

ELECTION COMMISSION OF INDIA
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SECRETARY

No. 52/2008/J.S.II

Date: 21st October, 2008

To

The Chief Electoral Officers
Of all States/U.T.s.

Subject: Guidelines for smooth management of Postal Ballot Papers-regarding.

Sir,

The statutory provisions regarding postal ballot papers, electors entitled for postal ballot, issue of postal ballot papers, recording of votes on postal ballots and return of ballot papers are given in Part III of the Conduct of Elections Rules, 1961. The Commission's instructions in carrying out these provisions have been given in Chapter X of the Hand Book for Returning Officers.

2. In spite of detailed instructions, the general experience and feedback is that due to delay in dispatching and further postal delays in delivering the postal ballot to the eligible voters and in receiving the ballots back from them the postal ballot system is not functioning as effectively as it should be. In order to ensure that all the voters who are entitled to postal ballot are in a position to exercise their voting right and in order to ensure that the system of postal ballot is implemented without any scope for any grievance from any quarters, the Commission has decided to issue the following instructions to be followed by the Chief Electoral Officers, all D.E.Os/ R.Os and all concerned.

3. Before the postal ballot papers is issued, the facsimile signature of the R.O. will be stamped on the reverse side of the postal ballot paper two times, one which will appear in full and the other in such a manner that part of the signature appears on the reverse side of postal ballot paper and the remaining part appears on the reverse of counterfoil of the ballot paper. A sample is enclosed for guidance.

Issue of Postal Ballot Papers to Service Electors

4. Service voters (other than those who have opted for proxy voting) are eligible to receive postal ballot. There is grievance among the service voters that their postal ballots do not reach them in time and in many occasions the postal ballots after casting of the vote by the service electors reach the Returning Officer after the counting is over. The Commission has directed that the following methodology shall be followed in order to avoid delay.

5. As soon as the list of contesting candidates is drawn up after the period for withdrawal of candidatures is over, postal ballot papers for all Assembly Constituencies in the District will be printed at the level of D.E.Os under proper security cover and under direct supervision of a responsible officer. As soon as the postal ballot papers are ready, the postal ballot papers for the service electors will be centrally dispatched from the District Head Quarters itself. For this purpose, each Returning Officer shall depute a team of officers including an ARO with details of Service Electors to whom postal ballot papers are to be dispatched along with envelopes and other forms and papers already prepared for this purpose on the basis of the last part of the electoral roll and the stamp containing facsimile signature of the R.O. They will perform the work of dispatch of postal ballots to the service voters and their wives enrolled in the last part from the central location and all statutory formalities for dispatch of postal ballot papers will necessarily have to be followed while sending the postal ballots.

6. The District Electoral Officer will appoint a suitable officer as the nodal officer to supervise the entire process of dispatching postal ballots to service electors. The DEO will co-ordinate with the senior officials of the Postal Department and shall ensure that a team of postal department officials receives covers containing the postal ballot papers and they in turn will ensure that the ballots are sent to the right address without any delay. The details of postal ballots sent AC wise shall be maintained in the form of a register giving the details and the signature of the postal authorities shall be obtained in the register.

7. One of the Observers available in the district headquarters shall personally monitor the entire process of dispatch and send a detailed report to the Commission as soon as the dispatch of postal ballots meant for service voters is completed. The process indicated above shall be video graphed.

8. When the Returning Officers start receiving the polled postal ballot papers from the service voters he shall give a daily report to the observer concerned indicating the number of such polled ballots received every day and also indicating the cumulative figure. When the observers leave the

constituency after the poll is over they shall indicate the number of postal ballots received till the date of departure in their report to the Commission.

Issue of Postal Ballots to Polling Officials-

9. The ROs shall follow the following procedures for receiving of applications, issue of postal ballot papers and receiving back the polled postal ballot papers from government officials (other than police and security personnel) appointed on polling duty.

10. Polling officials –

The data base on the government staff to be used as polling personnel shall contain the AC No and Name, Part No and Serial No details of each official where he or she is registered as an elector. This information can be collected through the sponsoring authorities of such staff or through any other method convenient to the DEO. Enough scope shall be provided to the government staff/ sponsoring authorities to locate such electoral registration details through various measures such as helpline, availability of electoral roll data in pdf format in various government offices etc., The order of appointment sent to the polling personnel asking them to attend the training shall contain AC/Part/Serial No detail of each staff.

