

## **GUIDELINES FOR OBSERVERS-2021**

### **Introduction**

1. The State Election Commission may nominate an Election Observer who shall be an officer of Government to watch the conduct of Bye elections to the Two Municipal Corporations of Delhi viz. North Delhi/East Delhi scheduled to be held in February, 2021 and to perform such other functions as may be entrusted to him by the State Election Commission.
2. The Observers are appointed under the plenary powers of the State Election Commission and the powers conferred on it by Section 7 of the Delhi Municipal Corporations Act, 1957, as amended by DMC (Amendments) Act, 2011 read with rule 4 of Delhi Municipal Corporations (Election of Councillor) Rules 2012 They are the appointees of the Commission working under the superintendence, control, and discipline of the Commission for the period from their appointment till the process of Bye Elections to the above Two Municipal Corporations of Delhi are completed.
3. The Observer nominated shall have the power to direct the Returning Officer for the Ward(s) for which he has been nominated, to stop the counting of votes at any time before the declaration of the result or not to declare the result if in the opinion of the Observer, booth capturing has taken place at a large number of polling stations or at places fixed for the poll or counting of votes or any ballot papers or an Electronic Voting Machine used at a polling station or at a place fixed for the poll are unlawfully taken out of the custody of the Returning Officer or are accidentally or intentionally destroyed or lost or are damaged or tampered with to such an extent that the results of the poll at that polling station or place cannot be ascertained.
4. Where an Observer has directed the Returning Officer to stop counting of votes or not to declare the result, the Observer shall forthwith report the matter to the State Election Commission and thereupon the State Election Commission shall, after taking all material circumstances into account, issue appropriate directions.

### **OVERVIEW OF OBSERVER'S DUTY**

5. The Observers are expected to assist the State Election Commission in the preparation for and conduct of free and fair polls. They are to oversee the efficient and effective management of the electoral process at the field level. For all purposes, they will act as the eyes and ears of the Commission during the period of the election and provide direct inputs to the Commission from the field as an interface with the election machinery, the candidates, parties, and electors to ensure that the acts, rules, procedures, instructions and guidelines related to elections are strictly and impartially complied with by all concerned. Their inputs/observations are confidential and solely for the use of the Commission and not for any other agency including media. They must not, therefore, interact with or respond to the queries of the Press even after the elections are over. However, the observers shall not mark copies of

their formal reports to the Commission to any other person including Returning Officers.

## **ROLE OF OBSERVERS**

6. (i) The ERO's/RO's have been directed by the Commission to bifurcate the assembly electoral rolls ward-wise as per the delimitation order No.F.7(55)DLB/2015/Pt.I/202,203&204 dt.13.01.2017. EROs/ROs are also required to maintain a proper record of all petitions and objections received w.r.t. the same and dispose of the same after proper inquiry and inspection and make corrections wherever required. Observers should monitor that the same is being done and records maintained properly.
  - (ii) Detailed instructions and schedule have been given to the EROs/ROs w.r.t. inspection, verification etc of polling booths by the Commission. The Observers should monitor the compliance of the same and adherence to the given schedule.
  - (iii) Monitoring the processes of nomination, scrutiny and withdrawal, and report back to the Commission promptly in case of any irregularity.
  - (iv) Examination of the nomination process as well as making proper investigation on the complaints received in connection with the process of nomination. Also to examine the unresolved grievances by the candidate / political parties about the allotment of symbols.
  - (v) Effective monitoring of the cases of violation of the model code of conduct by watching the video clippings of various meetings and, if needed, even by visiting important rallies to get first hand input, enforcement of the defacement of property act, checking the account of expenditure of the candidates and such other things.
  - (vi) They are empowered to stop counting or the declaration of result in the event of happening something which could have made it difficult to ascertain the result correctly.
7. Apart from the direct executive role of the observer, as enlisted above, Observers are expected to observe and report on all the steps involved in election management. An illustrative list is as below:

### **Nominations, Withdrawal, Scrutiny and Symbol allotment**

8. An Observer shall observe the process of nomination. He should oversee compliance of Commission Instructions and report major violations, if any, with specific reference to relevant rules 15 and 18 respectively of DMC Rules, 2012 regarding number of people allowed to be present during Nominations and Scrutiny. No col. in affidavit form 21, 22 be left blank. [Page 66 of RO Hand Book (2014 Edition) refers]
9. Scrutiny is a quasi judicial process and should be conducted by the  
the  
Scrutinizing Officer of the ward concerned without any outside influence.

However, Observer can ensure that the RO/Scrutinizing Officer is aware of the latest instructions, he has the latest list of disqualified candidates and the latest symbol order. The Observer should observe the scrutiny process and report any glaring error to the Commission. Observer should, ensure that RO/SO's action at every stage is in conformity with the Rules and instructions of the Commission. Observer may remind RO/SO that the scrutiny proceedings can be adjourned to next day only in case an opportunity is to be provided or if any legal provision needs to be examined that requires time.

10. Allotment of symbol is a process that is very technical and requires due care. It should be ensured that RO is aware of the provision of issue of reserve symbols and free symbols. He should have the latest symbol allotment order as issued by the Commission. After allotment of symbols, the list of finally contesting candidates should be **prepared in Form 7** strictly as per provisions of relevant rules and directions issued by the Commission.

### **Roll Related**

11. The Electoral Rolls for relevant Assembly Constituencies have been adopted for the ensuing elections to the three Municipal Corporations of Delhi and would be frozen by the last date of filing nominations. The Observer may, however, examine the overall quality and the photo coverage in the roll. Although the scope for any further change in the roll is not there, if glaring mistakes, especially of technical nature, are found, same should be reported to the Commission.
12. Although no deletions can be made from the roll, absentee and dead and duplicate voters should still continued to be tracked and a separate list of such voters should be prepared Polling Station-wise that can be used on the day of Poll.
13. The last supplement is prepared by the last date of filing nominations after the date of withdrawal by manually marking the mother roll and previous supplements based on the last supplement. This activity has to be closely observed and ensured that efforts have been made to avoid any mistakes at this stage.
14. It should be ensured that the copies of electoral rolls given to the candidates are exactly the same as that which would be used on the poll day by the polling party. If the last supplement is separately being given to them, it should be given with a clear instruction that the deletions and modifications maybe marked by the candidates themselves.

