

General Election of Vidhan Sabha -2009
Most Immediate / Date Bound

No.4/78/2009-1Election
Government of Haryana
Chief Secretary Office
(Election Branch)

Dated Chandigarh, the 11th September, 2009.

To

1. The Financial Commissioners & Principal Secretary to Government, Haryana, Home Department.
2. The Director General of Prisons, Haryana.
3. All Divisional Commissioners in Haryana.
4. All Deputy Commissioners in Haryana.

Subject: - General Election to State Legislative Assemblies, 2009-Protection of voting rights of electors subjected to preventive detention.

Sir,

I am directed to refer to the subject noted above and to enclose herewith a copy of letter No.576/3/2009/SDR/70, dated 8.9.2009 alongwith its enclosures received from the Election Commission of India, New Delhi for immediate strict compliance.

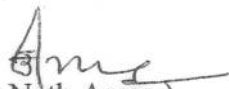
Yours faithfully,


(Som Nath Arora)
Under Secretary, Election.
Tel. 0172-2743492

Endst.No.4/78/2009-1Election

Dated Chandigarh, the 11th September, 2009.

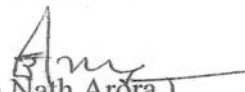
A copy is forwarded to the Secretary, Election Commission of India, Nirvachan Sadan, Ashoka Road, New Delhi with reference to his letter No.576/3/2009/SDR/70, dated 8.9.2009 for information and necessary action.


(Som Nath Arora)
Under Secretary, Election.
Tel. 0172-2743492

Endst.No.4/78/2009-1Election

Dated Chandigarh, the 11th September, 2009.

A copy is forwarded to the Chief Electoral Officer, Haryana for information and necessary action.


(Som Nath Arora)
Under Secretary, Election.
Tel. 0172-2743492

CC: -

- 1 PS/CS
- 2 PS/PSCM
3. Director, NIC

ELECTION COMMISSION OF INDIA

Nirvachan Sadan, Ashoka Road, New Delhi -110 001.



No. 576/3/2009/SDR | 70

Dated:- 8th September, 2009.

ELECTION

The Chief Secretaries to the Govt. of

1. Arunachal Pradesh
2. Maharashtra
3. Haryana

Subject:- General Elections to the State Legislative Assemblies, 2009 - Protection of voting rights of electors subjected to preventive detention.

The Commission has announced, on 31st August, 2009, the programme of

General Elections to the Legislative Assemblies of Arunachal Pradesh, Maharashtra and Haryana. In this connection, your attention is invited to the following provisions of law relating to voting rights of electors subjected to preventive detention.

(i) Proviso to sub-section (5) of Section 62 of Representation of the People Act, 1951, confers voting rights on the electors subjected to preventive detention. As per Rule 18 of Conduct of Elections Rules, 1961, the electors under preventive detention are entitled to cast their votes by post.

(ii) Rule 21(1) of Conduct of Elections Rules, 1961, provides that the appropriate Government shall intimate to the Returning Officers, the names of the electors, if any, subjected to preventive detention together with their address, electoral roll numbers and places of detention, within fifteen days of calling an election. This will enable the Returning Officers to send postal ballot papers to such electors to facilitate them to exercise their franchise at the election.

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निर्वाचन शाखा
कम संख्या 2/111
दिनांक 15-9-09

2. The above provisions of law had been brought to your notice vide the Commission's letter No. 576/3/98/JS-II, dated 12th October, 1998 (copy enclosed).

3. It is requested that instructions be issued to the concerned authorities to ensure that the provisions of Rule 21 (1) of the Conduct of Elections Rules, 1961 mentioned above, are strictly complied with at the current general election and there is no ground for any grievance on account of non-compliance of the provisions of the said Rule.

8. Kindly acknowledge receipt.

Yours faithfully,



(K.F. WILFRED)
SECRETARY

Copy to Chief Electoral Officers of Arunachal Pradesh, Maharashtra and Haryana.

रार : निर्वाचन
नई दिल्ली
Gram : ELECCOM
NEW DELHI

भारत निर्वाचन आयोग सचिवालय
SECRETARIAT OF THE
ELECTION COMMISSION OF INDIA

टेलीफोन : एनडी 31 - 61312
Telex : ND 31 - 61312
फैक्स : 3713412/3739944
Fax : 3713412/3739944

संख्या
No. 576/3/98/JS-II
तारीख 199
Dated.....12-10-1998...199

निर्वाचन सदन
अशोक रोड, नई दिल्ली - 110 001
NIRVACHAN SADAN
ASHOKA ROAD, NEW DELHI - 110 001

To

1. The Secretary
to the Govt. of India,
Ministry of Home Affairs,
North Block,
NEW DELHI
2. The Chief Secretaries
of all States/Union Territories.

Sub:- Protection of voting rights of electors subjected to
preventive detention.

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Sir,

I am directed to draw your attention to the subject of
voting rights of electors subjected to preventive detention.

2. Proviso of Sub-section (5) of Section 62 of Representation
of the People Act, 1951 confers voting right on the electors
subjected to preventive detention. As per Rule 18 of C.E.Rules, 1961,
the electors on preventive detention are entitled to cast their
votes by post.
3. In this connection, your attention is invited to Rule
21(1) of C.E.Rules, 1961 which provides that the appropriate Govt.
shall intimate to the Returning Officers, the name of the electors,
if any, subjected to preventive detention together with their
addresses, electoral roll numbers and the places of detention, within
fifteen days of calling an election. This will enable the Returning
Officers to send postal ballot papers to such electors to
facilitate the exercising of their franchise at the election.

Contd....2/-