REGULATIONS MADE BY THE HON'BLE SPEAKER FOR CONDUCT OF ELECTIONS

The following regulations have been made by the Hon'ble Speaker for the purpose of conducting elections according to the principle for proportional representation by the means of the single transferrable vote :

1. In these regulations :

(1) "Continuing candidate" means any candidate not elected and not excluded from the poll at any given time;

(2) "Assembly", "Member" and "Secretary" have the meanings respectively assigned to them in the Andhra Pradesh Legislative Assembly Rules;

(3) "exhausted paper" means a ballot paper on which no further preference is recorded for a continuing candidate: Provided that a paper shall also be deemed to be exhausted in any case in which—

  (a) the names of two or more candidates, whether continuing or not, are marked with the same figure and are next in order of preference, or

  (b) the name of the candidate next in order of preference, whether continuing or not, is marked —

    (i) by a figure not following consecutively after some other figure on the ballot paper, or
    (ii) by two or more figures;

(4) "first preference" means the figure 1, "second preference" means the figure 2, "third preference" means the figure 3, and so on, set opposite and name of any candidate;

(5) "original vote in" regard to any candidate means a vote derived from a ballot paper on which a first preference is recorded for such candidate:

(6) "Rules" means the Andhra Pradesh Legislative Assembly Rules;

(7) "Surplus" means the number by which the value of the votes of any candidate, original or original and transferred, exceeds the quota as defined in regulation 12;

(8) "transferred vote" in regard to any candidate means a vote the value or part of the value of which is credited to such candidate and which is derived from a ballot paper on which a second or subsequent preference is recorded for such candidate;

(9) "unexhausted paper" means a ballot paper on which a further preference is recorded for a continuing candidate.

Nomination of candidates:

(1) When a motion for election according to the principle of proportional representation by means of the single transferrable vote has been carried, the Speaker shall appoint—

  (a) the last date for making nominations.

  (b) the date for the scrutiny of nominations.

  (c) the last date for the withdrawal of candidature.

  (d) the date on which a poll shall, if necessary, be taken.

(2) Every nomination paper delivered under clause (1) shall be in Form 1, and shall be signed by the proposer and seconder and by the candidate nominated in it.

(3) Any member may subscribe either as proposer or as seconder as many nomination papers as there are vacancies to be filled but no more.

(4) Any candidate may withdraw his candidature by notice in writing subscribed by him and delivered to the Secretary.

(5) If the number of candidates who were duly nominated and who have not withdrawn their candidature is less than the number of vacancies to be filled, the Speaker shall appoint further dates for making nominations, scrutiny or nominations, withdrawal of candidature and taking the poll, if necessary, and many thereafter appoint additional further dates until the number of candidates is not less than the number of vacancies to be filled.

(6) If the number of candidates who were duly nominated and who have not withdrawn their candidature is equal to the number of vacancies to be filled in Speaker shall declare all such candidates to have been duly elected.

(7) If the number of candidates who were duly nominated and who have not withdrawn their candidature exceeds the number of vacancies to be filled, the Speaker shall cause notice to be given of the date and place of poll and the names of candidates.

Voting :

3.

(1) All members shall be entitled to vote.

(2) No vote shall be given by proxy.

4. The Secretary shall act as Returning Officer and shall subject to these regulations do all things necessary for the conduct of the election.

5. (1) The voting shall be by ballot. The Returning officer shall ascertain that the person desiring to vote is a member who has not already voted and shall enter his name upon the counterfoil of the ballot paper and shall then tear out the ballot paper corresponding to that counterfoil and hand it to the member.

(2) Every ballot paper shall be in Form 2 and bear an official mark as the Returning officer may direct.

(3) When a member has received a ballot paper he shall take the paper to a desk provided for the purpose and signify in the manner hereinafter provided for whom he desires to vote. The member shall then fold the ballot paper so that the official mark thereon may be visible under having held up the ballot paper in such manner as to enable the Returning Officer to see the official mark, shall drop the ballot paper in a ballot box to be placed in front of the Returning officer.

(4) If a member inadvertently spoils ballot paper, he may return it to the Returning Officer, who shall. if satisfied of such inadvertence, give him another paper and retain the spoiled paper and this spoiled paper shall be immediately cancelled and the fact of such cancellation shall be noted upon the counterfoil.

