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राजस्थान सरकार
निर्वाचन विभाग

क्रमांक: प.8(2)(7) निर्वा/2013/2511

जयपुर, दिनांक: 24.6.13

प्रेषक:- मुख्य निर्वाचन अधिकारी,
राजस्थान जयपुर।

प्रेषित:- समस्त जिला निर्वाचन अधिकारी
(कलक्टर्स) राजस्थान।

विषय:- चुनाव ड्यूटी में लगाने वाले समस्त कार्मिकों/अधिकारियों को
मताधिकार देने के संबंध में प्रारम्भिक तैयारियाँ बाबत।

महोदय,

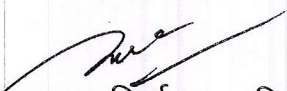
उपरोक्त विषयान्तर्गत भारत निर्वाचन आयोग, नई दिल्ली के पत्रांक 52/2013/SDR दिनांक 18 जून 2013 की छाया प्रति संलग्न करके भेजी जा रही है। भारत निर्वाचन आयोग ने केन्द्र सरकार व राज्य सरकार के सभी विभागों, केन्द्र व राज्य सरकार के सभी संस्थानों/उपक्रमों/बोर्ड/निगमों के कर्मचारियों का डाटा बेस तैयार करने, पदस्थापन वाले स्थान पर उनके नाम मतदाता सूचियों में दर्ज कराने, मतदाता सूचियों में उनके संबंध में आवश्यक संशोधन कराने, शेष रहें कार्मिकों को फोटो मतदाता पहचान पत्र जारी कराने की व्यवस्था बाबत निर्देश जारी किये हैं।

आगामी चुनावों में ड्यूटी पर लगाने वाले समस्त कार्मिकों/अधिकारियों को डाकमत पत्र जारी हो यह सुनिश्चित किया जाना है। इन निर्देशों की क्रियान्विति समयबद्ध की जानी है।

अतः आयोग के इन निर्देशों के अनुसार आप अभी से कार्य आरम्भ करना सुनिश्चित करावें।

संलग्न:- उपरोक्तानुसार

भवदीय,


संयुक्त मुख्य निर्वाचन अधिकारी,
राजस्थान, जयपुर

ELECTION COMMISSION OF INDIA

NirvachanSadan, Ashoka Road, New Delhi-110001

No. 52/2013/SDR

New Delhi, 18th June, 2013

To

Chief Electoral Officers of all
States and Union Territories

Sub: - Preparatory activities for Exercise of Franchise by persons on election duty.

Sir,

You are aware that very large numbers of persons are put on duty for the purpose of conduct of elections. In the last Lok Sabha election approximately one crore persons were put on election duty. These include person in polling teams including Presiding Officers and Polling Officers, Police personnel used in elections, sector and zonal officers, Returning Officers, Assistant Returning Officers, District Elections Officers and their staff, micro-observers, Assistant Expenditure Observers, Observers of the Commission, drivers conductors and cleaners of vehicles used in elections and police personnel, etc. It is a known fact that many of these persons are not able to exercise their franchise because of being on election duty. The Commission is keen that all persons on election duty are able to exercise their franchise as per law.

2. Under the law, there are two ways in which franchise can be exercised by a person on election duty. if the person is on duty in the same constituency where he is enrolled as an elector, he is given in the Election Duty Certificate (EDC), which entitles him to cast his vote in the polling station of the constituency where he is on election duty. If on the other hand, the person is on duty in some constituency other than the one in which he is enrolled as an elector, he is entitled to vote by Postal Ballot.
3. Common reasons why a person may not be able to exercise his franchise when on election duty are: -

3.1. Problems with enrolment in electoral rolls –

3.1.1. Many Persons on Election Duty are not enrolled at all.

3.1.2. Many Persons on Election Duty are not enrolled at their ordinary place of residence, but continue to be enrolled in their native villages or towns where they are not living any longer.

3.1.3. Many Persons on Election Duty are enrolled at more than one place.

3.2. Problems with requesting Postal Ballot or EDC –

3.2.1. Many Persons on Election Duty are not aware that they are entitled to EDC or Postal Ballot.

3.2.2. Many Persons on Election Duty are not aware of the application forms required to be filled for the purpose of applying for EDC or Postal Ballot.

3.2.3. Many Persons on Election Duty do not know their enrolment details and are therefore not able to fill the application forms correctly.