### **Campaign Period**

15. Monitoring implementation of Model Code of Conduct and measures to prevent occurrence of electoral offenses. In this regard, the Observers should bring any lapse to the notice of the Commission.
16. Meeting with candidates to explain the provisions of Model Code of Conduct and the instructions of Commission thereunder.

17. Observe various events like political meets, visits of star campaigners etc.
18. Monitor that teams are constituted for enforcement of Model Code of Conduct.
19. Monitor dummy candidates and surrogate advertisements.
20. Review video recordings of activities.
21. Closely observe party"s/candidates" election advertisements given in dailies, by electronics media/TV channels for which a certificate of area SDM would be necessary before publishing/exhibiting. Any breach/violation of these instructions should be brought to the notice of Commission at once.
- 21A. The canvassing will come to an end, 48 hours before the close of polling on the day of the poll i.e. by 05.30 P.M. The observer may ensure the compliance of Commission"s directive in this regard. A compliance report to be furnished by all observers by 7.00 PM. (which is two days prior to the day of the poll) in respect of their area to the Commission.

#### **Watch on election expenditure**

22. Fix dates for reviewing the register maintained by each candidate for accounting of election expenditure and review the register on those dates. This should be done on regular basis.
23. Review supporting documents.

#### **Pre-Poll Election Management**

24. Observers should monitor that proper training is arranged for the election staff.
25. Visit polling stations and monitor that all polling stations are visited by election officials for verification from fitness angle. Verify that the list of polling stations is approved by the Commission. The polling stations should be visited again a day before the poll to check and ensure that all arrangements and facilities are in place.
26. Go through the exercise of identification of critical/sensitive booths and critical clusters done and finalize the list of critical polling stations and critical clusters.
27. Discuss the Security Plan with the DCP and review the law and order issue in general. Review the preventive measures taken by the law and order implementation machinery.
28. --

29. To ensure that polling staff is adequately trained for poll procedure and particularly the handling & sealing of EVMs by RO's/technical staff of BEL/ECIL.
30. The polling staff has collected polling kits, ballot papers for tendered voters, relevant copies of electoral rolls, seals of EVMs etc. and there is no shortage.
31. Review counting arrangements.

### **Poll Day Management**

32. Monitor placement of Sector Officers.
33. Monitor conduct of mock polls and receipt of mock poll certificate in prescribed format signed by Presiding Officer at the commencement of poll  
Review the polling stations with no or only one polling agent.
34. Review the pace of poll and percentage of polling at regular intervals.
35. Keep track of occurrence of any special events during the poll day.
36. Keep track of any delays or temporary suspension of poll.
37. Report anything exceptional to the Commission.
38. Ensure that proper arrangements for receipt of polling staff and polling material are made. Every receiving team should be well equipped with a checklist of items to be received. Ensure that the non-statutory documents which are open to inspection by candidates/public are not sealed and locked with the EVMs in that strong room.

### **Post Poll**

39. Report to the Commission about the conduct of poll and requirement of re-poll, if any.

### **Counting**

40. Review the arrangements for counting made by the RO.
41. The observer has to ensure that the results are tabulated correctly in form 17 by the counting staff.
42. Ensure that during the counting, round-wise results are announced as and when they are finalized.

43. Certify proper completion of counting process and allow RO to declare results if satisfied with the counting process.
44. Report to the Commission for recount to be held if recount required.

#### **TOURS AND ABSENCE FROM HEADQUARTERS**

45. **All Observers should seek prior permission from the Commission every time they want to leave the headquarters on personal work or on official work.**

#### **REQUESTS FOR LEAVE**

46. No officer appointed as Observer or kept in Reserve List shall proceed on any kind of leave without prior approval of the Commission till the completion of the election.

#### **REPORTS BY OBSERVERS**

47. The Commission expects five mandatory reports from the Observers. However, in case of any serious deviations the observer should bring it to the notice of Commission through interim report(s).
  - (i) The first report on the bifurcation of assembly electoral rolls ward wise by the ERO/RO to be submitted by 30.01.2021.
  - (ii) The second report on the inspection, publishing, finalization of the polling stations by the ERO/RO to be submitted by 30.01.2021.
  - (iii) The third report has to be submitted twice – first on 01.02.2021 & second on 10.02.2021.
  - (iv) The fifth report on 13.02.2021.
  - (v) The sixth after the polling/ scrutiny of Form 17 and Form 18 other documents is over by 11:00 AM on 03.03.2021.
  - (vi) The seventh, after the declaration of results 03.03.2021.
  - (vii) The eighth, for counting votes arrangements. 28.02.2021 & 03.03.2021.
48. The Observers should send these reports to the Commission as per schedule given against each from (i) to (vii).
49. Observers shall not, under any circumstances, share the contents of their reports or any information therein with anyone, **repeat anyone**, except the State Election Commission.
50. Oral communication can be made with the officers of the Commission, on urgent matters which cannot be kept pending till the written report, can be made. However, the same should be followed up with a written report.
51. The observers should contact their R.O. as soon as the orders of appointments are served on them. The RO shall compile information / particulars as enumerated in the check list (Annexure-I) and furnish the same to the Observer.

## **INTERFACE OF ROs/AROs WITH THE OBSERVERS**

52. The Observer should organize a structured meeting with the RO as soon as he is appointed by the Commission. He should be present in the offices of R.Os under his charge by rotation to watch the process for preparation for polls and receipt of nominations and inform the Commission of any lapse committed by the R.O. (To be reviewed in terms in directions contained in the Hand Book for Returning Officer).
53. The Observer should monitor that:
- a. The electoral rolls of the assembly constituency have been properly bifurcated into wards as per the Delimitation Order of 2017. All the petitions/objections received by the ERO/RO have been properly recorded. Proper scrutiny and inspection has been done and wherever corrections required are made.
  - b. The inspection schedule and detailed instructions issued by the Commission w.r.t. polling stations have been adhered to.
  - c. The posting of requisite officers for RO and ARO has been completed (including for counting)
  - d. The identification and status of all the venues which will be used for dispatching, receiving and counting has been done and reviewed.
  - e. The list of polling stations has been finalized.
  - f. The machinery to monitor and implement model code of conduct is in place.
  - g. The Primary (Draft) list of polling personnel has been prepared.
  - h. The arrangements for receiving information from public and parties control room arrangements and inter coordination of police and RO control rooms have been made.
  - i. The ERO/RO is aware of all the relevant provisions of Act, Rules and instructions issued by the Commission.
54. After reviewing, the Observer shall take up the matter with the Commission, if any deficiency is found in the election preparedness.

