

INFORMATION HAND BOOK UNDER SECTION 4(I) OF THE RIGHT TO INFORMATION ACT, 2005

Introduction

1.1. Background, objective and purpose of this Hand Book

The Right to Information Act, 2005 (Central Act 22 of 2005) has been enacted to provide for setting out a practical regime of the right to information for citizens to secure access to information under the Control of Public Authorities, in order to promote transparency and accountability in the working of every Public Authority. This publication under section 4(1) of the Right to Information Act sets out the obligations of public authorities concerned with electoral administration.

1.2. Intended users of this book

Members of public, political parties, officers and staff concerned with electoral administration will be the users of this Hand Book.

1.3. Organisation of the Information

The organization of the information in this Hand Book is given chapter-wise in the index.

1.4. Contact person

Public Information Officer, i.e. Joint / Deputy Chief Electoral Officer & Joint / Deputy Secretary to Government and Assistant Public Information Officer, i.e. Assistant Chief Electoral Officer & Under Secretary to Government Public (Elections) Department, Secretariat, Chennai-9.

1.5. Procedure and Fee Structure for getting information

(G.O. Ms. No.989, Public (Estt.I & Leg.) Department, dated: 07-10-2005)

(a) Every application for obtaining information under sub-section (1) of the section 6 of the Act shall be accompanied by an application fee of Rs.10/- by way of cash, Court Fee Stamp or Demand Draft or Bankers Cheque payable in the head of account "0075 00 – Miscellaneous General Services – 800. Other receipts – BK. Collection of fees under Tamil Nadu Right to Information (Fees) Rules, 2005" (DPC 0075 00 800 BK 0006). The applicant may also affix court fee stamp for the above value on the application to remit the fee under the above head of account in the Treasury / Pay & Accounts Office / State Bank of India / Reserve Bank of India and produce the chalan to the Public Information Officer as an evidence for having remitted the fee.
or

(b) For providing the information under sub-section (1) of Section 7 of the Act, a fee shall be charged by way of cash against proper receipt or by Demand Draft or Bankers Cheque payable in the above head of account, at the following rates:-

- i) Rupees two for each page (in A-4 or A-3 size paper) created or copied;
- ii) Actual charge or cost price of a copy in larger size paper;
- iii) Actual cost or price for samples or models; and
- iv) For inspection of records, no fee for the first hour, and a fee of rupees five for each fifteen minutes (or fraction thereof) thereafter.

(c) For providing the information under sub-section (5) of Section 7, the fee shall be charged by way of cash against proper

receipt or by Demand Draft or Bankers Cheque payable in the above head of account, at the following rates –

- i) for information provided in diskette or floppy Rs.50/- per diskette or floppy; and
- ii) for information provided in printed form, at the price fixed for publication.

Persons below the poverty line are exempted from the payment of fee mentioned in the above para for seeking information under the Right to Information Act, 2005. The list of persons below the poverty line as approved by the Gram Panchayat and Local Bodies will be the basis for claiming the concessions and the certified extract of the list will be sufficient to avail this concession.

Particulars of Organization, functions and duties

1. **Name & Address** Public (Elections) Department, Government of Tamil Nadu, Secretariat, Chennai-600 009 under the Chief Electoral Officer and Principal Secretary to Government, Public (Elections) Department.

2. Legal standing and creation

Under Article 324 of the Constitution the superintendence, direction and control of the preparation of the electoral rolls for, and the conduct of, all elections to the parliament and to the Legislative of every State and the elections to the offices of President & Vice-President are vested in the Election Commission which consists of the Chief Election Commissioner and Election Commissioners. At the state level, the election work is supervised subject to the superintendence, direction and control of the Election Commission, by the Chief Electoral Officer (appointed by the Election Commission) and the officers and staff working under him. The Chief Electoral Officer is normally appointed from All India Service in the cadre of Secretary & above. Chief Electoral Officer is, therefore, designated as Chief Electoral Officer and Secretary to Government, Public (Elections) Department. Field administration at the district level is run by the District Election Officers (DEOs) (generally the Collectors or District Magistrates; in the case of Chennai, the Commissioner of the Corporation),

