

ELECTIONS / MOST URGENT

TELANGANA STATE ELECTION COMMISSION

1st Floor, DTCP Building, Opp: PTI Building, A.C. Guards, Hyderabad – 500 004.

C I R C U L A R

Cir. No.37/TSEC-PR/2019,

Dated:09.01.2019

Sub: TSEC – Ordinary Elections to Gram Panchayats, 2019 – Counting of Votes of elections to the Post of Sarpanchas and Ward Members of Gram Panchayats where elections are conducted with Ballot Papers and Ballot Boxes – Instructions issued – Reg.

Ref: TSEC Notification No. 363/TSEC-PR/2018, Dtd: 01.01.2019.

In the reference cited the State Election Commission issued Notification for conduct of Ordinary Elections to Gram Panchayats.

In Gram Panchayat Elections, poll hours are from 7.00 AM to 1.00 PM. After completion of poll counting is taken up from 2.00 Pm onwards on the same day.

The following instructions with regard to counting of votes are issued for the guidance of the Returning Officers –

1. LEGAL PROVISIONS: Rule 56 to Rule 66 of Rules relating to Telangana Panchayat Raj Conduct of Elections Rules, 2018 specify the procedure for Counting of Votes, Declaration of Results, Publication of Results, Sealing and Disposal of Ballot Papers.

2. DATE, PLACE AND TIME OF COUNTING

The date of counting will be on the same day on which polling takes place. The Returning Officer shall commence the counting at the appointed time i.e., at 2.00 P.M. on Poll day as he/she has already specified in the Election Notice issued under Rule 5 of Conduct of Election Rules, 2018.

3. ASSISTANCE AT COUNTING

The polling staff appointed for poll duty shall be used for counting also. In employing persons as counting assistants, the Returning Officer should ensure that none of them has been employed by or on behalf of any candidate in the post.

4. RECEIPT OF BALLOT BOXES, ETC., FROM PRESIDING OFFICERS

i. One day before the poll, Stage - II the Returning Officer shall make necessary advance arrangements for receipt of ballot boxes and other election material from the Polling Officers of the various wards in the Gram Panchayat and for their safe custody from the time of their receipt till the time of counting.

- ii. Care should be taken to see that ballot boxes pertaining to different wards/polling stations are stored separately and do not get mixed up. This is essential since the Ballot Paper Accounts have to be tallied polling station wise at the time of counting.
- iii. Ward number and polling station numbers have to be noted before them to avoid confusion.
- iv. As the poll hours for Gram Panchayats are from 7.00 AM to 1.00 PM, it will be possible to collect the ballot boxes at a central place and commence counting at 2.00 PM on the same day.
- v. Before commencement of counting the Returning Officer should verify the Presiding Officers diaries one by one and satisfy that the Presiding Officers have recorded their observations in the relevant columns of the diary and all the columns are filled properly. He should satisfy himself that the poll went on peacefully and orderly. Then only the Returning Officer shall start the counting process.

5. TEMPORARY STRONG ROOMS:

Circular instructions were also issued on identification of temporary strong rooms and counting halls in circular no. 69/TSEC-PR/2018, Dtd: 10.02.2018. While identifying the suitable strong rooms and counting halls instructions issued in this regard shall be adhered scrupulously. Besides this, at the time of depositing the polled Ballot Boxes, the contesting candidates their election agents/counting agents can remain present and they can also affix their seals on the lock of strong room.

6. COUNTING CENTRE AND DECLARATION OF RESULTS

- i. Please read the Rules 56 to 66 of the Telangana Panchayat Raj (Conduct of Elections) Rules, 2018 thoroughly. Also the relevant Chapter – XVI in the Hand Book for Returning Officers (where Ballot Boxes are used) for detailed guidelines.
- ii. Counting of Votes should be done on requisite number of tables, which in turn depends on the number of wards and votes in each one of thereon.
- iii. Mobile phones shall not be used by candidates/ their election agents in counting halls.
- iv. Sufficient lighting arrangements shall be made inside & outside of the Counting Centre in view of the short day length of winter season.
- v. The procedure for counting of ballots is prescribed in the rules 56 to 66 of the Telangana Panchayat Raj (Conduct of Elections) Rules, 2018. The same is also

described in the Chapter – XVI of the Hand Book for Returning Officer (Ballot Boxes methods). Circular No. 530/TSEC-PR/2017, dated: 15.11.2017 illustrations the method of determining Ballots, validity and vote preference.

- vi. After completion of counting of votes, the related election papers shall be sealed properly. Utmost care should be taken in this regard.
- vii. It must be ensured that, 'Certificates of Election' are issued to the elected candidates of Sarpanch and Ward Members by the Returning Officers concerned immediately after declaration of the Result.
- viii. Upa-Sarpanch election shall also be conducted immediately after declaration of results of Ward Members and Sarpanch. Hence, the Returning Officer shall issue notice in Form – I for conduct of Upa-Sarpanch election to all the Members of GP (including Sarpanch) along with Election Certificate duly taking acknowledgement from them.

7. COUNTING PROCEDURE:

(i) COUNTING OF VOTES RECEIVED BY POST:

Under Rule 56 (2) of Conduct of Election Rules, 2018 the postal ballot papers are to be counted first. You should first deal with the postal ballot papers.

Covers in Form-XIX containing postal ballot papers received after the hour fixed for the commencement of the counting of votes should not be opened. They should be rejected and kept in a separate packet and sealed, noting thereon the appropriate particular.

