

असाधारण

EXTRAORDINARY

Daman 16th October, 2020 24 Ashvina, 1942 (Saka)

सं. : 72
No.

सरकारी राजपत्र
OFFICIAL GAZETTE



भारत सरकार
Government of India

संघ प्रदेश दादरा एवं नगर हवेली तथा दमण एवं दीव प्रशासन

U.T. ADMINISTRATION OF DADRA & NAGAR HAVELI AND DAMAN & DIU

प्राधिकरण द्वारा प्रकाशित

PUBLISHED BY AUTHORITY

**U.T. Administration of Dadra & Nagar Haveli and Daman & Diu
Office of the joint Secretary of Panchayat Election, Secretariat,
Daman**

No. 01/04/PBFORDER/EDS/DNH&DD/2020/43

Dated : 16/10/2020

Subject : Issue of postal ballot to electors above the age of 80 Years, electors with physical disability, electors on election duty (including police personnel) and electors in quarantine due to COVID-19- reg

With reference to subject cited above, the Notification No. 7-2/EC/DD/2020 and 7-2/EC/DD/2020(A) both dated 15/10/2020 received from the Election Commission Daman & Diu, F-Block, M.S. Apartments, K. G. Marg, New Delhi is hereby published in the Official Gazette of this U.T. Administration of Dadra & Nagar Haveli and Daman & Diu for general information.

Sd/-
(Ashish Mohan)
Joint Secretary (PE),
Daman & Diu
Daman

ELECTION COMMISSION
Dadra & Nagar Haveli and Daman & Diu
F-Block, M.S. Apartments,
KG Marg, New Delhi – 110 001

No.7-2/EC/DD/2020

Dated the 15th October, 2020

NOTIFICATION

In pursuance of the provisions of Article 243 K(1), Article 243 Z(A), of the Constitution of India, Section 99 of the Dadra and Nagar Haveli and Daman and Diu Panchayat Regulation, 2012 and section 5 of the Dadra and Nagar Haveli and Daman and Diu Municipal Council Regulation 2004, the Election Commission for Dadra and Nagar Haveli and Daman and Diu, hereby specifies that the COVID-19 suspect or affected persons, certified by competent authority, who request for voting by postal ballot paper, would be a class of persons to give vote by postal ballot in the General Elections/Bye Elections in the Union Territory of Dadra and Nagar Haveli and Daman and Diu already notified under rule 29 of the Daman and Diu Panchayat (Election Procedure) Rules, 1995, rule 29 of the Dadra and Nagar Haveli Panchayats (Election Procedure) Rules, 1995, rule 28 of the Dadra and Nagar Haveli Municipal Council (Elections) Rules, 2005 and rule 28 of the Daman and Diu Municipalities (Elections) Rules, 1995 and the directions and guidelines issued by the Election Commission for Dadra and Nagar Haveli and Daman and Diu, until further orders.

Sd/-
(Narendra Kumar)
Election Commissioner

ELECTION COMMISSION
Dadra & Nagar Haveli and Daman & Diu
F-Block, M.S. Apartments,
KG Marg, New Delhi – 110 001

No.7-2/EC/DD/2020(A)

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Sd/-
(Narendra Kumar)
Election Commissioner

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| EXTRAORDINARY NO. : 72 |
| DATED : 16 TH OCTOBER, 2020. |

[FORM - 27]

Part I

Letter of intimation to Returning Officer
(for absentee voters)

To

The Returning Officer,
Ward No.....of Gram Panchayat/Sarpanch of Gram Panchayat/District Panchayat/
Municipal Council
.....(designation and address of RO)

Sir,

I.....son/ daughter/ wife of.....resident of.....village/ mohalla
town/ city/ tehsil.....District.....(State) belong to the class of absentee
voter and wish to cast my vote by post at the election to Ward No.....

My complete present postal address is as under:- House/dwelling

unit/tent number.....
Camp/mohalla/tent number.....
Ward/town/tehsil.....
District.....

State..... PIN CODE.....

Mobile Phone No. (if available).....

My name is entered at serial number.....in Part No.....of the electoral roll
for.....Gram Panchayat/Sarpanch of Gram Panchayat/ District
Panchayat/Municipal Council

I will be on election duty on the day of poll for the above- mentioned election.

*On account of my official duties on the date of poll, I will not be in a position to be present in the
polling station assigned to me on the day of poll.

OR

*I am..... years of age/am a person with disability, and am not in a position to go
to the polling station to cast vote.