## **FILING AND SCRUTINY OF NOMINATION PAPERS**

55. The Observer shall watch the process of filing and scrutiny of nominations and ensure that the conduct of nomination process has been complied as per rules and instructions.
56. The observer is expected to observe the scrutiny process and finalization of the contesting candidates after withdrawal very closely. The role of observer in scrutiny is to observe the events, rather than guide formally. However, in a

situation where there is some confusion, the observer shall report to the Commission but under no circumstances shall give instructions to the RO.

57. The Observers are expected to be present during the Scrutiny of Nominations. However, before the scrutiny, it is important that the Observers verify from the Returning Officers the availability of Act, Rules and instructions and orders of the Commission, which are specifically relevant for the Returning Officers in discharging their statutory functions for scrutinizing the nominations.
58. The following items are important:
  - (a) The latest list of "Political Parties and Election Symbols" i.e. Symbol Order published by the Commission.
  - (b) Commission's instructions on criminalisation of politics and the latest Form of Affidavits, which will accompany every nomination form.
  - (c) The latest copy of the List of Disqualified Candidates (to be procured from ECI and SEC).
  - (d) Instructions and copies of latest versions of Forms A & B annexed with Symbol Order which are utilized by the political parties to indicate the names of their official candidates who are eligible for being allotted the symbol reserved for the party.
  - (e) A copy of the Electoral Roll for the Ward.
  - (f) The Delhi Municipal Corporation (Election of Councilors) Rules, 2012
59. It is important for the Observers to go through these instructions carefully in advance before they interact with the Returning Officers. They will report immediately an irregularity committed, if any, by RO to the Commission.

## **ALLOTMENT OF SYMBOLS**

60. Immediately after the process of withdrawal of nominations is completed, the process of Allotment of Symbols is taken up by the Returning Officers. The Observers will be available for overseeing this important activity. The RO should have access to the latest Symbol Order and act accordingly.
61. As soon as the allotment of symbols is completed, a List of Contesting Candidates and Symbols allotted to them is prepared and published in Form 7. Special care should be taken regarding order in which the name of candidates appear in the list and Commission's instructions and rules in this regard should be strictly adhered to. This is a very important document and it is of utmost importance that copies of the same reach the Commission at the earliest. The Returning Officers will make arrangements to send the original copy to the Commission.



62. The Commission is required to publish in Delhi Gazette a Consolidated List of Contesting Candidates in English and Hindi. The Returning Officer will nevertheless prepare two sets of the copies of the Form 7 in English, Hindi and Urdu and ensure that these are sent to the Commission through a special messenger latest by next day to the last date for withdrawal as Commission will send the same for gazette publication and to Govt. Press for printing of ballot papers.

### **ELECTORAL ROLLS**

63. The Returning Officer shall ensure that:-
- i. The electoral roll supplied to the polling booths shall be certified to be true copy of the one that has been provided to the candidates / political parties and the marked copy kept by the Returning Officer as per provisions of the Delhi Municipal Corporation (Election of Councilors) Rules, 2012.
  - ii. The electoral roll supplied at polling booths shall be signed on all pages by the ARO concerned.
  - iii. A copy of the electoral roll, which will be used on the day of election at polling booths shall be checked by the Observer as to the authenticity of the roll provided at polling booths *vis-à-vis* the rolls given to the candidates on the day of poll at the polling stations visited by him. The Observers will discuss this subject thoroughly with the RO and ensure that there is no room for any complaint on this score. This aspect should also be explained to the candidates and political parties during discussion.

### **MEETING WITH THE CANDIDATES**

64. The RO should conduct a meeting in the presence of Observer with all the contesting candidates and party representatives on the last day of withdrawal or on the next day and brief them about –
- i. Important aspects of the model code of conduct,
  - ii. Expenditure reporting formats and frequency of reporting required, time and place of reporting of expenditure,
  - iii. Issuance of permissions for vehicles, processions and public meetings
  - iv. Proposed actions against violations,
  - v. Interaction of observers with the candidates/political parties/electors (with specific details of time, contact numbers and place for meeting the observers),
  - vi. Electoral rolls, and

Wherever a candidate has apprehension about any unfair practice, procedural lapse, he will bring them to the notice of the Observer with details of polling centers and reasons for such apprehension.

### **VISIT OF AREAS IN THE WARDS AND POLLING STATIONS**

65. The observer should visit polling stations (in their areas) to understand the ward.

### **REVIEW OF OVERALL PREPAREDNESS OF LAW & ORDER MACHINERY**

66. The observer should have a detailed discussion at a mutually convenient time about the following.
- a. Adequacy of police personnel,
  - b. Preventive actions taken (preventive detentions, bonds & arms deposition)
  - c. Identification of sensitive clusters and polling stations.
  - d. Sector plans for policing on the day of poll,
  - e. Response strategy on the day of poll and transportation of EVMs, and
  - f. Discussion about sensitivity of inter-state boundaries.
  - g. Movement of polling parties.

### **OBSERVATION OF IMPLEMENTATION OF MODEL CODE OF CONDUCT**

67. It has been the most important and crucial task of observers to ensure non-partisan and effective implementation of model code of conduct.
68. The main areas for strict vigil are:-
- a. Use of vehicles for campaigning without required permission;
  - b. Use of muscle power to mobilize or restrain people from voting;
  - c. Flow of liquor and money and „gifts“ to ensure voting in favour of a particular candidate;
  - d. Divisive tactics through inflammatory and condemnable speeches / acts; and
  - e. Dealing with defacement of property as per prevailing law.