Electoral Registration Officers (EROs) & AEROs (for preparation & maintenance of electoral rolls) (generally officers in the level of Sub-Divisional Magistrates), Returning Officers (ROs) & AROs (for conduct of elections) and other officials (like Personal Assistant (Elections) to the Collectors, Presiding and Polling officers) appointed for the conduct of elections. The Office of the Chief Electoral Officer was set up in Tamil Nadu before the first general elections in independent India in 1952, in accordance with Section 13A of the Representation of People Act, 1950, for carrying out the following:

3. Functions and duties

(i) Conduct of elections/bye-elections to

- the 234 Assembly Constituencies in Tamil Nadu Legislative Assembly
- the 39 Lok Sabha seats allocated to Tamil Nadu

Note : These two elections are direct elections where the people of the country directly participate.

- the 18 Rajya Sabha seats allocated to Tamil Nadu
- the office of the President of India
- the office of the Vice-President of India

Note : The elections to these offices are indirect elections through their elected representative in Parliament and in Tamil Nadu Legislative Assembly.

(ii) It is the duty of all election related officers to ensure that the elections are conducted in a free and fair manner and in accordance with all relevant Acts, Rules and executive directions of the Election Commission of India.

(iii) Preparation of an error free photo Electoral Roll

4(b) **Structure of the State Level Department**

Chief Electoral Officer and Secretary to Government,
Public (Elections) Department



Joint Chief Electoral Officers and Joint Secretary to Government
(3 officers in this level)



Assistant Chief Electoral Officer and Under Secretary to Government
(one officer)



Section Officers (6 permanent and 2/3 additional Section Officers
during conduct of elections)



Assistant Section Officers (on an average 2 per section)

4 (c) **Structure at the District level**

All District Election Officers, Returning Officers and Assistant Returning Officers are notified by Election Commission of India in consultation with the State Government.

| | |
|----------------------------|--|
| District Election Officers | 30 in number (29 District Collectors and Chennai Corporation Commissioner) |
| P.A.Elections | temporarily created for elections in 29 districts |
| DRO (Elections) | only in the case of Chennai |
| Election Tahsildars | created in 29 districts except in Chennai, for special works |
| Election Assistants | DEO's Office --- 30 RDO's Office --- 73 Taluk Office --- 206 |

4(d) **Below the district level**, except for the permanent Election Assistants, the regular revenue/local body staff look after routine election related work. Special Deputy Tahsildars are appointed in taluk offices for special items of work and conduct of elections.

5 Working hours for office

The working hours for all offices are from 10.00 hours to 17.45 hours with half an hour lunch break between 13.30 hours to 15.00 hours on all working days.

(Note: Applications/petitions under the Right to Information Act/Rules will be accepted during office hours on the working days only).

6 Grievance Redressal Mechanism

The representations/genuine grievances relating to the subject of elections from the citizens of Tamil Nadu are received in the Office of the Chief Electoral Officer and also in the offices of the District Election Officers and Electoral Registration Officers during working hours on all working days.

Powers and duties of officers and employees

7 Nature of duties

(a) Electoral Registration Officers

The electoral roll for each assembly constituency shall be prepared and revised by an electoral registration officer who shall be an officer of Government or of a local authority as the Election

Commission may, in consultation with the Government of the State in which the constituency is situated, designate or nominate in this behalf.

- (i) Annual updation of electoral rolls with qualifying date as 1st of January of each year
- (ii) Preparation and issue of Electoral Photo Identity Cards
- (iii) Grievance Redressal related to electoral rolls & EPICs

(b) Assistant Electoral Registration Officers:-

The Election Commission may appoint Assistant Electoral Registration Officers to assist any Electoral Registration Officer in the performance of his functions and he shall, subject to the control of the Electoral Registration Officer, be competent to perform all or any of the functions of the Electoral Registration Officer.