OR

I am hospitalized on account of COVID-19 or am in Home/Institutional Quarantine on account of
COVID-19 and hence am not in a position to go to the polling station to cast vote.

It is requested that postal ballot paper may be issued to me as absentee voter for the above
election

Yours faithfully,

.....
(Full name and signature)

PART II

(for absentee voter other than senior citizen or persons with disability)

Certificate by the nodal officer appointed by the Organisation concerned.

It is hereby certified that the particulars given by the applicant in Part I are correct, and it is further certified that the applicant will be on official duty on the day of poll, and he/she will not be in a position to be present in the polling station on the day of poll.

.....
(full signature of the attesting Officer)
.....(Name)
.....(address)
.....(rubber stamp)

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

Note - This Application must reach RO within 08 days following the date of notification of election.

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**Certificate to be submitted by COVID-19
Suspect/ Affected Person along with Form -27**

It is certified that Shri./ Smt./Ms..... son/daughter/wife of
 resident of.....
 village/mohalla..... Town/city/tehsil.....
 District..... (UT) is tested as positive or identified as suspect
 on..... by the Govt. Hospital/Lab or the Hospital/Lab recognized by the
 Government as COVID Hospital or under home quarantine or institutional quarantine
 due to COVID 19.

.....
 Full Signature of Competent Health Authority*
(Name)
(Address)
(Rubber Stamp)

**Competent Health Authority as may be notified by the Union Territory
 Administration for this purpose.*

Please strike out whichever is not applicable.

Guidelines for Voting through postal ballot by Absentee Voters in the category of Senior Citizens, PWDs and Covid-19 suspect or affected persons and Persons on Election Duty.

1. Following categories of Absentee Voters have been given the facility of voting through postal ballot (PB) paper:

- i. Senior citizens (above 80 years of age)
- ii. Persons with disability
- iii. COVID 19 suspect or affected persons
- iv. Persons on Election Duty (including police personnel)

2. Process for applying PB by absentee voters.

(2.1) An Absentee Voter wishing to vote by postal ballot has to make application to the Returning Officer (RO) of the constituency concerned, in Form-27, giving all requisite particulars. Such application seeking postal ballot facility should reach to the RO within 08 days following the date of notification of the election concerned.

(2.2) The Commission has laid down the following procedure/guidelines for facilitating voting through postal ballot by the absentee voters of senior citizen category (AVSC), absentee voters belonging to PWD category (AVPD) and absentee voters belonging to COVID 19 category (AVCO) and persons on Election Duty (including police personnel)(PED).

(2.3) If any elector at the time of election is hospitalized on account of COVID-19, in a hospital within the UT or is in Home/Institutional Quarantine on account of COVID-19 and hence not be in a position to cast vote personally at the polling station as per medical advice and if such elector makes request for issue of Postal Ballot, the RO concerned, on being satisfied about the genuineness of the application in terms of guidelines issued by the Commission in this regard, shall provide the postal ballot to the elector. The RO shall make arrangement to deliver Postal Ballot and to get the same collected back from the said elector before the date fixed for poll in the Constituency/Ward. Application for postal ballot paper from such electors (Form 27) should be accompanied by copy of certificate/ instructions from competent health authorities which show that the applicant is hospitalized in the State or is in quarantine within the State (Home or Institutional) on account of COVID 19.

3. Action by RO-

(3.1) On receipt of application in Form-27, the RO will draw a list (format as annexure-1) of all Absentee Voters in the 4 categories, i.e. (a) 'AVSC', (b) 'AVPD' (c) 'AVCO' and (d) 'PED', whose applications have been received in time and are in order.

(3.2) On the last date for making nominations for the election, the electoral roll is frozen for that election and no further addition or deletion can be carried out

in the roll till the completion of the election. At this stage, RO shall verify and ensure that the applicants for postal ballots are registered as elector and their electoral particulars given in Form 27 are correct with reference to the existing electoral roll. All the electors, whose particulars with reference to the electoral roll have been found to be correct, shall be issued postal ballot paper as Absentee Voters in the category of AVSC, AVPD and PED. In case of Absentee Voters belonging to the category of COVID-19 (AVCO), before issuing FORM 27, the RO shall check certificate of competent authority, duly appointed by the UT Administration to the effect that the elector is under home quarantine or institutional quarantine due to COVID-19.

(3.3) The RO shall also indicate entry 'PB' in the marked copy of the electoral roll against the names of such electors, to show that a postal ballot paper has been issued to them, without however recording therein the sl. no. of the ballot papers issued to them.

