

ELECTION COMMISSION OF INDIA

Nirvachan Sadan, Ashoka Road, New Delhi-110001

No. 464/J&K-HP/2024

Dated: 22nd March, 2024

To,

The Chief Electoral Officer,
Jammu & Kashmir,
Srinagar.

Subject:- General Election to Lok Sabha, 2024 - Scheme for Kashmiri migrants to vote in person at transitory camps-regarding.

Sir,

I am directed to refer the subject cited and to forward herewith the Commission's Notification No. 3/J&K-HP/2024(N) dated 22nd March, 2024, No. 3/J&K-HP/2024 (S) dated 22nd March, 2024 and to request that the same may be published in an extra-ordinary issue of the State Gazette and two copies may be forwarded of the Commission as soon as same is published.

2. I am also directed to say that the Commission has advised the migrant voters to send their forms, Form-M for voting in person or Form 12-C requesting for the postal ballot, to the concerned Assistant Returning Officers so as to reach them on or 10 days before the date of poll separately for each phase of the polling.

3. In this regard, the Scheme being published by the Commission is also enclosed. As laid down in para 5 of the 'Scheme' for Kashmiri migrants to vote in person at transitory camps', the Assistant Returning Officers will cull out lists of electors who opt for voting in person at the special polling stations, constituency-wise. These lists of electors who will vote at each of the special polling stations will be drawn separately for each such polling station on the basis of the choice indicated by individual electors in Form-M. Thereafter, the lists of special polling stations and the lists of electors assigned to each such polling station will be notified, by the District Election Officer concerned under Section 25 of the Representation of the People Act, 1951.

4. The marked copies of the electoral rolls to be used at the special polling stations as prepared by the Assistant Returning Officer, will consist of only the name of those electors who have been assigned to those polling stations. These marked copies of the electoral roll will be prepared in the prescribed format (Annexure-1 of the scheme). On the basis of these marked copies of the electoral roll to be supplied by the Assistant Returning Officers to the Returning Officer of the constituency, the Returning Officer will mark the letter 'VSPS' (to denote 'Voting at Special Polling Station') against

electoral roll to be used at the normal polling stations. These marked copies will also contain the letter "PB" against the names of those electors who wish to vote by post and have been supplied with the postal ballot papers.

4. The above instructions shall be brought to the notice of the Returning Officer of all the Parliamentary Constituencies in the Kashmir valley and also the District Election Officers and the four Assistant Returning Officers for 'specified' and 'notified' class of voters, for strict compliance.

5. A copy of the advertisement to be issued in this connection is enclosed. Kindly ensure that frequent and repeated publicity/announcement is made in print/electronic media of all leading newspapers and All India Radio etc. in the next few days for the benefit of Kashmiri migrants and was done in the past.

Yours faithfully,



(B. C. PATRA)
SECRETARY

ELECTION COMMISSION OF INDIA

TO BE PUBLISHED IN AN
EXTRAORDINARY ISSUE OF THE
GOVERNMENT OF INDIA GAZETTE

TO BE RE-PUBLISHED IN AN
EXTRAORDINARY ISSUE OF THE UT
OF JAMMU AND KASHMIR GAZETTE

ELECTION COMMISSION OF INDIA

Nirvachan Sadan, Ashoka Road, New Delhi-110001

Dated: 22nd March, 2024
2 Chaitra, 1946 (SAKA)

NOTIFICATION

No. 3/J&K-HP/2024(S):- WHEREAS, a number of electors of 1-Baramulla, 2-Srinagar and 3-Anantnag-Rajouri Parliamentary Constituency in the Kashmir valley of Union Territory of Jammu and Kashmir had migrated because of compelling circumstances and have been temporarily residing in various places outside their place of ordinary residence; and

WHEREAS, the Election Commission of India, having regard to the right of franchise of such migrant electors, directed that these migrants shall continue to be treated as “ordinarily residents” of their respective places for inclusion/retention of their names in the electoral roll of the concerned constituency despite their migration and as such their names were allowed to be incorporated in the electoral rolls summarily revised under the order of the Election Commission with reference to 01-01-2024 as the qualifying date;

Whereas, at the time of the elections to the State Legislative Assembly, 1996, a special scheme was devised under the then prevalent Jammu and Kashmir Representation of the People Act, 1957 and the Jammu and Kashmir Conduct of Elections Rules, 1965, which enabled these migrant voters to vote by postal ballot for their respective constituencies of their native places;

Whereas, the same facility to the above class of voters was extended at the time of the General Election to the House of People held in 1998 and 1999 by amending the Conduct of Election Rules, 1961 (Rules 27A to 27K);

Whereas, after taking into account several complaints about the delay transmission of the postal ballot in both ways by notified class of voters from different parts of the country, the Election Commission had decided during the General Election to the Legislative Assembly of J&K held in September-October, 2002 to provide these migrant voters their voting right, they should be enabled to vote in person at “special polling stations” set up outside the territorial limits of the constituency at Jammu, Udhampur and Delhi under Section 36A(1) of the then Jammu and Kashmir Representation of the People Act, 1957. Those of migrant voters who were not in a position to avail of this facility to vote

in person at these special polling stations were given the option of exercising their right to vote by availing of the facility to vote by postal ballot as was done in the previous elections.

