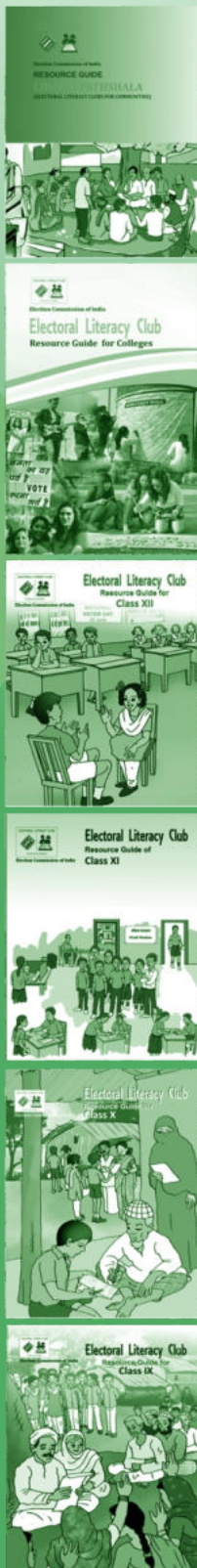


Election Commission of India

Common Handbook for ELCs

FAQs *and*
Glossary of terms



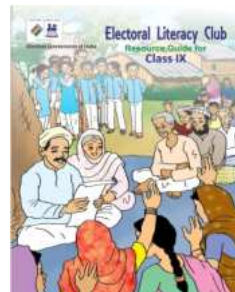
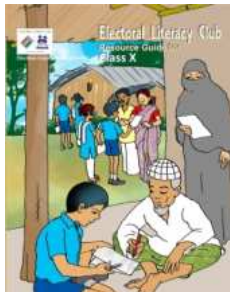
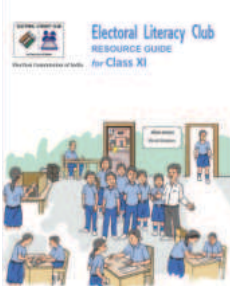
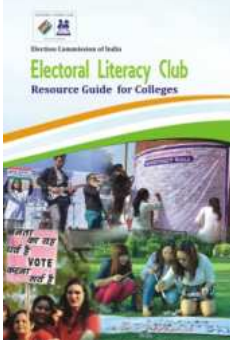
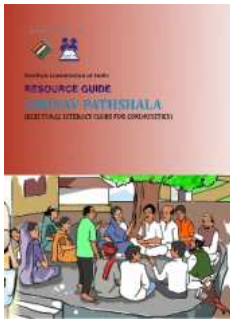


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No Voter to be Left Behind

PART I : FAQ GUIDE

1. Registration & Voting
2. Election Machinery
3. EVM & VVPAT
4. Election to the Office of President & Vice President
5. Service Voter
6. Overseas Elector
7. Political Parties

REGISTRATION & VOTING

Q.1. What are the main categories of electors in India?

Ans. There are 3 categories of electors in India:– (I) General Electors (ii) Overseas (NRI) Electors (iii) Service Electors

Q.2. Who is eligible to be registered as a general elector?

Ans. Every Indian citizen who has attained the age of 18 years on the qualifying date i.e. first day of January of the year of revision of electoral roll, unless otherwise disqualified, is eligible to be registered as a voter in the roll of the part/polling area of the constituency where s/he is ordinarily a resident.

Q.3. What is the relevant date for determining the age of 18 years? Can I get myself registered as a voter on the day when I have completed 18 years of age?

Ans. According to Section 14 (b) of the Representation of the People Act, 1950 the relevant date (qualifying date) for determining the age of an applicant is the first day of January of the year in which the electoral roll after revision is finally published. For example, if you



have completed or are completing 18 years of age on any date from and after 2nd January 2013 but upto to 1st January 2014, you will be eligible for registration as a voter in the electoral roll going to be finally published in January, 2014.

Q.4. Can a non-citizen of India become a voter in the electoral rolls in India?

Ans. No. A person who is not a citizen of India is not eligible for registration as a voter in the electoral rolls in India. Even those who have ceased to be citizens of India on acquiring the citizenship of another country are not eligible to be enrolled in the electoral rolls in India.

Q.5. Can a non-resident Indian settled in foreign land become an elector of electoral roll in India?

Ans. Yes. According to the provisions of Sec 20A of the Representation of the People Act, 1950 by the Representation of the People (Amendment) Act, 2010, a person who is a citizen of India and who has not acquired the citizenship of any other country and is otherwise eligible to be registered as a voter and who is absenting from his place of ordinary residence in India owing to his employment, education or otherwise is eligible to be registered as a voter in the constituency in which his place of residence in India as mentioned in his passport is located. (For more information, please refer to Frequently Asked Questions– Overseas Electors on page no. 59)

Q.6. How can one get registered/enrolled in the electoral roll?

Ans. One has to file the application for the purpose, in prescribed Form 6, before the Electoral Registration Officer / Assistant Electoral Registration Officer of the constituency within which the place of ordinary

residence of the applicant falls. The application accompanied by copies of the relevant documents can be filed in person before the concerned Electoral Registration Officer/Assistant Electoral Registration Officer or sent by post addressed to him/her or can be handed over to the Booth Level Officer of your polling area, or can even be filed online on the website of Chief Electoral Officer of the concerned state or website of Election Commission of India. While filling Form 6 on line, the copies of necessary documents should also be uploaded.

Q.7. From where Form 6 can be obtained ?

Ans. It can be downloaded from the website of Election Commission of India, also available at www.nvsp.in. Form 6 is also available free of cost in offices of Electoral Registration Officers / Assistant Electoral Registration Officers and Booth Level Officers of the concerned polling station areas.

Q.8. What documents are required to be enclosed with Form 6?

Ans. One recent passport size coloured photograph, duly affixed in the box given for the purpose in Form 6 and photo-copies of documentary proof of age and residence are also required to be enclosed with Form 6. The list of documentary proof of age and residence which can be enclosed with Form 6 is given in the guidelines enclosed with Form 6. For filling up Form 6, the said guidelines enclosed therewith may be referred to.

Q.9. I do not have a ration card. Can I get enrolled without a ration card? What are the other documents which I can show as a proof of my residence?

Ans. If an applicant does not have a ration card, s/he can submit any other proof of residence, listed in the guidelines enclosed with Form 6.

Q.10. Is a documentary proof of age required in cases where age of the applicant is more than 21 years?

Ans. Documentary proof of age is required only in those cases, where age of the applicant is between 18 and 21 years. In all other cases, declaration of his age by the applicant will be taken as proof of age.

Q.11. An applicant who is of 18-21 years of age doesn't have any of the documentary proof of age/date of birth. What paper s/he is required to attach with his/her application form for registration as an elector?

Ans. In case none of the documents specified by the Commission in the said guidelines is available with an applicant who is of 18-21 years of age, a declaration in prescribed format given in Annexure – I (enclosed with the Guidelines attached with Form 6 available on the website of Election Commission) made by either of the parents of the applicant (or by guru in case of an elector is transsexual) others' category can be given. In those cases where parental declaration is given as proof of age, the applicant will have to present him/herself for verification before Booth Level Officer/Assistant Electoral Registration Officer/ Electoral Registration Officer. Further, if none of the above documents is available and neither of the parents is alive, the applicant can attach a certificate of his age given by a sarpanch of the concerned *Gram Panchayat* or by a member of the concerned Municipal Corporation/Municipal Committee/Legislative Assembly /Parliament.

Q.12. I am a student staying at the place of study in a hostel/ mess far from my native place. I want to get myself registered at my present address of residence. What should I do ?

Ans. In case of a student residing at the place of study, in hostel or mess managed by the educational institutions or elsewhere will have the option to get himself/herself registered as elector at his/her native place with his/her parents or at the address of hostel/mess where he/she is resident for the time being for pursuing his/her studies. The course pursued by the said students should be recognized by Central/State Governments/Boards/Universities/Deemed Universities and such courses should be of not less than 1 year's duration. Such student who wants to enrol himself/herself at the hostel/mess will have to attach a bonafide certificate (as per the specimen at Annexure II of Guidelines attached to Form 6 available on the website of Election Commission) from the Headmaster/Principal/Director/Registrar/Dean of his/her educational institution with Form 6.

Q.13. A homeless person, who is otherwise eligible for registration as an elector, does not possess documentary proof of ordinary residence. What is the procedure of verification in such case?

Ans. In case of homeless persons, the Booth Level Officer will visit the address given in Form 6 at night to ascertain that the homeless person actually sleeps at the place which is given as his address in Form 6. If the Booth Level Officer is able to verify that the homeless person actually sleeps at that place, no documentary proof of place of residence shall be necessary. Booth



Level Officer must visit for more than one night for such verification.

Q.14. I am a tenant and my landlord does not want me to get enrolled. How can I get enrolled as a voter?

Ans. To get enrolled in the voter list is your statutory right. Please check the electoral roll of your area available on website of Election Commission / Chief Electoral Officer of the state/in office of Electoral Registration Officer/ Assistant Electoral Registration Officer. If your name is not included in the roll, please fill up Form 6 and deposit it with the Electoral Registration Officer/Assistant Electoral Registration Officer/ Booth Level Officer.

Q.15. Who is competent to verify claim applications and objections?

Ans. The Electoral Registration Officer/Assistant Electoral Registration Officer of the concerned constituency.

Q.16. Where the postal address of the Electoral Registration Officers can be obtained from?

Ans. Postal addresses of all Electoral Registration Officers are available on the website of Election Commission of India/Chief Electoral Officers of respective State/ Union Territory (link to which has been provided on the Election Commission of India website).

Q.17. If I apply online, do I need to send to the Electoral Registration Officer's address, signed copy of the Form 6 along with required documents?

Ans. No. As soon as the Electoral Registration Officer/ Assistant Electoral Registration Officer receives Form 6 filed online, s/he downloads the form along with enclosure and deposes Booth Level Officer to visit your residence to verify and obtain your original signature on the application form.

Q.18. Where will be the notice of hearing sent by Electoral Registration Officer?

Ans. The Electoral Registration Officer will send notice at the address of applicant in the country of his current residence, as informed by him and it will be considered as due service of notice to the applicant.

Q.19. Is personal appearance of applicant or hearing parties necessary? If yes, how will the hearing be conducted?

Ans. Normally, personal appearance or hearing is not necessary. On receipt of Form 6, the Electoral Registration Officer shall display a copy of the said form on his notice board inviting objections, if any, within a week's period. The Electoral Registration Officer may also ask the concerned Booth Level Officer to visit the residence of the applicant and verify with him/her, relatives or the neighbors, if any, the information provided by the applicant. If Form 6 is complete in all aspects and copies of all relevant documents enclosed and no person has objected within the stipulated period of one week, the Electoral Registration Officer/Assistant Electoral Registration Officer can order inclusion of name in the electoral roll after such verification by the Booth Level Officer as considered necessary. In case there is an objection to the claim in Form 6 for inclusion of name, the Electoral Registration Officer/Assistant Electoral Registration Officer hears the applicant and the objector in respect of the objection raised.

Q.20. Where can the list of claims and objections be seen?

Ans. It can be seen on the website of the Chief Electoral Officer of the state concerned. It also can be seen on



the notice board at the office of the Electoral Registration Officer.

Q.21. How will an applicant know that his/her name is included in the electoral roll?

Ans. The decision of the Electoral Registration Officer will be communicated to the applicant by post on his/her address given by him in Form 6 and also by SMS on the mobile number given by him in Form 6. Electoral rolls are also available on the website of the Chief Electoral Officer of the State concerned and can be seen by anybody.

Q.22. How can corrections be made if there are some mistakes in the entries in the electoral roll pertaining to electors?

Ans. For correction of mistakes in electoral rolls, an application in Form 8 is to be filled online or submitted to the Electoral Registration Officer concerned.

Q.23. I have shifted from my residence where I am registered as an elector to some other place. How do I ensure that I am enrolled in my new place of residence?

Ans. In case the new residence is in the same constituency, please fill Form 8A, if in another constituency, fill up Form 6 online or submit to the Electoral Registration Officer/Assistant Electoral Registration Officer of the area of your new residence.

