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ELECTION COMMISSION OF INDIA

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Ashoka Road, New Delhi-110001.

No. 464/INST/2023/EPS (Poll Day Management inside PS)

Dated: 14th June, 2023

To

The Chief Electoral Offices of
all States & Union Territories.

Subject: General Election and Bye election to Lok Sabha and State Legislative Assemblies – Management of Activities Inside Polling Stations – reg.

Reference:

(i)	464/INST/2007/PLN-I dated	25.10.2007
(ii)	464/INST/2008/EPS dated	24.10.2008
(iii)	464/INST/2008/EPS dated	18.12.2008
(iv)	464/INST/2008/EPS dated	18.12.2008
(v)	464/INST/2008/EPS dated	19.01.2009
(vi)	464/INST/2008/EPS dated	21.01.2009
(vii)	464/INST/2009/EPS dated	21.01.2009
(viii)	464/INST/2009/EPS dated	21.01.2009
(ix)	464/INST/2012/EPS dated	25.01.2012
(x)	No.464/INST/2016-EPS dated	13.04.2016
(xi)	464/INST/2019/EPS dated	15.04.2019
(xii)	464/INST/EPS/2022 dated	09.09.2022

Madam/Sir,

The Commission has been issuing instructions from time to time on various management activities inside Polling Stations on the poll day, vide letters referred to above. Now, the Commission has reviewed these instructions and issued the following consolidated instructions in supersession of all the existing instructions on the subject matter. The Commission has directed that the following instructions shall be strictly followed inside the Polling Stations:

1. Voting Compartment:

- (a) Inside the polling station, voting compartment(s) shall be placed in such a way that secrecy of voting is not violated and ensure that it is not near a window or the door of the polling station.
- (b) Ballot Unit(s) and VVPAT shall be kept inside the voting compartment and Control Unit shall be kept on the table of Polling Officer-III/Presiding Officer. Interconnecting cable of Ballot Unit(s), Control Unit and VVPAT should be routed in such a way that it does not obstruct the movement of voters inside the polling station. The entire length of the cable should be visible and under no

circumstances be concealed under the cloth or under the table. For this purpose, tape the connecting wires to the legs of the table with **transparent** adhesive tape.

(c) Self-adhesive stickers having details of elections, as mentioned below, shall be pasted on all the three sides of the voting compartment, in the font and size, which shall be legible and readable from the CCTV/Webcasting cameras:

ELECTION COMMISSION OF INDIA VOTING COMPARTMENT
Name of Election:
Name of State/UT:
AC/PC No. And Name:
Date of Poll:
Polling Station No. and Name:

(d) Proper electricity arrangements at the polling stations. However, no direct lighting should be placed over the voting compartment.

2. Persons to be admitted inside the polling station:

A. Only the following persons shall be admitted (*Rule 49D of Conduct of Election Rules 1961*) into the polling station by the Presiding Officer: -

- a) The electors;
- b) Polling officers;
- c) Each candidate, his election agent and one polling agent of each candidate at a time;
- d) Persons authorized by the Commission;
- e) Public servants on duty in connection with the election;
- f) A child in arms accompanying an elector;
- g) A person accompanying a blind or an infirm voter who cannot move or vote without help;
- h) Such other persons as the Presiding Officer may from time to time admit for the purpose of identifying voters or otherwise assisting him in taking the poll;

B. In case of necessity, the Presiding Officer can demand for photo identity cards of contesting candidates. Similarly, the election agents of the candidates are required to produce their identity cards (the duplicate copy of their appointment letter attested by the Returning Officer).

C. It should be noted that the expression 'Public servants on duty in connection with the election' does not include Ministers, State Ministers and Deputy Ministers of Centre and States. According to the instructions of the Commission, they cannot be allowed to be appointed even as election agents or polling agents, as they have to be escorted by their security guards who cannot be allowed entry

into the polling station. For the same reason, no person having security cover can be appointed Election/Polling /Counting Agent

D. The above expression 'Public servants on duty in connection with the election' also does not normally include police officers. Such officers whether in uniform or in plain clothes should not as a general rule be allowed to enter into a polling station, unless the Presiding Officer decides to call them inside in unavoidable circumstances for the maintenance of law and order or some similar purpose.

E. No security personnel accompanying any candidate, or any agent or any elector should be permitted to enter the polling station. Only security personnel of an SPG protectee and Z+ protectee can enter a polling station in plain clothes and arms kept in concealed manner.

