

ELECTION COMMISSION OF INDIA

Nirvachan Sadan, Ashoka Road, New Delhi –110001.

No. 434/1/2008/ERS

Dated: June, 2008

To

The Chief Secretaries of
All the States and Union Territories
(except Assam, Jammu & Kashmir,
Nagaland, Chandigarh, Lakshadweep).

Subject: Revision of Electoral Rolls as per the newly Delimited Constituencies –
Adequate Staff & Ban on Transfers / Postings – Regarding.

Madam / Sir,

You are aware that under the provisions of article 82 and article 170 (3) of the Constitution, the President of India has specified the date on which readjustment of constituencies notified by the Delimitation Commission in terms of the Sections 8 and 9 of the Delimitation Act, 2002, shall take effect. For the States of Andhra Pradesh, Bihar, Chhattisgarh, Goa, Gujarat, Haryana, Himachal Pradesh, Karnataka, Kerala, Madhya Pradesh, Maharashtra, Mizoram, Orissa, Punjab, Rajasthan, Sikkim, Tamil Nadu, Uttarakhand, Uttar Pradesh, West Bengal, NCT of Delhi, Puducherry, the date has been specified as 19th February, 2008 whereas, for the State of Meghalaya and Tripura, the specified date is 20th March, 2008. This has necessitated the reconstruction of the electoral rolls for each newly delimited constituency from that of the pre-delimited constituencies. Further, the Commission has decided to have Photo-Electoral Rolls in all the constituencies. Therefore, though an annual revision with respect to 1st January, 2008 has already been undertaken, another special revision with the same qualifying date has been ordered for the purpose.

2. The existing provisions of the Section 13CC of the Representation of the People Act, 1950 stipulates that any officer or staff employed in connection with the preparation, revision and correction of the electoral rolls shall be deemed to be on deputation to the Election Commission for the period during which they are so employed and such officer and staff shall, during that period, be subject to the control, superintendence and discipline of the Election Commission.

3. Normally, the Commission directs the State Governments not to transfer key officials engaged in the process during the annual revision period, as

any transfer will adversely affect the work and the quality of revision process. But this year, it has become necessary that the officers engaged in the exercise of reconstruction of electoral roll for the newly delimited constituencies and preparatory work of the photo-electoral roll remain in place, over and above the revision period. The next general election to the State Legislative Assemblies and Lok Sabha shall have to be conducted on the basis of newly delimited constituencies.

4. In view of the above and the extant provisions of the law, the Commission directs that with immediate effect, no officials connected with the exercise of Revision of Electoral Rolls like District Election Officers, the Electoral Registration Officers, the Assistant Electoral Registration Officers and the Booth Level Officers should be transferred from their places of posting without the prior concurrence of the Election Commission from the commencement of the work till its completion. In case, it becomes absolutely necessary to make any transfer of the key election officers connected with the revision of rolls or there is any need for shifting of officers due to their promotion etc., the Election Commission would consider the same on merits on a case to case basis. Any proposal for inevitable transfer may be sent to the Commission giving detailed and full justification for the same. The Commission expects that the State government will not take any action, which might in any way impede the smooth completion of the work relating to the Revision of Electoral Rolls. Further, all vacant posts related to above exercises shall be filled up, immediately.

5. The Chief Electoral Officers have been directed to intimate you about the schedule of revision and changes thereof, as and when made.

6. This instruction may be read in conjunction with the standing instruction in the matter issued vide letter of even no. dated 26/10/07.

Kindly acknowledge receipt immediately.

Yours faithfully,

(RITVIK PANDEY)
SECRETARY

Copy to: -

The Chief Electoral Officers of all the States / Union Territories (except Assam, Jammu & Kashmir, Nagaland, Chandigarh, Lakshadweep). They are requested to intimate the State Govt. of the announcement of the programme of revision and changes thereof, whenever made. They are requested to ensure that all vacant posts are filled up and unfilled vacancies may be reported to the Commission.