

VICE-PRESIDENTIAL ELECTION-2012

By Special Messenger

# ELECTION COMMISSION OF INDIA

Nirvachan Sadan, Ashoka Road, New Delhi-110001

No.481/2012-CC&BE

Dated: 10<sup>th</sup> July, 2012

To

The Returning Officer for the  
Vice-Presidential Election and  
Secretary General, Lok Sabha,  
Parliament House,  
New Delhi.

**Subject: Vice-Presidential Election, 2012 - Maintenance of Secrecy of voting.**

Sir,

I am directed to invite your attention to the provisions of clause (1) of Article 66 of the Constitution of India, which inter-alia lays down that voting at the election to fill the office of the Vice-President shall be by secret ballot. The members of the Electoral College voting at the election, are, therefore, required to maintain secrecy with regard to the manner in which they vote at the election. For this purpose, rule 18 of the Presidential and Vice-Presidential Elections Rules, 1974 has prescribed the following voting procedure, which an elector should observe:

“Rule 18(2) - An elector on receiving the ballot paper shall forthwith-

- (a) proceed to one of the voting compartments;
- (b) record his vote in accordance with sub-rule (2) of rule 17;
- (c) fold the ballot paper so as to conceal his vote;
- (d) insert the folded ballot paper into the ballot box; and
- (e) quit the place of polling”

2. It must, therefore, be ensured that after recording his vote, the voter folds the ballot paper inside the voting compartment itself, so as to conceal his vote and that in no circumstances he is allowed to exhibit the marked ballot paper to anyone else within the place of polling. For further ensuring the secrecy of the ballot papers, it

may be so arranged that the ballot papers are issued to the voters at the beginning of the poll at random and not in strict order of their serial numbers, commencing from serial No. 1. At the end of the poll, however, the ballot papers issued should be in continuous consecutive serial numbers from one to the last number of the ballot paper issued to the electors.

3. Your attention is also drawn to provisions of Section 22 of the Presidential and Vice-Presidential Act, 1952, read with rule 29 of the Presidential and Vice-Presidential Elections Rules, 1974 which requires all officers and all other persons who perform any duty in connection with the recording of votes to maintain secrecy of votes. The said Section 22 provides penalty if secrecy is violated. You should read out the provisions of the said Section 22 to the persons present at the place of polling and counting of votes.

4. I am, to request you to ensure compliance with the requirements of the law before the commencement of the recording of votes as also of counting of votes.

5. The receipt of this letter may kindly be acknowledged

Yours faithfully,

**(K.N. BHAR)**  
**SECRETARY**