

.....नाम

.....पता

.....(रबर की मुद्रा)

जो लागू न हो उसे काट दें तथा सुसंगत कथन पर चिह्न लगाएं।

टिप्पण: यह आवेदन निर्वाचन की अधिसूचना की तारीख से अनुगामी 5 दिन के भीतर रिटर्निंग आफिसर तक पहुंच जाना चाहिए।

[फा. सं. एच-11019(6)/2019-वि. 2]

डॉ. रीटा बशिष्ठ, अपर सचिव

पाद टिप्पण : मूल नियम भारत के राजपत्र, असाधारण में संख्यांक का.आ. 859, तारीख 15 अप्रैल, 1961 द्वारा प्रकाशित किए गए थी और संख्यांक का.आ.1022(अ) तारीख 26 फरवरी, 2019 द्वारा उनका अंतिम संशोधन किया गया था।

MINISTRY OF LAW AND JUSTICE

(Legislative Department)

NOTIFICATION

New Delhi, the 22nd October, 2019

S.O. 3786(E).—In exercise of the powers conferred by clause (c) of section 60 of the Representation of the People Act, 1951 (43 of 1951), the Central Government, after consulting the Election Commission, hereby makes the following rules further to amend the Conduct of Election Rules, 1961, namely:—

1. (1) These rules may be called the Conduct of Elections (Amendment) Rules, 2019.
(2) They shall come into force on the date of their publication in the Official Gazette.
2. In the Conduct of Elections Rules, 1961 (hereinafter referred to as "the said rules"), in rule 18, in clause (a), after the sub-clause (iv), the following sub-clause shall be inserted, namely:—
“(v) persons notified under clause (c) of section 60 of the Act, including absentee voters;”
3. In the said rules, in rule 27A—
(A) after clause (a), the following clauses shall be inserted, namely:—
“(aa) ‘absentee voter’ means a person belonging to such class of persons as may be notified, under clause (c) of section 60 of the Act, and who is employed in essential services as mentioned in the said notification, and includes an elector belonging to the class of senior citizen or persons with disability;
(ab) ‘nodal officer’ means an officer authorised to verify the claim of an absentee voter not being an elector belonging to the class of senior citizen or persons with disability;
(B) in clause (b), for the words, “the Act.”, the words “the Act, other than an absentee voter” shall be inserted;
(C) after clause (b), the following clauses shall be inserted, namely:—
(c) ‘person with disability’ means a person flagged as person with disability in the data base for the electoral roll;
(d) ‘poll officer’ means the officer deputed to issue postal ballot to elector belonging to the class of senior citizen or persons with disability;
(e) ‘senior citizen’ for the purpose of this Part means an elector belonging to the class of absentee voters and is above 80 years of age.”

4. In the said rules, in rule 27C, for the second proviso, the following provisos shall be substituted, namely:-
 "Provided further that in case of an absentee voter, the application shall be made in Form 12D, and shall contain such particulars as specified therein, and shall be duly verified by the Nodal Officer for the absentee voter, other than senior citizen or persons with disability, which shall reach the Returning Officer within five days following the date of notification of election;
 Provided also that an application in form 12C or 12D without a certificate from the authorised officer or nodal officer as required under Part II of Form 12 or 12D shall be rejected;"
5. In the said rules, in rule 27E, in sub-rule (1), after the proviso, the following proviso shall be inserted, namely:-
 "Provided further that in the case of absentee voter, the postal ballot paper shall be issued in such manner as may be specified by the Election Commission."
6. In the said rules, in rule 27F, after sub-rule(2), the following shall be inserted, namely:-
 "(3) In the case of an absentee voter, the recording of vote shall be made in such centre as may be specified by the Election Commission:
 Provided that in the case of absentee voter in the class of senior citizen or persons with disability, the attestation of declaration in Form 13A shall be done by the poll officer.";
7. In the said rules, in rule 27-I, in sub-rule (1), the following proviso shall be inserted, namely:-
 "Provided that in the case of absentee voter, postal ballot paper shall be returned to the centre provided for recording of vote under sub-rule(3) of rule 27F, subject to any direction that may be issued by the Election Commission in this behalf."
8. In the said rules, after "FORM 12C", the following Form shall be inserted, namely:-

"[FORM 12D]

[See rule 27-C)

PART I

Letter of intimation to Assistant Returning Officer

(for absentee voters)

To

The Assistant Returning Officer,

(for the notified class of electors)

.....Parliamentary/Assembly constituency

.....(designation and address of ARO)

Sir,

I,.....son/daughter/wife of.....resident of.....village/mohalla.....

Town/city/tehsil.....District.....(State) belong to the class of absentee voter and

wish to cast my vote by post at the election to the House of the People/Legislative Assembly from the

.....Parliamentary/Assembly constituency.

My complete present postal address is as under:-

House/dwelling unit/tent number.....

Camp/mohalla/tent number

Ward/town/tehsil.....

District.....

State.....PIN CODE.....

Mobile Phone No. (if available).....

My name is entered at serial number.....in Part No.....of the electoral roll for
.....Parliamentary/Assembly constituency.

I am working as.....(designation of the office held) in.....
(Name and full address of organization).

I will be on duty in the above-mentioned office on the day of poll for the above-mentioned election.

*On account of my official duties on the date of poll, I will not be in a position to be present in the polling station assigned to me on the day of poll.

OR

*I amyears of age/am a person with disability, and am not in a position to go to the polling station to cast vote.

It is requested that postal ballot paper may be issued to me as absentee voter for the above election.

Yours faithfully,

.....
(Full name and signature)

PART II

(for absentee voter other than senior citizen or persons with disability)

Certificate by the nodal officer appointed by the Organisation concerned.

It is hereby certified that the particulars given by the applicant in Part I are correct, and it is further certified that the applicant will be on official duty on the day of poll, and he/she will not be in a position to be present in the polling station on the day of poll.

.....
(full signature of the attesting Officer)

.....(Name)

.....(address)

.....(rubber stamp)

- Strike off whichever is not applicable and tick the relevant statement.

Note - This Application must reach RO within 5 days following the date of notification of election.”

[F. No. H-11019(6)/2019-Leg.II]

Dr. REETA VASISHTA, Addl. Secy.

Footnote : The principal rules were published in the Gazette of India, Extraordinary, *vide* number S.O. 859, dated the 15th April, 1961 and were last amended *vide* number S.O. 1022(E), dated the 26th February, 2019.