



# OBSERVER HAND BOOK

January 2017  
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भारत निर्वाचन आयोग  
**Election Commission of India**

Nirvachan Sadan, Ashoka Road, New Delhi-110001

*"No voter to be left behind"*



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## 1. BACKGROUND

1. Different democracies have different types of Election Observation. The Election Observation includes the observation by domestic Observers as well as Observers by external agencies such as United Nations, Commonwealth, and other external election watch groups and so on. However, in the Indian context, the election Observation has always been a domestic initiative. The concept of election observation by the domestic Observers itself has been evolved over a period of time, as the complaints during the election process were far and few in the initial years. There was no concept of deputing Election Observers from one State to another State. Initially, as and when complaints were received, some officials from the Election Commission's headquarters were deputed. As number of complaints over a period of time increased, the deputation of Election Commission's officials had a serious limitation.
2. Commission started deputing some senior officials from the same State to observe election process in a constituency or a group of constituencies. But the concept of deputing senior officers as the Election Commission's Observers took a firm root only from the beginning of the year 1990s. Over a period of nearly last two decades, the deputation of Election Observers from one State to another State has become an integral part of the election management in the country. Currently, mostly the officers who belong to All India Services and Central Services like IRS, CBDT and CBEC, IDES are being deputed as the election observers.

## 2. STATUTORY BASIS OF APPOINTMENT

1. Observers of the Election Commission of India are appointed under the powers conferred on it by Section 20B of the Representation of the People Act, 1951 and the plenary powers available to the Commission under the Constitution of India. They are the appointees of the Commission working under the superintendence, control and discipline of the Commission for the period from their appointment until the process of election is completed.
2. The representation of the People Act, 1951 was amended in August, 1996 to add a new Section 20B. This provides statutory powers to the Observers to watch the conduct of elections and especially in respect of counting of votes.

3. Section 20B reads as follows: -

- a. *The Election Commission may nominate an Observer who shall be an officer of Government to watch the conduct of election or elections in a constituency or a group of constituencies and to perform such other functions as may be entrusted to him by the Election Commission.*
- b. *The Observer nominated under sub-section (1) shall have the power to direct the Returning Officer for the constituency or for any of the constituencies for which he has been nominated, to stop the counting of votes at any time before the declaration of the result or not to declare the result if in the opinion of the Observer, booth capturing has taken place at a large number of polling stations or at places fixed for the poll or counting of votes or 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.*
- c. *Where an Observer has directed the Returning Officer under this section to stop counting of votes or not to declare the result, the Observer shall forthwith report the matter to the Election Commission and thereupon the Election Commission shall, after taking all material circumstances into account, issue appropriate directions under Section 58A or Section 64A or Section 66".*

### **3. OVERVIEW OF OBSERVER'S DUTY**

1. By dint of their seniority and long experience in the administrative services, General and Police Observers are expected to be in a position to assist the Commission in the conduct of free and fair polls.
2. They will also be able to oversee the efficient and effective management of the electoral process at the field level.
3. For all purposes, they will act as the eyes and ears of the Commission during the period of the election (and not the mouthpiece) and provide direct inputs to the Commission from the field as an interface with the election machinery, the candidates, political parties, and electors to ensure that the Acts, rules,

procedures, instructions and guidelines related to elections are strictly and impartially complied with by all concerned.

4. Their inputs/observations are confidential and solely for the use of the Commission and not for any other agency including media. They must not, therefore, interact with or respond to the queries of the Press even after the elections are over.
5. It is clarified that while the formal report/input/observation sent by the Observers are meant for the use of the Commission, it does not mean that the observers will not discuss with the CEO/RO/DEO about their observation on various aspects of election management in order to facilitate midcourse corrections.
6. However, the Observers shall not mark copies of their formal reports to the Commission, to any other person including CEO/RO/DEO.
7. It should be kept in mind that the objective of the deputation of the Observer is not to find fault but to facilitate field administration in ensuring a free and fair poll.

#### **4. BRIEFING OF OBSERVERS**

1. The appointment of an officer as an Observer and the intimation for the briefing meeting shall be communicated by the ECI through the nodal officer of the State and Central Government who shall coordinate with Election Commission for various issues including provision of list of officers for appointment as observers. No request for exemption shall be entertained for this meeting and any replacement should be done only with the permission of ECI. Replacement requests shall not be entertained without serious reasons.

#### **5. TOURS AND ABSENCE FROM HEADQUARTERS**

1. All Observers should seek prior permission from the Commission every time they want to leave the headquarters on personal work or on official work not connected with performance of their duties as Observers.

2. Any request in this regard for special permission shall be made to the Deputy Election Commissioner (in charge of the State/UT).
3. No Observer is allowed to go on a foreign trip during the period intervening between the briefing session and the completion of election process.
4. No requests in this regard should be made to the Commission. Only in case of receipt of late intimation about selection to attend a foreign training, which had been duly sponsored by the DOPT may recommend release of such officer by substituting an officer of equivalent or high rank.
5. All such requests shall be addressed by the respective Nodal Officers to the Commission.

## **6. REQUESTS FOR LEAVE**

1. No officer appointed as Observer or kept in Reserve List shall proceed on any kind of leave without prior approval of the Commission till the completion of the election in Constituency (ies) in which officer has been appointed as Observer or for which Observer has been kept in reserve.
2. All correspondence in this regard shall be addressed to Deputy Election Commissioner (in charge of the State) by name.

## **7. OBSERVER PORTAL**

1. A web portal has been made for observers. Link to the Observer Portal is given on the website of the Commission (<http://www.eci.nic.in>).
2. Observers have been communicated their user ID and Password in the briefing letter. They must change their password when they login for the first time.
3. Observer Portal is the best method of communication between Observers and the Commission.
4. All the latest instructions of the Commission are available on the portal. Message for Observers are also given on the message board of the portal.

5. Observers should, therefore, check the portal frequently. Similarly, observers should send their reports to the Commission by uploading on the Observers Portal.

## 8. ROLE OF OBSERVERS

1. Section 20B of the Representation of Peoples Act, 1951 has vested the Observers with some statutory powers. They are empowered to stop counting or the declaration of result in an event which could have made it difficult to ascertain the result correctly. Besides this, they have got certain direct executive roles to play which include: -
  - A. Observing the processes of scrutiny and withdrawal, and Report back to the Commission promptly in case of any irregularity;
  - B. Examination of the video clipping of the nomination process as well as making proper investigation on the complaints received in connection with the process of nomination. Also to examine the unresolved grievances by the candidate/political parties about the allotment of symbols;
  - C. Effective monitoring of the cases of violation of the model code of conduct by watching the video clippings of various meetings and, if needed, even by visiting important rallies to get first hand input, enforcement of the defacement of property act, training of Micro-Observers and such other things;
  - D. Though checking the account of expenditure of the candidates is entrusted to Expenditure Observers, however, General Observer are also required to do so, in case of exigencies, if directed by the Commission.
  - E. Tracking dispatch of postal ballot papers to the service voters, ensuring the setting up of the facilitation counters for polling officials, police and security personnel etc., in accordance with the recent guidelines of the Commission and sending specific report in this regard to the Commission.

- F. Checking randomization software, reviewing the process of randomization of the polling personnel, obtaining report from the DEO regarding first level randomization; and
  - G. Observing and regulating the counting process. Observer has to sign the round wise counting sheets as proof of his/her satisfaction. She/he can direct the Returning Officer to stop counting of votes or declaration of result, if she/he notices any irregularities and bring the matter to the notice of the Commission for further directions.
2. Apart from the direct executive role of the observer, as enlisted above, Observers are expected to observe and report on all the steps involved in election management. An illustrative list is as below:
- A. Nominations, Withdrawal, Scrutiny and Symbol allotment**
- I. The General Observers, arrive on the last day of nomination and thus does not observe the process of nomination in person, however, during the first visit they should get the video recording of the nomination process from the RO and see the recordings to get an overview of compliance of ECI Instructions and report major violations, if any, with specific reference to Commission's instructions regarding number of people allowed to be present during Nominations.
  - II. Scrutiny is a quasi-judicial process and should be conducted by the RO without any outside influence. However, Observer can ensure that RO is aware of the latest instructions; he has the latest list of disqualified candidates and the latest symbol order. The Observer should observe the scrutiny process and report glaring error to the Commission. The observer should send tabular information of all rejected cases with reasons thereof. Observers should, however, abstain from directing or advising the RO. Observer may remind RO that the scrutiny proceedings can be adjourned in case an opportunity is to be provided or if any legal provision needs to be examined that requires time.
  - III. Allotment of symbol is a process that is very technical and requires due care. It should be ensured that RO is aware of the provision of issue of reserved

symbols and free symbols. He should have the latest symbol allotment order. Another important aspect to be kept in mind is the symbol concession order issued by Commission. After allotment of symbols, the list of contesting candidates should be prepared in Form 7A.

### **B. Electoral Roll Related**

- I. It should be ensured the EPICs prepared during the last days are properly distributed to the electors and are not left with some intermediary.
- II. Although no deletions can be made from the roll, absentee and dead and duplicate voters should still continue to be tracked and a separate list of such voters should be prepared Polling Station-wise that can be used on the day of Poll.
- III. The last supplement is prepared after the date of withdrawal by manually marking the mother roll and previous supplement based on the last supplement. This activity has to be closely observed and ensured that efforts have been made to avoid any mistakes at this stage.
- IV. It should be ensured that the copies given to the candidates are exactly the same as that which would be used on the poll day by the polling party. Observer should see the latest instructions of the Election Commission, dated 11.12.2013 on this matter.

### **C. Campaign Period**

- I. During the campaign period, General Observers should monitor the implementation of Model Code of Conduct (MCC) and measures to prevent occurrence of electoral offenses. In this regard, the Observers should bring lapse to the notice of DEO, CEO and report to the Commission, if required but abstain from any executive action on their part.
- II. Meeting with candidates to explain the provisions of Model Code of Conduct and the instructions of Commission thereunder.
- III. Observe various events like political meets, visits of star campaigners etc.

- IV. Monitor the work done by teams constituted for enforcement of MCC.
- V. Monitor dummy candidates, surrogate advertisements and paid news.
- VI. Review video recordings of activities of those candidates for whom video trailing has been resorted to.

#### **D. Pre-Poll Election Management**

- I. Monitor preparation of dispatch of postal ballot papers to service voters immediately after the preparation of list of contesting candidates i.e. Form 7-A.
- II. The first randomization of the election staff is done before the Observers arrive. The second and third randomization is, however, done in the presence of Observers.
- III. First level of EVM randomization is done before the arrival of the Observer but the second level randomization is done in the presence of Observers.
- IV. Training is an activity on which special emphasis should be provided. Observers should monitor that proper training is arranged for the election staff, especially with regard to recent instructions of EC and related to operation of EVMs.
- V. Monitor adherence to the instructions of the Commission regarding issue of postal ballot papers to the polling staff and voting through them.
- VI. Visit polling stations and monitor that all polling stations are visited by election official for verification from fitness angle. Verify whether the list of polling stations is approved by the Commission.
- VII. Go through the exercise of Vulnerability mapping and identification of critical booths and critical clusters done by the DEO/SP and finalize and list of critical polling stations and critical clusters.
- VIII. Discuss and approve the District Security Plan with the DEO and the SP and

review the law and order issue in general. Review the availability of CPF, SAF and District Police. Review the preventive measures taken by the law and order implementation machinery.

- IX. Review the Communication Plan and confirm dry runs.
- X. Review Control Room arrangement and complaint monitoring system.
- XI. Training and placement of Micro Observers
- XII. Ensure that proper arrangements for dispatch have been made. The dispatch should normally be the day before the poll and any exception should have prior approval of the Commission.
- XIII. Review counting arrangements.

### **E. Poll Day Management**

- I. Monitor placement of Sector Officers and Micro Observers.
- II. Monitor conduct of mock polls and receipt of mock poll certificate in prescribed format signed by PO. Review the polling stations with no or only one polling agent.
- III. Review the pace of poll and percentage of polling at regular intervals.
- IV. Keep track of occurrence of any special events during the poll day.
- V. Keep track of any delays or temporary suspension of poll.
- VI. Report anything exceptional to the CEO and the Commission.
- VII. Ensure that proper arrangements for receipt of polling staff and polling material are made. Every receiving team should be well equipped with a checklist of items to be received. Ensure that the non-statutory documents are not locked with the EVMs in that strong room.

- VIII. Ensure that a “special counter” is setup for receipt of polling parties from those polling stations where any special events has been reported and on receipt, proper documentation, along with the statement/report of the Presiding Officer, if required, is done.

#### **F. Post Poll**

- I. Scrutiny is an important analytical tool to analyze proper conduct of elections and taking repoll decision. Scrutiny is done for those polling stations that fall within the criteria as per Commission’s instructions in the presence of Observer on the next day of the poll.
- II. Report to the Commission about the conduct of poll and requirement of repoll, if any.

#### **G. Counting**

- I. Review the arrangements for counting made by the DEO.
- II. The randomization of counting staff is done in the presence of Observer.
- III. Monitor that the counting of postal ballot taken up before the EVMs but the EVM counting is not held up till the completion of postal ballot counting.
- IV. The Observer has to ensure that the results as tabulated by the counting staff and the additional counting staff, drawn from the central government establishment, tally.
- V. Conduct random test for two EVMs in every round and take corrective action as per the directions of ECI, in case any mistakes are found.
- VI. Ensure that during the counting, round-wise results are announced as and when they are finalized.
- VII. Certify proper completion of counting process and allow RO to declare results, if satisfied with the counting process.
- VIII. Report to the Commission for recount to be held, if recount required.

## 9. REPORTS BY OBSERVERS

1. Both General and Police Observers are required to submit arrival and departure report to the Commission immediately after reaching constituency(ies)/ District and also, just before leaving the constituency(ies) / District. (Format of the arrival/departure report is attached at annex-II).
2. Apart from the arrival and departure reports, the Commission, now, expects 5 mandatory reports from the General Observers and 4 mandatory reports from Police Observers against the previously required 6 and 5 reports respectively. However, in case of any serious deviations, the Observers should bring it to the notice of ECI through interim report(s) as and when necessary.
3. In case of General Observers –
  - I. 1st Report – To be submitted after the withdrawal of candidature.
  - II. 2nd Report - To be submitted 2 days before the poll-day (P-2 days).
  - III. 3rd Report – To be submitted immediately after the completion of poll.
  - IV. 4th Report- To be submitted after scrutiny of form 17A on the day after the poll.
  - V. 5th Report- To be submitted after the counting of the votes.
4. In case of Police Observers-
  - I. 1st Report- To be submitted on the 2nd day of reaching the allocated district.
  - II. 2nd Report- To be submitted on the 5th of reaching the allocated district.
  - III. 3rd Report- To be submitted on 2 days before the poll day (P-2 days).

- IV. 4th Report- To be submitted immediately after the completion of poll.
5. Oral communication with the Commission, on urgent matters which cannot be kept pending till the written report, through telephone or through any other fast and reliable means, during the field visit will be welcome. All telephonic communication should preferably be held with the Secretary concerned and must be followed by a written message in confirmation.