The covers in Form XIX received in time should be opened one after another. As each cover is opened, you should take out the declaration in Form XVII and the cover in Form XVIII and scrutinize the declaration. If the declaration in Form XVII is not found in the cover or the declaration has not been duly signed and or not attested by an officer competent to do so or is otherwise substantially defective or if the serial number of ballot paper appearing in the declaration is different from the serial number on the cover in Form XVIII the cover containing the postal ballot paper should not be opened but the ballot paper should be rejected. Each such rejected cover should be endorsed suitably by you and the declaration and the cover should be placed in the cover in Form XIX. All such covers in Form XIX should be kept together in a separate packet duly sealed and full particulars such as the name

of the constituency (Ward No./ Sarpanch) the date of counting and a brief description of contents should be noted thereon for easy identification. All the declarations in Form XVII which have been found to be in order, should then be kept in separate packet in order to ensure that the secrecy of the postal ballot is kept inviolate. The packet should then be sealed noting thereon the particulars regarding the name and number of the Constituency (Ward No./ Sarpanch), the date of counting and brief description of the contents. This should be done before the covers in Form XVIII containing the ballot papers are opened.

Thereafter the covers (cover – A) in Form XVIII should be opened one after another and the validity of the ballot papers scrutinized and decisions arrived at. A postal ballot paper should be rejected for following reasons:

- i. if no vote is recorded thereon; or
- ii. if votes are given on it in favour of more candidates than one; or
- iii. if it is a spurious ballot papers; or
- iv. if it is so damaged or mutilated that its identity as a genuine ballot paper cannot be established; or
- v. if it is not returned in the cover sent along with it to the elector by you;
or
- vi. if the mark indicating the vote is placed on the ballot paper in such a manner as to make it doubtful to which candidate the vote has been given; or
- vii. if it bears any mark (other than the mark to record to vote) or writing by which the voter can be identified.

Each counting supervisor shall be supplied with the booklet containing above illustrations of valid and invalid votes mentioned in circular No. 530/TSEC-PR/2017, Dtd: 15.11.2017.

The valid votes should then be counted and each candidate credited with the votes given to him. The total number of postal votes received by each candidate should then be calculated, entered in the Result Sheet in Form-XXVI in the appropriate place and announced for the information of the candidates.

(ii). Counting of Votes in Ballot Boxes: All the ballot papers of Sarpanch, (Pink colour) and Ward Members (white colour) contained in the ballot box or boxes used at a polling station are taken out and sorted. The total number of ballot papers of Sarpanch and Ward Member, Gram Panchayat in the box at the polling station is ascertained separately. This number shall tally with the Ballot Paper Account – Form–XXV of Ward Member and Sarpanch of the polling station as recorded by the Presiding Officer. This exercise has to be continued till the ballot papers are taken out from the ballot boxes used in all polling stations of that particular Ward, where the number of polling stations in that Ward are more than one. Thereafter, the ballot papers of Sarpanch and ward member should be separated and handed over to the Returning Officer for taking up counting subsequently. The ballot papers of Ward Member shall be sorted out candidate wise and then counted. The ballot paper pertaining to each candidate should be scrutinized for validity. All valid ballot papers should be made out into candidate wise bundles of 25 each. All apparently invalid and doubtful ballot papers should be made out into another bundle and kept separately for further scrutiny by the Returning Officer personally.

While sorting, the ballot papers of Sarpanch, they should not be opened i.e., with their vertical fold intact they should be made into bundle of 25 each for convenience of counting and each bundle is kept together by a rubber band tied at both ends. These bundles of ballot papers shall be handed over to Returning Officer who shall arrange for their safe custody till scrutiny for validity and counting is taken up. Counting of ballot papers of all wards shall be taken up in a serial order and the ballot papers of Sarpanch in each Ward shall be made into bundles and handed over to the Returning Officer.

After completion of counting of ballot papers of Ward Members of all wards in the Gram Panchayat, the Returning Officer shall take the bundles of ballot papers of Sarpanch, Gram Panchayat and arrange for their mixing in a big drum or other receptacle. After careful mixing they will be taken up for detailed counting. Each ballot paper then shall be scrutinized for deciding its rightful receiver before sorting them candidate wise. All valid ballot papers should be made out into candidate wise bundles of 25 each. All apparently invalid and doubtful ballot papers should be made out into another bundle and kept separately for further scrutiny by the Returning Officer personally.

8. EQUALITY OF VOTES: If two or more candidates contesting any seat happen to secure the highest number of votes and their votes are equal in number, the result will have to be decided by lot.

While drawing lots among the names of the candidates who polled equal number of votes, you should write each candidate's name on 5 slips of the same colour and size of the paper and all those slips should be folded tightly twice and then jumbled to make them mix beyond recognition. After such mixing, you should draw the slip. The candidate, whose name is first drawn shall be declared to have been elected.

Instructions issued in this regard shall be followed scrupulously.

(BY ORDER AND IN THE NAME OF THE STATE ELECTION COMMISSIONER)

**Sd/- M. Ashok Kumar
SECRETARY**

To

1. All the Collectors and District Election Authorities in the State (except Hyderabad).
2. All the District Panchayat Officers.
3. All the Mandal Parishad Development Officers through the DEAs concerned.
4. All the Returning Officers in the State through the DEAs concerned.

Copy to

The Commissioner, PR & RE and Election Authority, Telangana, Hyderabad.

// Attested //

M. Jayachandrababu
JOINT SECRETARY
09/1/19