(c) District Election Officers

For each district in a State, other than a Union territory, the Election Commission of India shall, in consultation with the Government of that State, designate or nominate a **District Election Officer** who shall be an officer of Government to co-ordinate and supervise, under the superintendence, direction and control of the Chief Electoral Officer, all work in the district or in the area within his jurisdiction in connection with the preparation, revision and correction of the electoral rolls for all parliamentary, assembly and council constituencies within the district. The District Election Officer shall coordinate and supervise all work in the district or in the area within his jurisdiction in connection with the conduct of all elections to

Parliament and the Legislature of the State. The District Election Officer shall also perform such other functions as may be entrusted to him by the Election Commission and the Chief Electoral Officer.

- (i) functioning as appellate authority for certain decisions taken by Electoral Registration Officer in regard to claims and objections
- (ii) Grievance redressal related to elections
- (iii) Certain duties related to conduct of elections
- (iv) Co-ordinating and facilitating EROs' work

(d) **Returning Officers**

For every constituency, for every election to fill a seat or seats in the Lok Sabha, Legislative Assembly, Council of State etc., the Election Commission shall, in consultation with the Government of the State, designate or nominate a **Returning Officer** who shall be an officer of Government or of a local authority.

The Returning Officer is primarily responsible for the conduct of elections from his constituency. His functions (as well as those of the District Election Officer) are:

- Drawing up the programme and detailed arrangements for the poll;
- Procurement of election materials;
- Selection and setting up of polling stations;
- Appointment and training of polling personnel (including reserve);

- Receipt of nomination papers, security deposit, intimation from parties about candidates;
- Handing over a copy of instructions for lodging account of Election Expenses and Register, etc.
- Scrutiny of nomination papers;
- Allotment of symbols;
- Publication of notice of nominations, list of validly nominated candidates and contesting candidates;
- Printing of postal ballot papers and despatch to service voters;
- Meetings / contact with candidates, political parties to ensure free, fair and smooth elections and enforcement of model code of conduct;
- Ensuring the presence of polling parties for the conduct of poll and supply of ballot papers and other election materials;
- Supervision of poll and sending reports to Election Commission;
- Transport and storage of ballot boxes after poll under security arrangements
- Fixing place of counting and actual counting
- Declaration of result
- Safe custody of election papers and materials after counting

- Scrutiny of accounts of election expenses of contesting candidates and submission of their returns to the Commission
- Overall supervision of election work

(e) Assistant Returning Officer

The Election Commission may appoint one or more **Assistant Returning Officers** to assist any Returning Officer in the performance of his functions. Every Assistant Returning Officer shall, subject to the control of the Returning Officer, be competent to perform all or any of the functions of the Returning Officer. However the Assistant Returning Officer cannot perform any of the functions of the Returning Officer relating to scrutiny of nominations unless the Returning Officer is unavoidably prevented from performing the said function.

(f) Presiding and Polling Officers

The District Election Officer shall appoint a **presiding officer** for each polling station and such **polling officer or officers** as he thinks necessary but he shall not appoint any person who has been employed by or on behalf of, or has been otherwise working for, a candidate in or about the election. A polling officer shall, if so directed by the presiding officer, perform all or any of the functions of a presiding officer. If the presiding officer, owing to illness or other unavoidable cause, is obliged to absent himself from the polling station, his functions shall be performed by such polling officer as has

been previously authorized by the district election officer to perform such functions during any such absence.

The general duty of the presiding officer at a polling station is to maintain order and to ensure that the poll is fairly taken. He enjoys full legal power to control the proceedings in the polling station under his charge. The duty of the polling officers at a polling station is to assist the presiding officer in the performance of his functions. The polling party generally consists of a Presiding Officer and, at a single election, 3 polling officers if the number of electors attached to a polling station is 1200 or less and 4 polling officers if the number of electors is more than 1200. At a simultaneous election, the polling party consists of a Presiding Officer and 5 Polling Officers.

(g) Duties of CEO's Office

In accordance with the provisions of the Representation of the People Act, 1950, for each State, an officer of Government is designated or nominated in consultation with that Government by the Election Commission of India as the Chief Electoral Officer to supervise under the superintendence, direction and control of the Election Commission of India, the preparation, revision and correction of all electoral rolls in that State. The **Chief Electoral Officer** of each State shall, subject to the superintendence, direction and control of the Election Commission, supervise the conduct of all elections in the State under the Representations of the People Act, 1951.

