

**ELECTION URGENT**  
**BY EMAIL/CAMP BAG**

# **ELECTION COMMISSION OF INDIA**

**NIRVACHAN SADAN, ASHOKA ROAD, NEW DELHI-110001**

No.52/2014-SDR/

Dated: 7<sup>th</sup> March, 2014

To,

The Chief Electoral Officers of  
all States and Union Territories

*(except A & N Islands, Chandigarh, Daman & Diu,  
Dadra & Nagar Haveli, Lakshadweep having only one PC)*

**Subject:-Guidelines for issue of Postal Ballot Papers – regarding**

Ref: - ECI Letters No. 52/2102/SDR/216-250, dated 13<sup>th</sup> August 2012, No. 52/2012/SDR/181-215, dated 13<sup>th</sup> August 2012 and No. 2/2012/SDR/251-285, dated 13<sup>th</sup> August 2012

Sir/Madam,

1. Election Commission has issued detailed instructions for facilitation of casting of postal ballots by persons on poll duty from time to time. The Commission had modified and refined these instructions during the **general elections to various State Legislative Assemblies held in 2012-2013**. This has resulted in a significant increase in the casting of postal ballots by persons on poll duty. The Commission has considered various logistical problems in the process of facilitation of postal balloting by persons on election duty and has decided to further modify these instructions. These comprehensive instructions are being issued **in supersession of all existing instructions on facilitation of postal balloting by persons on election duty**.

2. **Persons on election duty who are entitled for Postal Ballots (PB) and Election Duty Certificate (EDC)** – All persons **appointed on election duty** who are not able to cast their vote at the polling station where they are enrolled as a voter are entitled to **the facility of** - either an EDC or a postal ballot. In case they are put on election duty in the same constituency in which they are enrolled as a voter, they are entitled to get an EDC, which entitles them to vote at the polling station where they

are on duty. If they are on duty in a constituency other than the constituency where they are enrolled as a voter, they are entitled to a Postal Ballot. These persons include employees in polling parties, Sector Officers, Zonal Officers, Returning Officers and Assistant Returning Officers, District Elections Officer, Deputy District Election Officer, employees posted in the offices of District Election Officer, returning Officer, Control Room and other election related offices, micro-observers, all police personnel, home guards, drivers, conductors and cleaners of vehicles, engaged for election work etc. if such persons are not able to cast their vote at the polling station where he or she is enrolled as a voter by reason of being on duty in relation to elections. Polling agents of candidates also fall in the category of voters on election duty for this purpose. A person is entitled to an EDC if he or she is on duty in the same constituency where he or she is enrolled as a voter, and entitled to a postal ballot if he or she is on duty in any other constituency.

3. **Reasons for Facilitation of Postal Balloting by person on election duty** –

Commission has received representations from time to time that many electors on election duty are not able to cast their postal ballots, and many a times postal ballots cast by such persons do not reach the Returning Officer in time for counting. The Commission has also received representations about the possibility of undue influence or intimidation of persons who cast their vote by postal ballots. To address these issues, the Commission has decided to facilitate casting of postal ballots by persons on election duty during the training sessions to take care of such complaints. Voting through postal ballot in such training sessions is referred to as voting in facilitation centre. The Commission has also decided that facilitation should be done in a completely transparent manner so that all stakeholders are involved in the process at every stage.

4. During the ensuing General Election to Lok Sabha 2014, polling staff including police personnel, driver/conductor/cleaner of vehicles, persons engaged for videography, etc, would be mostly drawn from within the parliamentary constituency. Therefore, large majority of voters on election duty can vote by using EDC. However, if there are persons who are put on duty in a constituency different from the one where he/she is enrolled as elector, such person will need to apply for postal ballot paper to exercise franchise.

