

ELECTION URGENT
BY EMAIL/CAMP BAG

ELECTION COMMISSION OF INDIA
NIRVACHAN SADAN, ASHOKA ROAD, NEW DELHI-110001

No.52/2014-SDR/

Dated : 7th March, 2014

To,

The Chief Electoral Officers of
all States and Union Territories.

Subject:- Guidelines for issue of Election Duty Certificate – regarding.

Sir/Madam,

A very large numbers of persons are put on duty for the purpose of conduct of elections. These include persons in polling teams including Presiding Officers and Polling Officers, all Police personnel, Sector and Zonal Officers, Returning Officers, Assistant Returning Officers, District Election Officers and their staff, Micro-Observers, Assistant Expenditure Observers, drivers conductors and cleaners of vehicles used in elections etc. The Commission is keen that all persons appointed on election duties who are registered as electors and by reason of being on election duty are unable to vote at the assigned polling station are able to exercise their franchise as per law.

2. Under the provisions of rule 20 of the C.E. Rules, 1960, there are two ways in which franchise can be exercised by a person on election duty. If the person is on duty in the same constituency where he is enrolled as an elector, he is given "**Election Duty Certificate**" (EDC), which entitles him to cast his vote in another polling station of the same constituency where he is on election duty. If on the other hand, the person is on duty in some constituency other than the one in which he is enrolled as an elector, he is entitled to vote by **Postal Ballot (PB)**. Many Persons on election duty are not even aware that they are entitled to EDC or Postal Ballot.
3. During the general elections to the Legislative Assemblies of various States held in the past when only postal ballot option was made available to "voters on election duty" as officials are normally not assigned duty in the constituency where they are registered as electors, it posed a great challenge to properly manage various activities connected with issue of postal ballot papers, provide facility for casting of vote at the Facilitation Centre, handling of polled PBs

received by post or dropped in person after the actual date of poll in the constituency, transmission of polled PBs to the respective ROs within the district as well as inter district etc. and again at the time of counting of votes. Certain other problems, such as, the officials not collecting the PB even after applying for the same, many persons not voting at the facilitation center after obtaining the PB, persons not enrolling at their ordinary place of residence but continuing to be enrolled in their native villages or towns where they are not living any longer, enrolling at more than one place etc. were encountered. Apart from this, some candidates asked for list of voters issued with PB, etc.

4. During the ensuing General Election to Lok Sabha 2014, polling staff would be primarily drawn from and posted within the parliamentary constituency itself, though they may not be deployed in their own Assembly Constituencies. Therefore, most of the voters on election duty can vote by using EDC. Voting through EDC has following advantages :-

- a) No special arrangements have to be made to facilitate casting of ballot by employees who have been issued EDC;
- b) No special monitoring of casting of ballots has to be made by the RO;
- c) Allegations of violation of secrecy of ballot, and influencing or intimidation of voters, are avoided;
- d) Complaints about issue of Postal Ballot even after the poll day are completely avoided;
- e) No special arrangements have to be made to send polled Postal Ballot to the Returning Officer concerned for counting.
- f) Time consumed in counting of postal ballot is saved.

5. In view of the above advantages of management of EDC over Postal Ballot, the Commission hereby directs that employees randomization software shall be made in such a manner that to the extent possible the polling staff is deployed in election duty in the same Parliamentary Constituency in which they are registered as voter but not in the same assembly segment where they are resident.

6. As per the provisions of sub-rule (2) of rule 20 of C.E. Rules 1961, if a voter on election duty, being a Polling Officer, Presiding Officer or other public servants on election duty in a constituency of which he is an elector, wishes to vote in person at an election in the constituency, he shall send an application in **FORM 12A** (Annexure-1) to the Returning Officer so as to reach him at least **4 days or such shorter period** as the RO may allow before the date of poll. The

RO, after he is satisfied that the applicant is such public servant and voter on election duty in the constituency, shall issue an Election Duty Certificate in **FORM 12B** (Annexure-2) to authorise the voter on election duty to vote at any polling station in said constituency where he may be on duty on the date of poll.