- (i) Facilitating and coordinating all the above works, at the state level so that all the instructions / directions

of the Election Commission of India, are carried out without any omission or commission

- (ii) Functioning as the appellate authority to certain decisions of the Electoral Registration Officers / District Election Officer.

Procedure followed in decision-making process including channels of supervision and accountability & the norms set for discharge of functions

The discharge of functions and duties mentioned above, are governed by the various election laws rules & orders contained in the Manual of Election Law (2 Volumes) and the various Handbooks listed out later.

The major areas of decision-making relevant to the public and the norms followed in those areas are set out below. The channels of supervision and enforcing accountability generally follow the hierarchy specified in the organizational structure set out earlier.

A. Inclusion in the electoral roll and the right to vote

(i) Eligibility for inclusion in the electoral roll.

- 1) Should have completed 18 years as on the qualifying date – 1st January of that year
- 2) Should be a citizen of India
- 3) Should be ordinarily resident in the area from where application is made
- 4) Should not be of unsound mind (If he/she is of unsound mind and stands declared by a competent court then not eligible to be register as voter)
- 5) Should not have been disqualified from voting under provisions of any law relating to corrupt practices and other offences in connection with election i.e., 171E, 171F of IPC & Section 8A(1), 125 135, 136(2)(a) of Representation of People Act, 1951

(ii) Eligibility to vote

(1) Name should find place in the correct part of the electoral roll

(2) Name should not be included in the electoral roll in same/ any other part, of same/any other constituency within the territory of India

(1) Right to vote is not exercisable if the elector is confined in a prison (under a sentence of imprisonment or transportation or otherwise) or in the lawful custody of the police except for those under preventive detention.

(2) There should be no disqualification under 4 or 5 in the criteria for inclusion in the electoral roll given above.

(iii) Service voters

Service voters can be enrolled in the place where they would have been ordinarily resident had they not been in service ie. place of permanent address. They can exercise their franchise either through postal ballot or proxy method. Their application for inclusion in the relevant part of the roll and also information regarding appointment of proxy voter, should be forwarded to CEO/DEO/ERO through proper channel (the head of their department).

The relevant forms are available with the service heads. If no intimation regarding the appointment of proxy is received by the Returning Officer latest by the last date of filing nominations, prior to the conduct of elections, the postal ballot will be automatically sent to them.

- The ECI has permitted proxy voting for the Classified Service Voters, viz. Army, Navy, Air Force and Para Military Forces. The proxy should be a registered elector of the same constituency.
- Wives of such service voters are not entitled for this facility.
- CSV for the Classified Service Voter (CSV) will be indicated in the last part of the Electoral Roll against their names.

- A sub-list of such CSV will be send to the polling station concerned.
- For proxy person, indelible ink should be marked in the left middle finger.
- A proxy voter can cast two votes- one his or her own vote against his or her own identity and another for the person for whom he/she is appointed as proxy.

(iv) Voting by postal ballot paper

Facility of voting by Postal Ballot Paper is available to following categories of voters

- ✓ Special voters
- ✓ Service Voters
- ✓ Wife of a special/service voters
- ✓ Voters on Election Duty/Cooks-Peons-Drivers on duty
- ✓ Electors subjected to preventive detention
- ✓ Police personnel on election duty
- ✓ Polling Personnel
- ✓ Candidates' polling agents, except Service Personnel, others should apply in Form 12 to the Returning Officer at least 7 days before actual date of the poll for postal ballot paper.

For Service Voters, the Postal Ballot Papers will be despatched within 48 hours from the withdrawal of candidature of their destination.

B. Deletion from the electoral roll

(i) Reasons

1. Not ordinarily resident/shifted residence
2. Name available in more than one place
3. Death
4. Under aged as on the qualifying date.
5. Attracting disqualification under 4 and/or 5 of the criteria for inclusion
6. Not a citizen of India/is a citizen of another country

