

**ELECTION COMMISSION OF INDIA**  
**Nirvachan Sadan, Ashok Road, New Delhi – 110 001**

No. 576/3/2013/SDR

Dated: 7<sup>th</sup> December. 2013

To,

The Chief Electoral Officers of  
all States/Union territories.

**Sub: Clarification on 'None of the above'-counting of votes-reg.**

Sir,

A question has been raised whether the votes polled against the NOTA option is to be considered for determining the forfeiture of security deposit.

The votes polled against the NOTA option cannot be treated as valid votes. Under Section 158 of the Representation of the People Act, 1951, it is the total number of valid votes polled by all the contesting candidates that is to be taken into account for calculating the one-sixth of votes polled by individual candidates for return of security deposit. Thus, it is clarified that the votes polled against the NOTA option is not to be taken into account for calculating the total valid votes polled by the contesting candidates for the purpose of return of security deposit.

Yours faithfully,



(K.F. Wilfred)

Principal Secretary