7. The Election Duty Certificate in Form 12B shall be printed in adequate number either centrally by the CEO or the DEO, as may be convenient, and each such certificate shall be serially numbered with a unique serial number.

8. In the format of application for EDC in Form 12 A, there is column for mentioning the number and name of the polling station within the constituency where he is posted on election duty and also the S.No. & Part No. of the electoral roll in which his/her name is registered as an elector. While the details of the assembly constituency, Part No. of electoral roll, Sl. No. of the voter where his/her name is entered in the roll and EPIC number will be available in the employees database, the details of polling station where s/he is posted on election duty would be known only after the third round of randomisation is done to assign specific polling station. Therefore, the details regarding the polling station where posted for duty need not be filled by the applicant. The rule also mandates that the letters "**EDC**" should be indicated in the "**marked copy of the electoral roll**" against the name of the person to whom EDC is issued to ensure that the same person is not allowed to vote at the polling station where he would otherwise have been entitled to vote. The voter on election duty can exercise his/her franchise **in person** on the basis of the EDC at the polling station where he is deployed on poll duty.

9. In the case of polling staff while issuing the appointment orders drafting them on election duty after first randomisation, the copy of Form-12A (either pre-filled generated from the employees database or blank Form where the database is not populated with electoral roll particulars) shall be sent to them.

10. In the case of police personnel who are also treated as voters on election duty, the SP or other competent officer will maintain a database of all police personnel in the district. In that database, the elector details, like, No. & Name of Assembly Constituency, Part No. & Sl. No. of electoral roll where name is registered as an elector shall also be populated. The SP shall prepare the deployment plan for the police officials in the district well in advance. At this stage the

constituency where they are deployed on election duty would be known, whether within the constituency where registered as elector or in a different constituency. Those posted within the constituency will be eligible for voting on the basis of "EDC" and those posted outside the constituency will be eligible for voting through **Postal Ballot**. The SP shall appoint a Nodal Officer to coordinate all activities related to facilitating the exercise of franchise by police personnel through postal ballot or EDC. Form 12A (for EDC) or Form 12 (for Postal Ballot) shall be provided by the SP or the nodal officer identified for this purpose to enable the police personnel to make application for EDC or PB, as the case may be. The SP or the nodal officer shall ensure that these applications in Form 12 and 12A with the electoral roll details duly entered and signed by the police personnel are sent to the concerned Returning Officer at least 7 days before the date of poll so that **EDC or PB**, as the case may be, can be issued after making necessary entries in the marked copy of the electoral roll.

11. Similarly, in the case of drivers/conductors/cleaners and other persons appointed for specific election related duties also a Nodal Officer may be appointed. The enrolment details like No. & Name of Constituency, Part No. and Sl. No. of entry in the electoral roll of the persons so drafted for election duty shall be ascertained by the Nodal Officer and they shall be provided Form 12A (for EDC) if posted on election duty within the constituency of enrolment or Form 12 (for Postal Ballot) if posted in a different constituency to enable them to make application for EDC or PB, as the case may be. The nodal officer shall ensure that these applications in Form 12 and 12A with the electoral roll details duly entered and signed by the driver, conductor etc. drafted on election duty are sent to the concerned Returning Officer at least 7 days before the date of poll so that **EDC or PB**, as the case may be, can be issued after making necessary entries in the marked copy of the electoral roll.

12. **Marking of 'EDC' in the marked copies of electoral roll** should be done **as early as possible** after the officials would have submitted applications for EDC in Form 12A. The ROs may not insist upon the mentioning of P.S.No in application in Form 12A. Preparation of marked copy of electoral roll should not be delayed till the stage of issue of EDC. Once Form 12A application is submitted, the officials concerned can only vote using the EDC (Form 12B) at the polling station where he is on duty or in a nearby polling station if he is not assigned any specific polling station.