Q.24. I have shifted my residence recently. I have Electors Photo Identity Card (EPIC) with the old address. Can I get new EPIC for the present address?

Ans. First of all, you have to ensure that you are enrolled in the electoral roll of the concerned Assembly

Constituency in which your new address is located. Though, it is not necessary to get your new address changed in EPIC, however, if you want to change address in EPIC, that can be done by making an application with a charge of Rs. 25 to Electoral Registration Officer of the new constituency. The Electoral Registration Officer will issue an EPIC with new address though the number of EPIC will be the same as that of the old EPIC.

Q.25. My EPIC has some errors. What is the procedure to have a new EPIC with correct particulars?

Ans. You can make an application in Form 8 for rectification of the errors in your EPIC. The Electoral Registration Officer will issue a new EPIC, with the same number, after making the necessary corrections.

Q.26. I have lost my old EPIC. How can I get a new EPIC?

Ans. A replacement EPIC can be issued to an elector on payment of a fee of Rs. 25, alongwith a copy of the complaint lodged with the Police about the loss of EPIC. However, no fee will be charged if the EPIC has been lost for reason beyond the control of the elector like flood, fire, other natural disaster etc.

Q.27. Who can object to the inclusion of names in electoral rolls?

Ans. Any person who is a voter in the concerned constituency may object to the inclusion of names in electoral roll on the ground that the person whose name is included or is proposed to be included is not eligible to be registered as a voter in that constituency. An objection can be made in Form 7 to the concerned Electoral Registration Officer along with the relevant proof.



Q. 28. My neighbor/ relative has shifted his residence to a new place but his name still continues in the electoral roll. In which Form the application for deletion of his name from the electoral roll can be made?

Ans. For deletion of name of a shifted/dead/absentee elector from the electoral roll application can be made in Form 7. For deletion of a duplicate entry also, application should be made in Form 7.

Q. 29. When can one get registered in electoral roll. Is enrolment on throughout the year?

Ans. The Election Commission normally orders revision of existing electoral roll every year sometime in the months of September to October and such revised rolls are finally published in first week of January of the coming year. One can submit claim application (Form 6) during period for lodging claims and objections to Electoral Registration Officer or an officer designated to receive such applications, i.e., Designated Officer. Even after final publication, the rolls are updated continuously and one can get registered anytime during the continuous updation by filing a claim application to Electoral Registration Officer/Assistant Electoral Registration Officer.

Q. 30. Can one be enrolled at more than one place? If I am working / residing in Delhi, can I be an elector in my native place in Uttarakhand?

Ans. A person cannot be enrolled as a voter at more than one place in view of the provisions contained in Sections 17 and 18 of Representation of the People Act, 1950. Likewise, no person can be enrolled as an elector more than once in any electoral roll. Any person while

applying for fresh enrolment, makes a statement or declaration whether his/her name is already included in the electoral roll of any other constituency, and if such statement/declaration is false and which the applicant either knows or believes to be false or does not believe to be true, he is liable to be punished under section 31 of the Representation of the People Act, 1950.

Q.31. If I have a complaint against the order of Electoral Registration Officer, to whom I should make an appeal?

Ans. During the period of revision, you can file an appeal to the District Election Officer. In the case of application during the process of continuous updation, such appeal against any order of Electoral Registration Officer will lie before the District Magistrate/ Additional DM/ Executive Magistrate/ District Collector of the District concerned. A further appeal against the order of Appellate Authority will lie before the Chief Electoral Officer of the State.

ELECTION MACHINERY

Q.1. Which organization is in charge of conducting elections to the Parliament, State Legislative Assemblies and Legislative Councils, offices of the President and Vice-President of India?

Ans. The **Election Commission of India** is responsible for conducting elections to the Parliament, State



Legislative Assemblies and Legislative Councils, offices of the President and Vice-President of India.

Q.2. Which organization is in charge of conducting elections to Corporations, Municipalities and local bodies, like- the Zilla Parishad, District Panchayat, Panchayat Samitis and Gram Panchayats?

Ans. The **State Election Commission** for States and Union Territories are in charge of conducting elections to Corporations, Municipalities and other local bodies.

Q.3. What is the present composition of the Election Commission?

Ans. At present the Election Commission is a 3-member body comprising 1 Chief Election Commissioner and 2 Election Commissioners.

Q.4. Who presides over electoral processes at the State/UT-level?

Ans. The CEO or, Chief Electoral Officer is in charge of electoral processes at the state/UT level.

Q.5. Who presides over electoral processes at the district-level?

Ans. The DEO or, District Election Officer is in charge of electoral processes at the district/UT level.

Q.6. Who is in charge of conducting elections in any Parliamentary or Assembly Constituency?

Ans. The RO or, Returning Officer is responsible for conducting elections in Parliamentary and Assembly Constituencies.

Q.7. Who is responsible for the preparation of electoral

rolls for a Parliamentary or Assembl Constituency?

Ans. The ERO or, Electoral Registration Officer is responsible for the preparation of electoral rolls for Parliamentary and Assembly Constituencies.

Q.8. Who conducts polls at the polling station?

Ans. The Presiding Officer along with polling officers conducts polls at the polling station.

Q.9. What is the composition of the Parliament of India?

Ans. The Parliament consists of President of India and the two Houses of Parliament known as Council of States (*Rajya Sabha*) and House of the People (*Lok Sabha*).

Q.10. Who elects the President of India?

Ans. The President is elected by the members of an electoral college consisting of the elected members of both the Houses of Parliament and the elected members of the Legislative Assemblies of States and the Union Territories of Delhi and Puducherry.

Q.11. What is the present strength of Rajya Sabha?

Ans. 245 Members. 12 are nominated and 233 are elected.

Q.12. Who elects the members of the Rajya Sabha?

Ans. Elected members of the State Legislative Assemblies.

Q.13. Who nominates the members of the Rajya Sabha?

Ans. The President of India nominates 12 members of *Rajya Sabha*.

Q.14. What is the term of Lok Sabha?

Ans. Normal Term : 5 years



Q.15. How many members are elected by the electors of a Parliamentary Constituency?

Ans. One. Each Parliamentary Constituency will elect only one member.

Q.16. When was the first General Election held in India?

Ans. The first general election was held in India during 1951 - 1952.

Q.17. What can be the maximum number of members of the *Lok Sabha*?

Ans. The maximum number of elected members of *Lok Sabha* is 550.

Q.18. What is the minimum age for becoming a candidate for *Lok Sabha* or Assembly election?

Ans. Twenty Five Years

Q.19. Can a non-citizen be a candidate?

Ans. No, non-citizen cannot be a contesting candidate in the elections.

Q.20. If somebody is convicted for some offence and he is sentenced to imprisonment for 3 years, can he contest elections?

Ans. No

Q.21. Can a person confined in jail vote in an election?

Ans. No

Q.22. Somebody offers you some money to vote for a candidate. Can you accept such money?

Ans. No. Acceptance of money to vote for a candidate is a corrupt practice of bribery.

Q.23. On the day of poll, can any one vote in the name of another person, even with his consent?

Ans. No. On the day of poll no one can vote in the name of another even with his consent. If he does so it would amount to impersonation which is an offence.

Q.24. Can any one vote more than once, even if his name is included (wrongly) at more than one place?

Ans. No, no one can vote more than once even if his name is included at more than one place. If he does so he will be guilty of impersonation.

Q.25. There are 543 Parliamentary Constituencies in India each electing one member. Who demarcates the boundaries of these Constituencies?

Ans. Delimitation Commission

Q.26. What is the main basis for allocation of seats to various States in the *Lok Sabha*?

Ans. Population of the State is the basis of allocation of seats of the *Lok Sabha*.

Q.27. Who is responsible for the counting of votes and declaration of result of an election?

Ans. The Returning Officer

Q.28. What is the Model Code of Conduct?

Ans. The Model Code of Conduct for guidance of political parties and candidates is a set of norms which has been evolved with the consensus of political parties who have consented to abide by the principles embodied in the said code and also binds them to respect and observe it in its letter and spirit.



EVM & VVPAT

Q1. What is an Electronic Voting machine? In what way its functioning is different from the conventional system of voting?

Ans. Electronic Voting Machine (EVM) is an electronic device for recording votes. An Electronic Voting Machine consists of two Units – a Control Unit and a Balloting Unit – joined by a five-meter cable. The Control Unit is placed with the Presiding Officer or a Polling Officer and the Balloting Unit is placed inside the voting compartment. Instead of issuing a ballot paper, the Polling Officer in-charge of the Control Unit will release a ballot by pressing the Ballot Button on the Control Unit. This will enable the voter to cast his vote by pressing the blue button on the Balloting Unit against the candidate and symbol of his choice.

Q2. When was the EVM first introduced in elections?

Ans. EVMs were first used in 70-Parur Assembly Constituency of Kerala in the year 1982.

Q3. How can EVMs be used in areas where there is no electricity?

Ans. EVMs do not require electricity. EVMs run on an ordinary battery assembled by Bharat Electronics Limited/Electronics Corporation of India Limited.

Q4. What is the maximum number of votes which can be cast in EVMs?

Ans. An EVM being used by ECI can record a maximum of 2,000 votes.

Q5. What is the maximum number of candidates which EVMs can cater to?

Ans. In case of M2 EVMs (2006-10), EVMs can cater to a maximum of 64 candidates including NOTA. There is provision for 16 candidates in a Balloting Unit. If the total number of candidates exceeds 16, more balloting units can be attached (one per 16 candidates) up to a maximum of 64 candidates by connecting 4 Balloting Units. However, in case of M3 EVMs (Post 2013), EVMs can cater to a maximum of 384 candidates including NOTA by connecting 24 Balloting Units.

Q6. What will happen if the EVM in a particular polling station goes out of order?

Ans. If an EVM of a particular polling station goes out of order, the same is replaced with a new one. The votes recorded until the stage when the EVM went out of order remains safe in the memory of the Control Unit and it is perfectly fine to proceed with the polling after replacing the EVM with new EVM and there is no need to start the poll from the beginning. On counting day, votes recorded in both Control Units are counted to give the aggregate result of that polling station.

Q7. Who has designed the EVMs?

Ans. The EVMs have been devised and designed by the Technical Experts Committee (TEC) of the Election Commission in collaboration with two Public Sector undertakings viz., Bharat Electronics Ltd., Bangalore and Electronic Corporation of India Ltd., Hyderabad. The EVMs are manufactured by the above two undertakings.

Q8. What is Voter Verifiable Paper Audit Trail (VVPAT)?

Ans. Voter Verifiable Paper Audit Trail (VVPAT) is an independent system attached with the Electronic



Voting Machines that allows the voters to verify that their votes are cast as intended. When a vote is cast, a slip is printed containing the serial number, name and symbol of the candidate and remains exposed through a transparent window for 7 seconds. Thereafter, this printed slip automatically gets cut and falls in the sealed drop box of the VVPAT.

Q9. Whether VVPAT runs on electricity?

Ans. No. VVPAT runs on a power pack Battery.

Q10. Where were VVPATs used for first time in India?

Ans. VVPATs with EVMs were used for first time in a bye-election from 51-Noksen (ST) Assembly Constituency of Nagaland.

Q11. Who conducts the First Level Checking of EVMs & VVPATs?

Ans. Only authorized engineers of the manufacturers, namely Bharat Electronics Limited (BEL) and Electronics Corporation of India Limited (ECIL), conduct the First Level Checking (FLC) of EVMs and VVPATs under control of District Election Officer and direct supervision of Dy. DEO in the presence of representative of Political Parties under videography.

Q12. What is the cost of the machines? Is it not too expensive to use EVMs?

Ans. The Cost of M2 EVMs (manufactured between 2006-10) was Rs.8670/- per EVM (Balloting Unit and Control Unit). The cost of M3 EVMs has been tentatively fixed at about Rs. 17,000 per unit. Even though the initial investment seems somewhat heavy, this is more than set off by the savings in the matter of printing of ballot papers in lakhs for every election, their transportation, storage etc., and the

substantial reduction in the counting staff and the remuneration paid to them.

Q13. In our country a sizeable section of the population is illiterate. Will it not cause problems for the illiterate voters?