A. Inclusion in the Electoral Rolls

| Statutory authority for deciding | Action to be taken by applicant | Purpose | Who can submit | Documents to be submitted along with application | Time during which and places where application can be submitted | Minimum statutory period for passing orders | Any bar on receiving Form | Procedure followed | Provision for Appeal |
|----------------------------------|---|---------------------------------|---|--|--|---|--|--|--|
| 1. | 2. | 3. | 4. | 5. | 6. | 7. | 8. | 9. | 10. |
| Electoral Registration Officer | Submission of fully filled in Form 6 (Form 6 can be obtained from VAO, Taluk office , Divisional offices and Zonal Offices in Chennai City) | Inclusion in the electoral roll | The elector concerned or any member of his/her family, but Form 6 should be signed by elector himself/ herself. | 1.Proof of residence 2.Proof of age for those between 18-20 years. Also for shifted cases, old address must be furnished, so also EPIC number if EPIC was issued earlier. | 1. Any time of the year in EROs' / AEROs' offices 2. Period for submitting claims during summary revision every year (October- November) usually in EROs/, AEROs' offices and designated centres (like post offices, polling station buildings etc. | After 7th day of receipt of application | From the last date of filing nominations till the completion of election process in the assembly or parliamentary constituency to which the relevant part belongs Applications will not be received in bulk | 1.Receipt of Form 2.Publication of list of claims received in Form-9 3.Field verification by verifying officials or summary enquiry if necessary 4.Check by higher officials 5.Passing of orders by ERO 6.Preparation of manuscript 7.Data entry and publication of final roll in EROs' & AEROs' offices and designated centres as per the schedule drawn by the Election Commission of India. | Appeal against the decision of the Electoral Registration Officer on the disposal of claims and objections during the revision period lies with District Election Officers. During non revision period, appeal against the decision of Electoral Registration Officer lies with CEO. |

B. Deletion in the Electoral Rolls

| Statutory authority for deciding | Action to be taken by applicant | Purpose | Who can submit | Documents to be submitted along with application | Time during which and places where application can be submitted | Minimum and maximum time period for passing orders | Any bar on receiving Form | Procedure followed | Provision for Appeal |
|----------------------------------|---|--------------------------------|---|--|---|--|---|--|--|
| 1. | 2. | 3. | 4. | 5. | 6. | 7. | 8. | 9. | 10. |
| Electoral Registration Officer | Submission of fully filled in Form 7 (Form 7 can be obtained from VAO, Taluk office , Divisional Offices and Zonal Offices in Chennai City) | Deletion in the electoral roll | 1.Self 2.Objector whose name is already included in the roll 3.ERO has suo moto powers of deletion if he/she is otherwise satisfied | 1.Proof of shifting or death or underage, if any | 1. Any time of the year in EROs'/AEROs' offices 2. Period for submitting claims during summary revision every year (October-November) usually in EROs, AEROs' offices and designated centres | . 7 days minimum after sending notice to appear for enquiry. ** | From the last date of filing nominations till the completion of election process in the assembly or parliamentary constituency to which the relevant part belongs 1. No bulk applications can be presented. | 1.Receipt of Form 2. Publication of list of application in Form 10 3.Notice to be issued 4.Passing of orders by Electoral Registration Officer 5.Preparation of manuscript | Appeal against the decision of the Electoral Registration Officer on the disposal of claims and objections during the revision period lies with District Election Officers. During non revision period, appeal against the decision of Electoral Registration Officer lies with CEO. |

¹ During intensive revision of rolls, house-to-house enumeration is done and no claim forms are received during the period of door-to-door verification before draft of publication of fresh rolls.

** A notice to be issued to the voter to appear for enquiry within 7 days with necessary documents. If the voter do not turn up for enquiry Electoral Registration Officer can take action to delete the name

C. Correction of particular(s) relating to an entry in the roll

| Statutory authority for deciding | Action to be taken by applicant | Purpose | Who can submit | Documents to be submitted along with application | Time during which and places where application can be submitted | Minimum and maximum time period for passing orders | Any bar on receiving Form | Procedure followed | Provision for Appeal |
|----------------------------------|---------------------------------|--|--|---|---|--|---------------------------|--|----------------------|
| 1. | 2. | 3. | 4. | 5. | 6. | 7. | 8. | 9. | 10. |
| Electoral Registration Officer | Form 8 mutatis mutandis | Correction of particular(s) relating to an entry in the roll | Only the person whose particular (s) of entry need to be corrected | Sufficient proof of the correction of particular(s) / details | 1. Any time of the year in EROs'/AEROs' offices 2. Period for submitting claims during summary revision every year (October-November) usually in EROs, AEROs' offices and designated centres | -- | -- | Electoral Registration Officer to pass orders during the disposal period | -- |