Whereas, the said scheme having worked very well, the facility was extended during general election to Legislative Assembly held in 2008, 2014 and General Election to the Lok Sabha held in 2004, 2009, 2014 and 2019;

Whereas, the Government of India *vide* notification dated 9th August, 2019 has abrogated Article 370 of the constitution and promulgated The Jammu and Kashmir Reorganisation Act, 2019 and *inter-alia* repealed the Jammu and Kashmir Representation of the People Act, 1957 and Union Territory of Jammu and Kashmir would go for elections the very first time since its inception;

NOW, THEREFORE, the Election Commission, in exercise of powers vested by Article 324 of the Constitution read with Section 25 of the Representation of the People Act, 1951, for the purpose of casting votes at the poll in the General Election to the House of the People of Union Territory of Jammu and Kashmir, to be held in 2024, in pursuance of the notifications to be issued by the President under Section 14 of the Representation of the People Act, 1951, directs continuation of the said scheme and accordingly hereby specifies the aforesaid migrant electors enrolled in any of the Parliamentary Constituencies of 1-Baramulla, 2-Srinagar and 3-Anantnag-Rajouri, who are residing outside their place of ordinary residence, but other than those who have been notified under clause (c) of Section 60 of the Representation of the People Act, 1951 to vote by postal ballot, as the class of persons for whom special polling stations shall be provided outside the territorial limits of the Parliamentary Constituencies mentioned above.

By order,


(B. C. PATRA)
Secretary

Election Commission of India

TO BE PUBLISHED IN AN
EXTRAORDINARY ISSUE OF THE
GOVERNMENT OF INDIA GAZETTE

TO BE RE-PUBLISHED IN AN
EXTRAORDINARY ISSUE OF THE UT
OF JAMMU AND KASHMIR GAZETTE

ELECTION COMMISSION OF INDIA

Nirvachan Sadan, Ashoka Road, New Delhi-110001

Dated: 22nd March, 2024
2 Chaitra, 1946 (SAKA)

NOTIFICATION

No. 3/J&K-HP/2024(N):- WHEREAS, a number of electors of 1- Baramulla, 2-Srinagar and 3-Anantnag-Rajouri Parliamentary Constituency in the Kashmir valley of Union Territory of Jammu and Kashmir had migrated because of compelling circumstances and have been temporarily residing in various places outside their place of ordinary residence; and

WHEREAS, the Election Commission, having regard to the right of franchise of such migrant electors, directed that these migrants shall continue to be treated as ordinarily residents of their respective places for inclusion/retention of their names in the electoral roll of the concerned constituency despite their temporary migration and as such their names were allowed to be incorporated in the electoral rolls summarily revised under the order of the Election Commission with reference to **01.01.2024** as the qualifying date;

Now, the Election Commission of India, in exercise of powers conferred by Section 60(c) of the Representation of the People Act, 1951, for the purposes of giving votes at the poll in the General Election to the House of the People, to be held in 2024, in pursuance of the notifications to be issued by the President under Section 14 of the Representation of the People Act, 1951, hereby notifies the aforesaid migrant electors enrolled in any of the Parliamentary Constituencies of 1-Baramulla, 2-Srinagar and 3-Anantnag-Rajouri, who are residing outside their place of ordinary residence, but other than those who have been specified to vote in person, by the Election Commission under the powers conferred by Article 324 of the Constitution read with Section 25 of the Representation of the People Act, 1951, as the class of persons to give their votes by postal ballot, subject to the fulfillment of the requirements specified in the rules made under the said Act :

By order,



(B. C. PATRA)

Secretary

Election Commission of India

General Election to Lok-Sabha, 2024

Scheme for Kashmiri migrants to vote in person at transitory camps and voting by means of postal ballot.

Introductory

- 1.1 A large number of electors registered in several parts of the UT of Jammu and Kashmir, particularly Kashmir division, were forced to leave their native places during late 1980s and early 1990s because of the terrorist activities of extremist elements supported from across the Indian borders. They are still residing either in transitory camps in Jammu and Delhi or elsewhere in several other parts of the UT or outside the UT. Because of their emotional ties with their native place and in order not to lose their permanent residentship status of their native State, they were not willing to enroll in the constituencies in which they are physically resident presently but wanted their names to be continued in the rolls of their native places. Therefore, the Election Commission, after consultation with the Central Government and the State Government, decided that such of the migrants who left their native places in Kashmir Valley after 1st April, 1989 shall be deemed to be ordinarily resident in the constituencies in which they were so resident before their migration and their names shall continue to be borne on the electoral rolls of the assembly and parliamentary constituencies concerned in the Kashmir province of the state of Jammu and Kashmir. Their descendants, who have meanwhile come of age, were also permitted to have their names included in those rolls on the basis of their claim applications.
- 1.2 At the time of the election to the State Legislative Assembly in 1996, a special scheme was devised, which enabled these migrant voters to vote by postal ballot in their respective constituencies of their native places. For this purpose, the Jammu and Kashmir Representation of the People Act, 1957 and the Jammu and Kashmir Conduct of Elections Rules, 1965 were specifically amended. According to that scheme, the said voters, who were called as 'notified voters' under section 70(c) of the J&K 1957 Act, were required to make an application in Form 12 C appended to the J&K 1965 Rules to a specific Assistant Returning Officer, designated by the Election Commission at Jammu, for supply of postal ballot papers, if they wished to vote by post. Such applications were required to reach the said Assistant Returning Officer at least 10 days before the date of poll in the respective constituencies. Further, these applications were required to be verified and attested by

the officers in charge of the transitory camps or by any other gazetted officer. Such of those migrant voters as are employed in the government jobs or were retired pensioners were required to have their applications verified and attested by the head of their offices or by the manager of the bank or treasury from where they were drawing their pension. The ARO, on being satisfied as to the entitlement of the applicant to vote by post, was then obliged to send the postal ballot paper to the applicant at least 8 days before the date of poll. The marked postal ballot papers were to reach the Returning Officer of the constituency concerned before the hours fixed for counting of votes.

