

Office of the Election Authority

Under Panchayati Raj Act, 1989,
(Chief Electoral Officer)
Jammu and Kashmir

"Greater Participation for a stronger Democracy"

Sub: Scheme for voting by Kashmiri Migrants by means of Postal Ballot in the Panchayat By-Elections 2020.

ORDER NO: CEO/Pyt/2020/221

Dated: 15.02.2020

Consequent upon the notification of Kashmiri Migrants as the specified class of persons to cast their vote by postal ballot, vide Notification No: 5425/CEO/Pyt/2020/656-63 dated 15.02.2020, the detailed scheme for those of the 'Specified voters' who wish to vote by postal ballot is enclosed herewith.

Sd/-

(Shailendra Kumar)IAS
Election Authority, J&K

Encl: Postal ballot scheme (11 leaves)

No. 5425/CEO/ Pyt/2020/664-70

Dated: 15-02-2020

1. Principal Resident Commissioner, J&K Govt. 5-Prithvi Raj Road, New Delhi.
2. Divisional Commissioner, Kashmir/Jammu for information.
3. Secretary to Govt. Rural Development Department J&K, Jammu.
4. District Panchayat Election Officers,(Deputy Commissioners) Jammu, Udhampur, All Districts of Kashmir Division, for information and n/a.
5. Director, Rural Development Department, Jammu/Kashmir for information.
6. Relief and Rehabilitation Commissioner, (Migrant) J&K, Jammu


(Anil Salgotra)

Joint Chief Electoral Officer
UT of J&K

**Scheme for voting by Kashmiri Migrants by means of Postal Ballot
in the Panchayat By-Elections 2020**

Details of the scheme

1. Persons Entitled to Vote by Postal Ballot:

The voters falling under the purview of Notification dated 15th February issued vide endorsement No. 5425/CEO/Pyt/2020/656-63 dated 15.02.2020 of the Election Authority, J&K shall constitute the specific class of persons who shall be entitled to vote by post through postal ballot, hereinafter referred as Migrant Postal Ballot (MPB). They shall, henceforth, be referred as 'Specified Voters' for the purpose of this scheme.

2. Appointment of Assistant Returning Officers for 'Specified Voters':

A. Following Officers have been designated as Assistant Returning Officer (Migrants), hereinafter referred as AROs, for the 'Specified voters' of the Panchayat Halqas/Panch Constituencies falling in the 10 districts of Kashmir Division:

- a) Assistant Commissioner (Relief), Jammu for migrants in Jammu as also the transit camps in Kashmir Valley;
- b) Deputy Director (Horticulture, Planning & Marketing), New Delhi, functioning from the office of Resident Commissioner, J&K House, New Delhi; and
- c) Collector, Northern Railways, Udhampur.

B. The AROs shall be responsible for:

- a) receipt of applications from the 'Specified voters' who wish to avail the facility of MPB and certification thereof;
- b) furnishing information for preparation of marked copies of electoral rolls;
- c) setting of facilitation centres for signing of declarations, etc.

3. Intimation by 'Specified voters' to vote by MPB:

- a. A Specified voter, who wishes to vote by MPB, shall give his/her preference by filing Form-'MPB-1', as enclosed.
- b. Copies of MPB-1 shall be available at the following designated places and can also be downloaded from the website of the CEO J&K (ceojk.nic.in):

- 1) ARO Migrant, Jammu
- 2) ARO Migrant, Udhampur
- 3) ARO Migrant, Delhi
- 4) Migrant Camp, Muthi
- 5) Migrant Camp, Purkhoo
- 6) Migrant Camp, Jagti
- 7) Migrant Camp, Nagrota
- 8) Zonal Office, Bari Brahmna (located at Gangyal)
- 9) Zonal Office, JK BOSE, Rehari
- 10) Office of DC Relief, Srinagar (Indira Nagar, Srinagar)
- 11) Transit Camp, Shiekhpora (Budgam)
- 12) Transit Camp, Natnsua (Kupwara)
- 13) Transit Camp, Veerwan (Baramulla)
- 14) Transit Camp, Vessu (Kulgam)
- 15) Transit Camp, Mattan (Anantnag)

