

राजस्थान सरकार
(निर्वाचन विभाग)

क्रमांक एफ 3(1)(2)प्रथम/निर्वा/2021/ 2496

जयपुर, दिनांक 26/6/23

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

विषय : General Election and Bye election to Lok Sabha and State
Legislative Assemblies - Appointment of Polling Agents -
comprehensive directions- reg.

प्रसंग : भारत निर्वाचन आयोग का पत्र क्रमांक 464/INST-PA/2023-EPS दिनांक
14 जून, 2023

सन्दर्भ :	Sl. No.	Letter No.	Dated
	1.	464/INST/2006-PLN-I	07.04.2006
	2.	464/INST/2007/PLN-I	24.02.2007
	3.	464/INST/2007-PLN-I	12.10.2007
	4.	464/INST/2008/EPS	14.10.2008
	5.	464/INST/2008/EPS	18.12.2008
	6.	464/INST/2008/EPS	21.01.2009
	7.	464/INST/2009/EPS	10.03.2009
	8.	464/INST/2009/EPS	25.04.2009
	9.	464/INST/2009/EPS	28.04.2009
	10.	464/INST/2009/EPS	09.05.2009
	11.	464/INST/2009/EPS	12.05.2009
	12.	464/INST/2011/EPS	11.04.2011
	13.	464/INST/2014/EPS	01.04.2014
	14.	464/INST/2014/EPS	04.05.2014
	15.	464/INST/2014/EPS	05.05.2014
	16.	464/INST/2021/EPS	18.03.2021

महोदय,

उपरोक्त विषयान्तर्गत लेख है कि भारत निर्वाचन आयोग ने प्रासंगिक पत्र द्वारा निर्देशित किया है कि चुनाव लड़ने वाले अभ्यर्थी के लिए यह संभव नहीं है कि वह मतदान दिवस को प्रत्येक मतदान केन्द्र पर व्यक्तिगत रूप से उपलब्ध हो सके। इस संबंध में लोक प्रतिनिधित्व अधिनियम 1951 की धारा 46 एवं निर्वाचनों का संचालन नियम 1961 के नियम 13 में यह प्रावधान किया गया है कि अभ्यर्थी या उसका चुनाव अभिकर्ता प्रत्येक मतदान केन्द्र पर एक मतदान अभिकर्ता और दो रिलीफ मतदान अभिकर्ता की नियुक्ति कर सकते हैं।

मतदान के दौरान चुनाव लड़ने वाले अभ्यर्थियों के मतदान अभिकर्ताओं की उपस्थिति चुनाव प्रक्रिया में पारदर्शिता का एक निश्चित सूचक है और कदाचार एवं शिकायत की गुंजाइश भी कम करती है, इसलिए चुनावी अधिकारियों और पर्यवेक्षकों के लिए यह जरूरी होता है कि वे इस पर नजर रखें कि चुनाव लड़ने वाले अभ्यर्थियों के मतदान अभिकर्ता मतदान के दौरान उपस्थित हैं या नहीं।

भारत निर्वाचन आयोग द्वारा मतदान अभिकर्ता से संबंधित पूर्व में 16 सन्दर्भित दिशा निर्देश समय-समय पर जारी किये गये हैं। वर्तमान में भारत निर्वाचन आयोग ने स्पष्टता के कारण सन्दर्भित 16 दिशा-निर्देशों के अधिक्रमण में निम्नांकित बिन्दुओं पर संकलित दिशा-निर्देश जारी किये हैं:-

1. Qualification for Polling Agent
2. Dis-qualification for appointment of Polling Agents
3. Appointment of Polling Agent
4. Revocation of Appointment and Intimation of Fresh Appointment
5. Polling Agents in Polling Stations
6. Material to be brought by polling agents
7. Role and functions of Polling Agent
 - (a) Conduct of Mock Poll before start of actual Poll in Polling Station
 - (b) Sealing of EVMs and VVPATs before start of actual Poll
 - (c) Demonstration before commencement of poll by the Presiding Officer(Rule 33/33A Conduct of Election rules 1961)
8. Voting Procedure
9. Challenged Vote (Rule 36 of Conduct of Elections Rules, 1961)
10. Voting by ASD (Absent, Shifted, Dead) Voters
11. Precautions Against Voting by Underage Voters
12. Printing Errors in the Electoral Rolls to be overlooked
13. Tendered Votes
14. Voting by Blind or Infirm Voters
15. Replacement of non-functional EVM/VVPAT
16. Closure of Poll
17. Sealing of Machines and Election Papers- Affixing of Seal thereon by the Polling Agents
18. Vehicle carrying EVMs and VVPATs
19. Liability of Polling Agents for misbehaving/doing wrong or violation of Rules/Section of the Representation of the People Act 1951
20. Adjournment/Stoppage of Poll

