

GENERAL ELECTIONS-2014
MOST IMMEDIATE

GOVERNMENT OF ANDHRA PRADESH
GENERAL ADMINISTRATION (ELECTIONS-B) DEPARTMENT

Memo No.312/Elecs.B/A2/2014-1

Dated:20.01.2014.

Sub: Elections – General Elections to House of the People (Lok Sabha), 2014 – Transfer/Posting of Officers – Instructions – Reg.

Ref: From the ECI, New Delhi Lr.No.437/6/1/2014-CC&BE, Dt.09.01.2014.

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Copy of the reference cited is communicated herewith to the Director General of Police, all Collectors & District Election Officers, Special Commissioner, GHMC & District Election Officer, Hyderabad and all Superintendents of Police. They are informed that the Election Commission of India, in pursuance of conduct of forth coming General Elections to House of the People (Lok Sabha), 2014 in a free and fair manner, has issued comprehensive guidelines for transfer of all officers, who are connected with conduct of elections directly or indirectly in the States/UTs, as detailed below:

- i) No officer connected with elections, directly or indirectly, should be allowed to continue in the present district of posting:
 - a) If she/he is posted in her/his home district;
 - b) If she/he has completed three years in that district during last four years or would be completing 3 years on or before 31.05.2014.
 - c) While calculating the period of three years, promotion to a post within the district is to be counted.
- ii) These instructions cover not only officers appointed for specific election duties like District Election Officers, Deputy District Election Officer, Returning Officers and Assistant Returning Officers but also other district officers like Additional District Magistrates, Deputy Collectors, Sub-Divisional Magistrates, Tahsildars, Block Development Officers (Mandal Parishad Development Officers in Andhra Pradesh) or any other officer proposed to be deployed for election work;
- iii) As far as officers in the Police Department are concerned, these instructions shall be applicable to the Range IGs, DIGs, Commandants of State Armed Police, SSPs, SPs, Addl. SPs, Sub-Divisional Head of Police, Inspectors or equivalent ranks, who are responsible for deployment of police force in the district at the time of election;
- iv) The Police Officials who are posted in functional department like computerization, special branch, training etc., are not covered under these instructions;
- v) The Police Officers of the level of Sub-Inspectors should not be posted in their home Assembly Constituencies and they should be transferred not only out of

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their police Sub-divisions but also out of the Assembly Constituency, if they have completed a tenure of three years during last four years in that sub-division or would be completing 3 years on or before 31.05.2014;

- vi) While moving such officers, care should be taken that they are not posted to their home districts;
- vii) These instructions do not apply to officers posted in the State headquarters of the department concerned;
- viii) The officers/officials against whom Commission has recommended disciplinary action or who have been charged for any lapse in any election or elections related work in the past, shall not be assigned any election related duty;
- ix) No officer/official against whom a criminal case is pending in any Court of Law be associated with the election work or election related duty;
- x) All such officials who stand transferred in pursuance of the instructions referred to above shall be asked to move physically out of the district from which they stand transferred immediately on receipt of the transfer orders, without proceeding on leave which will circumvent the objective;
- xi) The Chief Electoral Officer shall invariably be consulted while posting the new persons in place of present incumbents who stand transferred as per this policy of the Commission and the copies of the transfer orders issued under these directions shall be given to the Chief Electoral Officer without fail;
- xii) The transfer orders in respect of officers/officials, who are engaged in the electoral rolls revision work, shall be implemented only after final publication of the electoral rolls, ie., after 31.01.2014. The entire exercise shall be completed in the mean time;
- xiii) Any officer who is due to retire within coming six months will be exempted from the purview of the above-mentioned directions of the Commission. Further officers falling in category (home / 3+ criteria if they are due to retire within 6 months) shall not be engaged for performing election duties during the elections;
- xiv) All the officials of the States/UTs who are on extension of service or re-employed in different capacities will not be associated with any election related work except those with the Office of the Chief Electoral Officer.