## **10. POSTAL BALLOT FOR OBSERVERS**

1. Rules 17 to 20 of the Conduct of Elections Rules, 1961 provide that voters on election duty are entitled to vote by post. The term "Voters on Election Duty" includes a public servant, who is an elector in the constituency and is by reason of his/her being on election duty, is unable to vote at the polling station where he/she is entitled to vote. Observers are also covered in this category. As Commission does not appoint any officer as observer in the Home State/State of posting.
2. If an Observer is registered as an elector in any constituency, he/she can apply for a postal ballot paper to the Returning Officer of the Constituency concerned in Form 12. The Observers may write or contact the Returning Officer of the Constituency concerned and present his/her duly filled in Form 12, to obtain a Postal Ballot Paper.

## **11. ARRIVAL OF OBSERVERS IN THE CONSTITUENCIES**

1. The Observer is mandated to report in the constituency on the last day of filing of nominations in forenoon.
2. The DEO may appoint an English knowing officer as the liaison officer for the Observer and the liaison officer receive the Observer at the point of his/her arrival in the State and escort him/her to the place of stay.
3. The DEO has to make arrangements for accommodation, vehicle and communication, like Internet, fax, office stationery etc.

4. The information/particulars as enumerated in the check list (Annexure-I) are to be provided to the Observer on his/her arrival along with the District Election Plan and a map, by the DEO/RO.

## **12. INTERFACE OF ROS/AROS AND DEO**

1. The DEO will organize a structured meeting with the Observers as early as possible. All the ROs, AROs, SP, other election officials including the nodal officers for medial cell, model code of conduct and the designated officers for Expenditure monitoring should be present in the meeting to apprise the Observers about the specific issues needing their special attention.
2. The Observer should proactively use this meeting to familiarize with the state of preparedness of the district administration in all aspects.
3. The Observer should monitor that:
  - (i) The posting of requisite officers for RO and ARO has been completed (including for counting)
  - (ii) The identification of all the venues which will be used for dispatching, receiving and counting has been done and reviewed.
  - (iii) The list of polling stations has been finalized.
  - (iv) The machinery to monitor and implement model code of conduct is in place.
  - (v) The primary list of polling personnel has been prepared.
  - (vi) The arrangements for receiving information from public and political parties-control room arrangements and inter coordination of police and DEO, RO control rooms, has been made.
4. After reviewing the check list (Annexure-I) the Observer shall take up the matter with the ECI, if any deficiency is found in the election preparedness.

### 13. SCRUTINY OF NOMINATION PAPERS

1. The Observer is expected to observe the scrutiny process and finalization of the contesting candidates after withdrawal very closely. The role of Observer in scrutiny is to observe the events, rather than guide formally. However, in a situation where there is some confusion, the observer shall report to the Commission but under no circumstances shall give instructions to the RO.
2. The Observers are expected to be present during the Scrutiny of Nominations. However, before the scrutiny, it is important that the Observers verify from the Returning Officers the availability of latest instructions and orders of the Commission, which are specifically relevant for the Returning Officers in discharging their statutory functions for scrutinizing the nominations.
3. The following items are important:
  - (a) The latest list of "Political Parties and Election Symbols" published by the Commission.
  - (b) Commission's instructions on criminalization of politics and the latest Form of Affidavits, which will accompany every nomination form (ECI Instruction No. 3/ER/2003/JS-II dated 27th March, 2003 read with Instruction No. 3/ER/2011/SDR dated 25th February, 2011 and No. 3/4/ 2012/ SDR dated 24th August, 2012), as amended from time to time.
  - (c) The latest copy of the List of Disqualified Candidates.
  - (d) Instructions and copies of latest versions of Forms A&B which are utilized by the political parties to indicate the names of their official candidates who are eligible for being allotted the symbol reserved for the party.
  - (e) An authentic copy of the Electoral Roll for the constituency.
4. It is important for the Observers to go through these instructions carefully in advance before they interact with the Returning Officers. They will confirm that Returning Officers have not only received the latest instructions but have understood the implications clearly.

## 14. ALLOTMENT OF SYMBOLS

1. Immediately after the process of withdrawal of nominations is completed, the Returning Officers are to take up the process of Allotment of Symbols. The Observers will be available for overseeing this important activity. The RO should have the latest list of Political Parties and Election Symbols and any relevant symbol concession order issued by the Commission with regard to political parties not recognized in the particular State but recognized in some other State.
2. As soon as the allotment of symbols is completed, a List of Contesting Candidates and Symbols allotted to them is prepared and published in Form 7A Special care should be taken regarding order in which the name of candidates appear in the list and Commission's instructions in this regard should be strictly adhered to. This is a very important document and it is of utmost importance that copies of the same reach the Chief Electoral Officer at the earliest. The Returning Officers will make arrangements to send the original copy to the Chief Electoral Officer in the State / Union Territory through special messenger. The later will consolidate these and send it through special messenger or camp bag to the Commission.
3. In case of Parliament election, the Commission publishes a Consolidated List of Contesting Candidates in English and Hindi. It is likely that some of the nominations may be filed in the local language. The Returning Officer will nevertheless prepare two sets of the copies of the Form 7A in English and Hindi and ensure that these are sent to the Commission through the process aforementioned. However, if the RO is unable to prepare the Hindi version, this can be left to the CEO who will get it done at his level. In any case, the English version and the version in the local language should invariably be sent by the ROs. In case of Assembly election, the CEO of the State publishes it in the official language of the State.

## 15. ELECTORAL ROLLS

1. Several complaints have been received in the Commission that during past elections the electoral rolls provided at the polling booths were different from the electoral rolls that were provided to the candidates. The Commission has viewed such complaints with concern and decided as follows:

- (a) The electoral roll supplied to the polling booths shall be certified to be true copy of the one that has been provided to the candidates / political parties and the marked copy kept by the Returning Officer as per Conduct of Elections Rules, 1961 by one officer and one subordinate to the specifically responsible for the purpose.
  - (b) These officers shall sign the electoral roll supplied to the polling booths, on all pages.
  - (c) A copy of the electoral roll, which will be used on the day of election at polling booths (copy of the one given to the candidates / political parties), shall also be given to the Observer. The Observer shall check the authenticity of the roll provided at polling booths vis-à-vis the roll given to the candidates on the day of poll at the polling stations visited by him/her. The Observers will discuss this subject thoroughly with the RO and ensure that there is no room for any complaint on this score. This aspect should also be explained to the candidates and political parties during discussion.
2. The Observers should monitor the action plan prepared for covering the residual electors, issue of EPIC, identification of electors absent without family linkage, expired electors and duplicate entries and preparation of polling station wise list of such entries. Commission has mandated that if any elector figuring out in this list appears for voting, the strict identity checks should be applied.

## **16. MEETING WITH THE CANDIDATES**

The RO should conduct a meeting in the presence of Observer with all the contesting candidates and party representatives on the last day of withdrawal or on the next day and brief them about –

- a) Important aspects of the model code of conduct,
- b) Expenditure reporting formats, rate list etc. and frequency of reporting required, time and place of reporting of expenditure,
- c) Issuance of permissions for vehicles, processions and public meetings

- d) Date and time of EVM preparation and candidates' role in it.
- e) Interaction of Observers with the candidates/political parties/electors (with specific details of time, contact numbers and place for meeting the Observers).
- f) Important aspects of conduct of elections (like appointment of polling agent, counting agent, election agent – their rights & duties).
- g) The Observers should explain the concept of worry list. Wherever a candidate has apprehension about any unfair practice, procedural lapse, he will bring them to the notice of the Observer through the worry list indicating details of polling centers and reasons for such apprehension.
- h) Latest instructions of the Commission or important changes from past practices should be brought to the knowledge & notice of candidates.

## **17. VISIT OF AREAS IN THE CONSTITUENCY AND POLLING STATIONS**

- 1. After finalization of contesting candidates by the RO, the Observer should visit as many polling stations (areas thereof) to understand the constituency in social, economic and political context. During their visits, the Observers shall definitely visit all new polling station, sensitive polling stations and distant polling stations.

## **18. REVIEW OF OVERALL PREPAREDNESS OF LAW & ORDER MACHINERY**

- 1. The Observer should have a detailed discussion at a mutually convenient time not later than 4 days of his/her arrival about the following,
  - (a) Adequacy of police personnel,
  - (b) Requirement of Central Forces,
  - (c) Preventive actions taken (preventive detentions, bonds & arms deposition)

- (d) Identification of critical clusters and polling stations through vulnerability mapping
  - (e) Sector plans for policing on the day of poll,
  - (f) Response strategy on the day of poll and transportation of EVMs, and
  - (g) Discussion about sensitivity of inter-district, national and international boundaries.
2. The vulnerability index mapping of the district should have been completed. The Observer should ensure whether this has been done and critical clusters and polling stations are identified. The sector plan for police patrolling and the requirement for additional force should be reviewed in this context.
  3. The distilleries in the district should be monitored for the stock position of liquor and any abnormal increase in outflow during the election period should be checked. This should be compared to the average of the last six months.

## **19. OBSERVATION OF IMPLEMENTATION OF MODEL CODE OF CONDUCT**

1. It has been the most important and crucial task of Observers to ensure non- partisan and effective implementation of Model Code of Conduct.
2. The main areas for strict vigil are: -
  - (a) Use of vehicles for campaigning without required permission,
  - (b) Use of muscle power to mobilize or restrain people from voting,
  - (c) Flow of liquor and money and 'gifts' to ensure voting in favor of a particular candidate,
  - (d) Divisive tactics through inflammatory and condemnable speeches/ acts, and

- (e) Dealing with defacement of property as per prevailing law, if any, of the state, in case of absence of any such law as per the latest instruction of the ECI.
- 3. To ensure effective enforcement, the Observer should check whether the enforcement squads are formed with clear territorial jurisdiction to have accountability. The teams of enforcement should consist of civil and police personnel.
- 4. A detailed instruction in this regard is available in Commission's Website in the link given below:

[http://eci.nic.in/eci\\_main1/current/MCC1\\_26122016.pdf](http://eci.nic.in/eci_main1/current/MCC1_26122016.pdf)

## **20. APPROACH OF THE OBSERVER IN IMPLEMENTATION OF MODEL CODE OF CONDUCT**

- 1. The approach of observer should be to get the complaint inquired by DEO/ RO through the inquiry officer and tracking how the inquiry is conducted and how the concurrent corrective measure is affected. The Observer should advise the RO/DEO about the violations and appropriate action to be taken. However, in case of lapses on part of the authorities even after advice of the Observers, the Observers should immediately communicate lapses to the ECI. Observer should use videography as an effective tool to implement Model Code of Conduct.
- 2. Observers are eyes and ears of the ECI and not the executives in the field. There are several instances where implementation of Model Code of Conduct has been handled for the same issue in different manner in different constituencies. Some instances are given as case studies to sensitize you to this aspect-

### **Situation A**

An Observer found a vehicle with a party flag and lot of workers with a microphone campaigning for a candidate without a permit.

- a. He detains the vehicle with the help of his PSO and calls for the police and orders them to take a particular action, issues a specific instruction in writing.
- b. He reports the matter on phone to the concerned SP and subsequently writes a letter and warrants an ATR from the SP and RO. In case of non-action, the lapse is reported to ECI.
- c. He gives an instruction to immediately arrest the people in the vehicle to the police in writing.

The ECI would appreciate the option 'b' in this case. However, to ensure ripple effect, the incident and the action taken should be publicized in the media to create further deterrence through the RO. In any case the Observer is not expected to interact and brief the media personally.

### **Situation B**

There is a complaint from a particular political party that there is possession of illegal arms in a particular location by another contesting party. The complaining party does not disclose the location and requests for a police party to raid in a location to be specified later.

- a. The Observer agrees to the demand and orders the SP to send a police party.
- b. The Observer takes the complaint and location confidentially, asks the SP to act on it and report back. He also sends a videography team with the police party
- c. The Observer takes the police party and goes to the specified location and raids it.

The ECI would recommend the option 'b' in this case as observers have to think and act independently after receiving a complaint and not physically move with one party or other as that is also seen as partisan.

## Situation C

Every party has a list of star campaigners designated who shall be funded centrally from the party level for their travel and campaigning. One of the star campaigners deliver inflammatory speeches hurting the sentiments of a particular section of society and this is widely covered by media at national and local levels.

- a. This episode and the contents of speech is recorded and reported to ECI and at the same time appropriate action by the Election machinery has been initiated. The Action Taken is proportionate to the gravity of the lapse.
- b. This episode is not reported to ECI and action has been initiated at the local level which is covered by local media.
- c. It was not acted against at all.

The ECI would recommend option 'a' as the lapse is being covered by national media and the damage is no more localized and therefore the non-reporting of this even to ECI shall have negative effect on the general scenario of elections at the national level.

## Situation D

An observer witnesses that a public property has been defaced by posters, which is serious violation of model code of conduct. He had to deal with this.

- a. The Observer gets out of the vehicle and tears the posters himself.
- b. He informs the RO and asks the RO to send the enforcement squad responsible for territorial jurisdiction. He documents the violation through videography. After a day or two checks whether that violation has been dealt with and also ensures booking of that expenditure in the accounts.

The option 'b' is the desired response. ECI encourages effective observation rather than self-implementation of the Model Code of Conduct.

3. ECI envisages appropriate and timely action against lapses and at the same time proportionate flow of this information of action taken to the appropriate levels like local, district, State and national level to have a deterrence effect.
4. Every move of campaigning has an implication of election expenditure. The Observers are expected to correlate all the permissions taken and the expenditure statements submitted. In case of some expenditure not being reported, the standard rates prevailing in the district should be adopted.

## **21. WATCH ON EXPENDITURE INCURRED ON ELECTION CAMPAIGN BY THE CANDIDATES/POLITICAL PARTIES**

1. The Commission appoints separate Expenditure Observers to monitor election expenses. For the purpose a separate manual/ guidelines has been prepared by ECI. The observers should familiarize themselves with the expenditure monitoring guidelines.
2. Past experiences indicate that use of money power starts right from the distribution of tickets by the political parties. Subsequently, it takes various forms, which are enlisted herein below. However, it must be kept in mind that the enlisted ways of spending money are only indicative. There can be many other ways of spending money which should engage the attention of the Observers.
  - a) Booth-wise agents are appointed to purchase floating votes;
  - b) Large donations to clubs and organizations to influence its members;
  - c) Largesse to petty party workers to dole out the same to electors;
  - d) Rented crowds for party meetings;
  - e) Rallies and campaigns with purchasable crowd;
  - f) Presence of candidates at social occasions like mass weddings, feasts, puja's, jagrans, inaugurals, etc. where gifts are given on behalf of candidates;

- g) Acceptance of felicitations by the contesting candidates at any educational or charitable organizations;
  - h) Distribution of free liquor/liquor passes to the electors;
  - i) Use of dummy candidates at election to utilize his quota of electioneering vehicles, etc.
  - j) Surrogate advertisements in print and electronic media whereby candidature is canvassed by unconnected persons/organizations so as to avoid the expenditure on the same being accounted for in the expenditure of the contesting candidates;
  - k) Bringing cinema celebrities and sportspersons to campaign;
  - l) Providing voters with caps, vests, umbrellas, bi-cycles, etc.
3. It shall be the duty of the Observers to ensure that all the instructions of the Commission are followed meticulously and there are no aberrations in their application. It is, therefore, imperative that the Observers should familiarize themselves with the extant instructions issued by the Commission, a compendium of which is given in the CD in observer kit.
4. The gist and highlights of various instructions on the issue of election expenditure is given hereunder for the benefit of the Observers:
- a) Section 77 of the Representation of the People Act 1951 stipulates that every candidate at an election shall, either by himself or by his election agent, keep a separate and correct account of all expenditure in connection with the election between the date on which he has been nominated and the date of the declaration of the result thereof, both the dates inclusive.
  - b) Section 78 of the said Act further stipulates that every contesting candidate at an election shall within thirty days from the date of the election of the returned candidate, lodge with the District Election Officer, an account of the election expenses which shall be a true copy of all the account kept by him or by his election agent u/s 77.

