

- (3) The returning officer shall decide which counting agent or agents shall watch the counting at any particular counting table or group of counting tables.
- (4) Any person who, during the counting of votes misconduct himself or fails to obey the lawful directions of the returning officer can be removed from the place where the votes are being counted by the returning officer or by any police officer on duty or by any person authorized in this behalf by the returning officer.
90. Maintenance of secrecy of voting: (1) Every officer, clerk, agent or other person who performs any duty in connection with the recording or counting of votes at an election shall maintain, and aid in maintaining, the secrecy of the voting and shall not (except for some purpose authorized by or under any law) communicate to any person any information calculated to violate such secrecy.
- (2) The returning officer shall before he commences the counting read out the above provision to such persons as may be present.

✓91. Counting of votes of electors on election duty.

- (i) No cover containing ballot papers received by the returning officer after the close of poll shall be opened and no vote contained in any such cover shall be counted.
- (ii) The returning officer shall place all the declarations in Form 26 which he has found to be in order in a separate packet which shall be duly sealed.
- (iii) A ballot paper shall be rejected -
- (a) if it bears any mark (other than the mark to record the vote) or writing by which the elector can be identified; or
 - (b) if no vote is recorded thereon; or
 - (c) if votes are given on it in favour of more candidate than one in case of Chief Captain of Island Council and First Captain of Village Council and if votes are given for more than the number of seats in a village council; or
 - (d) if it is spurious ballot paper; or
 - (e) if it is so damaged or mutilated that its identity as a genuine ballot paper cannot be established; or
 - (f) if the mark indicating the vote is placed on the paper in such a manner as to make it doubtful to which candidate the vote has been given.
- (iv) A vote recorded on a ballot paper shall not be rejected merely on the ground that the mark indicating the vote is indistinct or made more than once, if the intention that the vote shall be for a particular candidate clearly appears from the way the paper is marked.
- (v) The returning officer shall count all the valid votes received from the electors on election duty in favour of each candidate, record the total thereof in the result sheet in form 20 and announce the same.
- (vi) Thereafter all the valid ballot papers and all the rejected ballot papers shall be separately bundled and kept together in a packet, which shall be sealed with the seals of the returning officer and of such of the candidates, their election agents or counting agents as may desire to affix their seals thereon; and on the packet so sealed shall be recorded the name of the constituency, the date of counting and a brief description of its contents".]