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- xv) A detailed review may, therefore, be undertaken in all districts, and all such officers be posted out of their home districts or out of the district or out of Police Sub-division and Assembly Constituency in the case of Sub-Inspectors of Police where they have completed or will complete three years of service, on the aforesaid date (31.05.2014) or working in native district and also to ensure that the cut-off date prescribed ie., 31.05.2014 should be followed scrupulously for calculating the three year period.

2. The Director General of Police and all the District Election Officers are requested to prepare the department wise lists of Officers to be transferred from out of their district and send to the concerned transferring authority of the department, under a copy to the Chief Electoral Officer, and ensure that new incumbents are posted immediately in their place.

3. They are also requested to bring the above instructions to the notice of all concerned for strict compliance that this exercise shall be thoroughly reviewed by them periodically and ensured that no such officer coming under the purview of the said instructions of the Commission is left out from his/her transfer, so as to avoid further complaints from the citizens as well as the representatives of the Political Parties and also that all this exercise of transfers, postings and joining of new incumbents shall be completed by 10.02.2014.

4. They are further requested to furnish a compliance report on 11.02.2014 about the completion of transfers, postings and joining of all new incumbent officers and that no officer coming under the purview of the said instructions of the Commission is left out from his/her transfer, for onward transmission to the Commission.

5. All the Departments of Secretariat are requested to communicate these instructions to all the Heads of Departments under their control with a direction to process the proposals and issue transfer and posting orders in the matter in consultation with the Chief Electoral Officer, immediately as and when received from the District Election Officers / Superintendents of Police or any other competent authority and also to ensure that all this exercise shall be completed by 10.02.2014 positively in a non-complaint manner so as to send a compliance report to the Commission by 15.02.2014, as desired by them.

P.K. MOHANTY,
CHIEF SECRETARY TO GOVERNMENT

To

The Director General of Police, Andhra Pradesh, Hyderabad (w.e)

All Collectors & District Election Officers in the State (w.e)

The Special Commissioner, GHMC & District Election Officer, Hyderabad (w.e).

The Collector, Hyderabad (w.e)

All the Superintendents of Police in the State. (w.e)

All the Commissioners of Police in the State (w.e)

Copy to:

All Special Chief Secretaries/Principal Secretaries and Secretaries to Govt. (w.e)

The Addl. Director General of Police (L&O), Andhra Pradesh, Hyderabad (w.e)

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The Chief Commissioner of Land Administration, AP, Hyderabad (w.e)
The Commissioner of Survey & Land Records, AP, Hyderabad (w.e)
All Departments of Secretariat (w.e)
G.A. (Spl.A) Department (w.e)
Revenue (Ser.I) Department (w.e)
All Officers and sections in G.A. (Elections) Department (w.e)
PS to Chief Secretary (w.e)
PS to Chief Electoral Officer (w.e)
The Principal Secretary (AK), Election Commission of India, Nirvachan Sadan, Ashoka
Road, New Delhi.
SF/SCs

// FORWARDED :: BY ORDER //


SECTION OFFICER

By e-mail/Speed Post

ELECTION COMMISSION OF INDIA

NIRVACHAN SADAN, ASHOKA ROAD, NEW DELHI-110001

No. 437/6/1/2014-CC&BE

Dated: 9th January, 2014

To

1. The Chief Secretaries to
all the States and Union Territories
2. The Chief Electoral Officers of
all the States and Union Territories

Subject: - General Election to House of the People (Lok Sabha), 2014-
Transfer/Posting of Officers- regarding.

Sir/Madam,

As you might be aware that the General Election to the House of the People (Lok Sabha), 2014 is to be held shortly. The Commission, in its task of conducting free and fair elections has followed the consistent policy to ensure that officers, who are connected with the conduct of elections in the States, do not serve in their home districts or places where they have served for long and decided that **no officer connected with elections, directly or indirectly, should be allowed to continue in the present district of posting:-**

(a) If she/he is posted in her/his home district.

(b) If she/he has completed three years in that district during last four years or would be completing 3 years on or before 31.05.2014.

It has been observed that the cut off date prescribed by the Commission has not been scrupulously followed by some State Governments. The Commission has therefore stressed that all the State Governments should strictly follow the cut-off date prescribed for calculating the three year period. Accordingly the 3 year period may be reckoned backwards from 31.05.2014.

