i) Male	
		(ii) Female	
		(iii) TG	
		Total	
3	Number of Tendered votes.		
4	Number of challenged votes		
5	Number of Proxy votes by CSVs.		
6	Number of electors who exercised their right of vote on the basis of EPIC		
7	Number of electors who exercised their right of vote on the basis alternative document.		
8	Number of voters who exercised their right under Rule 49 O, who decided not to record vote		
9	Number of polling agents in the polling station.		
10	Number of overseas electors who voted in the poll.		
11	Number of BU, CU, VVPAT used.		
12	Whether the BU, CU or VVPAT was changed or replaced.		Y/N
13	If so, the time when changed and what was the reason for it.		
14	Total ASD voters in the ASD voters list		
15	Total persons who cast their vote from the ASD voters list.		
16	Any incident of violence or poll interruption due to any reason		Y/N
17	Any complaints received with respect to polling station.		Y/N

Recommendation of Retuning Officer for Re-poll after scrutiny of Form 17A and other documents

No. and Name of the Assembly Constituency	Recommendation of RO for Re-poll (Yes / No)	In case of recommendation for Re-poll		Reasons for Re-poll
		Polling Station Number	Name of Polling Station	

**Returning Officer
Constituency Name/ Number**

Recommendation of Observer