रजिस्ट्री सं० डी० एल०-33004/99

REGD. NO. D. L.-33004/99

भारत का राजपत्र
The Gazette of India

असाधारण

EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (ii)

PART II—Section 3—Sub-section (ii)

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

सं. 264] नई दिल्ली, बुधवार, फरवरी 9, 2011/माघ 20, 1932

No. 264] NEW DELHI, WEDNESDAY, FEBRUARY 9, 2011/MAGHA 20, 1932

विधि और न्याय मंत्रालय

(विधायी विभाग)

शुद्धि-पत्र

नई दिल्ली, 9 फरवरी, 2011

का.आ. 306(अ).—भारत के राजपत्र, असाधारण, भाग II, खण्ड 3, उप-खण्ड (ii), तारीख 3 फरवरी, 2011 में प्रकाशित भारत सरकार के विधि और न्याय मंत्रालय, विधायी विभाग की अधिसूचना सं. का.आ. 244(अ), तारीख 3 फरवरी, 2011 में,—

(i) पृष्ठ 2, पंक्ति 6 में, "व्यक्ति से" के पश्चात्, "नियम 8ख के अधीन आवेदन करने का" अंत:स्थापित करें ;

(ii) पृष्ठ 4, पंक्ति 14 में, "भारतीय मिशन द्वारा अनुप्रमाणित" के स्थान पर, "सम्यक् रूप से स्वत: अनुप्रमाणित" पढ़ें ;

(iii) पृष्ठ 4, पंक्ति 24 में, "भारतीय मिशन द्वारा अनुप्रमाणित" के स्थान पर, "सम्यक् रूप से स्वत: अनुप्रमाणित" पढ़ें;

(iv) पृष्ठ 5, पंक्ति 9 में, "1(छ)" के स्थान पर, "1(ज)" पढ़ें ; और

(v) पृष्ठ 7, पंक्ति 26 में, "भारतीय मिशन के किसी सक्षम पदधारी द्वारा सम्यक् रूप से" के स्थान पर, "सम्यक् रूप से स्वत:" पढ़ें ।

[फा. सं एच-7(18)/98-वि. II (जिल्द IV)]

एन. के. नम्पूतिरि, अपर सचिव

MINISTRY OF LAW AND JUSTICE

(Legislative Department)

CORRIGENDA

New Delhi, the 9th February, 2011

S.O.306(E).—In the Notification of the Government of India in the Ministry of Law and Justice, Legislative Department number S.O. 244(E), dated the 3rd February, 2011 published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (ii), dated the 3rd February, 2011,—

(i) at page 8, in line 33, *after* "section 20A" *insert* "to make an application under rule 8B";

(ii) at page 11, in lines 6-7, *for* "attested by the Indian Mission" *read* "*duly self-attested*";

(iii) at page 11, in lines 21-22, *for* "attested by the Indian Mission" *read* "*duly self-attested*";

(iv) at page 11, in line 44, *for* "1(g)", *read* "1(h)"; and

(v) at page 14, in lines 15-16, *for* "got duly attested by the competent official in the Indian Mission" *read* "*duly self-attested*".

[F. No. H-7(18)/98-Leg. II (Vol. IV)]

N.K. NAMPOOTHIRY, Addl. Secy.

493 GI/2011

Printed by the Manager, Government of India Press, Ring Road, Mayapuri, New Delhi-110064
and Published by the Controller of Publications, Delhi-110054.

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TO BE PUBLISHED IN THE GAZETTE OF INDIA, EXTRAORDINARY PART-II, SECTION 3, SUB-SECTION (ii), DATED THE 3RD FEBRUARY, 2011

Government of India
Ministry of Law and Justice
Legislative Department
***

New Delhi, the 3rd February, 2011
Magha 14, 1932 (Saka)

Notification

S.O. ..(E).-In exercise of the powers conferred by section 28 of the Representation of the People Act, 1950 (43 of 1950), the Central Government, after consulting the Election Commission, hereby makes the following rules further to amend the Registration of Electors Rules, 1960, namely:-

1. (*1*) These rules may be called the Registration of Electors (Amendment) Rules, 2011.

