

OFFICE OF THE CHIEF ELECTORAL OFFICER, TELANGANA
GENERAL ADMINISTRATION (ELECTIONS) DEPARTMENT

5th Floor, North Block, Buddha Bhavan, Secunderabad, Hyderabad – 03

Memo No.2221/Elecs.D/A1/2021-34,

Dated:05.10.2021.

Sub:-Elections - Bye Elections to the TSLA from 31-Huzurabad AC — Appointment of Election Agent, Polling Agent or their substitution by relief agents and Counting Agents — Election Commission of India-instructions — Communicated - Reg.

- Ref:- 1. ECI, Lr.No.464/INST/2014/EPS, dated: 01.04.2014
2. ECI, Lr.No.76/2014/SDR, dt: 08.04.2014.
3. ECI, Lr.No.464/inst/2014-EPS, dated: 04.5.2014.
4. ECI, Lr.No.364/INST.2014/EPS, dated: 05.5.2014.
5. ECI, Lr.No.464/INST/2014/EPS, dated: 18.03.2021

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The attention of the Collector & District Election Officer, Karimnagar and the Returning Officer, 31-Huzurabad Assembly Constituency is invited to the references cited and inform that the ECI had issued detailed instructions regarding appointment of Election Agent, Polling Agent and Counting Agents.

Election Agent

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 R.P. Act, 1951 on behalf of candidate.

Any person who is disqualified under the constitution or under the Representation of People Act, 1951, for being a member of either House of Parliament or either house of the Legislature of a State or for voting at elections shall, so long as the disqualification subsists, be disqualified for being an election agent at any election (Vide para 5.26.3 of HBRO 2019).

The Commission has instructed that the Ministers of the Union or States and MP, MLA, MLCs and any other person provided with security cover by the State shall not be appointed as election agents (and also for polling and counting agents). No person with security cover can be allowed to surrender the security cover to enable him to become an election agent. (Vide para 5.26.4 of HB RO 2019).

Every candidate is also permitted to appoint an additional election agent for assisting the candidate in various expenditure related matters. This additional agent would be for the purpose of performing only the non-statutory duties relating to expenditure monitoring matters. The statutory duties, the election agent is authorized to perform on behalf of the candidate can be performed only by the election agent appointed under Section 40 of the Representation of the People Act, 1951 read with Rule 12 of the Conduct of Elections Rules, 1961. (Para5.26.5 of Hand Book for ROs.)

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