- 1.3 Similar facility to the aforesaid class of voters was extended at the time of the general election to the House of the People held in 1998 and 1999 by amending the Representation of the People Act, 1951 [Section 60(c)] and the Conduct of Elections Rules, 1961 (Rules 27A to 27K).
- 1.4 Taking into consideration several complaints that the postal ballot papers sent to and by the aforesaid notified class of voters from different parts of the Country were delayed in transmission, the Election Commission had decided during the general election to the Legislative Assembly of Jammu and Kashmir held in September-October, 2002 that in order to make the voting right of such migrant voters effective and really meaningful, they should be enabled to vote in person at the transitory camps where they were living in Jammu, Delhi etc., by providing polling station(s) especially for them (hereinafter referred to as 'special polling stations') in those transitory camps. Further, such of the migrant voters as were living not in camps but nearby in Jammu and Delhi or in some neighboring places and wished to vote in person at these polling stations were also permitted to avail of that facility. Those of migrant voters who were not in a position to avail of this facility to vote in person at these special polling stations were given the option of exercising their right to vote by availing of the facility to vote by post as in the previous elections.
- 1.5 The scheme devised for the purpose worked very well during the general election to the Legislative Assembly held in September-October, 2002. Similar arrangements were during General Elections to Lok-Sabha held in 2004, 2009 & 2014.
- 1.6 The Commission has, after taking into consideration the success of this scheme, decided to extend the said scheme for the general election to the House of the People from Jammu and Kashmir scheduled to be held in April-May, 2024.

Details of Scheme

- 2.1 Section 25 of the Representation of the People Act, 1951 provides that the District Election Officer shall, with the previous approval of the Election Commission, provide a sufficient number of polling stations for every constituency and the polling area or group of voters for which they have respectively been provided.
- 2.2 In view of the position stated in the preceding para, the Election Commission has, as a first step, to specify, in exercise of powers vested by Article 324 of the Constitution read with Section 25 of the Representation of the People Act, 1951, the Kashmiri migrants whose names are registered in any of the three Parliamentary Constituencies 1-Baramulla, 2-Srinagar and 3-Anantnag-Rajouri in the UT of J&K, as a group of voters [hereinafter referred to as 'specified' voters] for whom the polling stations may be provided outside the territorial limits of those constituencies, i.e., special polling stations at Delhi, Jammu and Udhampur.
- 2.3 Simultaneously, those of the, Kashmiri migrants who are living far away from the camps, etc., and wish to vote by post, have been separately notified as 'notified voters' in terms of Section 60(c) of the said Act read with rule 27A(b) of the Conduct of Elections Rules, 1961. Necessary consultation with the Central Government has been made in this regard as required under the said Section 60(c).

Appointment of Assistant Returning Officers for 'specified' and 'notified' voters

- 3.1 To operationalise this scheme, Assistant Commissioner, Relief (Migrant), Jammu who has several officers of the rank of Superintendent. Etc., to assist him, may be designated as Assistant Returning Officer for the three Parliamentary Constituencies in the Kashmir Valley. He may be made responsible for the receipt of applications from the electors who wish to vote at the special polling stations and also from those who wish to vote by post. He may also be made responsible for preparation of marked copies of electoral rolls for those polling stations, etc., and all other arrangements for the conduct of polls at these polling stations.
- 3.2 Likewise, Deputy Director, Horticulture, Planning & Marketing, Delhi and Deputy Secretary, in the office of Resident Commissioner, New Delhi may also be appointed as the ARO for the receipt of applications, conduct of poll, etc., at the special polling station(s) to be provided in Delhi.
- 3.3 Assistant Commissioner, Panchayat, Udhampur may also be appointed as ARO in respect of the special polling station(s) at Udhampur.
- 3.4 Further, these AROs may be made responsible not only for the conduct of poll at the special polling stations but also for the counting of votes cast at these polling stations, which would obviate the necessity of transporting the EVMs used at these polling stations to the Returning Officers of the three parliamentary constituencies across the Kashmir Valley. The result of the polling at these polling stations can be ascertained by the said AROs and communicated to the ROs concerned which would be taken into account by the RO for determining and declaring the final result of the election in their constituencies.

- 3.5 Keeping in view the convenience of voters, living in various camps in Jammu Division and Delhi, camps and also nearby, Commission has approved the following special polling stations in Jammu, Udhampur and Delhi :-

Jammu

1. Women's College, Gandhi Nagar, Jammu.
2. Indian Institute of Management, Canal Road, Jammu.
3. Directorate School Education, Muthi, Jammu.
4. Directorate of Economics & Statistics, Janipur, Jammu.
5. Migrant School, Purkhoo, Jammu.
6. Agriculture Complex, Talab Tillo, Jammu.
7. Govt. Mixed Higher Secondary School, Muthi
8. Migrant School, Nagrota, Jammu.
9. Govt. Higher Secondary School, (Migrants) Jagti-A, Jammu.
10. Govt. Higher Secondary School, (Migrants) Jagti-B, Jammu.
11. Anuradha Higher Sec. School, Barnai, Jammu.
12. Agriculture University Complex, Udhaiywala, Jammu
13. J&K Board of School Education, Rehari, Jammu-A
14. Govt. Middle School, (Migrants), Jagti.
15. Community Hall Jagti.
16. Govt. Girls Middle School Chak Changerwan Chinore Chowk, Jammu.
17. Govt. Girls Primary School Gangyal, Jammu.
18. Govt. Boys Higher Secondary School Poni Chak.
19. J&K Board of School Education, Rehari, Jammu-B
20. Govt. High School Sagoon, Miran Sahib.
21. Govt. Higher Secondary School Channi.