Ans. Voting by EVMs is much simpler compared to the conventional system, where one has to put the voting mark on or near the symbol of the candidate of his choice on the Ballot Paper, fold it first vertically and then horizontally and thereafter put it into the ballot box. In EVMs, the voter has to simply press the blue button on Ballot Unit against the candidate and symbol of his choice and the vote is recorded.

Q14. Is it possible to use EVMs for simultaneous elections for Parliament and State Legislative Assembly?

Ans. Yes. However, during simultaneous elections 2 separate sets of EVMs are required, one for the Parliamentary Constituency and the other for the Legislative Assembly Constituency.

Q15. What are the advantages in using EVMs?

Ans. Advantage of using EVMs:

- It completely eliminates the possibility of casting 'Invalid Votes', which during the paper ballot regime was noticed in large numbers during each election. In fact, in many cases, the number of 'Invalid Votes' exceeded the winning margin, leading to numerous complaints and litigations. Thus EVMs have enabled a more authentic and accurate reflection of the choice of the electorate.
- With the use of EVMs, printing of millions of ballot papers for every election can be dispensed with, as only one ballot paper is required for fixing on the Balloting Unit at each polling station instead of one ballot paper



for each individual elector. This results in huge savings by way of cost of paper, printing, transportation, storage and distribution.

- The counting process is very quick and the result can be declared within 3 to 5 hours as compared to 30-40 hours, on an average, under the conventional Ballot paper system.

Q16. With ballot boxes counting is done after mixing the ballot papers. Is it possible to adopt this system when EVMs are used?

Ans. Yes, through the use of a device called 'Totalizer' which can accommodate upto 14 Control Units at a time to aggregate votes without revealing the candidate-wise count of individual EVM used at a particular polling station. However, totalizers are not in use at present as its technical aspects and other related issues are under examination and it is also the subject of a court case.

Q17. How long does the Control Unit store the result in its memory?

Ans. The Control Unit can store the result in its memory until the data is deleted or cleared.

Q18. Wherever an election petition is filed, the result of the election is subject to the final outcome. The courts, in appropriate cases, may order a recount of votes. Whether EVMs can be stored for such a long time and whether the result can be taken in the presence of the officers authorised by Courts?

Ans. The lifespan of an EVM is 15 years & even more and votes recorded in the Control Unit can be stored upto its lifetime until it is cleared. If the Court orders a recount, the Control Unit can be reactivated by fixing the battery and it will display the result stored in its memory.

Q19. Is it possible to vote more than once by pressing the button again and again?

Ans. No. As soon as a particular button on the Balloting Unit is pressed, the vote is recorded for that particular candidate and the machine gets locked. Even if one presses that button further or any other button, no further vote will be recorded. This way the EVMs ensure the principle of "one man, one vote". The next vote is enabled only when the Presiding Officer/Polling Officer in-charge of the Control Unit releases the Ballot by pressing the Ballot Button. This is a distinct advantage over the ballot paper system.

Q20. How can a voter be sure that the EVM is working and his vote has been recorded?

Ans. As soon as the voter presses the 'blue button' against the candidate and symbol of his choice, the lamp against symbol of that particular candidate glows red and a long beep sound is heard. Thus, there is both audio and visual indications for the voter to be assured that his vote has been recorded correctly. In addition, VVPAT provides an additional visual verification in the form of paper slip to the voter so he can ensure that his vote has been correctly recorded for the candidate of his choice.

Q21. Is it true that sometimes because of short-circuitry or other reason, a voter is likely to get an electric shock while pressing the 'blue button'?

Ans. No. EVMs work on a battery and there is absolutely no chance of any voter getting an electric shock at the time of pressing the 'blue button' or at any time of handling the EVM.

Q22. Is it possible to program the EVMs in such a way that initially, say upto 100 votes, votes will be



recorded exactly in the same way as the 'blue buttons' are pressed, but thereafter, votes will be recorded only in favor of one particular candidate irrespective of whether the 'blue button' against that candidate or any other candidate is pressed?

Ans. The microchip used in EVMs is a one-time programmable/ masked chip, which can neither be read nor overwritten. Hence, the program used in the EVMs cannot be reprogrammed in a particular manner. Furthermore, the EVMs are stand-alone machines which are not accessible remotely from any network are connected with any external devices and there is no operating system used in these machines. There is, therefore, absolutely no chance of programming the EVMs in a particular way to select any particular candidate or political party.

Q23. Will it not be difficult to transport the EVMs to the polling stations?

Ans. No. On the contrary, it is easier to transport the EVMs, as compared to ballot boxes as EVMs are lighter, portable and come with custom-made polypropylene carrying cases for ease of portage/transport.

Q24. In many areas of the country, there is no electricity connection and even in those places where there is electricity connection, power supply is erratic. In this scenario will it not create problem in storing the machines without air conditioning?

Ans. There is no need to air condition the room/hall where EVMs are stored. What is required is only to keep the room/hall free from dust dampness and rodents as in the case of ballot boxes.

Q25. In the conventional system, it will be possible to know the total number of votes polled at any

particular point of time. In EVMs 'Result' portion is sealed and will be opened only at the time of counting. How can the total number of votes polled be known on the date of poll?

Ans. In addition to the 'Result' button, there is a 'Total' button on Control Unit of EVMs. By pressing this button the total number of votes polled upto the time of pressing the button will be displayed without indicating the candidate-wise result.

Q26. The Balloting Unit has provision for 16 candidates. In a constituency, there are only 10 candidates. The voter may press any of the buttons from 11 to 16. Will these votes not be wasted?

Ans. No. If there are only 10 candidates including NOTA in a constituency, the 'Candidate' buttons provided at Sl. No. 11 to 16 will be masked at the time of preparation of EVM by Returning Officer. Therefore, there is no question of any voter pressing any of the buttons for candidates 11 to 16.

Q27. Ballot boxes are engraved so as to avoid any scope for complaint of replacement of these boxes. Is there any system of numbering EVMs?

Ans. Yes. Each Balloting Unit and Control Unit has a unique ID Number, which is engraved on each unit. The list containing ID number of EVM (Balloting Unit & Control Unit) to be used in a particular polling station is prepared and provided to the contesting candidates/their agents.

Q28. In the conventional system, before the commencement of poll, the Presiding Officer shows to the polling agents present that the ballot box to be used in the polling station is empty. Is there any such provision to satisfy the polling



agents that there are no hidden votes already recorded in the EVMs?

Ans. Yes. Before the commencement of poll, the Presiding Officer demonstrates to the polling agents present that there are no hidden votes already recorded in the machine by pressing the result button. Thereafter, he conducts a Mock poll with atleast 50 votes in the presence of the polling agents and tallied with the electronic result stored in the CU to fully satisfy the polling agents to satisfy them that the result shown is strictly according to the choice recorded by them. Thereafter, the Presiding Officer will press the clear button to clear the result of the mock poll before commencing the actual poll. He then again shows to polling agents, by pressing 'Total' button that it shows '0'. Then he seals the Control Unit before starting actual poll in the presence of polling agents. Now, with 100% VVPAT use at every polling booth, after the Mock Poll, the VVPAT paper slips are also counted.

Q29. How can one rule out the possibility of recording further votes at any time after close of the poll and before the commencement of counting by interested parties?

Ans. After completion of poll i.e. when the last voter has voted, the Officer in-charge of the Control Unit/Presiding Officer presses the 'Close' Button. Thereafter, the EVM does not accept any vote. After the close of poll, the Control Unit is switched off and thereafter the Balloting Unit is disconnected from the Control Unit and kept separately in the respective carrying cases and sealed. Further, the Presiding officer has to hand over to each polling agent a copy of the account of votes recorded. At the time of counting of votes, the total votes recorded in a particular control

unit is tallied with this account and if there is any discrepancy, this can be pointed out by the Counting Agents.

Q30. Whether there is any provision to complaint if the paper slip generated by the printer has shown the name or symbol of a candidate other than the one he voted for?

Ans. Yes, if an elector after having recorded his vote alleges that the paper slip generated by the printer has shown the name or symbol of a candidate other than the one he voted for, as per the provisions of Rule 49MA of Conduct of Elections Rules, 1961, the presiding officer shall obtain a written declaration from the elector as to the allegation, after warning the elector about the consequence of making a false declaration.

If the elector gives the written declaration referred to in sub-rule (1) of Rule 49MA, the presiding officer shall permit the elector to record a test vote in the voting machine in his presence and in the presence of the candidates or polling agents who may be present in the polling station, and observe the paper slip generated by the printer.

If the allegation is found true, the presiding officer shall report the facts immediately to the returning officer, stop further recording of votes in that voting machine and act as per the direction that may be given by the Returning Officer.

If, however, the allegation is found to be false and the paper slip so generated under sub-rule (1) matches with the test vote recorded by the elector under sub-rule (2), then, the presiding officer shall-

- make a remark to that effect against the second entry relating to that elector in Form 17A

mentioning the serial number and name of the candidate for whom such test vote has been recorded;

- obtain the signature or thumb impression of that elector against such remarks; and
- make necessary entries regarding such test vote in item 5 in Part I of Form 17C."

Q31. Who loads the Serial numbers, names of candidates and symbols allotted to contesting candidates in VVPAT unit?

Ans. Serial numbers, names of candidates and symbols allotted to them are loaded in VVPAT unit with the help of engineers of the manufacturer i.e. ECIL/BEL.

Q32. Whether test printout of the Serial numbers, names of candidates and symbols loaded in VVPAT is required?

Ans. Yes. A test printout of the Serial numbers, names of candidates and symbols loaded in VVPAT is required to check with the ballot paper placed on Ballot Unit. Thereafter, one vote to each candidate will be given to check that the VVPAT is printing the paper slips correctly in respect of all the candidates.

Q33. Whether additional Polling Official is required in each polling station to handle the VVPAT unit?

Ans. Yes. Additional polling official is required in each polling station where M2 VVPATs are deployed with the EVMs. The duty of this polling official will be to watch the VVPAT Status Display Unit (VSDU), kept on the presiding officer's table, continuously during the entire poll process. However, in case of M3 VVPAT no

additional polling official is required to handle the VVPAT.

Q34. Whether changing of paper roll is allowed at polling stations?

Ans. Changing of paper roll is strictly prohibited at polling stations.

Q35. Whether counting of printing paper slips of VVPAT is compulsory on the counting day?

Ans. Counting of printed paper slips of VVPAT is done only in the following cases:

- Mandatory verification of printed VVPAT paper slips of 01 randomly selected polling station of (a) Assembly Constituency in case of election to State Legislative Assembly and (b) each Assembly Segment in case of election to the House of the People.
- In case of no display of result from the Control Unit, the printed paper slips of the respective VVPAT is counted.
- If any candidate, or in his absence, his election agent or any of his counting agents make a written request to count the printed paper slips of the VVPAT in respect of any polling station or polling stations under Rule 56 D of the Conduct of Elections Rules 1961, the Returning Officer taking into consideration various factors decides and issue written orders, whether to count or not to count the printed paper slips of the VVPAT of that particular polling station(s).

Q36. After announcement of the result, whether the



printed paper slips of VVPAT (counted or not), the printed paper slips are required to be taken out of the drop box of the VVPAT Printer unit?

Ans. No. The VVPATs are stored along with the EVMs in a secure strong room till the completion of the Election Petition period.

Q37. Where can I read further about EVMs and VVPATs?

Ans. For further reading you may refer to:

- Manual of EVMs available at <https://eci.gov.in/files/file/9230-manual-on-electronic-voting-machine-and-vvpat/>
- Status paper on EVM available at <https://eci.gov.in/files/file/8756-status-paper-on-evm-edition-3/>

Q38. Whether it is possible to know beforehand about the deployment of EVMs in a particular polling station?

Ans. No, it must be noted here that the arrangement of names of candidates in the ballot paper, and hence the Ballot Unit, is in alphabetical order, first for the National & State Recognised Political Parties, followed by other State Registered Parties, and then by Independents. Thus, the sequence in which the candidates appear on the Ballot Unit is contingent on the names of the candidates and their party affiliation and cannot be ascertained beforehand. EVMs are allocated to polling station by two stages of randomization process through EVM Tracking Software developed by the Commission. After first level checking of EVMs, first randomization of EVMs is done at the District Election Officer level to allocate them Assembly Constituency-wise in the presence of the representative of political parties.

