

WEST BENGAL STATE ELECTION COMMISSION
18, SAROJINI NAIDU SARANI
(Rawdon Street)
KOLKATA – 700 017

No. 1601(17)-SEC/5C-9/2013

Date : 17.06.2013

From : The Secretary,
West Bengal State Election Commission,

To : The District Panchayat Election Officer &
District Magistrate, Cooch Behar / Jalpaiguri /
Uttar Dinajpur / Dakshin Dinajpur / Malda / Murshidabad /
Nadia / North 24-Parganas / South 24-Parganas / Howrah /
Hooghly / Purba Medinipur / Paschim Medinipur /
Purulia / Bankura/ Burdwan / Birbhum.

Sub.: Panchayat General Elections, 2013 and counting arrangement therefore.

Sir,

I am directed to state that West Bengal State Election Commission, in its Order No. 1600-SEC/5C-9/2013 dated.17.06.2013 directed that the used and sealed Ballot Boxes and other records and materials of all polling stations for the three tier elections to Gram Panchayats, Panchayat Samitis and Zilla Parishads constituencies within the area of 17 (seventeen) districts except Darjeeling shall be brought to a place or places as may be appointed by the Panchayat Returning Officers concerned for safe custody and for counting on such date and at such hours as may be appointed by the Panchayat Returning Officers concerned.

2. I am, further directed to invite your attention to rule 97 of the West Bengal Panchayat Elections Rules, 2006 ,which lays down that upon issue of this order, the Panchayat Returning Officers concerned shall, in consultation with the District Panchayat Election officer, appoint such number of Counting officers and Counting Assistants as may be considered necessary and on such appointment the Counting Officers and the Counting Assistants shall exercise such powers, perform such functions and discharge such duties as are required to be exercised, performed and discharged by the Presiding Officers and the Polling Officers in accordance with sub-rule (2) of rule 83 and rules 84 to 94 ibid unless any of such functions are required to be performed by the Panchayat Returning Officer/Assistant Returning Officer on being so empowered under any provision laid down hereunder.

3. The Panchayat Returning Officers are also required to make adequate arrangements for safe transport of the sealed boxes and other materials and for the safe custody and for counting. The law requires that the order of the Panchayat Returning Officers as to the venue of storage of polled Ballot boxes and other records and materials and the venue, date and time for counting shall be communicated to the candidates, the recognised political parties participating in these elections at least three days before the date of the poll. The Commission, however, directs that such communication should be made to the candidates and the political parties at least 7 (seven) days ahead of the date of poll.

4. Within the parameter of the legal framework delineated in previous paragraphs, I am directed to communicate the guidelines for counting of votes in Panchayat Elections, 2013.

