

**OFFICE OF THE CHIEF ELECTORAL OFFICER,  
ANDHRA PRADESH & TELANGANA**  
South 'H' Block, Secretariat, Hyderabad.

**Memo No.3056/Elecs.E/A3/2016-10**

**Dated: 24.10.2016**

Sub:- Denovo preparation of Electoral Rolls of Teachers' Constituencies with reference to 01.11.2016 as the qualifying date – Reg.

- Ref:- 1)ECI Lr.No. No. No.37/LC/INST/ECI/FUNC/ERD/ ER/2016, dt.05.09.2016  
2)This Office Memo No.3056/Elecs.E/A3/2016-1, dt.29.09.2016  
3)This Office Memo No.3056/Elecs.E/A3/2016-6, dt.15.10.2016  
4)This Office Memo No.3056/Elecs.E/A3/2016-7, dt.18.10.2016  
5)This Office Memo No. 2984/Elecs.E/A3/2016-28, dt.19.10.2016  
6)Representation dt.15.10.2016 of the State President, B.C.Teachers Union, Telangana.  
7)Representation dt.Nil. of the District President, A.P.YSR Teachers' Federation, Kurnool District.  
8)Representation dt.Nil of Sri Katepally Janardhan Reddy, MLC.

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The attention of the District Election Officers & Collectors of Prakasam, Nellore, Chittoor, Kadapa, Anantapur and Kurnool districts of Andhra Pradesh, Mahabubnagar & Ranga Reddy in Telangana and the Commissioner, GHMC & DEO, Hyderabad and the E.R.Os of Prakasam-Nellore-Chittoor Teachers', Kadapa-Anantapur-Kurnool Teachers' and Mahabubngar-Ranga Reddy-Hyderabad Teachers' Constituencies is invited to the references first to fifth cited and they are informed that certain Teachers' Unions and public representatives have made certain requests and suggestions in connection with the preparation of electoral rolls of Graduates' & Teachers' Constituencies.

The same are detailed below and further instructions / existing instructions of the Commission / rule position are given against each for information and compliance:

| Sl. No. | Name of the Union / individual | Request / Suggestion   | Instructions  |
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| 1       | B.C.Teachers' Union, Telangana | 1. Voting right has been provided to the School Assts., Language Pandits, CRTs, Head Masters, PDs, Lecturers, Asst.Professors, Professors, but not provided to | Sub-clause (c) of clause (3) of the article 171 of the Constitution of India provides that 1/12 members of the Legislative Council shall be elected by the electors consisting of persons who have been for at least three years engaged in teaching in educational institutions within the |

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|  |  | <p>Secondary Grade Teachers and requested to provide voting right to the Secondary Grade Teachers</p>   | <p>State and not lower in standard than that of secondary school.</p> <p>State Government notifies the educational institutions within the State and not lower in standard than that of secondary school under section 27(3) (b) of the Representation of the People Act, 1950 with the concurrence of the ECI.</p> <p>Every teacher who has been engaged in teaching for the qualified period in an educational institution coming up to the prescribed standard will be entitled to be registered as an elector, irrespective of whether he is teaching in the primary section, middle section or any other section of the institution. It is also immaterial whether the person is Secondary Grade Teacher or School Asst., or with any other designation.</p> |
|  |  | <p>2.They have stated that it has come to notice that enrolment is being taken up based on the residence and teachers working in Nalgonda, Medak, Warangal district and who have permanent residence in Hyderabad are being provided voting right. Requested to provide voting right to the teachers working in the jurisdiction of Hyderabad, RR &amp; Mahabubnagar districts only</p> | <p>To enroll as elector in a Teachers' Constituency of Legislative Council, a person shall have been engaged in teaching, within the six years immediately before the qualifying date i.e., 1<sup>st</sup> November, 2016, for a total period of three years in any of the institutions, which have been specified and the person concerned is ordinarily resident within the territorial extent of the Teachers' Constituency in which he seeks enrolment.</p> <p>It is not necessary that the education institution in which an eligible elector is employed should also fall within the same constituency. The eligibility to be enrolled in a particular constituency shall be determined</p>   |