11. All the polling officials shall, without exception, be provided Form 12 for applying for postal ballot paper along with their appointment letter. They should be asked to submit duly filled Form 12 on the first day of training. Adequate number of Form 12 shall also be kept at the training venue so that any polling personnel who are in need of Form 12 can access it. It should be clarified to the appointed polling officials that in view of the fact that the postal ballot paper will be issued to them personally at the training venue itself they need not mention any address in Form 12 for sending the ballot papers for that would be infructuous. At the training center, there will be a separate arrangement to receive the Form 12 from the persons drafted for polling duty. At the time of submitting Form 12, the person concerned along with his appointment letter shall also produce the EPIC issued to him or a copy of any ID including service ID if any issued to him. The applications (Form 12) received from the polling officials shall be processed immediately by the concerned Returning Officer/Assistant Returning Officer before the second round of training. Hence, it is imperative that the second round of training is held after the postal ballot papers are printed and ready for issue.

12. On the day of second round of training, there shall be separate and proper arrangements for issuing the postal ballot to the persons concerned. As the trainees on election duty may belong to different ACs it becomes imperative that all R.Os/A.R.Os along with their staff will remain present

at the training venue for the above purpose. The cover containing the postal ballot paper should be handed over to the respective polling officials only after verifying their identification through EPIC or any other photo ID as well as appointment order. Simultaneously, entry (PB) shall be made using red ink in the marked copy of the electoral roll which shall be used in the polling station by the presiding officer on the poll day. The record of issuance of PBs should be separately maintained in Format given in the Hand Book for Returning Officer with one more column indicating place of posting (in which Assembly Constituency the person is serving). Concerned RO/ARO should sign the above Register. Once a PB is issued to a polling personnel called for training he shall after that cast his vote only through postal ballot even if he is exempted from election duty subsequently or kept on reserve.

13. Considering the postal delays and inconvenience caused to the electors in dispatching the PB the Commission has decided to encourage the system in which the voters on receiving the PB from R.O/A.R.O record their vote on the PB paper then and there. Necessary arrangements for attestation of Form 13 A and collection of polled postal ballots shall be made in the form of a 'postal ballot facilitation center.' The polling officials should be advised to cast their vote on postal ballot paper and to drop the polled ballot paper personally in a sealed box to be kept there for the purpose under direct supervision of the concerned Returning Officer / Assistant Returning Officer. ECI observers will be present and supervise the entire process. The whole process shall be recorded in videos.

14. The D.E.O / SP / SDM shall personally inspect the training venue cum postal ballot facilitation center in advance in order to ensure adequate security measures are in place. As the electors will be casting their vote at the training venue, proper arrangements shall be ensured to restrict entry to the venue only to the appointed polling staff and other authorized government servants and no other person (subject to para 15 below). When the voters mark the ballot to indicate their vote the secrecy of ballot shall be enforced without compromise.

15. The contesting candidates should be informed in advance, about the postal ballot voting in the facilitation centre. If any authorized representatives of a contesting candidate remain present at the facilitation center, proper seating arrangement shall be made for them. The presence of such representatives shall be registered by obtaining their signature in a register.

16. The above system of issuing PB and enabling the polling personnel to mark their vote at the facilitation center shall be equally applicable to other civil staff to be engaged in election duty on the poll day such as micro observers, sector or zonal officers, liaison officers of observers and so on.

17. If any election duty staff is not able to vote at the facilitation centre, he may send the postal ballot later through registered post or may drop it in the drop box kept for the purpose in the ROs office.

18. It should be noted that all instructions in Form 13D shall be followed by the election duty staff voting through postal ballot, whether at the facilitation centre or otherwise. Therefore, the requirements of the law, such as duly filling , signing and getting attestation in the declaration in Form-13A, putting the marked ballot papers in the envelope in Form 13B, and sending the declaration and the envelope containing the marked postal ballot in the envelope in Form 13C should be explained to them. It should be made clear that the declaration in Form 13A should not be put inside the envelope in Form 13B, which is meant only for the marked ballot paper.