- c) In order to facilitate monitoring of election expenditure, each candidate is required to open a separate bank account exclusively for the purpose of election expenditure. This account shall be opened at least one day before the date on which the candidate files his nomination papers. All money to be spent on electioneering shall be deposited in this bank account irrespective of its funding from any source including candidate's own fund.
- d) Even if a contesting candidate does not seriously contest the election for any reason whatsoever and incurs only a nominal expenditure on his security deposit, etc., he is required by law to lodge his account of election expenses.
- e) Contesting candidates, who fail to comply with the requirement of law regarding the lodging of account of election expenses, are liable to be disqualified by the Election Commission u/s 10A of the Representation of the People Act, 1951 for a period of three years.
- f) The Election Commission of India has prescribed a format of the register which is required to be maintained by the contesting candidates along with supporting vouchers, bills, etc. arranged in a proper chronological order.
- g) Along with the Register, the Election Commission of India has prescribed a format of "Abstract of Election Expenses" which has also to be filled up by the contesting candidates
- h) The contesting candidates are further required to furnish an affidavit along with the "Register of day to day expenses" and "Abstract of Expenses"
- i) The prescribed register/forms/extracts of rules relating to lodging of returns of accounts of election expenses should be printed and made available to the contesting candidates in Hindi, English or the approved local language in which the electoral rolls are printed.
- j) The supporting vouchers of the day to day expenses should necessarily bear the signature in full of the contesting candidate or his election agent.

- k) The register along with the Abstract of expenses and the prescribed affidavit has to be made available by the contesting candidates for inspection by the Returning Officer/Designated Officer thrice before the date of poll. However, it has to be ensured that there is a gap of about four days in between each inspection and the first inspection may be on or after the 3rd day from the last date of withdrawal of nominations.
- l) If a candidate is contesting election for more than one constituency, he is required to maintain and lodge a separate account of his election expenditure in respect of each such constituency.
- m) The accounts of the candidate will be scrutinized by the Returning Officer/ Designated Officers and he shall keep two photocopies of the relevant pages of the register. One copy of the relevant pages of the register shall be displayed on the notice board of the Returning Officer and the other copy will be retained in a separate file for each constituency as proof of record with the Returning Officer and furnish to the DEO on conclusion of the whole electoral process.
- n) Where a candidate does not produce the register containing his daily account of election expenses before the designated officer/observer, despite notice, the DEO shall cause a complaint to be lodged u/s 171-I of the IPC against the errant candidates.
- o) Any person desiring a copy of these day-to-day accounts, should be provided the same by the Returning Officer, subject to the payment of usual copying charges
- p) The candidate, while maintaining their register of accounts of election expenditure, should also account for all expenditure including those incurred prior to the date of nomination for preparation of campaign material, etc. which are actually used during the post nomination period in connection with the election.
- q) The expenditure incurred by the leaders of the political parties on account of their travel for propagating the programs of the party

shall NOT be considered as expenditure in connection with election incurred or authorized by the candidate or his agent, provided the names of the leaders for this purpose are communicated to the Commission and the CEO of the State within a period of seven days from the date of notification of the election

- r) In the event of failure of the political party to provide such names within the stipulated time, the aforesaid expenditure on travel of all leaders in the case of such parties will necessarily be included in the account of the election expenses of the candidate concerns.
- s) The Hon'ble Supreme Court in Kanwar Lal Gupta Vs. Amarnath Chawla (A.I.R. 1975 SC 308) has held that the expenditure incurred by the political party, as distinguished from expenditure on general party propaganda, which can be identified with the election of the given candidate would be liable to be added to the expenditure of that candidate as being impliedly authorized by the candidate. The Apex Court has further held that a party candidate does not stand apart from the political party and if the political party does not want the candidate to incur the disqualification, it must exercise control over the expenditure which may be incurred by it directly to promote the electoral prospects of the candidate.
- t) The expenditure on bullet proof cars and all others cars used by all the Ministers of Union and States and all other leaders of political parties shall be borne by the candidates.
- u) All vehicles (including two-wheelers, motor-bikes, scooters and mopeds, etc.) being used by the candidates for the election campaign are required to be lodged with the DEO.
- v) Whenever political parties or candidates use aircraft/helicopter for election campaign, prior information should be given to the CEO of the state. While giving such information, the following information also need to be furnished: -
  - (a) Number of aircrafts/helicopters used;

- (b) Name of the hiring companies;
  - (c) Hire charges paid/payable;
  - (d) Areas covered;
  - (e) Number of sorties involved;
  - (f) Passenger manifest;
- w) The expenditure incurred by a political party on advertisements in connection with the election of a particular candidate or a group of candidates shall be treated as expenditure authorized by the candidates concerned and shall be accounted for in the election expenses of the candidates concerned. In case where the political party for the benefit of group of candidates incurs the expenditure then the expenditure is to be apportioned equally amongst the candidates.
- x) The expenses on construction of barricades/rostrums etc. when done initially by the government agencies on account of security considerations on behalf of the party organizers are to be booked as expenditure of a candidate in whose constituency the said meeting takes place or to a group of candidates who are present at the time when the leader of a political party addresses such a meeting. In cases where there are more than one candidate of the political party present at the time of the said meeting of the "leader", the expenditure will be apportioned equally amongst all, and the District Election Officer of the district where such a meeting takes place shall obtain the final costs from the concerned government agencies within three days of the event and intimate to the candidates their private share of expenditure. This information will also be intimated to the Returning Officer/District Election Officer of the Constituency/ District to which the other candidates belong.
- y) Where the aforesaid expenditure are incurred from the organizer's own funds, the same will be reflected in the accounts of the concerned candidates or a group of candidates present in the meeting of the leader.

5. The Observers are advised to familiarize themselves completely with the aforesaid instructions of the Commission and prevail upon the Designated Officer to abide by the same. Wherever aberrations are noticed, the Designated Officers should be encouraged to issue notices through the Returning Officers to the erring candidates and make a note of the same in the register whenever they are produced for inspection.

## **22. MEDIA CERTIFICATION AND MONITORING COMMITTEE (MCMC):**

1. There shall be a Media Certification and Monitoring Committee in each district. This Committee will have the additional members- (i) DEO/ Deputy DEO, (ii) DPRO, (iii) Central Govt. I&B Ministry official and (iv) Independent citizen/journalist as may be recommended by the PCI. Besides carrying out the already assigned work of certification of advertisements, this Committee will also monitor both print and electronic media including cable networks, and record either in CD or DVD, keep a photocopy of all advertisement / paid news / election related news of the contesting candidates/ political parties.
2. The DEO will ensure that this Committee is provided with all the national and local newspapers, having wide circulation in the constituency, three to four TV sets with connections of all the local and national News channels and one recording device and separate rooms so that they can watch and record all the advertisements/discussions related to the election. The Committee will also look into MCC violations in the Media sphere and send a report to the DEO with copy to the General Observer. The MCMC shall see all the newspapers, print media, electronic media, cable network, mobile network and other modes of mass communication like bulk SMSs etc., and keep record of the advertisements, advertorials, messages, discussions and interviews relating to the candidates and parties. This committee will submit a Daily Report with respect to each candidate to the accounting team with copy to RO and Expenditure Observer with respect to expenditure incurred by the candidate on election advertising including the assessed cases of Paid News, along with supportive paper cuttings/clippings, recordings of relevant TV and Radio advertisements, which will also be included in the Shadow Observation Register. The RO will issue notice to the candidate with regard to the incidents of Paid News in consultation with the Expenditure Observer for not showing the expenditure on such publication.

## **23. EXPENDITURE MONITORING CONTROL ROOM AND CALL CENTRE**

1. A 24x7 Call Centre will be established in the Control Room at the district level to operate from the date of notification of election. The call center will be given toll free telephone number with 3 or 4 hunting lines which will be widely publicized for the public to inform corrupt practices related to election. A senior officer will be put in-charge of the control room and call center who will be responsible for receiving and recording the complaints and passing them on to the respective officer for action without any delay. The call center will be provided with sufficient staff to man the telephone lines round the clock.

## **24. DISTRICT MEDIA CELL**

1. The DEO shall create a cell for dealing with media headed by Public Relation Officer and the main functions shall be-
  - a. The cell shall collect various clippings about the elections and also the advertisements from all the newspapers including the vernacular languages and provide this with translation if required to the Observer through the liaison officer. This should be done on a day-to-day basis by the media cell. Liaison officer may do this exercise depending on the location of the Observer and an allowance shall be provided for this to the liaison officer.
  - b. Prepare and circulate the note on various steps initiated during the day against violations of MCC to the Media. These notes shall not include any direct quotes to the media by the Observer, and
  - c. They should also ensure that videography of all the public meetings are done and passed on to the Observers. They should aid the Observers in viewing and bringing forth any violations of MCC to the notice of the Observers.

## **25. PREPARATION OF POLLING PARTIES AND TRAINING**

1. To ensure transparency, the Commission has formulated a comprehensive three-stage randomization plan for selection and deployment of polling staff. In the first stage of randomization, polling staff is randomly selected from a complete database of all Government employees working in the district. This process would have been completed before arrival of the Observer. However, the Observer should examine the outcome of the process and ensure that the selection has been random.
2. The second stage of randomization is for polling teams and assignment of the Assembly Constituency to which they shall be deployed. The polling station to which these teams will be going would be known only after the third stage of randomization, which is usually done on the day just before dispatch. For election to Lok Sabha, the Commission has directed that the polling staff may be randomized within their Parliamentary Constituency, as far as possible, so that they can vote through EDC.
3. Success of the poll process depends a lot on the quality of training imparted to the polling staff. Observer should monitor the training process and take care that:
  - a) All the staff appointed for poll duty is trained.
  - b) The trainers are well versed with the election process. It is a good practice to use the Sector Officers as trainers.
  - c) Training is imparted in small groups and not very large groups to ensure that proper focus is maintained.
  - d) Training covers all aspects of poll management, including EVM and Non EVM aspects, Forms and certificates to be filled by the staff.
  - e) Special focus should be given to the latest instructions issued by the Commission since most of the polling staff would be unaware of them.

## **26. ELECTRONIC VOTING MACHINE**

1. The Observers will check on the stock of EVMs available in the district and whether they have been serviced by the engineers of the manufacturing firms (either ECIL or BEL depending on the make of the machine used in that State). The Commission issues detailed guidelines to the Chief Electoral Officers and the District Election Officers for training and awareness generation on the use of EVMs. It has to be seen whether these training programs have been taken up properly and the people are aware of the method of casting vote on the EVM. The training of Presiding Officers and polling personnel, especially the second polling officer who controls the "Ballot" button, on the use of EVMs is critical.
2. The Commission has also mandated randomization of EVMs to avoid apprehension of any attempt of manipulation of EVM. This randomization is done in two stages. In the first stage, which is done before the arrival of the Observers, EVMs are allotted to a particular Constituency and in the second stage, which is done in the presence of the Observer, an EVM is allotted to a particular polling station.
3. Observers should familiarize themselves with the latest instructions on EVM.

## **27. PREPARATIONS FOR DATE OF POLL**

1. Effective checks to curb electoral malpractice or vitiation of the poll process by way of booth capturing, rigging, creating a scare of fear and panic among electorate and effectively preventing them from casting their votes are major concerns.
2. The methods adopted by unscrupulous elements vary from State to State and from constituency to constituency. The Observers are expected to familiarize themselves about the tricks of the trade prevalent in the area as well as identify the specific areas prone to such mischief.
3. The Observers between or amongst them should carefully plan out, in confidence, the areas, which they would focus on, during the actual period of poll. This will be kept confidential and is not to be shared with anyone including the District Election Officers, ROs, Escort and Liaison Officers and PSOs.

## **28. VISIT TO DISPATCH CENTRES**

1. The Observers will visit the dispersal centres for dispatching the polling parties to different location and make a brief report on the manner in which the operations are being conducted. They will particularly see that the random formation of polling parties is being truly and correctly implemented.

## **29. MICRO OBSERVERS**

1. The employees of the Central/Central Government PSUs are appointed as Micro Observers. The Micro Observers are expected to observe the polling process on the day of poll. They are assigned duty in the polling station. They shall be part of the polling team and be seated in the polling station. They are to be present in the polling station before the mock poll starts. They shall report about the poll day in the given format, Report of Micro observers.
2. Micro Observers are to be trained by the Observers two days before the poll with the help of RO and posted in the polling stations, which are critical. Therefore, an arrangement is required wherein Micro Observers are stationed at a central location on the day of polls and they are moved to specific polling stations as per requirement (like absence of polling agents, critical polling stations etc.)
3. Micro Observers need not cover all the critical polling stations. They should be used effectively and not on an extensive basis unless required. The Micro Observers may be sent with the polling parities in case they are required to perform duty at remote locations.

## **30. SPECIAL OBSERVERS**

1. In case of some districts where special circumstances prevail, the ECI may send Special Observers who shall be working on specific agenda delineated by ECI and they are on par with the other Observers working in the constituencies. They report to the ECI directly and have no supervisory role over other Observers. However, to enable them to get a clear picture of the happenings going on in the constituency, they are required to discuss and get information from other Observers of the district/constituency.

### 31. POLL DAY ACTIVITIES

1. One of the most important responsibilities of the Observers is to oversee the actual poll. On the date of poll, Observers available in the constituency should tour the maximum number of booths as is physically possible during the hours of polling. For this purpose, they will mutually decide as to which polling stations they will visit on the poll day. Also to save time they may consider carrying some packed food and start field visits well before the poll begins. The presence of the Observers in the field on the date of poll and their visits to polling stations should be an effective deterrent against electoral malpractice and vitiation of the poll process. The Observers will ensure prompt and effective action on this score by interacting with the District Administration constantly through telephone, wireless, VHF Radio sets etc.
2. Commission has mandated conduct of mock poll before the actual poll begins to demonstrate proper functioning of the EVM to the polling agents. To this effect, the Presiding Officer has to sign a certificate in the format prescribed by the Commission. Observers should monitor that the mock-polls have been conducted and the POs have issued the certificate to that effect.
3. They should look for any unusual activity or lack of activity around a polling station to sense whether any electoral malpractice has vitiated or is likely to vitiate free and fair polls. Absence of women in the queues may be an indicator of something unusual. The Observers should in advance study and acquaint themselves with the pattern of electoral malpractices in the past elections in different areas. On this basis, they can look for tell tale signs, of any irregularities. They should constantly remain in touch with the RO, ARO, Sector Magistrates and other officers on duty to get feedback as well as to convey anything specific for corrective action to be taken by the concerned authorities on the basis of what the Observers have actually seen in the field.
4. They should also go inside Polling stations and check for the progress of polling, the compliance of prescribed procedures by the polling officials in conducting the poll, the presence of polling agents, the updating of entries in the Presiding Officer's diary and such other matters that need verification. Register of Voters (Form 17A) must be checked with display of total votes polled on EVM and Observer must sign the visit sheet along with his observation and record the time of his/her visit.