## **APPROACH OF THE OBSERVER IN IMPLEMENTATION OF CODE OF CONDUCT**

69. The approach of observer should be to get the complaint inquired by RO and tracking how the inquiry is conducted and how the concurrent corrective measure is affected. The observer should advise the RO about the violations and appropriate action to be taken. However in case of lapses on part of the authorities even after advice of the observers, the observers should immediately communicate lapses to the Commission. The observers will also be required to inspect & report on the matters of violation of the Model Code of Conduct referred to them by the Commission in a time bound manner. Observer should use videography as an effective tool to implement Model Code of Conduct.
70. There are several instances where implementation of model code of conduct has been handled for the same issue in different manner in different constituencies. Observers are eyes and ears of the Commission and not the executives in the field.
71. Some instances are given as case studies to sensitize you to this aspect-

### ***Situation A***

An observer found a vehicle with a party flag and lot of workers with a microphone campaigning for a candidate without a permit.

- a. He detains the vehicle with the help of his PSO and calls for the police and orders them to take a particular action, issues a specific instruction in writing.
- b. He reports the matter on phone to the concerned DCP and subsequently writes a letter and warrants an ATR from the DCP and RO. In case of non action, the lapse is reported to Commission.
- c. He gives an instruction to the police in writing to immediately arrest the people in the vehicle. The Commission would appreciate the option „b“ in this case. However, to ensure ripple effect, the incident and the action taken should be publicized in the media to create further deterrence through the RO. In any case the observer is not expected to interact and brief the media personally.

### **Situation B**

There is a complaint from a particular political party that there is possession of illegal arms in a particular location by another contesting party. The complaining party does not disclose the location and requests for a police party to raid in a location to be specified later.

- a) The observer agrees to the demand and orders the DCP to send a police party.

- b) The observer takes the complaint and location confidentially, asks the DCP to act on it and report back. He also sends a videography team with the police party
- c) The observer takes the police party and goes to the specified location and raids it.

The Commission would recommend the option „b“ in this case as observers have to think and act independently after receiving a complaint and not physically move with one party or other as that is also seen as partisan.

### ***Situation C***

Every party has a list of star campaigners designated who shall be funded centrally from the party level for their travel and campaigning. One of the star campaigners deliver inflammatory speeches hurting the sentiments of a particular section of society and this is widely covered by media at national and local levels.

- a. This episode and the contents of speech is recorded and reported to the Commission and at the same time appropriate action by the Election machinery has been initiated. The Action Taken is proportionate to the gravity of the lapse.
- b. This episode is not reported to Commission and action has been initiated at the local level which is covered by local media.
- c. It was not acted against at all.

The Commission would recommend option „a“ as the lapse is being covered by national media and the damage is no more localized and therefore the non reporting of this event to Commission shall have negative effect on the general scenario of elections at the national level.

### ***Situation D***

An observer witnesses that a public property has been defaced by posters, which is serious violation of model code of conduct. He had to deal with this.

- a. The observer gets out of the vehicle and tears the posters himself.
- b. He informs the RO and asks the RO to send the enforcement squad responsible for territorial jurisdiction. He documents the violation through videography. After a day or two checks whether that violation has been dealt with and also ensures booking of that expenditure in the accounts.

**The option ‘b’ is the desired response.**

- 72. The Commission encourages effective observation rather than self implementation of the Model Code of Conduct.

73. The Commission envisages appropriate and timely action against lapses and at the same time proportionate flow of this information of action taken to the appropriate levels to have a deterrence effect.
74. Every move of campaigning has an implication of election expenditure. The observers are expected to correlate all the permissions taken and the expenditure statements submitted. In case of some expenditure not being reported, the standard rates prevailing in the district should be adopted.

#### **WATCH ON EXPENDITURE INCURRED ON ELECTION CAMPAIGN BY THE CANDIDATES/POLITICAL PARTIES**

75. Use of money power, needless to reiterate, vitiates the election process. The Observers are, therefore, expected to be the watchdogs and keep a strict vigil on surreptitious and discursive ways of spending money to influence voters. The observers should know the ceiling of election expenditure for his ward which has been fixed currently as **Rs. 7,00,000/- (Rupees Seven lakh only)** in each case under Election Law.
76. Past experiences indicate that use of money power starts right from the distribution of tickets by the political parties. Subsequently, it takes various forms, which are enlisted herein below. However, it must be kept in mind that the enlisted ways of spending money is only indicative. There can be many other ways of spending money which should engage the attention of the Observers.
- Booth-wise agents are appointed to purchase floating votes;
  - Large donations to clubs and organizations to influence its members;
  - Largesse to petty party workers to dole out the same to electors;
  - Rented crowds for party meetings;
  - Rallies and campaigns with purchase able crowd;
  - Presence of candidates at social occasions like mass weddings, feasts, puja's, jagrans, inaugurations, etc. where gifts are given on behalf of candidates;
  - Acceptance of felicitations by the contesting candidates at any educational or charitable organizations;
  - Distribution of free liquor/liquor passes to the electors;
  - Use of dummy candidates at election to utilize his quota of electioneering vehicles, etc.
  - Surrogate advertisements in print and electronic media whereby candidature is canvassed by unconnected persons/organizations so as to avoid the expenditure on the same being accounted for in the expenditure of the contesting candidates;
  - Bringing cinema celebrities and sportspersons to campaign;
  - Providing voters with caps, vests, umbrellas, bi-cycles, etc.
77. **It shall be the duty of the observers to ensure that all the instructions of the Commission and provisions of Act & Rules are followed meticulously and there are no aberrations in their application. It is, therefore, imperative that the observers should familiarize themselves with the extant instructions and the relevant law.**

## **PREPARATION OF POLLING PARTIES AND TRAINING**

78. Observer should monitor the training process and take care that:
- (i) All the staff appointed for poll duty is trained.
  - (ii) The trainers are well versed with the election process.
  - (iii) Training covers all aspects of poll management, including EVM and Non EVM aspects, forms and certificates to be filled by the staff.

## **ELECTRONIC VOTING MACHINE**

79. The Observers will check on the stock of EVMs available and whether they have been serviced by the engineers of the manufacturing firms. The training of Presiding Officers and polling personnel, especially the second polling officer who controls the “Ballot” button on the use of EVMs is critical.

