

Election Matter
Urgent/Time Bound



राज्य निर्वाचन आयोग हिमाचल प्रदेश

STATE ELECTION COMMISSION HIMACHAL PRADESH

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No. SEC. 16-70/2014- 6449

Dated the 05 th December, 2015

To

All the Distt. Election Officers (Panchayat)-cum-
Deputy Commissioners,
(except Lahaul & Spiti)
Himachal Pradesh.

**SUBJECT: CONDUCT OF ELECTION TO PANCHAYATI RAJ
INSTITUTIONS ---- DIRECTIONS THEREOF.**

Sir,

I am directed to convey for your guidance and compliance the following directions for ensuring proper, timely and smooth conduct of general elections to Panchayati Raj Institutions of all Districts except Distt. Kangra and Lahaul & Spiti to be held as per programme issued by the Commission.

1. **PRELIMINARY ARRANGEMENTS:** The Commission is contemplating to issue the Election Programme for the conduct of general elections-2015, you have to make all preparatory arrangements within a short time during next ten days. It is presumed that the list of staff to be deployed for this purpose has been prepared by now. If not, the same would need to be initiated immediately. You are advised to chalk-out a programme for imparting training to the Returning Officers/Assistant Returning Officers who shall be responsible for receipt of nominations, scrutiny of nomination papers, preparing list of contesting candidates, allotment of symbols and finally counting and declaration of results.

As far as possible, not more than fifty percent teachers should be deputed on election duty as Presiding /Polling Officers in consultation with the concerned Block

Primary Education Officer. The polling personnel may be given at least three rehearsals including the day fixed for collection of material for polling.

2. **Arrangement for ballot boxes:-** The Commission has about 35000 ballot boxes, therefore, it is presumed that you may have sufficient number of ballot boxes available with you, however, you may calculate your actual requirement and if there is any shortfall, the same may be intimated to the Commission, so that requisite number of ballot boxes could be arranged from the adjoining States.

There are two sizes of ballot boxes therefore, while distributing ballot boxes care should be taken that bigger boxes are provided to the Panchayats where numbers of electors are comparatively higher, smaller boxes can be used for Panchayat Samiti and Zila Parishad elections as two ballot papers pertaining to these offices will be inserted in one box and three ballot papers pertaining to Gram Panchayats will be inserted in one box therefore, bigger box should be used for the elections of Gram Panchayats.

3. **NOMINATION :** Nominations for the office of Ward Member, Up-Pradhan and Pradhan of Gram Panchayat shall be received at the Panchayat headquarters; for Members of Panchayat Samiti at the Tehsil/Block Headquarter and for Members of Zila Parishad at the Sub-Divisional/District Headquarters as the case may be. The choice of officers to be appointed as Returning Officers/Assistant Returning Officers for the conduct of elections is left to the best judgment of District Election Officers (Panchayat). However, Assistant Returning Officers may be of a reasonable rank such as Principal/Headmaster of Government Senior Secondary School/Govt. High School/Govt. Middle School and Assistant Engineer/Junior Engineer/Extension Officer, etc. Since, this task involves great responsibility and need to be handled with circumspection and knowledge, **an Official appointed on election duty should normally be deployed in a Panchayat other than the one which he belongs to or where he is currently stationed but should be within the same block.** The Returning Officers/Assistant Returning Officers would be responsible for counting of votes also; therefore, they should be required to fully acquaint themselves with the relevant provisions of the Acts and Rules of the subject. The appointment of Returning Officers/ Assistant Returning Officers /



Presiding Officers/Polling Officers may be confirmed to the Commission as soon as the same are made.

Presiding Officers and Polling Officers may be classified on the basis of scale of pay / grade pay, their post and rank. As far as possible, Gazetted Officers be deployed as Presiding Officers failing which officials who is working in supervisory capacity only may be deployed as Presiding Officers. The Presiding Officers should be of higher scale/grade in comparison to other Polling Officers of a polling party.

4. DISCLOSURE OF SPECIFIED INFORMATION: As you are aware that the Commission has framed Regulations namely "**The Himachal Pradesh Panchayats and Municipalities Elections (Disclosure of Specified information by the Candidate) Regulations, 2004**", according to which every candidate seeking election to the office of Member, Up-Pradhan and Pradhan of a Gram Panchayat shall submit the specified information in the **Annexure-I** as per rule 5 of the said regulation in the form of **an affidavit or a declaration**. Every person seeking election to Panchayat Samiti and Zila Parishad shall submit the same information, as per rule 4 read with sub rule 2 of the regulation, in the form of **an affidavit** duly attested by Magistrate or Notary Public or Oath Commissioner. Forms in respect of Annexure-I, already stand supplied to you and is required to be issued alongwith the nomination form to the contesting candidates. Therefore, please ensure that the said **Annexure-I** is attached to each nomination paper so that every contesting candidate should get complete set of nomination papers.

