

ELECTION COMMISSION OF INDIA
Nirvachan Sadan, Ashoka Road, New Delhi –110 001.

No. 3/1/2003/JS-II

Dated:- 23rd September, 2003.

To

*The Chief Electoral Officers of
all States and Union Territories.*

*Subject:- Facilities of voting through proxy to classified service voters –Amendments in the
Conduct of Elections Rules, 1961.*

Sir,

I am directed to send herewith a copy each of The Election Laws (Amendment) Act, 2003 and the Conduct of Elections (Amendment) Rules, 2003. These have come into force w.e.f. 22.9.2003. Copies of separate notifications issued in this behalf are also enclosed.

2. It may be noted that by these amendments in the Act and the Rules, those service voters belonging to the Armed Forces and members belonging to a Force to which provisions of the Army Act applies, have been provided the facility to opt to vote either through proxy or through postal ballot papers. Such service voters who opt to vote through proxy, have been categorised as “classified service voters” (CSVs). The CSVs are required to appoint a person who is resident of the area covered by the constituency concerned, as his proxy. The proxy should be of atleast 18 years of age and shall not be disqualified for registration as an elector. The appointment is to be made in Form 13F, newly inserted. An appointment once made will be valid for all future elections so long as the person making the appointment continues to be a service voter or till the appointment is revoked or the proxy dies. The CSV has the option to revoke the appointment and appoint a new proxy on the death of the earlier proxy or for other reasons. Such revocation of appointment is to be done in the newly inserted Form 13G.

Action by the Returning Officer

3. On receipt of intimation of appointment of proxy by a CSV, the Returning Officers are required to mark the letters 'CSV' against the name of the service voter in the last part of the electoral roll to indicate that the elector has appointed a proxy to cast vote on his behalf. For using the facility of proxy voting at the next earliest election, intimation of appointment of proxy should reach the Returning Officer concerned by the last date for making nomination at that election. The Returning Officer is also required to maintain a separate list of CSVs and their proxies with their complete addresses in the form and manner specified by the Commission. The Form specified by the Commission in this behalf is enclosed as Appendix I. After the last date for making nominations, the Returning Officers are to prepare polling station-wise sub-lists of all CSVs and their proxies. These sub-lists are to be added at the end of the part of the electoral roll pertaining to the polling station concerned and the part of the electoral roll alongwith the sub-list will be the marked copy of the electoral roll for that polling station.

4. The proxy will record the vote on behalf of the CSVs at the polling station to which the CSV is assigned, in the same manner as any other elector assigned to that polling station. It may be noted that in the case of proxy, marking of the indelible ink under rule 37 will be done on the middle finger of the left hand of the proxy. The proxy will be entitled to vote on behalf of the CSV in addition to the vote that he may cast in his own name if he is a registered elector in the Constituency, at the polling station to which he has been normally assigned.

5. This may be brought to the notice all election authorities concerned and all political parties in the State.

6. Kindly acknowledge receipt of this letter immediately.

Yours faithfully,

(A.K. MAJUMDAR)
SECRETARY

“Form 13F
[See rule 27N(3)]

Appointment of proxy by classified service voter to give vote.

I(name of the classified service voter) aged abouts/o, d/o, w/o r/opresently working asand posted atam entitled to appoint proxy under sub-rule (2) of rule 27N of the Conduct of Election Rules, 1961. I hereby appoint(name of the proxy) aged abouts/o, d/o, w/or/oas my proxy to give vote on my behalf and in my name in*[..... **Assembly constituency and]** **Parliamentary constituency** ~~the constituency~~of the State/Union territory of in which I am entitled to give vote under the Representation of the People Act, 1951 (43 of 1951) and the rules made there under.

.....
(Signature of proxy)

.....
(Signature of classified service voter)

Serial number of his name ~~on~~
and part no.of electoral roll of the
concerned constituency

Serial number of his name ~~on~~**in the last**
part of electoral roll of the concerned
constituency
Service Identity Card No.
Name of the Force to which he
belongs

*Not applicable in Union Territories having no Legislative Assembly

Note: (1) The person to be appointed as proxy shall be of not less than eighteen years of age and ordinarily resident in the constituency concerned and shall not be disqualified for registration as an elector in an electoral roll under section 16 of the Representation of the People Act 1950 (43 of 1950).

Note: (2) The signature of the classified service voter and the proxy shall be made before a First Class Magistrate or Notary or the Commanding Officer of the Unit concerned who shall verify the signatures under his hand and seal. In case of First Class Magistrate or Notary verifying the signature, he shall personally check the identity card of the classified service voter to authenticate veracity of the classified service voter.

Form 13G
[See rule 27N (4)]

Revocation of appointment of proxy or

Appointment of substitute proxy by classified service voter to give vote.

~~Whereas~~ I(name of the classified service voter) aged abouts/o, d/o, w/or/opresently working as and posted at ***had*** appointed(name of the proxy) aged abouts/o, d/o, w/o r/oas my proxy to give vote on my behalf and in my name in ~~the~~ * [..... ***Assembly*** constituency ***and*** } ***Parliamentary constituency*** of the State/Union territory of

I hereby revoke the appointment of my said proxy and do not wish to appoint any substitute proxy.

OR

~~*And w-Whereas~~ such proxy has died/ I hereby revoke appointment of the ***said*** proxy and being entitled to appoint substitute proxy under sub-rule (4) of rule 27N of the Conduct of Election Rules, 1961, hereby appoint(name of the substitute proxy) aged about s/o, d/o, w/o r/oas substitute proxy who shall here**~~forth~~*****after*** give vote on my behalf and in my name in the ***aforementioned Assembly and Parliamentary constituency ies*** of the State/Union territory ofin which I am entitled to give vote under the Representation of the People Act, 1951 (43 of 1951) and the rules made thereunder.

.....
(Signature of proxy)

Serial number of his name ~~on~~ ***and part no. of*** electoral roll of the concerned constituency

.....
(Signature of classified service voter)

Serial number of his name ~~on~~ ***in last part of*** electoral roll of the concerned constituency

Service Identity card No.

Name of the Force to which he belongs.....

*Not applicable in Union Territories having no Legislative Assembly

Note: (1) The person to be appointed as proxy shall be of not less than eighteen years of age and ordinarily resident in the constituency concerned and shall not be disqualified for registration as an elector in an electoral roll under section 16 of the Representation of the People Act 1950 (43 of 1950).

~~Note:-~~ ***(2) The signature of the classified service voter and the proxy shall be made before a First Class Magistrate or Notary or the Commanding Officer of the Unit concerned who shall verify the signatures under his hand and seal. In case of First Class Magistrate or Notary verifying the signature, he shall personally check the identity card of the classified service voter to authenticate veracity of the classified service voter."***

*Score out the words not applicable

[F.No. H-11019(34)/99-Leg.II]

(N.L. Meena)
Joint Secretary to the Government of India

Foot note: The principle rules were published videand lastly amended by
Dated