



STATE ELECTION COMMISSION, KERALA.
THIRUVANANTHAPURAM.

State Election Commission – Kannur District - General Election to Mattannur Municipality in 2022 – Posting of General Observer – Orders issued.

No./B3/53/2022-SEC (1)

Dated, Thiruvananthapuram, 21.07.2022

Read: - Letter No.AIS-A2/200/2022-GAD dated 19.07.2022 from the Chief Secretary, General Administration (Special A) Department.

ORDER

As per Section 96A of the Kerala Municipality Act, 1994, the State Election Commission may nominate adequate number of higher officials of the Government as Observers, in consultation with the Government, to ensure a fair and equitable election of Municipalities and for discharging other functions as may be entrusted by the Commission. The State Election Commission has decided to nominate an officer in the cadre of IAS/IFS as General Observer for the area of Mattannur Municipality, in connection with the conduct of General Election in 2022.

2. In the letter read above, a list of officials for nomination as General Observer was made available as desired by the Commission.

3. In the above circumstances Smt. Keerthi IFS (KL:2012), Deputy Conservator of Forests in full charge of conservator of Forests (Social Forestry), Kozhikode is nominated as General Observer in the General Election to the Mattannur Municipality.

4. The guidelines regarding the duties and responsibilities for the General Observer, issued by the Commission is given as annexure. Period of duty of the Observer will be from the date of notification of election till the conclusion of the election.

A.Santhosh
Secretary

To

The Officer concerned
Chief Secretary, Govt. of Kerala (with covering letter)
Principal Secretary, General Administration (Special A) Department
The State Police Chief
The District Election Officer, Kannur
The District Police Chief, Kannur
The Returning Officers, Mattannur Municipality
The Accountant General (A & E/Audit), Thiruvananthapuram.

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All Officers/All Sections
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Superintendent (Election)



Proceedings of Secretary, State Election Commission

(Present: A. Santhosh)

Subject: Kerala State Election Commission- Kannur District- M.57 Mattannur Municipality General Election -2022-Guidelines to General Observers- Orders issued

No. B3/53/2022-SEC

Dated. Thiruvananthapuram, 28.06.2022

ORDER

General Election to Mattannur Municipality in Kannur District is to be conducted in August/September, 2022

Section 96 A of Kerala Municipality Act, 1994 provides that for observing the election in every Municipality the State Election Commission may, in consultation with the Government nominate a higher officer of the Government as Election Observer. As per Section 104 A of Kerala Municipality Act, 1994, the Returning Officer, Assistant Returning Officer, Presiding Officer, Polling Officer, any other Police officer and Election Observer designated for the time being to conduct a general election or by-election under the provisions of this Act, shall be deemed to be on deputation to the State Election Commission for the period from the date of the notification for such election to the date of declaration of the result of such election and accordingly, such officers shall be subject to the control, supervision and command of the State Election Commission during that period. The Commission has nominated the Observers by exercising the powers conferred as per the above sections.

I. Objects of nomination of Observer

The State Election Commission conducts the election through the officers and employees of Government and Local Self Government Institutions etc. It is inevitable that the above officers and employees are aware of the law and rules relating to conduct of election. Therefore, the Commission imparts training to get them well versed with the law and rules. Conduct of free and fair elections is the constitutional obligation of State Election Commission. Observer is nominated as representative of the Commission, to guide the aforementioned officers and employees to strictly adhere to the law and rules while carrying out their responsibilities and thereby to ensure that the Commission fulfils the above obligations. The Commission shall nominate one General Observer and two Expenditure Observers for Mattannur Municipality election. The following handbooks will be issued to the Observers by the District Election Officer.

1. Handbook for District Election Officers

2. Handbook for Returning Officers
3. Handbook for Presiding Officers
4. Model Code of Conduct.
5. Schedule of Election issued by the Commission.
6. Telephone directory of all election related officers.

II. Facilities for the Observer

The District Election Officer will arrange accommodation, transportation facility and a Guide to the Observers for their visits within Mattannur Municipality.

