

“General Elections/Urgent”

“By Fax/e-mail/Post”

OFFICE OF THE CHIEF ELECTORAL OFFICER, ANDHRA PRADESH
South 'H' Block, A.P. Secretariat, Hyderabad.

Memo. No.217/Elecs.F/2014-24

Dated:19.04.2014.

**Sub:- Appointment of Election Agent – ECI instructions –
Communicated – Reg.**

Ref:- From the E.C.I. Letter No.76/2014/SDR, dated:8.4.2014.

A copy of the reference cited is communicated to all the Collectors and District Election Officers and the Commissioner, G.H.M.C. & D.E.O., Hyderabad and they are requested to follow the instructions regarding “**Appointment of Election Agent**” issued by the ECI in the reference cited.

All the District Election Officers are requested that these instructions shall also be communicated to all the Returning Officers / Asst. Returning Officers and all concerned election officials for Strict compliance. They should also bring to the notice of all political parties in their district and all Parliamentary contesting candidates at the said elections may also be informed, in writing, immediately.

V.VENKATESWARLU,
ADDL. CHIEF ELECTORAL OFFICER.

To
All the Collectors & D.E.Os (w.es.)
The Special Commissioner, GHMC & D.E.O., Hyderabad(w.es).

// FORWARDED: BY ORDER //


SECTION OFFICER

ELECTION COMMISSION OF INDIA

Nirvachan Sadan, Ashok Road, New Delhi-110 001

No.76/2014/SDR

Dated: 8th April, 2014

To,

The Chief Electoral Officers of
all States and Union Territories.

GI

No. 5436

Subject: - Appointment of Election Agent-regarding.

Date: 11/4/14

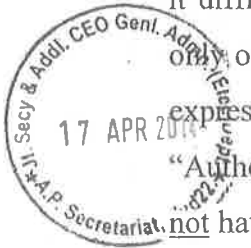
Sir/Madam,

Section

Under Section 40 of the Representation of the People Act, 1951, every candidate at an election is entitled to appoint a person as his/her Election Agent. The appointment of Election Agent is to be made in Form 8 appended to the Conduct of Election Rules, 1961 in the manner mentioned in Rule 12 of the said Rules. The Election Agent so appointed can perform all functions mentioned in the 1951 Act on behalf of the candidate.

2. The Commission has allowed appointing an additional agent for assisting the candidate for closer and better monitoring of the election expenses (vide letter no. 76/2011/SDR dated 18th March, 2011).

3. It has now been brought to the notice of the Commission that Candidates of large Parliamentary Constituencies spread over the entire State or more than one district are finding it difficult to monitor the process of election in the entire parliamentary constituency with one Election Agent permitted under the law. Taking into account the genuine difficulty expressed by the Candidates, the Commission has decided to permit appointment of "Authorised Nominees" in addition to the Election Agent. Such 'Authorised Nominees' will not have the legal status of Election Agent but may represent the candidates for meeting with officials and may perform non-statutory functions on behalf of the candidate. The number of such Authorised Nominees shall not be more than the number of Assembly segments in the Parliament Constituency, and in the case of smaller States with one or two Parliamentary Constituencies, the number of Authorised Nominees shall not be more than the number of districts falling in the Parliamentary Constituency. The Authorised Nominees may be issued vehicle permit for the particular area for which he is nominated by the candidate, upto the end of the campaign period. Needless to mention that the expenditure on the vehicles used by the 'Authorised Nominee' shall be booked to the account of election expenses of the candidate. A format for appointment of 'Authorised Nominee' is enclosed herewith.



FORMAT FOR APPOINTING AUTHORISED NOMINEE TO ASSIST
ELECTION AGENT

(For the general/bye election (mention the year)

1. Name of the State: -
2. Name of the Parliamentary Constituency: -
3. Name and Address of the Candidate: -
4. Party Affiliation, if any: -
5. Name of the Authorised Nominee: -
6. Name of Assembly Segment/District for which appointed: -
7. Full Postal Address of the Authorised Nominee: -
8. Contact Telephone Number: -

I (mention the name of the candidate) do hereby
appoint Shri/Smt./Ms , as my Authorised Nominee for the above
election for the Assembly Segments/District mentioned above. I hereby declare that he/she is
not disqualified under the law for being chosen as, and for being, a member of Parliament or
State Legislature and that the said person is not a Minister/MP/MLA/MLC/Corporation
Mayor/Chairman of Municipality/Zila Parishad and is not a person to whom security cover
has been provided by the State.

Signature of the Candidate

Place: _____

Date: _____



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Statutory functions that can be performed by the Election Agent appointed by
the Candidate under Section of the Representation of the People Act, 1951

1. Can attend scrutiny proceedings (Section 36)
2. Can submit the Notice of withdrawal of candidature (signed by the candidate in Form 5) before the Returning Officer, alongwith an authority letter from the candidate (Section 37),
3. Appointment of Polling Agents (Section 46),
4. Appointment of Counting Agents (Section 47),
5. Revocation of appointment of Polling and Counting Agents (Section 48),
6. Attendance and performance of all functions of a candidate (Section 50)
7. Authorised to enter polling stations (Rule 49D of the Conduct of Elections Rules, 1961),
8. Authorised to be present in the counting hall (Rule 53 of the Conduct of Elections Rules, 1961),
9. Applying for re-count of votes, in the absence of the candidate the counting hall (Rule 63 of the Conduct of Elections Rules, 1961),
10. Authorised to maintain account of election expenses of the candidate under Section 77(1) of the Representation of the People Act, 1951.



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4. All the conditions laid down under Section 41 of the Representation of the People Act, 1951 for appointment of Election Agent and the general prohibition against appointing Minister/MP/MLA/MLC/Mayor of Corporation /Chairman of Municipality/ Zilla Parishad, as any agent for a candidate, would also apply for such Authorised Nominee.

5. For facility of reference, the list of statutory functions that can be performed by the Election Agent is enclosed. The Authorised Nominees are not authorised to perform these statutory functions.

6. These instructions may be brought to the notice of all District Election Officers, Returning Officers and other election officials in the States. This should also be brought to the notice of all the political parties based in the State including the State Units of recognised National Parties and State Parties of other States.

Yours faithfully,



(K.F. Wilfred)
Principal Secretary