5. The Observers will also take stock of the collection of the EVMs and the transport of polling parties and polling materials under appropriate security arrangement. The convoys once started should only stop at the destination, that is, the strong room where these are to be stored.
6. An important point to be noted is that Form 17C has been completely and correctly filled in by the Presiding Officer and these are deposited along with the Presiding Officer's diary at the collection centres and strong room.

## **32. RECEPTION OF POLLING PARTIES**

1. There is need to focus on polling stations wherein
  - a. Polling was disrupted temporarily due to EVM failure or any other reason.
  - b. Serious complaints were received and
  - c. Confirmation regarding mock poll certificate not received.

The Returning Officer has to prepare a report of such polling stations with their names and numbers and send it to DEO and Observer by 4 P.M. and the polled EVMs and other documents pertaining to these polling stations are to be received in a special counter and not in the regular counters as a rule. The Presiding Officer's diaries have to be checked thoroughly for these polling stations.

2. At the reception centre, it should be ensured that a copy of Form 17-C is kept with the respective EVM in strong room. Other documents should not be kept in the EVM strong room. Other document should be kept separately in a separate strong room to facilitate access when required.

## **33. SCRUTINY OF REGISTER OF VOTERS AND OTHER DOCUMENTS**

1. In order to deter electoral malpractices, the Commission has directed that scrutiny of various documents like Presiding Officers diaries, Register of

Voter (Form 17A), Micro Observers reports, Visit Sheets, report of Zonal Magistrates etc. shall be taken up after completion of poll for polling station selected on the basis of detailed criteria laid down by the Commission. This scrutiny shall be taken up at 11:00 AM on the day next to the day of poll.

2. The scrutiny of the Register of Voters and other documents shall be taken up as laid down by the Commission and the Observer should ensure that his/her travel plan is so laid out that his/her departure from the constituency is not before 36 hours after completion of poll.

#### **34. RE-POLL AND ADJOURNED POLL CASES**

1. The report of the Observer is the most important input for the Commission for taking a decision on ordering re-polls. The Observers should therefore be vigilant and alert about any incident or activity, which might or might have vitiated the poll process so that they can send a specific report to the Commission on this matter. Sometimes, information received from other sources are referred back to the Observers on telephone by the concerned Secretary or Deputy Election Commissioner and the Observers are expected to make such enquiries and verification as are possible within the constraints of the time available. After this and after taking into consideration other inputs made available to the Commission, repoll is ordered in such of the polling stations as is considered necessary and appropriate by the Commission.
2. It is of utmost importance that the repoll itself is not vitiated in any manner. The Observers will give specific and comprehensive report on the actual conduct of repoll. The repoll, if any, is normally held on the second day following the date of poll unless specified otherwise.

#### **35. END OF POLL REPORT**

1. The Observers will send a report in the prescribed form at the end of poll showing the role of polling agents and the number and nature of complaints received in regard to each polling station. In addition to this, the Observer has to send a comprehensive report highlighting all important factors, in case any repoll is recommended by him/her for a particular polling station or a group of polling stations.

## 36. COUNTING OF VOTES

1. The Commission has prescribed a format for approval of counting centres and the Returning Officers have been directed to personally inspect each counting centre and send their proposals to the Commission for its approval. During the initial stage of their visit, i.e. before the scrutiny of nomination papers, the Observers will check if the data in the format has been sent to the Commission for approval by that time.
2. During this very stage of the visit itself, the Observers between them will also inspect each counting centre for a preliminary assessment of the facilities in the counting centre and to verify that these are as per specification prescribed by the Commission. In addition to what is given in the 'handbook for Returning Officer', the recent instructions given by the Commission should be read by the Observers thoroughly and, on this basis, they will interact with the Returning Officers to effect any further improvement as may be necessary for making the arrangements in the counting centres, up to the standard prescribed by the Commission.
3. One of the most important features relates to provision of specific facilities for the Observers and media in the counting centres. It is now mandatory for the Returning Officer to provide a separate room or a cubicle for the Observer or Observer in each counting centre with one STD telephone and a fax machine.
4. The Observers will ensure that RO/DEO and the technical staff assisting them have tested the GENESYS software and are ready for fast transmission of final result to ECI using this software. They will have to use the password given to them and transmit the data to ECI. As this data gets loaded to the website automatically, it is essential that wrong data is not transmitted on the counting day. Hence doing the "dummy run" on designated date is also essential.
5. The statutory provisions regarding Observers specifically focus on their role during the counting process and empower them to stop counting and to direct the RO/ARO not to declare the result in circumstances mentioned in Section 20B of the Representation of the People Act, 1951. The statute thus enjoins a special responsibility on the part of the Observers to oversee and

supervise the counting process and also to provide a direct immediate communication to the Commission. The Commission accordingly expects that Observers will have a key role in the superintendence of the counting process.

6. The staff selected for counting has to be randomized on the day of the counting early morning before the counting begins. The Commission is particularly concerned that the entire counting arrangement should be orderly and well structured. The Commission attaches great importance to the fact that the actual counting is done in such a manner that it is not only smooth and efficient but more importantly transparent and correct. Reasonable opportunity is to be afforded, as per existing instructions of the Commission, to let the counting agents of the candidates get a clear view of the counting process as it goes on each counting table. There should be no room for any doubt.
7. The Commission has issued detailed orders regarding the arrangements for counting. These include the specifications for selections of counting centres and for managing the counting process.
8. For ensuring accuracy of the result of counting, a round wise statement shall be prepared by the Returning Officer. Both the Returning Officer and Observer shall personally verify that number of votes posted against the name of each candidate in respect of every counting table tally with the figures as shown in part II of Form 17C' (result of counting) pertaining to that table. They shall append their initial below the total of each counting table. A copy of the detailed table/wise, polling station-wise, round-wise break up of the votes will be kept by the Observer in his/her folder.
9. The tallying process at the end of each round of counting should be completed in a systematic manner and the round-wise progress announced within the halls by the concerned ARO-in-charge and also written on black/white board, which should be clearly visible to all. Immediately thereafter, this should be announced over the public address system. These public announcements could be centralized, in a counting centre with multiple halls.

10. The Observers will also ensure that as soon as the final results and the winning candidate are announced and all the relevant papers are signed by the RO, the final detailed result is transmitted to ECI website. For this Genesys software shall be used.
11. The Observers should ensure after the declaration of result that the RO sends to CEO the duly filled and corrected copies of
  - a) Final Result Sheet in Form 20,
  - b) Declaration of Result in Form 21C,
  - c) Return of Election in Form 21E.
12. It may be noted that only the name, which is given in the Nomination Form, is normally valid for all future references and use in the other related documents. The list of contesting candidates in Form 7A should reflect this name exactly and correctly with same spellings as given in the Nomination Form, unless the RO allows any deviation under Rule 8 of the Conduct of Elections Rules, 1961. Eventually the name of the candidate who is returned from the constituency is given in the declaration of the result in Form 21C. It is absolutely imperative that this Form 21C, as also the return of the election in Form 21E and the certificate of the election in Form 22 contain exactly the same name as given in the list of contesting candidates in Form 7A. Consistency of the names in the Forms 7A, Ballot Paper and Forms 21C, 21E, 22 has to be maintained without fail. The Observers will impress upon the Returning Officers about this aspect and ensure that full compliance is made.

## ANNEXURE-I

### 37. CHECK LIST

#### **INFORMATION/PARTICULARS TO BE PREPARED BY DEO AND RO TO BE PROVIDED TO THE OBSERVER ON ARRIVAL.**

**a) Constituency**

- i. No. & Name of the Constituency
- ii. No. of vulnerable villages/hamlets
- iii. Map of the district and map of the constituency highlighting vulnerable villages/hamlets

**b) DEO**

- i. Name
- ii. Batch of service
- iii. Date of posting

**c) SP/Commissioner for a city**

(Please indicate the names as per jurisdiction. If the constituency involves more than two districts – both the officers should be mentioned)

- i. Name
- ii. Batch of service
- iii. Date of posting

**d) RO and ARO**

- i. Name
- ii. Designation
- iii. Date of joining the designated cadre
- iv. Experience in conduct of elections
- v. Date of posting

**e) Population**

- i. Male
- ii. Female
- iii. Total

**f) Electorate details**

**Number of Electors**

ELECTORS							EPIC holders	Photos in Rolls
Male	Female	Others	Service	Proxy	Overseas	Total		

**g) Electoral roll details**

- i. Date of publication of revised electoral roll (revised w.r.t. 01-01 ---)

Date	Month	Year					

- ii. Whether copies of electoral roll have been supplied to the recognized political parties

Yes	No	If yes, date thereof	If no, reason therefor

iii. List of polling station wise changes made (a separate sheet to attached)

iv. Addition and deletion since the last publication date

Polling Stations		Male Electors	Female Electors	Total
Original				
Additions				
Deletions				
Change				
Final Number				

v. Date of printing of supplementary electoral roll (on a/c of continuous updation)

Date	Month	Year				

vi. Preparation of authenticated copies completed and supplied to political parties on

Date	Month	Year				

## h) Polling Stations

a. No of polling stations

- |      |  |                              |                             |
|------|--|------------------------------|-----------------------------|
| i)   | Whether the list has been approved by the ECI                        | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| ii.  | Whether all the polling stations have been visited by the RO and ARO | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| iii. | Polling Station Details  |                              |                             |

Total No of Polling Stations	Single Polling Station Locations	Two PS location	Three PS location	Four PS location	Five PS location	Six PS location	More than Six PS location

iv. Electors details of Polling Stations in the constituency

Total No of Polling Stations	No of electors attached to the Polling Station					
	Less than 300	300-800	801-1000	1001-1200	1201-1500	More than 1500

i. Identification of critical villages, urban clusters and polling stations

- i. Vulnerability mapping done or not
- ii. Critical polling stations identified or not (Detailed list with reasons)

j. EVMS

Name of constituency	No .of EVMs required for polling booths	No. of EVMs in reserve	No. of EVMs marked for training	Total number required	Available number

k. Have EVMs been allocated AC-wise by the DEO after 1st randomization?

Yes  No

Date and location planned for sealing and randomization of EVMs by RO

(i) Date:

(ii) Location:

l. Identification of centres for dispatch, receiving and counting and any special arrangements

Name of Location	Activity	Facilities		Space		Lighting		Water/ & toilets		Layout Plan	
		Adeq	Inad	Adeq	Inad	Adeq	Inad	Adeq	Inad	Done	Not done

m. Availability of staff

Polling Personnel

Total No of polling personnel required for the Constituency	No of State Govt. Official available	No of State PSUs officials available	No of Central Govt. Official available	No of Central PSUs officials available

**Police personnel**

- i. The total number of police personnel by designation

SP	Dy SP	Pls	PSIs	Constables

- ii. Requirement of CPF

- iii. Operation of police control room(police and RO, DEO) and the contact numbers

**n. Preventive actions taken**

- i. Arms deposited

- ii. Security bonds

- iii. Preventive detentions

- iv. NSA

- v. Externment

- vi. Prohibition cases, if applicable

- vii. List of persons provided with security cover

- viii. Copy of law & order report 1 and 2 sent to State HQ should be endorsed to Observer daily.

**o. Arrangements for implementation of model code of conduct**

- i. Arrangements for prevention and removal of defacement of property

- a. Territorial jurisdiction wise enforcement squads formed  Yes  No
- b. District media cell constituted or not  Yes  No
- ii. Instructions to all the officers, candidate, political parties actions envisaged for the lapses  DONE  NOT DONE
- iii. Nodal officer for communicating about the venues, and rallies of political party/candidates meetings
- a. Name and contact details
- iv. Arrangements for expenditure observation at the constituency level.
- a. Designated officers at constituency level appointed  Yes  No
- v. Preparation of list of prevailing market rates for regular campaign material required done  Yes  No

**p. Arrangements for procurement of election material and printing of forms etc.**

No of indelible ink phials obtained	No of green paper seal obtained	No of paper strips seals obtained	Whether secret seals of commission received	Whether sufficient No of handbook for the Presiding Officers etc. available	Whether Statutory/ Non- Statutory forms etc available

**q. Randomization of polling personnel**

- i. Whether data base of polling personnel prepared?  Yes  No
- ii. Date for formation of polling parties

Date	Month	Year			

iii. Date for allocation of polling stations to polling parties

Date	Month	Year				

**r. Training of Polling Personnel**

- |      |   |  |
|------|---|--|
| i.   | Whether training schedule for the polling personnel prepared?               | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| ii.  | Whether schedule for EVM training for the polling personnel prepared?       | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| iii. | Whether schedule for training of the sector Magistrate / officers prepared? | <input type="checkbox"/> Yes <input type="checkbox"/> No |

**s. Dispatch arrangements**

- i. Whether from HQ or any other location,
- ii. Name of the location,
- iii. Any need for early dispatch to specific polling stations,
- iv. If yes, reasons.

**t. Receiving arrangements**

- i. Location,
- ii. No of tables for receiving,
- iii. Plan for special counters.

**u. Strong room location and security arrangement**

- i. Location
- ii. Security arrangement

**v. Counting arrangement**

- |      |   |   |
|------|---|---|
| i.   | Appointment of additional AROs, if any,                         | <input type="checkbox"/> Yes <input type="checkbox"/> No        |
| ii.  | Location of counting – whether approval from the ECI,           | <input type="checkbox"/> Yes <input type="checkbox"/> No        |
| iii. | Testing of Genesis and operational feasibility,                 | <input type="checkbox"/> DONE <input type="checkbox"/> NOT DONE |
| iv.  | Arrangement for receiving and counting of Postal Ballot Papers. | <input type="checkbox"/> Yes <input type="checkbox"/> No        |

**Annexure -II**

**38. Arrival/Departure Report of Observers**

(To be Submitted Immediately after Arrival / Departure)

Date of Reporting	
Name of Observer and code	
Email Id	
Number and Name of Constituency	
Name of the District and State	
Mobile No.	
Fax No.	
Constituency Mobile No.	
Constituency Telephone No.	
Constituency Fax No.	

1.	Date of arrival / Departure of Observer ( please strike out the portion which is not applicable)	
2.	Was there any break taken by the Observer from the duty	
3.	If Yes, give details.	
4.	Was there late reporting to duty	
5.	If Yes, by how much time?	

Place:

Date:

Signature of Observer

## 39. GENERAL OBSERVERS REPORTS

The First Report (immediately after the withdrawal of candidature).

