

- (g) if it is so damaged or mutilated that its identity as a genuine ballot paper cannot be established; or
- (h) if it bears a serial number or is of a design, different from the serial number, or design, as the case may be, of the ballot papers authorized for use at the particular polling station; or
- (i) if it does not bear both the mark and the signature which it should have borne under the provision of the sub-rule (1) of rule 77:

Provided that where the returning officer is satisfied that any such defect as is mentioned in clause (h) or clause (i) has been caused by any mistake or failure on the part of a presiding officer or polling officer, the ballot paper shall not be rejected merely on the ground of such defect:

Provided further that a ballot paper not be rejected merely on the ground that the mark indicating the vote is indistinct or made more than once, if the intension that the vote shall be for a particular candidate clearly appears from the way the paper is marked.

- (3) Before rejecting any ballot paper under sub-rule (2) the returning officer shall allow each counting agent present a reasonable opportunity to inspect that ballot paper but shall not allow him to handle it or any other ballot paper.
- (4) The returning officer shall endorse on every ballot paper which he rejects the word 'Rejected' and the grounds of rejection in abbreviated form either in his own hand or by means of a rubber stamp and shall initial such endorsement.
- (5) All ballot papers rejected under this rule shall be bundle together
- (6) Every ballot paper which is not rejected under this rule shall be opened and no such ballot paper shall be counted.
- (7) After the counting of all ballot papers contained in all the "Ballot Box" used at a polling station has been completed –
 - (a) the counting supervisor shall fill in and sign Part-II result of counting in Form 19, which shall also be signed by the returning officer; and
 - (b) the returning officer shall make the entries in a result sheet in Form 20 and announce the particulars.

95. Sealing of used ballot papers: The valid ballot papers of each candidate and the rejected ballot papers shall thereafter be bundled separately and the several bundles made up into a separate 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 packets so sealed shall recorded the following particulars, namely –

- (a) the name of the constituency; and
- (b) the particulars of the polling station where the ballot papers have been used; and
- (c) the date of counting.

96. Counting of ballot papers transferred to bags or covers under rule 83: The provisions of rules 92, 94 & 95 shall apply so far as may be in relation to counting of ballot papers and votes, if any, which have been transferred from "Ballot Box" to cloth bags or cloth lined covers under sub-rule (5) of rule 83.

Provided that any reference in the said rules to a ballot box shall be construed as a reference to a bag or cover to which the contents of a ballot box have been transferred.