Thereafter, before commissioning of EVMs, second randomisation of EVMs is done at the Returning Officer level to allocate them Polling Station-wise in the presence of candidates/their agents.

Q39. Is it true that many petition have been filed against EVMs in courts? What is the outcome?

Ans. Yes.

Since 2001, the issue of possible tampering of EVM has been raised before various High Courts. Some of these are mentioned below:

- Madras High Court-2001
- Kerala High Court-2002
- Delhi High Court-2004
- Karnataka High Court- 2004
- Bombay High Court (Nagpur Bench)-2004
- Uttarakhand High Court - 2017
- Supreme Court of India - 2017

After detailed analysis of the various aspects of the technological security and administrative safeguards around the use of EVMs, the credibility, reliability and robustness of the EVMs has been validated by the various High Courts in all the cases. In some of these cases, the Hon'ble Supreme Court has also dismissed appeals filed by some petitioners against High Court orders, which were in favour of the EVMs. For details, refer Status paper on EVM available at <https://eci.gov.in/files/file/8756-status-paper-on-evm-edition-3/>



ELECTION TO THE OFFICE OF PRESIDENT & VICE PRESIDENT

Q.1. Who elects the President of India?

Ans. The President is elected by an Electoral College, which consists of the elected members of both Houses of Parliament and the elected members of the Legislative Assemblies of all the States and also of NCT of Delhi and the Union Territory of Puducherry. [Article 54 of the Constitution of India]

Q.2. What is the term of the office of the President?

Ans. The President shall hold office for a term of 5 years from the date on which he enters upon his office. He shall, however, continue to hold office notwithstanding the expiry of his term, until his successor enters upon his office. [Article 56 of the Constitution of India]

Q.3. When is the election of the Office of President of India held?

Ans. Under the provisions of sub-section (3) of Section 4 of the Presidential and Vice-Presidential Elections Act, 1952, the notification calling the election to the office of the President can be issued by the Election Commission on any day within the period of sixty days before the expiry of the term of office of the outgoing President. The election schedule shall be so fixed, that the President elect is able to enter upon his office on the day following the expiry of the term of the outgoing President.

Q.4. Who conducts the election to the Office of President of India?

Ans. Under Article 324 of the Constitution of India,

the authority to conduct elections to the Office of President is vested in the Election Commission of India.

Q.5. What electoral system/process is followed for the election to the office of the President?

Ans. As per Article 55(3) of the Constitution of India, the election of the President shall be held in accordance with the system of proportional representation by means of single transferable vote and the voting at such election shall be by secret ballot.

Q.6. What are the Qualifications required by a candidate to contest the election to the Office of the President of India?

Ans. Under Article 58, a candidate should fulfill the following eligibility conditions to contest the election to the Office of President: -

1. Must be a citizen of India.
2. Must have completed 35 years of age,
3. Must be eligible to be a member of the *Lok Sabha*,
4. Should not be holding any office of profit under the Government of India or the Government of any State or under any local or other authority subject to the control of any of the said Governments. However, the candidate may be holding the office of President or Vice-President or Governor of any State or Ministers of the Union or any State and shall be eligible to contest election.

Q.7. Apart from the above what are the conditions to be fulfilled by a candidate for his nomination to be valid?



Ans. A nomination paper of a candidate for the election has to be made in the prescribed form (Form 2 appended to the Presidential and Vice-Presidential Elections Rules, 1974) and it has to be subscribed by at least fifty electors as proposers and at least fifty electors as seconders. The nomination paper duly completed in all respects has to be presented to the Returning Officer, between 11AM and 3PM on any day other than on a public holiday appointed for the purpose by the Election Commission, either by the candidate himself or by any of his proposers or seconders. Here “Electors” mean elected MPs and elected MLAs who are electors for Presidential Election. The security deposit for the election, of Rs.15000/- should also be deposited either in cash with the Returning Officer or a receipt showing that the amount has been deposited by the candidate or on his behalf in the Reserve Bank of India or in a Government Treasury should be furnished along with the nomination paper. The candidate is also required to furnish a certified copy of the entry showing his name in the current electoral roll for the Parliamentary Constituency in which the candidate is registered as an elector. [see Sections 5B and 5C of the President and Vice-President Elections Act, 1952]

Q.8. Who is appointed as the Returning Officer/ Assistant Returning Officer for the election to the Office of President of India? Who makes such appointment?

Ans. By convention, the Secretary General, *Lok Sabha* or the Secretary General, *Rajya Sabha* is appointed as the Returning Officer, by rotation. Two other senior officers of the *Lok Sabha/Rajya Sabha* Secretariat and the Secretaries and one more senior officer of Legislative Assemblies of all States including NCT of Delhi and Union Territory of Puducherry, are also

appointed as the Assistant Returning Officers. The Election Commission of India makes such appointments. [For the Presidential Election, 2017 the Secretary General *Lok Sabha* is the Returning Officer]

Q.9. Can a Candidate submit more than one nomination paper? What would be the security deposit to be made by such candidate?

Ans. Yes. A candidate can file a maximum of four nomination papers. However, he is required to make only one security deposit in this regard. [see Section 5B (6) and 5C of the President and Vice-President Elections Act, 1952]

Q.10. Can an elector propose or second the nomination of more than one candidate at a Presidential election?

Ans. No. An elector can propose or second the name of only one candidate at a Presidential election. If he subscribes as proposer or seconder, the nomination papers of more than one candidate, his signature shall be deemed operative only on the nomination paper first delivered to the Returning Officer. [see Section 5B(5) of the President and Vice-President Elections Act, 1952]

Q.11. Who scrutinizes the nomination papers filed by the candidates and who can be present at the time of such scrutiny?

Ans. All nomination papers received by the Returning Officer during the period specified for the purpose by the Election Commission are scrutinized by the Returning Officer himself on the date fixed by the Election Commission under Sub-Section (1) of Section 4 of the Presidential and Vice-Presidential Elections



Act, 1952. At the time of such scrutiny, the candidates, one proposer or one seconder of each candidate and one other person duly authorized, in writing, by each candidate shall be entitled to be present, and they shall be given all reasonable facilities for examining the nomination papers of the candidates and raise objections in regard to those nomination papers.

Q.12. What are the grounds for rejection of the nomination of a candidate in the Presidential election?

Ans. A nomination paper may be rejected by the Returning Officer on the following grounds under Section 5E of the Presidential and Vice-Presidential Elections Act, 1952:-

1. On the date of scrutiny of nominations, the candidate is not eligible for election as President under the Constitution; or
2. If any of the proposers or seconders is not qualified to subscribe a nomination paper, i.e., he is not an elector at the election; or
3. If it is not subscribed by the required number of proposers and/or seconders; or
4. If the signature of the candidate or any of the proposers or seconders is not genuine or has been obtained by fraud; or
5. If the nomination paper is not presented in person by the candidate or any of his proposers or seconders or if it is not delivered to the Returning Officer, within the hours and dates prescribed for the purpose or at the place appointed for the purpose, or the candidate has failed to make the

required security deposit in the prescribed manner. However, a candidate's nomination shall not be rejected, if he has submitted another set of nomination papers, which are without any irregularity or defect. A candidate's nomination shall not be rejected on the ground of any defect that is not of substantial character.

Q.13. Where is the poll for election to the Office of President held?

Ans. A Room in the Parliament House in New Delhi and a room in the Secretariat building of State Legislative Assemblies in each state, including NCT of Delhi and UT of Puducherry are generally fixed as places of poll, by the Election Commission. [see Rule 7 of the Presidential and Vice-Presidential Elections Rules, 1974].

Q.14. Can the electors choose their place of voting?

Ans. Yes. While normally Members of Parliament vote in New Delhi and the members of the State Legislative Assemblies, including the members of the Legislative Assemblies of NCT of Delhi and UT of Puducherry vote at the place fixed in each State/UT capital, facilities are provided by the Election Commission for any MP to vote in the capital of State and similarly an MLA may vote at the polling booth set up in the Parliament House, if he is in Delhi on the date of poll. However, the MP or MLA who opts to vote in a place other than the place where the member is designated to vote is required to intimate the same to the Commission well in advance (ten days) for making necessary arrangements. In exceptional circumstances, MPs and MLAs may be permitted by the Commission to vote at other State Capitals also.

Q.15. What is the colour and form of ballot papers used in the election to the office of the President?

Ans. The Election Commission has directed that the ballot papers should be printed in 2 (two) colours- in green for use by Members of Parliament and in pink for use by the Members of the State Legislative Assemblies. The ballot papers are printed with two columns-first column containing the names of the candidates and the second column for marking preferences by the elector for each such candidate. The ballot papers are printed in Hindi and English for use by MPs and in the official language(s) of the State and in English for use by the MLAs of the State concerned. [see Rule 10 of the Presidential and Vice-Presidential Elections Rules, 1974]

Q.16. Is the value of vote of each elector the same?

Ans. No. The value of votes of MLAs would differ from State to State as the value of each such vote is calculated by the process explained below. However, the value of votes of all MPs is the same.

Q.17. How is the value of votes of members of the Electoral College calculated?

Ans. The value of votes of electors is basically determined on the basis of population of the States in accordance with the manner laid down in Article 55(2) 7 of the Constitution. The Constitution (Eighty-fourth Amendment) Act, 2001 provides that until the population figures for the first census to be taken after the year 2026 have been published, the population of the States for the purposes of calculation of value of the votes for the Presidential Election shall mean the population as ascertained at the 1971 census. The value of the vote of each member of a State Legislative

Assembly included in the Electoral College is calculated by dividing the population of the State concerned (as per 1971 Census) by the total number of elected members of the Assembly, and then further dividing the quotient by 1000. If the remainder, while so dividing is 500 or more, then the value is increased by '1'. Total Value of votes of all members of each State Assembly is worked out by multiplying the number of elective seats in the Assembly by the number of votes for each member in the respective State. The total value of votes of all the States worked out as above in respect of each State and added together is divided by the total number of elected members of Parliament (Lok Sabha 543 + Rajya Sabha 233) to get the value of votes of each Member of Parliament. The statement of Value of Votes of MLAs & MPs as per Article 55(2) of the Constitution is given below*. (Appendix)

Q.18. What is the manner/ procedure for recording votes at an election to the office of President?

Ans. In accordance with the system of proportional representation by means of single transferable vote, every elector can mark as many preferences, as there are candidates contesting the election. These preferences for the candidates are to be marked by the elector, by placing the figures 1,2,3,4,5 and so on, against the names of the candidates, in the order of preference, in the space provided in column 2 of the ballot paper. The preferences can be indicated in international form of Indian numerals or in the form used in any Indian language or in Roman form but the preferences cannot be indicated in words like one, two, first preference second preference etc. [see Rule 17 of the Presidential and VicePresidential Rules, 1974].



Q.19. Is it compulsory for an elector at a Presidential election to mark his preference for all candidates?

Ans. No. Only the marking of first preference is compulsory for a ballot paper to be valid. Marking other preferences is optional.

Q.20. Are the provisions of the Anti-Defection Law applicable in Presidential elections?

Ans. No. Members of the Electoral College can vote according to their wish and are not bound by any party whips. The voting is by secret ballot. Therefore, Party whip does not apply in this election.

Q.21. Are Nominated Members of either Houses of Parliament or a State Legislative Assembly eligible to vote at the election to the Office of President?

Ans. No. Only elected members of both Houses of Parliament and of the State Legislative Assemblies are members of the Electoral College for Presidential Election. Therefore, nominated members cannot vote in this election. [see Article 54 of the Constitution.]

Q.22. Can an elector at a Presidential election exercise his vote by proxy?

Ans. No.

Q.23. Whether provisions of NOTA are applicable?

Ans. No.

Q.24. Can a disabled or illiterate elector in a Presidential election take the help of a companion to record his vote?