उपरोक्त 20 बिन्दुओं पर विस्तृत दिशा निर्देशों के अन्तर्गत आयोग द्वारा बिन्दु संख्या 3, 5(VIII, IX), 10, 11 एवं 14 से संबंधित निम्न फॉर्मेट/फार्म (Annexure-I से लेकर के VII तक) संलग्न कर प्रेषित किये गये हैं:-

Annexure-I	Format for Specimen Signatures of Candidates and their Election Agents
Annexure-II	Specimen of Entry Pass
Annexure-III	Account of Entry Passes issued to Polling Agents
Annexure-IV	Polling Agents/Relief Polling Agents Movement Sheet
Annexure-V	Form of Declaration by Elector Whose name is in Absentee/ Shifted/ Dead (ASD) List
Annexure-VI	Form of Declaration by Elector
Annexure-VII	Declaration by the Companion of Blind or Infirm Elector

इस संबंध में लेख है कि विस्तृत निर्देशों एवं स्पष्टीकरण के लिए मतदान अभिकर्ता की पुस्तिका (नवीनतम संस्करण) और पीठासीन अधिकारी की पुस्तिका (नवीनतम संस्करण) का सन्दर्भ लिया जाएगा। अतः 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 मुत्ता)
मुख्य निर्वाचन अधिकारी,
राजस्थान, जयपुर।

क्रमांक एफ 3(1)(2)प्रथम/निर्वा/2021/ 2496 जयपुर, दिनांक 26.6.23
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, भण्डार शाखा, निर्वाचन विभाग, राजस्थान, जयपुर।

विशेषाधिकारी, निर्वाचन विभाग,
राजस्थान, जयपुर।

भारत निर्वाचन आयोग ELECTION COMMISSION OF INDIA

TEL 011-23052144
Fax 011-23052001
Website: www.eci.gov.in

निर्वाचन सदन,
अशोक रोड, नई दिल्ली 110001-
Nirvachan Sadan,
Ashoka Road, New Delhi-110001.
Dated: 14th June, 2023

No. 464/INST-PA/2023-EPS

To

The Chief Electoral Offices of
all States & Union Territories.

**Subject: General Election and Bye election to Lok Sabha and State
Legislative Assemblies – Appointment of Polling Agents –
comprehensive directions – reg.**

Reference:

- | | | |
|-------|---------------------|------------------|
| i. | 464/INST/2006-PLN-I | Dated 07.04.2006 |
| ii. | 464/INST/2007/PLN-I | Dated 24.02.2007 |
| iii. | 464/INST/2007-PLN-I | Dated 12.10.2007 |
| iv. | 464/INST/2008/EPS | Dated 14.10.2008 |
| v. | 464/INST/2008/EPS | Dated 18.12.2008 |
| vi. | 464/INST/2008/EPS | Dated 21.01.2009 |
| vii. | 464/INST/2009/EPS | Dated 10.03.2009 |
| viii. | 464/INST/2009/EPS | Dated 25.04.2009 |
| ix. | 464/INST/2009/EPS | Dated 28.04.2009 |
| x. | 464/INST/2009/EPS | Dated 09.05.2009 |
| xi. | 464/INST/2009/EPS | Dated 12.05.2009 |
| xii. | 464/INST/2011/EPS | Dated 11.04.2011 |
| xiii. | 464/INST/2014/EPS | Dated 01.04.2014 |
| xiv. | 464/INST/2014/EPS | Dated 04.05.2014 |
| xv. | 464/INST/2014/EPS | Dated 05.05.2014 |
| xvi. | 464/INST/2021/EPS | Dated 18.03.2021 |

Madam/Sir,

It is not feasible for a candidate to be physically available at every Polling Station on the day of poll. Section 46 of the Representation of the People Act 1951 read with Rule 13 of the Conduct of Elections Rules 1961 provides that a candidate or his Election Agent can appoint one Polling Agent and two relief Polling Agents for each Polling Station.

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The presence of Polling Agents of the contesting candidates during the poll is a sure indicator of transparency in the process and also reduces the scope for malpractices and complaints. Hence, it becomes imperative on the part of electoral authorities and Observers to keep a vigil and monitor whether Polling Agents of the contesting candidates are present during the poll or not.

The Commission, in the past, had issued above 16 referred instructions regarding Polling Agents from time to time. For the sake of clarity, following consolidated instructions are being issued in supersession of all the above instructions.