Udhampur

1. Govt. Girls Higher Secondary School, Udhampur

Delhi

1. J&K House, 5, Prithviraj Road, New Delhi.
2. O/o the Deputy Director, Horticulture, Planning and Marketing, Shalimar Bagh, Delhi.
3. Govt. Girls Higher Secondary School, Paprawat, New Delhi
4. Arwachin International School, F-Block, Dilshad Garden, Delhi.

- 4.1 In so far as the Kashmiri Migrants living in other parts of the country are concerned, it may not be feasible to provide polling stations for them and they will have the option to exercise their franchise through the postal ballot system, as was done at the time of general elections in 1996, 1998 and 1999, 2002, 2008 and 2009 and 2014 and the arrangements made in this behalf, will have to be repeated.

Collection of information from 'specified voters' as to where they would like to vote.

- 4.2 In order to ascertain as to who among the specified voters would like to vote at which of the above-mentioned polling stations, the ARO may ask the voters to give their preference in writing. As this information is to be gathered for the purpose of allocating these voters to the above mentioned polling stations, it may suffice if the head of the family or any senior member of the family gives intimation in respect of all the members of his family and we may not insist upon individual intimation from each elector. Though the right to vote is an individual right, the gathering of such information from the head of the family would not militate against the individual right as at the time of election, the voter concerned will have to exercise that right individually after satisfying the polling staff of his identity. This information may be obtained from the head/senior members of the families in a non-statutory form, called 'Form M' (copy enclosed).
- 4.3 Copies of this form may be distributed through the Assistant Commissioner, Relief (Migrant) Jammu at Jammu and Resident Commissioner's office at Delhi and through the camp commandants of the migrant camps. Wide publicity may also be given in the newspapers and also through the head of departments in the case of registered migrants who are working in the Government offices in and around Jammu.
- 4.4 The head/senior members of the families of specified voters may be asked to give the requisite information in Form M to the above-referred AROs at Jammu, Udhampur and Delhi immediately and atleast 10 days before the date of poll.
- 4.5. To enable the applicants to give the requisite intimation in Form M by the stipulated date, copies of the electoral rolls of all three Parliamentary Constituencies may be made available urgently at the offices of the above AROs for inspection by the intending applicants.

Assignment of specified voters to special polling stations and preparation of marked copies of electoral rolls.

- 5.1. On the basis of the intimations given by the specified voters in Form M, the AROs may Cull out lists, Constituency wise, (showing therein assembly segment) of electors who opt for voting in person at the above mentioned polling station and then these electors may be assigned to the different polling stations as per the preference indicated by them. If at any polling station, the number of electors from any particular Constituency is exceedingly large, say more than 1,200, more than one booth may be provided for them in the same polling station location for the convenience of voters. The list of these special polling stations with the groups of specified voters assigned to each polling station may then be notified, constituency wise, by the District Election Officers concerned under Section 25 of the Representation of People Act, 1951.

- 5.2 The provision of the above mentioned special polling stations in the transitory camps, etc., would mean that the specified class of voters would be entitled to vote only at the specially provided polling stations and not in the polling stations normally provided for them in their native places in their respective constituencies. It will have to be ensured that when these persons vote in the special polling stations, nobody else votes for them in their normal polling stations in the constituency. The Returning Officers will have to so prepare the marked copies of the electoral roll to be used at the normal polling stations that they contain a clear indication as to which of the voters would vote at the special polling stations and would not be entitled to vote at the normal polling stations. Such indication may be given by putting the letters 'VSPS' [to denote 'voting at special polling station'] against the names of the voters who give intimation of their intention to vote at the special polling stations. [These marked copies will also contain the letters 'PB' against the names of those electors who wish to vote by post and have been supplied with the postal ballot papers].
- 5.3 The marked copies of the electoral rolls to be used at the special polling stations will consist of only the names of those electors who have been assigned to those polling stations as mentioned in paras 4.1 and 4.2 above. Instead of giving the whole electoral roll of the constituency running into several hundred pages and marking the names of persons who will be entitled to vote at these special polling stations, separate marked copy of the electoral roll may be prepared, polling station wise, containing the names of only those electors who have been assigned to only those polling stations as per paras 4.1 and 4.2 above. This marked copy of the electoral roll for the special polling stations may be prepared in the format at Annexure-I hereto. On the basis of the marked copy of the electoral roll for each special polling station so prepared, the Returning Officer of the constituency will mark the letters 'VSPS' against the names of the persons, included in the said marked copy (Annexure-I), in the marked copies of the electoral roll to be used at the respective polling stations normally provided for these voters in their native places, as envisaged in para 4.2 above.

Conduct of poll

- 6.1 The conduct of poll at these special polling stations will be conducted by using separate EVMs for each PC as at the other normal polling stations in the constituency and all rules and directions and instructions applicable to the conduct of poll at the normal polling stations will apply at these special polling stations also.