Ans. No. Unlike in Parliamentary and Assembly election, an elector cannot take the help of a companion. He can take only the assistance of the Presiding Officer to

record his vote, if he is unable to read the ballot paper or to record his vote by reason of his illiteracy or blindness or any physical or other disabilities. The Presiding Officer is obliged under the rule to record the vote according to the wishes of the elector and keep such vote secret. [see Rule 19 of the Presidential and Vice-Presidential Rules, 1974].

Q.25. How can an elector who is under preventive detention during the period of Presidential election cast his vote?

Ans. An elector under preventive detention can cast his vote through postal ballot, which will be sent to him by the Election Commission on the place of his detention. [see Rule 26 of the Presidential and Vice-Presidential Rules, 1974].

Q.26. Is the winner in a Presidential election elected on the basis of obtaining simple majority? Or by securing a specified quota of votes?

Ans. As the Presidential election is held in accordance with the system of proportional representation by means of the single transferable vote, every elector has as many preferences as candidates contesting the elections. The winning candidate has to secure the required quota of votes to be declared elected, i.e., 50% of valid votes polled +1. [see the schedule of the Presidential and Vice-Presidential Rules, 1974].

Q.27. What are the grounds for rejection of the ballot papers?

Ans. The Returning Officer shall reject a ballot paper as invalid on which: 1. The figure 1 is not marked; or 2. The figure 1 is marked against the name of more than one candidate or is marked in a manner which renders



it doubtful as to which candidate it is intended to apply; or 3. The figure 1 and some other figure is marked against the name of the same candidate; or 4. Any mark is made by which the elector may be identified. A ballot paper will also be invalidated if the preference is marked in words like one, two, three or first preference, second preference, third preference, etc., instead of in figures 1, 2, 3 etc. A postal ballot may be rejected if the signature of the elector on the declaration and the attestation form received with the ballot 10 paper is not duly attested by the authority specified in such form (who is normally the officer-in-charge of the jail or the place of detention). [see rule 31 of the Presidential and Vice-Presidential Rules, 1974].

Q.28. What is the procedure of counting in a Presidential election? How is the quota of votes to be secured by the winning candidate determined?

Ans. After the valid ballot papers are segregated from the invalid ones, the valid ballot papers are distributed among the contesting candidates on the basis of first preference marked on each of them for those candidates. The value of votes which each contesting candidate gets in this process is ascertained by multiplying the number of ballot papers on which the first preference is marked for him, by the value of vote which each ballot paper of a member (MP or MLA) represents as indicated on the ballot paper itself. The total votes secured by each contesting candidate are then ascertained by adding together the value of votes secured by him from the Members of Parliament and the Members of the State Legislative Assemblies. This is the first round of counting. For ascertaining the quota sufficient to secure the return of a candidate, the value of votes credited to each contesting candidate in the first round of counting is added up to determine the

total value of valid votes polled at the election. Such total value of valid votes is then divided by two, and one is added to the quotient so obtained, ignoring the remainder, if any. The number so determined, is the quota, which a candidate should secure to be declared elected. If the total value of the votes credited to any candidate at the first count, is equal to, or greater than, the quota sufficient to secure the return of a candidate, that candidate is declared elected by the Returning Officer. If, however, after the first round of counting, no candidate secures the requisite quota, then the counting proceeds on the basis of a process of elimination and exclusion, whereby the candidate credited with the lowest number of votes is excluded and all his ballot papers are distributed among the remaining (continuing) candidates on the basis of the second preferences marked, if any, thereon. The value of such 11 transferred ballot papers will be the same as the value at which the excluded candidate received them. The ballot papers on which second preference is not marked is treated as exhausted ballot papers and shall not be further counted, even if the third or subsequent preferences are marked thereon. If no candidate secures the requisite quota even at this stage after distribution of votes of the excluded candidate then the process of counting will continue on the same basis of elimination and exclusion of the candidate with lowest vote till a candidate secures the required quota of votes. In case, even after the exclusion of the candidates receiving the lowest number of votes, no candidate secures the requisite quota and ultimately one candidate remains as the lone continuing candidate, he is declared elected even if he has failed to secure the quota sufficient to secure the return of a candidate. [see the schedule to the Presidential and Vice-Presidential Rules, 1974].



Q.29. Where is the counting of votes in a Presidential election held?

Ans. The counting of votes is done in the office of the Returning Officer at New Delhi.

Q.30. When is the security deposit of a candidate in a Presidential Election forfeited?

Ans. The security deposit shall be forfeited if the candidate is not elected and the number of valid votes polled by him does not exceed one-sixth of the number of votes necessary to secure return of a candidate at such election. In other cases, the deposit will be returned to the candidate. The security deposit is returned by ECI. [see Section 20A of the Presidential and Vice-Presidential Act, 1952].

Q.31. Can the result of the election to the Office of President be challenged? If so, what is the proper procedure for doing so?

Ans. Yes. An election to the Office of the President can be called in question by means of an election petition presented to the Supreme Court after the election is over. Such election petition should be presented by a candidate or twenty or more electors joined together as petitioners, and may be presented at any time after the date of publication of the declaration containing the name of the returned candidate at the election under Section 12 (of the Presidential and Vice-Presidential Elections Act, 1952), but not later than 30 days from the date of such publication. Subject to these provisions, the Supreme Court, under Article 145 of the Constitution, may regulate the form, manner and the procedures connected with such election petitions. [see Sections 13 to 20 of the Presidential and Vice-Presidential Act, 1952].

Q. 32. Who elects the Vice-President of India?

Ans. The Vice-President is elected by the members of an electoral college consisting of the members of both House of Parliament.

Q.33. What is the manner of election of Vice-President?

Ans. The election is in accordance with the system of proportional representation by means of the single transferred vote and the voting is by secret ballot.

Q. 34. What is the term of office of Vice-President?

Ans. The Vice-President shall hold office for a term of five years from the date on which he enters upon his office.

Q.35. What are the qualifications for election as Vice-President?

Ans. According to Article 66 of the constitution, no person shall be eligible for election as Vice-President unless he is a citizen of India, has completed the age of thirty-five years and is qualified for election as a member of the Council of States. A person shall not be eligible if he holds any office of profit under any local or other authority subject to the control of any of the said Governments.

SERVICE VOTER (POSTAL BALLOT & ETPB)

Q. 1. Who is a Service Voter ?

Ans. Service voter is a voter having service qualification. According to the provisions of sub – section (8) of Section 20 of Representation of People Act, 1950, service qualification means – (a) Being a member of the Armed Forces of the Union ; or (b) Being a member



of a force to which provisions of the Army Act, 1950 (46 of 1950), have been made applicable whether with or without modification ; (c) Being a member of an Armed Police Force of a State, and serving outside that state; or (d) Being a person who is employed under the Government of India, in a post outside India.

Q.2. What is the relevant date for revision of electoral roll ?

Ans. The relevant date for revision of electoral roll is 1st January of the year in which the roll is finally published.

Q.3. How is a service voter different from an ordinary elector?

Ans. While an ordinary elector is registered in the electoral roll of the constituency in which his place of ordinary residence is located, person having service qualification can get enrolled as 'service voter' at his native place even though he actually may be residing at a different place (of posting). He has, however, an option to get himself enrolled as general elector at the place of his posting where he factually, at the point of time, is residing ordinarily with his family for a sufficient span of time.

Q.4. What are the application Forms in which various categories of service voters have to apply for enrolment as an elector ?

Ans. Following are the application Forms in which various categories of service voters are to make application for enrolment as service voter:- (i) Members of Armed Forces– Form 2 (ii) Members of Armed Police Force of a State, serving outside that State– Form 2 A (iii) Persons employed under Government of India on post outside India – Form 3 However, if a service personnel has opted to get himself enrolled as general elector at place of his

posting, where he is actually residing, he will have to apply in Form 6 like other general electors.

Q.5. Are members of all Armed Forces / Para Military Forces eligible to be enrolled as service voters?

Ans. As per the existing arrangements, members of Indian Army, Navy and Air Force and personnel of General Reserve Engineer Force (Border Road Organization), Border Security Force, Indo Tibetan Border Police, Assam Rifles, National Security Guards, Central Reserve Police Force, Central Industrial Security Force and Sashastra Seema Bal are eligible to be registered as service voters.

Q.6. From where Form 2 / 2 A / 3 can be obtained?

Ans. It can be downloaded from the website of Election Commission of India. www.servicevoter.nic.in

Q.7. What is the process of enrolment of a service personnel as a service voter?

Ans. Election Commission orders revision/ updation of rolls for service voters twice in a year. The Commission sends a communication to Ministry of Defence, Ministry of Home Affairs and Ministry of External Affairs intimating them of the commencement of revision programme. As soon as the programme is announced, persons having service qualification can fill up the application in statutory Form 2 / 2A / 3, in duplicate, and handover to the officer in-charge of record office or the nodal authority in Ministry of External Affairs (in case of persons employed under Government of India on a post outside India). The person applying in Form 2/2A has also to submit a declaration in a prescribed format to the effect that he did not get enrolled as general elector in any

constituency. The declaration need not be in duplicate. The officer in-charge / nodal authority will check the Form and declaration and ensure that the Form is complete in all respects and particulars filled by the applicant therein are correct. The officer in-charge, will then, sign the verification certificate provided in the Form itself and forward the same to the Chief Electoral Officer of the State concerned. The Chief Electoral Officer sends the Form to respective District Election Officer who will then send it to the Electoral Registration Officer of the constituency. The Electoral Registration Officer will process the Form.

Q.8. Is wife or son/daughter of a service voter also enrolled as a service voter?

Ans. The wife of a service voter shall, if she is ordinarily residing with him, be also deemed to be a service voter in the constituency specified by that person. The service voter has to make a statement to the effect in the relevant Form 2/2A/3 that his wife ordinarily resides with him. The wife will be enrolled as a service voter on the basis of declaration made by her husband in the application form itself submitted by him and no separate declaration/application is required to be made by the wife. A son/ daughter/ relative/ servant etc. residing ordinarily with a service voter cannot be enrolled as service voter.

Q.9. Is facility of enrollment as a service voter available to the husband of a female service voter?

Ans. Under the existing law, this facility is available only to the wife of a male service voter and is not available to the husband of a female service voter.

Q.10. Can one be enrolled simultaneously as a service

voter at his native place as well as a general voter at the place of posting ?

Ans. No. A person, at a particular time, cannot be enrolled as a voter at more than one place in view of the provisions contained under Sections 17 and 18 of Representation of People Act, 1950. Likewise, no person can be enrolled as an elector more than once in any electoral roll. As explained above, a service voter has option either to get himself registered as service voter at his native place or as general elector at the place of posting. When a person applies for registration as a service voter in Form 2 / 2A, he has to submit a declaration in a prescribed format to the effect that he did not get enrolled as ordinary general elector in any constituency.

Q.11. Who is a Classified Service Voter?

Ans. Service voter belonging to Armed Forces or forces to which provisions of Army Act, 1950 are applicable, has option of either voting through postal ballot or through a proxy voter duly appointed by him. A service voter who opts for voting through a proxy is called Classified Service Voter (CSV).

Q.12. Who is a 'proxy' ?

Ans. A service voter may appoint (by applying to Returning Officer in Form 13 F of Conduct of Elections Rules, 1961– Form available at the website of Election Commission) any person as his/her proxy to give vote on his/her behalf and in his/her name at the polling station. The proxy shall have to be an ordinary resident of that constituency. He need not be a registered voter but he/she must not be disqualified to be registered as a voter.



Q.13. What is the procedure of appointment of a 'proxy' ?

Ans. A 'proxy' can be appointed in the following two ways :-
a) If a service voter is at the place of his posting, he has to put his signature in Form 13F before the Commanding Officer of the Unit and then to send the Form to his proxy for affixing his/her signature before a Notary/First Class Magistrate. Thereafter, the proxy can submit the Form to the Returning Officer concerned. b) If a service voter is at his native place, both he and his proxy can sign Form 13 F before a Notary/First Class Magistrate and then send to the Returning Officer concerned.

Q.14. For what period a proxy remains valid?