(3.4) The RO shall also ensure that elector who has been issued postal ballot is not allowed to vote at a polling station.

Form and design of Postal ballot paper

The postal ballot paper for Absentee Voters shall be of the same form and language as the postal ballot paper for the voters on election duty.

Visits of Polling Officials, briefing of electors and collection of marked ballot papers:-

(5.1) Separate teams of poll officers, comprising two officials out of which at least one should be not below the rank/level of the official appointed as polling officer for Polling Station in the State, should be appointed for the purpose.

(5.2) Number of teams of Polling Officials to be appointed would depend on the number of Absentee Voters to whom postal ballot papers have been issued.

(5.3) The team of polling officials shall visit the electors at the address mentioned in their application in Form 27 for facilitating their voting by postal ballot paper.

(5.4) The electors will be intimated, in advance, about the date and approximate time of visit of poll officials. Such intimation may be given through SMS on the mobile phone number wherever the same has been mentioned in the application in Form-27. In other cases, the intimation may be given by post or any other means.

(5.5) If the elector is not present at the given address at the first visit, the team shall pay a second visit after leaving intimation about the time of second visit. If the elector is not present even at the second visit, no further visit or action is required in his/her case.

(5.6) The candidates shall be informed about the schedule of visit for the delivery and collection of postal ballots for this category. They may, if desired, depute their

authorized representatives (including BLAs), with prior intimation to the Returning Officer, to watch the process.

(5.7) The list of AVSCs, AVPDs, AVCOs and PEDs shall be divided for distribution among the different teams of Polling Officials in such manner that each team gets a list of persons in geographically compact area.

(5.8) The visiting polling official shall ascertain the identity of the elector before issuing postal ballot paper.

(5.9) Name of elector and the document produced for identification shall also be entered in a register (annexed as annexure-2) to be maintained for the purpose, and signature/thumb impression of the elector obtained therein. Further, a tick mark shall be placed against the name of the elector in the list of AVSC, AVPD, AVCO and PED to indicate that the person has voted. The counterfoil with the serial number and part number of elector duly filled up shall be got detached and kept in safe custody by the team.

(5.10) It shall be the responsibility of each team of polling officials to (a) issue postal ballot to each of the Absentee Voters assigned to it, (b) brief the elector about the procedure to be followed for voting through postal ballot, (c) make sure that the elector votes without anyone influencing his/her choice, and ensuring the secrecy of voting, all activities at the address of the elector concerned. However, if any elector is not able to cast vote by himself due to blindness or physical infirmity, he/she shall be allowed to take the assistance of any adult person for casting vote.

(5.11) While briefing the electors about the procedure of voting and formalities to be observed on their part, the polling official shall clearly explain the following points to them:-

- a) making the declaration in Form-28A and getting it attested by the poll officer himself,
- b) entering the serial number of postal ballot paper, both on Form 28A and on the smaller envelope (Form 28B)
- c) manner of marking vote, i.e by placing either cross mark or tick mark against the name of the candidate of choice
- d) folding and placing the marked ballot in the smaller envelope and closing the envelope
- e) Placing the declaration in Form -28A, duly filled up, signed and attested along with closed envelope (Form -28B) containing the marked ballot paper inside the larger envelope (Form-28C), Closing the larger envelope and handing over the same to the poll officer.

(5.12) Poll officer is authorized to attest the declaration in Form -28A in the case of AVSC, AVPD, AVCO and PED. While attesting the declaration, the poll officer shall write his full name and also the designation 'poll officer'. In the case of a COVID affected person on treatment in Hospital, the Medical Officer attending to the person also authorised to attest the declaration.

(5.13) After vote is cast on postal ballot and the envelope in Form - 28C is ready, the Poll Officials will collect the same.

(5.14) Each team of polling officials should be provided with the list of AVSC, AVPD, AVCO and PED electors and equivalent number of postal ballot papers, envelopes, pen, ink-pad (for thumb impression wherever required), glue stick for closing the envelopes, a sufficiently big canvas bag for keeping the envelopes of polled ballots and the counterfoils safely and other essential stationeries that may be considered necessary.

(5.15) Police Security cover shall be provided to the poll officers for their visits. Arrangement for videography of the proceedings at the address of AVSCI/AVPD/AVCO/PED shall be made. For this purpose, a videographer shall accompany the poll officers. It shall be ensured that the secrecy of vote is not violated while carrying out the videography exercise. Videography shall be preserved by the RO on the lines other election material/documents.