III. Responsibilities of the General Observer.

1. Collect details of the wards from the Returning Officers. The matters requiring special attention may be prioritised after making discussions with the District Election Officer and the Returning Officers.
2. Convene a meeting of the political parties for the smooth, free and fair election.
3. Give direction to the Returning Officers to convene meeting of political parties and candidates for the smooth conduct of election, to limit expenditure within the allowed limit, keep the accounts of the expenditure and to avoid violation of Model Code of Conduct. The Observer, as far as possible, shall participate in such meetings. Discussions shall be made with the District Election Officer and the District Police Chief to ensure law and order. Ascertain whether the Returning Officers have visited the polling stations and made necessary arrangements.
4. Ensure that arrangements made for the issuance and receipt of postal ballots.
5. See whether adequate arrangements have been made for the training of polling officials.
6. See whether sufficient quantity of forms, registers, covers required for the election, are stocked in the district.
7. Review the law and order and security situation of each ward in the Municipality. Get the details of the sensitive wards and booths and give necessary instructions to the concerned to maintain law and order for the voter to exercise his franchise without fear.
8. In case of violation of Model Code of Conduct coming to notice take further action and report the matter immediately to the District Election Officer and include the same in the report to the Commission.
9. Make discussions with the District Election Officer and the District Police Chief and give necessary instructions for taking appropriate precautions to maintain the law and order from the previous day of poll till results are announced.
10. Ensure that all the materials including Electronic Voting Machine have been arranged at the office of District Election Officer and to evaluate the measures taken for the distribution of the same.
11. Necessary steps are to be taken to prevent situations creating law and order problems at the polling booths, capturing of booths, intimidation of voters and obstructing the voters from casting their votes on the poll day.

12. Keep in touch with the District Election Officer and Returning Officers.
13. Visit maximum number of polling stations on the poll day.
14. If any untoward incidents at the polling stations are noticed, steps are to be taken to tackle it and give necessary report to the Commission.
15. Enquire about the arrangements made for returning the Electronic Voting Machines and other documents safely to the collection centres, after the poll.
16. Make visit to the counting centres and evaluate security measures taken there for safe custody of the voting machines and other documents.
17. In the event of stoppage of polling, incident of making bogus votes make an evaluation of the situation and give clear and timely report to the District Election Officer and the Commission as to whether polling has to be countermanded.
18. Give special attention to the counting centres which are reported to have law and order problem on the counting day.
19. Make sure that sufficient arrangements are made for the counting of votes in a smooth and transparent manner.
20. Evaluate the progress of counting of votes in every hour and issue necessary instructions, if required for the counting personnel.

IV. Powers of General Observers.

1. The Observer is having the authority to take appropriate corrective measures in case where the Returning Officers, Presiding Officers and Polling Officers are acting in violation of the Acts, Rules and instructions of the Commission.
2. The observer can direct the concerned authorities to substitute any officer on election duty or any Police Officer, responsible to maintain the law and order, if it is found that they failed in their duty to ensure fair and free election.
3. The Observer can take immediate corrective measures, if it is found that election process on the poll day and counting day are disrupted.

V. Reports.

1. Tour programme has to be prepared, in advance, and submitted to the Commission and District Election Officer.
2. As soon as a visit is completed, a brief report has to be submitted to the Commission through e-mail. Detailed report has to be submitted at the end of the poll highlighting the specific points which needs to be brought to the notice of the Commission.

Above guidelines are not exhaustive. Necessary instructions will be issued by the Commission, if required.

A.Santhosh
Secretary

To,

The General Observer, Mattannur Municipality

Copy to:

The District Election Officer, Kannur

Returning Officers concerned
Standing Counsel, State Election Commission
PS to Commissioner
CA to Secretary

Forwarded/By order

A handwritten signature in dark ink, appearing to be a stylized 'S' or 'M' followed by a horizontal line.

Superintendent (Election)