



Election immediate

Tamil Nadu State Cooperative Societies Election Commission

From
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Commissioner,
Tamilnadu State Cooperative Societies
Election Commission,
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To
The State Election Officers

Rc.No. 251/2013/CE.5

Dated: 03.04.2013

Sir,

Sub : Election – Election of Members of the Boards and Officer Bearers of Co-operative Societies in the State – Arrangement of Polling Materials – Issue of Ballot Papers – Guide Lines – Regarding.

Ref : Commissioner's Letter of even no dated 27.03.2013

In the letter under reference cited guidelines have been issued regarding the designing, printing and custody of Ballot Papers.

Now the following points have been sought to be clarified in the matter of Ballot Papers.

- 1) No of Ballot Papers to be printed.
 - 2) Whether the signature of the voter has to be obtained in the counterfoil of the Ballot Paper.
 - 3) Whether the Election Officer has to sign in each Ballot Paper or use facsimile.

POINT-1

- 1) Regarding point no 1. the Commission has already stated that the number of Ballot Papers to be printed should be arrived at by the Election Officers themselves in consultation with the society concerned taking into account the past voting percentage, the expected voting percentage at present.
 - 2) However contrary to expectation, or anticipation and or forecast and in case of 100% of polling, the polling could not be stopped on this contingency alone.
 - 3) And therefore the following guidelines are issued in the matter raised under

Point No-1

- (1) The number of Ballot Papers to be printed should not be less than the total number of voters as per the voter's list as published by the Electoral Officer.
- (2) There should be an extra number of Ballot Papers to be printed as detailed under to meet any contingencies like missing number, torn or mutilated, damaged Ballot Papers, and also considering the fact that there are the possibilities of less than 100% voting.

Number of Ballot Paper to be Printed
as per voter list

Extra Ballot Paper to be Printed

up to 500
501 to 1000
1001 to 5000
5001 and above

10% Subject to a minimum of 10.
5% Subject to minimum of 50.
2% Subject to minimum of 75.
1% Subject to minimum of 100.

POINT-2

1) Regarding point No. 2 the Commission observes that Rule 52(11) (d) requires that the Election Officer or the Polling Officer as the case may be, if satisfied, shall issue a Ballot Paper to a voter and Rule 52 (11) (g) states each voter shall be given only one Ballot Paper. But Rule 52 does not provide for obtaining the acknowledgement from the voter for the issue of a Ballot Paper by obtaining his signature or otherwise.

2) However in order to substantiate that the voter was supplied with the Ballot Paper, in case of any complaint of non issue of Ballot Paper to him, an acknowledgement seems to be necessary.

3) And the Commission therefore issues the following guidelines in the matter raised under

Point No. 2.

(1) No signature or thumb-impression of the voter need be obtained in the counterfoil. (2)

The signature or thumb-impression, as the case may be, should invariably obtained in the voter list against the entry pertaining the concerned voter as soon as the Ballot Paper is issued to him.

(3) In order to maintain the secrecy of voting by the voter, the Serial

(4) Number of the Ballot Paper issued need not be noted against, while

(5) obtaining the signature or thumb impression of the voter in the voter's list.

POINT-3

Regarding Point No. 3 the Commission observes that –

- (1) Rule 52 (10) (f) requires that the Ballot Paper issued to a voter shall contain the signature of the Election Officer on the reverse of it with his seal.
- (2) Rule 52, at the same time, does not provide, the list or prescribe any condition, or contingencies or circumstances under which an Election Officer need not put signature in hand or any provisos exempting the Election Officer from this basic requirement.

The Commission also agrees fully that, as represented and raised, it will be very difficult to put his signature in all the Ballot Papers numbering in thousands in certain societies.

The Commission at the same time, notes with caution, that a blanket permission to use a facsimile is not the proper solution for such an eventuality.

The Commission could not ignore or rule out the probabilities or possibilities of the facsimile, reaching the wrong hands, by commission or omission, knowingly or unknowingly or negligence either willful or otherwise, and not to think of the dire consequences that may follow in such an event.

The Commission has also to take note not only the difficulties of the Election Officer in signing the Ballot Papers, but also the management of these booths by him which may certainly be more than one in number, proportionate to the number of voters.

An Election Officer having to attend himself personally certain duties relating to the Ballot Boxes at the commencement of polling and at the close of polling, which is time bound, and which could not be discharged by him in all booths simultaneously or singly or in absentia and which is also a human impossibility.

Rule 52 earmarks certain functions to be discharged only by the Election Officer, some by the Election Officer and Polling Officers and some by Polling Officers alone.

Taking into consideration all these points in depth and detail, the Commission issues the following guidelines:

- (1) Under any circumstances or pretext the facsimile should never be used. And the Ballot Papers issued to the voters shall have the signature and seal of the Election Officer without any omission.
- (2) In cases where the number of voters, as per the voter's list of the society, and as published by the Electoral Officer, exceeds 1500, additional Polling Booth/Booths may be formed in the same place or at a place as specified and subject to the provisions under Rule 52(21).
- (3) The Election Officer may appoint sufficient number of Polling Officers as may be necessary for every such additional Polling Booth so formed.

- (4) Among the Polling Officers so appointed as in (2) above the person who can perform with sufficient calibre, capability and capacity to handle situations may be appointed by the Election Officer as the Chief Polling Officer.
- (5) The Chief Polling Officer as appointed as in (4) above, in addition to the duties normally assigned to a Polling Officer under Rule 52, shall also perform the duties of the Election Officer as provided under Rule 52, in as much as they relate and restricted to the booth of which he is so appointed.
- (6) After the close of the poll, the Chief Polling Officer shall hand over to the Election Officer the used Ballot Boxes duly sealed and secured with the records concerning the Ballot Box account and Paper Seal account, with all other related records and unused materials of the booth of which he is the Chief Polling Officer, under proper acknowledgement.
- (7) Utmost care must be taken by the Chief Polling Officer for the safety of the ballot boxes while in transit.
- (8) If a separate booth cannot be formed when the number of voters exceed 1500, but not sufficient enough to have a separate booth, one among the polling officers may be appointed as in (4) above authorizing to perform such of these function of the Election Officer as may be necessary and as entrusted to him by the Election Officer.
- (9) The Chief Polling Officer, shall be paid the allowances for the polling duty at the rates as admissible to the Election Officer.

**Sd./- XXX
Commissioner**