(5.16) Visits by teams of poll officers to the address of AVSC, AVPD, AVCO and PED electors should be planned in such a way that the same is completed a day prior to the date fixed for poll in the constituency. For instance, if poll is scheduled for 8th of Month, the postal voting for AVSC, AVPD, AVCO and PED should be completed by 7th of that Month.

(5.17) For the poll officers deputed to AVCO electors appropriate protection equipment including PPE kit shall be provided. This should be done in consultation with the Nodal Health Officer for AVCOs.

6. Deposit of envelopes containing marked ballot papers and counterfoils

At the end of each day of visit by poll officers to the address of AVSC/AVPD/AVCO/PED electors, the envelopes in (Form-28B, Form-28C) containing postal ballot paper etc. and the counterfoils of ballot papers containing the signature/thumb impression of electors and other particulars, shall be collected by the ARO designated of postal voting by the absentee voters. The ARO shall make arrangements to have the same delivered at the headquarters of the RO for keeping them in safe custody. The ARO shall maintain the record indicating the number of ballots sent on each day. This should also be shared with the RO on a daily basis.

7. Contesting candidates will be duly informed about the Election Commission's above guidelines.

FORM 28 B

[Cover A]

| | |
|----------------|---|
| COVER (‘A’) | <p>NOT TO BE OPENED BEFORE COUNTING ELECTION</p> <p>To the *.....</p> <p>POSTAL BALLOT PAPER</p> <p>Serial number of ballot paper</p> |
|----------------|---|

*Appropriate particulars of the election to be inserted here.

FORM 28 C

[Cover B]

| | | |
|----------------|--|----------------------------|
| COVER (‘B’) | <p>(every officer under whose care or through whom a postal ballot paper is sent ensure its delivery to the addressee without delay)</p> <p>ELECTION – IMMEDIATE</p> <p>.....</p> <p>For *.....Constituency (Not to be opened before counting)</p> <p>To The Returning Officer</p> <p>Signature **..... Of Sender.....</p> | <p>(***Service unpaid)</p> |
|----------------|--|----------------------------|

*RO to insert here the name of the appropriate constituency/ward.

** RO to mentioned here his full postal address

*** (Strike off in the case of an elector who is employed under the Govt., of India in a post outside India.

FORM 2B A

DECLARATION BY THE ELECTOR
Election to the

(this side is to be used only when the elector signs the declaration himself)

I hereby declare that I am the elector to whom the postal ballot paper bearing serial number has been issued at the above election.

Signature of Elector
Name:.....

Attestation of Signature

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

Signature of Identified, if any.....
Address

Signature of Attesting Officer
Designation
Address.....
Date.....

(this side is to be used when the elector cannot sign himself)

I hereby declare that I am the elector to whom the postal ballot paper bearing serial number has been issued at the above election.

Signature of Attesting Officer on behalf of Elector
Address of Elector:.....

CERTIFICATE

I hereby certify that-

- 1). The above named elector ** 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 elector ** is illiterate/suffers from.....(infirmary) and is unable to record his vote himself or sign his declaration.
- 3) I was requested by him to mark the ballot paper and to sign the above declaration on his behalf in his presence and in accordance with his wishes.

Signature of Identified, if any.....
Address

Signature of Attesting Officer
Designation
Address.....
Date.....

* here insert the appropriate Panchayat or Municipal Council Election to the Constituency/ward.
** strike off the inappropriate alternative.

FORM 28 B

[Cover A]

| | |
|----------------|---|
| COVER (‘A’) | <p>NOT TO BE OPENED BEFORE COUNTING ELECTION</p> <p>To the *.....</p> <p>POSTAL BALLOT PAPER</p> <p>Serial number of ballot paper</p> |
|----------------|---|

*Appropriate particulars of the election to be inserted here.

FORM 28 C

[Cover B]

| | | |
|----------------|--|----------------------------|
| COVER (‘B’) | <p>(every officer under whose care or through whom a postal ballot paper is sent ensure its delivery to the addressee without delay)</p> <p>ELECTION – IMMEDIATE</p> <p>.....</p> <p>For *.....Constituency (Not to be opened before counting)</p> <p>To The Returning Officer</p> <p>Signature **..... Of Sender.....</p> | <p>(***Service unpaid)</p> |
|----------------|--|----------------------------|

*RO to insert here the name of the appropriate constituency/ward.

** RO to mentioned here his full postal address

*** (Strike off in the case of an elector who is employed under the Govt., of India in a post outside India.