6. Each member shall have one vote only A member in giving his vote—

 (a) must place on his ballot paper the figure 1 in the square opposite the name of the candidate for whom he votes.

 (b) may in addition place on his ballot paper the figure 2 or figures 2 and 3 or 2, 3 and 4, and so on in the squares opposite the names of other candidates in the order of his preference.

Voting by Postal Ballot :

7. (1) if the House is not sitting and if the Speaker is of the opinion that the election should be held before the next meeting of the Assembly, he may order that the election be by the method of voting by postal ballot, and shall appoint—

 (a) the last date for making nominations.

 (b) the date for the scrutiny of nominations.

 (c) the last date for the withdrawal of candidature; and

 (d) the last date and hour for the receipt of marked ballot papers.

(2) The Secretary shall send notice of 8 the intended election to all the members and also a copy of the nomination form.

(3) The completed nomination papers may either be presented in person to the Secretary or sent by registered post.

(4) The Secretary shall send the ballot papers by the registered post to the addresses of members the ballot papers marked by members may either be returned by registered post to the Secretary so as to be received by him before the last day fixed for their receipt or deposited in a ballot box provided for the purpose in the office room of the Secretary on that date.

(5) If a member represents in writing that he has not received the ballot paper on the undertaking that he has not used and will not use the original ballot paper already sent to him.

(6) All the ballot papers that are received after the expiry of the prescribed hour shall be rejected.

(7) Except as aforesaid, the rules regarding the personal voting shall apply to voting by postal voting, shall apply to voting by postal ballot also.

8. (1) A ballot paper shall be invalid—

 (a) upon which a member signs his name or writes any word, or makes any mark by which it becomes recognizable; or

 (b) which does not bear the official mark referred to in regulation 5; or

 (c) on which the figure 1 is not marked; or

 (d) on which the figure 1 is set opposite the name of more than one candidate:

 (e) on which the figure 1 and some other figure is set opposite the name of the same candidate; or

 (f) which is unmarked or void for uncertainty.

(2) The fact that a voter has not marked every preference correctly will not invalidate the whole of his preference. His paper shall be treated as exhausted only when the wrongly marked preference is reached.

Illustration

(1) - A ballot paper contains the following

preferences :

A 1

B2

C3

D3

E4

The preferences for A and B would be valid. If......

the third preference were reached the paper......

would be treated as exhausted as it would be......

impossible to say for which candidate the voter.....

really intended to give his third preference.

Illustration

(2) - Another ballot paper contains the

following preferences :

A 1

B2

C3

D5

E6

F -

The preferences for A. B and C would be valid, but not the later ones, whether D has been elected or excluded or was still a continuing candidate. It is possible that the voter meant to give a fourth preference for some other candidate, e.g., F but omitted to do so. It would not be possible to treat 5 as being meant to be 4.

The Counting of Votes:

9. The ballot paper shall be examined and the Returning Officer, after rejecting any invalid ballot papers, shall divide the remaining papers into parcels according to the first preferences recorded for each candidate. He shall then count the number of papers in each parcel.

10. In carrying out the regulations hereinafter contained, the Returning Officer shall -

(a) disregard all fractions : -

(b) ignore all preferences recorded for candidates already elected or excluded from the poll.

11. For the purpose of facilitating the processes prescribed by the regulations hereinafter contained, each valid ballot paper shall be deemed to be of the value of one hundred.

12. The Returning officer shall add together the values of the papers in all the parcels and divide the total by a number exceeding by one the number of vacancies to be filled, and the result increased by one shall be the number sufficient to secure the return of a candidate (hereinafter called the quota).

13. If at any time a number of candidates equal to the number of persons to be elected has obtained the quota, such candidates shall be treated as elected, and no further steps shall be taken.

14. (1) Any candidate the value of whose parcel. on the first preference being counted, is equal to or greater than the quota, shall be declared elected.

(2) If the value of the papers in any such parcel is equal to the quota, the papers shall be set aside as finally dealt with.

(3) If the value of the papers in any such parcel is greater than the quota, the surplus shall be transferred to the continuing candidates indicated on the ballot papers as next in the order of the voter's preference in the manner prescribed in the following regulation.

15. (1) If and whenever as the result of any operation prescribed by these regulations a candidate has a surplus. that surplus shall be transferred in accordance with the provisions of this regulation.

