

ELECTION COMMISSION OF INDIA

Nirvachan Sadan, Ashoka Road, New Delhi-110001

No.23/Continuous Updation/2009

Dated 19th March, 2009.

To

The Chief Electoral Officers of
all States and Union Territories.

Subject:- General Election to Lok Sabha, 2009 – continuous updation of electoral rolls –
regarding.

Sir/Madam,

You are aware of the existing provisions of Section 22 and 23 of the R.P. Act, 1950, read with rule 26 of the RER, 1960, which permits continuous updation of electoral roll even after final publication of roll. The extant provisions of law and the guidelines of the Commission in the matter are reproduced in Chapter VIII of the Handbook for Electoral Registration Officers, 2008 edition. As per these provisions, such updation can take place upto the last date (3.00 pm) of nomination for election.

2. The Commission has already announced the programme of countrywide general election to the Lok Sabha on 2nd March 2009. The election schedule is staggered in five phases. Therefore, applications are being filed under the provisions of continuous updation by citizens for inclusion/deletion/correction of entries in the finally published roll. It has, however, been brought to the notice of the Commission that in some places the authorities concerned are not entertaining applications after a specific date. The Commission has taken a serious note of this. It has directed that all EROs should strictly abide by the provisions of the law and should not refuse to receive applications. All the CEOs are therefore requested to instruct the EROs to scrupulously follow the instructions contained in the handbook for EROs 2008 edition.

3. It is, however, clarified that it is not necessary to dispose of all the applications filed upto the last date for filing nominations and include them in the Supplement No.2. To comply with the legal requirements of sub-rule (3) & (4) of rule 26 of RER 1960 as also for administrative reasons only the applications received atleast minimum ten days from the last

date for filing nominations can be disposed of. This is because the date of posting of the application in the Notice Board by the ERO for inviting objections under sub-rule (3) should be excluded while computing the mandatory period of seven days within which objections can be filed by someone. One more day is required to dispose of the application under sub-rule (4) thereof. One more day would be required to make necessary entries in the Registers prescribed for the purpose and preparation of manuscript for data entry.

4. In view of the above position, all applications received upto 20/3/09 should be disposed of by constituencies of 1st phase, upto 25/3/09 for the 2nd phase, upto 30/3/09 for the 3rd phase, upto 8/4/09 for the 4th phase and upto 14/4/09 for the 5th phase. In case any of these dates are holidays then the applications received upto the previous working day shall be disposed off. All applications received thereafter till the completion of the election process shall be received but the applicants should be informed that the disposal would be taken up only after the elections.

5. The Commission has also directed that the CEOs/DEOs/EROs should monitor the process of continuous updation on a daily basis and take immediate appropriate steps to ensure that the facility of continuous updation is not misused to include or exclude large number of electors. It is also reiterated that no suo moto deletion should be done except in confirmed death cases. A daily monitoring report on receipt of applications, their inclusions and deletions should be sent to the Commission.

5. The Commission desires that the above instructions should be followed scrupulously and there is no scope for complaints on this account. The instruction should be disseminated to all concerned immediately.

6. The letter is also hosted in the Commission's website (Current Elections > important instructions).

Yours faithfully,

(Ashish Chakraborty)
Under Secretary

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