3.2.4. Many Persons on Election Duty do not have access to the application forms.

3.2.5. Many Persons on Election Duty are not able to send the application forms to the concerned Returning Officer in time.

3.3. Problems with issuance of EDC and Postal Ballot –

3.3.1. Returning Officers do not receive request forms for EDC and Postal ballot from most persons on poll duty in time.

3.3.2. Many request forms received are either incomplete or have wrong information, thus making it difficult to issue an EDC or Postal Ballot. There is no time to send the form back for correction.

3.3.3. Even if EDC or Postal Ballot is issued, it is difficult to get them delivered to the Person on Election Duty in time.

3.4. Problems with return of marked postal ballot for counting –

3.4.1. There are postal delays due to which postal ballots do not come back to the Returning officer in time for counting.

4. Recently, the Commission has tried to improve the system of Postal Balloting by persons on poll duty. This has resulted in significant improvement. One of the important lessons learnt in the process is the fact that it is difficult to collect all information required for Postal Balloting and also ensure enrollment of persons on election duty at their place of ordinary residence in the short time available after the announcement of elections. It will be much better if these preparatory activities are undertaken much before the announcement of elections.

5. **Preparatory Activities** – The following preparatory activities should be undertaken immediately by all DEOs: -

5.1. **Preparation of a database of Persons likely to be on election duty** –

There are existing instructions of the Commission to prepare a database of all Government Employees posted in the district for the purpose of randomization and allocation of election duties. So far this database has been prepared after announcement of elections. The Commission has directed that every district should prepare this database immediately and keep it updated if there are transfers, retirements or new recruitments. The database should include not only employees of the State Government, it should include all employees of State Government, Central Government and Central and State PSUs. It should also include all police personnel posted in the district including Home Guards etc. This database should include drivers, conductors and cleaners of Government vehicles, vehicles of State Road Transport Corporation etc. An effort should be made to get the information of drivers, conductors and cleaners of private vehicles in the district like trucks, buses, minibuses etc. with the help of vehicle owners associations. Apart from other things, Information relating to Cell Phone numbers and Email Ids of all persons shall also be collected and

stored in the database. The software for preparation of this database shall be developed by the Commission and be made available on the website of the Commission soon. The work of preparation of the database should be completed by the end of August 2013.

5.2. Checking the enrolment status of persons in the database –

Information about enrolment status and EPIC numbers shall be collected in the database. Based on this information the DEO should undertake a search in the elector database to find, whether any person is not enrolled at all, or enrolled at more than one place or enrolled at a place other than place of ordinary residence. This search should be completed by end of September 2013.

5.3. Correction in electoral roll entries –

Based on the search described above, if any correction in the enrollment in electoral roll becomes necessary, appropriate forms should be got filled from the persons concerned and corrections in electoral roll entries should be made after following statutory procedure. This activity will coincide with the summary revision of electoral rolls for the next year. After all corrections are made, all persons in the database should be enrolled at the place of their ordinary residence. They should be enrolled only once and all of them should have an EPIC. It should be made clear to all Government Employees by a circular sent to all Government Offices that enrolment at more than one place is an offence and that a person is entitled to be enrolled only at the place of his or her ordinary residence and not in the native village or town.

5.4. Linking of database of persons likely to be used for elections with electoral roll database–

The database of persons likely to be used for elections prepared in the manner described above should then be linked with the electoral roll database on the basis of the EPIC number. This will be useful at the time of elections for filling on-line Form 12 for issue of Postal Ballot or Form 12A for issue of EDC.

5.5. Information regarding Home District and posting history in the entire service–

Information regarding home district and previous posting shall also be collected in the database of employees. This information will

be useful for transfers of employees according to the transfer policy of the Commission.

6. **On-line Applications in Form 12 and Form 12A** –Software for on-line applications in Form 12 and Form12A requesting Postal Ballot and EDC is being developed and will be released for use soon. This will simplify the task of collecting Form12 and Form12A.
7. **Issue of Postal Ballots and EDC and preparation of Marked Copy of the Electoral Roll** – Software for issue of EDC and Postal Ballots and automation of preparation of marked copy of electoral rolls is also being prepared and will be soon released. It is therefore recommended that arrangements for printing of Form 12 and Form 12A, printing of EDC and postal ballots and printing of marked copies of electoral roll in adequate number should be kept ready at the time of elections. For this purpose, a small cell with adequate number of computers, laser printers and Internet connection should be kept ready.
8. These instructions should be communicated to all concerned and strict monitoring should be done to ensure that all preparatory activities are carried out according to the deadlines given in this letter.

