

Election Commission of India

Nirvachan Sadan, Ashoka Road, New Delhi 110001

No. ECI/PN/101/2019

Dated: 28th October, 2019

PRESS NOTE

Subject: Postal ballot facilities for Absentee voters of essential services, Senior citizens of more than 80 years and marked PwD electors

Election Commission has been laying special emphasis to ensure that the electors who are also Persons with Disabilities (PwD) and senior citizens are facilitated in every way to ensure their wider participation in the electoral process. One of the standing items in the agenda for review by the Commission of the preparations of various States and UTs for the electoral process is facilitation of these categories besides other similarly placed categories. There are two aspects of this issue viz., the creation of requisite infrastructure and suitable legal framework to facilitate the process. On the legal side, after studying the needs of those citizens, who are unable to come to the polling stations due to the degree of their disability as well as those who are left out their due to engagements in various capacities in the discharge of essential services e.g., railways, state transports and aviation etc., the Commission made a recommendation to the Union Government (Ministry of Law and Justice) on 2nd September, 2019 and on 22 October 2019, the Central Government amended the Rules accordingly.

Salient features of these amendments are as follows:

- (1) A concept of '**absentee voter**' has been introduced and defined for the elections;
- (2) '**absentee voter**' means a person belonging to such class of persons as may be notified, under clause (c) of section 60 of the Act, and who is employed in essential services as mentioned in the said notification, and includes an elector belonging to the class of **senior citizen** or **persons with disability** [rule 27 A (aa)];

- (3) **'person with disability'** means a person flagged as person with disability in the data base for the electoral roll;
- (4) **'senior citizen'** for the purpose of this Part means an elector belonging to the class of absentee voters and is above 80 years of age;
- (5) In case of an absentee voter, the application shall be made in Form 12D, and shall contain such particulars as specified therein, and shall be duly verified by the Nodal Officer for the absentee voter, other than senior citizen or persons with disability, which **shall reach the Returning Officer within five days following the date of notification of election;**
- (6) in the case of absentee voter, **postal ballot paper shall be returned to the centre provided for recording of vote** under sub-rule(3) of rule 27F, subject to any direction that may be issued by the Election Commission in this behalf.

These two categories of voters- senior citizen of more than 80 years of age and PwD electors marked in the electoral roll –will have now choice of voting either as absentee voter or as a regular voter on the poll day. If any of the electors belonging to these categories intends to vote early, then as per the amended Rule 27 C of the Conduct of Election Rules, 1961, he/she shall make an application in a new Form 12 D, which shall reach the Returning Officer within 5 days following the date of notification of election. After the receipt of such application, the elector will be issued a postal ballot paper, which shall be deposited in the specified centre after recording of vote.

After the receipt of the notification, the Election Commission has started working on detailed guidelines and SoPs to facilitate the process of postal ballot paper for these identified categories of voters immediately. These guidelines will include the identification of such voters, the manner of outreach, the methods of collection as well as voting in the specified centres in each constituency. The Commission is also taking a number of steps including personal contact under its SVEEP initiatives to make the electors aware of this

new facility so that such electors can exercise their voting right in the manner they intend to do.

The Election Commission is committed to ensure the ease of voting to all such categories of electors. With this new initiative, the Commission is sure that the senior citizens of more than 80 years of age and the PwD electors will have the choice of exercising their right to franchise from their homes. However, such voters have both the choices available either voting through postal ballot by following due procedure or going to the polling station on polling day for voting to exercise their electoral rights in the largest democracy in the world.



Pawan Diwan

Under Secretary