## **PREPARATIONS FOR DATE OF POLL**

80. Effective checks to curb electoral malpractice or vitiation of the poll process by way of booth capturing, rigging, creating a scare of fear and panic among electorate and effectively preventing them from casting their votes are major concerns.
81. The Observer should carefully plan out, in confidence, the areas which he/she would focus on, during the actual period of poll. This will be kept confidential and is not to be shared with anyone including ROs.

## **VISIT TO DISPATCH CENTRES**

82. The Observers will visit the dispersal centres for dispatching the polling parties to different locations and make a brief report on the manner in which the operations are being conducted.

## **MICRO OBSERVERS (if appointed)**

83. The Commission intends to appoint Micro Observers to assist the Observers. The Micro Observers are expected to observe the polling process on the day of poll. They are assigned duty by the Election Observer. They shall report about the poll day in the given format, Report of Micro observers.
84. Micro Observers are to be trained by the observers two days before the poll with the help of RO. Therefore an arrangement is required wherein Micro Observers are stationed at the offices of the RO on the day of polls and they are moved to specific polling stations as per requirement of the Observer.

85. All the critical polling stations need not be covered by Micro Observers. They should be used effectively and not on an extensive basis unless required.

#### **POLL DAY ACTIVITIES**

86. One of the most important responsibilities of the Observers is to oversee the actual poll. On the date of poll, Observers should tour the maximum number of booths as is physically possible during the hours of polling. The presence of the Observers in the field on the date of poll and their visits to polling stations should be an effective deterrent against electoral malpractice and vitiation of the poll process. The Observers will ensure prompt and effective action on this score by interacting with RO regularly.
87. Commission has mandated conduct of mock poll before the actual poll begins to demonstrate proper functioning of the EVM to the polling agents. To this effect, the Presiding Officer has to sign a certificate in the format prescribed by the Commission. Observers should monitor that the mock-polls have been conducted and the Pos have issued the certificate to that effect
88. They should look for any unusual activity or lack of activity around a polling station to sense whether any electoral malpractice has vitiated or is likely to vitiate free and fair polls. Absence of women in the queues may be an indicator of something unusual. The Observers should in advance study and acquaint themselves with the pattern of electoral malpractices in the past elections in different areas. On this basis, they can look for tell tale signs, of any irregularities. They should constantly remain in touch with the RO, ARO, Sector Officers and other officers on duty to get feedback as well as to convey anything specific for corrective action to be taken by the concerned authorities on the basis of what the Observers have actually seen in the field.
89. They should also go inside Polling Stations and check for the progress of polling, the compliance of prescribed procedures by the polling officials in conducting the poll, the presence of polling agents, the updating of entries in the Presiding Officer's diary and such other matters that need verification. Register of Voters (Form 11A) must be checked with display of total votes polled on EVM and observer must sign the visit sheet along with his observation and record the time of his visit.
90. The Observers after close of poll will also take stock of the collection of the EVMs and the transport of polling parties and polling materials under appropriate security arrangements. The convoys once started should only stop at the destination, that is, the strong room where these materials are to be stored.
91. An important point to be noted is that Form 11C has been completed and correctly filled in by the Presiding Officer and these are deposited along with the Presiding Officer's diary at the collection centers and strong rooms as counting of votes can not be done WITHOUT THIS FORM.

## **RECEPTION OF POLLING PARTIES**

92. There is need to focus on polling stations wherein (i) polling was disrupted temporarily due to EVM failure or any other reason,(ii)serious complaints were received and (iii) confirmation regarding mock poll certificate not received . The Returning Officer has to prepare a report of such polling stations with their names and numbers and send it the observer. The polled EVMs and other documents pertaining to these polling stations are to be received at **respective counter**. The presiding officers' diaries have to be checked thoroughly for these polling stations.

## **SCRUTINY OF REGISTER OF VOTERS AND OTHER DOCUMENTS**

93. In order to deter electoral malpractices, the scrutiny of various documents like Presiding Officers' diaries, Register of Votes (11A), micro observers' reports, Visitor Sheets, report of Sector Officers etc shall be taken up after completion of poll.

## **REPOLL AND ADJOURNED POLL CASES**

94. Report of the Observer is the most important input for the Commission for taking a decision on ordering repolls. The Observers should therefore be vigilant and alert about any incident or activity which might or might have vitiated the poll process so that they can send a specific report to the Commission on this matter. Sometimes, information received from other sources are referred back to the Observers on telephone by the officers of the Commission and the Observers are expected to make such enquiries and verification as are possible within the constraints of the time available. After this and after taking into consideration other inputs made available to the Commission, repoll is ordered in such of the polling stations as is considered necessary and appropriate by the Commission.
95. It is of utmost importance that the repoll itself is not vitiated in any manner. The Observers will give specific and comprehensive report on the actual conduct of repoll. The repoll, if any, is normally held on the second day following the date of poll unless specified otherwise.

## **END OF POLL REPORT**

96. Observers will send a report in the form prescribed in **observer report** at the end of poll showing the role of polling agents and the number and nature of complaints received in regard to each polling station. In addition to this, the Observer has to send a comprehensive report highlighting all important factors, in case any repoll is recommended by him for a particular polling station or a group of polling stations.