Postal ballot papers for notified electors

- 7.1 Any 'notified' voter who wishes to vote by post is required to make an application for postal ballot in Form 12C appended to the Conduct of Elections Rules, 1961 to any of the above AROs at least 10 days before the date of poll in the constituency in which he is registered as elector.
- 7.2 The Returning Officers of the said 3 Parliamentary Constituencies have to make available well in advance, the electoral rolls of the parliamentary constituencies concerned in the offices of the above AROs to enable the 'notified' voters to fill in their required particulars in their applications in Form- 12C.

- 7.3 These applications before submission are required to be verified and attested by the officers in charge of transitory camps or by any other gazetted officer. Sufficient number of gazetted officers should, therefore, be made available for the purpose in the offices of the aforementioned AROs.
- 7.4 The ARO at Jammu, "Assistant Commissioner, Relief (Migrant)", Jammu in the Office of Relief and Rehabilitation Commissioner (M), Jammu will be solely responsible for handling the applications in Form-12C received from 'notified' voters and for supply of postal ballot papers to them. For this purpose, all Returning Officers of three Parliamentary Constituencies shall make available to the ARO at Jammu sufficient number of ballot papers to be used as postal ballots.
- 7.5 Deputy Director, Horticulture, Planning & Marketing, New Delhi, Deputy Secretary, in the office of Resident Commissioner, New Delhi and Assistant Commissioner, Panchayat, Udhampur, shall make every endeavor to forward with least delay all applications in (Form-12C) received by them for postal ballot paper to the designated ARO at Jammu. They will also maintain a complete list of applications so received by them and forwarded to the ARO at Jammu.
- 7.6 The designated ARO at Jammu, on being satisfied as to the entitlement of the applicant to vote by post, shall then be obliged to send the postal ballot paper to the applicant at least 8 days before the date of poll. The postal ballots and accompanying documents (Form 13-A, 13-B, 13-C and 13-D) shall be sent by the ARO at Jammu to 'notified' voters by registered post.
- 7.7 Duly filled in Postal Ballot Papers should be sent by such voters through Registered Post (pre-paid by RO) to the Returning Officer concerned of the Parliamentary constituency so as to reach him before the hour fixed for counting of votes. This will be the responsibility of the Postal Authorities. The Commission will issue a separate instruction to Postal Authorities.
- 7.8 The 'notified' voters can also post their applications (Form-12C) for supply of postal ballots and, later on their marked postal ballot papers in the special letter boxes, which will be available at the offices of the abovementioned Assistant Returning Officers at Jammu, Delhi and Udhampur.
- 7.9 The AROs at Delhi and Udhampur shall send the applications in Form-12C received by them to the ARO at Jammu for issue of postal ballots to the voters. Similarly, all three AROs at Jammu, Delhi and Udhampur shall send the marked postal ballots received by them in the aforesaid letter boxes to the Returning Officer concerned of the Parliamentary Constituency so as to reach the same before the date and hour fixed for counting of votes.
- 7.10 In addition to the above instructions, the Migrant electors residing at various places other than Jammu, Udhampur and Delhi can also download Form 'M' and Form 12-C from the ECI website and after filling such Forms can be got verified from the Electoral Registration Officer of the areas where he/she is residing. The Electoral Registration Officers can have access to the details of migrant electors enrolled in different Parliamentary Constituency (assembly segment-wise) in Kashmir through ERO-Net. The ERO concerned, after verifying details in the Form 'M' will scan and upload to electronically transmit the same to AROs

Migrants at Delhi, Jammu and Udhampur for further necessary action. Hard copy so uploaded, are to be sent to AROs Migrant Delhi, Jammu and Udhampur as the case may be.

- 7.11 Similarly, the ERO concerned will verify the details in Form 12-C and sign the certificate in Part-II of the Form and scan and upload it to electronically transmit the same to the ARO Migrant at Jammu who will take further necessary action to send Postal Ballot to the elector concerned. Hard copies so uploaded are to be sent to ARO Migrant at Jammu.
- 7.12 The Postal Ballot will be sent through Speed post to the elector concerned by the ARO Migrant, Jammu. The elector can send polled Postal Ballot through Speed post (free of cost) to the Returning Officer concerned of the Parliamentary constituency to which he belongs so that the same can reach the RO concerned in time. The cost of Speed Post will be paid by the R.O. concerned.

Counting of Votes:

- 8.1 As has been stated in para 2.3 above, the counting of the votes cast at the special polling stations should be done by the specified AROs and the result transmitted by them to the ROs concerned by using Form 20. Such transmission of the result by the AROs may be done by using fax, e-mail or any other means of fast communication available, followed by a duly authenticated copy.
- 8.2 The Returning Officer only of the Parliamentary Constituency concerned shall count postal ballot papers.

FORM M**LETTER OF INTIMATION TO ASSTT. RETURNING OFFICER FOR MIGRANT VOTERS**

Dated: _____

To

The Assistant Returning Officer,

(For Migrants)

_____ (Parliamentary Constituency/Assembly Constituency)

(Designation & address of ARO)

Sir,

I, along with the following members of my family whose particular are given below, wish to cast our votes in person at the polling station being provided at _____
(location of the polling station in _____ (name of city):-

S.No.	Name	Father's/Mother's Husband's Name	Name of the Parliamentary Constituency	Name of the Assembly Segment	Part No. of Electoral Roll	S. No. in that Part
1.						
2.						
3.						
4.						

My present address is as follows: -

.....

.....

.....

Yours faithfully,

Signature

Name.....

CERTIFICATE

(Certificate by the officer in charge 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 gazette officer.)

It is hereby certified that the particulars given above by the applicant in Form 'M' are correct as per our record/to the best of my knowledge and belief.

