

HIMACHAL PRADESH STATE ELECTRICITY BOARD LIMITED

(A State Govt. undertaking)



Registered office : Vidyut Bhawan, HPSEBL, Shimla-171004(H.P.)
(CIN) : U40109HP2009SGC31255
GST No. : 2AACCH4894EHZB
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URGENT/
ELECTION MATTER

No.HPSEBL(Sectt)/R&E-Misc.(Election)/2022- 77073-95

Dated: 29/10/22

To

All the Chief Engineers
in HPSEBL,

Sub:- Reg. appointment of Nodal Officer for verification of Absentee Voters, General Election H.P. Vidhan Sabha-2022.

Sirs,

It is intimated that Election Commission of India vide its notification published in the Gazette of Himachal Pradesh Government on 17.10.2022, has considered the "Electricians and Linemen" of Himachal Pradesh State Electricity Board Ltd as the persons deployed in essential services. The employees of these categories who will be on duty on the day of pole (on 12.11.2022) and unable to cast their vote physically, will be considered as "Absentee Voters". Special provisions have been made by Election Commission of India for these "Absentee Voters" to cast their vote by postal ballot.

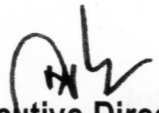
Absentee Voter has been defined in clause (a) of Rule-27 A of the Conduct of Elections Rules, 1961 as a person belonging to the class of persons notified by the Commission in terms of clause (c) of Section 60 of the Representation of the People Act, 1951 comprising persons employed in essential services who on account of the compulsion of their duties, are not able to be present in their polling station on the day of poll.

Absentee Voter wishing to vote by postal ballot has to make application to the Returning Officer in Form-12D giving all requisite particulars. In the case of those Absentee Voters belonging to the category of essential services, their application is required to be verified by the Nodal officer appointed by the organization concerned. Such application seeking postal ballot facility should reach the RO during the period from date of announcement of election to five days following the date of notification of the election concerned.

In view of above, all DDOs have been appointed as Nodal Officers in their area of jurisdiction to collect, verify and deposit the application in Form-12D from these Absentee Voters. The employee of above categories who will be on duty on the day of poll and wishing to cast their vote by postal ballot are directed to submit application in Form-12D (copy enclosed) to the concerned DDO-cum-Nodal Officer.

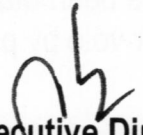
All DDOs are to ensure that these forms must reach in the office of Returning Officer on or before 21.10.2022 positively. It is also intimated that such employees will not be able to cast their votes physically. Therefore, all the Chief Engineers are requested to pass on the above instructions to all the DDOs under their Wings and submit compliance report alongwith detail of Form-12D deposited with concerned Returning Officer.

DA: as above


**Executive Director (Pers.),
HPSEBL, Vidyut Bhawan,
Shimla-4.**

Copy forwarded to the following for information and necessary action:

1. The PS/APS to Managing Director/Director (Pers.) for kind information of MD/Director.
2. The Chief Engineer (P&M), HPSEBL, Shimla-4 to coordinate with all DDOs being Nodal Officer for General Election of Legislative Assembly.
3. ✓ The Superintendent Engineer (IT), HPSEBL, Shimla-04 to upload on the HPSEBL website immediately.


**Executive Director (Pers.),
HPSEBL, Vidyut Bhawan,
Shimla-4.**

FORM 12D

[see rule 27-C]

PART I

Letter of intimation to Assistant Returning Officer

(for absentee voters)

To

The Assistant Returning Officer,

(for the notified class of electors)

..... Parliamentary/Assembly constituency

..... (designation and address of ARO)

Sir,

I,.....son/daughter/wife ofresident ofvillage/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 the House of the People/Legislative Assembly

from theParliamentary/Assembly constituency.

My complete present postal address is as under:-

House/dwelling unit/tent number.....

Camp/mohalla/village.....

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.....Parliamentary/Assembly constituency.

I am working as.....(designation of the office held) in.....

(Name and full address of organization).

I will be on duty in the above-mentioned office 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.

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 Organization 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 5 days following the date of notification of election.

Vidhan Sabha Election-2022
Urgent/Fax/E-mail

"Greater Participation for a Stronger Democracy"

Election Department, Government of Himachal Pradesh
38-SDA Complex, Kasumpti, Shimla-9

No: 3-3/2022-ELN

Dated: 17th October, 2022.

From:

Chief Electoral Officer,
Himachal Pradesh.