## **COUNTING OF VOTES**

97. The Observers will also inspect each counting centre.



98. The Returning Officer may make a provision for the Observer in each counting centre.
99. During the process of counting of votes, if the Observers find any irregularity of circumstance under which counting of votes can not continue be stopped immediately and inform the Commission on phone.
100. The Commission attaches great importance to the fact that the actual counting is done in such a manner that it is not only smooth and efficient but more importantly transparent and correct. Reasonable opportunity is to be afforded to let the counting agents of the candidates get a clear view of the counting process as it goes on each counting table. There should be no room for any doubt.
101. For ensuring accuracy of the result of counting, a round wise statement shall be prepared by the Returning Officer. Both the Returning Officer and Observer shall personally verify that the number of votes posted against the name of each candidate in respect of every counting table tally with the figures as shown in part II of Form 11'C' (result of counting) pertaining to that table. They shall append their initial below the total of each counting table. A copy of the detailed table-wise, polling station-wise, round-wise break up of the votes will be kept by the observer in his folder.
102. The tallying process at the end of each round of counting should be completed in a systematic manner and the round-wise progress announced within the halls by the concerned ARO-in-charge.
103. The Observers will also ensure that as soon as the final results and the winning candidate are announced and all the relevant papers are signed by the RO, the final detailed result is transmitted to Commission
104. The Observers should ensure after the declaration of result that the RO sends to Commission the duly filled and corrected copies of:-
  - (i) Final Result Sheet in Form 17,
  - (ii) Return of Election in Form 18.
  - (iii) Copy of acknowledgement sheets received from elected candidate for having received the Certificate of Election in Form 19.
105. The list of contesting candidates in Form 7 should reflect his name exactly and correctly with same spellings as given in the Nomination Form and in electoral roll. Eventually the name of the candidate who is returned from the ward is given in the declaration of the result in Form 17 & 18. It is absolutely imperative that this Form 18, as also the return of the election in Form 17 and the certificate of the election in Form 19 contain exactly the same name as given in the list of contesting candidates in Form 7. Consistency of the names in the Forms 7, Ballot Paper and Forms 17, 18 & 19 has to be maintained without fail. The Observers will impress upon the Returning Officers about this aspect and ensure that full compliance is made.

**CHECK LIST**

**INFORMATION / PARTICULARS TO BE PREPARED BY RO / ERO TO BE PROVIDED TO THE OBSERVER**

**a. Name of the Corporation - North / East Delhi Municipal Corporation**

**b. Name and number of the Ward**

**c. ERO-cum-Returning Officer**

i. Name

ii. Designation

iii. Office Address

iv. Residential Address

v. Telephone..... Office Residence Mobile

**d. ARO/AERO**

i. Name

ii. Designation

iii. Office Address

iv. Residential Address

v. Telephone..... Office Residence Mobile

**e. Electorate details**

Number of Electors

Male	Female	Service Voters	Proxy Voters	Total electors	EPIC holders	Photo Voters

**f. Electoral roll details**

i. Date of publication of revised electoral roll (revised w.r.t 01.01.2021)

	Date	Month	Year			
Polling Stations				Male Electors	Female Electors	Total
	Original					
	Additions					
	Deletions					
	Change					
	Final Number					
	Original					
	Additions					
	Deletions					
	Change					
	Final Number					

iii. Date of printing of supplementary electoral roll (on a/c of continuous update)

Date	Month	Year

**g. Polling Stations**

i. No of polling stations

ii. Whether the list has been approved by the Commission

Yes	NO

iii. Whether all the polling stations have been visited by the RO and ARO

Yes	NO

iv. Polling Station Details

Total No of Polling Stations	Single Polling Station Locations	Two PS location	Three PS location	Four PS location	Five PS location	Six PS location	More than Six PS location

v. Electors details of Polling Stations in the ward

Total No of Polling stations	No of electors attached to the Polling Station					
	Less than 300	300 – 800	801 – 1000	1001 - 1200	1201 – 1500	More than 1500

**h. i.** Identification of critical clusters and polling stations

ii. Critical polling stations identified or not (please provide the list with reasons)

i EVMs

Name of Ward	No. of EVMs required for polling booths	No. of EVMs in reserve	No of EVMs marked for training	Total number required	Available number

Location:

**j.** Identification of centres for dispatch, receiving and counting and any special arrangements

Name of Location	Activity	Facilities		Space		Lighting		Water / & toilets		Layout Plan	
		Adeq	Inad	Adeq	Inad	Adeq	Inad	Adeq	Inad	Done	Not done

**k. Availability of staff**

**Polling Personnel**

Total No of polling personnel required for the Ward	No of State Govt Officials available	No of State Govt. PSUs Officials Available	No of Central Govt Officials Available	No of Central PSUs Officials Available

Police personnel

**i. The total number of police personnel by designation**

DCP/Addl. DCP	ACP	Inspector	SIs	Head Constables

**ii. Operation of police control (police and RO) and the contact numbers**

**L. Preventive actions taken**

- i. Arms deposited
- ii. Security bonds
- iii. Preventive detentions
- iv. Extortionment
- v. Prohibition cases if applicable
- vi. List of persons provided with security cover
- vii. Copy of law & order report sent to the commission should be endorsed to Observer daily.

**m. Arrangements for implementation of model code of conduct**

- i. Arrangements for prevention and removal of defacement of property
- ii Instructions to all the officers, candidates, political parties\ highlighting actions envisaged for the lapses.

**n. Arrangements for expenditure observation at the ward level.**


**o.** Arrangements for procurement of election material and printing of forms etc.

No of indelible ink phials obtained	No of green paper seal obtained	No of paper strips seals obtained	Whether secret seals of the commission received	Whether sufficient No of handbook for the Presiding Officers etc. available	Whether Statutory/ Non-Statutory forms etc. available

**i.** Date for formation of polling parties

Date	Month	Year

**ii.** Date for allocation of polling stations to polling parties

Date	Month	Year

**p.** Training of Polling Personnel**i.** Whether training schedule for the polling personnel prepared?

Yes	NO

**ii.** Whether schedule for EVM training for the polling personnel prepared?

Yes	NO

**iii.** Whether schedule for training of the sector Magistrate /officers prepared?

Yes	NO

**Q.** Dispatch arrangements**i.** Whether from HQ or any other location,**ii.** Name of the location,**iii.** Any need for early dispatch to specific polling stations,**iv.** If yes, reasons.**r .** Receiving arrangements**i.** Location,**ii.** No of tables for receiving,**iii.** Plan for special counters.**s.** Strong room location and security arrangement

**t. Counting arrangements**

- i. Appointment of additional AROs, if any,
- ii. Location of counting – whether approval from the SEC.
- iii. Arrangement for receiving and counting of Postal Ballot Papers.