16) Transit Camp, Hawl (Pulwama)

- c. To enable the Specified voters to give the requisite details in Form MPB-1, copies of the electoral rolls of all the Panchayat Halqas/Panch Constituencies of Kashmir Division shall be available at the above mentioned 16 locations. Electoral Rolls are also available on the CEO, J&K web portal (ceojk.nic.in).
 - d. Duly filled Form MPB-1 should be deposited to the ARO Migrants or the designated Officers (to be appointed by the Relief Commissioner, J&K) at the locations mentioned at 3(b) above **by the date appointed as 'the last date for making nomination' for the concerned Panchayat Halqa/Panch Constituency.**
 - e. Following officers are authorised for the purpose of signing the certificate in Part II of Form MPB-1:
 - I. an officer incharge of a migrant camp/area;
 - II. an officer incharge of an office from where the Specified voter draws his salary as a migrant employee;
 - III. an officer incharge of treasury/bank from where the Specified voter draws his pension as a pensioner;
 - IV. any gazetted officer.
- 4. Registration of Specified voters & preparation of marked copy of electoral rolls:**
- a. All the application received by the **due date (i.e. the date Specified as the last date for making nomination for that Panchayat Halqas/Panch Constituencies)** in the Form 'MPB-1' by all the AROs (Migrants) and designated Officers at the locations mentioned at 3(b) above shall be forwarded to the ARO (Migrants), Jammu.
 - b. Information related to each 'Specified voter', whose Form 'MPB-1' has been received within the prescribed time shall be entered in the prescribed format MPB-7, Panch constituency wise and forwarded to the ARO (Migrant), Jammu on the **due date (i.e. the date Specified as the last date for making nomination for that Panchayat Halqa/Panch Constituency)**. The ARO (Migrant), Jammu shall compile the same and forward it to the DPEO (Deputy Commissioner) concerned, latest by the day fixed for scrutiny of nominations for that Panchayat Halqa/Panch Constituencies.
 - c. The DPEO (Deputy Commissioner), on receipt of the list of Specified voters who have opted for this scheme, forward the same to the concerned Returning Officers (ROs) who shall issue the MPB and prepare the marked copies of Electoral rolls.
 - d. The marked copies of the electoral rolls shall be used at the respective polling stations.
- 5. Form of Postal Ballot Paper (Set of two Ballots—One for Sarpanch and another for Panch in case election is for both Sarpanch and Panch in that Halqa):**
- a) Every postal ballot paper shall have a counterfoil attached thereto and the said ballot paper and the counterfoil shall be in Urdu and English language.
 - b) The Pink colour Postal Ballot shall be for the election to Sarpanch of the Panchayat Halqa of the Specified Voter.
 - c) The white colour Postal Ballot shall be for the election to Panch Constituency of the Specified Voter.
- 6. Issue of Postal ballot paper:**

- a) Based on the list of Specified voters who have opted for the MPB scheme, RO shall, within 48 hours of the last date of withdrawal, enclose the following in Cover C (as per Form 'MPB-6') and send by post, under certificate of posting, to the Specified voter:
 - i. a single ballot paper in case of Sarpanch or Panch election or a set of two Migrant Postal Ballots in case of both (One for Sarpanch and other for Panch) with seal and signatures of the RO concerned on the backside of each ballot;
 - ii. a declaration in Form 'MPB-2';
 - iii. a cover in Form 'MPB-3';
 - iv. a large cover addressed to the RO concerned in Form 'MPB-4'; and
 - v. instructions for the guidance of the Specified voter in Form 'MPB-5':
- b) The Returning Officer shall, at the same time—
 - i. record on the counterfoil of the each ballot paper the electoral roll number of the Specified voter as entered in the marked copy of the electoral roll;
 - ii. mark the name of the Specified voter in the marked copy of the electoral roll to indicate that a set of ballot papers has been issued to him, without, however, recording therein the serial numbers of the ballot papers issued to that Specified voter; and
 - iii. ensure that the Specified voter is not allowed to vote at a polling station.
- c) Every officer under whose care or through whom the postal ballot papers are sent shall ensure the delivery to the addressee without delay.
- d) After postal ballot papers have been issued to all the Specified voters, the RO shall:
 - i. seal up in a packet the marked copy of the electoral roll and record on the packet a brief description of its contents and the date on which it is sealed.
 - ii. also seal up in separate packet the counterfoils of the ballot papers issued to the Specified voters and record on the packet a brief description of its contents and the date on which it was sealed.

