

GENERAL ELECTIONS-2018

TOP PRIORITY

**OFFICE OF THE CHIEF ELECTORAL OFFICER, TELANGANA STATE
SOUTH 'H' BLOCK, SECRETARIAT, HYDERABAD.**

Memo.No.3198/Elec.D/2018

Dated: 27.10.2018

Sub:- Elections – General Election to Telangana Legislative Assembly, 2018 – Voting through Postal Ballot Papers - Transmission of Postal Ballot Electronically under ETPBS - Election commission of India instructions – Communicated - Reg.

Ref:- 1. From the ECI Lr.No.470/2014/SDR, dt. 14th May, 2014.
2. From the ECI Lr.No.52/ECI/LET/FUNC/JUD/SDR/2016,dt. 4th October, 2016.
3. From the ECI Lr.No.52/ECI/LET/FUNC/JUD/SDR/2017/Vol.I, dt.22nd February, 2017.
4. From the ECI Lr.No.52/ECI/LET/FUNC/JUD/SDR/2018/Vol.II, dt.9th Aug, 2018.

The attention of all District Collectors & District Election Officers and the Commissioner, Greater Hyderabad Municipal Corporation & District Election Officer, Hyderabad is invited to the references cited and the same were communicated to the District Election Officers.

2. In the reference 2nd cited the Election commission of India has directed that as per the provisions of the Rules, when postal ballot paper is issued to an elector, whether service voter, election duty staff or any other category of electors eligible for postal ballot, the Returning Officer is required to issue two envelopes (Form 13B and 13C), format for declaration by elector in Form 13A, and instructions for electors in Form 13D, along with the postal ballot paper.

3. The elector has to mark the vote in the ballot paper, place the marked ballot paper in the envelope in Form 13B and close it, fill up the declaration in Form 13A, get it attested by the competent person, and keep the declaration (Form 13A) and the smaller envelope (Form 13B) containing the marked ballot paper in the larger envelope (Form 13C), close it and return the envelope (Form 13C) to the RO. This procedure would also apply to the polling staff voting through Postal Ballot in the facilitation centre. It should also be ensured that application in Form 12 is obtained from the officials before issuing the postal ballot paper to them.

4. On the aforesaid smaller envelope (Form 13B), there is a column to write the serial number of the ballot paper. There are cases where this column is not filled up and as a result, the ballot contained in such envelop gets rejected at the time of counting of votes. In order to ensure that the ballot papers do not get rejected on this ground, the Election commission of India has directed that the aforesaid column, for writing the serial number of ballot paper in Form 13B, shall be filled up by the Returning Officer's staff itself before sending the postal ballot paper to the elector. The staff entrusted with this duty should be instructed to be very careful while filling up the serial number so that the serial number is entered correctly. In the case of polling staff voting in facilitation center, they should be asked to make sure that the serial number of ballot paper is duly entered (on Form 13B). So that rejection of ballot paper on this ground is avoided.

5. In the reference 3rd cited, the Election commission of India has informed that Rule-26 of Conduct of Election Rules, 1961 provides that if the postal ballot paper and the other connected papers sent by post is returned to the RO undelivered, the RO may re-issue them by post or may deliver it to the elector personally on a request being made by the elector. Thus, the postal ballot papers returned undelivered is to be re-issued if so requested by the elector concerned. In those cases, where postal ballot paper is returned undelivered, and there is no request for re-issue, the Returning Officer shall keep them separately in an envelope super scribed 'Postal Ballot Papers Returned undelivered'. The Returning Officer shall also maintain a day-to-day record of the number of such postal ballots returned undelivered. This envelope should also be sealed and kept in the safe custody of District Election Officer along with the documents specified in sub-rule (2) of Rule 92 of Conduct of Election Rules, 1961. On the day of counting, the candidates should be intimated the total number of such postal ballot papers returned undelivered.

6. In the reference 4th cited, the Election commission of India has stated that as per the existing instructions regarding transmission of postal ballot papers for the service voters, the Returning Officers are required to upload on the ETPBS portal, the postal ballot papers and other connected papers (form 13A, label of Form 13B, 13C, Form 13D) within 48 hours after the last date for withdrawal of candidatures. The time limit followed earlier when postal ballots were sent in physical form by post was being followed so far for uploading of postal ballots on ETPBS also. The Election commission of India has reviewed the position. The time and labour involved in physically sending postal ballots is saved in transmission through ETPBS. All that the Returning Officers are required to ensure is that the ballot paper is prepared as per the Commission's directions. Early action by Returning Officer in transmission of postal ballots will provide more time for downloading and printing of the ballot papers in the Units and further action of delivering to the service voters concerned and for the service voters to cast vote and send the ballot back to the Returning Officers by post.

7. In view of the above position, the Election commission of India has directed that the Returning Officers shall ensure that uploading of postal ballot papers and the connected papers for service voters on the ETPBS shall be completed by the day following the last date for withdrawal of candidatures. The Returning Officers shall ensure this without fail in all cases and issue a certificate to this effect.

8. The Election commission of India has instructed the Unit level Officers through the Nodal officers of the Forces that downloading of the electronically transmitted postal ballots along with the other connected papers uploaded by the Returning Officers, should be completed latest by the eighth day after the last date for withdrawal of candidature. Uploading the ballot paper by the day following the last date for withdrawal will leave seven days for unit officers to download all papers, to get them printed and distributed to the Service Voters. Therefore, the Returning Officers shall ensure that they complete the uploading at the earliest and in any case by the day following the last date for withdrawal of candidatures.

9. The commission has issued an instruction to run postal ballot facilitation centers for the benefit of polling staff. The detailed guidelines for setting up the Postal Ballot Facilitation Centre at training venue and procedure to be followed are contained in Para 11.11 of Chapter-11 of Hand Book for Returning Officers, 2014 and the same shall be followed scrupulously.

10. All the District Collectors & District Election Officers and the Commissioner, Greater Hyderabad Municipal Corporation & District Election Officer, Hyderabad are therefore, requested to bring the above instructions to the notice of all concerned i.e., Returning Officers and Assistant Returning Officers / Sector Officers and Presiding Officers and shall be scrupulously implemented. The above instructions are not exhaustive. For detailed instructions, the Hand Book for Returning Officers, other Hand Books and latest instructions of the Election Commission of India issued from time to time, should be referred and followed.

Dr. RAJAT KUMAR,
CHIEF ELECTORAL OFFICER &
E.O. PRL. SECRETARY TO GOVERNMENT

To

All the District Collectors & District Election Officers and the Commissioner, Greater Hyderabad Municipal Corporation & District Election Officer, Hyderabad.
The Director General of Police, Telangana State, Hyderabad.

Copy to:

All the Returning Officers in the state through the District Election Officers.

All Superintendents of Police through the Director General of Police, Telangana State.

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// FORWARDED: BY ORDER//


SECTION OFFICER