**OBSERVER REPORT-1****(to be submitted by 30.01.2021)****a . Name of the Corporation-North/East Delhi Municipal Corporation****b. Name and number of the Ward****c. ERO-cum-Returning Officer**

i. Name

ii. Designation

iii. Office Address

iv. Residential Address

v. Telephone                      Office                                      Res                                      Mobile

**d. ARO/AERO**

i. Name

ii. Designation

iii. Office Address

iv Residential Address

v Telephone                      Office                                      Res                                      Mobile

**e. OBSERVER'S NAME**

i. Name

ii. Designation

iii. Office Address

iv. Residential Address

v. Telephone                      Office                                      Res                                      Mobile

i	Has the Assembly Roll been bifurcated by ERO/RO ward wise as per the Delimitation Order No. F.7(55)DLB/2015/Pt.I/202,203&204 dt.13.01.2017.	Yes	NO
ii	Has the ERO/RO maintained record of all the petitions/objections received w.r.t. electoral roll of the ward arising out of boundary of a word as per delimitation of wards.	Yes	NO
iii	Have the petitions/objections been disposed off the ERO/RO after a proper inquiry and inspection record of the same maintained and rectification / transfer of area to correct ward etc. has been done.	Yes	NO
iv.	Any other observation.	Yes	NO

**(Signature and name of the Observer)**



**OBSERVER REPORT-2****(to be submitted by 30.01.2021)**

I	Have the polling stations been physically visited and inspected by the ERO/RO as per the given directions and schedule.	Yes	NO
II	Has the Draft list of polling stations been displayed in the office of the Returning Officer and general public is not facing any difficulty in respect of these lists	Yes	NO
III	Has a proper record of objections / suggestion received w.r.t. to polling stations being maintained by ERO/RO	Yes	NO
IV	Has a proper record of disposal of objections w.r.t. to polling stations being maintained by ERO/RO	Yes	NO
V	Has the RO/ARO done physical inspection w.r.t. objections etc. at and taken remedial action, if any	Yes	No

**Date****Place****(Signature and name of the Observer)**

**OBSERVER REPORT-3**

To be submitted twice – first on 01.02.2021 and then on 10.02.2021

a. Name of the Corporation—North / South / East Delhi Municipal Corporation

b. Name and number of the Ward

c. **ERO-cum-Returning Officer**

i. Name

ii. Designation

iii Office Address

iv Residential Address

v Telephone                      Office                                      Res                                      Mobile

d. **ARO/AERO**

i. Name

ii. Designation

iii. Office Address

iv Residential Address

v Telephone                      Office                                      Res                                      Mobile

e. **OBSERVER’S NAME**

i. Name

ii. Designation

iii Office Address

iv Residential Address

v Telephone                      Office                                      Res                                      Mobile

**POLL PREPAREDNESS REPORT (please indicate done or not done\*)**

Yes	NO

1. Is there any critical vacancy? Yes/ No

2. Affidavits filed by candidates in a ward and copies exhibited on the notice board of R.O. invariably in each case. Yes/No

3. Arrangements for Done Not done  
(a) EVMs ( sealing)

(b) Ballot Paper printing

(c) Providing postal ballot papers to police / security personnel / drivers / cleaners / helpers

4. Polling personnel list preparation

5. Training

	Day		Month		Year	
First training date						
Second training date						

6. Adequate preventive steps taken for maintenance of Law & Order	Yes	No
7. Critical polling stations identified	Yes	No
8. Arrangements for dispatch, receiving and counting centre and strong room	Done	Not Done
9. Facilities adequate	Yes	No
10. Arrangements for model code of conduct implementation	Yes	No
11. System for receiving complaints and monitoring of disposal of complaints done	Yes	No
12. Establishment of control rooms done	Yes	No
13. Monitoring of election expenditure		
(a) Whether the election machinery is aware of ceiling on maximum expenses		
(b) Whether all the candidates have been furnished with the prescribed register for maintaining day to day account of election expenditure by contesting candidates, "form of Affidavit" and a written communication by the Returning Officer detailing the provisions of maintenance of accounts of election expenses immediately after the nomination of the candidates.		
(c) Whether such registers were duly page numbered at the time of issue.		
(d) Whether a meeting has been convened by the R.O. all the political parties and contesting candidates and the issue of election expenses discussed therein.		
(e) Whether a plan has been formalized for flow of Communication-		
(i) to keep track of expenditure on print and electronic media		
(ii) authority granting permission for deploying vehicles for		

<p>electioneering and for keeping track of expenditure on vehicles</p> <p>(iii) Excise authorities granting liquor license to have upto date information on stock position and disbursals</p> <p>(iv) Authorities enforcing model code of conduct to keep track of expenses on wall posters and holdings on public buildings, videography of meetings, rallies, etc.</p> <p>(v) Police authorities who confiscate unauthorized vehicles which are illegally used for electioneering</p>	
<p>(f) Any other item of expenditure incurred by the candidates which engages the attention of the Observer</p>	

Overall observation – (Indicate any arrangements not made, requiring improvements, overall coordination assessment) Indicate areas of concern at least three in order of priority

Signature of the Observer

Date:  
Place:

**OBSERVER REPORT- 5**

**To be submitted on 13.02.2021**

**a. Name of the Corporation – North / East Delhi Municipal Corporation**

**b. Name and number of the Ward**

**c. ERO-cum-Returning Officer**

i. Name

ii. Designation

iii. Office Address

iv. Residential Address

v. Telephone..... Office Res Mobile

**d. ARO/AERO**

i. Name

ii. Designation

iii. Office Address

iv. Residential Address

v. Telephone..... Office Res Mobile

**e. OBSERVER'S NAME**

i. Name

ii. Designation

iii. Office Address

iv. Residential Address

v. Telephone..... Office Res Mobile

1	Number of complaints received for violation of MCC		
2	Number of notices issued		
3	Number inquired and action taken		
4	Any pending for inquiry and corrective action		
5	Reasons for pendency		
6	Critical clusters/polling stations identified	Yes	No
7	Police plan done	Yes	No
8	Allotted force has reached the ward	Yes	No
9	Authenticated copy of electoral roll has been prepared and supplied to candidate	Yes	No
10	Number of micro-observers identified		
11	Have the Sector offices & Sector	Yes	No

	Police officer deployed trained, provided mobility with wireless sets		
12	Whether transport arrangement for sector Officer to engage buses for return of polling staff after end of poll, made	Yes	No

Any special input:-

Signature of the Observer

Date:

Place:

The observer has to send the sixth report by **11:00 AM on 03.03.2021** after the scrutiny of Register of Voters (17A) and other documents.

