

ELECTION COMMISSION OF INDIA

Nirvachan Sadan, Ashoka Road, New Delhi-110001

No. 37/LC/2012-CC&BE

Dated: 28th September, 2012

To

The Chief Electoral Officer,
Andhra Pradesh,
Hyderabad.

Subject :- **Preparation of Electoral Rolls** of the **Teachers' Constituencies** of the State Legislative Councils of Andhra Pradesh w.r.t. **01.11.2012** as the qualifying date - regarding.

Sir,

I am directed to state that some of the sitting members in the Legislative Council of your State elected from the Teachers' Constituencies, shown against the name of your State in the **GUIDELINES** enclosed herewith, are going to retire during the year 2012.

2. The Commission, under section 21 (1) of the Representation of the People Act, 1950, hereby directs that the **Preparation of Electoral Rolls** of the aforesaid Teachers' Constituencies of your State shall be undertaken with reference to the qualifying date i.e. **1st November, 2012** as per the programme mentioned in the **GUIDELINES**. In this connection, I am to forward herewith the **GUIDELINES** to be followed scrupulously during the **Preparation of Electoral Rolls** in the Teachers' Constituencies.

3. *The Commission further directs that the list of specified educational institutions in your State may be carefully examined and if there is any doubt with regard to any educational institution as to whether the Teachers' engaged in those institutions are eligible to be enrolled or not, they may get those doubts cleared from the Education Department of the State Govt.*

4. The Commission has decided to appoint the EROs and AEROs of the Assembly Constituencies comprised within the Teachers' Constituency concerned as the AEROs for the concerned Teachers' constituency. Necessary proposals to this effect may be sent to the Commission for approval.

5. Taking into account the need to reduce the distance a voter has to travel to reach the polling station for voting, the Commission has decided to rationalize the polling stations for Teachers' Constituencies. Accordingly the existing polling stations may be reviewed and rationalized and proposals for such rationalized polling stations taking into account

(i) the optimum number of electors that can be accommodated in a polling station and (ii) the need to reduce the distance a voter has to travel to reach the polling station concerned for voting may be sent to the Commission for approval .

6. It is also requested that the EPIC number of the applicant may also be obtained as an additional information to link with applicant's data to the Assembly electoral roll like photo, etc

7. It has also been decided that the date of commencement of service and the date of retirement of the individual applicant may also be obtained from the Head of the concerned School/Institution.

8. In the case of Private Schools/Institutions , where there is no system of maintaining "sanctioned posts" of teachers , a certificate to that effect may be obtained from the Head of the School/Institution duly countersigned by an officer not below the District Education Officer in respect of the Schools and Deputy Director or equivalent of the Higher Education Department/directorate of the State in respect of other higher Institutions so that the teachers working in such schools/Institutions can be enrolled.

8. After the final publication of the roll, a consolidated report in the proforma enclosed alongwith Guidelines at ANNEXURE-II may be furnished to the Commission.

9. The Commission has also decided to computerize the electoral rolls of Teachers' Constituencies the preparation of which is being done now. For this purpose the data entry of the claim applications received during the preparation period shall be made in the format enclosed. In this connection a meeting with the CEO and his resource persons has been fixed at the Nirvachan Sadan, New Delhi at 11.30 AM on 04th October, 2012. You are requested to attend the same without fail.

10. Kindly acknowledge the receipt.

Yours faithfully,

(K.AJAYA KUMAR)
PRINCIPAL SECRETARY

GUIDELINES

The term of the sitting members of the Legislative Council of Andhra Pradesh elected from the following Teachers' Constituencies, is due to expire on the dates mentioned against them :-

Name of State	Name of Teachers' Constituencies	Date of retirement
Andhra Pradesh	Srikakulam-Vizianagaram -Visakhapatnam Teachers'	29.03.2013
	Medak-Nizamabad-Adilabad-Karimnagar Teachers'	
	Warangal-Khammam -Nalgonda Teachers'	

2. The Commission has decided to undertake the **Preparation of Electoral Rolls** of the said Teachers' Constituencies under section 21 (1) read with the section 27 of the Representation of the People Act, 1950 and Rule 31 of the Registration of Electors Rules 1960.