D. Transposition of entries from one part to another part of the electoral roll within the same Assembly Constituency

| Statutory authority for deciding | Action to be taken by applicant | Purpose | Who can submit | Documents to be submitted along with application | Time during which and places where application can be submitted | Minimum and maximum time period for passing orders | Any bar on receiving Form | Procedure followed | Provision for Appeal |
|----------------------------------|---------------------------------|---------|----------------------|--|---|--|---------------------------|--|----------------------|
| 1. | 2. | 3. | 4. | 5. | 6. | 7. | 8. | 9. | 10. |
| Electoral Registration Officer | Form 8A mutatis mutandis | -- | The person concerned | Sufficient proof for the shift in residence | 1. Any time of the year in EROs'/AEROs' offices 2. Period for submitting claims during summary revision every year (October-November) usually in EROs, AEROs' offices and designated centres | -- | -- | Electoral Registration Officer to pass orders during the disposal period | -- |

E. Mode of publication of electoral roll, claims and objections and polling stations.

(i) During the period for filing claims and objections during the revision period the Electoral Registration Officer causes to be published in all designated locations on a daily basis, the following:

Consolidated list of Forms 6 received for inclusion in Form 9

Consolidated list of Forms 7 received for deletion in Form 10

Consolidated list of Forms 8 received for correcting entries in Form 11

Consolidated list of Forms 8A received for transposition in Form 11A

for public inspection and raising of objections.

(ii) The draft as well as the final electoral rolls are published in EROs' and AEROs' offices and designated centres (mostly polling stations, post offices etc) during summary revision - draft rolls usually in November and final rolls in January - in order to facilitate inspection by public. The same is done during the period notified for the purpose during intensive revision. The supplementaries created during continuous revision, if any, also will be published along with the draft publication.

(iii) 2 copies (one hard and one soft copy) of the draft as well as the final electoral rolls will be given to all recognized political parties by the Electoral Registration Officer during revision periods.

The Returning Officer furnishes the political parties with the list of polling stations in English and the local language before every election.

(iv) Each contesting candidate shall be given a copy of the latest electoral roll by the Returning Officer, once the list of contesting candidates is finalized.

(v) The electoral rolls of all assembly constituencies are also available in the website

www.elections.tn.gov.in

(vi) Issue of copies of Extract of Electoral rolls/sale price of Electoral Rolls:

A certified copy of an entry of the name of person/persons in the current Electoral Roll will be issued by the Electoral Registration Officers concerned on request made by the individual. For the copies of the Electoral Roll which relates to previous years, the individual should apply to Chief Electoral Officer and he will issue orders to the Electoral Registration Officers concerned to give the extracts of previous Electoral Rolls after obtaining it from the Commissioner of Archives, Tamil Nadu Archives & Historical Research, Chennai-8. The individual on payment of prescribed fee, collects the extract of the previous years' Electoral Rolls. The Electoral Registration Officers should return the Electoral Rolls to Tamil Nadu archives after issue of relevant extracts.

(vii) On demand by the public/political parties, the copies of the Electoral Rolls available with the Electoral Registration Officers may be obtained on payment of the fees as detailed below:

a) Copy of the computerized current Electoral Rolls Rs.2.00 per page.

b) Copies of extract of Electoral Rolls at Rs.5/- per record.

c) PS CD ROM containing the Electoral Rolls data without images

Rs.100/- (by payment through challan)

(If all the Assembly Constituencies under the jurisdiction of a District Election Officer do not fit in to one CD, then that may be split into more than one CD with each CD sale price being fixed at Rs.100/-.

