

Bye-Election to the Maharashtra Legislative Council, 2017

INSTRUCTIONS FOR RECORDING OF VOTES AT BYE-ELECTION TO THE MAHARASHTRA LEGISLATIVE COUNCIL TO BE HELD ON THURSDAY, 7TH DECEMBER, 2017 BETWEEN THE HRS. 9-00 A.M. TO 4-00 P.M. IN CENTRAL HALL, 4TH FLOOR, VIDHAN BHAVAN, MUMBAI 400 032.

A. METHOD OF VOTING :-

1. For the purpose of voting, use only the pen supplied by the Returning Officer, which will be handed over to you along with the ballot paper. Do not use any other pen, pencil, ballpoint pen or any other marking instrument, as that will invalidate your ballot paper.
2. Vote by placing the figure “1” in the column marked ‘order of preference’ provided opposite the name of the candidate whom you choose as your first preference. This figure “1” shall be placed opposite the name of only one candidate.
3. Even if the number of candidates to be elected is more than one, the figure “1” shall be put opposite the name of only one candidate.
4. You have as many preferences as there are contesting candidates irrespective of the number of candidates to be elected. For example, if there are five contesting candidates and only two are to be elected, you can mark preferences from 1 to 5 against the candidates of your choice in order of your preference.
5. Indicate your further preferences for the remaining candidates by placing in the column marked “Order of Preference” provided opposite the names of such candidates the subsequent figures 2,3,4 etc., in the order of your preference.
6. Make sure that you put only one figure opposite the name of any candidate and also make sure that the same figure is not put opposite the names of more than one candidate.
7. Preference shall be indicated in figures only, i.e. 1,2,3, etc., and shall not be indicated in words, one, two, three, etc.

8. Figures may be marked in the international form of Indian numerals like 1,2,3, etc., or in the Roman form I,II,III, etc., or in Devanagari form 1, 2, 3, or in the form used in any Indian Language, recognized in the Eighth Schedule to the Constitution.
9. Do not write your name or any words and do not put your signature or initials on the ballot paper. Also, do not put your thumb impression. These will make your ballot paper invalid.
10. It is not sufficient to put a mark ‘’ or ‘X’ against the candidates of your choice to indicate your preferences. Such ballot paper will be rejected. Indicate your preferences only in figures 1,2,3, etc., as explained above.
11. To make your ballot paper valid, it is necessary that you should indicate your first preference by placing figure “1” against one of the candidates. The other preferences are optional, i.e., you may or may not indicate the second and subsequent preferences.

B. INVALID BALLOT PAPERS :-

A ballot paper shall be invalid on which -

1. the figure 1 is not marked;
2. the figure 1 is set up opposite the name of more than one candidate;
3. the figure 1 is so placed as to render it doubtful to which candidate it is intended to apply;
4. the figure 1 and some other figure like 2, 3 etc., are also set opposite the name of the same candidate;
5. the preferences are indicated in words instead of in figures;
6. there is any mark or writing by which the elector can be identified; and
7. there is any figure marked otherwise than with the pen supplied by the Returning Officer for the purpose of marking such figures.
8. if preference '1' is marked against NOTA, it shall be treated as a case of not voting for any of the candidates and such ballot shall be treated as invalid, even if '1' is also marked against any other candidate in addition to being marked against NOTA;

9. if 1st preference and subsequent preferences, if any, are validly marked against the candidates and cross/tick is marked against NOTA, the ballot paper shall not be rejected as invalid only on this ground, and the preferences marked against the candidates shall be considered and counted accordingly. However, the general provisions of the rules and the Commission's instructions regarding marks that may identify the voter shall apply in the case of the mark against NOTA option, and if the RO considers that the mark put therein reasonably points towards identification of the voter within the meaning of rule 73(2)(d), that would render the ballot liable to rejection on that ground.
