

By Camp Bag/e-mail

ELECTION COMMISSION OF INDIA

Nirvachan Sadan, Ashoka Road, New Delhi – 110 001

No. 51/15/2009-EMS

Dated the 15th April, 2009.

To

The Chief Electoral Officers of

- (1) Bihar,
- (2) Haryana,
- (3) Himachal Pradesh,
- (4) Punjab,
- (5) Rajasthan,
- (6) Tamil Nadu,
- (7) Uttar Pradesh.

Subject: Contingency Plan for use of ballot boxes during Election to Parliamentary Constituencies – General Election 2009.

Sir,

Adequate number of Electronic Voting Machines have been made available to all CEOs to enable them to ensure smooth conduct of poll in the forthcoming parliamentary Elections 2009. However, in an EVM, there is provision for a maximum of 64 (sixty four) candidates. In the event of number of candidates being more than 64 (sixty four), the conventional ballot boxes and ballot papers shall have to be resorted to. Though the chances of such an eventuality are slim, yet it is necessary to draw up a contingency plan to take the poll, if necessary, with ballot boxes and be prepared to meet any contingency.

2. It may be noted that the existing provisions of the Representation of the People Act 1951 and the rules made thereunder permit the use of ballot boxes alongwith EVMs for poll. Actions in this regard may, therefore, be initiated along the following lines immediately:-

- (i) **Identification of constituencies:** Anticipatory exercise in this regard may be carried out by the concerned CEOs based on the available inputs. The poll in an entire constituency has to be taken through the ballot box in such cases. While identifying the constituencies, care may also be taken to ensure that the administrative and other resources are placed effectively to cover all parts of the state in an efficient manner.

(ii) **Availability of ballot boxes:** The availability of ballot boxes and the state of their repair should be immediately ascertained. Approximate number of ballot boxes may be kept ready and in good shape for this purpose. Where necessary, these may be sourced either from the State Election Commission or neighbouring states for which a request may need to be placed with the concerned CEO under intimation to us.

(iii) **Printing of ballot papers/Statutory Forms and supply of related materials:** The facility for printing of ballot papers may be examined and the printing presses need to be identified. Similarly, the availability of (white) paper for printing of ballot papers and the related material (ink, arrow cross mark etc.) in the required quantity may be ascertained and arrangements to secure the supplies as per requirement may be made. This should include the statutory forms, envelopes, and relevant papers for poll and counting of ballots.

(iv) **Identification of Polling/Counting personnel:** The availability of officials familiar for poll and counting in the relevant constituencies may be identified. While the composition of the polling personnel in case of poll through ballot boxes may not change, the composition of the counting personnel may change and necessary arrangements will need to be made.

(v) **Training Schedule:** Schedule for the training of the officials assigned with the polling and counting duties in such cases may be drawn up and training sessions may be organized sufficiently in advance.

(vi) **Information to public:** Sufficient publicity and advance information will have to be provided to the public, the political parties and candidates about the use of ballot boxes in place of EVMs wherever such decisions are taken. Advance preparation for disseminating the information through media should be taken in such cases.

3. The Commission is making arrangements to send the Hand Books for the Returning Officers and Presiding Officers to the concerned CEOs for guidance and use in case of poll taken through ballot boxes. The CDs in this regard will be delivered by the Commission to your offices early next week so that the Hand Books can be printed at your end and made available to the concerned officials in time.

4. A tentative check list for actions and a reporting format are attached at Annexures I and II. It will be appreciated if the necessary action is initiated as per the schedule indicated and the status of actions taken as on 22nd April, 2009 (being the last date for withdrawal of candidature in respect of constituencies going to poll under the fourth phase) is intimated to the Commission.