3. Events before Actual Poll:

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

- (i) Before starting mock poll, it shall be ensured that Ballot Unit(s) and VVPAT are kept inside the voting compartment and Control Unit is kept on the table of Polling Officer-III/Presiding Officer.
- (ii) Mock Poll shall be started 90 minutes before the commencement of actual poll time in the presence of at least two candidates/polling agents. The Presiding Officer may wait for 15 minutes before conducting the mock poll, if minimum two candidates/agents are not present. In such cases, Presiding Officer shall make a specific mention in this regard, in the prescribed Mock Poll Certificate.
- (iii) The polling stations not having the presence of agents of the candidates of recognized parties and where the mock poll had to be conducted in the absence of any agent or in the presence of only one polling agent, Presiding Officer shall intimate the same to the Returning Officer/Sector Officer. In such case, interventions such as deployment of micro-observers, deployment of video cameras (if not already done), frequent visits by Sector Officer and other senior officers should be ensured.
- (iv) After the completion of poll on the basis of mock poll certifications received from the Presiding Officers of polling stations mentioned at 3 (a)(iii), the R.O shall prepare a list of such polling stations, and special attention shall be paid to the documents received from such polling stations for proper scrutiny. The observers shall also pay their attention to this aspect.
- (v) In case Ballot Unit or Control Unit or VVPAT does not work properly during mock poll, only respective unit shall be replaced.

(b) Demonstration by Presiding Officer

Presiding Officers shall demonstrate the following before commencement of actual poll to the polling agents present in the polling stations: -

- (i) Marked copy of the electoral roll to be used in the polling station.

- (ii) The list of Classified Services Voters (CSVs) appointed proxies (if any).
- (iii) Register of Voters (Form 17A) to show that the register is blank and no entry in respect of any elector has already been made therein.
- (iv) Before the first voter signs in Form-17 A (Register of Voters), the **Polling Officer-1** shall check with the Presiding Officer and record in ink in Form 17A that “Total in the Control Unit checked and found to be Zero”.
- (v) Read out the declaration prescribed by the Commission (*Section 128, Representation of the People Act 1951*).

4. Actual Poll:

(i) Voting Procedure:

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

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

(b) Second Polling Officer, who is in-charge of Register of Voters (Form-17A), Indelible Ink and Voter Slips, makes the entries of the voter's name including EPIC/any of the other alternative document prescribed by the Election Commission of India and obtain the signature of the voters or the thumb impression (in the case of illiterate voters) in the Register of Voters (Form 17A). Thereafter, marks the indelible ink as per the existing instruction (*Rule 37/49 K Conduct of Election Rules 1961*) and issues Voter Slip to the voter indicating his/her serial number as mentioned in Form 17A.

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

- (ii) The Presiding Officer or other polling staff shall not visit frequently to the voting compartment as that may give scope for complaints.
- (iii) In order to ensure that no voter has committed any mischief by pasting any paper, tapes etc., on the symbol/ names / ballot button, the Presiding Officer may from time to time inspect ballot unit (BU) but he should make it a point to do so in the immediate presence of polling agents under Rule 49 Q of Conduct of Election Rules, 1961.



- (iv) Any complaint about the conduct of the polling staff at the polling station shall be taken seriously and shall be properly enquired. Observers are instructed to take serious note of such complaints and conduct or cause enquiry into such allegations and submit reports to the Commission.
- (v) The following shall be followed for replacement of non- functional EVM/VVPAT:
- (a) If the CU or the BU(s) becomes non-functional during actual poll, then the entire set of BU(s), CU and VVPAT shall be replaced by calling Sector Officer. In such case, mock poll shall be conducted by casting of one vote to each contesting candidate including NOTA and other instructions of mock poll be followed.
- (b) If only VVPAT becomes non-functional during actual poll, then only VVPAT shall be replaced. In such case no MOCK POLL is required to be conducted.
- (vi) (a) The poll shall be closed by pressing 'CLOSE' button on CU at the hour fixed for the purpose, if no elector is in queue at the polling station. If some electors are in queue at the hour appointed for the close of poll, the following procedure shall be followed:
- All electors present at the polling station at the hour appointed for the close of poll should be permitted to cast their votes irrespective of the appointed closing hour.
 - The Presiding Officer shall distribute pre-numbered slips to all electors standing in queue, starting from the last person in queue at the prescribed time for end of poll.
 - After the last voter has recorded his vote, the voting machine has to be closed by pressing 'CLOSE' button on CU, so that no further recording of votes in the machine is possible.
- (b) After all electors have cast their votes, the Presiding Officer shall put a red line after entry of last voter and sign on Register 17A giving date and time. All polling agents may also be allowed to put their signature, if they desire so.
- (c) Under Rule 49S Conduct of Election Rules, 1961, at the close of poll, Presiding Officer shall furnish a true attested copy of the account of votes recorded as prepared by him/her in Form 17C to each polling agent, after obtaining a receipt from them. Copies of the accounts should be furnished to every polling agent present even without his/her asking for it.