5. DEPOSIT OF AMOUNT RECEIVED ON ACCOUNT OF VARIOUS RECEIPTS DURING THE ELECTIONS: While imparting the training to Returning Officers/Assistant Returning Officers, you are requested to bring it to their notice that while discharging their duty as Returning Officer/Assistant Returning Officer they will receive various amounts such as on account of sale of voter lists, amount of forfeited security and amount on account of challenging of identity of a voter etc. The amount so received shall be deposited in the following Receipt Head of Accounts:

Major Head:- 0070-Other Administrative Services-02-Election 101-Sale proceeds for election Forms and documents-02-Sale proceeds for election Forms and documents by State Election Commission.

As far as security money is concerned, the Assistant Returning Officer shall deposit the forfeited security money with the Returning Officer concerned immediately and it will be responsibility of Returning Officer only to deposit the forfeited security money in the Govt. Treasury immediately after receipt of such amount from Assistant Returning Officer in the following receipt Head:

Major Head: 0070-Other Administrative Services-02-Election 104-Fee fines foreitures-02-Fee fine forfeiture by State Election Commission.

Any miscellaneous amount received during the election shall be deposited in the following receipt head:-

Major Head: 0070-Other Administrative Services-02-Election 800-other receipt-03 Misc. receipt by State Election Commission.

The Returning Officer will send all the Challans in original alongwith used and unused receipt books issued to him and a summary of amount received (receipt book wise) to the Districts Election Officer (Panchayat) and retain a copy of the same with him for his record. The proforma for sending summary is as under:

Sr. No.	Sr. No. of receipt book	Total receipts issued from a book	Amount	Total blank receipts in a book	Full blank receipt books in total (Unused books)	Detail, if any

Note: Even if no receipt is issued from a receipt book it has to be mentioned in the summary of receipt book.

6. **BALLOT PAPERS:** The State Election Commission has prescribed the design of the ballot papers under rule 52. Under Rule 42, there shall be no choice of symbol i.e

symbols shall be allotted according to the symbols approved and notified by the Commission to the contesting candidates against their names as they appear in the list of the contesting candidates in alphabetical order. The name of the contesting candidates shall be written in hand on the ballot papers with a ball point pen legibly so that there is no confusion among the electors. The order of the names on ballot papers shall be the same as they appear in the list of contesting candidates. This is a massive exercise and required to be done with utmost care. The District Election Officers (Panchayat) will select suitable officials to do the job at the block headquarter.

The State Election Commission has decided to provide option of "NOTA" "उपरोक्त में से कोई नहीं" on ballot paper. For this purpose the Commission has already supplied you sufficient number of NOTA stamps and black ink stamp pads. Therefore, you would require one block extra on the ballot paper than the number of contesting candidates to apply "NOTA" stamp in black ink. While applying the stamp on ballot paper, care must be taken that it is applied within the border of last block of the ballot paper. For example, if there are five candidates for a particular office you will keep six blocks on ballot papers. The sixth block will be used for application of NOTA stamp and the remaining portion of ballot papers after the NOTA option shall be detached with the help of metal rule leaving behind the shaded portion at the bottom.

Please keep in mind that there are ten symbols printed on the ballot paper. Therefore, if there are ten contesting candidates for an office, you would require ballot paper with eleven blocks. Therefore, if for any office, there are ten or more than ten candidates after the time of withdrawal of candidature is over, you will immediately inform the District Election Officer (Panchayat) name of the post alongwith number of electors so that adequate number of ballot papers could be supplied to you by the Commission. This information must reach the District Election Officer (Panchayat) at once through quickest mode who will inform the Commission at once.



The gap between the date of withdrawal and the date of poll is ten days.
Therefore, it has to be ensured that the writing of the names of the contesting candidates on the ballot papers is completed within a maximum of six days under the personal supervision of a concerned Returning Officer/Assistant Returning Officer. The Commission has now changed the colour scheme of ballot papers to be used in ensuing election. The following colour scheme of ballot paper has been prescribed:-

- | | | |
|----|--------------|-------------|
| 1. | Member G.P. | Light Blue |
| 2. | Pradhan G.P. | Yellow |
| 3. | Up-Pradhan | White |
| 4. | Member P.S. | Light Green |
| 5. | Member Z.P. | Pink |

Needless to add, any lapse in the preparation of ballot papers will nullify the entire election process. Therefore, you are advised to carry out the work of preparation of ballot papers with utmost care and sense of responsibility and ensure that the persons engaged for the purpose are discharging their duty with a sense of responsibility.