5. **Preparation of Database** – A database of persons to be issued postal ballots on account of being on election duty should be prepared well in advance. Along with other information, these databases should necessarily have information about the No. and name of

Assembly Constituency, Part No. and the Serial Number in Part where the person is enrolled as a voter. The EPIC number of each person should also be captured in the database. The database should also have fields to capture information about the location and address of facilitation centers for postal balloting. The facilitation center will be the same as the place identified for imparting training. If a person is to be called for training more than once, information about all the trainings should be captured in the database. Information about the electoral roll enrolment of a person can be found by using search facility based on EPIC number and search facility based on name and surname. This search facility is provided at the website of all Chief Electoral Officers. These databases should be prepared in the following manner: -

- a) **Database of employees on election duty** - The District Election Officer has to prepare one database of employees for duty in polling parties, and for other election duties like sector officers, zonal officers, micro-observers etc. This database should include all persons appointed on election duty of any kind if such a person is not able to cast his vote at the polling station where he or she is enrolled as a voter on account of being on election duty.
- b) 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 (including home guards , if deployed on election duty) 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 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.

- c) 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.

6. **Issue of pre-filled FORM-12 and collection of signed FORM-12** – FORM -12 should be issued to all those persons who are put on election duty outside the constituency of enrolment. FORM-12 can be pre-filled with information about Name of Elector, No. and Name of Assembly Constituency, Part No. and Serial No. in Part where the person is enrolled in the electoral roll. This information should be available in the database of employees prepared by the DEO. Pre-filled FORM-12 can be printed from the database of employees by software to be prepared by the CEO. A note should be printed at the bottom of FORM-12, that the employee should check the pre-filled details and make corrections if these details are not correct. FORM-12 should be distributed to police personnel through the Superintendent of Police / the nodal officer appointed for the purpose. FORM-12 should be distributed to drivers, conductors and cleaners of vehicles used in elections through the nodal officer /officer in-charge of transportation.

7. Signed FORM-12, **alongwith a copy of the appointment letter as proof of having been drafted for election duty and photocopy of EPIC in order to ensure that no ineligible person is issued a Postal Ballot** should be collected **on the first day of training** or as soon as possible. Efforts should be made to collect signed FORM-12 before the last date

of withdrawal of candidature. However if for some reason FORM-12 of some persons on election duty could not be collected before this date, they should be collected even after this date as soon as possible. Signed FORM-12 should be sent by the District Election Officer to the concerned Returning Officers **within the district** for issue of Postal Ballots.

8. **Issue of Postal Ballots to Service Voters** - All postal ballots for service voters will be printed within 24 hours of the finalization of list of contesting candidates and issued within the next 24 hours. **The outer envelope (FORM 13C) for postal ballots to service voters shall be in YELLOW color (both for parliament and assembly elections)** to distinguish them from the postal ballots for employees on poll duty. On the envelope in Form 13C, the complete particulars of the Parliamentary or Assembly Constituency, as the case may be, should be clearly mentioned. Chief Electoral Officer will have a meeting with the head of the postal department for the State, and work out an arrangement that the postal ballots for service voters are handed over by the Returning Officer/Asstt. Returning Officer of each constituency to a designated employee of the postal department nominated for this purpose. Postal Department shall then ensure that all postal ballots for service voters are delivered to the respective Record Offices within 48 hours.

9. **Issue of Postal Ballots to other categories** – The District Election Officer will fill the information of facilitation center for each employee in the database. In general, each training center will also be a facilitation center so that **Voters on election duty can** cast their postal ballots when they come for **second/subsequent** training to be imparted after the printing of postal ballot. All police personnel and drivers, conductors and cleaners of vehicles used in elections will be called at least once for training for the purpose of facilitation of postal balloting by employees. If more than one training session is organized for certain categories of employees, facilitation of postal balloting should be done in each session so that if an employee has not cast his postal ballot in an earlier session, he or she is able to cast postal ballot in the next training session. The Returning Officer will prepare the Postal Ballot papers for those who have submitted signed FORM-12. This should be done as soon as possible after postal ballot paper is printed. The Returning Officers will then check the location and address of the facilitation center of the concerned employee and send the postal ballot to the Officer-in-charge of postal balloting facilitation center for being delivered to the employee.

