

# ELECTION COMMISSION OF INDIA

NIRVACHAN SADAN, ASHOKA ROAD, NEW DELHI- 110001

No. 52/2020/SDR-Vol.I

Dated: 3rd October, 2020

To,

The Chief Electoral Officer  
Bihar,  
Patna

Sub: - General Election to the Legislative Assembly of Bihar- the Election Commission's Direction regarding electronic transmission of postal ballot papers to service voters- regarding.

Sir,

I am directed to forward herewith a copy of the Direction dated 3rd October, 2020 issued by the Election Commission in terms of second proviso to sub-rule (1) of Rule 23 of the Conduct of Elections Rules, 1961, laying down the procedure of transmitting postal ballot papers electronically to service voters during the current **General Election to the State Legislative Assembly of Bihar**.

2. A copy of the Direction may be sent to the Returning Officers for electronic transmission of postal ballot papers to the service voters. This may also be communicated to District Election Officers and the other election authorities. The contesting candidates should also be briefed by Returning Officers /District Election Officers, in this regard.

3. Kindly acknowledge receipt of this letter.

Yours faithfully,



(ASHWANI KUMAR MOHAL)  
UNDER SECRETARY

# **ELECTION COMMISSION OF INDIA**

Nirvachan Sadan, Ashoka Road, New Delhi-110001

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## **DIRECTION**

In terms of the provisions of the second proviso to sub-rule(1) of Rule 23 of the Conduct of Elections Rules, 1961, the Election Commission hereby lays down the following manner for transmission of postal ballot papers by electronic means to the service voters and counting of the postal ballots received back from service voters: -

### **1. Documents to be transmitted -**

The Returning Officer shall transmit the following documents, electronically:

- (a) Postal Ballot Paper,
- (b) Form 13-A-Declaration by Elector,
- (c) Label for Form 13-B- Cover A (Inner Envelope),
- (d) Label for Form 13-C-Cover B (Outer Envelope),
- (e) Form 13-D- Instructions for the Guidance of Elector.

### **2. Mode of transmission-**

As soon as the Central Administration Officer (C- Admin) activates the 'RO operations' for release of postal ballot paper electronically, the Returning Officer shall be able to log into the system and perform the following activities:-

- (a) 'Enter'/'view' the data for the election of his constituency as per the election schedule (i.e. description of the election, state code of constituency, type of constituency (AC or PC), number of constituency, name of constituency, date of the election and RO address for mailing/dispatching back the marked Postal ballots.
- (b) 'Enter'/'view' the download window (i.e. start date and time and end date and time) for Postal Ballot.
- (c) Load template of the Postal Ballot Paper specific to his constituency.
- (d) View and approve the sample Postal Ballot generated by the system.

- (e) Generate the password (PIN) and password protected Postal Ballots in bulk for the service voters registered in his constituency.

### **3. Downloading and printing of ETPB -**

- (a) The officer in charge of Records/Unit Officer concerned/Nodal Officer competent to download the Electronically Transmitted Postal Ballot Papers (ETPBs) shall download the same using the secure OTP means.
- (b) Thereafter, if the service voter concerned is in a position to take printout of the ETPB, he shall do so using the PIN that would be transmitted to him. In other cases, the Unit Officer/Nodal Officer shall take the print of the ETPB and handover the ETPB along with print of Form-13A, labels for Form 13B and 13C and instruction in Form 13D to the service voter concerned. It shall be ensured that the ETPB and the accompanying documents meant for a particular service voter is handed over to the very particular service voter only and to no one else.
- (c) Two envelopes - one smaller envelope for Form 13B and a larger envelope for Form 13C shall also be supplied to each service voter. Concerned CEO would be supplying the sufficient number of envelopes (inner and outer) as per the specifications, in advance, and the Record Officer/Unit Officer/Commandant, would be giving the pair of inner and outer envelopes to the Service Voter deployed with them.
- (d) The Unit officer/Nodal Officer shall maintain a record of ETPBs handed over to each service voter. This record shall be preserved in the unit concerned for five years so that the same can be produced for inspection before any authority or before Courts in the event the same is required to be inspected.