(Full signature of the attesting officer)

Date:

Name _____

Address _____

Rubber Stamp _____

ANNEXURE-1

Marked copy of electoral roll to be used at the polling station provided under section 25 of the Representation of the People Act, 1951.

SL.No. & Name of the Parliamentary Constituency _____

SL.No. & Name of Assembly segment _____

SL.No. & Name of Polling Station _____

Date of Poll _____

Part No. of electoral roll	Sl.No. of elector in that part	*House No.	*Name of electors	*Relationship	*Father/Mother/Husband's Name	*Sex	*Age

*Headings to be the same as in the electoral roll

(Assistant Returning Officer)

भारत सरकार के राजपत्र के असाधारण
अंक में प्रकाशनार्थ
जम्मू-कश्मीर संघ राज्य-क्षेत्र के राजपत्र
के असाधारण अंक में पुनः प्रकाशनार्थ

भारत निर्वाचन आयोग

निर्वाचन सदन, अशोक रोड, नई दिल्ली-110001

दिनांक: 22 मार्च, 2024

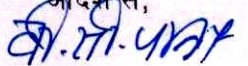
2 चैत्र 1946 (शक)

अधिसूचना

सं. 3/जम्मू-कश्मीर/लो.स./2024(एन):- यतः, जम्मू-कश्मीर संघ राज्य-क्षेत्र की कश्मीर घाटी में 1-बारामूला, 2-श्रीनगर और 3-अनन्तनाग-राजौरी संसदीय निर्वाचन क्षेत्रों के अनेक निर्वाचक बाध्यकारी परिस्थितियों के कारण प्रव्रजित हो गए थे और अपने सामान्य निवास स्थान से बाहर विभिन्न स्थानों पर अस्थायी रूप से रहते आ रहे हैं; और

यतः, निर्वाचन आयोग ने, ऐसे प्रवासी निर्वाचकों के मताधिकार को ध्यान में रखते हुए, निदेश दिया कि ये प्रवासी, अपने अस्थायी प्रवास के बावजूद, संबंधित निर्वाचन क्षेत्रों की निर्वाचक नामावलियों में अपने नामों के समावेशन/प्रतिधारण के लिए अपने संबंधित स्थानों के सामान्य निवासियों के रूप में माने जाते रहेंगे और इसलिए उनके नामों को निर्वाचन आयोग के आदेश के अधीन 01.01.2024 की अर्हक तिथि के संदर्भ में संक्षिप्त रूप से पुनरीक्षित निर्वाचक नामावलियों में शामिल किए जाने की अनुमति दी गई थी।

अब, भारत निर्वाचन आयोग लोक प्रतिनिधित्व अधिनियम, 1951 की धारा 14 के अधीन राष्ट्रपति द्वारा जारी की जाने वाली अधिसूचनाओं के अनुसरण में, वर्ष 2024 में आयोजित किए जाने वाले लोक सभा के साधारण निर्वाचन में मतदान करने के प्रयोजनार्थ, लोक प्रतिनिधित्व अधिनियम, 1951 की धारा 60(ग) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, 1- बारामूला, 2-श्रीनगर और 3-अनन्तनाग-राजौरी संसदीय निर्वाचन क्षेत्रों में से किसी में भी नामांकित पूर्वोक्त ऐसे प्रवासी निर्वाचकों को, जो अपने सामान्य निवास स्थान से बाहर रह रहे हैं लेकिन इसके अतिरिक्त जिन्हें लोक प्रतिनिधित्व अधिनियम, 1951 की धारा 25 के साथ पठित संविधान के अनुच्छेद 324 द्वारा प्रदत्त शक्तियों के अधीन निर्वाचन आयोग द्वारा व्यक्तिगत रूप से वोट देने के लिए विनिर्दिष्ट किया जा चुका है, उक्त अधिनियम के अंतर्गत बनाए गए नियमों में विनिर्दिष्ट अपेक्षाओं को पूरा किए जाने की शर्त के अधीन, डाक मतपत्र के द्वारा अपना मत देने वाले व्यक्तियों के वर्ग के रूप में एतद्वारा अधिसूचित करता है:

आदेश से,


(बी.सी. पात्रा)

सचिव

भारत निर्वाचन आयोग

भारत सरकार के राजपत्र के
असाधारण अंक में प्रकाशनार्थ

जम्मू-कश्मीर संघ राज्य-क्षेत्र के
राजपत्र के असाधारण अंक में
पुनः प्रकाशनार्थ

भारत निर्वाचन आयोग

निर्वाचन सदन, अशोक रोड, नई दिल्ली-110001

दिनांक: 22 मार्च, 2024

2 चैत्र 1946 (शक)

अधिसूचना

सं. 3/जम्मू-कश्मीर/लो.स./2024(एस):- यतः, जम्मू-कश्मीर संघ राज्य-क्षेत्र की कश्मीर घाटी में 1-बारामूला, 2-श्रीनगर और 3-अनन्तनाग-राजौरी संसदीय निर्वाचन क्षेत्रों के अनेक निर्वाचक बाध्यकारी परिस्थितियों के कारण दूसरे स्थानों पर प्रव्रजित हो गए थे और अपने सामान्य निवास स्थान से बाहर विभिन्न स्थानों पर अस्थायी रूप से रहते आ रहे हैं; और