To

Sh. Narendra N. Butolia,
Sr. Principal Secretary,
Election Commission of India,
Nirvachan Sadan, Ashoka Road,
New Delhi-110001.

Subject:- Commission's Notification under Section 60(c) of the RP Act, 1951 for the purpose of voting through postal ballot for Absentee voters in the category of persons employed in essential services-regarding.

Sir,

I am directed to refer to the Commission's letter No. 52/2022/SDR/VOL.I, dated 17th October, 2022, on the subject cited above and to say that Commission's Notification 52/2022/SDR/VOL.I, dated 17th October, 2022 has been published in the gazette of Himachal Pradesh Govt. on dated 17th October, 2022. A copy of the gazette is enclosed herewith for the record of the Commission as desired.

Yours faithfully,

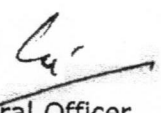
Encls: As Above.


Addl. Chief Electoral Officer,
Himachal Pradesh

Endst. No: 3-3/2022-ELN
Copy forwarded to:

Dated: 17th October, 2022.

1. All the District Election Officers (DCs), in Himachal Pradesh for information and necessary action.
2. All the Returning Officers for Assembly Elections in Himachal Pradesh for information and necessary action.
3. Sh. Abhishek Tiwari, Under Secretary, Election Commission of India, New Delhi-110001 for information.
4. Computer Cell for uploading on CEO's website.


Addl. Chief Electoral Officer,
Himachal Pradesh



This is a digitally signed Gazette, to verify click here.
<http://rajpatrahimachal.nic.in>

राजपत्र, हिमाचल प्रदेश

हिमाचल प्रदेश राज्य शासन द्वारा प्रकाशित

सोमवार, 17 अक्तूबर, 2022 / 25 आश्विन, 1944

हिमाचल प्रदेश सरकार

राजस्व विभाग

अधिसूचना

शिमला-02, 06 अक्तूबर, 2022

संख्या: राजस्व-घ/(एफ) 4-7/2020-(कुल्लू) — हिमाचल प्रदेश के राज्यपाल, हिमाचल प्रदेश भू-राजस्व अधिनियम, 1954 (1954 का अधिनियम संख्यांक 6) की धारा 6 और रजिस्ट्रीकरण अधिनियम, 1908 (1908 का अधिनियम संख्यांक 16) की धारा 5 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, तहसील सैंज, जिला

Guidelines for Voting through postal ballot by Absentee Voters on Essential Service (AVES)

By the Conduct of Elections (Amendment) Rules, 2019, 'Absentee Voters' have been given the facility of voting through postal ballot paper.

2. Provisions made by the amendments

2.1 'Absentee Voter' has been defined in clause (a) of Rule-27A of the Conduct of Elections Rules, 1961 as a person belonging to the class of persons notified by the Commission in terms of clause (c) of Section 60 of the Representation of the People Act, 1951 comprising persons employed in essential services who, on account of the compulsion of their duties, are not able to be present in their polling station on the day of poll. This category would also include senior citizens of 80 plus age and those belonging to the category of physically disabled (PwD).

2.2 The Election Commission in consultation with the Government has notified the class of persons employed in essential services vide its Notification No.52/2022/SDR/Vol. I dated 17th October, 2022. Accordingly, the officials of these categories who are enrolled in the electoral roll in Himachal Pradesh and who would be certified to be on duty on the day of poll 12-11-2022, and on account of their such official duties, will not be able to be present in the polling station for voting on that day, will be eligible for voting through postal ballot as absentee voters in the essential service category.

2.3 Absentee Voter wishing to vote by postal ballot has to make application to the Returning Officer in Form-12D giving all requisite particulars. In the case of those Absentee Voters belonging to the category of essential services, their application is required to be verified by the Nodal officer appointed by the organization concerned. Such application seeking postal ballot facility should reach the RO during the period from date of announcement of election to five days following the date of notification of the election concerned.

2.4 As per the amended provisions under Rule 27E and 27-I of the Conduct of Elections Rules, 1961, the issue of Postal ballot paper to the absentee voter and return of the ballot paper after voting shall be in such manner as the Election Commission may direct. Accordingly, the Election Commission has laid down the following procedure/guidelines in the matter of facilitating postal ballot voting by the absentee voters in the category of persons on essential service (denoted for convenience as 'AVES').

3. Action by Returning Officer

3.1 Adequate publicity should be given to the facility being provided to these categories of electors. Form-12D should be put on the website of the District Election Officer and also made available to the Nodal Officer of the organization for dissemination to the electors concerned.