3. The **Electoral Rolls** of the concerned Teachers' Constituencies shall be prepared with reference to **1st November 2012** as the qualifying date in accordance with the following programme :-

S. No.	Activities	Period / Date
1.	Issue of public notice in the New Papers & Date of commencement of receipt of application in Form 19	01.10.2012 (Monday)
2.	First Republication of notice in News Papers	15.10.2012 (Monday)
3.	Second Republication of notice in News Papers	25.10.2012 (Thursday)
4.	Last date of receipt of applications in Form 19	06.11.2012 (Tuesday)
5.	Period for the preparation of manuscripts and printing of draft roll	10.12.2012 (Monday)
6.	Draft publications of Electoral Rolls	15.12.2012 (Saturday)
7.	Period for filling claims and objections	15.12.2012 (Saturday) to 31.12.2012 (Monday)
8.	Date by which the claims and objections shall be disposed of and supplements be prepared and printed	15.01.2013 (Tuesday)
9.	Final publication of Electoral rolls	22.01.2013 (Tuesday)

4. **The Electoral Registration Officers may be directed that:**

- (i) Wide publicity should be given to the programme.

- (ii) Instructions regarding Preparation and publication of electoral rolls for the council constituencies given in the Hand Book for Electoral Registration Officer (1993 edition) except to the extent modified in these guidelines should be followed scrupulously.
- (iii) Press clippings of newspapers publishing the public notice have to be forwarded to the Commission immediately after their publication.
- (iv) Draft electoral rolls when prepared, should be published and kept at all the polling stations and other important places in the constituency as is done in the case of electoral rolls of the assembly constituency. **Draft electoral Rolls may also be uploaded on the official website of the CEOs.**
- (v) EROs are required to issue a public notice, as in Annexure-I hereto, on or before **1st October, 2012** inviting applications in the prescribed form for inclusion of names in the electoral rolls upto **6th November, 2012**. The said notice is to be published in **at least 5 newspapers** having circulation in the Constituency repeatedly and republished in newspapers once on or about **15th October, 2012** and again on or about **25th October, 2012, besides being displayed at specified places in the constituency. Copies of the notice should be circulated to all recognized and registered political parties, educational institutions, etc. located in the constituency, for wide publicity.**
- (vi) *EROs should address all educational institutions*, etc. located in the constituency inviting their attention to the public notice issued by them as well as the advertisement in the Newspapers impressing upon them that all qualified persons should apply for inclusion of their names.
- (vii) EROs should also address the Heads of the educational Institutions, etc. requesting them to collect applications in the prescribed Forms from the eligible persons among their staff for inclusion of their names and to be forwarded to the EROs upto **6th November, 2012**.
- (viii) Eligible persons should apply for enrolment of their names in the prescribed Form 19 for Teachers' Constituencies along with supporting documents.

- (ix) Where the application forms are not received through the Heads of Institutions, the same should be got verified by the EROs from the Heads of Institutions.
- (x) Form 19 (For Teachers' Constituency) for inclusion of names should be got printed on one side of the page only and acknowledgement receipt printed thereon should be detached and furnished to all the applicants through the Heads of the Institutions or directly, as the case may be.

Procedure for enumeration for Teachers' Constituencies: -

- (i) The eligibility of a person for enrolment in a Teachers' constituency is to be determined having regard to the provisions of Article 171(3) (c) of the Constitution and sections 27(3)(b), 27(5)(b) and 27(6) of the Representation of the People Act, 1950. Accordingly, a person shall be entitled to be registered as elector in a Teachers' Constituency, if (a) he has been engaged in teaching, within the six years immediately before the qualifying date (**1st November, 2012** in the present case), for a total period of three years, (b) he has been so engaged in teaching for the said period in any of educational institutions not lower in standard than that of secondary school as have been specified as such by the State Government, with the concurrence of the Election Commission, by notification in the official gazette, and (c) the person concerned is ordinarily resident within the territorial extent of the Teachers' Constituency in which he seeks enrolment.
- (ii) The Chief Electoral Officer should supply a list of all educational institutions specified by the State Government as not lower in standard than that of a Secondary School, to the respective EROs.
- (iii) In order to ensure that no ineligible Teachers are included in the rolls, the EROs may obtain a list of Teachers eligible for enrolment in the electoral rolls from the Institutions concerned. As mentioned above, the list of eligible educational institutions shall be made available to the EROs/AEROs in advance by the Chief Electoral Officer.
- (iv) The engagement of a person in teaching in the specified educational institutions **for at least three years within the preceding six years as stated**

above may be either in one continuous spell or in broken spells and further, may be either in one institution or more institutions, but all such institutions must be specified institutions as mentioned above. Therefore, it is immaterial whether a person, who has been so engaged in teaching for a total period of three years in one or more specified educational institutions, has been employed in those institutions as teacher **on regular basis or on an ad-hoc basis but he should be a whole time teacher against a sanctioned post and not engaged on a part-time basis as the condition for 3 (three) years engagement in teaching cannot be fulfilled by a part-time teacher. Please note, Part-time Teachers' are not eligible.**

- (v) Every application in Form 19 by a person seeking enrolment in Teachers' Constituency shall be accompanied by a certificate from the Head of the Educational Institution certifying the engagement of the person concerned as a teacher for a total period of three years within the last preceding six years against a sanctioned post. The format for the certificate will be as follows :-

'CERTIFICATE'

"This is to certify that Shri/Smt./Km. _____ has been teaching in _____ (name of the institution) for a total period of three years within the last preceding six years, as shown below against a sanctioned post on regular / adhoc* basis.

