



ASSAM STATE ELECTION COMMISSION
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No. SEC.53/2016/188

Dated Dispur the 6th April, 2017

Office Memorandum

Whereas it appears to the Commission that certain provision under Rule 163 of the Assam Autonomous Districts (Constitution of District Councils) Rules, 1951, is at variance with the latest procedures of counting of votes as prescribed by the Election Commission of India and also Assam State Election Commission, the State Election Commission hereby adopts the following guidelines/procedures for counting of votes in respect of the Election to the Karbi Anglong Autonomous Council, 2017, in exercise of its authority under Govt. notification Vide No.HAD.305/2011 dtd. 05.12.2011.

1. Counting of Votes:

A. The Ballot Paper taken out of each ballot box of each polling station shall be arranged in convenient bundles and scrutinised.

B. The Returning Officer shall reject a Ballot Paper -

- a. if, it bears any mark or writing by which an elector can be identified; or
- b. if, no vote is recorded thereon; or
- c. if, it bears no mark at all or to indicate the vote, it bears a mark elsewhere than on or near the symbol of one of the candidates on the face of the ballot paper or it bears a mark made otherwise than with instrument supplied for the purpose; or
- d. if, votes are given on it in favour of more than one candidate; or
- e. if, the mark indicating the vote thereon is placed in such manner as to make it doubtful to which candidate, the vote has been given; or
- f. if, it is a spurious ballot paper; or
- g. if, it is so damaged or mutilated that its identity as a genuine ballot paper cannot be established; or
- h. if, it bears a serial number or is of a design, different from the serial numbers or as the case may be, design, of the ballot papers authorised for use at the particular polling station; or
- i. if, does not bear both distinguishing mark and the signature of Presiding Officer which it should have been borne under; or
- j. cover in Form (14-A), if not returned in the cover sent along with it to the elector by the Returning Officer:

Provided that, where the Returning Officer is satisfied that any such defect mentioned in clause (h) or (i) has been caused by any mistake or failure on the part of the Presiding Officer or Polling Officer, the Ballot Paper shall not be rejected merely on ground of such defect:

Provided further that a ballot paper shall not be rejected merely on ground that the mark indicating the vote is indistinct or made more than once, if the intention that the vote shall be for a particular candidate clearly appears from the way the paper is marked.

C. Before rejecting any ballot paper under guideline - B above, the Returning Officer shall allow each counting agent a reasonable opportunity to inspect the ballot paper but shall not allow him to handle it or any other ballot paper.