3.2 On receipt of application in Form-12D, the RO will draw a list of all Absentee Voters on Essential Service (AVES) whose application have been received in time and are in order. The list shall be drawn in the format in *Annexure-A*

3.3 The RO shall verify and ensure that the electoral roll particulars of the applicants for postal ballot mentioned in Form-12D match with the particulars in the electoral roll and they are registered as elector. 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.

3.4 After the list of Absentee voters in this category voting through postal ballot paper is finalized, entry 'PB' shall be entered in the marked copy of the electoral roll against the names of such electors.

4. 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. In this connection, reference is invited to the Election Commission's Directions No. 52/2015/SDR/Vol.1 dated 18th September, 2015 and 52/2016/SDR/Vol.1 dated 24th February, 2016, regarding the form of postal ballot paper for voters on election duty.

5. Assistant Returning Officer for voting through postal ballot by Absentee Voters

One ARO shall be assigned to handle all work related to postal ballot voting by Absentee Voters. It shall be the responsibility of such ARO to carry forward the postal voting programme from the stage of receipt of applications in Form 12D, and take all necessary action in this regard.

प्रार्थना-पत्र नाम दुरुस्ती प्रार्थिया श्रीमती दर्शना देवी पुत्री श्री रोशन लाल पुत्र श्री हन्सू निवासी मलाहत, तहसील व जिला ऊना (हि0प्र0) ने इस अदालत में प्रार्थना-पत्र दायर किया है कि उसका नाम राजस्व अभिलेख मलाहत में दर्शना दर्ज है जबकि उसका सही नाम वैष्णो देवी है लिहाजा इसे दुरुस्त करके दर्शना उपनाम वैष्णो देवी किया जाए।

अतः इस नोटिस इशतहार राजपत्र हिमाचल प्रदेश मुन्त्री मुनादी के माध्यम से आम जनता तथा सम्बन्धित रिश्तेदारों को सूचित किया जाता है कि अगर किसी को उपरोक्त नाम दुरुस्ती बारे कोई उजर व एतराज हो तो दिनांक तारीख पेशी 27-10-2022 को सुबह 10.00 बजे इस न्यायालय में असालतन या वकालतन अपना एतराज अधोहस्ताक्षरी के न्यायालय में उपस्थित होकर पेश कर सकता है अन्यथा उपरोक्त नाम दुरुस्त करने के आदेश दे दिए जाएंगे उसके उपरान्त कोई एतराज न सुना जाएगा।

आज दिनांक 20-09-2022 को मेरे हस्ताक्षर व मोहर अदालत द्वारा जारी हुआ।

मोहर।

हस्ताक्षरित/-
सहायक समाहर्ता प्रथम श्रेणी,
ऊना, जिला ऊना (हि0प्र0)।

निर्वाचन विभाग

शिमला-171009

17 अक्टूबर, 2022.

अधिसूचना

संख्या 3-3/2022-ई.एल.एन.-3008.—भारत निर्वाचन आयोग की अधिसूचना संख्या 52/2022/एस.डी.आर./खण्ड-1 दिनांक 17 अक्टूबर, 2022, जो लोक प्रतिनिधित्व अधिनियम, 1951 की धारा 60(सी) के अन्तर्गत हिमाचल प्रदेश विधान सभा के साधारण निर्वाचन, 2022 के लिए अनिवार्य सेवाओं में तैनात व्यक्तियों की श्रेणी में अनुपस्थित मतदाताओं को डाक मतपत्र जारी करने के सम्बन्ध में है, को जनसाधारण की सूचना हेतु प्रकाशित की जाती है।

आदेश से,

मनीष गर्ग,
मुख्य निर्वाचन अधिकारी,
हिमाचल प्रदेश।

ELECTION COMMISSION OF INDIA Nirvachan Sadan, Ashoka Road, New Delhi-110001

NOTIFICATION

Dated: the 17th October, 2022

No. 52/2022/SDR/Vol. I.—In pursuance of the provisions of clause (c) of Section 60 of the Representation of the People Act, 1951, on due consideration of the matter in consultation with the Government, the Election Commission hereby notifies that the persons employed in the following essential Services:

1. Health Department (Doctors, Para Medical Staff and Ambulance service)
2. Fire Services
3. Himachal Road Transport Corporations (Drivers and Conductors excluding local route bus services within city)
4. H.P. State Milk Federation and Milk Co-operative Societies (Staff on Milk supply service)
5. Local Media Persons authorized by the Election Commission of India
6. Irrigation and Public Health (Pump Operator and Turner), and
7. Himachal Pradesh State Electricity Board (Electrician and Line-man)

who on account of being on duty on the day of poll in the current general election to Legislative Assembly of Himachal Pradesh scheduled to be notified on 17-10-2022, will not be able to be present in their respective polling station, as a class of persons to give vote by postal ballot in the said general election as per the provisions of Part-III of the Conduct of Elections Rules, 1961, as amended vide Ministry of Law & Justice, Govt. of India, Notification, SO No. 3786(E), dated 22nd October, 2019, and directions and guidelines issued by the Election Commission, in this behalf.