2. (a) * As per the records of the Institution , he / she has been engaged in this institution continuously from _____ (date) to _____ (date).

OR

(b)* As per the records of the Institution, he/she has been engaged in this institution for the following periods of service: -

From _____ to _____

From _____ to _____

From _____ to _____

(Signature, Name & Seal of the Head of Institution)

(*Strike out whichever is not applicable)

- (vi) The certificate of the Head of the Educational Institution in the above format should be considered enough by the ERO to determine the eligibility of the applicant.
- (vii) Applications in bulk whether submitted in person or by post, shall not be considered for inclusion by the ERO. *However, the Head of the Institutions may forward the applications of all his staff together. One member of a family may also submit the Form 19 of other members of the same family staying with him at the said address and may get the certificate verified by producing original certificates in respect of each member.*

6. Administrative Arrangements

To facilitate the above procedure, the following action will be taken up by the Chief Electoral Officer and the Electoral Registration Officers:-

- (i) Appointment of Designated Officer – A Designated Officer will be appointed by the ERO to receive applications in his office or in the offices of the AEROs. Such Designated Officers will be of the rank of a Deputy Collector or higher. All SDOs/Revenue Officers within the limits of the constituencies will also be designated as Designated Officers for verifying the applications received from the ERO.
- (ii) The Designated Officer will be assigned a PIN No. and this will be mentioned by him/her in all correspondences with the ERO as well as on the copies of the applications where verification has been done by that particular Officer.
- (iii) The names of the Designated Officers along with the office where they will be located and the days on which they will be present to receive applications in person shall be notified by the ERO as part of the notice issued under rule 31(3) of the Registration of Electors Rule, 1960 in Annexure-I.
- (iv) All Designated Officers shall, without fail, attend to the duties from the time of issue of public notice under Rule 31(3) upto the last date of receipt of applications.

7. The Designated Officer will do the supervisory checks with regard to status of ordinary resident of any electors during the period of disposal of Claims and Objections

and further supervisory check by the AERO and ERO by their visits to O/o the Head of Institutions/ House Holds of the applicants as the case may be. These supervisory checks shall not be less than 12%, 8% and 4% respectively.

8. Complete house address will be provided against entry of each elector in the electoral rolls as is done in the case of assembly rolls so that electors' identity can be established and verified, if need be. The Commission should be kept informed of the progress of preparation of electoral rolls after each stage of completion of preparation of electoral roll.

9. The Chief Electoral Officer should forward the data of Electoral Rolls in proforma enclosed at **ANNEXURE-II** separately for each and every Teachers' Constituency where preparation of electoral rolls has been undertaken.

**PREPARATION OF ELECTORAL ROLLS OF TEACHERS' CONSTITUENCIES OF
_____ LEGISLATIVE COUNCIL**

Under section 21(1) of the Representation of People Act, 1950

Notice under rule 31(3) of the Registration of Electors Rules, 1960

In pursuance of rule 31 (3) of the Registration of Electors Rules, 1960 each of the Electoral Registration Officers whose particulars appear in the First Schedule below hereby calls upon every person entitled to be registered in the electoral roll of the constituency mentioned in the said Schedule to send to or deliver at his Office, on or before **6th November, 2012** at the latest, an application in Form 19 appended to the Registration of Electors Rules, 1960 and reproduced in the Second Schedule below, for inclusion of his/her name.

2. The applications may also be sent to the Assistant Electoral Registration Officers / Designated Officers whose particulars are shown in the First Schedule.
3. **All persons whose names are included in the existing rolls for these constituencies should also submit fresh applications in the prescribed forms, to enable the ERO to verify the present eligibility of the applicant in terms of Article 171(3)(c) of the Constitution read with Sections 27(3)(c), 27(5)(b) and 27(6) of the Representation of People Act, 1950.**
4. **Qualifications:** - Every person who is a citizen of India, and is ordinarily resident in the constituency and has, within the six years immediately before **1st November, 2012**, been engaged for a total period of at least three years in teaching in any of the educational institutions, within the State specified to be not lower in standard than that of a Secondary School is eligible to be included in the electoral roll. The list of Educational Institutions so specified is available with the officers mentioned in the First Schedule.
5. Every application in Form 19 by a person seeking enrolment in Teachers' Constituency shall be accompanied by a certificate from the Head of the Educational Institution certifying the engagement of the person concerned as a teacher for a total period of three years within the last preceding six years. The format for the certificate will be as follows:-

'CERTIFICATE'

"This is to certify that Shri/Smt./Km. _____ has been teaching in _____ (name of the institution) for a total period of three years within the last preceding six years against a sanctioned post on regular / ad-hoc ** basis.

