

## **ELECTION COMMISSION OF INDIA**

Nirvachan Sadan, Ashoka Road, New Delhi 110001

No.576/3/ECI/LET/FUNC/JUD/SDR/Vol-I/2018

Dated: 12<sup>th</sup> April, 2018

To,

The Chief Secretary to the Govt. of  
Karnataka,  
Bangalore

Sub: General Election to the Legislative Assembly of Karnataka - Protection of voting rights of electors subjected to Preventive Detention - regarding.

Sir,

You are aware that the Commission has announced, on 27<sup>th</sup> March, 2018, the programme of General Election to the Legislative Assembly of Karnataka. The detailed programme is hosted on the Commission's website under the path [http://eci.nic.in/eci\\_main1/current/PN22\\_27032018.pdf](http://eci.nic.in/eci_main1/current/PN22_27032018.pdf). In this connection, your attention is invited to the following provisions of law relating to voting rights of electors subjected to preventive detention.

- (i) Proviso to sub-Section (5) of Section 62 of the Representation of the People Act, 1951 confers voting rights on the electors subjected to preventive detention. As per Rule 18 of the Conduct of Elections Rules, 1961, the electors under preventive detention are entitled to cast their votes by post.
- (ii) Rule 21(1) of the Conduct of Elections Rules, 1961, provides that the appropriate Government shall intimate to the Returning Officers, the names of the electors, if any, subjected to preventive detention together with their address, electoral roll numbers and places of detention, within fifteen days of calling an election. This will enable the Returning Officers to send postal ballot papers to such electors to facilitate them to exercise their franchise at the election.

2. It is requested that instructions may kindly be issued to the authorities concerned if not already done, to ensure that the provisions of Rule 21(1) of the Conduct of Elections Rules, 1961, mentioned above, are complied with.

Yours faithfully,

  
( N.T.BHÜTIA )  
SECRETARY

**Copy to:** - The Chief Electoral Officer's, Karnataka. if any list of electors on preventive detention is received in the office of Chief Electoral Officer, the same may be communicated to the Returning Officers concerned without delay.