(2) If more than one candidate has a surplus, the largest surplus shall be dealt with first and the others in order of magnitude:

Provided that every surplus arising on the first count of votes shall be dealt with before those arising on the second count, and so on.

(3) Where two or more surpluses are equal, the Returning Officer shall decide, as hereinafter provided in Regulation 20, which shall first be dealt with.

(4) (a) If the surplus of any candidate to be transferred arises from original votes only, the Returning officer shall examine all the papers in the parcel belonging to the candidate whose surplus is to be transferred, and divide the unexhausted papers into sub-parcles according to the next preferences recorded thereon. He shall also make a separate sub-parcel of the exhausted papers.

(b) He shall ascertain the value of the papers in each sub-parcel and of all the unexhausted papers.

(c) If the value of the unexhausted papers is equal to or less than the surplus, he shall transfer all the unexhausted papers at the time value at when they were received by the candidate whose surplus is being transferred.

(d) If the value of the unexhausted papers is greater than the surplus, he shall transfer the sub-parcels of unexhausted papers, and the value at which each paper shall be transferred shall be ascertained by dividing the surplus by the total number of unexhausted papers.

(5) If the surplus of any candidate to be transferred arises from transferred as well as original votes, the Returning Officer shall reexamine all the papers in the sub-parcel last transferred to the candidate and divide the unexhausted papers into sub-parcels according to the next preferences recorded thereon. He shall thereupon deal with the sub-parcels in the same manner as is provided in the case of the sub-parcels referred to in clause (4).

(6) The papers transferred to each candidate shall be added in the form of a sub-parcel to the papers already belonging to such candidate.

(7) All papers in the parcel or sub-parcel of a elected candidate not transferred under this regulation shall be set aside as finally dealt with.

16. (1) If after all surpluses have been transferred as herein before directed, less than the number of candidates required has been elected, the Returning Officer shall exclude from the poll the candidates lowest on the poll and shall distribute his unexhausted papers among the continuing candidates according to the next preferences recorded thereon. Any exhausted papers shall be set aside as finally dealt with.

(2) The papers containing original votes of an excluded candidate shall first be transferred, the transfer value of each paper being one hundred.

(3) The papers containing transferred votes of an excluded candidate shall then be transferred in the order of the transfers in which and at the value at which he obtained them.

(4) Each of such transfers shall be deemed to be separate transfer.

(5) The process directed by this regulation shall be repeated on the successive exclusions one after another of the candidates lowest on the poll until the last vacancy is filled either by the election of a candidate with the quota or as hereafter provided.

17. If as the result of a transfer of papers under these regulations the value of the votes obtained by a candidate is equal to or greater than the quota the transfer then proceeding shall be completed but no further papers shall be tansferred to him.

18 (1) If after the completion of any transfer under these regulations the value of the votes of any candidate shall be equal to or greater than the quota, he shall be declared elected.

(2) If the value of the votes of any such candidate shall be equal to the quota, the whole of the papers on which such votes are recorded shall be set aside as finally dealt with.

(3) If the value of the votes of any such candidate shall be greater than the quota, his surplus shall thereupon be distributed in the manner herein before provided, before the exclusion of any other candidate.

19 (1) When the number of continuing candidates is reduced to the number of vacancies remaining unfilled, the continuing candidates shall be declared elected.

(2) When only one vacancy remains unfilled and the value of the votes of some one continuing candidates exceeds the total value of all the votes of the other continuing candidates, together with any surplus not transferred, that candidates shall be declared elected.

(3) When only one vacancy remains unfilled and there are only two continuing candidates., and those two candidates have each the same value of votes and no surplus remains capable of transfer, one candidate shall be

declared excluded under the next succeeding regulation and the other declared elected.

20. (1) If, when there is more than one surplus to be distributed, and two or more candidates have each the same surplus, regard shall be had to be number of original votes obtained by each candidate and the surplus of the candidate credited with the largest number of original votes shall be first dealt with and if the numbers of the original votes are equal the Returning officer shall decide by lot which surplus he will first deal with.

(2) If at any time it becomes necessary to exclude a candidate and two or more candidates have the same value of votes and are lowest on the poll, regard shall be had to the number of original votes credited to each of those candidates and the candidate with the fewest original votes shall be excluded. If the value of original votes are equal, the Returning Officer shall decide by lot which candidate shall be excluded.

