

G.E-2009
By Fax/Speed Post

ELECTION COMMISSION OF INDIA
NIRVACHAN SADAN, ASHOKA ROAD, NEW DELHI-110001.

SUMIT MUKHERJEE
UNDER SECRETARY

Tel No. 23717590
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No. 470/2009/EPS

Dated: 21st January, 2009

To

The Chief Electoral Officers of
All States/UTs.

Sub: Counting of Votes – regarding.

Sir,

In supersession of the Commission's letter No. 470/2003/JS-II dated 25.11.2003, I am directed to state that recent election demonstrated that the victory margin could be as thin as one vote. Therefore, the postal ballot could be the deciding factor at times. When the victory is determined on the basis of the margin earned in postal ballot, there is a scope for controversy as the losing candidate is expected to ask for re-verification of postal ballot.

In view of this, the Commission has directed to adopt the following instructions:-

1. On the counting day, the postal ballot counting will be taken up first and after a gap of 30 minutes, the EVM counting can also start.
2. There should be a separate table and separate arrangement for the counting of postal ballots. The candidate/their election agent shall be advised to nominate a separate counting agent and he may remain present near the table where the postal ballot counting taking place.
3. One Assistant Returning Officer shall be dedicated to handle the postal ballot counting. The Observer and Returning Officer should closely monitor the progress made in postal ballot counting as well as EVM counting simultaneously.
4. Before finalizing the tally of postal ballot counting, the Returning Officer should personally verify whether the postal ballots considered invalid and

rejected have been verified properly before being rejected and should satisfy himself about such rejection. He should also personally verify the candidate-wise tally. Objection, if any, raised by an agent of any candidate should be properly looked into then and there so that there is no further scope for any complaint.

5. Under no circumstances, the results of all the rounds of the EVM counting should be announced before finalizing the postal ballot counting.
6. In case, the victory is being decided only on account of postal ballot counting there should be a mandatory re-verification. In the presence of Observer and Returning Officer, all the postal ballot papers rejected as invalid as well as the votes counted in favour of each and every candidate shall be once again be verified and tallied. The observer and Returning Officer shall record the findings of the re-verification and satisfy themselves before finalizing and the result.
7. Whenever such re-verification/recounting is done the entire proceeding should be video-graphed without compromising the secrecy of ballot and the video-cassette/CD should be sealed in a separate envelope for future reference.

The above instructions shall be observed scrupulously.

Kindly acknowledge the receipt of this letter.

Yours faithfully

(SUMIT MUKHERJEE)