7. Recording of Vote:

- a) A Specified voter who has received the set of postal ballot papers and desires to vote shall record his vote on the ballot paper(s) in accordance with the directions contained in Part I of Form MPB-5.
- b) After recording his votes, he shall enclose both the postal ballots in the **Cover A (Form MPB-3)** and seal this envelope.
- c) The Specified voter shall sign the declaration in Form **MPB-2** in the presence of, and have the signature attested by, a 1st Class Magistrate or a Gazetted Officer.
- d) The envelope containing postal ballot(s) i.e., **Cover A (Form 'MPB-3)** and the declaration in Form **'MPB-2'** shall be put in the bigger envelope **Cover B (Form 'MPB-4)**. **This should be sealed properly.**

8. Returning the set of ballot papers:

- a) The sealed large **Cover-B (Form 'MPB-4')**, containing the set of postal ballots in Form 'MPB-3' and declaration in Form 'MPB-2', shall

be returned by the Specified voter to the RO concerned by post so as to reach him three days before the date appointed for poll.

- b) The DPEO (Deputy Commissioner) shall notify an Assistant Returning Officer, viz; ARO (Hqrs), located at the District Headquarters, as the 'Nodal officer' for MPB in the district who shall also be the ARO (Counting) to assist all the ROs of the district in counting of the MPBs.
- c) For the purpose of collection of MPBs the address of the RO shall be that of the ARO (Hqrs) of the concerned district, so that all MPBs related to that district are received at a single point i.e. office of ARO (Hqrs).
- d) All the MPBs, duly sealed in large Cover B (Form 'MPB-4'), shall be received by the ARO (Hqrs) who shall ensure proper receipt of all the covers and keep them in safe custody. Also, if any such Cover is received after the expiry of the time stated above, the ARO (Hqrs) shall make note thereon the date and time of its receipt and forward it to the concerned RO.

9. Counting of Migrant Postal Ballots:

- a) On the day of despatch of polling parties, the ARO (Hqrs) shall provide all the MPBs received within the prescribed time period to the RO concerned, for handing over all the MPBs of the particular Panchayat Halqa, in a sealed envelope to the ARO who is incharge of the counting for that Panchayat Halqa/Panch Constituencies of that Halqa. The ARO shall take necessary steps for counting of the MPBs at the time of counting.
- b) The ARO shall comply with all the extant instructions regarding the counting of postal ballots. In particular, he shall ensure that:
 - i. The Postal Ballots have the Signatures of the RO on the back side (Specimen signatures of the RO shall be provided to all the AROs responsible for counting of Postal Ballots).
 - ii. The MPBs are duly marked by the Specified voter and there is no mark other than this on the MPB.
 - iii. The declaration in Form 'MPB-2' is duly signed by the Specified voter as well as the attesting authority.
 - iv. The postal ballots are taken up for counting first.

FORM 'MPB-1'
Letter of Intimation to vote through Migrant Postal Ballot
(To be filled by each 'Specified voter' individually)

To

The Assistant Returning Officer (Migrants),

Sir,

I, _____ son/daughter/wife of _____ resident
of village/mohalla _____ of town/city/tehsil _____
District _____ of Kashmir (J&K), belong to the class of Specified voters,
and wish to cast my vote by post at the election to _____ Panch Constituency of
_____ Panchayat Halqa in _____ Block. My **complete present**
postal address is as under:-

House/dwelling unit/tent number _____

Name of camp/mohalla/village _____

Name of ward/town/tehsil _____

District _____ Pin Code _____

UT _____

My name is entered at S. No. _____ in part/polling station number _____ of
the Electoral roll of the Panch Constituency: _____ of the Panchayat
Halqa _____

*I am registered as a migrant with _____ (designation of officer)
Government of _____ under Registration No. _____ as
a head/member of the family of self/Shri/Shrimati _____

* I am registered as a migrant.