### **4. Voting and return of ETPB-**

On receipt of the ETPB and the accompanying papers, the service voter shall-

- (a) mark his vote on the ballot paper by putting a cross (X) or tick (v') against the name of the candidate of his choice as per the instructions in Form 13D.

He shall then, place the marked ballot paper inside the smaller envelope, close the envelope by gum and paste the label for Form 13B on this envelope. Also, the serial number of the ballot paper shall be noted on the Form 13B at the space provided for the purpose on that envelope, if not already printed thereon.

- (b) Fill up the declaration in Form 13A, sign the same and get it attested by the officer designated for attestation.
- (c) Place (i) the closed (gummed) smaller envelope (Form 13B) and (ii) the declaration in Form 13A, inside the larger envelope and close the same using gum.
- (d) Paste the label for Form 13C on the larger envelope and put signature in the place marked for signature of sender.
- (e) Dispatch the envelope (Form 13C) back to the RO through the available postal means.
- (f) No postage stamp need be affixed on the envelope (Form 13C) if posted, within India.
- (g) CEO should inform GM Post Office to accept the envelope for speed post-delivery to addressee and charges would be paid by CEO Office.

#### **5. Counting of ETPBs**

(A) Counting of ETPBs shall be done at RO's Table, as in the case of the other postal ballots.

(B) Only such Postal Ballots which have been received before the hour fixed for commencement of counting, shall be counted.

#### **(C) Opening of the Envelopes and Verification:-**

- (i) Opening of Form 13-C or cover 'B' (Outer Envelope)-The covers in Form 13-C, received in time, should be verified and opened one after another. QR code on the Outer Envelope will be scanned using a computer software and QR code reader and necessary validity checks will be performed. After verification of the outer envelope, a unique serial number will be provided by the computer. This serial number will also be manually marked by RO

on the envelope being verified. The computer software will check the entry in the QR code for any possible duplicates in the list of Postal Ballots received and flag a warning for such cases. The computer software will also provide the list of serial numbers which are all duplicate to the Postal Ballot being handled. The RO will locate all such duplicate envelopes as indicated by the computer software and keep them together physically and invalidate all such duplicate/multiple votes. All such envelopes declared invalid shall not be opened for further processing and will be kept aside and preserved for future reference. Number of such duplicate Postal Ballots shall be marked in the register.

- (ii) On opening Cover "B" (Form 13C), two documents are required to be found inside. The first is the declaration by the voter in Form 13-A and the second the inner cover i.e. Form 13-B containing the Postal Ballot Paper.
- (iii) As each cover is opened, RO should take out the declaration in Form 13-A and the cover in Form 13-B, scan, verify and then scrutinize the declaration.
- (iv) Before opening the cover in Form 13-B containing the Postal Ballot Paper, the RO must check the declaration in Form 13-A and all such forms 13A must be kept separately and sealed, before taking up Form 13B for opening and counting.
- (v) RO will reject a Postal Ballot without opening its inner cover in Form 13-B if:-
  - (a) the declaration in Form 13-A is not found in the cover, or
  - (b) the Electronic Postal Ballot Identification Number (e-PBID) in the declaration in Form 13-A does not match the issued e-PBID, or
  - (c) the declaration has not been duly signed and, or not attested by an officer competent to do so, or the e-PBID of Postal Ballot appearing in the declaration is different from the e-PBID on the cover in Form 13-B
- (vi) Each such rejected cover should be endorsed suitably and the declaration and the cover should be placed back in the cover in Form 13-C(Outer Envelope). All such covers in Form 13-C should be kept together in a

separate packet duly sealed and full particulars such as the name of the constituency, the date of counting and a brief description of contents should be noted thereon for easy identification.

- (vii) All the declarations in Form 13-A, which have been found to be in order, should then be kept separately for counting.
- (viii) For further counting, all instructions for counting of postal ballot paper shall apply.
- (ix) Scanning of QR Codes SHOULD be done in the sequence without fail. Form 13C should be scanned first, followed by both the QR Code on Form 13A and then Form 13B. SEQUENCE OF QR CODE SCANNING SHOULD NOT BE CHANGED UNDER ANY CIRCUMSTANCES.

Yours faithfully,

  
(NARENDRA N. BUTOLIA)  
SR. PRINCIPAL SECRETARY