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|   |   |  | with reference to his place of ordinary residence and not the place of work.   |
| 2 | A.P.YSR Teachers Federation, Kurnool District | <p>1. To give opportunity to the teachers working in primary &amp; upper primary school in enrolment as voters in Teachers' Constituencies</p> <p>2. According to instructions, for enrolment in Graduates' Constituency, a person should complete his graduation before 31.10.2013, as such he may attain 23 years as on date, but voting right has been given in General Elections for the persons attains 18 years. Requested to give opportunity for enrolment of graduates who have completed graduates as on 30.9.2016</p> | <p>As the Constitution provides voting right to the persons engaged in teaching in educational institutions not lower in standard than that of secondary school, voting right to the teachers working in primary &amp; upper primary schools cannot be provided until the Constitution is amended.</p> <p>It is stated that Article 171(3)(b) of the Constitution of India provides that 1/12 members of the Legislative Council shall be elected by electorates consisting of persons residing in the State who have been for at least three years graduates of any university in the territory of India or have been for at least three years in possession of qualifications prescribed by or under any law made by Parliament as equivalent to that of a graduate of any such university.</p> <p>Section 27(5)(a) of the R.P.Act, 1950 stipulates that every person who is ordinarily resident in a graduates' constituency and has, for at least three years before the qualifying date, been either a graduate of a University in the territory of India or in possession of any of the qualifications specified under clause (a) of sub-section (3) by the State Government concerned, shall be entitled to be registered in the electoral roll for that constituency;</p> <p>As the 1.11.2016 is the qualifying date for the current revision, one has to have completed his graduation 3 years before</p> |

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|   |                                    |  | 1.11.2016 for enrolment i.e., before 1.11.2013.   |
| 3 | Sri Katepally Janardhan Reddy, MLC | i) To remove the column of EPIC No. in Online application in Form-19 as mandatory  | Filling up of EPIC No. in online Form-19 has been made optional   |
|   |                                    | ii) To enroll the teaching staff working in Model Schools, if they have required qualification for enrolment;  | In respect of Model Schools, views of the School Education Departments are awaited.   |
|   |                                    | iii) To appoint the Mandal Educational Officers as Electoral Registration Officer for Teachers Constituency, since the revenue officers are not having knowledge about the teachers; | <p>Mandal Education Officer is limited to a Mandal in a district. Hence, it is not suggestible to appoint a MEO as ERO for Council Constituency. EROs are appointed by the ECI in consultation with the State Government.</p> <p>Mandal Educational Officers are appointed as Designated Officers and applications can be verified by the EROs through those Designated Officers, in case of any doubt.</p> <p>DEO shall issue instructions to all the EROs / Designated Officers in this regard.</p> |
|   |                                    | iv) To avoid enrolment of Part-time and Adhoc Teaching staff   | <p>As per ECI guidelines, part-time teachers are not eligible to be included. However, teachers working on regular basis or on ad-hoc basis are eligible to be enrolled, but he should be whole time teacher</p> <p>Now, he has made certain suggestions in case teachers working in private schools are eligible for enrolment as below:</p>   |
|   |                                    | a) Applicant shall show compulsorily the trained certificate in which he is  | The ECI guidelines does not prescribe such evidence of certificate. According to ECI guidelines, the person engaging in teaching in the eligible  |