5. Various special cases during voting on Poll Day:

(i) Secrecy of Vote

Section 128 of the Representation of the People Act 1951 also prescribes maintenance of secrecy of voting and punishment its contraventions. In the interest of maintaining secrecy of vote, no photography or video recording by any person shall be allowed inside the polling stations, except by the persons authorized by the Commission.

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(ii) Voting by ASD Voters:

In order to prevent impersonation of Absent, Shifted and Dead (ASD) electors at the time of poll, a list of ASD voters shall be provided to Presiding Officer, who shall adopt the following procedure in the presence of the Polling Agents:

- (a) If any elector of ASD list comes to cast his/her vote, the Presiding Officer shall verify the prescribed identification document personally. If Presiding Officer is satisfied that the elector is genuine after verification, the Presiding Officer shall obtain a declaration (**Annexure-1**) from such elector and certify therein. Presiding Officer shall maintain a record in this regard.
- (b) The polling officer concern shall properly register the details in the Register of Voters (Form-17A). Thumb impression of such electors shall also be obtained in addition to signature against the column of 'Signature/thumb impression' of Register of Voters (Form-17A), even if elector is literate and can sign.
- (c) Wherever possible, such electors may be photographed for record.
- (d) At the end of the poll, **Annexure-1** shall be kept with Form-17A for scrutiny.

(iii) Accessibility in polling:

- (a) Dummy Ballot Sheets in Braille shall be made available in Polling Stations for use of visually impaired voter to cast his/her vote using Braille facility on Ballot Units of EVMs so that he/she can vote without any help from companion.
- (b) A printed sample of dummy Ballot Unit pasted on a cardboard (real size) shall be provided at every polling station. If any illiterate electors/electors want to know how to cast vote in EVM, the Presiding Officer shall explain the elector without going to the voting compartment in the presence of polling agents.
- (c) Infirm voter, who is incapable of voting by himself by pressing the button of the candidate of his choice on the Balloting Unit of EVM shall be permitted one authorized companion only up to Voting compartment in the polling station and not inside the voting compartment. This will apply in cases where the nature of physical infirmity is such that the elector needs assistance only for his movement and not for voting. The presiding Officer has to take decision in such cases.

If the Presiding Officer is satisfied that a voter is unable to recognize the symbols on the ballot paper affixed on the Balloting Unit(s) of the EVM or to record his vote on it without assistance on account of being blind or infirmity, he will permit such voter to take an adult companion of not less than 18 years into the voting compartment with him for recording the vote on his behalf and in accordance with his wishes. However, none of the polling staff can act as a companion to record vote on his behalf. Besides, numeric in Braille signage (1 to 16) has been provided on the Balloting Unit (BU) top cover on the right of the blue button for each contesting candidate for the convenience of the visually challenged (blind) persons (Rule 49N of the Conduct of Elections

Rules, 1961). Before any person is permitted to act as the companion of the elector, he/she shall be required to declare that he/she will keep the vote recorded by him/her on behalf of the elector secret and that he/she has not already acted as the companion of any other elector at any other polling station on that day. The Presiding Officer shall obtain the declaration from the companion in the form prescribed by the Commission for the purpose

(iv) Electoral and Printing Errors in the Electoral Rolls to be overlooked:

Mere clerical or printing errors in respect of a voter as entered in the electoral roll shall be overlooked if satisfied about the identity of that voter and the Presiding Officer is to allow such voter to vote if his name appears in the Electoral Roll.

(v) Tendered Votes:

A person claiming to be a particular elector comes forward to vote after some other person has already voted as such elector. In such case, if the Presiding Officer is satisfied about the identity of such person to be the real voter after necessary questioning, such elector shall be permitted to vote only by means of a “**Tendered Ballot Paper**” (Not by means of the voting machine). The words 'Tendered Ballot Paper' will be stamped or written on its backside. The Presiding Officer will make necessary entry in the list of tendered votes (Form 17B appended to the Conduct of Elections Rules, 1961) and obtain the signature or thumb impression of the voter therein. The elector will record his vote on the tendered ballot paper by placing an arrow cross mark.

