

92. **Scrutiny and opening of "Ballot Box" :** (1) The returning officer may have the ballot box or boxes used at more than one polling station opened and the ballot papers found in such box or boxes counted simultaneously.
- (2) Before any ballot boxes is opened at a counting table, the counting agents present at that table shall be allowed to inspect the paper seal or such other seal as might have been affixed thereon and to satisfy themselves that it is intact.
- (3) The returning officer shall satisfy himself that none of the "Ballot Boxes " has in fact been tampered with.
- (4) If the returning officer is satisfied that any ballot box has in fact been tampered with, he shall not count the ballot papers contained in that box and shall follow the procedure laid down in rule 66 in respect of that polling station.

93. **Destruction, loss, etc of ballot papers at the time counting:** (1) If any time before the counting of votes is completed, any ballot papers used at a polling station are unlawfully taken out of the custody of the returning officer or are accidentally or intentionally destroyed or lost, or re damage or tampered with, to such an extent that the result of the poll at that polling station cannot be ascertained, the returning officer shall forthwith report the matter to the Commission.

(2) Thereupon, the Commission shall, after taking all material circumstances into account, either –

- (a) direct that the counting of votes shall be stopped, declare the poll at that polling station to be void, appoint a date, and fix the hours, for taking a fresh poll at that polling station and notify the date so appointed and hours so fixed in such manner as it may deem fit; or
- (b) if satisfied that the result of a fresh ballot at that polling station will not, in any way, affect the result of the election, issue such directions to the returning officer as it may deem proper for the resumption and completion of counting and for the further conduct and completion of the election in relation to which the votes been counted.

(3) The provisions of these rules or orders made thereunder shall apply to every such fresh poll as they apply to the original poll.

94. **Counting of votes:** (1) Subject to such general or special directions, if any, as may be given by the Commission in this behalf, the ballot paper taken out of each ballot box shall be arranged in convenient bundles and scrutinized.

(2) The Returning Officer shall reject a ballot paper –

- (a) if it bears any mark or writing by which the elector can be identified; or
- (b) if it bears no mark at all to indicate the vote or it bear a mark elsewhere than on or near the symbol of one of the candidates on the face of the ballot paper or if it bears a mark made otherwise than with the instrument supplied for the purpose; or
- (c) if votes are given on it in favour of more than one candidate in case of election to Chief Captain in the Island Council and First Captain in a village Council; or
- (d) If votes are given on it in favour of more than the number of seats in a village council; or
- (e) if the mark indicating a vote thereon is place in such manner as to make it doubtful to which candidate the vote has been given; or
- (f) if it is a spurious ballot paper; or