(*2*) They shall come into force on the date on which the Representation of the People (Amendment), Act 2010 (36 of 2010) shall come into force.

2. In the Registration of Electors Rules, 1960 (hereinafter referred to as the said rules), in rule 2, in sub-rule (1),-

(i) after clause (b), the following clause shall be inserted, namely:-

'(bb) "Electronic Gazette" shall have the same meaning as assigned to it in clause (s) of sub-section (1) of section 2 of the Information Technology Act, 2000 (21 of 2000)';

(ii) after clause (c), the following clause shall be inserted, namely:-

'(cc) "overseas elector" means a citizen of India referred to in section 20A and who is not less than eighteen years of age on the qualifying date.

3. In rule 5 of the said rules, after sub-rule (3), the following sub-rule shall be inserted, namely, -

"(3A) The name of every overseas elector who is entitled to be included in the roll under section 20A, shall be included in the part of the roll pertaining to the locality in which his place of residence in India as mentioned in his passport is located.".

4. After rule 8 of the said rules, the following rules shall be inserted, namely:-

"8A. Manner of giving notice for registration of persons as overseas electors.- On the commencement of the Representation of the People (Amendment) Act, 2010 (36 of 2010) and at such other times as the Election Commission may direct, the Chief Electoral Officer may, for the purpose of inclusion of names of overseas electors in the roll, make a public notification requesting every person entitled to be registered as an overseas elector under section 20A and a copy of such notification shall be forwarded to all foreign missions of the Central Government and also make such further publicity as he may consider expedient and necessary.

8B. Inclusion of names of overseas electors in the rolls.-

(*1*) Every overseas elector, who is not otherwise disqualified for registration and is desirous of being registered in the roll for the constituency pertaining to the locality in which his place of residence in India as mentioned in his passport is located, may make an application in Form 6A to the concerned registration officer directly or send the application to him by post.

(*2*) The provisions of sub-rules (2), (3) and (4) of rule 13 shall *mutatis mutandis* apply for filing of claims or objections to the inclusion of name or to any particulars of an entry or for transposition of any entry from one place to another in the roll as an overseas elector.

(*3*) Every application in Form 6A sent by post shall be accompanied by copies of all the documents mentioned in the said Form duly attested by the competent official of the Indian Mission in the country concerned.

(*4*) Every application in Form 6A presented in person to the registration officer shall be accompanied by photocopies of all the documents mentioned in the said Form alongwith originals thereof for verification by the registration officer.

(*5*) Where a personal hearing is necessary in respect of any claim for inclusion or objection to the inclusion of name in the roll as an overseas elector, the registration officer may, if considered necessary, designate an official in the Indian Mission in the concerned country for the purpose.

5. In rule 10 of the said rules, the following proviso shall be inserted at the end, namely:-

"Provided that where such draft contains names of overseas electors, the copies of such rolls shall also be published in the Electronic Gazette.".

6. In rule 16 of the said rules, the following proviso shall be inserted at the end, namely:-

"Provided that where any claim or objection relates to registration of a person as an overseas elector, a list of such claim or objection shall be exhibited on the notice board in his office and shall also be published in the Electronic Gazette in such form as the Election Commission may direct.".

7. In rule 22 of the said rules, in sub-rule (1), in clause (b), before the word "and" occurring at the end, the following proviso shall be inserted, namely:-

"Provided that where the roll contains the name of any overseas elector the same shall also be published in the Electronic Gazette.".

8. In rule 25 of the said rules, in sub-rule (3), for the figure "9", the figure and letter "8A" shall be inserted.

9. In rule 26 of the said rules, in sub-rule (1), after the figure "6", the figure and letter ",6A" shall be inserted.

10. After Form 6 appended to the said rules, the following Form shall be inserted, namely:-

"FORM 6A
(see *rule 8B*)

Application for inclusion of name in electoral roll by an overseas elector

To

The Electoral Registration Officer,
----------Assembly/Parliamentary Constituency.