Yours sincerely,

(K. AJAY KUMAR)
SECRETARY

Annexure I

Check List of Actions For Poll taken through Ballot Boxes

Issue	Intervention	Action /Nodal Point	Date by which action to be taken and reported to the ECI
Identification of Parliamentary Constituencies where poll may have to be taken through conventional ballot boxes	Anticipate on the basis of trends and inputs from political parties and other sources	List the constituencies, polling stations and the number of ballot boxes needed in the format enclosed at Annexure II.	<u>22nd April, 2009</u> - Bihar, Himachal Pradesh, Haryana, Punjab, Rajasthan, Uttar Pradesh <u>28th April, 2009</u> - Himachal Pradesh, Punjab, Tamil Nadu, Uttar Pradesh, Jharkhand
Ballot Box-Inventory	Assess Probable Need, Check availability, Whether local body election done using ballot boxes? When the last ballot box election held? Available with whom? Tie up with SEC	Determine the number of ballot boxes, Sources and manner of transportation	16 th April, 2009
Ballot Box – Making it ready	Emergency plan for cleaning, checking etc.		22 nd April, 2009
Green Paper Seal	Assessment and Procurement	Existing Paper Seals will do Sufficient quantity should be available.	22 nd April, 2009
Arrow Cross Mark	Assessment and procurement	The only source of supply is at Jaipur. They are capable of supplying any quantity. Already, stock must be available within each State, SEC resource is	22 nd April, 2009

		already there. Gap filling can be procured. CEO Rajasthan can play a role if needed.	
Paper For Printing Ballot	Identifying source of supply, assessment and procurement	States to identify the sources on the basis of old records and the practice in the State. As the requirement is limited, may not be very difficult. Paper Manufacturers Association may be roped in.	22 nd April 2009
Polling Personnel	Inventory of personnel who have conducted ballot elections recently for SEC. DEO should dig out the data and rope them in.	As the DEO and other field staff conduct both EVM and Ballot elections, the challenge can be handled.	22 nd April 2009
Reference Material	Hand Books for Returning Officers and Presiding Officers should be prepared urgently	ECI will arrange to have the handbooks prepared and sent to the CEOs in from of CD by 15 th April 2009. Copies have to be made by CEOs through printing arrangements at their level. Current handbooks may be used as the template.	20 th April 2009
Forms and Envelops	What are the changes? Needs to be identified	Changes in the forms (Form 16- Ballot paper account, Declaration forms prepared by the Presiding officers-Part I, II, III, Presiding	22 nd April 2009

		Officers' diary, Check memo for Presiding officers), envelopes and documents with other minor changes will be conveyed to the CEOs along with the communication forwarding the Handbooks. Changes not likely to be substantial.	
Printing	Advance Plan for Printing. Whether facility available within the State? Whether outside help needed? Discussion with Director Printing Press needed. Time frame for printing. Supervision mechanism Delivery Schedule and tracking.		30 th April 2009
Training	A quick check list should be prepared. Training kits should be prepared. Focus will be on issues such as preparation of ballot box, affixing of seals, locking procedure, and sealing of box. 17 A will not be used. Signature of voters will be taken on counter-foil	CEOs may take help of the officials used by the SEC in the poll for the local bodies. A Check list of important points will be conveyed to the CEOs.	30 th April 2009

Counting	Training should be organized. Mixing need not be done. Straight counting after bundling		30 th April 2009
Legal Issues	Notifications/ Statutory Issues	May be examined	
Consultation	Political Parties needs to be briefed	ECI level CEO DEO	By 1 st week of May 2009
Media and Public Opinion	Need for proper dissemination, Information sharing, Transparency Strategic positioning		By 1 st week of May 2009
Voter Education	Voters have familiarity with the poll with ballot boxes in local bodies elections. However, massive dissemination will be required in short time.		By 1 st week of May 2009

Annexure II

Name of State-----

Information regarding arrangements for Poll to be taken through ballot boxes

Sl No	Name of Parliamentary Constituency	No of likely nominations/nominations found valid	Total number of Polling stations	Total number of ballot boxes needed	No of ballot boxes available with CEO/ROs/ SEC	Deficit/surplus and plan for meeting the shortages and deploying the ballot boxes
Total						