- = If the facilitation center is located in an area within the jurisdiction of the Returning Officer who issues the postal ballot, he will send the postal ballot directly to the Officer-in-charge of that postal balloting facilitation center.
- = If the facilitation center is outside the jurisdiction of the Returning Officer who issues the postal ballot, but within the district then he will send it directly to the Officer-in-charge of the concerned facilitation center within the district instead of routing it through the District Election Officer.
- = Generally there should be no need of sending the postal ballot outside the district as employees are generally not sent for election duty outside their district. If, however, it becomes necessary to send a postal ballot to a Facilitation Center outside the district, the District Election Officer will co-ordinate with the District Election Officer of the other district and do the needful.
- = If any official who submits Form 12 and for whom postal ballot has been prepared does not collect the Postal Ballot paper personally at the second/subsequent training at the facilitation centre, the Postal Ballot for such person should be dispatched by Registered post with A/D within 24 hours. No postal ballot prepared for issue should be retained with the RO/any other official.

10. **Procedure at the Facilitation Center** - District Election Officer shall appoint one senior officer as in-charge of postal balloting at each Facilitation Center. This officer shall be responsible for the postal balloting at the Facilitation Center. The procedure to be followed at the Facilitation Center is described below:-

- a) **Information to Political Parties** – All Recognized Political Parties will be informed in writing the schedule of facilitation of postal balloting at the Facilitation Centers. They shall be allowed to send their representatives to witness the facilitation process at the Facilitation centers.
- b) **Time to be set apart for Postal Balloting** – In each training session at least 2 hours shall be set apart for facilitation of postal balloting. If necessary more than 2 hours may be set apart for this purpose as per need. Postal Balloting shall be done after the training is over. Political Parties representatives shall be allowed in the Facilitation Center after the training is over and the process of facilitation of postal balloting begins.
- c) **Arrangements for representatives of candidates** - Arrangement shall be made for candidates to sit and watch the process of facilitation without interfering with the



process. If any person interferes with the process of facilitation, the officer in-charge of facilitation can order such a person to leave the premises immediately.

- d) **Arrangements for casting Postal Ballot in secrecy** – Voting compartments similar to voting compartments in polling station shall be made in each Facilitation Center. This is done so that employees are able to mark their postal ballot in complete secrecy. More than one such voting compartment can be made if necessary. Arrangement of glue/gum shall also be made to seal the envelope (**Cover-A – FORM 13B**) after placing the polled postal ballot in it.

- e) **Availability of gazetted officers for attestation of declaration by the person casting postal ballots** – Under the law a declaration attested by a gazetted officer has to be made by each person in FORM-13A along with the postal ballot. For this purpose at least one gazetted officer shall be put on duty by the District Election Officer at each Facilitation Center. The gazetted officer shall attest the declaration based on the identification of the voter by his identity documents. **He must check before attestation that the Sl.no. of the ballot paper is filled up in the space provided in the declaration, it is signed by the elector and his postal address is mentioned. The attesting officer should append full signature with date and write in hand or put a stamp showing his designation & office address.**

- f) **Issue of Postal Ballots at the Facilitation Center** – Officer in-charge of a Facilitation Center will issue the postal ballot received from the Returning Officer to the voter for whom it is meant after verifying his identity based on EPIC or any other photo identity document, and obtain his signature as a token of having received the postal ballot in a register as per the FORMAT given below:-

Running Sl. No.	Part No. of electoral roll	Sl.No. of elector in the electoral roll	Details of the document produced by the elector in proof of his / her identification	Signature/T.I of elector	Remarks

**This register should be sealed in the same manner as the Register in Form 17A and kept alongwith other statutory covers mentioned in rule 93 (1).**

**Copy of the above register may be given to the candidates who demand for it after the date of poll in the constituency**