Ans. The provision for voting through proxy is valid till the person making the appointment is a service voter. Once appointed, the proxy will continue until his 5 appointment is revoked by the service voter. The facility of proxy voter can be revoked and the proxy can be changed at any time or for any number of times by the Classified Service Voter. Thus a Classified Service Voter can revoke and opt back for postal ballot route or even substitute the proxy by intimating the Returning Officer in Form 13G of Conduct of Elections Rules, 1961 (Form available at the website of Election Commission). Revocation will become effective from the date it is received by the Returning Officer.

Q.15. When should the application for appointment of a proxy be made?

Ans. Application for appointment of a proxy should be received by the Returning Officer before the last date of filing of nomination papers. An application for appointment of a proxy received after the last date of

filing nomination papers cannot be considered for the election in progress, though it will be valid for subsequent elections unless revoked / changed.

Q.16. How does a 'proxy' record the vote on behalf of the service voter at the polling station ?

Ans. The proxy can record the vote on behalf of the service voter at the polling station to which service voter is assigned, in the same manner as any other elector assigned to that polling station. The proxy will be entitled to vote on behalf of the service voter, in addition to the vote that he / she may cast in his / her own name if he/she is a registered elector in the constituency, at the polling station to which he / she has been normally assigned.

Q.17. Can a Classified Service Voter be issued postal ballots by the Returning Officer ?

Ans. A Classified Service Voter cannot be issued postal ballots but the appointed proxy shall physically come and vote at the polling station which covers the classified voter's home address.

Q.18. What is the structure of list of service voters in the electoral roll ?

Ans. While the list of classified service voter shall be maintained polling station wise, the list of other service voters is prepared separately for a constituency as a whole and all service voters registered therein shall be arranged at the end of electoral roll of a constituency as a separate last part. All service voters belonging to a constituency shall be listed together, irrespective of the place of residence, in this last part. These service voters do not have any specified polling station. The last part meant for



service voters has three subparts- 'A' (For Armed Forces), 'B' (Armed Police Force of States serving outside the respective State) and 'C' (For persons employed under Government of India against a post outside India).

Q.19. How many times the last part of electoral roll for service voters is updated in a year?

Ans. The last part of electoral roll / list of service voters is updated twice and 2 supplements are brought out in a year.

Q.20. In which language the last part of rolls is prepared for service voters ?

Ans. The last part containing the list of service voter is prepared in English only.

Q.21. Is a service voter issued Elector Photo Identity Card (EPIC) like ordinary electors?

Ans. A service voter is not issued Elector Photo Identity Card (EPIC). Elector Photo Identity Card (EPIC) is a document of identity which an elector has to show at the polling station at the time of casting his vote. As service voters are issued postal ballots or votes through his 'proxy', they are not required to visit the polling stations personally and therefore Elector Photo Identity Cards (EPICs) is not issued to them.

Q.22. Is a service voter required to apply for issue of a postal ballot paper?

Ans. No; the Returning Officer will himself send a postal ballot paper to him through his record office (or direct or through the Ministry of External Affairs in the case of a service voter serving outside India).

Q.23. How do I vote as a Service Voter?

Ans. When there is an election announced, Returning Officer (RO) of your constituency will send you the postal ballot along with two envelopes, a declaration and instructions for voting.

- i) Record your vote by placing clearly a mark X or ☑ opposite the name of the candidate of your choice on the ballot paper; your vote will be invalid if the mark does not clearly indicate your choice.
- ii) Do not put your signature, any word, sign or any other mark on the ballot paper other than the mark required to record your vote.
- iii) After recording your vote, place the ballot paper in the smaller cover marked 'A' sent with the ballot paper; close the cover and secure it by seal or otherwise.
- iv) Sign the declaration in **Form 13A** in the presence an officer appointed by the Commanding Officer of the Unit, ship or establishment. Remember to mention the serial number of the postal ballot in the declaration in the place meant for the same.
- v) The officer will attest your signature and return the declaration to you; you must not show your ballot paper to the attesting officer nor tell him how you have voted.
- vi) Place the Declaration and also the smaller cover marked 'A' containing the ballot paper in the larger cover marked 'B', which already bears the address of the Returning Officer.
- vii) Give your full signature in the space provided on the cover marked 'B'. The serial number of ballot paper should be entered on the smaller envelope (**Form 13B**) in the column meant for it, if the same is not already entered by the RO before sending it to you.



- viii) After closing the larger cover, send it to the RO by post or messenger.
- ix) No postage stamp needs to be affixed by you. It may be noted that the ballot has to reach the RO before the time fixed for commencement of counting of votes, which would be mentioned in the instruction sheet.

Q.24. What is ETPB?

Ans. ETPB stands for Electronically Transmitted Postal Ballot. To reduce the transit time for sending a postal ballot, ECI has now introduced ETPB whereby the postal ballot is sent electronically to the Service Voter. When there is an election announced, the Returning Officer of the concerned Constituency sends the ballot electronically to the Service Voter with the voter's details already filled in. A One Time Password (OTP) is also provided to enable the voter to download the ETPB. Alongwith ETPB, the Service Voter gets the declaration Form (Form-13A), Form 13B and Form-13C. The ETPB has to be filled up in the same manner as the conventional postal ballot and sent by post back to the Returning Officer.

OVERSEAS ELECTOR

Q.1. Who is an overseas (NRI) elector? Can an NRI settled in foreign land become an elector of electoral roll in India?

Ans. An overseas elector is a person who is a citizen of India and who has not acquired citizenship of any other country and is otherwise eligible to be registered as a voter and who is absenting from his place of ordinary

residence in India owing to his employment, education or otherwise is eligible to be registered as a voter in the constituency in which his place of residence in India as mentioned in his passport is located. According to the provisions of Section 20A of the Representation of People Act, 1950, an NRI settled in foreign land can become an elector in electoral roll in India.

Q.2. Who is eligible to be registered as a voter?

Ans. Every Indian citizen who has attained the age of 18 years, same to persons living abroad.

Q.3. What documents are required to be enclosed with Form 6A?

Ans. One recent passport size coloured photograph, duly affixed in Form 6A, photo-copies of the relevant pages of the passport containing photograph, his address in India and all other particulars of the applicant and also the page of passport containing the valid visa endorsement.

Q.4. What other formalities are required to be fulfilled at the time of filing claim application?

Ans. If the application is sent by post, the photo-copy of each of the documents referred to in the answer to Question No. 8 above, should be duly self attested. If the application is submitted in person before the Electoral Registration Officer/Assistant Electoral Registration Officer, the original passport should be produced for verification.

Q.5. Who is competent to verify claim applications and objections?

Ans. The Electoral Registration Officer/Assistant Electoral Registration Officer of the concerned constituency.

Q.6. From where the postal address of the Electoral Registration Officers can be obtained ?

Ans. Postal addresses of all Electoral Registration Officers are available on the website of Election Commission of India/Chief Electoral Officers of respective State/ Union Territory (link to which has been provided on the Election Commission of India website). They can also be obtained from Indian Missions in Foreign countries.

Q.7. If I apply on line, whether I need to send by post to the Electoral Registration Officers address, signed copy of the Form 6A along with required documents.

Ans. Yes, it is necessary to send signed copy of Form 6A and self attested copies of requisite documents mentioned in answer to Question No. 8 above.

Q.8. Where will be the notice of hearing sent by Electoral Registration Officer?

Ans. The Electoral Registration Officer will send notice at the address of applicant in the country of his current residence, as informed by him and it will be considered as due service of notice to the applicant.

Q.9. Is personal appearance of applicant or hearing parties necessary? If yes, how will the hearing be conducted?

Ans. Personal appearance or hearing is not necessary in each case. On receipt of Form 6A, the Electoral Registration Officer shall display a copy of the said Form on his notice board inviting objections, if any, within 7 days time. The Electoral Registration Officer may also ask the concerned Booth Level Officer to verify with the family members/relatives or the

neighbours, if any, the information provided by the applicant. If Form 6A is complete in all respects and copies of all relevant documents enclosed and no person has objected within 7 days stipulated time, the Electoral Registration Officer can order inclusion of name in the electoral roll. In case there is an objection to the claim in Form 6A for inclusion of name, the Electoral Registration Officer shall designate and authorize an officer from the Indian Mission at that particular country to which the applicant belongs, to hear the applicant for the objection raised. If the objector is also available there then both the parties are heard. Such designated officer of the Indian mission will send a report to the Electoral Registration Officer to enable him to take decision in the case. In no case, the personal appearance of the applicant/objector living abroad shall be required by the ERO in India.

Q.10. Where can be the list of claims and objections seen?

Ans. It can be seen on the website of the Chief Electoral Officer of the State concerned. It can also be seen on the notice board at the office of the Electoral Registration Officer.

Q.11. What is the procedure of verification of self attested documents submitted by an overseas Indian (NRI) along with his application in Form 6A?

Ans. As soon as Electoral Registration Officer receives Form 6A alongwith copies of self attested documents, he will send Booth Level Officer of the concerned polling area for field verification. Booth Level Officer will visit the home address mentioned in the passport of the applicant. He will enquire from the relations of

the applicant, if any, to verify the self-attested copies of documents and give a declaration to the effect. In those cases where no relative is available or no relative is willing to give declaration for verification of documents, or Electoral Registration Officer is not satisfied with verification of documents by the relatives, the documents will be sent for verification to the concerned Indian Mission in the country where the applicant resides. The officer in Indian Mission authorized to verify the claims application will take further necessary action as mentioned in answer to Question No. 14 above.

Q.12. How will an overseas Indian (NRI) know that his/her name is included in the electoral roll?

Ans. The decision of the Electoral Registration Officer will be communicated to the applicant by post on his address in the foreign country given by him in Form 6A and also by SMS on the mobile number given by him in Form 6A. Electoral rolls are also available on the website of the Chief Electoral Officer of the State concerned and can be seen by anybody.

Q.13. Where the entries pertaining to overseas (NRI) elector find place in the electoral roll?

Ans. Name of overseas elector is included in a separate section for “Overseas Electors” which is the last section of the roll of that particular part / polling station area of the constituency in which his place of residence in India as mentioned in his passport is located.

Q.14. How can corrections be made if there are some mistakes in the entries in the electoral roll pertaining to overseas (NRI) electors?

Ans. For correction of mistakes in electoral rolls, an application in Form-8 is to be submitted to the Electoral Registration Officer concerned.

Q.15. Who can object to the inclusion of names in electoral rolls?

Ans. Any person who is a voter in the concerned constituency may object to the inclusion of names in electoral roll on the ground that the person whose names is included or is proposed to be included is not eligible to be registered as a voter in that constituency. An objection can be made in Form 7 to the concerned Electoral Registration Officer/Assistant Electoral Registration Officer along with the relevant proof.

Q.16. Whether Electoral Registration Officer is to be informed of the change in current residential address of the overseas (NRI) electors in the country of his/her residence?

Ans. Yes. It is the responsibility of the overseas elector to keep the Electoral Registration Officer informed of the change in residential address in the country of his/her residence.

Q.17. Whether Electoral Registration Officer is to be informed when the overseas (NRI) elector returns to India and becomes ordinarily resident in India?

Ans. Yes. An overseas elector must do so. In such a case, the person can then be registered as a general elector at the place where he is ordinarily resident in India.

Q.18. How can an overseas (NRI) elector whose name is enrolled in the electoral roll exercise his/her franchise?

Ans. After enrolment, an overseas (NRI) elector will be able to cast his vote in an election in the Constituency, in person, at the polling station provided for the part where he is registered as an overseas (NRI) elector.

Q. 19. Is an overseas (NRI) elector issued an EPIC ?

Ans. An overseas (NRI) elector is not issued an EPIC as he is



allowed to cast his vote in an election in the constituency, in person at the polling station on production of his original passport.

Q.20. Whether the overseas (NRI) elector should surrender EPIC, if already issued to him, in India ?

Ans. Yes, the overseas elector should surrender EPIC, if already issued to him, in India, alongwith submission of Form 6 A.

Q.21. When can one get registered in electoral roll? Is enrollment is on throughout the year ?