**OBSERVER REPORT-6**

- a. Name of the Corporation - North / East Delhi Municipal Corporation**
- b. Name and number of the Ward**
- c. ERO-cum-Returning Officer**
  - i. Name
  - ii. Designation
  - iii Office Address
  - iv Residential Address
  - v Telephone..... Office Res Mobile
- d. ARO/AERO**
  - i. Name
  - ii. Designation
  - iii. Office Address
  - iv. Residential Address
  - v. Telephone..... Office Res Mobile
- e. OBSERVER'S NAME**
  - i. Name
  - ii. Designation
  - iii Office Address
  - iv Residential Address
  - v Telephone..... Office Res Mobile

1	Total number of polling stations	
2	Number of polling stations where mock poll was not confirmed (indicate the specific number of polling stations)	
3	Number of polling stations where there were no polling agents (indicate the specific number of polling stations)	
4	Number of polling stations where there was only one election agent was present (indicate the specific number of polling stations)	
5	Number of polling stations where poll was interrupted for more than two hours or delayed in starting (indicate the specific number of polling stations)	

6	Number of polling stations where the interrupted poll could not continue (indicate the specific number of polling stations)			
7	Number of polling stations where poll continued beyond appointed hours (indicate the specific number of polling stations)			
8	Number of Micro observers appointed at the polling stations.			
9	Number of EVMs replaced after the start of poll (indicate the specific number of polling stations)			
10	Number of polled votes in the EVM which was replaced and the name and number of the polling stations			
11	Strong room sealing time and date	Time	Date	
12	All Presiding officers diaries and other documents received	Yes	No	
13	Total voting	Total number of electors	Number voted	Percentage
	Male			
	Female			
	Total			

Events relating to law and order, bogus voting, unauthorized entry, electoral roll, EPIC have to be listed clearly with name and event

Any need for repoll

If yes, then the details of reasons

Fixing the responsibility for the reason leading to repoll

Signature of the Observer

Date:

Place:



Observer seventh report has to be sent immediately after the counting **03.03.2021**

**OBSERVER REPORT-7**

**a. Name of the Corporation—North/ East Delhi Municipal Corporation**

**b. Name and number of the Ward**

**c. RO**

i. Name

ii. Designation

iii. Address Office

iv. Address Residence

v. Telephone..... Office Res Mobile

**d. ARO**

i. Name

ii. Designation

**e. OBSERVER'S NAME**

i. Name

ii. Designation

iii. Address Office

iv. Address Residence

v. Telephone..... Office Res Mobile

1	Total number of postal ballot papers issued	
2	Total number of postal ballot papers received	
3	Valid postal Ballot papers	
4	Invalid postal ballot papers	

Candidate wise break up of votes polled:

S.N	Name of the candidate	Number of votes polled	Party Affiliation

Election result declared Yes / No

Signature of the Observer

Date:

Place:

\

Observer eighth report to be submitted by – first on **28.02.2021** second on **03.03.2021**.

**OBSERVER REPORT- 8**

**a. Name of the Corporation—North/ East Delhi Municipal Corporation**

**b. Name and number of the Ward**

**c. RO**

i. Name

ii. Designation

iii. Address Office

iv. Address Residence

v. Telephone..... Office Res Mobile

**d. ARO**

i. Name

ii. Designation

**e. OBSERVER’S NAME**

i. Name

ii. Designation

iii. Address Office

iv. Address Residence

v. Telephone..... Office Res Mobile

1	Arrangement for counting		
(a)	Whether counting centres set up on required	YES	NO
(b)	Whether security arrangement made for		
(i)	Safe custody of polled material & EVM’s	YES	NO
(ii)	Sealing of Polled material & EVM’s	YES	NO
(iii)	Counting of Votes & declaration of results	YES	NO
(iv)	Separate seating arrangement for Observe and media persons made at each counting centre	YES	NO
(v)	Tea / Food arrangement for officers and Counting staff made at each counting centre.	YES	NO

Election result declared Yes / No

Signature of the Observer

Date :

Place :

## **DOs AND DON'Ts FOR OBSERVERS**

### **Dos**

1. Attend the briefing and debriefing sessions fixed by the Commission.
2. Notify your correct office and residential addresses and telephone / fax/mobile/e-mail numbers. Also please notify changes, if any, from time to time, to the Commission.
3. Note carefully the numbers of visits, duration of visits and the period of visits given by the Commission and strictly act according to this.
4. Identify areas / polling stations which might require closer attention.
5. Monitor that adequate stock of all election materials are actually available in adequate quantities.
6. Make an independent assessment of the Law and Order situation in general.
7. Make a random check of as many polling stations as possible and verify them.
8. Monitor instances of violation of Model Code of conduct.
9. Familiarize yourself with the use of Electronic Voting Machines (EVMs), and attend some training rehearsals.
10. Please send spot report(s) from time to time as considered necessary.
11. Bring any development that merits immediate remedial action or attention of the Commission, to Returning Officer's / District Election Officer's /Commission's notice without any loss of time. Such information should not be deferred till the regular reports are submitted.
12. Send your report in a sealed envelope addressed to the Commissioner and etc. make it as observer report with name, ward details and report number.
13. Attend meetings of the political parties called by the Returning Officers.
14. Make independent assessment of the expenditure incurred by a candidate.
15. Speak to the local people and check posters, pamphlets etc. to arrive at an independent assessment.
16. Inspect the register of Election Expenditure prescribed by the Commission.
17. Obtain prior permission of the Commission before leaving Delhi.
18. Maintain proper conduct in the Ward as Observers are keenly observed.

## **DON'Ts**

1. Do not ask for any exemption from the briefing session.
2. Do not talk to the Press.
3. Do not call meetings of the political parties on your own.
4. Do not leave your Delhi once you have been allotted specific ward without the prior written permission of the Commission.
5. Do not defer submitting reports of any development which requires immediate remedial action till submission of your regular report(s), but bring it to the Commission's notice by fastest means.