### OBSERVER REPORT – 1

Observer's Name with Code:	
Constituency:	
District:	
State:	

Sl. No.	Subject	Observer's Report
<b>Scrutiny of Nominations</b>		
1.	Whether Scrutiny had been done by the R.O. himself, if no, whether ARO has been authorized by the R.O. in writing. Provide details	
2.	Whether the Commission's instruction regarding number of persons allowed to be present during nomination process was observed/complied (this may be confirmed by viewing the video coverage of nomination process).	
3.	Whether Scrutiny of nomination papers was done properly in accordance with Sections 33, 34 and 36 of the R.P. Act 1951 read with rule 4 of the C.E. Rules 1961.	
4.	Names of Candidates whose nominations were rejected with brief but clear reasons. (Attach copy of summary orders passed by the R.O. in each case)	
5	Local address with telephone/mobile no. of the Observer, after arrival in the consistency.	
6	Whether Observer's name, Contact No. and the meeting hours with venue were advertised? (Attach a copy of Advertisement)	
7.	Whether a complete data base of the poll personnel – State and Central Government employees – is available for deployment?	

8.	Whether the sector officers, flying squads, check posts, video viewing teams, complaint monitoring system, control room etc. in force?	
9.	Whether election related officers who are in their home district or those who have completed 3 years of service in the Constituency had been identified?	
10.	Whether training centers, counting centers, strong rooms finalized?	
11.	Whether certain orders like suspension of arms license, order pertaining to defacement, use of loud speakers, declaring poll day as local holiday, appointment of sectoral magistrates, vesting powers under CrPC for executive magistrates, requisition orders for polling stations, counting centers, requisition order for vehicles, etc. have been issued	
12.	Whether the required election materials had been procured?	
13.	Whether the postal ballot requirement has been worked out? – List of persons under preventive detention, drivers cleaners of requisitioned vehicles, police personnel on election duty, service electors list updated	
14.	Whether all arrangements for the poll personnel training done?	
15.	Whether the route maps for every polling station, sector maps, route chart, and transport plans for Observers, poll personnel, Micro observers etc. made?	
16.	Whether the vehicle requirement for transport plan assessed?	
	<b>Security Measures/MCC Related</b>	
17.	Whether security force deployment plans have been finalized for the districts and all assembly constituencies?	
18.	Whether detailed planning for CPF patrolling and route marches in sensitive areas(with dates and routes) and other Confidence Building Measures have been done ?	

19.	Whether security arrangement has been prepared for polling personal moving to remote/Sensitive polling station	
20.	Whether Vulnerability mapping has been done effectively	
21.	Whether important aspects of Model Code of Conduct were briefed to the political parties/ Candidates. (Describe the main issues).	
22.	What was the time, date & venue of the meeting with the political parties and contesting candidates? The names of the candidates or their representatives along with their party affiliation who attended.	
23.	Whether prior intimation regarding date and time of 2nd randomization of EVM followed by EVM preparation and second level check of EVM has been given to candidates with proper acknowledgement receipt.	
24.	Whether the concept of worry list was explained to the Candidates, and they advised to submit their worry list.	
25.	Whether political parties were advised to properly train their polling and counting agents (Describe the main aspects).	
26.	Whether adequate publicity on MCC is done	
27.	Whether Control room, media center and complaint monitoring mechanism has been set up properly	
28.	Whether Flying squads, check posts and checknakkas have been setup?	
29.	What arrangements made to review the live feed from CCTVs/Webcasting at Nakas etc. and SOP for action on any illegal activity noticed in live feed.	
30.	Whether Videography teams have been appointed and are available at officer's disposal	
31.	Whether Single window for granting permissions / passes at RO level	
32.	Whether Mechanism to control defacement of property has been setup	

33.	Whether Mechanism to collect and compile information about search, seizures of cash, liquor, and filing of cases for MCC violations and monitoring the same	
34.	Remarks if any.	

**Signature of the Observer**

## The Second Report (To be Submitted on P-2 days)

### OBSERVER REPORT – 2

Observer's Name with Code:	
Constituency:	
District:	
State:	

Sl. No.	Subject	Observer's Report
<b>Electoral Roll/EVM/VVPAT Related</b>		
1.	Whether a copy of the electoral roll handed over to Candidates of recognized Political parties. Whether a copy of written receipts obtained from each of them. Report the exceptions.	
2.	Whether list of EVMs used in the assembly constituency including the training EVMs and reserved EVMs for replacement has been given to political parties/candidates.	
3.	Whether Random verification of 10% or more of CU/ BU was done by the R.O. in presence of political parties / candidates. Whether candidate verified the EVMs (2nd level check) to their satisfaction. Please describe.	
4.	Whether candidates were allowed to take help from the engineers/master trainers in order to eliminate doubt about the malfunctioning of EVM.	
5	Whether all stages of Randomization of EVM mentioned in the Commission letter 51/8/7/2008-EMS (Inst-1) dated 11-08-2008 have been fully covered with videography and record kept properly.	
6.	What is the arrangement to escort the polled EVM back?	
7.	What is transportation and receipt arrangement for polled EVM?	
8.	What is strong room guarding plan? Is the general atmosphere conducive for holding of free and fair poll? If no, state detailed reasons.	

9.	Whether FLC completed? And the Zero level randomization (separating training machines from the poll machines) and First randomization completed?	
10.	Whether political parties were involved during the process of First level randomization? Randomized list provided to political parties and ROs and proper log books maintained?	
11.	What is the number of VVPATs used	
12.	Whether VVPATs have been tested and whether full load test performed?	
13.	Whether the maximum no of voters exceed 1500 in any polling station, in PS where VVPAT is used, better to keep it at 1200 only.	
14.	<b>Polling Personnel</b>	
15.	How and when 2 <sup>nd</sup> randomization of polling personnel accomplished? Describe. Any drawbacks?	
16.	Whether arrangement has been made for creating a data base for deployment of polling/police personnel?	
17.	Similarly, for micro observers what are the training and deployment arrangements?	
18.	Whether vulnerability mapping have been done and critical polling stations and clusters have been identified?	
19.	Whether adequate preventive steps have been taken for maintenance of Law and Order?	
20.	What is the security arrangement for polling stations and poll personnel (briefly the force deployment parameter)?	
21.	How many polling stations with static outside force, how many with video coverage and how many through micro observers?	
	<b>Polling Stations – Poll Day Preparations</b>	
22.	Poll Day Arrangements – Control room, Voter assistance booths, regular reporting to ECI about incidents and violence, for monitoring Law and Order, receipt arrangements, strong rooms, Training OROs about 17 A scrutiny formats etc.	
23	Whether arrangements for regular media briefings have been made?	
24.	Whether all vacancies of EROs/AEROS are filled up.	

25.	Whether Count of 17 types of errors before final publication has been carried out and rectified	
26.	Whether count of duplicates names in the electoral roll has been identified and deleted	
27.	Whether exercise has been done to delete dead/shifted and absentee	
28.	Whether proper checking of the names of VIPs – Ministers, MLA, etc. has been carried out	
29.	Whether the IT Applications like Samadhan, Suvidha and Sugam are working properly.	
30.	Whether the list of polling stations has been prepared, published and provided to political parties, RO, ARO, Observers, Police authorities etc. And whether three copies of the same is provided to the contesting candidates.	
31.	Whether ECI approval has been obtained on the list of Polling (including the auxiliary) stations. Are there any changes in the already approved list?	
32.	Whether basic minimum facilities like electricity, drinking water, shade, toilet etc. and ramps the physically challenged voters and a standard voting compartment has been arranged at all polling stations. Details.	
33.	Whether the RO / ARO conducted inspections of all polling stations and a report prepared in the format A (in page 9 of the DEO Checklist).	
34.	Whether any model polling stations planned?	
35.	Whether proper arrangements have been made to facilitate the differently abled electors at polling stations?	
36.	Whether Live web casting / CCTV arrangements made to monitor election process at distant polling stations?	
37.	Whether references / photographs / posters of Ministers / MLAs depicting the achievements of the Government in power removed in polling stations	
	<b>Vulnerability Mapping</b>	
38.	Whether comprehensive District Election Management Plan has been prepared as per the Commission's instructions. Comment on quality.	
39.	Details of measures taken for confidence building in vulnerability/hamlets.	

40.	Are there any vulnerable polling stations? Any PS where violence, booth capturing, intimidation, political rivalry etc. incidents reported in past elections?	
41.	Whether list of vulnerable pockets/hamlets have been identified by the DM/SP and RO. Factors to be taken into account – <i>(i) PSs of high % of Non-EPIC voters.</i> <i>(ii) PSs of high % of missing voters without family links.</i> <i>(iii) PSs having vulnerable pockets - SO's, Police's and] candidate's "worry list".</i> <i>(iv) PSs where polling was more than 75% and where more than 75% of votes have been polled in favour of one candidate in last election.</i> <i>(v) Re-poll reported due to malpractices, and where electoral violence has taken place during last election.</i> <i>(vi) Anti-social elements and their areas of influence.</i>	
	<b>Security Measures</b>	
42.	Whether sector officer has prepared Zonal Magistrate Plan with the sketch map for Polling Stations, List of telephone No. of Polling Stations and election related officers, police stations, list of responsible persons, list of Anti-Social elements etc.	
43.	What is the date of arrival of the CPF.	
44.	Whether daily action plan of the CPF was prepared in consultation with DEO/RO. Comment on effective CPF usage so far and shortcoming if any.	
45.	Any Other Comment:	

Signature of the Observer

### The Third Report (Immediately after completion of Poll)

#### OBSERVER REPORT – 3

Observer's Name with Code:	
Constituency:	
District:	
State:	

Sl. No.	Subject	Observer's Report
1)	Total number of Polling Station.	
2)	Whether mock poll done and certificate issued in all Polling Stations. If no, indicate the specific number of Polling Station.	
3)	Number of Polling Stations where there was only one election agent / polling agent was present (indicate the specific Polling Stations).	
4)	No. of polling stations with video cameras	
5)	No of polling stations with micro observers	
6)	Number of EVMs replaced after the start of poll (indicate the specific polling Stations.) and describe the defect in the <b>EVM – EVM No. and make to be clearly mentioned.</b>	
7)	No. and name of polling stations where complaints of violation of polls were received during the course of poll. Describe the nature of complaints and action taken.	
8)	Number of Polling Stations where poll was interrupted for more than two hours or start of poll delayed by two hours or more in starting (indicate the specific Polling stations)	
9)	Number of Polling Stations, where the interrupted poll could not continue (indicate the specific polling stations)	
10)	No. of polling station where there is, in the opinion of observer, a need for re-poll (based on point no. 7, 8 & 9 above).	
11)	Whether there was malfunctioning of any VVPATs machine	

12)	Whether counting of ballots of VVPATs have been carried out	
13)	Whether the number of ballots of VVPATs matched with the number of votes casted	
14)	Remarks if any.	

**Signature of the Observer**

**The Fourth Report (immediately after the Scrutiny of 17 A (Register of Voters) and other documents on the day after the poll)**

**OBSERVER REPORT – 4**

Observer's Name with Code:	
Constituency:	
District:	
State:	

Sl. No.	Subject	Observer's Report
1	Whether proper intimation was given in advance, in writing (under proper acknowledgment).	
2	Whether Scrutiny of Form 17 A (Register of Voters) and other documents such as Form 17 C, Presiding Officer's diary, Micro observer's reports, Sector Officer's visit Sheets (in the presence of candidates / election agents or their authorized representatives) done. Who were present? For how many polling stations?	
3	Whether proper log-books has been maintained for recording the time and purpose of opening and closing storage room where election records are kept.	
4	Whether the room was opened in the presence of observer and candidates/their election agents/ representatives	
5	Whether after the scrutiny of Form 17A, 17C, marked copies of electoral rolls etc., have been resealed by the Retuning Officer.	
6	Whether the election agents/ representatives present have put their seal or signature thereon – who/which of the candidates?	
7	Whether after scrutiny of Form 17 A, 17C and other documents and materials the R.O. and Observer makes any recommendations to the Commission for re-poll. If yes describe the reasons for each recommended polling station separately.	
8	Remarks if any.	

**Signature of the Observer**

## The Fifth Report (immediately after the Counting of Votes).

### OBSERVER REPORT – 5

Observer's Name with Code:	
Constituency:	
District:	
State:	

Sl. No.	Subject	Observer's Report
1	Whether arrangements for counting has been done as per the instruction of the Commission's letters No. 470/2007/PLN-I dated. 11.1.2007, 29.08.2007 and 470/INST/2009/EPS dated 08.09.2009? If No, what are the discrepancies?	
2	Whether randomization of counting staff was done as per the instruction of the Commission in the morning?	
3	Whether political parties were advised to properly train their polling and counting agents.	
4	Whether pairing of counting supervisor and counting assistant was done as per the instruction of the Commission?	
5	How many tables were arranged?	
6	How many rounds were planned?	
7	How many Micro-Observer were deployed for each table?	
8	How many postal ballot papers were counted?	
9	Whether after each round or counting, random checking of 2(two) EVMs was done by the observer?	
10	Whether the counting agents of the candidates were present at the time of counting?	
11	Whether the signature of the counting agents taken in part –II of form 17 C?	
12	Whether the total votes shown in part-II of form 17 C tally with the votes counted in EVM?	
13	Whether the seating arrangements of the counting agents were done as per the Commission's instruction?	
14	Whether continuous Videography of counting was done?	

15	Whether the EVM no. was tallied with the EVM list supplied to the polling stations ?	
16	Whether Green paper seal no for each counted EVM checked and verified?	
17	Whether the round wise result was immediately put on the blackboard in counting hall at the close of each round and before the beginning of next round?	
18	Whether there was any demand for re-totaling with what result? Describe.	
19	Whether any significant incident occurred during counting of votes? If yes, give details	
20	Whether candidates/ counting agents were present at the time of declaration of result?	
21	Time when counting started and ended. When was the result announced? If there was any time lag, please describe the reasons.	
22	Is the observer satisfied about the counting & declarations of results? (Observer should enclose round wise tabulation sheets with post copy)	
23	Remarks if any.	