19. Police and Security personnel –

It is relevant to note that *among* the police personnel, only those who will be engaged in election related duties on the day of poll shall only be eligible for obtaining PB. Hence, it becomes imperative to obtain the list of such police personnel well in advance. District wise nodal officers shall be identified by the SPs for preparing data of such police personnel. The data shall indicate the names of each such police personnel, service ID no, details of AC No, Part No, serial no etc. Similar nodal officers shall be identified for State Armed Police Forces, Battalion HQ wise.

While preparing such list, care shall be taken to ensure that names of police personnel who are not connected with the election related duties and names of such persons who will be in a position to exercise their voting right by going to their respective polling stations as a general voter are not included in the list. SPs shall take proper care about this aspect and the list of such persons shall be ultimately submitted by the SP to the DEO concerned and, on being accepted by the DEO, that list will become an approved list of police personnel on election duty. Such lists will have to be submitted about seven days before the date of poll to enable the ROs to complete all formalities including making the necessary entries in the marked copy of the electoral roll.

20. As the police personnel are posted in various locations and bringing all of them to one or two locations in the district on the same day will not be feasible, it has been decided to enable the police personnel to exercise their voting right by issuing their PB using postal services and receiving back the same by Post or through drop box kept in the office of R.O For this purpose, an efficient coordination shall be ensured between the election authorities and postal authorities. Unlike in the past, it has been decided to send the PB by Registered Post and the police personnel will also send their marked PB through registered post and the postal charges will be paid by the addressee i.e the Returning Officer, and necessary arrangement in this regard shall be worked out for the whole state

by the CEO in coordination with the senior postal authorities. In order to cut down the delay in this process, identification of police personnel who would be on election related duty and who will not be able to get to their polling station and their AC No/ Part No/ Serial No details, making Form 12 available to them easily, receipt of duly filled in Form 12 from them etc shall be efficiently ensured in advance through a network of nodal officer arrangements.

21. The initial task of the nodal officer is to arrange to disburse blank applications in Form 12 for issue of postal ballot papers to the *police* personnel to be deployed on election duty. Along with Form 12, a guideline for filling up the said Form shall also be given to the relevant electors. The electors shall be informed that while filling up the Form 12, in the space provided for indicating the address for the dispatch of postal ballot, they should invariably mention only the full postal address of their present place of posting. In addition to this, they should also mention the address where they are registered as an elector in the vacant space available in the Form. The elector shall mention the serial no and part no as well as the name of the constituency where he is registered as an elector. In case he is not in a position to mention the serial no., Part no., etc he shall mention the complete address where he is registered as elector stated above, so that attempt will be made to locate his name and fill up the details. The said Nodal Officers shall also arrange to collect duly filled Form 12 from the security personnel without any delay

22. All the applications received in Form 12 shall be sorted out district wise, as there is possibility of a *police* personnel registered in one district having been posted in another district. Hence, these Form 12 applications shall be sorted AC wise/ district wise. The 12 applications pertaining to the ACs within the same district shall be dealt with at the district HQrs itself without physically sending the same to the R.O's HQrs located outside the district HQrs. For this purpose an authorized A.R.O of each AC shall come to the district HQrs and dispatch the PB to the respective voter (police personnel) on election duty by Registered Post with A.D, while simultaneously marking 'PB' in red ink in the marked copy of the relevant Part and maintaining a register indicating such names with serial number, Part wise. Postal authorities may be clearly instructed that the PB sent by Registered Post shall be handed over only to the person concerned and not to any other person under any circumstance.

23. While dealing with the Form 12 applications pertaining to the home district in the above manner, the nodal officer shall also without any delay make a district wise parcel for other districts containing AC wise envelopes having Form 12 applications and send the respective parcels to the other districts, through special messengers. The special messenger shall meet the said nodal officer of the relevant district and obtain acknowledgement in token of such receipt. On receiving such

envelops from various districts the nodal officer shall take the follow up action in the same manner in which he dealt with the Form 12 applications received from his home district as mentioned earlier.

24. The elector on receiving the postal ballot paper will mark his vote and send the same to the Returning Officer by Registered Post or he may put the marked postal ballot in the 'drop-box' kept in the office of the Returning Officer. The voter while recording his vote and returning the postal ballot has to follow the instructions contained in Form 13D, including signing the declaration in Form 13A, placing the marked ballot paper in Form 13B envelope, and returning both Forms 13A and 13B in the envelope in Form 13C.