Yours faithfully,

(AshishChakraborty)
Secretary

By Fax/Speed Post

ELECTION COMMISSION OF INDIA

NIRVACHAN SADAN, ASHOKA ROAD, NEW DELHI-110001

No. 437/6/1/2013-CC&BE

Dated: 14th May, 2013

To

1. The Chief Secretaries to the Government of :-
 - (i) Madhya Pradesh, Bhopal;
 - (ii) Mizoram, Aizawl;
 - (iii) Rajasthan, Jaipur;
 - (iv) NCT of Delhi, Delhi.
 - (v) Chhattisgarh, Raipur
2. The Chief Electoral Officers of :-
 - (i) Madhya Pradesh, Bhopal;
 - (ii) Mizoram, Aizawl;
 - (iii) Rajasthan, Jaipur;
 - (iv) NCT of Delhi, Delhi
 - (v) Chhattisgarh, Raipur

Ref: Commission's Order No. 437/6/2006-P.N-III Dated 6th November, 2006 addressed to Chief Secretaries and Chief Electoral Officers of all the States & UT

Subject: - General Election to the State Legislative Assemblies of Madhya Pradesh, Mizoram, Rajasthan, NCT of Delhi and Chhattisgarh - Transfer/Posting of Officers- regarding.

Sir,

I am directed to state that the term of Legislative Assembly of following States is due to expire in December, 2013:-

S.No.	Name of State	Term upto
1.	Madhya Pradesh	12.12.2013
2.	Mizoram	15.12.2013
3.	NCT of Delhi	17.12.2013
4.	Rajasthan	31.12.2013
5.	Chhattisgarh	04.01.2014

It is the consistent policy of the Commission that in order to ensure free, fair and peaceful conduct of elections, officers who are connected or are likely to be connected with the conduct of elections should not serve in their home districts or places where they have served for three years or more during the last four years. Since the transfer season is in the months of May and June in most of the States, the Commission would like to advise the State Governments that this policy of the Commission should be taken into account while transferring officers likely to be involved in the conduct of forthcoming General Election to the Legislative Assemblies of these States. Cut-off date for the purpose of calculating 3 years period in the context of ensuing elections in the above States shall be 31st December, 2013.

(ii) These instructions cover not only officers appointed for specific election duties like District Election Officers, Returning Officers and Assistant Returning Officers but also other district level officers like Additional District Magistrates, Deputy Collectors, Sub-Divisional Magistrates, Tehsildars, Block Development Officers or any other officer proposed to be used for election work. As far as officers in the Police Department are concerned, these instructions shall be applicable to the Range IGs, DIGs, Commandants of State Armed Police, SSPs, SPs, Addl. SPs, Sub-Divisional Head of Police, Inspectors or equivalent ranks who are responsible for deployment of police force in the district at election time. The police officials who are posted in functional departments like computerization; special branch, training, etc. are not covered under these instructions. Apart from these, the Police Officers of the level of Sub-Inspectors should not be posted in their home Assembly Constituencies. The Police Officers of the level of Sub-Inspectors should be transferred not only out of their police Sub-divisions but also out of the Assembly Constituency if they have completed a tenure of three years during last four year in that sub-division.

(iii) The Commission further desires that a detailed review may, therefore, be undertaken, in all districts and all such officers be posted out of their home districts or district where they have completed or will complete on the aforesaid date tenure of three years out of the last four years, immediately. While moving such officers, care should be taken that they are not posted to their home districts. While calculating the period of three years, promotion to a post within the district is to be counted. While carrying out this review it must be borne in mind that these instructions do not apply to officers posted in the State headquarters of the department concerned.

(iv) The Commission also desires that the officers/officials against whom Commission has recommended disciplinary action or who have been charged for any lapse in any election or elections related work, shall not be assigned any election related duty.

(v) The Commission further desires that no officer/official against whom a criminal case is pending in any Court of Law be associated with the election work or election related duty.