1. Qualification for Polling Agent:

- (i) The law does not prescribe any qualification for a person to be appointed as a Polling Agent.
- (ii) The Polling Agents is expected to see the interest of the candidate in the Polling Station on Poll Day, it is expected and preferable that a local person who is an elector and ordinary resident of the same or, at most, neighbouring Polling Station is appointed as a Polling Agent. The Commission has further relaxed the norms and now the Polling Agents can be appointed, in case of any difficulty to appoint Polling Agents as above, from amongst any elector of the same Assembly Constituency area.
- (iii) The polling agent must have Elector Photo Identity Card (EPIC) or any other alternative document as prescribed by the Commission.
- (iv) There is no restriction on appointing Gram Panchayat Pradhan/Gram Panchayat Sarpanch/Panchayat members, Councillors or Members of Municipal Corporation or Municipality and local persons, as Polling Agents.

2. Dis-qualification for appointment of Polling Agents:

- (i) To ensure level playing field among the candidates and political parties, following categories are **not** allowed to be a Polling Agent and relief Polling Agent:
 - (a) Sitting Minister either of Union Government or of a State Government, Member of Parliament, Member of Legislative Assembly, Legislative Council.



- (b) Mayor of a Corporation or Chairperson of Municipality/Zila Parishad/Panchayat Union, etc.
 - (c) Chairpersons and Members of Central PSUs/State PSUs, Govt. Bodies/Corporation.
 - (d) Persons receiving any honorarium from Government or Persons working on part time in any Govt./ Govt. Aided Institutions.
 - (e) Para Medical/Healthcare staff working in Govt./Govt. Aided institutions, Fair Price Shop dealers, Anganwadi Employees.
 - (f) Person in the service of the Government [*This is an offence and Under Section 134-A of the R.P. Act 1951 and such appointees are punishable with imprisonment for a term which may extend to 3 (three) months, or with fine, or with both*].
- (ii) It is further clarified that any person having security cover will not be allowed to surrender his security cover to act as such Polling Agent of a candidate during an election.

3. Appointment of Polling Agent:

- (i) Based on the qualification and dis-qualification criteria as mentioned in para 1 & 2 above, the Polling Agents and relief Polling Agents can be appointed by the Candidate or by his Election Agent.
- (ii) This appointment is to be made in Form 10 (*Rule 13 of Conduct of Elections Rules, 1961*), sufficiently in advance and not less than seven days before poll day, to avoid any last-minute changes and revocation by the Candidate.
- (iii) This Form is to be duly signed by the Candidate or his Election Agent, which is to be handed over to the Presiding Officer by the Polling Agent at the Polling Station. Polling Agent has to sign the declaration mentioned in Form 10 before the Presiding Officer.
- (iv) The Presiding Officer shall check genuineness of the appointment of the Polling Agent by checking specimen signature of Candidate/Election Agent from the Format (**Annexure-I**) supplied by the Returning Officer.
- (v) The Polling Agents shall display their appointment order and EPIC on their person throughout their presence inside Polling Station.

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- (vi) In case of any change of the Election Agent of the candidate at the last moment, when the Presiding Officer has already been supplied with the copy of the format containing the specimen signature as originally furnished by the candidate, then it shall be the responsibility of the candidate concerned to supply a copy of revocation of the Election Agent (*Form-9 of Conduct of Elections Rules, 1961*) and a copy of the appointment of new Election Agent (*Form-8 of Conduct of Elections Rules, 1961*).

4. Revocation of Appointment and Intimation of Fresh Appointment:

- (i) The candidate or his Election Agent can also revoke the appointment of a Polling Agent by filling Form-11 (*Conduct of Elections Rules 1961*).
- (ii) If the appointment of any Polling Agent is revoked or if any Polling Agent dies before the close of the poll, the candidate or his Election Agent can appoint another Polling Agent at any time before the poll is over.

5. Polling Agents in Polling Stations:

- (i) Returning Officer shall issue written notice to all contesting candidates or their Election Agent, in advance, that their Polling Agents should reach the Polling Station at least 90 minutes before the time fixed for the commencement of poll, so that they do not miss the important events like Mock Poll, sealing of EVMs etc.
- (ii) Seating arrangements of polling agents should be made inside the polling station in such a way that they can recognise the electors entering the Polling Station but could not see actual recording of votes by the electors.
- (iii) The seating order of priority of polling agents in the Polling Stations shall be as under:
- Candidates of recognized National parties,
 - Candidates of recognized State parties,
 - Candidates of recognized State parties of other States who have been permitted to use their reserved symbols in the constituency,
 - Candidate of registered unrecognized parties, and
 - Independent candidates.