7. COUNTING ARRANGEMENTS: Although, the Panchayat elections are expected to be peaceful, still in order to maintain law and order and peace, adequate security arrangements shall have to be made. The pattern of deployment of police force and Home Guards at each Polling Station and at the counting centers is left to the discretion of the District Election Officer (Panchayat) who will do the needful in consultation with the Superintendent of Police of the concerned districts. In case of sensitive polling stations, additional force may be deployed. Similarly, security arrangements in the Block Headquarters, where counting of votes for the members of the Panchayat Samiti and Zila Parishad shall have to be ensured in order to maintain law and order.

The counting of votes in respect of Zila Parishad members of Development Block Pangi and Bharmour shall also be undertaken alongwith other ZP wards of District Chamba, as the polled ballot boxes have been kept in safe custody after the conduct of poll on 26.11.2015.



8. MAINTENANCE OF LAW AND ORDER: The Secretary (Home) and Director General of Police have been requested to make available adequate force according to realistic projection of requirements by the District Election Officers (Panchayat)-cum-Deputy Commissioners in consultation with the Superintendent of Police of the Districts. Assessment of requirement of police force and Home Guards may be done by you in consultation with Superintendent of Police of your Districts. After identifying Polling Stations are required to be classified as “sensitive” or “hyper-sensitive”. The number of security personnel to be deployed for maintaining law and order at the sensitive stations will be suitably increased. Utmost care should be taken before classifying a polling station as sensitive. This exercise may be undertaken in consultation with the Superintendent of Police of your District.

The list of polling stations be categorized “sensitive” or “hyper-sensitive” and the quantum of force to be deployed may be intimated to the Commission immediately.

9. POLLING STATIONS: Separate Polling station has to be established for each ward of a Gram Panchayat. Care should be taken to see that polling stations established for different wards should as far as possible be at equal distance for the electors of the area. Polling Stations for a group of wards should be established at the Panchayat headquarters, which will also facilitate counting of votes. The buildings in which polling stations are being located should be inspected by a gazetted officer (to be recommended by you) before taking a final decision. While fixing the polling stations instructions issued by the Commission vide its letter No. SEC- 16-2/2011-3599-3706 dated 17th Oct, 2015 may be kept in view. The polling station may not be located in a police station, hospital or a place having sectarian or religious significance. As far as possible, the polling station shall be located in a Govt. /Semi-Govt buildings and where no such building is available, the polling station may be located in a temporary structure of adequate strength. The number of polling Stations set up in each block may be intimated to the Commission immediately.



10. MOVEMENT PROGRAMME: Movement programme for the polling parties should be prepared separately well in advance so that there is no cause for any confusion in the minds of the officials deputed for the purpose. Arrangement of vehicles such as buses and jeeps, wherever needed, has also to be done in advance. The Govt. of H.P. vides its notification no. PCH-HA (4)15/2000 dated 8th September, 2000 has delegated the powers of requisitioning of vehicles conferred on the State Government under Section 160-A, 160-B, and 160-C of the H.P Panchayati Raj (Amendment) Act, 2000 (Act. No. 18 of 2000), to the Deputy Commissioner within their respective Districts. The District Election Officer (Panchayat) may hire private vehicles only in extreme urgency in case Govt. vehicle are not available at that point of time. Needless to say that in the use of vehicles utmost economy may be ensured.

11. RETURN OF NON-CONSUMABLE ITEMS:- Out of the material to be supplied to the polling parties some items mentioned below are non-consumable. Therefore, these items should be received after completion of poll. The Returning Officer/Assistant Returning Officer will not relieve the polling parties until the following items are received back:

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|-------------------------------------|--|
| 1. Ballot boxes | 7. Metal rule for detaching ballot paper |
| 2. Self Inking pad | and pusher |
| 3. Presiding Officer Seal | 8. Needle (Sua) |
| 4. Rubber Seal for marking | 9. Cup for setting indelible ink. |
| Ballot paper | 10. Gunny bags. |
| 5. Distinguishing mark seal | |
| 6. Material for voting Compartiment | |

Besides these RO/ARO Hand Books and Returning Officer seals may also be received from the concerned Returning Officer/Assistant Returning Officer.