यतः, भारत निर्वाचन आयोग ने, ऐसे प्रवासी निर्वाचकों के मताधिकार को ध्यान में रखते हुए, निदेश दिया था कि ये प्रवासी, अपने प्रवास के बावजूद, संबंधित निर्वाचन क्षेत्रों की निर्वाचक नामावलियों में अपने नामों के समावेशन/प्रतिधारण के लिए अपने संबंधित स्थानों के "सामान्य निवासियों" के रूप में माने जाते रहेंगे और इसलिए, उनके नामों को निर्वाचन आयोग के आदेश के तहत 01.01.2024 की अर्हक तारीख के संदर्भ में संक्षिप्त रूप से पुनरीक्षित निर्वाचक नामावलियों में शामिल किए जाने की अनुमति प्रदान की गई थी;

यतः, राज्य विधान सभा के निर्वाचन, 1996 के समय तत्समय प्रचलित जम्मू-कश्मीर लोक प्रतिनिधित्व अधिनियम, 1957 और जम्मू-कश्मीर निर्वाचनों का संचालन नियम, 1965 के तहत एक विशेष योजना चलाई गई थी जिसने इन प्रवासी मतदाताओं को उनके मूल स्थानों के उनके संबंधित निर्वाचन क्षेत्रों के लिए डाक मतपत्र द्वारा मतदान करने में सक्षम बनाया था;

यतः, उपर्युक्त मतदाता वर्ग को यह सुविधा 1998 और 1999 में आयोजित लोक सभा के साधारण निर्वाचनों के समय निर्वाचनों का संचालन नियम, 1961 (नियम 27क से 27ट तक) में संशोधन करके प्रदान की गई थी;

यतः, देश के विभिन्न हिस्सों से मतदाताओं के अधिसूचित वर्ग द्वारा दोनों ही तरीकों से डाक मतपत्रों के देरी से प्रेषण से संबंधित अनेक शिकायतों का संज्ञान लेते हुए निर्वाचन आयोग ने सितम्बर-अक्तूबर 2002 में आयोजित जम्मू-कश्मीर के विधान सभा के साधारण निर्वाचन के दौरान निर्णय लिया था कि इन प्रवासी मतदाताओं को उनका मताधिकार दिलाने के लिए उन्हें तत्समय प्रचलित जम्मू-कश्मीर लोक प्रतिनिधित्व अधिनियम, 1957 की धारा 36क(1) के तहत जम्मू, ऊधमपुर और दिल्ली में निर्वाचन क्षेत्र की प्रादेशिक सीमाओं के बाहर स्थापित "विशेष मतदान केंद्रों" में व्यक्तिशः मतदान करने में सक्षम बनाया जाना चाहिए। वे प्रवासी निर्वाचक, जो इन विशेष मतदान केंद्रों पर व्यक्तिशः मतदान करने की इस सुविधा का लाभ उठाने की स्थिति में नहीं थे, को पिछले निर्वाचनों की तर्ज पर डाक मतपत्र द्वारा मतदान करने की सुविधा का उपयोग करके मतदान करने के अपने अधिकार का उपयोग करने का विकल्प दिया गया था;

यतः, उक्त योजना के सुचारू रूप से चलने के दृष्टिगत यह सुविधा 2008, 2014 में आयोजित विधान सभा के साधारण निर्वाचनों के दौरान और 2004, 2009, 2014 और 2019 में आयोजित लोक सभा के साधारण निर्वाचन के दौरान भी प्रदान की गई थी;

यतः, भारत सरकार ने अधिसूचना दिनांक 9 अगस्त, 2009 के जरिए संविधान के अनुच्छेद 370 को समाप्त और जम्मू-कश्मीर पुनर्गठन अधिनियम, 2019 को प्रख्यापित और, अन्य बातों के साथ-साथ, जम्मू-कश्मीर लोक प्रतिनिधित्व अधिनियम, 1957 को निरस्त कर दिया है और जम्मू-कश्मीर संघ राज्य-क्षेत्र में इसके प्रारंभ के समय से ऐसा पहली बार होगा जब निर्वाचन आयोजित किए जाएंगे;

अब, इसलिए निर्वाचन आयोग, लोक प्रतिनिधित्व अधिनियम, 1951 की धारा 14 के तहत माननीय राष्ट्रपति द्वारा जारी की जाने वाली अधिसूचनाओं के अनुसरण में, वर्ष 2024 में आयोजित किए जाने वाले लोक सभा और जम्मू-कश्मीर संघ राज्य-क्षेत्र की विधान सभा के साधारण निर्वाचन में मतदान करने के प्रयोजनार्थ, लोक प्रतिनिधित्व अधिनियम, 1951 की धारा 25 के साथ पठित संविधान के अनुच्छेद 324 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त योजना को जारी रखने का निदेश देता है और तदनुसार, एतद्वारा, 1-बारामूला, 2-श्रीनगर और 3-अनन्तनाग-राजौरी संसदीय निर्वाचन क्षेत्रों में से किसी में भी नामांकित पूर्वोक्त ऐसे प्रवासी निर्वाचकों को, जो अपने सामान्य निवास स्थान से बाहर रह रहे हैं लेकिन उनसे इतर जिन्हें लोक प्रतिनिधित्व अधिनियम, 1951 की धारा 60 के खंड (ग) के अंतर्गत डाक मतपत्र के द्वारा मत देने के लिए अधिसूचित किया गया है, को व्यक्तियों के ऐसे वर्ग के रूप में विनिर्दिष्ट करता है, जिनके लिए ऊपर उल्लिखित संसदीय निर्वाचन क्षेत्रों की प्रादेशिक सीमाओं से बाहर विशेष मतदान केंद्रों की व्यवस्था की जाएगी।

आदेश से,
बी.सी.पात्रा

(बी.सी.पात्रा)