Ans. The Election Commission normally orders revision of existing electoral roll every year, sometime in the months of September to October and such revised rolls are finally published in first week of January of the coming year. One can submit claim application (Form 6A) during period for lodging claims and objections to Electoral Registration Officer / Assistant Electoral Registration Officer or Designated Officer. Even after final publication, the rolls are updated continuously and one can get registered anytime during the continuous updation by filing a claim application to Electoral Registration Officer/ Assistant Electoral Registration Officer.

Q.22. Can one be enrolled at more than one place?

Ans. No. A person cannot be enrolled as a voter at more than one place in view of the provisions contained under Sections 17 and 18 of Representation of People Act, 1950. Likewise, no person can be enrolled as an elector more than once in any electoral roll. Any person while applying for fresh enrolment, makes a statement or declaration whether his / her name is already included in the electoral roll of any other constituency, and if such statement/declaration is

false, s/he is liable to be punished under section 31 of the Representation of the People Act, 1950.

Q.23. If I have a complaint against the order of Electoral Registration Officer, to whom I should make an appeal.

Ans. During the period of revision, you can file an appeal to the District Election Officer. In the case of application during the process of continuous updation, such appeal against any order of Electoral Registration Officer will lie before the District Magistrate/ Additional District Magistrate/ Executive Magistrate/ District Collector of the District concerned. A further appeal against the order of Appellate Authority will lie before the Chief Electoral Officer of the State.

Q.24. Whether there is any minimum period for which one should be out of country so as to apply for registration as overseas elector?

Ans. No such period is prescribed.

POLITICAL PARTIES

Q.1. Is it necessary for an association to get registered by the Election Commission?

Ans. No, it is not necessary for every association to get registered by the Election Commission. Only an association or body of individual citizens of India calling itself a political party and intending to avail itself of the provisions of Part-IV-A of the Representation of the People Act, 1951, (relating to

registration of political parties) is required to get itself registered with the Election Commission of India.

Q.2. What are the benefits of registration with the Election Commission of India?

Ans. The candidates set up by a political party registered with the Election Commission of India will get preference in the matter of allotment of free symbols vis-à-vis purely independent candidates. Further, registered political parties, in course of time, can get recognition as 'State Party' or National Party' subject to the fulfilment of the conditions prescribed by the Commission in the Election Symbols (Reservation and Allotment) Order, 1968, as amended from time to time. If a party is recognised as a State Party', it is entitled for exclusive allotment of its reserved symbol to the candidates set up by it in the State of States in which it is so recognised, and if a party is recognised as a 'National Party' it is entitled for exclusive allotment of its reserved symbol to the candidates set up by it throughout India. Recognised 'State' and 'National' parties need only one proposer for filing the nomination and are also entitled for two sets of electoral rolls free of cost and broadcast/telecast facilities over *Akashvani/Doordarshan* during general elections.

Q.3. What is the procedure for registration?

Ans. An application for registration is to be submitted to the Secretary, Election Commission of India, Nirvachan Sadan, Ashoka Road, New Delhi-110001 in the proforma prescribed by the Commission. The Performa is available on request by post or across the counter from the office of the Commission. The proforma and necessary guidelines are also available on the Commission's website under the main heading

Judicial References, sub-heading Political Party and sub-sub-heading Registration of Political Parties. The same can be downloaded from there also. The application should be neatly typed on the party's letter head, if any, and it should be sent by registered post or presented personally to the Secretary to the Election Commission within thirty days following the date of formation of the party. The application must be accompanied by the following documents/information:-

- (i) A demand draft for Rs. 10,000/- (Rupees Ten Thousand Only) on account of processing fee drawn in favor of Under Secretary, Election Commission of India, New Delhi. The processing fee is non-refundable.
- (ii) A neatly typed/printed copy of the memorandum/rules and regulations/Constitution of the Party containing a specific provision as required under sub-section (5) of Section 29A of the Representation of the People Act, 1951 in the exact terms, which reads "----- (name of the party) shall bear true faith and allegiance to the constitution of India as by law established, and to the principles of socialism, secularism and democracy and would uphold the sovereignty, unity and integrity of India". The above mandatory provision must be included in the text of party constitution/rules and regulations/memorandum itself as one of the Articles/clauses.
- (iii) The copy of the party Constitution should be duly authenticated on each page by the General Secretary/President/Chairman of the Party and the seal of the signatory should be affixed there on.
- (iv) There should be a specific provision in the Constitution/rules and regulations/memorandum of

the party regarding organizational elections at different levels and the periodicity of such elections and terms of office of the office-bearers of the party.

- (v)** The procedure to be adopted in the case of merger/ dissolution should be specifically provided in the Constitution/ rules and regulations/ memorandum.
- (vi)** Certified extracts from the latest electoral rolls in respect of at least 100 members of the party (including all office-bearers/members of main decision-making organs like Executive Committee/ Executive Council) to show that they are registered electors.
- (vii)** An affidavit duly signed by the President/General Secretary of the party and sworn before a First Class Magistrate/Oath Commissioner)/ Notary Public to the effect that no member of the party is a member of any other political party registered with the Commission.
- (viii)** Individual affidavits from at least 100 members of the party to the effect that the said member is a registered elector and that he is not a member of any other political party registered with the Commission duly sworn before a First Class Magistrate/ Oath Commissioner)/Notary Public. These affidavits shall be in addition to the furnishing of certified extracts of electoral rolls in respect of the 100 members of the applicant party mentioned at (vi) above.
- (ix)** Particulars of Bank accounts and Permanent Account Number, if any, in the name of the party.
- (x)** Duly completed Check List along with requisite documents prescribed therein.

The application along with all the required documents mentioned above should reach the Secretary to the Commission within 30 days following

the date of formation of the party. Any application made after the said period will be time-barred.

Q.4. What are the criteria for recognition of a party?

Ans. A political party may be recognized as a State Party or a National Party by fulfilling their respective criteria.

State Party

A political party shall be eligible for recognition as a State party in a State, if, and only if, any one of the following conditions is fulfilled:

- i)** At the last general election to the Legislative Assembly of the State, the candidates set up by the party have secured not less than six percent of the total valid votes polled in the State; and, in addition, the party has returned at least two members to the Legislative Assembly of that State at such general election; or
- ii)** At the last general election to the House of the People from that State, the candidates set up by the party have secured not less than six percent of the total valid votes polled in the State; and, in addition, the party has returned at least one member to the House of the People from that State at such general election; or
- iii)** At the last general election to the Legislative Assembly of the State, the party has won at least three percent of the total number of seats in the Legislative Assembly, (any fraction exceeding half being counted as one), or at least three seats in the Assembly, whichever is more; or
- iv)** At the last general election to the House of the People from the State, the party has returned at least one member to the house of the People for every 25



members or any fraction thereof allotted to that State; or

- v) At the last general election to the house of the People from the State, or at the last general election to the Legislative Assembly of the State, the candidates set up by the Party have secured not less than eight percent of the total valid votes polled in the State.

National Party

A political party shall be eligible to be recognized as National party, if, and only if, any of the following conditions is fulfilled:

- i) The candidates set up by the party, in any four or more States, at the last general election to the House of the People, or to the Legislative Assembly of the State concerned, have secured not less than six percent of the total valid votes polled in each of those States at that general election; and, in addition, it has returned at least four members to the House of the People at the aforesaid last general election from any State or States; or
- ii) At the last general election to the House of the People, the party has won at least two percent of the total number of seats in the House of the People, any fraction exceeding half being counted as one; and the party's candidates have been elected to that House from not less than three States; or
- iii) The party is recognized as State party in at least four States.

Q.5. If you are a candidate of a recognised National or State party, how many proposers you require for your nomination?

Ans. Only one

Q.6. If you are an independent candidate or a candidate of unrecognised political party, how many proposers you require?

Ans. Ten

PART II : GLOSSARY

1. **Absolute Majority**-It refers to a majority of more than 50% of the total membership of the house.
2. **Adult Suffrage** - means that all adults have the right to vote in public elections
3. **Assistant Electoral Registration Officer** Is an officer designated to Each Assembly Constituency (AC) or Parliamentary Constituency (PC) to assist the Returning Officer (RO) in the performance of his function in the matter of preparation or revision of electoral rolls.
4. **Assistant Returning Officer**- is responsible to assist the RO in conduct of elections
5. **Auxiliary Polling Station** – where the maximum number of electors in a polling area exceed beyond the limit prescribed by the Election Commission, auxiliary polling station(s) is provided bifurcating/ trifurcating the existing polling station. Generally, such auxiliary polling station is situated in the same polling station location in which the main (original) polling station is earlier housed. The serial number of auxiliary polling station(s) is indicated by adding a suffix to the serial number of the main polling station, like '100', '100A/1', '100A/2' and so on.

6. **Ballot Box-** a sealed box into which voters put completed ballot papers.
7. **Ballot-** the method of secret voting by means of written ballots as in Indian Presidential and Vice Presidential voting or by means of voting machines as in case of elections to the Lok Sabha and Legislative Assemblies.
8. **Booth Level Agent** – In order to enhance the participation by recognized political parties in preparation and revision of electoral rolls, a provision for appointment of Booth Level Agent to complement Booth Level Officer during roll revision, has been made on the pattern of appointment of Polling agents/ Counting agents during election. Normally, one Booth Level Agent is appointed for one part of electoral rolls, though, a Booth Level Agent may be appointed for more than one part of electoral rolls provided the polling stations for the corresponding parts of electoral roll are located within the same polling station location. Booth Level Agent must be a registered elector in the relevant part of electoral roll for which he is appointed as it is expected that Booth Level Agent will scrutinize the entries in the draft roll of the area where he resides, to identify entries of dead/shifted persons.
9. **Booth Level Officer** – Booth Level Officer is a local Government/Semi-Government official, familiar with the local electors and generally a voter in the same polling area, who assists in updating the roll using his local knowledge. He, under the overall supervision of Electoral Registration Officer, is responsible for field verification, collection of information/data regarding electors and preparation of roll of a part of electoral roll in respect of the polling area, assigned to him.
10. **Bye-elections**-are used to fill elected offices that have

become vacant between general elections. In most cases the selections occur after the incumbent dies or resigns, but they also occur when the incumbent becomes ineligible to continue in office.

11. **Candidate-** a person who stands for election; may belong to a political party or maybe an independent candidate.
12. **Chief Election Commissioner:** a member of the Civil Service, the Chief Election Commissioner is the non-partisan head of the Election Commission of India.
13. **Chief Electoral Officer:** an officer of Government designated by Election Commission for superintendence, direction and control of elections and who shall also supervise the preparation, revision and correction of electoral rolls in the State.
14. **Claims & Objections** – Claims & Objections are the applications in statutory forms (Form 6, 6A, 7, 8, 8A, 17, 18 and 19) for inclusion/correction/deletion of names in/from electoral roll or transfer of one's name from one part to another part of electoral roll.
15. **Constituency** – as amended from time to time, the Delimitation Order defines the territorial extent of each Assembly Constituency and the Parliamentary Constituency. A number of Assembly Constituencies comprise a Parliamentary Constituency. All Assembly and Parliamentary Constituencies are territorial, i.e. have fixed geographical boundaries. An exception is the Sangha Assembly Constituency in Sikkim which comprises of monks residing in recognized monasteries all over the State of Sikkim.
16. **Constitution of India-** is the supreme law of India. It lays down the framework defining fundamental political principles, establishes the structure, procedures, powers and duties of government

institutions and sets out fundamental rights, directive principles and the duties of citizens. It is the longest written constitution of any sovereign.

17. **Counting Day-** the day on which polled votes are counted and result is declared.
18. **CSV** – a service voter belonging to Armed Forces or forces to which provisions of Army Act, 1950 are applicable, has option of either voting through postal ballot or through a proxy voter duly appointed by him. A service voter who opts for voting through a proxy is called Classified Service Voter (CSV).
19. **Deletion** – is the process of removing one's name from electoral roll by the Electoral Registration Officer on the basis of application in Form 7. Electoral Registration Officer can also delete one's name under his suo-moto powers.
20. **Delimitation-** means the actor process of fixing limits or boundaries of territory all constituencies in a country or a province having a legislative body.
21. **Delimitation Commission-** the Delimitation commission or Boundary commission of India is established by the Government of India under the provisions of the Delimitation Commission Act. The main task of the commission is redrawing the boundaries of the various assembly and *Lok Sabha* constituencies based on a recent census.
22. **District Election Officer** – the Election Commission designates the head of district administration, variously known as Collector, Deputy Commissioner or District Magistrate, as District Election Officer of the district concerned. Subject to the superintendence, direction and control of Chief Electoral Officer, District Election Officer shall coordinate and supervise all

work in the district or in the area within his jurisdiction in connection with the preparation and revision of the electoral rolls for all Parliamentary, Assembly and Council Constituencies within the district. District Election Officer is responsible for providing polling stations and the publication of the list of polling stations and for providing polling staff at elections.