(vi) Challenged Vote:

The polling agents can also challenge the identity of a person claiming to be a particular elector by depositing a sum of Rs.2 in cash with the Presiding Officer for each such challenge. The Presiding Officer shall hold a summary inquiry into the challenge. If after the inquiry the Presiding Officer considers that the challenge has not been established, he shall allow the person challenged to vote. If he considers that the challenge has been established, the Presiding Officer shall debar the person challenged from voting and shall handover such person to the police with a written complaint. All such complaints to the Police should be vigorously pursued and prosecutions launched against the offenders so that they are convicted and suitably punished.

(vii) Refusal to cast a vote by a voter:

Sometimes there is a possibility of some voter not casting vote after signing the Register of Voters (Form 17A) even after option of NOTA is provided in the EVM/Ballot Paper. In such cases, if an elector after signing in Form 17A wishes to leave without voting, a remark can be made in the Register of Voters (Form 17 A) according to the situation/circumstances under which the elector is not voting like “left without voting” or “refused to vote” etc. In Form 17-C (Part-I) the number

of such cases may be shown against Item (3) after scoring out the words “under Rule 49-O” therein.

(viii) Complaint about particulars printed on VVPAT paper slips:

If any voter alleges about the wrong printing of particulars of a candidate and/or symbol of that candidate on VVPAT paper slip printed by the VVPAT on pressing of concerned blue (candidate) button the Ballot Unit, the Presiding Officer the polling station should provide him/her a ‘Form of Declaration’ to lodge a complaint and follow the procedure prescribed under rule 49MA.

(ix) Liability of polling agents for misbehaving or violation of Acts/ Rules: Polling agents/voters should not misbehave with polling staff and voters and must not do any wrong acts which violates Rules / Sections of the Representation of People Act, 1951 or other Acts. For any such violation, they will be liable for punishment of imprisonment or fine or both under the relevant Acts.

(x) Precautions Against Voting by Underage Voters:

The eligibility of a person whose name is included in the electoral roll to be a voter cannot be questioned or enquired into by the Presiding Officer at the polling station. However, if the Presiding Officer is prima facie satisfied, on his own or based on complaint received, that the voter is below the minimum voting age, then the Presiding Officer shall obtain a declaration in the prescribed Form (**Annexure-2**) from the person concerned about his age. Before obtaining the declaration from such voter, the Presiding Officer will inform him of the penal provisions in Section 31 of the Representation of the People Act 1950 for making a false declaration about his age for the inclusion of his name in the Electoral Roll.

(xi) Webcasting in Polling Station

Webcasting shall be arranged in all critical polling stations and all polling stations in vulnerable areas or at least in 50% of total polling stations including auxiliary polling stations, whichever is higher. However, the secrecy of vote shall be maintained. Detailed instruction on the subject may be referred on modalities of implementation.

(xii) Micro Observers

Micro Observers shall be deployed in all or selected critical polling stations as decided by the General Observer for observing the conduct of proceedings inside the polling station as per the statutory provisions and instructions of the Commission. Micro Observer shall report to the General Observer in the prescribed formats.



6. Sealing of EVMs/VVPATs and Election Papers after completion of Poll:

(i) Sealing of EVMs and VVPATs:

Ballot Unit(s), Control Unit and VVPAT shall be sealed in the respective carrying case using thread and address tags, as per existing instructions.

(ii) Sealing of Election Papers - Affixing of Seal thereon by the Polling Agents:

After the close of the poll, the Presiding Officer will also seal all the election papers in separate packets in accordance with the rules and instructions. The Polling Agents present at the polling station are also permitted to affix their seals, in addition to the seal of the Presiding Officer, on the envelopes and packets containing the following documents:

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

The above instructions shall be brought to the notice of all concerned for strict compliance.

Yours faithfully,



14/06/2023

(SANJEEV KUMAR PRASAD)
SECRETARY

FORM OF DECLARATION BY ELECTOR WHOSE NAME IS IN ABSENTEE / SHIFTED / DEAD LIST

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

.....

Signature/Thumb impression of the Elector

Name

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

.....

Signature of the Presiding Officer

.....

Number and name of polling station

Date

FORM OF DECLARATION BY ELECTOR

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

Signature/Thumb impression of the elector

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

Date:

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

.....
Signature of Presiding Officer

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