12. STRONG ROOM: The polled ballot boxes in respect of members of Panchayats Samiti and Zila Parishad be stored under safe custody and with Security in designated strong rooms. As far as possible, strong room should be located in Pucca buildings and room properly protected with iron grills. It is required to be guarded with proper security well equipped with weapons. While putting ballot boxes inside the strong room the contesting candidate or their representatives may be called. After putting all ballot boxes



the room be double locked. One set of keys be retained with security guards and another with Returning Officer/Assistant Returning Officer. The locks/room be properly sealed with the seal of the Commission. While opening the strong room all the concerned may be called. As far as possible video graphy of both the occasion at the time of sealing and opening of strong room.

13. COUNTING CENTRE : The counting of votes for the office of Member, Up-Pradhan and Pradhan of a gram Panchayat will be done at the Panchayat Headquarters on the day of the poll after the close of poll. Once the poll is closed, the ballot boxes from other polling stations shall be brought to the Panchayat Headquarters alongwith the used/sealed ballot boxes of the Panchayat Samiti and Zila Parishad. All efforts should be made to commence counting latest by 4 p.m. on the same day or even before. The Police personnel and the Home Guards on duty at that polling station shall accompany the polled ballot boxes to the Panchayat Headquarters in order to ensure absolute security of the used ballot boxes. The used ballot boxes concerning Panchayat Samiti and Zila Parishad shall be kept at the Panchayat Headquarters and same will be transported to the Block Headquarter in the next morning so as to avoid that night journey. In case the District Election Officer (Panchayat) so decides that the polled ballot boxes can be safely transported the same day to the Block Headquarter, in that case, full proof security arrangements for transporting these boxes to the Block Headquarter may be ensured.

Since the elections are to be held during the winter season when the days are short, **adequate lighting arrangements at the counting centers shall have to be made.** In case electricity is not available or electric supply is known to be erratic in any counting centre, petromax lamps/generators / emergency light have to be arranged. **Counting of votes in candle light is not permissible.** As alternative only petromax lamps/generator / emergency light may be made available in the Block Offices and same may be hired. Police personnel/Home Guards on duty at the different polling stations in the Panchayat are required to remain on duty at the Panchayat Headquarter during the period of counting as well as up to the time of declaration of the results for maintaining law and order. In case used ballot boxes for Panchayat Samiti and Zila Parishad have to be kept at

the Panchayat Headquarters, the police and Home Guard personals shall also remain there for night duty.

Counting at the Block Headquarter in respect of Panchayat Samiti Members shall be undertaken as per programme issued in this behalf. If counting is likely to continue till late night, adequate lighting arrangements and sufficient police force for maintaining law and order shall have to deployed.

14. MODEL CODE OF CONDUCT AND ITS OBSERVANCE: With a view to maintain a healthy and peaceful atmosphere during the election period, which would be conducive for ensuring a free and fair election, the Commission has formulated a Model Code of Conduct for the guidance of political parties, candidates and others. It should be impressed upon to all concerned that Model Code of Conduct should not be violated at any stage and you are also requested to ensure that in no circumstances Model Code of Conduct is violated. Since the elections are not being held in District Lahaul & Spiti, therefore, Model Code of Conduct shall not be applicable in the territorial jurisdictions of this District.

15. PROHIBITION OF PUBLIC MEETING: Section 158-B of the Himachal Pradesh Panchayati Raj Act provides that no person shall convene, hold, attend, join or address any public meeting or procession in connection with an election or display to the public any election matter by means of cinematography, television or other similar apparatus. It further provides that no person propagate any election matter to the public by holding or arranging any musical concert or any theatrical performance or any other entertainment or amusement with a view to attracting the numbers of the public thereto in any polling area **during the period of forty-eight hours ending with the hour fixed for the conclusion of poll .**

16. CONTROL ROOM: In order to monitor the movement of the polling parties, to ensure peaceful conduct of the poll and counting of votes, control rooms shall be set up at the District Headquarters/Sub Division/ Block Headquarters three days before the poll and till the completion of counting. The District Election Officer (Panchayat) shall post a responsible person as an office-in-charge in the Control Room. The control room should



have a telephone with fax so that urgent messages are communicated to and from the District Headquarters and the Commission Headquarter on the day of poll. The control room shall function round the clock until the counting is completed at all level. Fax machines at the District Headquarters shall also remain open to receive and transmit messages. In the Commission's Office, control room shall be in Room No. 208 in the Armsdale building of the HP Secretariat. The telephone numbers viz. 2620152, 2620159, 2620154 and fax No. 2620152 & 2620159 shall also remain open in the Commission's Office. You will intimate the names of the Officers manning the control rooms with telephone numbers to the Commission also.