**Signature of the Observer**

## 40. POLICE OBSERVERS REPORTS

### OBSERVER (POLICE) FIRST REPORT

(To be Submitted on 2nd day of reaching the allocated district)

<b>Code No. &amp; Name of Observer (Police)</b>		
<b>State:</b>		
<b>District:</b>		
<b>Date:</b>		

Sl. No.	Item	Report
1	Date & Time of Arrival at allocated District	
2	Particulars of Stay in the District with Telephone and Fax number	
3	Camp Office Address with Telephone and Fax number	
4	Mobile Phone Number	
5	Have you gone through the booklets/CDs given in the Observer Kit?	
6	Whether you had a meeting with - a) District Magistrate (Collector)	<b>Date of meeting &amp; Brief of the discussion held:</b>
	b) Superintendent of Police	<b>Date of meeting &amp; Brief of the discussion held:</b>
	c) General Observers of the District	<b>Date of meeting &amp; Brief of the discussion held:</b>
	d) Expenditure Observers of the District	<b>Date of meeting &amp; Brief of the discussion held:</b>

7	Any significant information regarding the pattern of law and order situation in the district			Remarks:
8	Comments on Seizure of unlicensed Arms / Weapons / Cartridges / Explosives	Weapons Cartridges Explosives	<input type="text"/> <input type="text"/> <input type="text"/>	Itemized details of the Seizure:
9	Comments on illicit arms manufacturing Centers raided and seizures made	Number of Raids	<input type="text"/>	Itemized details of the Seizure:
9.1	Comments on Licensed Arms deposited / impounded and Cancelled	Deposited Impounded Cancelled	<input type="text"/> <input type="text"/> <input type="text"/>	
10	No. of persons bound down u/s 107 / 116 Cr.P.C. etc. & other preventive sections	Number	<input type="text"/>	Comments:
11	<b>Comments on -</b> a) Incidents of violence related to poll campaign, political rivalry etc.	Number	<input type="text"/>	
	b) Total Killed (Since date of announcement of Election schedule)	Number	<input type="text"/>	
	c) Total injured (Since date of announcement of Election schedule)	Number	<input type="text"/>	
	d) Damage to Property (in Lacs Since date of announcement of Election schedule)	Rupees	<input type="text"/>	

12	Comments on any Liquor/ Cash seized (Since date of announcement of Election schedule)	Liquor (in Ltrs.)  Cash (in Rs.)	<input type="text"/>  <input type="text"/>	
13	Status of Execution of NBW	Number of Execution		
14	Comments and level of satisfaction regarding-  a) Deployment & performance of flying squads	<b>Remarks:</b>		
	b) Night Patrols	<b>Remarks:</b>		
	c) Area Domination by CPF/ State Police	<b>Remarks with dates and places of such activities:</b>		
	d) Training of Police Personnel at all levels	<b>Remarks:</b>		
	e) Working of check-posts	<b>Remarks:</b>		
15	Any other specific activity or finding, which you may like to bring to the notice of the Commission	<b>Remarks:</b>		
16	Any major incident which may have impact on forthcoming polls.	<b>Remarks:</b>		
17	Any information regarding intimidation of voters	<b>Remarks:</b>		
18	Level of satisfaction regarding whether sufficient action taken to stop such intimidation	<b>Remarks:</b>		
19	Suggestion, if any			

Signature of the Observer

## **OBSERVER (POLICE) SECOND REPORT**

(To be submitted on the 5th day of reaching the allocated district)

<b>Code No. &amp; Name of Observer (Police)</b>	
<b>State:</b>	
<b>District:</b>	
<b>Date:</b>	

<b>Sl. No.</b>	<b>Item</b>	<b>Report</b>
1	Training of all Police Personnel on pre-poll and poll duties conducted. Please furnish your comments thereon.	<b>Comments:</b>
2	Whether check-posts have been set up and shift duty is in place thereof to see whether illegal Arms/Ammunitions, liquor etc. are not moving into the district.	<b>Comments:</b>
3	Whether flying squads have been formed. Please furnish your comments thereon.	<b>Comments:</b>
4	Whether Night Patrols have been mobilized in the district. Please furnish your comments thereon.	<b>Comments:</b>
5	Whether area domination through route plan is sufficient and each route plan is being covered or not. Please furnish your comments.	<b>Comments:</b>
6	Whether Security forces have been briefed on:	
	a) pre-poll duties (Area domination)	
	b) security/sensitivity aspects of the area of their deployment.	
	c) Comments on (a) & (b) above	
7	Status of Execution of NBW	Number of Execution :
8	Whether NBWs have been executed at thana level. Details thereof-	

**Signature of the Observer**

**OBSERVER (POLICE)**  
**THIRD REPORT**

(To be submitted on the next day of withdrawal of candidature up to 2 days before poll)

Sl. No.	Subject	Input	
1	Observation about Seizure of unlicensed Arms / Weapons / Cartridges / Explosives	Weapons <input type="text"/> Cartridges <input type="text"/> Explosives <input type="text"/>	<u>Itemized details of Seizure with dates:</u>
2	Observation about illicit arms manufacturing Centres raided and seizures made	Number of Raids <input type="text"/>	<u>Itemized details of Seizure with dates:</u>
3	Observation about Licensed Arms deposited / impounded and Cancelled	Deposited <input type="text"/> Impounded <input type="text"/> Cancelled <input type="text"/>	<b>Remarks:</b>
4	No. of persons bound down u/s 107 / 116 Cr.P.C. etc. & other preventive sections	Number <input type="text"/>	<b>Remarks:</b>
5	<b>Observation about -</b> a) Incidents of violence related to poll campaign, political rivalry etc.	Number <input type="text"/>	<b>Details with dates of the major incidents:</b>
6	b) Total Killed (Since date of announcement of Election schedule)	Number <input type="text"/>	<b>No. of Male/ Females died and details of action taken:</b>
7	c) Total injured (Since date of announcement of Election schedule)	Number <input type="text"/>	<b>No. of Male/ Females injured and details of action taken:</b>
8	d) Damage to Property (in Lacs Since date of announcement of Election schedule)	Rupees <input type="text"/>	<b>Cause of damage and action taken:</b>

9	Comments on any Liquor/Cash seized (Since date of announcement of Election schedule)	Liquor (in Ltrs.)  Cash (in Rs.)	<input type="text"/> <input type="text"/>	<b>Remarks:</b>
10	<b>Observation about -</b> a) Deployment & performance of flying squads	Satisfied   If no, give comments	<input type="checkbox"/> Yes  <input type="checkbox"/> No	<b>Remarks:</b>
11	b) Night Patrols	Satisfied   If no, give comments	<input type="checkbox"/> Yes  <input type="checkbox"/> No	<b>Remarks:</b>
12	c) Area Domination by CPF/State Police	Satisfied   If no, give comments	<input type="checkbox"/> Yes  <input type="checkbox"/> No	<b>Remarks:</b>
13	d) Training of Police Personnel at all levels	Satisfied   If no, give comments	<input type="checkbox"/> Yes  <input type="checkbox"/> No	<b>Remarks:</b>
14	e) Working of check-posts	Satisfied   If no, give comments	<input type="checkbox"/> Yes  <input type="checkbox"/> No	<b>Remarks:</b>

15	Status of Execution of NBW	Number of Execution	
16	Any other specific activity or finding, which you may like to bring to the notice of the Commission		<b>Remarks:</b>
17	Any major incident which may have impact on forthcoming polls.		<b>Remarks:</b>
18	Suggestion, if any		<b>Remarks:</b>

**Signature of the Observer**

**OBSERVER (POLICE)**  
**FOURTH REPORT - POLL DAY REPORT**  
**(TO BE SENT IMMEDIATELY AFTER POLLS ARE OVER IN THE DISTRICT)**

Code No. & Name of Observer (Police)	
State:	
District:	
Date:	

Sl. No.	Item		Report	
1	a) No. of incidents of violence on poll day.			
	b) Total Killed			
	c) Total injured			
	d) Damage to Property ( in Lacs)			
2	Details of any Liquor/Arms/Cash seized	Liquor	<input type="text"/>	<b>Remarks:</b>
		Arms	<input type="text"/>	
		Cash	<input type="text"/>	
3	Reports on Security at Polling Stations.	Satisfied	<input type="checkbox"/>	<b>Remarks:</b>
			Yes	
			No	
	If no, give comments			

**INCIDENT REPORT**

Sl. No.	District	Assembly Constituency	Polling Station	Description
1				
2				
3				

Signature of the Observer

## 41. DOS AND DON'TS FOR OBSERVERS

### DOs

1. Attend the briefing and debriefing session fixed by the Commission
2. Notify your correct office and residential addresses and telephone / fax numbers by filling the Personal Information Sheet at the Registration Desk. Also please notify changes, if any, from time to time, to the Secretary of the State concerned.
3. Draw up your tour programs sufficiently in advance and intimate to the Chief Electoral Officer, District Election Officer and the Returning Officer of the constituency concerned.
4. Note carefully the numbers of visits, duration of visits and the period of visits given by the Commission and strictly act according to this.
5. Ensure that your tour Programme is duly publicized within the constituencies allotted to you.
6. Identify areas / polling stations which might require closer attention.
7. Monitor that adequate stock of all election materials are actually available in adequate quantities.
8. Make an independent assessment of the Law and Order situation in general.
9. Make a random check of as many polling stations as possible and verify them,
10. Monitor instances of violation of Model Code, ban on transfer etc.
11. Familiarize yourself with the use of Electronic Voting Machines (EVMs), and attend some training rehearsals.
12. Ensure that sufficient publicity regarding EVM has been given so that media and general public have no misgivings about EVMs.

13. Monitor the deployment of central forces to have maximum impact.
14. Send a report to the Commission within 24 hours of your return to the headquarters after the visit. In addition, also please send spot report (s) from time to time as considered necessary.
15. Bring any development that merits immediate remedial action or attention of the Commission, to Returning Officer's / Commission's notice without any loss of time. Such information should not be deferred till the regular reports are submitted.
16. Upload on Observer Portal or send your report in a closed envelope addressed to the secretary concerned looking after the particular State / Union Territory.
17. Attend meetings of the political parties called by the District Election Officers / Returning Officers.
18. Make independent assessment of the expenditure incurred by a candidate, political party or any other person.
19. Speak to the local people and check posters, pamphlets etc. to arrive at an independent assessment.
20. Inspect the register of Election Expenditure prescribed by the Commission.
21. Obtain prior permission of the Commission before leaving the headquarters.
22. Maintain proper conduct in the Constituency as ECI Observers are keenly observed.

### **DON'Ts**

1. Do not ask for any exemption from the briefing session.
2. Do not travel to the Constituency with your families.
3. Do not go to the State capital to meet the Chief Electoral Officer if the route to the constituency from your headquarters does not pass through the State capital.

4. Do not talk to the Press.
5. Do not call meetings of the political parties on your own.
6. Do not make any unreasonable demands to the Chief Electoral Officer / District Election Officer / Returning Officer regarding accommodation, vehicles, security etc.
7. Do not leave your headquarters once you have been allotted specific constituencies without the prior written permission of the Commission.
8. Do not plan for arrival to the Constituency on the day of scrutiny.
9. Do not plan for departure from the Constituency on the day next to the day of poll or on the day of counting.
10. Do not defer submitting reports of any development, which requires immediate remedial action till submission of your regular report(s), but bring it to the Commission's notice by fastest means.

**ELECTION COMMISSION OF INDIA**  
Nirvachan Sadan, Ashoka Road, New Delhi-110001.

No.464/OPS/2016

Dated: 11<sup>th</sup> April, 2016

To,

The Chief Electoral Officers  
of all States/UTs.

Subject: Code of ethics for Central Observers of the Commission – Regarding.

Madam/Sir,

As per the Election Observation framework, the Commission appoints Observers in exercise of powers conferred on it by Section 20B of the Representation of the People Act, 1951 and the plenary powers available to the Commission under the Constitution of India. In order to enhance the credibility and effectiveness of the functioning of Central Observers, the Commission directs that the following Code of Ethics is to be strictly followed during the period of their deployment.

#### I. Introduction

The Election Observation framework in India has evolved as a unique and robust system over a period of time, which injects an element of neutral externality from within the system and serves as an effective over-sight mechanism for the Election Commission. Central Observers, deputed by the Election Commission of India, are an integral part of the election observation system in the poll-going districts/constituencies to ensure impartiality, transparency and credibility of the electoral process and also ensure compliance of all election related laws, rules, guidelines and instructions in letter and spirit by the field level electoral machinery. The Central Observers act as a bridge between the Commission and the electoral machinery, political parties, candidates, voters and other stakeholders.

The Observers are always under strict and microscopic scrutiny by the various stakeholders including the media, and any misconduct or discordant behaviour is likely to attract a vicious and unforgiving criticism, not only for the Observers but also for the Commission. The Observers, while on election duty, must be above board in their professional and personal conduct and act as role model.

In a nutshell, the Central Observers work as the eyes and ears of the Commission.

## **II. OBJECTIVE:**

The Code of Ethics enunciates the minimum standards of ethical and professional conduct expected of a Central Observer deputed by the Commission for election-related observation and over-sight duties. It attempts to lay down the principles and expectations, which must guide the actions, behaviour and functioning of the officials called upon to perform the observer duties during elections.

## **III. APPLICABILITY:**

This Code of Ethics shall be applicable to all officials who are deployed as Central Observers including, *inter alia*, General, Police, Expenditure, Awareness or Special Observers, and also to any other officer or official deployed as part of any Special Team to assess and review any election-related activity or process.

In order to instil greater efficiency and reliability in the functioning of the Central Observers and also to foster enhanced confidence and faith in the Observation system in the minds of the stakeholders and the people, the Commission prescribes the following Code of Ethics for the guidance and strict adherence by the Central Observers:-

1. The Observers must bear in mind, at all times, that they are deemed to be on deputation to the Commission and are under its direct superintendence, direction, control and discipline during the period of deployment as observers.
2. The Observers shall, at all times, conduct themselves in consonance with the highest standards of professional, ethical and personal conduct, as is expected of a responsible and mature officer of the Commission and shall not indulge in any behaviour which can be deemed unbecoming of a government servant.
3. The Observers shall discharge their observation duties and over-sight mandate with due diligence, honesty and responsibility.
4. The Observers shall not be a party to any illegal, unauthorized or illegitimate activity or engage in acts, which can bring discredit and disrepute to the Commission and invite criticism from media, political parties, candidates or any other quarter.
5. The Observers must discharge their duties gracefully, impartially, transparently and professionally, with due respect and regard for the role, status and authority of the state election officials and maintain a respectful and courteous demeanour at all times.
6. The Observers must not make any unauthorized public statements and exercise due caution before taking any definitive position in any election-related

matter. Discretion is much more preferable to any grand-standing or over-confident utterance.

7. The Observers are not expected to make any unreasonable demands or profligate requests to the CEO, DEO/RO or any other election-related official like Liaison Officers etc. in respect of accommodation, transport, security, protocol or any other consumables or peripherals.

8. The Observers must not accept any offers of hospitality, avoid shopping at special discounts or attendance at private clubs/gymnasiums and avoid recreational/scenic tours/trips etc. during their stay in the assigned Districts/ACs.

9. The Observers must appreciate and respect the democratic processes and fundamental values of constitutional democracy enshrined in our Constitution, as also the local customs, traditions and cultures and subordinate their personal opinions, perspectives and political preferences to these in the discharge of their duties.

10. The Observers should not only maintain strict impartiality and political neutrality but also exhibit the same through their conduct and behaviour.

11. The Observers should follow the virtues of simplicity and avoid any lavish lifestyle or extravagance.

12. The Observers must abstain from expressing any views or opinions, which may be directly or indirectly construed as support or preference for, or prejudice against, any particular political party, coalition or candidate, even in their private discourse with their colleagues or the election officials. This also applies to their interaction through electronic medium like WhatsApp, Twitter, Facebook or other social media platforms.

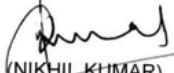
13. The Observers must display the highest level of due diligence and professional acumen in conveying their opinions and reports to the Commission about any election-related incident.

14. Any out-of-box suggestion regarding the improvement in election process should be given only in the final report. Any instruction to the election machinery for a new experiment/measure should NOT be given, without prior approval of the Commission.

15. The Observers must ensure that their reports to the Commission are prepared solely on the basis of accurate, reliable and verifiable information and not on hearsays, half-truths, rumours or unfounded anecdotal references.