- I (a) **Counting Venue** : It is expected that the counting venue in each Block has already been identified. Such venue shall be a secured place with relatively easy accessibility. The main building should have a large front space for parking vehicles and also for a large number of people waiting. The entire premises should preferably be surrounded by a compound wall so that security arrangement may be made satisfactorily. Arrangement for drinking water and toilet facilities is necessary on the site.
- (b) Counting centre should preferably be used as a distribution centre and reception centre as well. However, if for some compelling reasons, distribution centre is located somewhere else, the reception centre and the counting centre should be at the same place.
- (c) The buildings where counting shall be held should have a few large and small rooms for use as counting halls and strong room or rooms for storing the polled ballot boxes. The counting halls should preferably have passage for easy entry and exit for a large number of people without disturbing other activities in the counting process like taking polled boxes from strong room to the counting hall.
- (d) Polled ballot boxes along with Ballot Paper A/C., Paper Seal A/C., Presiding Officer's Declaration, and any other paper that may be considered necessary shall be kept in the strong room or rooms. In a centre there may be one to three strong rooms depending on availability, suitability from security angle, closeness to counting hall and other factors. If all boxes are kept in one room, the sequential arrangement shall be such that boxes may be brought out easily in the order of Gram Panchayat, Panchayat Samiti and Zilla Parishad constituencies. If polled boxes of more than one tier are kept in one room, they may be kept in same sequential order so that there is no mix up. Clear record of boxes kept in any strong room shall be maintained.
- (e) After polled boxes and other records are put inside, strong room(s) shall remain under lock & key and sealed by the Returning Officer who will also invite the candidates or their election agents present to put their seals. The room/rooms shall also be under constant vigil of the security guard who will maintain a log-book for noting the time and reason for opening and closing of the strong room. If it is necessary for the Returning Officer to open the room (like putting polled boxes after re-poll if any, on such dates as may be fixed by the Commission), the candidates shall be given advance intimation and the doors shall be opened and closed in presence of such candidates who may remain present and they should be invited to put their seals again on the closed lock. It would be convenient, if Returning Officers can make provision for a separate strong room for keeping the polled ballot boxes that would be used in case of repoll.
- (f) The Returning Officer shall put one competent officer in charge of the strong room. If there are more than one room, more officers may be given the charge. He shall place the boxes and records in proper order and monitor the movement of boxes from strong room to the counting hall to ensure that no wrong box goes to any counting table.
- II. **Counting sequence** : Counting of votes shall begin on 13th July, 2013 at 8 A.M. The District Panchayat Election Officer may shift the time a little on either side for any counting centre if deemed necessary. Counting shall be continuous and shall not be postponed or deferred until counting including recount, if any, in respect of all 3 (three) or

any tier(s) is completed. There shall be tier-wise counting and counting of one tier shall have to be completed before counting of next tier is taken up. It is however permissible to take up counting of next tier when counting of votes for the previous tier is going on in a limited No. of tables or limited No. of halls. The sequence of counting shall be in the order as shown below:

- i) Zilla Parishad
- ii) Panchayat Samiti
- iii) Gram Panchayat

Following the aforesaid sequence, a particular counting table shall receive polled box of a pre-fixed polling station for Gram Panchayat first, for Panchayat Samiti second and for Zilla Parishad next. The order in which the polled boxes (of the polling stations) shall be sent to a particular counting table, shall be worked out carefully earlier and shall be declared in the hall.

III. **Counting Hall:**

- (a) Counting halls or rooms shall be situated as near to the strong room/s as possible and under the same roof with the strong room/s. If anywhere the counting hall and the strong room/s do not share the same roof, a temporary, well-protected covered passageway may be erected for movement of polled ballot boxes. Easy and quick movement of polled ballot boxes from the strong room to the counting hall is essential and should be ensured.
- (b) A counting hall shall generally have not more than 20 (twenty) counting tables in addition to the table for the Returning Officer. Additional table if considered necessary, may be placed in the hall after obtaining prior approval of the Commission. At any counting table, there shall be sitting arrangement for (i) one Counting Officer and (ii) 2 (two) Counting Assistants. In addition, a little away from the table -at a viewing distance but beyond reach – by the side of wall, there shall be sitting arrangement for one Counting Agent for each contesting candidate, Election Agent or candidate (one person at any point of time). Number of tables in a hall may be determined taking into consideration the aforesaid sitting accommodation, size of the room, ventilation and other factors involved.
- (c) (i) There is no limitation imposed on the number of counting halls in a venue. Such number shall primarily depend on the number of rooms/halls available as also the Counting Officer and Counting assistants. There is also a need for placing each hall, big or small, in charge of an Assistant Returning Officer supported by two or three Assistants and a few Group 'D' employees.
 - (ii) Efforts should, however, be made to set up such number of counting tables in all the halls taken together as may make counting relating to each tier completed in two rounds. This means that the number of tables in a given counting venue shall be at least half of the number of polling stations in the block. A Returning Officer may however complete counting in less than 2 rounds by increasing the number of halls.
 - (iii) However, situation as obtained in some of the counting centres may not permit completion of counting of one tier in two rounds. In such cases, arrangement shall be made to complete the counting positively in 3 (three) rounds. It is emphasized that under no circumstances, counting for one tier in any counting centre shall go beyond 3 (three) rounds. If such possibility occurs, the District Panchayat Election Officer is requested to bring the matter to the notice of the Commission.

