



PROCEEDINGS OF THE SECRETARY,
STATE ELECTION COMMISSION, KERALA, THIRUVANANTHAPURAM
(PRESENT: A.SANTHOSH)

Sub: -State Election Commission, Kerala – Redesigning the Internship Program for law students- instructions issued-Reg

Order No.A1-9121-2013-SEC

Dated: 13. 08.2021

ORDER

The State Election Commission is constituted under Articles 243 K and 243 ZA of the constitution of India for the superintendence, direction and control of the preparation of the electoral rolls for, and the conduct of all elections to the Panchayats and Municipalities in the State. Apart from it, being a constitutional functionary, the Commission also provides internship for aspiring law students. For so long such training has been provided in a conventional way. Considering the pandemic situation and to bring new perspective to problem solving, the Commission has decided to revamp the internship programme provided to law students in a timely manner. Therefore the following instructions are issued to those law students, who desires for internship in Kerala State Election Commission, and college principals thereof.

Each student shall prepare and submit assignments on the topics assigned to him. (Topics of assignment are attached herewith as Annexure) College Principal shall assign one or more topics to each student. Each student shall acquaint with the topic intensively and extensively, with special emphasis to legal issues involved and its remedy. The students shall gain field level experience by visiting heads of local bodies, Secretaries of local bodies, Electoral Registration Officers, Returning officers etc. They shall critically examine whether election activities being carried out are in accordance with law. After familiarizing with the topic each student shall prepare an assignment on the topic or topics assigned to him. Everything such as study, field visit, interaction with concerned etc will form part of the record of assignment and submit the assignment to College. College shall verify its contents, its arrangements etc and after satisfying its contents,

arrangements etc, College shall forward the assignment to Commission, along with his recommendations. If he is not satisfied with the assignment it shall be returned to the student for re- submission. College principal shall also recommend the number of days (maximum 15 days) taken by each student for completing the work. Commission, after evaluating the assignment submitted by each student, will issue certificate of internship to the students through college Principal.

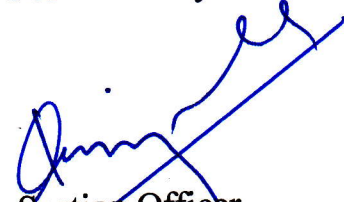
The students shall adhere to the existing Covid 19 protocol throughout the internship program and while conducting visits.

These instructions are applicable to all pending applications for internship as well as new applications

A.Santhosh
Secretary

1. Principals of All Law Colleges,Kerala.
2. PS to Commissioner
3. PS to Secretary
4. All Officers
5. Stock file / Office Copy.
6. Website
7. Annexures 2 Nos

Forwarded by Order


Section Officer

Annexure I

<i>Sl.No.</i>	<i>Topic</i>	<i>Sub Topic</i>
1.	Preparation of Electoral roll for local body elections	i. Relevant law
		ii. Procedure for online voter registration
		iii. Forms
		iv. Eligibility criteria
		v. "Ordinarily resident"
		vi. Who are ineligible
		vii. Who are the EROs
		viii. Procedure to be followed by EROs
		ix. Who are Appellate Authorities
		x. Conclusiveness of electoral roll
		xi. Any case of deletion of eligible voters from electoral roll
		xii. Any case of duplication of voters
		xiii. Offences
2.	Election schedule and Timings	i. Relevant law
		ii. Announcement of Election
		iii. Notification of Election
		iv. Election schedule
		v. Election process-bar of jurisdiction of courts
		vi. Model code of conduct
		vii. Opinion poll, Exit poll
		viii. Prohibition of public meetings
3.	Dispute regarding election	i. Relevant law
		ii. Grounds for setting aside an election
		iii. Qualifications of candidates
		iv. Disqualifications of candidate
		v. Corrupt practices

		vi. Time limit for filing election petitions
		vii. Competent Court
		viii. Persons competent to file election petitions
		ix. Who are the parties to election petitions
		x. Appeal
4.	Electoral Offences	i. Under Kerala Panchayat Raj Act/ Kerala Municipality Act.
		ii. Prosecution of Offences
		iii. Period of limitation
		iv. Under Indian Penal Code
5.	Conduct of election	i. Relevant provisions
		ii. Returning Officer, Presiding Officer, Polling Officers etc.
		iii. Nomination of candidates
		iv. 2A Form-SC judgments
		v. Scrutiny
		vi. Withdrawal
		vii. Allotment of symbol
		viii. List of contesting candidate
		ix. EVM
		x. Ballot label
		xi. Polling Station
		xii. Actual Poll
		xiii. Safe custody of materials of poll
		xiv. Counting
		xv. Declaration of results
6.	Disqualifications of members/councilors after having elected	i. Under Kerala Panchayat Raj Act/ Kerala Municipality Act
		ii. Employees of Government, LSGIs
		iii. Convicted persons
		iv. Person failed to lodge account of election expenses