- g) **Time upto which Postal Ballot can be issued.-** Provisions regarding intimation by voters on election duty for issue of postal ballot paper, procedure for issue of postal

ballot paper and the time for return of postal ballot paper are given in Rules 20, 23 and 27 of the Conduct of the Elections Rules 1961. As per these provisions, whenever any postal ballot paper is issued to voters on election duty, in the counterfoil of the ballot paper the electoral roll number of the elector, as entered in the marked copy of the electoral roll set apart for conduct of poll at the polling station, is to be entered, and in the said marked copy of the electoral roll the words "PB" is to be marked against the name of the elector to indicate that a postal ballot paper has been issued to the elector in order to ensure that the same elector is not allowed to vote at any polling station. After postal ballot papers have been issued to voters on election duty entitled to vote by post, the RO has to send the relevant parts of electoral roll to the concerned Presiding Officers for marking the names of electors who cast their vote on EVM at the polling station on the day of poll. After the poll, this marked copy is to be sealed and kept in safe custody

It is clear from the above provisions of law that once the marked copy of the electoral roll is ready to be sent to the Presiding Officers under clause (a) of sub rule (5) of Rule 23 of CE Rules 1961, no postal ballot paper can be issued thereafter. Therefore no ballot paper can be issued after the stage of preparing marked copy of electoral roll for supply to the presiding officers for conduct of poll.

- h). **Process of Postal Balloting** – After receiving his or her postal ballot, the voter shall go into the voting compartment and mark the postal ballot in secrecy. **He shall write the serial number of the postal ballot paper, if not already filled up, in the space provided for the same in the declaration in FORM 13A and on the envelope in which the polled postal ballot is kept.** He shall then keep the marked postal ballot in the inner envelope (Form 13B – Cover A) meant for this purpose and seal it properly. The voter shall thereafter sign the declaration in FORM-13A, **write his/her postal address of registration in the electoral roll, write his name in the space provided** and get it attested by a gazetted officer as required by law. **The polled postal ballot should not be shown to the officer whose attestation is obtained on the declaration in FORM 13A.** He shall then keep the sealed inner envelope **containing the polled postal ballot** and the declaration in FORM-13A, duly signed and attested, in the bigger envelope (Form 13C – Cover B) and seal this as well. The voter will then cast his postal ballot in the Facilitation Ballot Box as described below.
- i) **Casting of postal ballots in the facilitation ballot box** A large steel trunk with one opening at the top for casting of postal ballots shall be used as a facilitation ballot box



at the facilitation center. Before the casting of postal ballots is started the empty facilitation ballot box will be opened and shown to all present. The facilitation ballot box will then be sealed by the officer in-charge of the Facilitation Center. Every voter shall cast his or her postal ballot in the Facilitation Ballot Box after marking it and sealing it in the envelopes as described above. This facilitation ballot box will be kept only on the second / subsequent training days at the respective training venues only.

- j) **Sorting of postal ballots** - After all postal ballots for the day have been cast, the box will be opened by the officer in-charge of the Facilitation Center in the presence of the representatives of political parties. All the postal ballots will be taken out of the box and the empty box will be shown to the said representatives of political parties. The postal ballot envelopes will be sorted Assembly Constituency wise and the total number of postal ballot envelopes received for each Assembly Constituency will be entered in a **Statement in FORMAT-1** to be maintained for this purpose at the facilitation center. Representatives of political parties present will be requested to put their signatures on the register and will be given a copy of the relevant pages of the register. All postal ballot envelopes for one Assembly Constituency will be kept in a large envelope meant for that Assembly Constituency. The name of the Facilitation Centre, the date of Facilitation and the number of postal ballots contained therein will be clearly written on this envelope. The number and name of the Assembly Constituency for which the envelope is meant will also be clearly written on the envelope. This envelope will then be sent to the Returning officer of the concerned Assembly Constituency along with a copy of the relevant Statement in Format-1 through special messenger appointed for this purpose not below the rank of Deputy Tahsildar.
- k) **Videography of the postal balloting process** - The entire process of postal balloting will be videographed.