- (iv) In case polling station has no sufficient space or the respective constituency is having abnormally large number of contesting candidates warranting the presence of a large number of Polling Agents, the DEO shall take appropriate fair decisions in advance. A list of such polling station(s) shall be prepared and provided to concerned Observer(s).
- (v) Out of Polling Agents or relief Polling Agents, only one can remain present inside the polling station at one time. Whoever is inside the Polling Station, will be treated as Polling Agent of the candidate for that time being and has the same rights and responsibilities as given to the Polling Agent by law.
- (vi) Polling Agent is allowed to carry his/her copy of electoral rolls inside the polling station and make tick marks whenever voters cast their vote. **Under no circumstances, the polling agent should be allowed to bring his/her copy of the electoral roll outside the polling station, either by himself or through the relieving agent, during the course of the polling and till the polling is closed. Further, they cannot be allowed to send slips outside indicating the serial numbers of the voters who have voted or not voted.**
- (vii) The Polling Agents shall remain present in the Polling Station throughout the polling so they don't miss the last crucial events such as signing of various declaration/forms, closure of poll, sealing process etc.
- (viii) To ensure not more than one Polling Agent or relief Polling Agent of a particular candidate remains present inside the polling station at any given point of time, Presiding Officer shall issue the **Entry Pass (Annexure-II)** in favour of the Polling Agent of each of the candidates and maintain a record of entry passes in the prescribed format as enclosed at **Annexure-III** and kept in the envelope for depositing with other election materials at the Reception Centre. Polling Agent or Relief Polling Agent can enter and remain present inside the Polling Station, only after showing his entry pass, which is to be displayed on his person.
- (ix) Polling/Relieving Polling Agent's Movement Sheet (**Annexure-IV**) should be provided for each Polling Station, in which each and every Polling Agent shall be required to sign indicating the time during which he was

at the Polling Station. This sheet shall be handed over after poll at the Reception Centre along with other documents. The Observer, Sector Officer/ Magistrate, senior officers who visit the Polling Station during the course of poll shall also ensure that the aforesaid sheet is being properly maintained.

6. Material to be brought by polling agents:

Polling Agent should bring the following items to the polling station:

- (i) Original Letter of appointment in Form -10;
- (ii) A copy of the latest integrated electoral roll for the Polling Station.
- (iii) A small brass seal, if he/she desires to put seal on the carrying case(s) of the Ballot Units(s), Control Unit and VVPAT before they are transported to the Counting/Receipt Centre;
- (iv) Pen, paper and pencil;
- (v) Details of EVM (Control and Ballot units) and VVPAT to be used in the polling station as provided by the Returning Officer and/or by the Candidate.

7. Role and functions of Polling Agent:

(a) Conduct of Mock Poll before start of actual Poll in Polling Station:

- (i) Polling Agent should be available at the respective Polling Station at least 90 minutes before the start of actual poll to participate in mock poll. They may ensure that Ballot Unit(s) and VVPAT are kept inside the voting compartment and Control Unit is kept on the table of Polling Officer-III/Presiding Officer.
- (ii) Mock Poll shall be started 90 minutes before the commencement of actual poll time in the presence of at least two candidates/Polling Agents. The Presiding Officer may wait for 15 minutes before conducting the mock poll, if minimum two candidates/Agents are not present. In such cases, Presiding Officer shall make a specific mention in this regard, in the prescribed Mock Poll Certificate. Polling Agent is authorised to sign the mock poll certificate. In the Mock Poll, at least 50 votes are cast (minimum one vote to each candidate button including NOTA).

- (iii) The Polling Stations not having the presence of Agents of the candidates of recognized parties and where the Mock Poll had to be conducted in the absence of any agent or in the presence of only one Polling Agent, Presiding Officer shall intimate the same to the Returning Officer/Sector Officer. In such case, interventions such as deployment of Micro Observers, deployment of video cameras (if not already done or webcasting provided), frequent visits by Sector Officer and other senior officers should be ensured.

(b) Sealing of EVMs and VVPATs before start of actual Poll:

- (i) Before starting of actual poll, the Presiding Officer seals the Control Unit and VVPAT drop box with paper seals. The Polling Agents are allowed to sign the paper seals.
- (ii) Polling Agents are allowed to note down the serial numbers of paper seals so supplied for use and actually used.

