

Biennial Elections
Top Priority

GOVERNMENT OF ANDHRA PRADESH
GENERAL ADMINISTRATION (ELECTIONS.F) DEPARTMENT

Memo No. 257/Elecs.F/2013-71

Dated: 16.02.2013

Sub:- Biennial elections to A.P.Legislative Council from 3 Graduates' and 3 Teachers' Constituencies - Allowing the helper or companion in case of blind / infirm voter – Instructions – Reiterated.

Ref:- From the E.C.I. Lr.No.322/LC/INST/2010-CC&BE, dt.24.02.2010 communicated vide Memo No.257/Elecs.F/2013-9, dt.25.01.2013.

--:oOo:--

The District Election Officers and the Returning Officers of Council Constituencies are informed that the Rule 40A of the Conduct of Elections Rules, 1961 provides that if an elector is unable to read the ballot paper or to record his vote thereon in accordance with rule 37A by reason of illiteracy, blindness or other infirmity, the presiding officer shall, on being satisfied about such illiteracy, blindness or infirmity, permit the elector to take with him a companion of not less than eighteen years of age who is able to read the ballot paper and record the vote thereon on behalf of, and in accordance with the wishes of, the elector and, if necessary, to fold the ballot paper so as to conceal the vote and insert it into the ballot box:

As the present biennial elections are being held to A.P.L.C. from Graduates' and Teachers' Constituencies, the question of illiterate electors does not arise. Instructions on allowing the helper or companion inside the polling booths for assisting the blind/infirm voter in the Council Constituencies have been issued from time to time and the same are reiterated as below for ready reference:

- i) No helper or companion should be allowed inside the polling booths for helping / assisting the voters except in the case of a blind/infirm voter in accordance with rule 40A (under rule 70) of the Conduct of Elections Rules, 1961.
- ii) **In case an elector wishes to avail of the facility of a companion because of his blindness or infirmity, he must give an advance intimation to that effect to the Returning Officer at least 3 days before the date of Poll.**
- iii) The Returning Officer shall examine the eligibility of the elector for getting the facility of companion and in case the Returning Officer find the elector eligible as per laid down provision, he/she shall indicate the same on the Electoral Roll by making a mark against the name of the elector.
- iv) On the day of poll, before voting, such voters must also submit a declaration in the proforma at Annexure enclosed herewith that he/she is

(P.T.O.)

blind/infirm and thereafter action will be taken by the Presiding Officer concerned as per Rule 40A of the Conduct of Elections Rules, 1961 and accordingly maintain a record for that purpose as per rule (Form 14A of the Conduct of Elections Rules, 1961). The provisions contained in Rule 40A of the Conduct of Elections Rules, 1961 shall be strictly followed in this regard.

- v) This list in Form 14(A) shall be scrutinized along with the other documents viz. the CDs of Videography, Micro Observer's report, Presiding Officer's Diary etc. in the presence of the Observer next day of the Poll.
- vi) Same person shall not be allowed to accompany more than one elector as provided in the first proviso to Rule 40A.
- vii) In order to ensure strict compliance of the above provisions and instructions, all Micro Observers should be properly briefed and trained so that they take due care that the Presiding Officers comply with the provisions of the law for proper identification of electors in accordance with the above guidelines and observance of requirement of **Declaration** made by **blind or otherwise infirm Electors** and their companions.
- viii) In case they notice any deviation / violation of the instructions of the Commission, the Micro Observer should immediately bring the same to the notice of the Presiding Officer of the polling station concerned and invariably report the incident to the Commission's Observer at the earliest for appropriate action in this regard.
- ix) The Presiding Officer shall, when he is so requested by the companion of an elector, explain to him the instructions for recording of vote. But, in any case, he should not enter into the voting compartment.

The above Instructions shall be brought to the notice of all Returning / Assistant Returning Officers / Presiding Officers and other election related officials immediately and supply the format of declaration by the Companion and electors to the Presiding Officers.

BHANWAR LAL,
CHIEF ELECTORAL OFFICER &
E.O. PRL. SECRETARY TO GOVERNMENT

To

The Collector & DEOs of East Godavari, Guntur, Karimnagar, Visakhapatnam & Nalgonda (w.e)

Copy to the Collector & D.E.Os of West Godavari, Krishna, Medak, Nizamabad, Adilabad, Srikakulam, Vizianagaram, Warangal & Khammam Districts (w.e)

Copy to all the Returning Officers, Graduates' & Teachers' Constituencies (w.e)
Through the Dist. Collector & DEOs concerned

//Forwarded :: By Order//


SECTION OFFICER
A/c

Annexure

DECLARATION BY BLIND OR OTHERWISE INFIRM ELECTOR

I, _____ S/DW/o _____ R/o
: _____, do hereby solemnly
affirm and declare that I am unable to read the ballot paper or to record vote
thereon in accordance with Rule 37A of the Conduct of Elections Rule, 1961 by
the reason of blindness/other infirmity.

Signature/Left Hand Thumb Impression of elector _____

Name of Elector _____

Part No. & Serial No. in the Electoral Rolls _____

Declaration given in my presence

Signature of Presiding Officer