(i) Duties of DEOs with relation to elections

- (1) selection (and, at the appropriate time, setting up) of polling stations, with previous approval of the Election Commission.
- (2) Formation of polling parties and appointment of Presiding Officer and Polling Officers for each polling station;
- (3) Imparting intensive training to the polling personnel (including those on reserve duty)
- (4) Building awareness about the use and working of Electronic Voting machine among the general public, political parties, candidates and media
- (5) Printing of postal ballot papers for service voters and their dispatch to the service voters
- (6) Scrutiny of accounts of election expenses of contesting candidates and submission of returns to the Commission
- (7) Safe custody of all voting machines, election papers and election materials after the completion of election and during the period specified for the purpose

(ii) Outlines of duties of a Returning Officer

- (1) drawing up, well in advance, a programme and plan of detailed arrangements for the poll;
- (2) procurement of voting machines and all election materials in sufficient quantity

- (3) issue of public notice of election in Form 1 of the Conduct of Elections Rules, 1961 on the day on which the notification calling the election is issued
- (4) reception of nomination papers, security deposits, etc.
- (5) administration of oath or affirmation to candidates after they have filed their nomination papers
- (6) dissemination of information contained in the affidavits filed by the candidates
- (7) scrutiny of nomination paper
- (8) recording of reasons in brief for rejecting any nomination paper
- (9) receipt of notices for withdrawal of candidature
- (10) allotment of symbols to contesting candidates
- (11) preparation and publication of notice of nominations, list of validly nominated candidates and list of contesting candidates
- (12) assessing the requirements of (i) ballot papers for use in the balloting units of the voting machines (ii) postal ballot papers for service voters and voters on election duty, etc and (iii) tendered ballot papers and arranging the printing and supply thereof;
- (13) preparing the lists of classified service voters who have appointed proxy voters
- (14) establishing contact with the contesting candidates and political parties to ensure free, fair and smooth election
- (15) convening of meeting to discuss common problems relating to conduct of election, review of law and order situation, enforcement of code of conduct for political parties, etc;
- (16) preparation and commissioning of voting machines about one week in advance before the date of poll
- (17) transport arrangements for voting machines and election materials
- (18) dispatch of polling materials for the conduct of poll and supply of voting machines, tendered ballot papers
- (19) effective supervision of the poll
- (20) appointment of counting staff

- (21) transport and storage of voting machines after the poll, under strict security arrangements
- (22) fixing of date, time and place of counting and actual counting of votes
- (23) declaration of result
- (24) transportation of all voting machines, election papers and election materials after declaration of results, to the District Election Officer for safe custody
- (25) overall supervision of election work

Registration of new political party:

New political party can be registered with the Election Commission of India under Section 29A of the Representation of the People Act, 1951 in the prescribed proforma. The proposal should be sent to the Secretary, Election Commission of India, Nirvachan Sadan, Ashoka Road, New Delhi 110 001.

Election Petition

Any election can be called in question only through the Election Petition which should be filed before the High Court within 45 days from the date of declaration of results.

Rules, Regulations, Instruction, Manuals and Records for Discharging Functions

| Sl. No. | Name of the act, rules, regulations, manual etc. | Brief gist of the contents/reference no. if any |
|---------|--|---|
| 1. | Manual of Election Law, Volume-I | <ul style="list-style-type: none"> 1.Extract from the Constitution 2.Extract from the Indian Penal Code (45 of 1860) 3.The Representation of the People Act, 1950 (43 of 1950) 4.The Representation of the People Act, 1951 (43 of 1951) 5.Extracts from the Government of National Capital Territory of Delhi Act, 1991 (1 of 1992) 6.The Delimitation Act, 2002 (33 of 2002) 7.The Scheduled Castes and Scheduled Tribes Orders (Amendment) Act, 1976 (108 of 1976) 8.Officers before whom candidates may make or subscribe oath or affirmation |