(vi) The Commission has in the past received complaints that while the State Government transfers officials in the above categories in pursuance of the direction issued by the Commission, the individuals try to circumvent the objective by proceeding on leave and physically not moving out of the district from which they stand transferred. The Commission has viewed this seriously and desires that all such officials who stand transferred in pursuance of the instructions referred to above shall be asked to move physically out of the districts from which they stand transferred immediately on receipt of the transfer orders.

(vii) Further, while implementing the above directions, the Commission desires that the Chief Electoral Officer of the all States mentioned above shall invariably be consulted while posting the new persons in place of present incumbents who stand transferred as per this policy of the Commission. The copies of the transfer orders issued under these directions shall be given to the Chief Electoral Officer concerned without fail.

(viii) The transfer orders in respect of officers/officials who are engaged in the electoral rolls revision work, if any, shall be implemented only after final publication of the electoral rolls in consultation with the Chief Electoral Officer.

(ix) Any officer who is due to retire within coming six months will be exempted from the purview of the above-mentioned directions of the Commission. Further such officers may not be engaged for performing election duties during the elections.

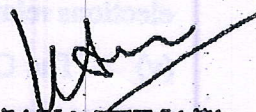
(x) It is further clarified that all the officials of the States/UTs who are on extension of service or re-employed in different capacities will not be associated with any election related work except those with the Office of the Chief Electoral Officers.

2. Details of the action taken may be intimated to the Commission for its information immediately and in any case not later than 31st July, 2013.

3. It has been observed in the past that during the General Election, numerous references are received from various States seeking clarification with reference to the applicability of transfer order to individual cases. The Commission directs that all these issues should be basically handled at the Chief Electoral Officer's level. Only when it is absolutely necessary, individual references should be forwarded to the Commission after considering all aspects at the Chief Electoral Officer's level with his/her specific recommendations.

4. The above instructions may be brought to the notice of all concerned for compliance.

Yours faithfully,



(K. AJAYA KUMAR)
PRINCIPAL SECRETARY

Officers who are connected or likely to be connected with the conduct of elections should not serve in their home districts or places where they have served for three years or more during the last four years. Cut off date for the purpose of calculating three years period in the context shall be 31-12-2013.

The following Officers are covered under these instructions:-

- a) District Election Officers (Collectors)
- b) Officers appointed as Returning Officers & Assistant Returning Officers / EROs and Assistant EROs
- c) Additional District Magistrates/ Sub Divisional Magistrates/Sub Divisional Officers/Assistant Collectors
- d) Tehsildars / Block Development Officers
- e) District Excise Officers
- f) **Police Officers** Range IGs (including Police Commissioner), DIGs, Commandants of State Armed Police, SPs, Addl. SPs, Dy. SPs, Inspectors or equivalent ranks who are responsible for deployment of police force in the district at the election time.

While transferring the Officers the following norms shall be adopted:-

1. All such Officers be posted out of their home district or district where they have completed or will complete on date 31-12-2013 tenure (in total) of three years out of the last four years, immediately. While moving such Officers they should not be posted to their home districts. While calculating the period of three years promotion to a post within the district is to be counted. These instructions do not apply to Officers **posted** in the State Head Quarters of the department concerned.
2. The police Officers of the level of Sub Inspectors should not be posted in their home Assembly Constituencies. They should be transferred not only out of their police sub-divisions but also out of

Assembly Constituency, if they have completed a tenure of three years during last four years in that sub-division.

3. Officers / officials against whom Commission has recommended disciplinary action or who have been charged for any lapse in any election or elections related work, shall not be posted on the election related posts as mentioned above.
4. Officers / officials against whom a criminal case is pending in any court of law shall not be posted on the election related post as mentioned above.
5. All such Officers who stand transferred in pursuance of these instructions shall move physically out of the districts from which they stand transferred immediately on receipt of the transfer orders.
6. While implementing these directions Chief Electoral Officer shall invariably be consulted while posting the new persons in place of present incumbents who stand transferred as per the Commission's policy. Copies of transfer orders issued under these directions shall be given to CEO without fail.
7. Transfer orders in respect of Officers / officials who are engaged in the Electoral Roll Revision work during 3rd July, 2013 to 26th August, 2013 shall be implemented before the 30th June, 2013 positively. During this revision period these Officers / officials shall not be transferred.
8. Any Officers who is due to retire within coming six months shall not be posted on the above mentioned election related posts.
9. Officials who are on extension of service shall not be posted on the above mentioned election related posts.