**It should be noted that once a postal ballot paper is issued to a voter on election duty, he/she can vote only through the Postal Ballot even if the official is exempted / not deployed on election duty.**

11. **Monitoring of the process of Postal Balloting at Facilitation Centers** - The officer in-charge of the Facilitation Center will prepare a **return in FORMAT-2** on every day when facilitation of postal ballots is done at the facilitation center and will send it to the DEO. The DEO of every district will compile the return in FORMAT-2 for his district every day till the

facilitation for postal ballots is over in the district, for the postal ballots cast in the facilitation centers of his district. A copy of this return will be sent every day to the Chief Electoral Officer. CEO will compile the returns of the entire State in FORMAT-2 and will send a copy of the compiled FORMAT-2 to the Commission every day till the facilitation of postal ballots is over in the State. Chief Electoral Officer will also send a copy of return in FORMAT-2 every day to all recognized political parties.

12. **Storage of Postal Ballots received by the Returning Officer** - Returning Officer of the concerned Assembly Constituency shall keep the envelope containing postal ballots along with the copy of the relevant **statement in Format-1** in a special strong room made especially for this purpose.

13. On the day of dispatch of polling parties also a steel trunk (facilitation ballot box) shall be kept at the dispatch center so that any election duty official who did not cast vote at the training session can drop the envelope containing the postal ballot in such facilitation ballot box. After all the parties have left, this facilitation ballot box will be opened and sorted constituency wise and sent to the respective ROs in sealed envelopes in the same manner as explained above. Candidates should be informed in advance about this activity so that if they want to depute any representative they may do so.

14. If any voter did not cast vote at the facilitation centre / dispatch centre then he can vote only by post. No drop box facility shall be available in the office of the ROs.

15. **Receipt of Postal Ballots by Post-**

- a) **Arrangement to be made with Postal Department** - For receiving back postal ballots by post, the Chief Electoral Officer will make an arrangement with the Postal Department and ask them to nominate one post office for each Parliamentary/Assembly Constituency which will deliver postal ballots every day to the **respective** Returning Officer. The time of delivery will be fixed at **3 PM every day** at the office of the Returning Officer, except for the counting day when the time for delivery will be before 8 AM **or such other time fixed for commencement of counting**, at the counting center for that Assembly Constituency. The list of counting centers and the addresses of ROs offices will be communicated in writing to the Postal Department by the CEO.
- b) **Political Parties and Candidates to be present at the time of receipt of postal ballots by post** - All recognized political parties and contesting candidates will be informed in writing that they or their representatives may remain present at the time

of delivery of postal ballots by the post office. A pass should be issued to the nominated postal department employee to enter the counting center on counting day for this purpose.

- c) **Procedure on receiving postal ballots by post** - The postal ballots delivered by the post office will be counted in the presence of the political party representatives and candidate representatives and an acknowledgement of the number of postal ballots received will be given to the post office. A copy of this acknowledgement shall be kept in the record of the RO. The number of postal ballots received will be entered in the **daily return in FORMAT-3** by the RO. The entire process will be videographed.
- d) **Storage of postal ballots received by post** - The Returning Officer will keep all postal ballots received from the post office every day in a separate envelope for that day and write on the envelope the date and words – **“Postal Ballots Received by Post”**. He will keep this envelope also in the strong room for postal ballots every day after the post has been received.
- e) **Monitoring of postal ballots received by post** - Returning Officer will prepare a return of the Postal Ballots received from facilitation centers in **Statement-3** every day till he stops receiving postal ballots from facilitation centers. He will also enter the number of postal ballots received by post in the return on Statement-3 till the day of counting. He will send a copy of the return in FORMAT-3 to the Chief Electoral Officer every day through the DEO of the District. He will also send a copy of the return in FORMAT-3 to all the candidates of his Constituency. The Chief Electoral Officer will compile the information of the State in FORMAT-3 every day and will send a copy to the Commission. The CEO will also send a copy of the compiled FORMAT-3 to all recognized political parties.

