

Election Matter
Urgent/Time Bound



राज्य निर्वाचन आयोग हिमाचल प्रदेश

STATE ELECTION COMMISSION HIMACHAL PRADESH

आर्मसडल, शिमला-171002, Armsdale, Shimla-171002 Tel. 0177-2620152, 2620159, 2620154 Fax. 2620152

No. SEC. 16-70/2014- 4031-33

Dated. 28-10-2015

To

The Distt. Election Officers (Panchayat)-cum-
Deputy Commissioners,
Chamba, Lahaul & Spiti,
Himachal Pradesh.

The Additional Deputy Commissioners,
Kaza, Distt. Lahaul & Spiti and
Resident Commissioner, Pangi, Distt. Chamba,
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 Development Block Bharmour and Pangi of District Chamba and Development Block Spiti at Kaza Distt. Lahaul & Spiti to be held as per programme issued by the Commission.

1. **PRELIMINARY ARRANGEMENTS:** Since the Commission has issued programme for the conduct of general elections-2015, you have to make all preparatory arrangements within a short time during the next ten days. It is presumed that the list of staff to be deployed for the 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 and finally counting and declaring of results.

As far as possible, not more than fifty percent teachers should be deputed on election duty as Presiding /Polling Officer in consultation with the concerned Block Primary Education Officer. The polling personnel may be given atleast three rehearsals including the day fixed for collection of material for polling.

2. **Arrangement for additional ballot boxes:-** Since the counting of Zila Parishad Members shall be held alongwith other wards of Zila Parishad Chamba, therefore, separate ballot boxes should be arranged for inserting the polled ballot papers in respect of Zila Parishad and Panchayat Samiti Members. However, polled ballot papers in respect of all the three offices of Gram Panchayats shall be inserted in one box. Therefore, a total of three ballot boxes will be kept in a polling station i.e. one for Gram Panchayat, second for Panchayat Samiti and third for Zila Parishad.

In case ballot boxes are not sufficiently available at Bharmour, kindly ensure that required number of ballot boxes are transported to Bharmour immediately. Since the counting in respect of Gram Panchayats and Panchayat Samities shall be undertaken by 30th November, 2015, therefore, the empty ballot boxes can again be transported back so that these boxes could be available for the General Elections to other PRIs of District Chamba.

3. **NOMINATION :** Nominations for the office of 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 Act 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, their post and rank. As far as practicable, Gazetted Officers will be deployed as Presiding Officers and failing that official who is working in supervisory capacity only may be deployed as Presiding Officers. The Presiding Officer may be of higher scale/grade in comparison to other Polling Officers of that formation.

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**" and 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. Form 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 ELECTION: While imparting the training to Returning Officers/Assistant Returning Officers, you are requested to kindly 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 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 Distt. 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 receipt 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

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. Therefore, you would require one block extra on the ballot paper than the number of contesting candidates to apply “NOTA” stamp. 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 of 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 Distt. 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 Distt. 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 have been prescribed:-

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

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 the work with the same sense of responsibility.

7. **COUNTING ARRANGEMENTS:** Although the Panchayat elections are expected to be by & large peaceful, still in order to maintain law and order & peace, adequate security arrangements shall have to be made. The pattern of deployment of police force and Home Guards at each Polling Stations 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. In case of sensitive polling stations, additional force may be deployed. Similar security arrangements in the Block Headquarters, where counting of votes for the members of the Panchayat Samiti shall have to be ensured in order to maintain law and order.

The counting of votes in respect of Zila Parishad members shall be undertaken alongwith other ZP wards of District Chamba, till then the polled ballot boxes shall be kept in safe custody and adequate security should be provided to these ballot boxes.

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 Officer (Panchayat)-cum-Deputy Commissioners in consultation with the Superintendent of Police of the District. Assessment of requirement of police force and Home Guards may be done by you in consultation with Superintendent of Police of your District. After identifying Polling Stations are required to be classified ‘Normal’ or ‘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 as “Sensitive” and the quantum of force to be deployed there 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. 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 back after completion of poll. The Returning Officer/Assistant Returning Officer will not relieve the polling parties until the following items are received back:

- | | |
|--|--|
| 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
Ballot paper | 9. Cup for setting indelible ink. |
| 5. Distinguishing mark seal | 10. Gunny bags. |
| 6. Material for voting
Compartment | 11. Presiding Officer Handbook. |

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

12. **COUNTING CENTRE** : As mentioned earlier, 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 5 p.m. on the same day. The Police personnels 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/generator have to be arranged. **Counting of votes in candle light is not permissible.** As alternative only petromax lamps/generator 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 be deployed. Counting of Zila Parishad votes shall be undertaken alongwith other wards of Zila Parishad Chamba for which programme shall be issued afterwards.

13. 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 being held in District Chamba and Lahaul & Spiti, therefore, Model Code of Conduct shall be applicable in the respective territorial jurisdictions of these two Districts only.

14. 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 for any election in that polling area.**

15. 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

A handwritten signature in black ink, likely belonging to the Commissioner, is placed here. The signature is fluid and cursive, starting with a large 'C' and ending with a flourish.

Armsdale building of the HP Secretariat. The telephone numbers viz. 2620152, 2620159, 2620154 and fax No. 2620152 & 2620154 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.

16. 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.

17. 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.

18. 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 Officer 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.

19. TRANSMITTING OF URGENT MESSAGES: Urgent messages may be sent through wireless in case 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.

20. 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.

21. HAND BOOKS: The detailed guidelines for RO/ARO and presiding Officers have been given in the Hand Books. These books are currently under print and will be made available very shortly.

Yours faithfully,

(Dr. A.K. Sharma)

Secretary,
State Election Commission,
Himachal Pradesh.

Endst. No. SEC-16-70/2014-4034-39

Shimla-2 Dated, the 28th Oct ,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 Secretary (Panchayati Raj) to the Govt. of HP.
4. The Secretary (GAD) to the Govt. of H.P.
3. The Special Secretary-cum-Director, Panchayati Raj Deptt. Shimla-9
6. The Director General of Police, H.P. Shimla-2

(Dr. A.K. Sharma)

Secretary,
State Election Commission,
Himachal Pradesh