16. The Observers must maintain strict confidentiality in submission of their reports and assessments to the Commission and must ensure that no part of the report or election related information is shared with any unauthorized person or agency.
17. The Observers are the eyes and ears of the Commission and not the mouth-piece. The Observers shall NOT interact with any media persons (except to receive any inputs or information offered by them), or give any form of press briefings or press releases regarding their assessment or actions, without the express authorization from the Commission.
18. The over-arching spirit guiding the Observers is cooperation and collaboration and not inquisition and enquiry. The Observers are NOT deployed on a fault-finding mission, but to objectively assess the poll preparedness, identify the critical gaps and guide the DEO/RO to address them.
19. If any shortcoming or lacunae in the actions or performance of any election official in the state is not being addressed despite reminding the field machinery, it should be communicated to the CEO and the Commission, instead of direct confrontation or over-zealous criticism.
20. The Observers, through their depth of administrative experience, acumen and understanding, are expected to guide, advise and facilitate the efforts and initiatives of the DEO/RO in making necessary poll arrangements and conducting the elections in a free, fair, transparent, peaceful and participatory manner.

This may be brought to the notice of all concerned.

Yours faithfully  
  
(NIKHIL KUMAR)  
DEPUTY SECRETARY

**SECRETARIAT OF THE  
ELECTION COMMISSION OF INDIA**  
Nirvachan Sadan, Ashoka Road, New Delhi – 110001

No. 464/OBS/2016/OPS

Dated: 29 April, 2016

To,

All Observers (General & Police)  
(Through the Chief Election Officers of Kerala, Tamil Nadu & Puducherry)

**Subject:- Working Protocol of Observers (General & Police) for General Elections to the Legislative Assemblies of Kerala, Tamil Nadu & Puducherry 2016 - Regarding.**

Madam/Sir,

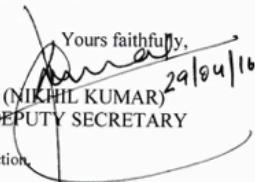
I am directed to state that the Commission has decided that a clear and constructive Working Protocol is to be maintained by all the Central Observers (General, Police & Expenditure) deployed in the field for the ensuing General Elections to the Legislative Assemblies of Kerala, Tamil Nadu and Puducherry 2016.

The following Working Protocol is, hereby, prescribed for adherence, to the extent possible, by all the Observers –

- (i) An "Observer Coordination Committee" is to be formed in each District comprising of all the General, Police, Expenditure and Awareness Observers deployed in the districts.
- (ii) The Senior-most General Observer shall be the coordinator of this Observer Coordination Committee.
- (iii) This Coordination Committee should meet for half an hour everyday in the morning, preferably from 09:00 AM to 09:30 AM, to discuss the electoral preparedness, MCC cases, security measures, vulnerability mapping, critical polling station etc. and also chalk out a tentative daily action plan.
- (iv) The Observers should be accessible and interact with the candidates/political parties/electors. They should set aside a specific time every day, preferably one hour for meeting the various stakeholders and the public at a venue within the Assembly Constituency as far as practicable. The details of the venue and the public meeting of each Observer shall be widely publicized by the DEO.
- (v) The Observers should proactively familiarize with the state of electoral preparedness of the district administration in all aspects.
- (vi) The Observers should make frequent visits to the vulnerable locations and critical polling stations.
- (vii) The Coordination Committee should daily meet in the evening also for a debriefing session, to review the activities of the entire day and determine the significant inputs for conveying to Commission.
- (viii) The 1(one) page Daily Report should be uploaded on the Observers portal latest by 07:00 PM every day.
- (ix) Observers should adhere to the Code of Ethics and keep a strict vigil to ensure that the instructions of the Commission are implemented on the field without fail.

Copy to -

1. CEO with request to intimate the observers regarding the instruction.
2. Zonal Secretary/Principal Secretary (SS-I)&(SS-II)
3. Guard File

Yours faithfully,  
  
29/04/16  
(NIKHIL KUMAR)  
DEPUTY SECRETARY

By email/Speed Post

**ELECTION COMMISSION OF INDIA**  
**NIRVACHAN SADAN, ASHOKA ROAD, NEW DELHI-110001**

No.464/OBS/2016/OPS

Dated: 21 April, 2016

To

- The Chief Electoral Officers of  
i) Kerala, Thiruvananthapuram  
ii) Tamil Nadu, Chennai  
iii) Puducherry

Subject: - General Elections to Legislative Assemblies of States of Kerala, Tamil Nadu  
And Puducherry 2016 – Daily Activity Report of Observers (General &  
Police) – Reg.

Madam / Sir,

I am directed to state that all Observers (General & Police) deployed in the General Election to the Legislative Assemblies of Tamil Nadu, Kerala and Puducherry 2016 shall comprehensively assess the poll preparedness of the field machinery and ensure compliance of all election related rules, guidelines and instructions in letter and spirit. The Commission has reviewed the matter and decided that each Observer (General & Police) shall submit Daily Report of 1(one) page on the following aspects:-

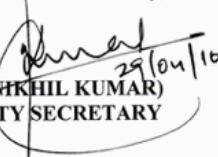
- i) Summary of Daily Activities (highlighting the polling stations visited, brief summary of any meetings with DEO / RO, political parties / public, vulnerability mapping, deployment of CPF, MCC enforcement, preparation of communication plans, Expenditure monitoring etc.)
- ii) Any other significant input or issue for urgent information of Commission.

2. This Report shall be emailed / faxed on a daily basis to the concerned Zonal Secretary of the above mentioned states and should be uploaded on the Observer's Portal everyday latest by 7.00 pm.

3. This Daily Report shall be in addition to the other specified reports and Status Note as directed earlier

4. This instruction may be brought to the notice of all Observers (General & Police) for strict compliance.

Yours faithfully,

  
(NIKHIL KUMAR)  
DEPUTY SECRETARY

Copy to –  
1. All Observers (Through Respective CEOs/)  
2. Zonal Secretary / Principal Secretary (SS-I)&(SS-II)  
3. Guard File

**SECRETARIAT OF THE  
ELECTION COMMISSION OF INDIA**  
Nirvachan Sadan, Ashoka Road, New Delhi – 110001

No. 464/OBS/2016/OPS

Dated: 29<sup>th</sup> April, 2016

To,

The Chief Electoral Officers  
Of all States/UTs

Subject:- Appointment of Observers– Regarding.

Madam/Sir,

I am directed to state that the Commission appoints Observers under the powers conferred on it by Section 20B of the Representation of the People Act, 1951 and the plenary powers available to the Commission under the Constitution of India. The Observers are the appointees of the Commission, who work under the superintendence, control and discipline from their appointment till the completion of their election duties.

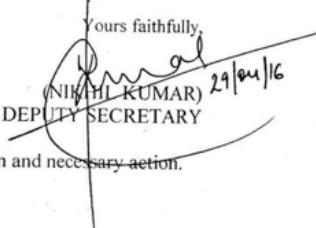
As per past, practice, the meeting notices/appointment orders of the Observers are sent through email/post, and are required to be served through the Chief Electoral Officers/Nodal Officers of the respective States/UTs in time bound manner.

In the past there have been instances where the orders/notices issued by the Commission have remained undelivered or not timely served on the officers concerned. This often results in their non-attendance at Commission meetings and non-reporting for assigned election duties, forcing the Commission to initiate action against such officers. This not only causes inconvenience to the officers concerned, but also wastage of precious Commission time in unproductive and avoidable activities.

The Commission, has reviewed the matter and directs that the Chief Electoral Officers/ Nodal Officers of all States/UTs shall immediately ensure the service of all notices/appointment orders on the officers who are deployed as Observers, within the stipulated time frame, under proper acknowledgment, so as to enable them to report for their election duties in time. The Chief Electoral Officers/Nodal Officers of States shall employ all available means/resources to serve the Commission's orders on the officers. Further, service report, along with acknowledgment of the officers concerned, shall be submitted by the Chief Electoral Officers/Nodal Officers of States to the Commission and no delay in this regard shall be condoned.

Any requests for exemption/replacement etc. should be routed through the Chief Electoral Officers/Nodal Officers of the State, only subsequent to the service of the Commission's orders on the officers concerned.

The Commission's directions may be brought to the notice of all Heads of Department of the State Government for strict compliance.

Yours faithfully,  
  
(NIHAL KUMAR) 29/04/16  
DEPUTY SECRETARY

Copy to:- All Chief Secretaries of all States/UTs for kind information and necessary action.

## ELECTION COMMISSION OF INDIA

Nirvachan Sadan, Ashoka Road, New Delhi-110001

No. 464/INST/2016-EPS

Dated:- 26 December, 2016

To

- The Chief Electoral Officer  
(1) Goa, Panjim.  
(2) Manipur, Imphal.  
(3) Punjab, Chandigarh.  
(4) Uttarakhand, Dehradun.  
(5) Uttar Pradesh, Lucknow.

**Subject: General Elections to the Legislative Assemblies of Goa, Manipur, Punjab, Uttarakhand and Uttar Pradesh-2017: Modification of instructions on official Photo Voter Slips regarding...**

**Reference: The Commission's instructions-**

- i. 464/INST/2011/EPS dated 18.02.2011
- ii. 464/INST/2011/EPS dated 19.03.2011
- iii. 464/INST/2013/EPS dated 14.06.2013
- iv. 464/INST-VS/2014/EPS dated 21.03.2014
- v. 464/WB-LA/2016 (INST) dated 01.04.2016

Sir,

As you are aware, the Commission has issued instructions from time to time regarding the distribution of official Photo Voter Slips to voters a few days before the polls. The official Photo Voter Slip distributed to the voters through the election machinery is also an additional document for identification of voters at the Polling Booth. The system of official Photo Voter Slips has been well-received and widely appreciated by the various stakeholders in the electoral process for its usefulness, convenience and out-reach amongst electors, which has contributed to greater electoral participation and voter engagement.

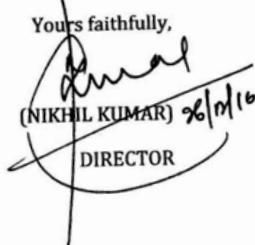
In continuation of the above-mentioned instructions and in the light of experience gained in the past, to further enhance the effectiveness of the Photo Voter Slips as an important instrument of voter facilitation and awareness, as well as to improve its utility in establishing the identity of the voters on poll day, the Commission has decided to improve the design of the official Photo Voter Slip to make it more perceptible, informative and useful. The existing size of the Photo Voter Slip has been substantially

increased, with a much larger voter's photograph for better and easy identification. Further, to aid and guide the voter regarding the polling station location and other important instructions for poll day, the snapshot of polling station Google-map, along with crucial information/Do's and Donts' have been added to the reverse of the Photo Voter Slip.

Accordingly, the following instructions regarding Photo Voter Slips are being issued, and the existing instructions shall stand modified to the extent thereof:

1. The official Photo Voter Slips will be printed in the size of 'Half of A-4 paper' i.e. 8 inches by 6 inches (8" X 6").
2. The official Photo Voter Slip will be printed with proper accounting on both sides, as per the Sample enclosed herewith, showing the front and the reverse print.
3. Good quality paper should be used for printing the Photo Voter Slips.
4. The printing quality should be of high standard so as to ensure clear, legible and unambiguous image and content.

The receipt of this letter may be acknowledged with confirmation that relevant instructions have been issued to the District Election Officers/Returning Officers concerned and other connected officers for necessary compliance.

Yours faithfully,  
  
(NIKHIL KUMAR) 26/11/16  
DIRECTOR



## ELECTION COMMISSION OF INDIA

General Election to Legislative Assembly of (State/UT) - 2017



### फोटो मतदाता पर्ची/PHOTO VOTER SLIP

राज्य/State	Bihar
विधान सभा नियोजन तंत्र Assembly Constituency	Belhar
नाम Name	Pratik
लिंग/Gender	Male
पर्यावान पत्र क्रमांक EPIC No	W002085876
पिता/पति का नाम Father's/Husband's Name	Suraj
भाग संख्या/Part Number	suraj
भाग का नाम/Part Name	21
प्रादाता क्रमांक/Serial	Prathamik Vidhalay Bauka
प्रादाता क्रमांक/ Voter ID/Polling Station	976
प्राप्ति करने की तिथि/ Polling Date	Pronnat Madhya Vidyalay Bauk
अपडेट करने की तिथि/ Last Updated On	No election scheduled currently
अपडेट करने की तिथि/ Last Updated On	16/12/2016

Date of Poll : \_\_\_\_\_

Timings : \_\_\_\_\_ to \_\_\_\_\_

DISTRICT ELECTION OFFICE:

(District name)

DEO website: \_\_\_\_\_

DEO Helpline No. : \_\_\_\_\_

Map of the Polling station	Important Information for Voters
<p>Map showing the location of the Polling Station at Pronnat Madhyam Vidyalay Bauka / Prathamik Vidyalay Bauka, BANKA Bihar. The map includes districts of Jharkhand and neighboring states like Bihar and Jharkhand. The polling station is marked with a black square.</p> <p>Pronnat Madhyam Vidyalay Bauka / Prathamik Vidyalay Bauka BANKA Bihar</p> <p>See your election officials</p>	<p><b>Important Information for Voters</b></p> <ul style="list-style-type: none"><li>BLO : .....(Name and Contact No)</li><li>All the voters who are in the queue at the closing time of the poll shall be allowed to caste their vote</li><li>There are separate queues for women; Senior citizens are given priority for voting</li><li>Blind and infirm voter can be permitted to take an adult companion in the voting compartment for recording the vote</li><li>Gadgets like mobile phones and cameras are not allowed inside the polling booth</li><li>Offering or accepting money or any other gratification to vote for particular candidate is a corrupt practice under law</li></ul> <p>No Voter to be left behind; Every Vote Counts</p> <p><i>(Handwritten signature/initials over the text)</i></p>

## ELECTION COMMISSION OF INDIA

Nirvachan Sadan, Ashoka Road, New Delhi-110001

No. 464/INST/2016-EPS

Dated:- 21 December, 2016

To

The Chief Electoral Officers of

- |                  |   |            |
|------------------|---|------------|
| 1. Uttar Pradesh | - | Lucknow    |
| 2. Uttarakhand   | - | Dehradun   |
| 3. Punjab        | - | Chandigarh |
| 4. Manipur       | - | Imphal     |
| 5. Goa           | - | Panaji     |

**Subject:** *Display of Voter Facilitation Posters (VFPs) at Polling Stations - reg.*

Madam/Sir,

With reference to the captioned subject, I am directed to state that the Commission is committed to the enhancement of voter facilitation at the polling booths to ensure that all voters are able to cast their votes in an easy, convenient and informed manner. However, during the past elections, it has been brought to the notice of the Commission that at many places, relevant polling station related information is not prominently displayed for guidance and awareness of the voters, resulting in confusion and inconvenience to the voters on the poll day.

In this regard, it is also pertinent to note that the statute requires the display of accurate and relevant information for voter awareness and information at each polling station. As per **Rule 31** of the ***Conduct of Elections Rules, 1961***, bearing subject, "**Arrangements at polling stations**", it is mandated as under:

"(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, when the polling area has more than one polling station, the particulars of the electors so entitled; and

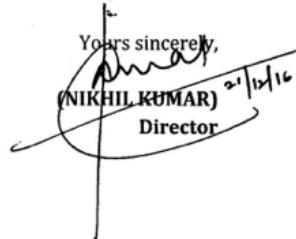
(b) a copy of the list of contesting candidates."