23. **Electoral Registration Officer** – for the purpose of preparation and revision of electoral rolls of a constituency, the Election Commission, in consultation with the Government of the State, designates/ nominates an officer of the State Government concerned, as Electoral Registration Officer. Electoral Registration Officer is the statutory authority to prepare the electoral roll of the Constituency under his charge.
24. **Electoral Roll** – ordinarily known as 'voter list', electoral roll is a list of persons registered as electors residing in a constituency. For proper management, electoral roll of a constituency is divided into several parts which contain details of electors of the corresponding polling areas.
25. **EPIC** – Electors Photo Identity Card (EPIC) is issued by Electoral Registration Officer to all electors registered in the electoral roll of the Assembly Constituency under him, for establishing the identity of the concerned elector at the time of poll.
26. **Elections-** is a formal decision making process by which a population chooses an individual to hold public office.
27. **Election Campaign-** by political parties is to influence the voting decision of the electors in favour of the party.



28. **Election Commission of India-** is a constitutional authority responsible for administering election processes in India. The body administers elections to the *Lok Sabha*, *Rajya Sabha*, state legislatures, and the offices of the President and Vice President in the country. The Election Commission operates under the authority of Constitution per Article 324, and subsequently enacted Representation of the People Act. The Commission has the powers under the Constitution, to act in an appropriate manner when the enacted laws make insufficient provisions to deal with a given situation in the conduct of an election.
29. **Election Commissioner** - appointed by the President of India based on a recommendation from the Government of India, the Election Commissioner is a member of the Election Commission of India. They have tenure of six years, or upto the age of 65 years, which ever is earlier.
30. **Electoral College** are a group of people who formally cast votes for the election of the President and Vice President.
31. **EVM - Electronic Voting Machine-** an EVM is a machine used for the purpose of recording votes by electors during elections. It consists of two Units – a Control Unit and a Balloting Unit – Instead of issuing a ballot paper, the Polling Officer in-charge of the Control Unit will press the Ballot Button of Control Unit. This will enable the voter to cast his vote by pressing the blue button on the Balloting Unit against the candidate and symbol of his choice.
32. **Indelible Ink-** is a semi-permanent ink or dye that is applied to the left forefinger of voters during elections to prevent electoral fraud such as double voting.
33. **Legislative Assembly-** or *Vidhan Sabha* is the

assembly comprising the members elected directly by the people of the state through adult electoral suffrage. Through the elections to the legislative assembly, the state's Chief Minister, his Council of Ministers and rest of the MLAs are elected.

34. **Legislature-** a body having the authority to make laws.
35. **Local Government Body-** an administrative body for a small geographic area, such as a city, town, county, or state.
36. **MLA** - a Member of Legislative Assembly (MLA) is a representative elected by the voters of an electoral district (constituency) to the **Legislature** of a State in the **Indian** system of government.
37. **NOTA** – stands for 'None of the Above' an option introduced in October 2013, displayed on all EVMs and ballot papers to enable voters who do not wish to vote for any of the candidates to exercise their right without violation of the secrecy of their decision.
38. **Nagar Panchayat-** it is a form of an urban political unit in India. An urban centre with more than 30,000 and less than 100,000 inhabitants is classified as a Nagar Panchayat.
39. **NVD** – the Election Commission has started a practice of celebrating National Voters' Day (NVD) on its foundation day, that is, 25th of January every year throughout the country, with an objective raising awareness among electors about their democratic rights and duties.
40. **NVSP** – National Voters Service Portal has been provided on the website of the Election Commission which provides certain e-services relating to registration in electoral roll for citizens and election

officials. The portal was launched on 25th January, 2015.

41. **Objection** – one can object a proposed addition of a person's name or against an existing entry in electoral roll. An objection can be made in Form 7.
42. **Ordinarily resident** (Section 20 of the RPA 1950)- A person is said to be ordinarily resident in a place if s/he uses that place for sleeping. S/He need not be eating in that place and may be eating from a place outside. Temporary periods of absence from this ordinary place of stay can be ignored. It is not necessary that the period of stay should be continuous for any particular length of time and should be without any break. Temporary absence on account of duty or employment or even for pleasure should not be considered to interrupt the concept of ordinary residence. Persons who have gone out of the country for business or employment should be treated as having moved out of that place. Mere ownership or possession of a building or other immovable property will not bestow upon the owner, the residential qualification. On the other hand even persons living in sheds and persons living on pavements without any roof are eligible for enrolment provided they are ordinarily resident in the sheds or on pavements in a particular area, and do not change the place of residence and are otherwise identifiable.
43. **Photo Voter Slip** – for convenience to voters on day of poll, pre-printed official voter slips containing photograph of voter and details available in the photo roll such as Number and Name of Constituency, Part No., Name, Gender, EPIC No., Relatives name, Serial No., Polling Station No. and Name and Date, Day and Time of poll are distributed to all enrolled voters by District Administration.

44. **Polling Area** – a polling area is a well-defined and identifiable area demarcated with certain physical landmarks such as street, road, river, hills etc. All the electors residing in that particular polling area are enrolled in a separate part of electoral roll and vote at the polling station created for that polling area. Every constituency is divided among several polling areas.
45. **Polling Party / Polling Personnel** – during the poll, a polling station is manned by a team of 4-5 Government officials for conduct of polling at that particular polling station as per the programme announced by the Election Commission. Each polling party is headed by a Presiding Officer. The appointment of Presiding Officer and Polling Officials is made by District Election Officer.
46. **Polling Station** – is the room/hall fixed for holding poll where the electors of the concerned polling area cast their votes on the day of poll. It is also referred to as 'polling booth'.
47. **Polling Station Location/Polling Centre** – polling station location/polling centre is the building/premises in which 1 or more than 1 polling station are housed.
48. **Postal Ballot** – is the ballot issued to Service Voters to enable them to vote from their place of posting. The ballot after filling has to be sent to the Returning Officer by post.
49. **Panchayats-** In India, the Panchayati Raj now functions as a system of governance in which gram panchayats are the basic units of local administration. The system has three levels: *Gram Panchayat* (village level), *Mandal Parishad* or *Block Samiti* or *Panchayat Samiti* (block level), and *Zila Parishad* (district level).

50. **Parliament of India-** is the supreme legislative body of the Republic of India. The Parliament is composed of the President of India and the houses. It is bicameral with two houses: the *Rajya Sabha* (Council of States) and the *Lok Sabha* (House of the People).
51. **Proxy** – a service elector belonging to armed forces and para-military forces, may appoint any person as his proxy to give vote on his behalf and in his name. The proxy shall be an adult person ordinarily resident of that constituency. He need not be a registered voter but he must not be disqualified to be registered as a voter.
52. **Public Grievance Redressal System (PGRS)** – set up by the Election Commission to record and monitor all complaints received from citizens regarding electoral rolls and EPIC.
53. **Qualifying Date** – is the date with reference to which the eligibility for enrolment in the electoral roll being prepared or revised is determined. At present, the qualifying date is the first day of January of the year in which an electoral roll is finally published. The eligibility of a person desirous to get registered in electoral roll is determined with the reference of the qualifying date.
54. **Returning Officer** – The Election Commission, in consultation with the Government of the State, designates/ nominates an officer of the State Government concerned, as Returning Officer for a constituency for election to State Legislature or Parliament.
55. **Revision of Roll-** In order to maintain the fidelity of roll and to keep it updated, the extant Acts and Rules provide for periodic revision of rolls. There are four kinds of revision, namely, (i) intensive, (ii) summary, (iii) partly intensive and partly summary, (iv) special.

56. **Intensive Revision-** BLO visits each house and notes down the particulars of the eligible members of the house in an Electoral Card. A copy of the Electoral Card is handed over to the head of the household or, in his absence, to any adult member of the family. On the basis of such enumeration, draft rolls are prepared and published, inviting claims and objections. After disposal of such claims and objections, the rolls are finally published. As such after intensive revision a de novo electoral roll is made.
57. **Summary Revision-** of the electoral rolls for all assembly constituencies are normally undertaken every year on the orders of the Commission. In a summary revision, there is no house-to-house enumeration. The existing roll is published in draft inviting claims and objections. After disposal of the claims and objections filed during the period for filing claims and objection, the rolls are finally published.
58. **Partly Intensive and Partly Summary Revision-** existing rolls are published in draft. Simultaneously, Enumerator/BLOs are sent to the households for verification. After disposing of claims and objections, supplementary lists of addition, deletions and corrections are prepared and published together with main (mother) roll form the finally published Electoral Roll.
59. **Section** – is a clearly identifiable area within a polling station. It denotes locality and area details and contains household wise individual elector details. It is determined considering the distribution of habitation, geographical landmarks, alignment of streets, plotting road networks, natural barriers etc. There is no fixed number of electors in a section as it may range anywhere between 50 and 100.

60. **Service Voters** – a service voter is a person having service qualification defined in the Representation of the People Act, 1950. Mainly speaking, Members of three wings of Defence, Central Para Military Forces, personnel belonging to State Armed Police Force posted outside the State and persons employed under Government of India posts abroad are eligible to be registered as service voters. The person having service qualification and get enrolled as service voters at their native places even though they actually may be residing at a different place of posting.
61. **Shifted Voter** – an elector who has left his place of ordinary residence and gone to some other place and there is no possibility of his returning back to the place. Electoral Registration Officer should delete name of such shifted voter from electoral roll after following due process under the existing law.
62. **Special Voters** – the persons holding declared offices like President, Vice-President, Governors etc. are to be included in the part of the roll pertaining to the locality in which they, according to the address given by them, would have been ordinarily resident in the declaration prescribed for this purpose. These voters are called special voters.
63. **SVEEP** – Systematic Voters' Education and Electoral Participation (SVEEP) is a programme initiated by the Election Commission in 2011 to increase voter awareness and facilitate electoral participation through voter registration and turnout in the youths, women, tribal and other marginalized sections of the society.
64. **Single Transferable Vote-** It is a voting system designed to achieve proportional representation through ranked voting in multi-seat organizations or

constituencies (voting districts). Under STV, an elector has a single vote that is initially allocated to their most preferred candidate and as the count proceeds and candidates are either elected or eliminated, the vote is transferred to other candidates according to the voter's stated preferences, in proportion to any surplus or discarded votes.

65. **Universal Adult Franchise** - means that the right to vote is given to all adult citizens without the discrimination of caste, class, colour, religion or gender.
66. **Voting**– the act of expressing a will or choice in a matter or an election.
67. **VVPAT (Voter Verifiable Paper Audit Trail)** – VVPAT machines have been designed to allow voters to verify that the vote polled by a voter goes to the candidate of the voter's choice. After casting a vote/pressing blue button on Ballot unit of EVM, the VVPAT prints a slip which will contain serial number, name and symbol of the chosen candidate. This machine has a glass case display window in a way that only the voter can see it. The slip is displayed to the voter for about seven seconds and after that will be cut and dropped in the sealed box.
68. **73rd Constitutional Amendment**- it provides a Constitutional status to the *Panchayati Raj* Institutions in India. Further, it leaves no discretion with the State governments in several important matters pertaining to these Institutions.



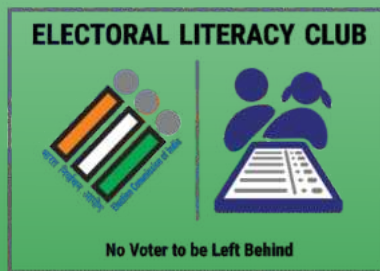
Conveners' Notes



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