(c) Demonstration before commencement of poll by the Presiding Officer (Rule 33/33A Conduct of Election rules 1961):

- (i) Marked copy of the electoral roll to be used at the Polling Station (*It shall not contain any entry or mark other than those made for Postal Ballot/ EDC in pursuance of Rule 20(2) (b)/ Rule 23(2) (b) of the Conduct of Elections Rules 1961*).
- (ii) The list of Classified Services Voters (CSVs) appointed proxies/if any.
- (iii) Register of Voters (Form 17A) to show that the register is blank and no entry in respect of any elector has already been made therein.
- (iv) Before the first voter signs in Form-17 A (Register of Voters), the **Polling Officer-1** shall check with the Presiding Officer and record in ink in Form 17A that "Total in the Control Unit checked and found to be Zero".
- (v) The Presiding Officer reads out the declaration prescribed by the Commission and sign the declaration. The willing Polling Agents may also sign. If any Polling Agent declines to affix his signature on the declaration, the Presiding Officer shall record the name of such Polling Agent in that declaration.

8. Voting Procedure:

- (i) First Polling Officer is in-charge of the marked copy of electoral roll and responsible for identification of the voters. A Voter enters the Polling Station, First Polling Officer identifies the voter and marks his/her presence in Marked Electoral Roll.

When an elector is allowed to cast vote at the Polling Station, a line will be drawn, in red ink, diagonally across the box containing the particulars pertaining to that elector in the Marked Electoral Roll. Further, for easy verification and calculation of number of male and female voters, the serial number of the voter will be rounded off in the case of female voters.

- (ii) Second Polling Officer, who is in-charge of Register of Voters (Form-17A), Indelible Ink and Voter's slips (*NOT Voter Information Slip*) makes the entries of the voter's name including EPIC/any of the other alternative document prescribed by the Election Commission of India and obtain the signature of the voters or the thumb impression (in the case of illiterate voters) in the Register of Voters (Form 17A). Thereafter, marks the indelible ink (*Rule 37 Conduct of Election rules 1961*) and issues voter's slip to the voters indicating his/her serial number as mentioned in Form 17A.

- (iii) Third Polling Officer is the custodian of the Control Unit (CU) and activates the Ballot Unit (BU) by pressing BALLOT button of the CU and allows the voter to go inside the voting compartment to cast vote, in the order of the serial number on the voter's slip issued by the Second Polling Officer.

- (iv) In order to ensure that no elector has committed any mischief by pasting any paper, tapes etc., on the symbol/ names / ballot button, the presiding officer may from time to time make an inspection of Ballot Unit (BU) but he should make it a point to do so in the immediate presence of polling agents under *Rule 49Q of Conduct of Election Rules, 1961*.

9. Challenged Vote (*Rule 36 of Conduct of Elections Rules, 1961*):

The Polling Agents can also challenge the identity of a person claiming to be a particular elector by depositing a sum of Rs.2 in cash with the

Presiding Officer for each such challenge. The Presiding Officer shall hold a summary inquiry into the challenge. If after the inquiry the Presiding Officer considers that the challenge has not been established, he shall allow the person challenged to vote. If he considers that the challenge has been established, the Presiding Officer shall debar the person challenged from voting and shall handover such person to the police with a written complaint. All such complaints to the Police should be vigorously pursued and prosecutions launched against the offenders so that they are convicted and suitably punished.

10.Voting by ASD (Absent, Shifted, Dead) Voters:

In order to prevent impersonation of ASD electors at the time of poll, following procedure may be adopted by the Presiding Officer, which shall be closely observed by the Polling Agents:

- (i) A list of ASD voters should be prepared Polling Station wise and provided to Presiding Officer.
- (ii) On the day of poll, in order to cast one's vote, the elector, who is in such list, shall have to produce EPIC for his identification or any one of the alternative photo documents prescribed by the Commission. The Presiding Officer shall verify the identification document personally and the details properly registered by the Polling Officer concerned in the Register of Voters (Form-17A).
- (iii) The first Polling Officer shall inform the Polling Agents about the ASD electors who have come to vote by reading out his/her name loudly. Thumb impression of such electors, even in the case of an elector who is literate and can sign, shall also be obtained in addition to signature against the column of signature/thumb impression" of Register of Voters (Form-17A).
- (iv) Presiding Officer shall maintain a record and give a certificate (**Annexure-V**) at the end of the poll (to be kept with Form-17A for scrutiny, if decided).
- (v) ASD electors may be photographed for record, wherever possible.

11. Precautions Against Voting by Underage Voters:

- (i) The eligibility of a person whose name is included in the electoral roll to be a voter cannot be questioned or enquired into by the Presiding Officer at the Polling Station.
- (ii) If the Presiding Officer is prima facie satisfied about the identity of a voter and also about the fact of inclusion of his name in the electoral roll but considers such person to be below the minimum voting age based on his/her own assessment or based on complaint by any Polling Agent, then the Presiding Officer shall obtain a declaration in the prescribed form (**Annexure-VI**) from the person concerned about his age.
- (iii) Before obtaining the declaration from such elector, the Presiding Officer will inform him of the penal provisions in *Section 31 of the Representation of the People Act 1950* for making a false declaration relating to the inclusion of his name in the electoral roll.
- (iv) Such voters are to be photographed, as far as possible, for record.