* I am _____ serving as a Government employee.

* The Head of the family is (designation) _____ in the office of
_____ (full address).

* I am _____ a pensioner and drawing pension.

* The Head of the family is under account No. _____ from Government
Treasury/Branch of Bank, located at _____ (full address)

Yours faithfully,

(Signature of the elector)

PART-II

Certificate by the officer incharge of the migrant camp/office/area or by head of the office where the applicant is serving as a migrant employee or by a Treasury Officer/Bank Manager from where the migrant is drawing his pension as a pensioner or by any Gazetted officer.

It is hereby certified that the particulars given by the applicant in Part-I are correct as per our record/to the best of my knowledge and understanding.

Dated :

(Full signature of the attesting officer)

Name _____

Address _____

Rubber Stamp _____

*** Strike off whichever is not applicable and tick the relevant statement.**

FORM 'MPB-2'
DECLARATION BY SPECIFIED VOTER
 Election to the Panchayat By- Elections 2020

(This part is to be used only when the Specified voter signs the declaration himself/herself)

I hereby declare that I am the Specified voter to whom the postal ballot papers bearing following serial numbers have been issued at the above election:

1. For Sarpanch _____
2. For Panch _____

Signature of Specified voter

Date _____ Address _____

Attestation of Signature

The above has been signed in my presence by _____ (Specified voter) who is personally known to me/has been identified to my satisfaction by _____ (identifier) who is personally known to me.

Signature of identifier, if any _____

Address _____

Signature of Attesting Officer

Designation.....

Address.....

Date.....

(This part is to be used when the Specified voter cannot sign himself)

I hereby declare that I am the Specified voter to whom the postal ballot paper bearing above mentioned serial numbers have been issued at the above election.

Date _____

Signature of Attesting Officer
on behalf of Specified voter

Address of Specified voter.....

Certificate

I hereby certify that—

The above named Specified voter is personally known to me/has been identified to my satisfaction by(identifier) who is personally known to me;

(2) I am satisfied that the Specified voter is illiterate/suffers from(infirmity) and is unable to record vote or sign declaration;

(3) I was requested by him/her to mark the ballot paper and to sign the above declaration on his/her behalf; and

(4) The ballot paper was marked and the declaration signed by me in his/her presence and in accordance with the wishes.

(Signature of identifier, if any)

Address.....

Signature of Attesting Officer

Designation.....

Address:.....

Date:.....

FORM 'MPB-3'

'COVER - A'

NOT TO BE OPENED BEFORE COUNTING (by anybody including RO)

- *Election to the:
- *Name of the District:.....
- *Name of the Block:.....
- *Name of Panchayat Halqa:.....
- *Name of Panch Constituency:.....
- *Polling Station No. & Name:.....

POSTAL BALLOT PAPER

- **Serial number of ballot paper for Sarpanch:.....
- **Serial number of ballot paper for Panch:.....

* Appropriate particulars of the election to be inserted here by RO

** Serial numbers of the postal ballot papers to be filled by the RO

FORM-'MPB-4'

'COVER - B'

(Service unpaid)

Every officer under whose care or through whom the set of postal ballot papers is sent shall ensure its delivery to the addressee without delay

**ELECTION-IMMEDIATE
POSTAL BALLOT PAPER**

For Election to: *District:.....Block:.....
*Name of Panchayat Halqa:.....
*Name of Panch Constituency:.....
*Polling Station No & Name:.....

(NOT TO BE OPENED BEFORE COUNTING by anybody including RO)

To

The Returning Officer,

Panchayat Halqa:

C/o ARO (HQRS):

*In the office of the Deputy Commissioner,.....

.....

.....

.....

Signature of sender.....