- (iv) There may be occasions when counting with respect to one tier will be completed in 2.5 (two & half) rounds or thereabout having half of the tables unoccupied. In such cases, while last leg of counting of the forerunning tier is being completed in a few tables or halls counting in respect of next tier may be taken up simultaneously. This will avoid the situation of available manpower being kept idle and will not waste time. It is necessary to be careful that ballot papers of two tiers do not get mixed up at any stage. It may be advisable to arrange so that two types of ballot papers do not go in the same hall at a particular time. Since halls are likely to be of different sizes with different number of tables, it may be possible to work out such arrangement. The entire arrangement for supply of boxes to the table shall be planned, monitored and supervised at every stage. The Hall-in-Charge (R.O or A.R.O.) shall always regulate flow of boxes to the hall.

IV. **Additional arrangements in counting hall :**

- (a) It is considered necessary to keep the Counting Officers and staff entirely separated from the Counting Agents. For this purpose, a row of chicken-meshwork of about 6' (six feet) height between the counting table and the Counting Agents shall be the best possible solution. Such chicken-meshwork shall be erected where possible. If however it is not possible to erect chicken-meshwork, a barricade of same height by bamboo poles should be erected for such separation. No counting agents shall be allowed to come around the barricade to the other side of the table.
- (b) There shall be no requirement of pigeon-holes and no doubtful ballot papers shall come from the counting table. Any question of doubt about the ballot papers shall be settled at the counting table itself. If considered necessary, the R.O. or A.R.O. – in-charge present in the counting hall shall go down to the counting table and settle the dispute then and there,

V. **Counting Personnel:**

One Counting Officer and two Counting Assistants shall be appointed for each table at the Counting hall. Any person who may be appointed as Presiding Officer may also be appointed as Counting Officer. Any one who may be 1st or 2nd Polling Officer may also be Counting Assistant. The Counting Officer and Counting Assistants shall preferably be Government employees. However, in case of non-availability, Counting Assistants may be recruited from Semi-Govt. offices. Arrangement may be made for keeping a 10% reserved personnel. District Panchayat Election Officer may take steps for training of Counting personnel for one day only.

VI. **Arrangements at the counting hall and commencement of counting :**

- (a) Every counting hall and every table at a counting hall shall be serially numbered and prominently displayed at the entrance of the hall and on either side of the table.
- (b) Each table and also the R.O's table shall be supplied with the following articles of stationery :
- i) a knife or razor blade
 - ii) a dot pen
 - iii) a pencil
 - iv) two sheets of paper
 - v) a sharp needle
 - vi) two/three wet sponge
 - vii) twine ball and/or rubber band

- viii) two or three improvised paper weight (small pieces of stone)
- ix) any other item that the District Panchayat Election Officer or the Returning Officer may consider necessary.

- (c) Each table including the Returning Officer's table shall also be supplied with the required forms viz counting sheets, result sheets and certificate of elections.
- (d) Before commencement of counting, the Returning Officer or the Assistant Returning Officer-in-charge shall read out and explain the provisions of Section 108 of the West Bengal Panchayat Elections Act, 2003 to the persons present in the hall.
- (e) The Returning Officer or Assistant Returning Officer-in-charge shall supervise the proceedings in the hall and ensure that no unauthorized person enters or remains in the counting hall or there is no crowding around a particular table.