12. Printing Errors in the Electoral Rolls to be overlooked:

The particulars in respect of a voter as entered in the electoral roll are sometimes incorrectly printed. Polling Agent should overlook mere clerical or printing errors in any entry relating to a voter's age in the printed roll and should not raise any objection about such voter, if Polling Agent is otherwise satisfied about the identity of that voter. When the electoral roll has been prepared in more than one language and the name of a person has not been included in the marked copy of the electoral roll, the Presiding Officer has been instructed to allow such voter to vote if his name appears in the version of the electoral roll in the other language. Polling Agent is advised not to raise any objection in respect of such a voter.

13. Tendered Votes:

- (i) It may happen that a person claiming to be a particular elector comes forward to vote after some other person has already voted as such elector. In that case, if the Presiding Officer is satisfied about the identity of such person to be the real voter after necessary questioning, the Presiding Officer will permit him to vote by means of a tendered ballot paper, but not by means of the Voting Machine.

- (ii) The Presiding Officer will make necessary entry in the list of tendered votes (*Form 17B, the Conduct of Elections Rules 1961*) and obtain the signature or thumb impression of the voter therein. The voter will be supplied with a ballot paper which shall be similar to the ballot paper affixed on the Balloting Unit of the voting machine and the words 'Tendered Ballot Paper' will be stamped or written on its back.
- (iii) The voter will record his vote on the tendered ballot paper by placing a mark by means of the arrow cross mark rubber stamp, which is used for marking ballot papers under the traditional marking system of voting.
- (iv) Such voters are to be photographed, as far as possible.
- (v) Such tendered ballot paper, after it is marked by the voter in the voting compartment and folded, shall be handed over to the Presiding Officer, who will place it separately in a cover specially kept for the purpose.

14. Voting by Blind or Infirm Voters:

- (i) Infirm voters who are capable of voting by himself by pressing the button of the candidate of his choice on the Balloting Unit of EVM shall be permitted one authorized companion only up to Voting compartment in the Polling Station and not inside the voting compartment. This will apply in cases where the nature of physical infirmity is such that the elector needs assistance only for his movement and not for voting. The presiding Officer has to take decision in such cases.
- (ii) If the Presiding Officer is satisfied that a voter is unable to recognize the symbols on the ballot paper affixed on the Balloting Unit(s) of the EVM or to record his vote on it without assistance on account of being blind or infirmity, he will permit such voter to take an adult companion of not less than 18 years into the voting compartment with him for recording the vote on his behalf and in accordance with his wishes.
- (iii) Illiteracy of a voter is not a sufficient cause for giving him assistance of a companion to record vote on his behalf.
- (iv) None of the polling staff can act as a companion to record vote on his behalf.

- (v) Numeric in Braille signage (1 to 16) has been provided on the Balloting Unit (BU) top cover on the right of the blue button for each contesting candidate for the convenience of the visually challenged (blind) persons.
- (vi) Rule 49N of Conduct of Election Rules 1961 provides that one person cannot act as the companion of more than one elector. The person acting as such companion is required to make a declaration in the prescribed form (**Annexure-VII**) to the effect that he will keep secret the vote recorded by him/her on behalf of the elector and that he has not already acted as a companion of any other elector at any polling station on that day.
- (vii) A candidate, his election agent or Polling Agent (provided he is not less than 18 years of age) can also act as such companion to a blind or infirm voter. He can act as such companion of only one voter on that day and signs the prescribed declaration (**Annexure-VII**)
- (viii) In order to facilitate the polling staff to ensure compliance of these provisions, application of indelible ink shall also apply to the companion, in addition to the infirm voter who has taken help of companion. Indelible ink shall be applied on the right index finger of the companion.
- (ix) Rule 49N Conduct of election Rules 1961 provides that the Presiding Officer shall keep a record of cases where electors record vote with the assistance of the companion in Form 14A. This should cover all cases where the companion is permitted to go into the voting compartment with the elector to assist him in recording the vote. Cases where a companion only comes to assist the elector in his movement and does not go into the voting compartment shall not be included in Form 14A.

15.Replacement of non-functional EVM/VVPAT:

The following protocol shall be followed:

- (i) If BU or CU or VVPAT becomes non-functional during Mock Poll, then only respective unit will be replaced.
- (ii) If the CU or the BU becomes non-functional during actual poll, then the entire set of BU(s), CU and VVPAT shall be replaced. In such case, mock poll shall be conducted by casting of one vote to each contesting candidate including NOTA and other instructions of Mock Poll be followed.