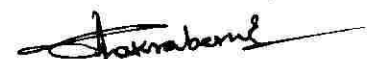
16. **Sending postal ballots to the place of counting where counting is not done at RO headquarter** - In those cases where the counting is done at a place other than the RO headquarters, the postal ballots for the **Parliamentary/Assembly Constituency** will be transferred to another strong room for the postal ballots for the concerned **Parliamentary/Assembly Constituency** at the counting centers, one day before the day of counting. For this purpose, the RO shall inform in writing to the candidates the time at which this will be done. The strong room for postal ballots shall be opened in the presence of the candidates or their representatives present. All postal ballots will then be kept in a large steel box which will be sealed in the presence of candidates and their representatives. This box will then be carried under guard of armed CPF to the strong room for postal ballots at the

counting center. Candidates and their representatives shall be allowed to follow the vehicle carrying postal ballots. The box containing postal ballots will then be kept in the strong room for postal ballots at the counting center in the presence of the candidates and their representatives. Strong room will then be sealed and signatures of candidates and their representatives shall be taken as proof of their presence. Candidates and their representatives shall be allowed to keep watch on the strong room for which they will be provided reasonable facilities by the DEO. The whole process will be video graphed. On the day of the counting, the returning officer will open the strong room and bring all postal ballots and copies of the relevant pages of registers received from the facilitation centers to the table where the postal ballots will be counted.

17. **Tallying of postal ballot numbers before counting** - The envelopes received from facilitation centers will be opened one by one and the number of postal ballots found in each envelope will be tallied with the numbers mentioned in the copies of relevant pages of the registers received from the facilitation center. The result of such tallying will be shown to the candidates and their election agents before the counting of postal ballots. Similarly, the register of postal ballots received by post shall also be shown to the candidates and their election agents.

18. The Commission has directed that these instructions should be brought to the notice of all concerned immediately. A copy of this letter should be immediately given to all the recognized political parties by the Chief Electoral Officer at the State level and by the District Election Officers at the district level. A copy of this letter should also be given to all the contesting candidates by the Returning Officer after the last date of withdrawal.

Yours faithfully,



(Ashish Chakraborty)  
Secretary

## Format -1

Statement regarding Postal Ballots cast at Facilitation Center

Name of State \_\_\_\_\_  
Name of District \_\_\_\_\_

Name of Facilitation Center \_\_\_\_\_

Name & designation of  
Officer-in-charge \_\_\_\_\_

S.No.	Date	No.& Name of the Parliamentary /Assembly constituency	Total Number of postal ballots cast
Total for the Date			
Cumulative Total Till Date			

## Format -2

District-wise Statement of Postal Ballots Cast at Facilitation Centers within the district

*(To be prepared on each day facilitation is provided)*

Name of State \_\_\_\_\_  
Name of District \_\_\_\_\_

No. & Name of Parliamentary/Assembly Constituency(ies) \_\_\_\_\_

Date of facilitation \_\_\_\_\_

S.No.	Name of Facilitation Center	Total Number of postal ballots cast for the Parliamentary / Assembly Constituency	
		On Date	Till Date
Total for District			
Total for State			



### Format -3

#### Statement of Postal Ballots Received by RO (Summary)

Name of State \_\_\_\_\_

Name of District \_\_\_\_\_

Date \_\_\_\_\_

S.No.	No. and Name of PC/ AC	Number of Postal Ballots received by special messenger from Facilitation Centers	Number of Postal ballots received by Post			Total Postal Ballots Received (Including by special messenger from facilitation centers and by post)
			From voters (Envelope in yellow colour)	For service voters on election duty and others	Received on election date	
			Received on Date	Received on Date	Received cumulative till date	
Total for the constituency						