By order,

NARENDRA N. BUTOLIA,
Sr. Pr. Secretary.

6. Centre for voting through postal ballot

6.1 As per the second proviso to Rule-27E, issue of postal ballot paper to absentee voters shall be in the manner as specified by the Election Commission. Sub-rule (3) of Rule-27F provides that recording of vote by Absentee Voter shall be in such centre as specified by the Election Commission.

6.2 In the constituencies where there are Absentee Voters in the essential service category found eligible for postal ballot facility, the RO shall identify a suitable venue and room to be used as the place for issuing of postal ballot paper to such Absentee Voters and for facilitating their voting in such centre and thereafter for collection of the postal ballot paper. For this purpose, the RO shall identify a suitable location to be the Postal Voting Centre (PVC) for the absentee voters. Such venue shall be within the territory of the Constituency, and should be located, as far as possible, towards the central part of the constituency area so that the travelling distance for the voters to get to the PVC is not unduly long.

7. Intimation regarding issue of Postal Ballot Paper and Voting

7.1 All the persons who have applied for postal ballot paper in AVES category shall be duly intimated about the following:

- (i) The full address of the Postal Voting Centre venue where postal ballot voting is to be arranged ;
- (ii) Dates on which the postal ballot voting facility will remain open;
- (iii) The hours fixed for postal ballot voting.

7.2 The intimation may be given through SMS on the mobile phone number wherever the same has been mentioned in the application in Form-12D. In other cases, the intimation may be given by post and/or through the BLO. In addition, this information should also be disseminated through the Nodal Officer of the Organization concerned and advertisements in local newspapers and also through the website of the District Election Officer. It should be explained that the absentee voters who have applied for postal ballot voting may come for casting vote on any of the three days during the hours fixed for the purpose and that they should produce their service identity card. It should also be explained that those who have been approved for voting through this facility can only vote at such PVCs and not in any other manner.

7.3 The contesting candidates in the constituency shall also be given prior intimation on the above mentioned points so that they may, if they so desire, appoint agents for watching the proceedings in the PVC. While intimating about the postal voting at the PVC, they should also be informed in writing that they may appoint their agents for watching the proceedings. The appointment should be made by the candidate or the election agent in writing and under their signature. Form-10 (the format for appointment of polling agents in polling stations) may be used for appointment of agent for the PVC.

8. Appointment of staff for the postal voting centre(PVC)

Each postal voting centre should have adequate staff for smoothly carrying out the work in such centre. The number of staff required should be worked out based on the number of AVES category voters who are voting in the centre. Each centre should have at least one gazetted officer for attesting the declaration of elector in Form-13A. The number may be increased depending on the number of electors in the particular centre.

9. Responsibilities of staff for Postal Voting Centre-Work and functions of Staff of postal voting centre are as follows:—

9.1 Issuing postal ballot paper along with all connected envelopes, etc. (Form 13A, envelopes in Form-13B and 13C), after duly verifying the identity of the voter.

9.2 Form 13D (Instructions to voters) need not be given to individual electors. A copy of the same can be made available in the PVC for reference, if sought, by any elector. However, the electors should be briefed about the requirements on their part. A chart indicating the procedure for voting should be displayed at the PVC for the information of the electors.

9.3 Identity of the elector shall be verified before issuing postal ballot paper. Name of elector and the document produced for identification shall also be entered in a register to be maintained for the purpose, and signature/thumb impression of the elector obtained therein. A format for the register is annexed at *Annexure-B*. Further, a tick mark shall be placed against the name of the elector in the list of AVES 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 to be sent to the RO along with envelopes containing polled postal ballots.