Certificate of delivery
Serial No

    This nomination paper was delivered to me at my office at (hour) on............... (date) ....by the candidate/proposer seconder.

          Secretary to Legislature.

Certificate of Scrutiny

    I have scrutinised the above nomination paper and decide that his nomination paper is valid/not valid for the reason.

          Secretary to Legislature.

FORM-II

COUNTER FOIL No.
THE ANDHRA PRADESH LEGISLATIVE ASSEMBLY

Election of.....................members of the

....

Serial number of the

elector in the alphabetical

list of members of the

Andhra Pradesh Legislative Assembly.

THE ANDHRA PRADESH LEGISLATIVE ASSEMBLY

Election of members to the.....................

....

Ballot Paper

Names of Candidates	Order of Preference.
1.	
2.	
3.	
4.	
5.	

FORM - II OVERLEAF

No.

Instructions to Members

A. Each member has one vote and one vote only

B. The member votes—

(a) by placing the figure '1' opposite the name of his first choice. He also invited to place—

(b) the figure "2" opposite the name of his second choice;

(c) the figure "3" opposite the name of his third choice, and so on, numbering as many candidates as he pleases in the order of his preference. The number of preferences is not necessarily restricted to the number of vacancies.

N.B: The vote will be spoilt if the figure "1" is placed opposite the name of ore than one candidate.

APPENDIX

ILLUSTRATIVE ELECTION

Example of an election conducted on the system of the single transferable vote in accordance with the preceding regulations.

REGULATION 9 : Assuming that there are seven members to the elected, sixteen candidates, and fifty-four electors.

The valid ballot papers are arranged in separate parcels according to the first preference recorded for each candidate and

the papers in each parcel counted. Let it be assumed that the result is as follows:-

A.........	2	G.........	5	M.........	2
B.........	9	H.........	2	N.........	2
C	1	I.........	4	O.........	2
D.........	1	J.........	4	P.........	1
E.........	11	K	2		
F	5	L.........	2	Total	54

Each valid ballot paper is deemed to be of the value of one hundred and the values of the votes obtained by the respective candidates.

REGULATION 11: are as shown in the first column of the result sheet.

The values of all the papers are added together and the total 5,400 is divided by eight (i.e., the number which exceeds by one) The number of vacancies to be filled and 676 (i.e., the quotient 675, inreased by Regulation 12 one) is the number sufficient to secure the return of a member and is called the quota. The operation may be shown thus:

Quota $\frac{5,400}{8}$ + 1 = 675 - 1 = 676

Regualtion 14 (1) : The candidates B and E, the values of whose votes exceed the Quota, are declared elected.

Regulation 14 (3) transfer of and E's

surplus Regulation 15(2) : As the values of the papers in the parcels of B&E exceed the Quota, the surplus of each candidate must be transfered. B's surplus is 224 (i.e., 900 less 676) is 424 (i.e., surplus 1,000 less 676). The largest surplus, that of E, is dealt with first.

The surplus arises from original votes, and therefore the whole of E's papers are divided into sub-parcels according to the next preferences recorded thereon, a separate parcel of exhausted papers being also made.

Let it be assumed that the result is as follows:

G is marked as next available perference on	...		5
H is marked as next available preference on	...		3
L is marked as next available preference on	...		2
Total of unexhausted papers number of	...		10
exhausted papers	...		1
Total of papers	...		11

Regulation 15 (4) (b) : The value of the unexhausted papers is 1,000 and is greater

than the surplus. This surplus is therefore, transferred as follows:

G	..	..	500
H	..	..	300
L	..	..	200

Total Value of unexhausted papers	1,000
Value of exhausted papers	100
Total Value	1,100

The value of the unexhausted papers is 1,000 and is greater than the surplus. This surplus is therefore, transferred as follows :

Regulation 15 (4) (d) : All the papers and Regulation 15 transferred, but at a (4)(d) reduced value which is ascertained by dividing the surplus by the number of unexhausted papers.

The reduced value of all the papers, when added together, with the addition of any value lost as the result of the neglect of fractions, equals the surplus. In this case, the new value of each paper transferred.