VII. **Counting procedure including preparation of result sheet and issue of certificate of election :**

Gram Panchayat:

- (a) In terms of section 73 of the West Bengal Panchayat Elections Act, 2003 read with rule 97 of the West Bengal Panchayat Election Rules, 2006 the Counting Officers shall exercise all the powers and perform all the functions of the Presiding Officer. Therefore, with respect to counting of votes for Gram Panchayat constituencies, the Counting Officer shall after completion of counting and preparation of result sheet in Form-21 shall sign the sheets at the table after which except for the winning candidate, all other candidates shall be asked to disperse. The Counting Officer shall issue the Certificate of Election to the winning candidate of the Gram Panchayat seat concerned on obtaining acknowledgement of receipt in terms of rule 107(5) *ibid*. The receipted copy and the copy of the result sheet with the candidate-wise bundles of ballot paper with a bundle of rejected ballot paper, if any, shall be immediately taken to the table of the Returning Officer in the hall. The foregoing procedure has been delineated on the presumption that there will be no demand for recounting from any candidate. If such a demand arises, it will be settled according to the rules and procedure laid down.

Panchayat Samiti:

- (b) In case of Panchayat Samiti constituencies, the Counting officer after preparing the counting sheets, shall take the signed counting sheets along with bundles of candidate-wise ballot papers and the bundle of defective ballot papers if any, to the table of the Returning Officer / Assistant Returning Officer in the hall. If there is any demand for re-count, the demand may be settled according to rules and procedure. The Returning Officer or the Assistant Returning Officer – in – charge shall prepare the result sheet in Form-22 after checking the candidate wise total votes secured and the bundles of ballot papers received, in presence of candidates or the election agents in case any candidate is absent (only one person representing the candidate shall remain present at the table of the Returning officer). The result sheet drawn up and signed by the Counting Officer or Assistant Returning officer shall now be sent to the Returning Officer present within counting venue for declaration of result. The ballot papers shall be retained in the hall for sealing. The Returning Officer shall now declare the result and grant the certificate of election to the

winning candidate after obtaining receipted acknowledgement in terms of rule 107(5) of the West Bengal Panchayat Election Rules, 2006 on the day of the Counting itself.

(c) **Counting Procedure in respect of Auxiliary / Additional Booths :**

The auxiliary / additional booths may be counted at a separate table adjoining the main one i.e. counting for main / original booth and auxiliary will have to be kept in the same round and in the same room at the adjacent tables. The counting supervisor of the auxiliary / additional booth will handover the counting sheet to the supervisor of the main table and the later will prepare a consolidated result sheet of the Gram Panchayat Constituency for submission to A.P.R.O. or Counting Officer as the case may be.

Zilla Parishad:

- (d) In case of Zilla Parishad Constituency the Counting Officer, after completion of counting (if there is any demand for recounting that will be settled according to law and practice) shall take the signed counting sheets along with bundles of candidate-wise ballot papers and the bundle of rejected ballot papers, if any, to the R.O.'s table in the hall. At the R.O.'s table, the R.O or A.R.O. – in- charge present shall draw up the result sheet in Form-23 after consulting the counting sheets and the bundles of ballot papers in presence of the candidates or any election agent present (there will be one person on behalf of a candidate). The result sheet shall be signed by the Block Development Officer in the capacity of Assistant Returning Officer of the Zilla Parishad Constituency. The signed result sheet shall be sent to the Sub-Divisional officer who shall declare the result of election and issue the certificate of election on obtaining receipt in terms of rule 107 (5) of the West Bengal Panchayat Election Rules, 2006.

VIII. **Election Duty Votes :**

- (a) The votes cast by the persons on election duty before the Returning Officer shall not repeat not be sent to the polling station. Those will be retained by the Returning Officer for opening on the day of counting on 13th July, 2013.
- (b) A hall wise and constituency wise list showing numbers of E.D. votes shall be prepared beforehand for each tier separately. Copies of such lists shall be hung up by the side of the entrance of hall just before counting of such constituencies are taken in the hall.
- (c) E.D. votes for the Gram Panchayat constituencies shall be supplied to the Counting Officer concerned at the counting table for counting before opening the polled ballot box or boxes. In other words, the E.D. votes will be counted first and then entered in the relevant result sheet in appropriate columns.
- (d) In case of E.D. votes cast in favour of Panchayat Samiti and Zilla Parishad candidates also, the E.D. votes shall be counted by the P.R.O./A.P.R.O. at his table before commencement of counting of votes in the polled ballot boxes. After counting the P.R.O./A.P.R.O. shall enter the figures in the appropriate column in the result sheet (since revised),