The Commission has reviewed the matter in totality and directed that in order to ensure compliance of the statutory requirements, as also to provide greater facilitation and awareness to the voters arriving at the polling booths on poll day, the following instructions be strictly complied:

1. At each Polling Booth, **4 (Four) Voter Facilitation Posters (VFP)** shall be displayed as per the design enclosed herewith at *Annexures- A, B, C and D*.
2. The color scheme and format of the posters shall remain exactly as per the enclosed design.
3. The size of the VFPs should be such that the contents are easily and clearly visible and the text is effortlessly readable to the voters approaching the polling booth. The following dimensions are provided for purely indicative purpose:
  - a. **VFP No. 1 and 2: 27 inches (Height) X 27 inches (Width).**
  - b. **VFP No. 3 and 4: 27 inches (Height) X 36 inches (Width).**
4. The VFPs shall be displayed/pasted/stuck on the outside wall, near the entrance of each polling booth.
5. The VFPs must be pasted/affixed in the order of their Serial Nos i.e. VFP No. 1 followed by VFP-2 and so on.
6. In addition, VFPs No. 3 and 4 shall also be affixed near the entrance of the polling station premises/location, especially in case of locations having more than one polling booths.
7. The VFPs can be printed on paper or any other available eco-friendly material, subject to reasonability of cost and without compromise on the overall quality of display.
8. The display of VFPs shall be an integral part of the overall arrangements to be made at every polling booth by the Returning Officer.
9. The proper manner of display of VFPs shall be explained to the Presiding officers during the election training sessions organized by the Returning Officers.
10. The Sector Officers shall ensure that the VFPs are prominently displayed as per the directions herein and submit a report to the Returning Officer.
11. It shall be the overall responsibility of the District Election Officers to ensure compliance of these instructions.

The Chief Electoral Officers are kindly requested to take note of these instructions and bring them to the knowledge all the DEOs/ROs.

The receipt of these instructions may kindly be acknowledged.

Yours sincerely,  
  
NIKHIL KUMAR 21/11/16  
Director

## ELECTION COMMISSION OF INDIA

Nirvachan Sadan, Ashoka Road, New Delhi-110001

No. 464/INST/2016-EPS

Dated:- 22 December, 2016

26

To

- The Chief Electoral Officer  
(1) Goa, Panjim.  
(2) Manipur, Imphal.  
(3) Punjab, Chandigarh.  
(4) Uttarakhand, Dehradun.  
(5) Uttar Pradesh, Lucknow.

**Subject: General Elections to the Legislative Assemblies of Goa, Manipur, Punjab, Uttarakhand and Uttar Pradesh-2017: Setting up of 'Voter Assistance Booths' (VAB) at polling stations regarding...**

Reference: ECI Letter No. 23/LOCATOR/2007-ERS dated 05.11.2007

Sir,

As you are aware, the Commission has issued various directions for ensuring facilitation and assistance to the voters to enable them to cast their vote in a smooth, hassle-free and convenient manner, which includes the setting up of 'Voter Assistance Booths' (VABs) at the polling stations. Detailed instructions regarding the Voter Assistance Booths were issued vide letter referred above.

Considering the crucial role played by these Voter Assistance Booths in facilitating and helping the voters on poll day by easy identification of their correct polling booth and the serial number of the concerned voter in the electoral roll, thereby contributing to easy and smooth voting experience, the **Commission has decided to set up Voter Assistance Booth for every Polling Station Location.**

Accordingly, the Commission, hereby, partially modifies its earlier instructions as follows:

1. Para 3 (i) of the instructions issued vide letter cited above, stands **deleted** and replaced with a new Para 3 (i), which reads as follows:

**"For each polling station premise/building location, irrespective of the number of polling booths, a 'Voter Assistance Booth' shall be set up. A team of personnel will be appointed for each such VAB with the objective of facilitating the voter to**

**locate his/her particular Polling Booth and the serial number of the voter in that electoral roll in the concerned Polling Booth."**

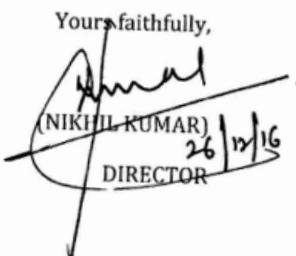
2. Para 3 (ii) of the earlier instructions stand modified as follows:

**"Necessary arrangements for the setting up of the 'Voter Assistance Booth' like basic furniture including table, chairs etc for seating the deployed staff, a small covered canopy/tent with proper shade and prominent signage in the form of back-drop banner indicating 'VOTER ASSISTANCE BOOTH' and directional signs for guidance of the voters must be made well in advance by the RO concerned". An indicative design of the 'Voter Assistance Booth' is enclosed as per Annexure attached.**

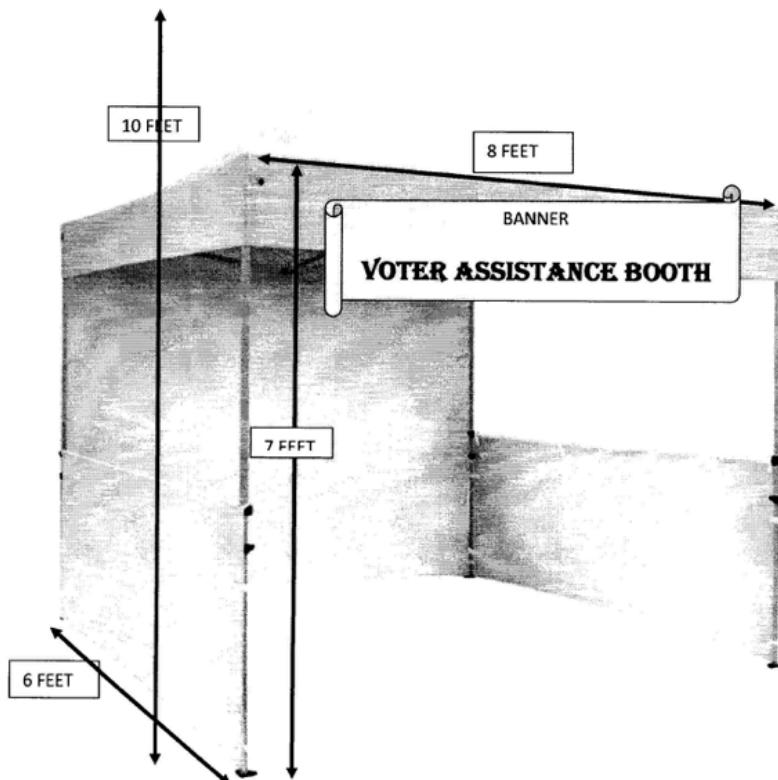
3. Para 3 (ix) of the earlier instructions referred above shall stand **deleted**.

The receipt of this letter may be acknowledged with confirmation that relevant instructions have been issued to the District Election Officers/Returning Officers concerned and other connected officers for necessary compliance.

Yours faithfully,

  
(NIKHIL KUMAR) 26/12/16  
DIRECTOR

### **DESIGN OF 'VOTER ASSISTANCE BOOTH'**



✓

By Speed Post/Email

## ELECTION COMMISSION OF INDIA

NIRVACHAN SADAN, ASHOKA ROAD, NEW DELHI-110001

No.464/ECI/INST/FUNC/OPS/2017

Dated: 4 January, 2017

To,

The Chief Electoral Officer,  
Of all States/UTs.

Subject: - General Elections to the State Assemblies/ House of People - Deployment and Duties of Observers- Regarding.

Madam/Sir,

I am directed to say that the Election Commission of India, under Article 324 of the Constitution of India read with Section 20B of the Representation of the People Act, 1951, has been deploying Observers for elections to Lok Sabha and States Legislative Assemblies. The Commission has, in the past, issued various instructions from time to time in connection with the appointment, training, functioning and conduct of Observers so as to ensure peaceful, free and fair elections. The role of Observer in supervision of election has undergone a major shift and become quite crucial for enhancing the transparency and credibility of the election process.

Democratic elections are celebrations of fundamental human rights and, more specifically, civil and political rights; election observation, therefore, contributes to their overall promotion and protection. A genuine election is a political competition that takes place in an environment characterized by political pluralism, confidence, transparency and accountability. It provides voters with an informed choice between distinct political alternatives. Such an election presupposes respect for basic fundamental freedoms: expression and information; association, assembly and movement; adherence to the rule of law, including access to effective remedy; the right to freely establish political parties and compete for public office on a level playing field; non-discrimination and equal rights for all citizens, including those belonging to minority groups; freedom from intimidation and pressure; and a range of other fundamental human rights and freedoms.



In pursuance of Commission's commitment towards ensuring the best practices in the field of election observation, following set of instructions are issued for strict compliance at all levels:

**A. SELECTION PROCESS**

- I. The Commission shall seek names from the States/UTs Governments for officers posted in States/UTs and from DoPT & MHA for IAS & IPS officers respectively on central deputation.
- II. However, in case of failure by any State/UT Government in conveying the names of the officers in the quantity required by the Commission, Observers will be deployed directly from the Civil List.
- III. In this regard, A **Negative List** will be prepared for each State, consisting of Officers who occupy Posts, which are essential and indispensable from a public interest perspective, who will not be deployed for Observer duties. Such posts can be either Collectors, Addl. Collectors, Municipal Commissioners or officers in Governor's/Chief Minister's Secretariat etc.
- IV. Negative lists may be vetted by State CEOs and only names of Officers included in the **Negative List** may be excluded from sponsoring. In the process of sponsoring of names, it is important that only competent and well-performing Officers should be deployed to ensure efficient discharge of important Election duty. Hence, proper screening should be done based on the quality of past performance in election duties, overall election related experience, seniority etc.
- V. A dynamic list of ECI empaneled IAS/IPS officers for deployment as Observers will be prepared in consultation with the State/UT Govt. and also, wherever necessary, with the Chief Electoral Officers. This List will be prepared much in advance and will be continuously updated and modified and proper screening process and accreditation protocols will be established.
- VI. An ON-LINE live directory of ECI empaneled officers will be maintained having

the photograph, contact details, email and general profile, which will be accessible to the Chief Electoral Officers also for making periodic updatations.

**B. TRAINING & CAPACITY BUILDING**

- I. In order to ensure preparedness of the observers for election duty, an in depth mandatory training about election process and other relevant topics will be conducted by India International Institute of Democracy & Election Management (IIIDEM).
- II. The 2-day structured Observer Training and Sensitization Program (OTSP), will include technical inputs, legal inputs and operational details.
- III. This training program can be conducted on regional basis in the Advanced Training Institutes (ATIs) of the respective States/UTs as per the schedule prepared in advance by IIIDEM.
- IV. Online e-learning Training Program for Observers (OTPO) on lines of international practices will be developed by IIIDEM. **It will be mandatory for all officers empaneled as observers to cover the whole syllabi.**
- V. However, the existing system of Final Observers Briefing at New Delhi will continue.

**C. DEPLOYMENT OF OBSERVERS**

- I. The deployment of General and Police Observers shall not be done in a sterile and mechanical normative manner, but will be done as per assessment of ground realities.

**D. DURATION OF DEPLOYMENT**

- I. The present system shall continue.

#### **E. MICRO-OBSERVERS**

- I. The role, deployment and scope of functioning of the micro-observer is substantially enhanced for their optimum utilization for improved election observation.
- II. General Observers can deploy a maximum of 20 micro-observers for any sensitive election related observation/activity in the period starting from 72 hours prior to the poll day till the end of polling.
- III. The Special Deployment of Micro Observers must be strictly need-based and in urgent and sensitive circumstances and the reasons must be recorded in writing.
- IV. Specific reports shall be obtained in writing from such Micro Observers so deployed by the General Observers.
- V. The names of such Micro Observers to be deployed for Special task/activity must be shortlisted by the General Observers in consultation with the DEO/RO and the selected Micro Observers should be intimated in advance.
- VI. This Special Deployment Facility is only conceptualized to cater to emergencies and exigent circumstances and not be resorted to as a matter of routine. Due diligence and judicious application of mind must be exercised by the General Observers before ordering this Special Deployment.

#### **F. ECI LEVEL OBSERVER COORDINATION**

- I. A Committee to be set up at the ECI level comprising of officials from ECI and the CEOs offices to examine and analyze Observer reports and provide qualitative feedback and inputs to the Zonal Secretaries concerned.

#### **G. OBSERVER REPORTS / MONITORING**

- I. The number of mandatory reports to be submitted by the General Observers have been reduced from 6 to 4/5 with improvement in the content, inputs etc. However, the Observers must immediately report any important development, emergent situation or any other critical election related input, which requires

urgent attention/ decision to the Zonal Secretary concerned at ECI through the portal/email/fax/phone etc.

#### **H. OBSERVER PORTAL IMPROVEMENT**

- I. A comprehensive improvement and overhaul in the Observer Portal will be done.
- II. A professional tracking system of Observer arrival/reports etc. will be developed along with **SMS based integration of the Observer Portal** for to and fro communication facility for real-time transmission of critical information/reports.
- III. A system of online monitoring of the Observer reports, the quality of inputs and MIS formats shall also be prepared.
- IV. Post-Election Summary Report:
  - a. All the observers will be required to submit a comprehensive and descriptive report having their qualitative inputs on every aspect of the observer duty performed by them.
  - b. The reports will be in a pre-specified format and will have to be submitted within 7 days of the completion of the Observer duty.
  - c. The release of honorarium will be subjected to the submission of the report.

#### **I. HONORARIUM**

- I. The amount of Honorarium admissible to General Observers and Police Observers stands increased to Rs. 25,000 and Rs. 20,000 respectively subjected to the number and quality of reports submitted by the observers.

#### **J. INCENTIVE SCHEME**

- I. On National Voter's Day, deserving Observers will be awarded with presidential Medal/Appreciation Certificate for exceptional and outstanding

performance of Observer duties resulting in some creditable and proven extraordinary achievement towards the conduct of free and fair elections.

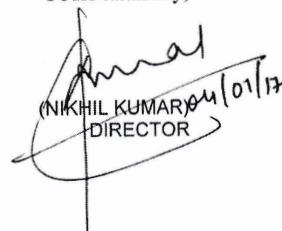
- II. Outstanding and experienced Observers may be deployed for International Observer Missions and provided exposure to the election management systems of other countries.
- III. Experienced and committed officers may also be groomed as **Resource persons/Visiting Faculty** at IIIDEM for national/international training programs.

**K. CODE OF ETHICS:**

- I. Strict adherence to the Code of Ethics issued by the Commission is mandatory for all categories of Observers.
- II. Importance and Compliance of the Code of Ethics will also be emphasized during the training and orientation sessions for the Observers.

The above instructions are to be strictly complied by all concerned.

Yours faithfully,



(NIKHIL KUMAR) 01/17  
DIRECTOR

Copy for necessary action to: -

- 1) All Zonal Sections
- 2) Personnel Administration Section
- 3) IIIDEM
- 4) IT Division
- 5) SVEEP Section

**Standard Distribution**

"No voter to be left behind"

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"No voter to be left behind"



“No voter to be left behind”



भारत निर्वाचन आयोग  
**Election Commission of India**  
Nirvachan Sadan, Ashoka Road, New Delhi-110001