424 (the surplus) = 42. the residue of the 10 (the number of value 58 being required unexhausted papers)

by E for the purpose of constituting his quota, i.e., one exhausted paper (value 100) plus the value (580) of ten unexhausted papers. The value of the sub-parcels transferred are-

G = 210 (i.e.. five papers at the value of 42).

H = 126 (i.e., three papers at the value of 42)

L = 84 (i.e. two papers at the value of 42).

These operations can be shown on a transfer sheet as follows:-

Transfer sheet

Value of surplus (E's) to be transferred	.. 424
Number of papers in E's parcel ..	
Value of each papers in parcel ..	
Number of unexhausted papers ..	
Value of unexhausted papers	
New value of each paper transferred	

$$\frac{Surlus}{Number\ of} = \frac{424}{10}$$

Unexhausted papers ..	42

Name of candidates marked as the next available preference—

		Number of papers to be transferred	Value of Sub-parcel to be transferred
G	..	5	210 + 500
H	..	3	126 + 200
L	..	2	84 + 200
	..	10	420

Number of exhausted paper	1	
Loss of value owing to neglect of fractions	4	
Total	11	424

The values of the sub-parcels are added to the values of the votes already credited to the candidates, G.H and L. This operation is shown on the result sheet.

REGULATION 18 (1) : As a result of this operation, G's total is brought above the quota and he is declared elected.

REGULATION 15 (2) : The next largest surplus, that of B, viz., 224, is then transferred,the operations being similar to those descibed in the transfer of E's surplus. Assume that there are no exhausted papers. The new value is therefore 224/9 or 24. The surplus is distrubuted according to next preferences, as follows:-

A = (5x24)	..	120
C = (4x24)	..	96
Value lost owing to Neglect of fractions	..	8
Total	..	224

G's surplus has now to be transferred, only the sub-parcel last Regulation and transfered being 15 (5) re-examined.

The details are as follows :

Value of G's surplus .. 34=710-676
Number of papers .. 5
in sub-parcel
Value of each paper .. 42
therein
Number of unexhausted .. 5
papers
Value of exhausted .. 210
papers
New Value of each paper .. 6
transferred = 34/5.

The result of the distribution is shown on the result sheet, three papers of the value of six each being transferred to A and two of the same value to O.

REGULATION 16 (1) : There being no further surplus, the Regulation 16 candidate lowest on the poll has now to be excluded. D and P both have 100. The Returning Officer casts lots and

REGULATION 20 : P is chose to be excluded.

REGULATION 16 : Being an original vote, P's paper is transferred at the value of 100 to whom the elector had marked as second preference. D now being lowest is next excluded and his 100 is similarly transferred to K.

This leaves M and N lowest with 200 each and M is chosen by lot for exclusion.

REGULATION 20 : first. His paper are transferred at the value of 100 each to A and C, respectively. N is then excluded and his papers are transferred to F and I who each receive 100.

REGULATION 16 : This leaves 0 lowest and he is excluded. His 212 consists of two original votes and of two transferred.

This leaves 0 lowest and he is excluded. His 212 consists of two original Regulation 16 votes and of two transferred votes of the value of 6 each A and C are each next preference on one of the original votes and each receive 100. J is next preference on both the transferred votes and receives 12.

L is now lowest with 284 and is excluded. His two original votes are transferred at the value of 100 each to A and F. The remaining 84 represents two votes transferred at 42 each and these go at that rate to C and K.

J is now lowest with 312 and is therefore excluded. His three original votes are transferred at 100 each A, C and I. The odd 12 represents two votes trnsferred at the value of 6 and these both go to F who is next preference on each paper.

REGULATION 18 (1) : A, C and I now exceed the quota•re declared elected leaving one vacancy only to be filled.

REGULATION 15(1) AND 16 (1) REGULATION 20 REGULATION (15) (5) : Prior to further exclusions the surpluses of these candidates have to be and distributed. A and C both have a surplus of 62, but C have received larger original votes than A, his surplus is distributed first. The last sub-parcel transferred to C consisted of one paper transferred at the value of 100 which exceeds the surplus, and as H was next preference on this paper, the whole surplus is transferred to him. A's surplus has then to be distributed and is similarly dealt with, the whole going of F. I's surplus is then distributed and goes to K.

K being now lowest of the three continuing candidates and the conditions of Regulation 19 (2) not being fulfilled. K is excluded.