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|  |  | working to the DEO / RI   | <p>institution shall produce certificate issued by the Head of the Institution and in case private institutions, countersigned by the Dist. Inspector of Schools. <b>Hence, the said suggestion cannot be considered.</b></p> <p>However, EROs can cross-check the eligibility of the applicant with the Heads of Institutions.</p>   |
|  |  | b) Applicant shall show the evidence of Attendance Register that he is working in that private institution since last six years.  | <p>As stated above, ECI has not prescribed any such evidence except Service Certificate. However, in case of any doubt about the claim, the ERO / AERO / Designated Officer shall verify any supporting evidence like Attendance Register, Acquittance Register and EPF details with the Head of the Institution. <b>Hence, the said suggestion cannot be considered.</b></p>   |
|  |  | c) As prescribed in Govt.Memo dt.29.9.16, the details of EPF should be furnished compulsorily along with countersignature.  | <p>The condition has been prescribed as a token of verification / genuineness of claims, but it is not mandatory. The ERO / AERO / DO shall verify with the Head of the Institutions. <b>Hence, the said suggestion cannot be considered.</b></p>   |
|  |  | d) In Private Recognised Institution, primary & high school sections are being run combinedly and ensure that such primary teachers are not enrolled and to furnish the evidence showing that they are working in High School sections. | <p>As stated supra, every teacher who has been engaged in teaching for the qualified period in an educational institution coming up to the prescribed standard will be entitled to be registered as an elector, irrespective of whether he is teaching in the primary section, middle section or any other section of the institution, but the institution shall not be in lower than that of a secondary school. <b>Hence, the said suggestion cannot be considered.</b></p> |

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|  |  | e) To issue specific notices to the Head of the Institutions to take action on them under RP Act, 1950 if they issue wrong certificate           | Instructions were already issued to all the Dist.Election Officers / EROs to caution the Heads of the Institution about the penal provisions of R.P.Act, 1950 for giving false information.<br><br>The DEOs / EROs are once again requested to caution the Head of the Institution about the penal provisions of R.P.Act, 1950 for giving false information. In case it is found that the Head of the Institution has given false information in the Certificate, action shall be taken against such Head of the Institution under Section 31 of the Representation of People Act, 1950.<br><b>DEOs / EROs shall address all Educational Institutions in this regard.</b> |
|  |  | f) The teachers working in Kasturiba Gandhi Balika Vidyalayas (KGBV) are not eligible for enrolment, as they are appointed on outsourcing basis. | Mode of appointment is not criteria for enrolment of teachers. However, School Education Depts of Governments of A.P. and Telangana have been requested to offer their views in this regard.  |

All the District Election Officers / Electoral Registration Officers of Teachers' Constituencies are requested to bring these instructions to all concerned.

BHANWAR LAL,  
CHIEF ELECTORAL OFFICER &  
E.O. SPL.CHIEF SECRETARY TO GOVT.

To  
The Collectors & District Election Officers of Prakasam, Nellore, Chittoor, Kadapa, Anantapur and Kurnool districts of Andhra Pradesh, Mahabubnagar & Ranga Reddy districts in Telangana  
The Commissioner, GHMC & DEO, Hyderabad

(P.T.O.)

- The Electoral Registration Officer, Prakasam-Nellore-Chittoor Teachers' Constituency & District Revenue Officer, Chittoor
- The Electoral Registration Officer, Kadapa-Anantapur-Kurnool Teachers' Constituency & District Revenue Officer, Anantapur
- The Electoral Registration Officer, Mahabubnagar-Ranga Reddy-Hyderabad Teachers' Constituency & Addl.Commissioner (Elections), GHMC, Hyderabad
- Copy to the State President, B.C.Teachers Union, Telangana, Street No.43, Vidyanagar, Hyderabad-500044  
([krushnudumbnr@gmail.com](mailto:krushnudumbnr@gmail.com))
- Copy to the District President, A.P.YSR Teachers' Federation, Kurnool District  
([Ramesh.nossam75@gmail.com](mailto:Ramesh.nossam75@gmail.com))
- Copy to Sri Katepally Janardhan Reddy, MLC. H.No.1-10-28/24/4, Plot No.74, Road No.1, Nagarjuna Nagar Colony, Kushaiguda, Hyderabad-500062  
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SECTION OFFICER