25. Drivers, Cleaners and Helpers:

The system of receiving applications for the issue of postal ballot papers to the voters on election duty (other than the polling personnel or security personnel) like drivers, cleaners and helpers, who will be performing duties in connection with the election, needs to be streamlined and closely tracked. There has to be a time limit up to which the dully-filled in Form 12 can be received from such voters. For this purpose, the D.E.O shall make an advance plan to assess the requirements for vehicles to be requisitioned. At the time of requisitioning the vehicles, all relevant details about the drivers and cleaners shall be collected in a proforma to be approved for this purpose by the C.E.O and to be followed uniformly through out the state. The Returning officer shall prepare a document indicating the details of such persons and give a copy to the observer. The C.E.O shall fix up a time table for appointment of such drivers and cleaners and fix up a clear deadline up to which the applications for postal ballot papers can be received from them. It shall be made clear to such electors that the address to be mentioned in Form 12 for dispatch of postal ballot shall be the address at which he is registered as an elector and not any other address. The postal ballot papers will be issued to them by the R.O only by registered post with A/D. In case, any such voter instead of opting to receive his PB by post chooses to collect the PB personally, he may do so within the deadline to be specified by R.O (CEO shall ensure uniformity in this matter throughout the state). After that the elector may follow the procedure contained in Form 13D and exercise his voting right within stipulated time.

26. For the benefit of those voters who may belong to any of the category of voters to whom PB has been issued, each R.O shall have a special box placed in his office with secured lock duly sealed, so that any such voters can come and drop their marked PB in the sealed cover in Form 13C (provided to each voter along with PB). Necessary arrangements for attestation of Form 13A of

such persons who wish to record their votes after collecting their postal ballot personally shall be made.

27. Apart from marking 'PB' against the name of each and every elector in whose favor postal ballot had been issued in the relevant part of the electoral roll, an **additional information sheet** (AIS) polling station wise shall be prepared indicating the serial number, name, relation name, age and sex of such electors. This part wise additional information sheet shall be signed by R.O or by an authorized ARO and a copy of such information sheet shall be handed over to the presiding officer of the relevant polling station at the time of dispatch of the polling party. Apart from one ink-signed copy, adequate number of photo-copies of the AIS shall also be handed over to the presiding officer. On the poll day, before starting the mock poll in the presence of the polling agents, the presiding officers shall verify the marked copy of the electoral roll in comparison with the additional information sheet on 'PB' voters and confirm whether the entry 'PB' has been made against each and every name that is mentioned in the additional information sheet. No elector whose name has been marked as 'PB' can be permitted to vote in person at the polling station under any circumstances.

28. These instructions shall be brought to the notice of all concerned including observers immediately. This guideline is issued as an additional instruction and as a part of working methodology to streamline the system of postal ballot. Other existing instructions as contained in Chapter X of the Hand Book for Returning Officers are also to be studied for a synchronized understanding and implementation of the system of postal ballot in a holistic manner.

29. The recent feedbacks received about the working of postal ballot system indicate lack of awareness among the government employees about various crucial aspects of postal ballot system. It may be desirable to quickly launch some initiatives to spread awareness in this behalf in the poll going States. This may include preparation of some IEC material for circulation. Easy access to Form 12, proper arrangement for attestation procedure, an easy to understand checklist for the benefit of PB voters so that they don't miss out on some crucial aspects/ omissions that may render the postal ballot invalid would be some of the measures that may improve the working of postal ballot system.

30. The receipt of this instruction and action taken may be confirmed. Further instructions, if any, to the field officials in the light of these instructions may be issued at the level of Chief Electoral Officer for the smooth implementation of these guidelines under information to the Commission.

31. For the other category of electors entitled to postal ballot papers (i.e. special voters and electors subjected to preventive detention) the dispatch may continue to be done as per the existing procedure from the headquarters of the ROs.

32. Kindly acknowledge receipt.

Yours faithfully,

(K.F.WILFRED)
SECRETARY

SAMPLE

(Reverse side of counterfoil)

(Perforation)

(Reverse side of postal ballot)

SIGNATURE

SIGNATURE