2. (a) **As per the records of the Institution , He / She has been engaged in this institution continuously from ____ (date) to ____ (date).

OR

(b) **As per the records of the Institution, He/She has been engaged in this institution for the following periods of service: -

From _____ to _____

From _____ to _____

From _____ to _____

(Signature, Name & Seal of the Head of Institution)

(** *Strike out whichever is not applicable*)

6. In the case of a person who is not engaged in teaching on the date of application, the Certificate should be signed by the Head of the Institution, in which he last served.

7. Applications in bulk whether submitted in person or by post, shall not be considered for inclusion by the ERO. *However, the Head of the Institutions may forward the applications of all his staff together. One member of a family may also submit the Form 19 of other members of the same family and may get the certificate verified by producing original certificates in respect of each member.*

8 It should be noted that any person who makes a Statement or declaration in the application which is false and which he either knows or believes to be false, or does not believe to be true will be punishable under Section 31 of the Representation of People Act, 1950.

9. Printed applications of Form 19 may be obtained from the Offices of ERO/AERO/Designated Officers or Manuscript, typewritten, cyclostyled or privately printed forms will also be accepted.

(Here print the First and Second schedules)

FIRST SCHEDULE

Name of Constituency:					
Extent:					
Particulars of Election Officers*	Name	Designation	Office Address	Contact Telephone numbers	Extent of Jurisdiction#
(1)	(2)	(3)	(4)	(5)	(6)
1. Electoral Registration Officer					
2. Assistant Electoral Registration Officer					
3. Assistant Electoral Registration Officer					
4. Assistant Electoral Registration Officer					
5. Designated Officer					
6. Designated Officer					
7. Designated Officer					
8. Designated Officer					
9. Designated Officer					
10. Designated Officer					

Signature and Seal of the Electoral Registration Officer

Note for CEO and ERO. (not to be printed in the notice and advertisement)

* The number of AEROs and Designated Officers will be as per actual position in any constituency. The number indicated in the format is purely illustrative.

The extent of jurisdiction (Col. 6) will be the whole constituency for the ERO (Divisional Commissioner), the whole district within a constituency for the AERO (District Magistrate) and defined area – such as sub-division or circle or block – for the Designated Officer. This needs to be spelt out clearly in the notice for every individual officer.

SECOND SCHEDULE

“FORM 19”

(See rule 31)

Claim for inclusion of name in the electoral roll for a Teachers’ Constituency.

To

The Electoral Registration Officer,

_____ (Teachers’) Constituency.

Sir,

I request that my name be registered in the electoral roll for the _____

_____ (Teachers’) Constituency. The particulars are:—

Name (in full) _____ Sex _____

Father’s/Mother’s/Husband’s name (in full) _____

House address (Place of ordinary residence) :-

House No. _____

Street/Mohalla _____

Town/Village _____

Post Office _____

Police Station/Tehsil/Taluka/Mouza _____

District _____

Age _____

2. During the last six years I have been engaged in teaching for a total period of more than three years as follows:—

Name of Educational Institution	From (Date)	To (Date)	Period
1.			
2.			
3.			
4.			

In support of the above, I submit herewith _____

3. * My name has not been included in the electoral roll for this or any other Teachers’ Constituency.

Or

* My name has been included in the electoral roll for the _____ Teachers' Constituency under the address given below and I request that it be deleted from that roll :-

4. I declare that I am citizen of India and that all the particulars given above are true to the best of my knowledge and belief.

Place _____

Date _____

(Signature of Claimant)

NOTE :- Any person who makes a statement or declaration which is false and which he either knows or believes to be false or does not believe to be true is punishable under section 31 of the Representation of the People Act, 1950.

*Strike out the paragraph not applicable.

------(Perforation)-----

INTIMATION OF ACTION TAKEN

The application in Form 19 of Shri/Shrimati/Kumari _____
Address _____ has been
registered at Serial No. _____ in part no. _____

(a) accepted and the name of Shri/Shrimati/Kumari _____
has been registered at Serial No. _____ in Part no. _____

(b) rejected for the reason _____

Date _____

Electoral Registration Officer
(Address) _____

.....(Perforation).....

Receipt for application

Received the application in Form 19 from Shri/Shrimati/Kumari* _____

Address* _____

Date _____

Electoral Registration Officer
(Address) _____

**to be filled in by the applicant”.*