District.....
State in India.....

Space for pasting one recent passport size photograph (3.5×3.5CM) showing frontal view of full face within this box

Sir,

I request that my name be included in the electoral roll for the Constituency in which my place of residence, as per the particulars furnished below in item 1(h), is located.

PART - A

Particulars in support of my claim for inclusion in the electoral roll are given below:

(a) Name - .....
(b) Middle Name.....
(c) Surname .....
(d) Date of Birth: --- Day---Month---Year
(e) Sex(Male/Female) .....
(f) Place of Birth –
  (i) Village/Town.....
  (ii) District.....
  (iii) State.. .. ..
(g) Father's/Mother's/Husband's detail
  (i) Name -.....
  (ii) Middle Name.....
  (iii) Surname.....

(h) Place of Ordinary Residence in India (Full Address as given in the Passport)
  (i) House/Door number. . . . . .
  (ii) Street/Area/Locality/Mohalla/Road ....,
  (iii) Town/Village.....
  (iv) Post Office .....
  (v) Pin Code .....
  (vi) Tahsil/Taluka/Mandal/Thana.....
  (vii) District. . . . . .
(i) Passport Details -
  (i) Passport Number. . . . . .
  (ii) Place of Issue of current Indian Passport. . . . . .
  (iii) Date of Issue of current Indian passport. . . . . .
  (iv) Date of expiry of current Indian passport.....

{Copies of the relevant pages of the passport containing the particulars mentioned at items (a) to (i) above to be enclosed—attested by the Indian Mission if sent by post and produced with the original passport if presented in person before the registration officer}

(j) Details of Visa of the Country of current residence -
  (i) Visa Number.....
  (ii) Type of Visa (Single Entry/Multiple Entry/Tourist/Work Visa etc.)/.....
  (iii) Date of issue of Visa.....
  (iv) Place of issue of Visa.....
  (v) Date of expiry of

Visa.....
(vi) Name of the Issuing Authority.....

{Copies of the relevant pages of the passport containing the current valid visa endorsement mentioned above to be enclosed—attested by the Indian Mission if sent by post and produced with the original passport if presented in person before the registration officer}

2. Description of Absence from Place of Ordinary Residence in India-
   (a) Reason of being absent from the place of ordinary residence in India- (i) employment/ (ii) education/ (iii) other(Give Description)
   .....
   (b) Date from which absenting from ordinary residence in India. ..... (DD/MM/YYYY)

3. Full residential address in the country outside India where currently residing..... .....

4. Full Official address in the country outside India currently residing (address of the place of employment or the education institution where studying). .....
   .....
   .....

5. Declaration - I hereby declare that to the best of knowledge and belief –
   (a) all information given in this application is true.
   (b) I am a citizen of India by birth/ domicile/ naturalisation.
   (c) I have not acquired citizenship of any other country.
   (d) But for being absent from the place of my ordinary residence in India owing to the reason given in 2(a) above, I would have been ordinarily resident at the address given in my Indian Passport, which has been reproduced at 1(g) above.
   (e) I undertake to immediately inform the Electoral Registration Officer through the Indian Mission in the Country of my current residence if I renounce my Indian Citizenship or if I acquire the citizenship of any other country.
   (f) I undertake to immediately inform the Electoral Registration Officer through the Indian Mission in the country of my current residence of any change in my residential address in the country of my residence for the records of the Electoral Registration Officer. I understand that any notice sent to me at the address, which is my residential address in the country of my current residence according to the records of the Electoral Registration Officer, shall be considered as due service of notice to me under the Representation of the People Act, 1950 and the rules made thereunder, and that it is my responsibility to keep the Electoral Registration Officer informed of my latest residential address in the country of my current residence.
   (g) If I return to India and become ordinarily resident in India, I shall immediately inform the Electoral Registration Officer of the concerned Assembly/Parliamentary Constituency.

