

ELECTION COMMISSION OF INDIA

Nirvachan Sadan, Ashoka Road, New Delhi-110001

No.23/ER-DEL/2008-ERS

Dated the 12th May, 2008

To

The Chief Electoral Officers of
All the States and Union Territories
(except Assam, Arunachal Pradesh, Jammu & Kashmir,
Jharkhand, Karnataka, Manipur, Nagaland, Andaman & Nicobar Islands,
Chandigarh, Daman & Diu, Dadra & Nagar Haveli, Lakshadweep).

Subject: Revision of Electoral Rolls as per the newly Delimited Constituencies –
Clarification Regarding.

Sir/Madam,

The Commission has already issued instructions for reconstruction of the electoral roll as per the extent of the newly delimited constituencies. A question has been raised as to whether henceforth it would be necessary to publish simultaneously two sets of electoral roll – one as per the extent of the newly delimited constituencies and another as per the extent of pre-delimited constituencies – in order to be ready to hold any bye-election to the House of the People or the Legislative Assembly of a State required to be held on the basis of pre-delimited constituency.

2. As per the provisions of section 151A of the R.P. Act, 1951, whenever any vacancy arises and the remainder of the term of the member in relation to the vacancy is more than one year then the bye-election will be required to held within six months for filling such vacancy. Such bye-elections are to be held on the basis of the constituency as per its extent at the time of the general election. It has been decided by the Commission, after careful consideration, that the special revision of electoral roll to be undertaken w.r.t. 1/1/2008 as the qualifying date should be as per the extent of the newly delimited constituencies only.

3. In future whenever a bye-election to the Legislative Assembly of any of the States becomes due to be held on the basis of the pre-delimited constituency, the electoral roll for the relevant constituency should be constructed with the help of the correlation statement and published as draft. In order to ensure that the revision exercise is completed within time to fill up the vacancy within six months from the date of occurrence of the vacancy as per requirement of Section 151 of the R.P. Act, 1951, the Chief Electoral Officer shall prepare a condensed programme for the revision immediately after the seat becomes vacant without waiting for any kind of formal communication and sent it to the Commission for its approval.

4. For the purpose the CEOs shall be responsible for close monitoring of all vacancies and respond to it without any delay.

5. Kindly acknowledge receipt by e-mail/Post.

Yours faithfully,

Sd/-

(Ashish Chakraborty)
Under Secretary