(ii) These instructions cover not only officers appointed for specific election duties like District Election Officers, Deputy District Election Officer, Returning Officers and Assistant Returning Officers but also other district officers like Additional District Magistrates, Deputy Collectors, Sub-Divisional Magistrates, Tehsildars, Block Development Officers or any other officer proposed to be deployed for election work.

As far as officers in the Police Department are concerned, these instructions shall be applicable to the Range IGs, DIGs, Commandants of State Armed Police, SSPs, SPs,

Addl. SPs, Sub-Divisional Head of Police, Inspectors or equivalent ranks who are responsible for deployment of police force in the district at election time. The police officials who are posted in functional departments like computerization; special branch, training, etc. are not covered under these instructions. Apart from these, the Police Officers of the level of Sub-Inspectors should not be posted in their home Assembly Constituencies. The Police Officers of the level of Sub-Inspectors should be transferred not only out of their police Sub-divisions but also out of the Assembly Constituency if they have completed a tenure of three years during last four years in that sub-division or would be completing 3 years on or before 31.5.2014.

- (iii) The Commission further desires that a detailed review may, therefore, be undertaken in all districts, and all such officers be posted out of their home districts or out of the district where they have completed or will complete, on the aforesaid date, tenure of three years out of the last four years, immediately. While moving such officers, care should be taken that they are **not posted to their home districts. While calculating the period of three years, promotion to a post within the district is to be counted.** While carrying out this review it must be borne in mind that these instructions do not apply to officers posted in the State headquarters of the department concerned.
- (iv) The Commission also desires that the officers/officials against whom Commission has recommended disciplinary action or who have been charged for any lapse in any election or elections related work in the past, shall not be assigned any election related duty.
- (v) The Commission further desires that no officer/official against whom a criminal case is pending in any Court of Law be associated with the election work or election related duty.
- (vi) The Commission has in the past received complaints that while the State Government transfers officials in the above categories in pursuance of the direction issued by the Commission, the individuals try to circumvent the objective by proceeding on leave and physically not moving out of the district from which they stand transferred. The Commission has viewed this seriously and desires that all such officials who stand transferred in pursuance of the instructions referred to above shall be asked to move physically out of the district from which they stand transferred immediately on receipt of the transfer orders.
- (vii) Further, while implementing the above directions, the Commission desires that the Chief Electoral Officer of all the States/UTs shall invariably be consulted while

posting the new persons in place of present incumbents who stand transferred as per this policy of the Commission. The copies of the transfer orders issued under these directions shall be given to the Chief Electoral Officer concerned without fail.

(viii) The transfer orders in respect of officers/officials, who are engaged in the electoral rolls revision work, if any, shall be implemented only after final publication of the electoral rolls, in consultation with the Chief Electoral Officer.

(ix) Any officer who is due to retire within coming six months will be exempted from the purview of the above-mentioned directions of the Commission. Further officers falling in category (home/3+ criteria if they are due to retire within 6 months) shall not be engaged for performing election duties during the elections.

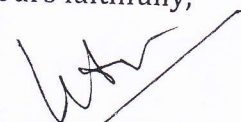
(x) It is further clarified that all the officials of the States/UTs who are on extension of service or re-employed in different capacities will not be associated with any election related work except those with the Office of the Chief Electoral Officers.

2. Details of the action taken may be intimated to the Commission for its information immediately and in any case not later than **15.02.2014**.

3. It has been observed in the past that during the General Election, numerous references are received from various States seeking clarification with reference to the applicability of transfer order to individual cases. The Commission directs that all these issues should be handled at the Chief Electoral Officer's level. Only when it is absolutely necessary, individual references should be forwarded to the Commission after considering all aspects at the Chief Electoral Officer's level with his/her specific recommendations.

4. The above instructions may be brought to the notice of all concerned for compliance.

Yours faithfully,



(K Ajaya Kumar)
Principal Secretary

Copy to: Principal Secretaries/Secretaries of the Election Commission of India for follow up action.