(h) I have not applied for inclusion of my name in the electoral roll of any other constituency.

(i) My name has not already been included in this or any other constituency.

Or

My name may have been included in the electoral roll of ..... Constituency in..... State in which I was ordinarily resident earlier at the address mentioned below and, if so, I request that the same may be deleted from that electoral roll, or transposed, as may be appropriate.

Full address (Earlier place of ordinary residence).....

Elector Photo Identity Card (if issued) number .....
date of issue.....

(j) I have not been issued an EPIC in India/ have been issued an EPIC which is enclosed with this application for cancellation.

Signature.....
Place .....
Date.....

PART – B

(For use in the office of Electoral Registration Officer)

Application received on ..... (DD/MM/YYYY)
The application in Form 6A of Shri/Shrimati/Kumari.....has been :-

(a) Accepted and the name has been registered in the electoral roll of .....
...(constituency) at S.No.....Part No.....
(b) Rejected for the reason.....

Date.....

[Electoral Registration Officer].

.....*perforation*.....

PART - C

Acknowledgement for Application
(When presented in person to the registration officer)

Received the application in Form 6A of
Shri/Shrimati/Kumari _____
Address _____

Date _____

Signature of the Verifying Officer _____

Address _____".

[F.No.H-7(18)/98.-Leg.II (Vol.IV)]

(N.K. Nampoothiry)
Additional Secretary to the Government of India

Note: The principal rules were published in the Gazette of India, Extraordinary, *vide* notification number S.O. 2750(E) dated the 11th November, 1960 and last amended *vide* number S.O.1219(E) dated the 15th May, 2009

GUIDELINES FOR FILLING UP THE APPLICATION FORM-6A

General Instructions

Who can file Form-6A

1. Every citizen of India staying in a foreign country, who has not acquired citizenship of a foreign country, and has completed 18 years of age as on 1st January of the year, can make an application in Form 6A for being registered in the roll for the constituency pertaining to the locality in which his place of residence in India as mentioned in the passport is located. The application in Form 6A can be presented to the registration officer concerned.

2. The applicant should have completed eighteen years of age as on 1st January of the year. For example, if the application is for inclusion of name in the electoral roll with reference to 01-01-2011 as the qualifying date, the applicant should have completed 18 years of age as on 01-01-2011.

Where to submit the application in Form-6A

3. The application should be submitted directly to the Electoral Registration Officer (ERO) of the constituency within which the place of ordinary residence of the applicant as given in the valid passport falls. The Application in Form 6A can be presented in person to the ERO or sent by post addressed to the ERO concerned.

[The particulars and postal address of the EROs of all the constituencies of India can be seen on the website of Election Commission of India (*http://eci.nic.in*)]

Documents to be attached

4. Paste one recent passport size coloured photograph with a light background (preferably white) showing the full face of the applicant.

5. Fill in all the columns in Form-6A. Write your name and other particulars as given in the valid Indian Passport

6. If application is sent by post, it should be accompanied by photo-copy of the relevant pages of the passport containing the photograph and all other particulars of the applicant and the page containing the valid visa endorsement. **These photo-copies should be got duly attested by the competent official in the Indian Mission.** Applications without the attested photo-copies of these documents will be liable to be summarily rejected.

7. If the application is submitted in person before the ERO, the application should be accompanied by a photo-copy of the relevant pages of the passport as mentioned above. The original passport should also be produced alongwith the application for verification by the registration officer. The passport will be returned immediately after verification.

Voting

9. It may be noted that after your enrolment, you will be able to cast vote in election in the constituency, if you are physically present in the polling station alongwith your original passport on the day of poll.

[F.No.H-7(18)/98.-Leg.II (Vol.IV)]

(N.K. Nampoothiry)
Additional Secretary to the Government of India

To

Manager,
Government of India Press,
Mayapuri, Ring Road,
New Delhi.