

By e-mail/special camp bag/Speed post

ELECTION COMMISSION OF INDIA

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

No. 3/1/2013/VVPAT/SDR/ 1484-518

Dated:-20th November, 2013.

To

The Chief Electoral Officers of
All States/Union Territories.Subject:- The Conduct of Elections (Amendment) Rules, 2013 to provide for use of
VVPAT- regarding.

Sir/Madam,

You are aware that 'The Conduct of Elections Rules, 1961' have been amended on 14th August, 2013 to amend/make rules for the use of Printer for paper trail of votes recorded in EVMs when used specifically as per direction by the Commission under the proviso to rule 49A, as inserted by the above amendment. A new rule 49MA has been inserted to prescribe the procedure to be followed in case of complaint about alleged wrong particulars of a candidate and /or symbol on paper slip generated by the printer on pressing of the blue button against any candidate on the balloting unit is made by an elector. In sub-rule(1) it is prescribed that the Presiding Officer shall obtain a written declaration from the elector as to the allegation. after warning the elector about the consequence of making a false declaration.

2. The Commission has devised the format of the written declaration in order to ensure uniformity across the country. A specimen of the declaration is sent herewith. Copies of the declaration may be provided to the Polling staff of those Constituencies where VVPAT system may be adopted. The Presiding Officers and Polling Officers in such Constituencies should be briefed about the requirement of a declaration in case of complaint of alleged mismatch in the slip generated by the printer and the button pressed on the balloting unit by the voter.

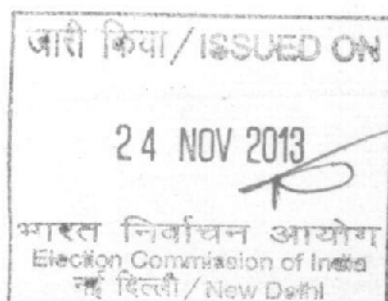
3. CEO Delhi and CEO, Mizoram where VVPAT system is being used in some Assembly Constituencies, may note that the contesting candidates in the Assembly Constituencies concerned may also be apprised about the provisions of Rule 49MA and the requirement of declaration by electors in such cases.

4. Kindly acknowledge receipt.

Yours faithfully,

(N.T. Bhutia)

Under Secretary



General/ Bye- Election to

Sl. No. and Name of Parliamentary/ Assembly Constituency

No. and Name of Polling Station.....

FORM OF DECLARATION BY ELECTOR UNDER RULE 49MA OF CONDUCT OF ELECTIONS RULES, 1961

1. I hereby solemnly declare and affirm under sub-rule (1) of Rule 49 MA of the Conduct of Elections Rules 1961 that the paper slip generated by the printer attached to the Balloting Unit has shown the name and/or symbol of a candidate other than the candidate for whom I voted by pressing the concerned blue button against the name and symbol of the candidate of my choice on the Balloting Unit. I am ready to cast a test vote again to show that the allegation made by me is true and bonafide.

2. I am aware of the penal provisions of Section 177 of the IPC that I shall be liable to be punished with imprisonment for a term which may extend to six months, or with fine which may extend to one thousand rupees, or with both, if the declaration given by me in para 1 above to the Presiding Officer appointed under Section 26 of the RP Act, 1951 is found to be incorrect.

Signature/Thumb impression of the Elector

Name of the Elector.....

Father/Mother/Husband's Name

Part No. of elector roll.

Sl. No. of elector in that Part.....

Sl. No. in Register of Voters (Form 17A)

Dated

Certified that the above declaration was made and subscribed by the elector above named before me.

Signature of the Presiding Officer

Dated

.....का साधारण/उप-निर्वाचन
संसदीय/विधान सभा निर्वाचन-क्षेत्र की क्र.सं. एवं नाम.....
मतदान केन्द्र की सं. एवं नाम.....

निर्वाचनों का संचालन नियम, 1961 के नियम 49 ड क के अंतर्गत निर्वाचक द्वारा घोषणा का प्रपत्र

1. मैं एतद्वारा निर्वाचनों का संचालन नियम, 1961 के नियम 49 ड क के उप-नियम (1) के अंतर्गत सत्यनिष्ठा से घोषणा एवं प्रतिज्ञान करता हूँ कि बैलेटिंग यूनिट से जुड़े प्रिंटर द्वारा उत्पन्न पेपर स्लिप में उस अभ्यर्थी के इतर अभ्यर्थी का नाम और/या प्रतीक प्रदर्शित हुआ है जिसके लिए मैंने बैलेटिंग यूनिट पर अपनी पसंद के अभ्यर्थी के नाम और प्रतीक के सामने संबंधित नीले बटन को दबा कर मतदान किया था। मैं यह दर्शाने के लिए पुनः परीक्षण मत डालने के लिए तैयार हूँ कि मेरे द्वारा लगाए गए आरोप सत्य एवं वास्तविक हैं।
2. मैं भारतीय दंड संहिता की धारा 177 के दंडिक प्रावधानों से अवगत हूँ कि यदि लोक प्रतिनिधित्व अधिनियम, 1951 की धारा 26 के अंतर्गत नियुक्त पीठासीन अधिकारी को उपर्युक्त पैरा 1 में मेरे द्वारा दी गई घोषणा गलत पाई जाती है तो मैं कारावास से, जिसकी अवधि छह महीने तक हो सकती है, अथवा जुर्माने से, जो एक हजार रुपये तक हो सकता है, अथवा दोनों से दंडित किए जाने का भागी बनूंगा।

निर्वाचक के हस्ताक्षर/अंगूठे का निशान
निर्वाचक का नाम.....
पिता/माता/पति का नाम.....
निर्वाचक नामावली की भाग सं.....
उस भाग में निर्वाचक की क्र.सं.....
मतदाता रजिस्टर की क्र.सं. (प्रपत्र 17क).....

दिनांक.....

प्रमाणित किया जाता है कि ऊपर लिखित निर्वाचक द्वारा उपर्युक्त घोषणा मेरे समक्ष की गई और हस्ताक्षरित की गई।

पीठासीन अधिकारी के हस्ताक्षर

दिनांक.....