9.4 The electors should be briefed about the procedure for voting and formalities to be observed on their part. They should be clearly briefed on the following points:

- (i) making the declaration in Form 13A and getting it attested by the gazetted officer present in the PVC,
- (ii) entering the serial number of postal ballot paper, both on Form 13A and on the smaller envelope (Form 13B),
- (iii) manner of marking vote, i.e. by placing either cross mark or tick mark against the name of the candidate of choice,
- (iv) folding and placing the marked ballot in the smaller envelope and closing the envelope,
- (v) Placing the declaration in Form 13A, duly filled up, signed and attested alongwith closed envelope (Form 13B) containing the marked ballot paper inside the larger envelope (Form 13C),
- (vi) Closing the larger envelope and dropping it in the box kept in the PVC.

10. Period and hours during which PVC shall be open

Postal Voting Centre (PVC) shall be open for upto three consecutive days in each of the constituencies. The three days period shall be so fixed that it is completed atleast three days before the date fixed for poll in the constituency.

On each of the three days, the PVC shall remain open from 9 AM to 5 PM.

11. Close of poll protocol on each day

11.1 After the day poll closes, the envelopes in Form 13C in the drop box shall be taken out, and sealed in a larger packet super scribed "Postal Ballots in PVC". On the outer packet, the following particulars should be clearly mentioned:

- (i) Name and number of Constituency,
- (ii) Name of location of PVC,
- (iii) The date on which the votes were cast,
- (iv) The number of envelopes in Form 13C in the packet.

11.2 The counterfoils of postal ballots shall also be sealed in a separate packet superscribed "Counterfoils of PBs in PVC". Name and number of constituency and the dates on which it is sealed shall also be entered on such packet.

11.3 Both the packets containing the polled postal ballots and the counterfoils shall be sent to the Returning Officer in the same evening.

11.4 Signature of the agents of candidates present in the PVC should be obtained on each day of voting in the PVC. The format for this purpose is given at *Annexure-C*.

11.5 At the end of the three days voting period, all other material supplied to the PVC shall be collected by the ARO in charge of the PVC and retained at the headquarters as per standard protocol for the material concerned.

11.6 If an Absentee Voter does not turn up for voting in the PVC, there is no requirement of sending the postal ballot to him/her by post. The procedure prescribed for postal voting by them is voting in the PVC and in no other manner.

12. Material required in PVC

Each PVC should be provided with all necessary material for taking poll, in particular, the following:

- (i) Sufficient number of postal ballot papers as per the number of Absentee Voters assigned to the PVC, with 10% surplus for the eventuality of some ballot papers getting damaged and requiring issuing of fresh ballot paper under rule 26(2);
- (ii) Sufficient number of Form 13A envelopes in Forms 13B and 13 C;
- (iii) Pen for marking vote;
- (iv) Glue for closing the envelopes;
- (v) Ink-pad;
- (vi) Box in which the envelopes containing marked ballot paper is to be dropped;
- (vii) Register for obtaining signatures of electors on issue of ballot paper;
- (viii) List of Absentee Voters assigned for voting in the PVC with three extra copies (*Annexure-A*);
- (ix) Material for setting up voting compartment;

- (x) Large envelopes for sending the ballots after voting and the counterfoils of ballot papers to the RO on a daily basis;
 (xi) Other stationery items that would be required;
 (xii) Furniture for the polling staff, agents of candidates and for setting up voting compartment.

ANNEXURE-A

List of absentee voters in AVES category entitled to vote through postal ballot in PVC

Name of Election: _____

Name of Constituency: _____

Venue of PVC: _____

Sl. No.	Name of Elector	Part Number	Sl. Number in the Part	EPIC Number

Signature of RO

Date: _____

ANNEXURE-B

List of absentee voters issued with PB at the PVC

Name of Election: _____

Name of Constituency: _____

Venue of PVC: _____

Sl. No.	Name of Elector	Sl. Number in the list of electors assigned to PVC	Document produced for identification	Date on which voted	Signature/TI of elector

Signature of Presiding Officer

Name _____

Date: _____

ANNEXURE-C

Signature of Agents of candidates present in the PVC

Name of Election: _____

Name of Constituency: _____

Venue of PVC: _____

Date: _____

Sl. No.	Name of Agent	Name of the Candidate whom the agent is representing	Signature

Signature of Presiding Officer

Name _____

Date: _____

Note.— Separate list should be prepared for each day of postal voting.

नियन्त्रक, मुद्रण तथा लेखन सामग्री, हिमाचल प्रदेश, शिमला-5 द्वारा मुद्रित तथा प्रकाशित
 इलेक्ट्रॉनिक हस्ताक्षरित राजपत्र, वैबसाइट <http://rajpatrahimachal.nic.in> पर उपलब्ध है एवम् ऑनलाइन सत्यापित किया जा सकता है।