- (iii) If only VVPAT becomes non-functional during actual poll, then only VVPAT shall be replaced. In such case no MOCK POLL is required to be conducted.

16. Closure of Poll:

(i) The poll shall be closed by pressing 'CLOSE' button on CU at the hour fixed for the purpose, if no elector is in queue at the polling station. If some electors are in queue at the hour appointed for the close of poll, the following procedure shall be followed:

- All electors present at the Polling Station at the hour appointed for the close of poll should be permitted to cast their votes irrespective of the appointed closing hour.
- The Presiding Officer shall distribute pre-numbered slips to all electors standing in queue, starting from the last person in queue at the prescribed time for end of poll.
- After the last voter has recorded his vote, the voting machine has to be closed by pressing CLOSE button on CU, so that no further recording of votes in the machine is possible.

(ii) After all electors have cast their votes, the Presiding Officer shall put a red line after entry of last voter and sign on Register 17A giving date and time. All polling agents may also be allowed to put their signature, if they desire so.

(iii) Under *Rule 49S Conduct of Election Rules, 1961*, at the close of poll, Presiding Officer shall furnish an attested true copy of the account of votes recorded as prepared by him/her in Form 17C to each Polling Agent, after obtaining a receipt from them. Copies of the accounts should be furnished to every Polling Agent present even without his/her asking for it.

17. Sealing of Machines and Election Papers- Affixing of Seal thereon by the Polling Agents:

(i) Sealing of EVMs and VVPATs: Ballot Unit(s), Control Unit and VVPAT are kept and sealed in the respective carrying cases, as per existing instructions. Polling Agents are allowed to sign and affix seal on them.

(ii) **Sealing of Election Papers:** Polling Agents are also allowed to affix their Seals, in addition to the seal of the Presiding Officer, thereon the envelopes and packets containing the following documents:

- a) The marked copy of the electoral roll;
- b) Register of Voters;
- c) Voters' slips;
- d) The tendered ballot papers and the list of tendered voters in Form 17B;
- e) The unused tendered ballot papers;
- f) The list of challenged votes;
- g) The unused and damaged paper seals, if any;
- h) Appointment letters of Polling Agents; and
- i) Any other papers that the Returning Officer has directed to be kept in a sealed packet.

18. Vehicle carrying EVMs and VVPATs:

Once, poll is over, Candidates/Polling Agents are allowed to follow the vehicles carrying EVM/VVPAT and Election Papers from Polling Station to Receipt Centre.

19. Liability of Polling Agents for misbehaving/doing wrong or violation of Rules/Section of the Representation of the People Act 1951:

Polling Agents should not misbehave with polling staff and voters and must not do any wrong acts which violates Rules / Sections of the Representation of the People Act 1951 or other Acts. If they are found doing such acts, then they will be liable for punishment of imprisonment or fine or both for the following acts: -

- (i) Obstructing a public servant in discharging his official duties for which punishment of imprisonment for 3 months or fine or both under Section 186 of Indian Penal Code (IPC).
- (ii) Threatening a public servant – Punishment of imprisonment for 2 years or fine or both under Section 189 of Indian Penal Code (IPC).
- (iii) Assaulting a public servant – Punishment of imprisonment for 2 years or fine or both under Section 353 of Indian Penal Code (IPC).



- (iv) Misbehavior/ disorderly conduct in and near Polling Station- Punishment of imprisonment up to three months or fine or both under Section 131 and 132 of Representation of People Act 1951.
- (v) Carry Arms at and near a Polling Station - Punishment of imprisonment of up to two years or fine or both under Section 134B of Representation of People Act 1951.
- (vi) Bribery/undue influence – Punishment of imprisonment which may extend to six months or fine or both under Section 129 of the Representation of People Act 1951.
- (vii) Violation of secrecy of voting – Punishment of imprisonment which may extend to three months or fine or both under Section 128 of Representation of People Act 1951.
- (viii) If Polling Agent indulge in canvassing within the polling station or 100 meters radius, his/her act might amount to an electoral offence of canvassing or soliciting votes of electors or exhibiting any notice or sign (other than the official notice) relating to the election. The above offence is cognizable and punishable under Section 130 of Representation of the People Act 1951 with fine which may extend to Rupees 250.