		v. Under section 35 Kerala Panchayat Raj Act/section 91 of the Kerala Municipality Act
		vi. Persons competent to file petitions before Election Commission
		vii. Powers of the Election Commission
7.	Free and Fair elections	i. Maintenance of law and order
		ii. Protection to voters to exercise their franchise and to ensure peaceful atmosphere
		iii. Protection to Election officials
		iv. Sensitive, vulnerable and hyper sensitive polling stations
		v. Measures- a. Deployment of Additional Police Force, b. Outside Police Force c. Videography d. Web casting e. Observers and Micro Observers
8.	Political parties and symbols	i. Relevant law
		ii. Registration of Political parties
		iii. Recognition of Political parties as National Party, State Party etc.
		iv. Allotment of Symbols
		v. Reserved Symbols and Allotted symbols
		vi. Freezing of symbols
9.	System of elections	i. Direct Election
		ii. Indirect Election
		iii. First past the post system
		iv. Proportional representation

		v. Instant Runoff
10.	Defection	i. Kerala Local Authorities (Prevention of Defection Act
		ii. Whip issued by political party
		iii. Instances of violation of whip
		iv. voluntarily given up membership
		v. Withdrawal from coalition
		vi. Service of Whip
		vii. Person Competent file petition before the Commission
		viii. Period of limitation

Annexure II

I. Relevant Constitutional Provisions on the topic

1. The Constitution 73rd Amendment Act, 1992 inserted Part IX "The Panchayats" and thereby incorporated Articles 243 to 243O, Amendment to Article 280 (3) (bb) and added Eleventh Schedule to the Constitution of India
2. The Constitution 74th Amendment Act, 1992 inserted Part IX A "The Municipalities" and thereby incorporated Articles 243P to 243ZG, Amendment to Article 280 (3) (c) and added Twelfth Schedule to the Constitution of India

II. Relevant Acts on the topic

1. Kerala Panchayat Raj Act, 1994
2. Kerala Municipality Act, 1994
3. Kerala Local Authorities (Prohibition of Defection) Act,1999

III. Relevant Rules on the topic

A.

Under Kerala Panchayat Raj Act	Under Kerala Municipality Act
Kerala Panchayat Raj (Registration of Electors) Rules, 1994	Kerala Municipality (Registration of Electors) Rules, 1994
Kerala Panchayat Raj (Conduct of Election) Rules, 1995	Kerala Municipality (Conduct of Election) Rules, 1995
Kerala Panchayat Raj (Fixing of Strength) Rules,1994	
Kerala Panchayat Raj (Election of President and Vice President) Rules, 1995	Kerala Municipality (Election of Chairperson and Deputy Chairperson) Rules, 1995
Kerala Panchayat Raj (Oath of Members, President and Vice President) Rules, 1995	Kerala Municipality (Oath of Councilors, Chairperson, Deputy Chairperson) Rules,1995
Kerala Panchayat Raj (Resignation of President, Vice President or Members) Rules, 2000	Kerala Municipality (Resignation of Chairperson, Deputy Chairperson or Councilors) Rules, 2005
Kerala Panchayat Raj (Procedure for Convening and Conducting the Meeting of Grama Sabha) Rules, 1995	Kerala Municipality (Constitution of Ward Committee and Procedure for Meeting) Rules, 1995
Kerala Panchayat Raj (Procedure for Panchayat Meeting) Rules, 1995	Kerala Municipality (Procedure for meeting of the Council) Rules,1995
Kerala Panchayat Raj (Standing Committee) Rules, 2000	Kerala Municipality (Standing Committee) Rules, 2000

B.

Under Kerala Local Authorities (Prohibition of Defection) Act

Kerala Local Authorities (Disqualification of Defected Members) Rules, 2000

IV. Compilation of important judgments

1. Landmark Judgments on Elections to Local Authorities in Kerala
2. Landmark Judgments on Election Law(<https://ceodelhi.gov.in>)

V. Guidelines on the procedure aspects of election

12 Handbooks issued by State Election Commission, Kerala (sec.kerala.gov.in)

VI. Reports

Election Report,2020 issued by State election Commission, Kerala (sec.kerala.gov.in)

VII. Reference Books

1. *"How India Votes- Election Laws, Practice and Procedure"* by S K Mendiratta
2. *"Law Relating to Election to the Local Self Government Institutions in Kerala"* by Adv. K T George