| | | |
|----|---|--|
| | | <p>9.The Constitution (Scheduled Castes) Order, 1950</p> <p>10.The Constitution (Scheduled Castes) Union Territories) Order, 1951</p> <p>11.Law relating to removal of disqualification and other information</p> |
| 2. | Manual of Election Law, Volume-II | <p>1.The Registration of Electors Rules, 1960</p> <p>2.The Conduct of Elections Rules, 1961</p> <p>3.The Election Symbols (Reservation and allotment) Order, 1968</p> <p>4.List of political parties and symbols in relation to elections in all parliamentary and assembly constituencies other than assembly constituencies in the State of Jammu and Kashmir</p> <p>5.The Delimitation of Council Constituencies Orders</p> <p>6.Authorities specified under section 8A to accept petitions about corrupt practices</p> <p>7.Officers before whom a candidate for election to fill a seat in the Legislative Assembly of a Union territory shall make and subscribe oath or affirmation</p> |
| 3. | Handbook for Candidates | Salient provisions of Election law and procedures for standing as a candidate for a election |
| 4. | Handbook for Polling Agents | Salient provisions of Election law and procedures in relation to discharge of duty as Polling agent at polling station for a election |
| 5. | Handbook for Counting Agents | Salient provisions of Election law and procedures in relation to discharge of duty as Counting agent at Counting Centre for a election |
| 6. | Political parties and election symbols | It is the list of Political parties, Registered and un-registered at National/State levels and list of symbols allotted to the parties |
| 7. | List of persons disqualified under Section 8A, 10A & 11A(2) of the Representation of People Act, 1951 | Consist list of persons disqualified by the Commission under different sections for violating election laws. |
| 8. | Electoral Rolls of Assembly Constituencies | Name of the electors, polling station-wise Assembly Constituency-wise |

The contents of these books are available at the website of Election Commission of India (www.eci.nic.in). The books Hand Books

for candidates, Hand Book for Polling Agents and Hand Book for Counting Agents are also available with the District Election Officers for sale during election time. The copies of Electoral Rolls are available with the respective EROs.

A Statement of the Categories of Documents that are held by it under its control

| Sl. No. | Nature of record | Details of information available | Unit/Section where available | Retention period |
|---------|--------------------------|--|---|---|
| 1 | Electoral Rolls | Name of the electors Polling Station-wise, AC-wise. | At the office of the concerned Electoral Registration Officers. | As per the directions of Election Commission of India. |
| 2 | Election related records | Nomination papers along with affidavits, results, Form 20, Form 21C, 21D, 21E etc. | At the office of the District Election Officers | As per the directions of the Election Commission of India and also on the basis of the orders from any court. |

Budget Allocation

Funds are broadly required for Election Department for conducting various election related activities as shown below:

1. Funds required for conducting Elections/Bye-elections to seat/seats of Tamil Nadu Legislative assembly are borne by Government of Tamil Nadu.
2. Funds required for conducting election/bye-elections to seat/seats of Parliament are borne by Government of India.
3. In case of simultaneous elections to Tamil Nadu Legislative Assembly Lok Sabha, the funds are borne by Government of India and Government of Tamil Nadu on 50:50 basis.
4. Funds required for preparation/updation of Electoral Rolls prepared & issue of Photo Identity Cards to the Electors and maintaining establishment of election office are borne by the Government of India and Government of Tamil Nadu on 50:50 basis.

Other information as may be prescribed

(i) General information about Conduct of Elections

The Constitution of India has vested in the Election Commission of India, the superintendence, direction and control of the entire process for conduct of elections to Parliament and Legislature of every State and to the offices of President and Vice-President of India.

Elections are conducted according to the constitutional provisions, supplemented by laws made by Parliament. The major laws are the Representation of the People Act, 1950, which mainly deals with the preparation and Revision of Electoral Rolls, the Representation of the People Act, 1951, which deals, in detail, with all aspects of conduct of elections and post-election disputes. The Supreme Court of India has held that where the enacted laws are silent or make insufficient provision to deal with a given situation in the conduct of elections, the Election Commission has the residuary powers under the Constitution to act in an appropriate manner.

For more information on election related activities, contents of Handbooks published by Election Commission of India, etc. can be obtained from the website of Election Commission of India, i.e. www.eci.nic.in.

ii) General Information about Tamil Nadu

(a) Number of constituencies

Lok Sabha seats

| Type of constituency | General | SC | ST | Total |
|-----------------------|---------|----|----|-------|
| No. of constituencies | 32 | 7 | - | 39 |

Legislative Assembly seats

| Type of constituency | General | SC | ST | Total |
|-----------------------|---------|----|----|-------|
| No. of constituencies | 189 | 42 | 3 | 234 |