20. Adjournment/Stoppage of Poll:

Under Section 57(1) of the Representation of People Act 1951, the Presiding Officer of a polling station is empowered to adjourn the poll on account of-

- (i) A natural calamity like flood, heavy snowfall, a severe storm and the like, or
- (ii) Non – receipt or loss or damage to essential polling materials like voting machine, authentic copy of electoral roll and the like, or
- (iii) Disturbance of peace at the polling station making it impossible to conduct the poll, or
- (iv) Non – arrival of the polling party at the polling station due to obstruction on the way or any other serious difficulty, or
- (v) Any other sufficient cause

The discretion given to the Presiding Officer to adjourn the poll should be exercised most sparingly and only in cases when it has become impossible to conduct the poll. In case of any adjournment of poll, the Presiding Officer must immediately report the full facts to the Returning Officer. Whenever a

poll is adjourned, the Presiding Officer will announce formally to all, who are present at the polling station, that the poll will be taken on a day to be intimated subsequently by the Election Commission of India. Both the Units of the EVM and VVPAT and all Election Papers should be sealed and secured in the presence of Polling Agents, as if the poll has come to a close in the normal way.

The Handbook of the Polling Agent (*latest edition*) and the Presiding Officer Handbook (*latest edition*) shall be referred for detailed instructions and clarifications. The above instructions shall be brought to the notice of all concerned for strict compliance.

Yours faithfully


14/06/2023

(SANJEEV KUMAR PRASAD)
SECRETARY

Annexure-I

FORMAT FOR SPECIMEN SIGNATURES OF CANDIDATES AND THEIR ELECTION AGENTS

*General/Biennial/Bye-election..... (Month/Year)

No. & Name of *Assembly Constituency.....

Lok Sabha Constituency.....

Leg. Council.....

(*Delete whatever is not applicable)

The specimen signatures of Contesting Candidates and their Election Agents are given below for the purpose of verification of their signatures by the Presiding Officer in the letter of appointment of Polling Agents at the time of poll: -

Sr. No.	NAME OF CONTESTING CANDIDATE	SIGNATURE OF CONTESTING CANDIDATE	NAME OF ELECTION AGENT, IF ANY	SPECIMEN SIGNATURE OF ELECTION AGENT
1				
2				
3				
..				

Place:

Date :.....

Signature
(Seal)
Returning Officer

Specimen of Entry Pass

(To be issued by Presiding Officer on poll day)

Sl. No.
ENTRY PASS
AC No. & Name:
Polling Station No. & Name:
Name of Candidate:
Name of Polling Agent:
Name of Relief Agents, if any:
Signature of Presiding Officer

Account of Entry Passes issued to Polling Agents

1. Number and Name of Assembly Constituency
2. Number and Name of Polling Station
3. Total Number of contesting candidates
4. Number of entry passes received with poll material
5. Details of entry passes issued to Poling Agents

Name of candidate	Whether entry passes issued	Signature of the Polling Agent/relief Polling Agent

6. Unused Entry Passes

Signature and seal of
Presiding Officer



Polling Agents/Relief Polling Agents Movement Sheet

No	No. and Name of Parliamentary Constituency/ Assembly Constituency	Name of Candidate	Name of Political Party	Name of Polling Agents/Relief Polling Agents	Time of Entry	Signature	Time of Exit	Signature
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2

**FORM OF DECLARATION BY ELECTOR WHOSE NAME IS IN ABSENTEE /
SHIFTED / DEAD (ASD) LIST**

I hereby solemnly declare and affirm that I am the same person whose name appears at Serial No of Part No Of the existing electoral roll of the Constituency which was prepared / revised with respect of first date of January, April, July, October, 20.... as qualifying date. I am aware that impersonation at elections is an electoral offence under the section 171D of the Indian Penal Code.

.....
Signature/Thumb impression of the Elector
Name

Certified that the above declaration was made and subscribed by the elector above named before me.

.....
Signature of the Presiding Officer
.....
Number and name of polling station
Date



FORM OF DECLARATION BY ELECTOR

I hereby solemnly declare and affirm that my age was more than 18 years on the first **January/April/July/October**.....(year) I am aware of the Penal Provisions of Section 31 of the Representation of the People Act, 1950 for making any false Declaration in connection with the inclusion of any name in the electoral roll or the preparation, revision or correction of the electoral roll.

Signature/Thumb impression of the elector

Father's/Mother's/Husband's Name.....
Part Number of Electoral Roll
Serial Number of Elector.....

Date:

Certified that the above declaration was made and subscribed by the elector above named before me.

.....
Signature of Presiding Officer

Number and name of Polling Station.....
Date:



DECLARATION BY THE COMPANION OF BLIND OR INFIRM ELECTOR

..... Assembly Constituency
(comprised within..... Parliamentary
Constituency)

Sr. No. and Name of Polling Station.....

I, son of
aged.....resident of*.....

.....

hereby declare that -

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

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

Signature of companion

Date

* Full Address to be given

+ Name, Part No. and Serial Number of Elector.

() To be filled in the case of election to the House of the People or simultaneous
elections.