** Returning Officer to fill in all the details on this form. Returning Officer to insert here the name of the District, Block, Panchayat Halqa, Panch Constituency and also the postal address of the ARO (Headquarters) of the district as notified by the concerned DPEO (Deputy Commissioner).*

FORM 'MPB-5'
INSTRUCTIONS FOR GUIDANCE OF 'SPECIFIED VOTERS'
Panchayat By- Elections 2020

- 1) There are two types of ballot papers. The pink one is for the election of Sarpanch of your Panchayat Halqa and the white one is for election of Panch of your Panch Constituency. Since it is a by election you are being provided either one or both of these ballots depending on vacancy in your Halqa Panchahyt.
- 2) The persons whose names are printed on these ballot papers sent herewith are candidates at the above elections. Record your vote on each of the ballot papers by placing clearly a mark opposite the name of the candidate to whom you wish to give your vote. The marks should be so placed as to indicate clearly and beyond doubt to which candidate you are giving your vote. If the mark is so placed as to make it doubtful to which candidate you have given your vote, your vote will be invalid. The number of members to be elected as Sarpanch of the Halqa is one and also the number of members to be elected as Panch for your Panch constituency is also one. Thus you have only one vote for Sarpanch election and one for Panch election. Accordingly, you should not vote for more than one candidate on one ballot paper. If you do so, your ballot paper will be rejected. Do not put your signature or write any word or any mark, sign or writing whatsoever on the ballot paper other than the mark required to record your vote.
- 3) After you have recorded your vote on the ballot papers, place the ballot papers in smaller cover A, marked Form 'MPB-3' sent herewith. Close the cover and secure it by seal or otherwise.
- 4) You will then sign the declaration in Form 'MPB-2', also sent herewith in the presence of an officer described in clause (5) below and obtain the attestation of your signature by such officer.
- 5) Attestation may be obtained from officer incharge of the camp, area or office where you are registered. If you are employed under the State Govt. of J&K or Central Government, the attestation may be obtained from the officer incharge of your office. If you are a pensioner, attestation may be obtained from the officer incharge of the Treasury/Bank through which you are drawing your pension. If you are not registered anywhere but your name figures in the electoral roll the attestation may be obtained from a 1st Class Magistrate or a Gazetted Officer.
- 6) You may take the declaration to the authorised officer and sign it in his presence after he has satisfied himself about your identity. The officer will attest your signature and return the declaration to you. You must not show your ballot paper to the attesting officer nor tell him how you have voted.
- 7) If you are unable to mark the ballot papers and sign the declaration yourself in the manner indicated above for reasons of illiteracy, blindness or other infirmity, you are entitled to have your vote marked and declaration signed on your behalf by any of the authorised officer mentioned above. Such an officer will, at your request mark the ballot papers in your presence and in accordance with your wishes. He will also complete the necessary certificate in this behalf.
- 8) After your declaration has been signed and your signature has been attested, place the declaration (Form 'MPB-2') as well as the set of ballot papers sealed in smaller Cover "A" (Form 'MPB-3') in the larger Cover "B" (Form 'MPB-4'). You have to give your full signature in the space provided on the cover marked "B".
- 9) After closing the larger cover, send it to the RO concerned by post. No postage stamps need to be affixed by you if the cover is posted in India.
- 10) You must ensure that the cover reaches the concerned RO three days before the day of Poll in the Panchayat Halqa/Panch Constituency for which you are voting.
- 11) Please note that:
 - (i) If you fail to get your declaration certified in the manner indicated above, your ballot papers will be rejected; and
 - (ii) If the cover reaches the RO concerned after the day prescribed in clause (10) above, your vote will not be counted.

FORM 'MPB-6'

'COVER - C'

Election to the *
To
*Sh/Smt.....
*S/o, D/o, W/o.....
*Complete Postal Address
.....
.....
From:
**RO.....
.....

* Complete details to be filled in by RO as per information furnished by the 'Specified voter' and furnished to him in Form 'MPB-7'.

** RO should fill his complete postal address including Block and Halqas.

Form 'MPB-7'
List of Specified Voters who have applied for availing Postal Ballot facility

Name of the District: Block:

S. No.	Panchayat Halqa	Panch Constituency	Polling Station No.	Polling Station Name	Name of the Specified voter	S. No. in the Roll	EPIC No.	Complete postal Address of the Specified Voter

Certified that all the Form 'MPB-1' received up to the due date (i.e. the date Specified as the last date for making nomination for that Panchayat Halqa/Panch Constituencies) have been accounted for in the above information.

(Name & Signature) of the
 ARO Migrant,/Designated Officer, Camp.....
 Phone No(Mobile):.....