REGULATION 16 (2) AND (3) : H's 366 consists of two original votes, one paper transferred at the value of 100, one transferred at the value of 42 and one at the value of 24.
The two original votes are transferred first, and then the paper transferred at the value of 100 as this was the first of the transfers. H was next preference on these three papers and 300 is therefore transferred to him.

REGULATION 16 AND 17 : He now exceeds the quota and the election is complete, the completion of the transfer of K's votes being rendered unnecessary. Full details are shown in the result sheet.

RESULT SHEET

VALUE OF VOTES 5,400

Quota 5,400 +1 = 676

8

Name of Candi-dates (1)	Value of votes of first account (2)	Distribu-tion of Essur plus (3)	Result (4)	Distribu-tion of Bssur plus (5)	Result (6)	Distribu-tion of G'ssu plus (7)	Re-sult (8)
A	200	...	200	+200	320	+18	338
B	900	...	900	-224	676	..	676
C	300	...	300	+ 96	396	..	396
D	100	...	100	...	100	..	100
E	1,100	-424	676	...	676	..	676
F	300	...	300	...	300	..	300
G	500	+210	710	...	710	-34	676
H	200	+126	326	...	326	..	326
I	400	...	400	...	400	..	400
J	300	...	300	...	300	..	300
K	200	...	200	...	200	..	200
L	200	+84	284	...	284	..	284
M	200	...	200	...	200	..	200
N	200	...	200	...	200	..	200
O	200	...	200	...	200	+12	212
P	100	...	100	...	100	..	100
Loss of Value by neglect to fractions	+4	4	+8	12	+4	16	
Total	5,400	...	5,400	...	5,400	...	5,400

RESULT SHEET (CONTD.,)

VALUE OF VOTES 5,400

Quota 5,400 +1 = 676

8

Name of Candidates	Distribution of votes of O&D	Result	Distribution of votes of M&N	Result	Distribution of votes of O	Result	Distribution of votes of L	Result
	(9)	(10)	(11)	(12)	(13)	(14)	(15)	(16)
A	...	338	+100	438	+100	538	+100	638
B	...	676	...	676	...	676	...	676
C	...	396	+100	496	+100	596	+42	638
D	-100	...	...	...	...	...	...	...
E	...	676	...	676	...	676	...	676
F	...	300	+100	400	...	400	+100	500
G	...	676	...	676	...	676	...	676
H	...	326	...	326	...	326	...	326
I	+100	500	+100	600	...	600	...	600
J	...	300	...	300	+12	312	...	312
K	+100	300	...	300	...	300	+42	342
L	...	284	...	284	...	284	-284	...
M	...	200	-200	...	...	...	...	...
N	...	200	-200	...	...	...	...	...
O	...	212	...	212	-212	...	...	...
P	-100	...	...	...	...	...	...	...
Loss of Value by neglect to fractions		16	...	16	...	16	...	16
Total		5,400	...	5,400	...	5,400	...	5,400

RESULT SHEET (CONTD.,)

VALUE OF VOTES 5,400

Quota 5,400 +1 = 676

8

Name of Candidates	Distribution of votes of J	Result	Distribution of votes of A,C&I	Result	Distribution of votes of K	Re-sult	Result of Election
	(17)	(18)	(19)	(20)	(21)	(22)	(23)
A	+100	738	-62	676	...	676	Elected
B	...	676	...	676	...	676	Elected
C	+100	738	-62	676	...	676	Elected
D	...	...	...	...	...	..	Not Elected
E	...	676	...	676	...	676	Elected
F	+12	512	+62	574	...	574	Not Elected
G	...	676	...	676	...	676	Elected
H	...	326	+62	388	+300	688	-do-
I	+100	700	-24	676	...	676	-do-
J	-312	...	...	...	...	...	Not Elected
K	...	342	+24	366	-300	66	-do-
L	...	...	...	...	...	...	-do-
M	...	...	...	...	...	...	-do-
N	...	...	...	...	...	...	-do-
O	...	...	...	...	...	...	-do-
P	...	...	...	...	...	...	-do-
Loss of Value by neglect to fractions	16	...	16	...	16		
Total	5,400	...	5,400	...	5,400		

REGULATIONS MADE BY THE HON'BLE SPEAKER FOR CONDUCT OF ELECTIONS