IX. Facility to candidates in the counting venue :

- (a) All entries to the counting premises shall be regulated by entry card to be issued by the Returning Officer or the Assistant Returning Officer authorised for the purpose. Their specimen signatures should be made available to the officer or officers in charge of security for their familiarization with the signature.
- (b) Cards for the Returning Officers, Assistant Returning Officers, Counting Officers, Counting Assistants and other officers and employees entrusted with various duties relating to counting as may be issued, may be made distinctly different from the cards issued to the candidates or their counting agents.
- (c) Since counting of votes of Gram Panchayat, Panchayat Samiti or Zilla Parishad constituencies shall be taken up in phases in different hours of the day, it may be convenient to issue cards of different colours for different times. In each card for the counting agents, hall No. and Table No. should be clearly specified. Time for admission into the counting premises may also be clearly printed on the card for each tier separately. This procedure may avoid unnecessary crowding in front of the counting centre.
- (d) The Gram Panchayat candidate has appointed them as Counting Agent. The counting agent, the candidate or his election agent may remain present at the appointed counting table to avoid overcrowding.
- (e) A candidate for the Panchayat Samiti constituency shall be allowed to have one counting agent for each table assigned to count ballot papers for his constituency. The cards shall specify in each case the hall No. and the table No. There will be no additional counting agent for the Returning Officers table in the hall. The candidate or his election agent shall attend the Returning Officer's table.
- (f) A candidate for the Zilla Parishad may appoint one counting agent for each counting table where counting of ballot papers of his constituency will be taken up. In addition, he may appoint one additional counting agent for Returning Officer's table at each hall where any table has been assigned for counting ballot papers for his constituency. In each case, the hall No. and the table No. shall be clearly specified. In addition, the candidate and the election agent may be allowed to enter the hall where ballot papers of his constituency are being counted.

X. Security arrangement at the Counting venue :

- (a) The counting venue shall come under round the clock surveillance of the security staff with effect from the night of the 12th July, 2013. No one shall be allowed to enter the premises before the counting day except without express permission of the Returning Officer under pressing circumstances.
- (b) The candidates have been allowed, under the provisions of the Act, to follow the vehicle which will carry the polled ballot boxes and other materials from polling station to the Reception-centre-cum-counting –venue. The candidate has also been allowed to keep regular watch over the sealed doors of the strong room either by himself or his election agent or through one or more counting agent specially appointed for the purpose. It is stated that not more than one person on behalf of one candidate shall be allowed to stay at

any point of time. However, if they so desire, the candidates or the agents may be allowed to have a look at the sealed door from a little distance without touching the door or the lock

to find whether the seal is unbroken, at an interval of every two hours. Unless there is a suitable structure within the premises but outside the main building, a small temporary covered structure with a few pieces of furniture (a table & chairs) for the candidates and /or their agents may be erected.

- (c) The counting halls shall be opened and the seal on the locks of the strong room or rooms shall be broken about one and half hours before the counting starts. The candidates shall be intimated to remain present at the appointed hour. The seals of the locks shall be broken and the doors opened by the Returning Officer in presence of the candidates attending at the appointed hour.
- (d) Entries to the counting premises shall be regulated by the security personnel under the direction of the Returning Officer. Any one entering or leaving the premises shall be required to display or show his card to the security personnel on duty. No one shall be allowed to enter the premises until a little before the appointed time. No one shall also be allowed to loiter in the counting hall or on the ground of the premises who has no business or whose business has been over. Any unusual gathering in or around the premises or just outside the gate should not be allowed.

Guidelines for sealing arrangement and formats of revised Forms relating to counting are being issued shortly.

Yours faithfully,

Secretary,
West Bengal State Election Commission