It would be desirable to have security arrangement at the Control room to meet any exigency that may arise owing to a law and order problem in the concerned district. The requirement of force at the control room shall be decided by the District Election Officer (Panchayat) in consultation with the Superintendent of Police of the District.

17. DEPUTATION OF STAFF AND PUNISHMENT ON BREACH OF OFFICIAL DUTY: Section 160-E of the Panchayati Raj Act, 1994 provides that the officer or staff employed in connection with the preparation, revision and correction of the electoral roll for, and the conduct of all elections shall be deemed to be on deputation with the State Election Commission for the period during which they are so employed and such officers and staff shall, during the period, be subject to control, and Superintendence and discipline of the State Election Commission.

18. SECTOR OFFICERS: The District Election Officer (Panchayat) may also examine the need for having sector officers, depending upon the geographical and general law and order conditions prevailing in the District. The Sector Officers can be provided with mobile wireless sets for transmitting urgent messages. Requirement of mobile wireless sets may be intimated to the D.I.G. (Wireless) who will be requested to provide the sets.

19. OBSERVERS: During the election process, Observers appointed by the State Election Commission will keep a constant watch on all issues and processes of election.



The Observers will use their official vehicles in the concerned areas. The payments on account of fuels consumed will be borne by the State Election Commission. The Observers will submit the bills of fuel to the concerned District Panchayat Officers who will make the payments after following due procedure. The arrangements for stay will be made by the concerned DCs/SDMs/BDOs in the Govt. Circuit/Rest Houses. All support in terms of telephone, fax, computer, internet and Assistant for typing report will be provided by the concerned DCs/SDMs/BDOs as and when required.

20. TRANSMITTING OF URGENT MESSAGES: Urgent messages may be sent through wireless in case e-mail, telephone and fax facilities are not available. The D.I.G. (Wireless) will be requested to transmit all message concerning elections on priority basis. He will also be requested to accept messages on credit.

21. BAN ON THE SALE OF LIQUOR: Liquor Vends shall remain closed and there shall be no sale of liquor, one day before the day of poll, on the day of poll and on the day of counting in the Panchayat areas. The dates for closing of liquor vends shall be notified by the District Election Officers (Panchayat)-cum- Deputy Commissioner in their respectively district, according to the notification of election programme.

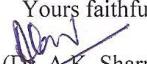
22. HAND BOOKS: The detailed guidelines for RO/ARO and Presiding Officers have been given in the Hand Books. These books have already been provided to you alongwith election material.

23. LOGISTICS: The Commission has already fixed norms with regard to expenses on account of contingency, rehearsals or working in the odd hours in the offices etc. vide its letter No. SEC-2-23/2005-4377 dated 31st October, 2015. However, you may also authorize RO / ARO to increase the contingency amount for coolieage etc. in case the polling party has to cover a considerable distance on foot alongwith election material. As far as diet money to polling parties is concerned, it will be paid to the polling parties and

security personnel deputed with the polling party. During counting light refreshment will be provided to the staff deputed for counting, if the counting lasts till four hours or less. In case counting continues for more than four hours the staff deployed for counting will be provided lunch / dinner @ Rs. 100/- per head. The staff deployed on election duty may also be advised to submit their TA claims within fifteen days from the completion of election process so that TA liability could be cleared within the current financial year.

You are, requested that the aforesaid directions / guidelines may be adhered to strictly in order to ensure free, fair and smooth conduct of elections to Panchayati Raj Institutions in the State.

The Commission wishes smooth success for your diligent and consistent hard work.

Yours faithfully,

(Dr. A.K. Sharma)
Secretary,
State Election Commission,
Himachal Pradesh.

Endst. No. SEC-16-70/2014-6450-6476 Shimla-2 Dated, the 25th December, 2015

Copy forwarded for favour of information and necessary action to:

1. The Additional Chief Secretary (Home) to the Govt. of H.P.
2. The Additional Chief Secretary (Excise and Taxation) to the Govt. of H.P.
3. The Director General of Police, H.P. Shimla-2
4. The Secretary (Panchayati Raj) to the Govt. of HP.
5. The Secretary (GAD) to the Govt. of H.P.
6. The Special Secretary-cum-Director, Panchayati Raj Deptt. Shimla-9.
7. All the Assistant Distt. Election Officer (P)-cum-District Panchayat Officer, Himachal Pradesh (Except Lahaul & Spiti District).


(Dr. A.K. Sharma)
Secretary,
State Election Commission,
Himachal Pradesh.