सचिव

भारत निर्वाचन आयोग

ELECTION COMMISSION OF INDIA

Nirvachan Sadan, Ashoka Road, New Delhi-110001

KIND ATTENTION KASHMIRI MIGRANTS

1. The General Election to the Lok Sabha, 2024 has been announced by the Election Commission of India to be held in the following phases in Jammu & Kashmir as under: -

Phase	No. and Name of PCs/Name of Districts	Date of poll
Schedule-III	3- Anantnag-Rajouri	07.05.2024
Schedule-IV	2-Srinagar	13.05.2024
Schedule-V	1-Baramulla	20.05.2024

2. Electoral rolls of Parliamentary Constituency in the Kashmir valley have already been published on **22nd January, 2024** and the period of continuous updation started thereafter for giving opportunity to new electors who have to enroll themselves as electors and also for the other electors to get the names corrected or deleted from the rolls. The electoral rolls have, as an additional measure been now kept for inspection in the office of the following Assistant Electoral Registration Officers, (a) Assistant Commissioner, Relief (Migrant), Jammu. (b) Assistant Commissioner, Panchayat, Udhampur (c) Deputy Director, Horticulture, Planning and Marketing, Delhi and (d) Deputy Secretary, office of Resident Commissioner, New Delhi

3. Kashmiri migrant voters, who are residing at various relief camps in Delhi, Jammu, and Udhampur and who have opted to cast their votes in person through Electronic Voting Machines at the forthcoming General Election to the Lok Sabha, 2024 can do so at any one of the following polling stations: -

Jammu

1. Women's College, Gandhi Nagar, Jammu.
2. Indian Institute of Management, Canal Road, Jammu.
3. Directorate School Education, Muthi, Jammu.
4. Directorate of Economics & Statistics, Janipur, Jammu.
5. Migrant School, Purkhoo, Jammu.
6. Agriculture Complex, Talab Tillo, Jammu.
7. Govt. Mixed Higher Secondary School, Muthi
8. Migrant School, Nagrota, Jammu.
9. Govt. Higher Secondary School, (Migrants) Jagti-A, Jammu.
10. Govt. Higher Secondary School, (Migrants) Jagti-B, Jammu.
11. Anuradha Higher Sec. School, Barnai, Jammu.

12. Agriculture University Complex, Udhaiyala, Jammu
13. J&K Board of School Education, Rehari, Jammu-A.
14. Govt. Middle School, (Migrants), Jagti.
15. Community Hall Jagti.
16. Govt. Girls Middle School Chak Changerwan Chinore Chowk, Jammu.
17. Govt. Girls Primary School Gangyal, Jammu.
18. Govt. Boys Higher Secondary School Poni Chak.
19. J&K Board of School Education, Rehari, Jammu-B
20. Govt. High School Sagoon, Miran Sahib.
21. Govt. Higher Secondary School Channi.

Udhampur

1. Govt. Girls Higher Secondary School, Udhampur

Delhi

1. J&K House, 5, Prithviraj Road, New Delhi.
 2. O/o the Deputy Director, Horticulture, Planning and Marketing, Shalimar Bagh, Delhi.
 3. Govt. Girls Higher Secondary School, Paprawat, New Delhi
 4. Arwachin International School, F-Block, Dilshad Garden, Delhi.
4. Those who wish to exercise their franchise in person should intimate details of the electors in their families to the Assistant Returning Officers mentioned below in prescribed Form 'M', which is available free of cost at the office these Assistant Returning Officers, so as to reach them at least ten days before the date of poll. Option once given shall be final.
1. Assistant Commissioner, Relief (Migrant), Jammu.
 2. Assistant Commissioner, Panchayat, Udhampur.
 3. Deputy Director, Horticulture, Planning and Marketing, Delhi and
 4. Deputy Secretary, office of Resident Commissioner, New Delhi
5. All migrant voters other than those who opted to vote in person have the option to vote through postal ballot papers. They may apply for the postal ballot paper in the prescribed form 12C available in the offices of the Assistant returning Officers mentioned above.
6. They are advised to send the application forms (Form 12 C) duly filled in, requesting for the Postal Ballot to the concerned Assistant Returning Officer at Jammu (mentioned in para 4 above) so as to reach him 10 days before the date of poll for each phase. To facilitate attestation of forms, sufficient number of gazetted officers will be available at these centres and will attest the same.

7. They can also drop their application forms, and later on, their marked postal ballot papers in the special letter-boxes, which will also be available at offices of all the Assistant Returning Officers mentioned above.

8. In addition to the above, instruction, the Migrant electors residing at various places other than Jammu, Udhampur and Delhi can also download Form 'M' and Form '12C' from the ECI website and after filling such Forms can be got verified from the Electoral Registration Officer of the areas where he/she is residing.

9. In addition to the above instructions, the Migrant electors residing at various places other than Jammu, Udhampur and Delhi can also download Form 'M' and Form 12-C from the ECI website and after filling such Forms can be got verified from the Electoral Registration Officer of the areas where he/she is residing. The Electoral Registration Officers can have access to the details of migrant electors enrolled in different Parliamentary Constituency (assembly segment wise) in Kashmir through ERO-Net. The ERO concerned, after verifying details in the Form 'M' will scan and upload to electronically transmit the same to AROs Migrants at Delhi, Jammu and Udhampur for further necessary action. Hard copy so uploaded, are to be sent to AROs Migrant Delhi, Jammu and Udhampur as the case may be.

10. Similarly, the ERO concerned will verify the details in Form 12-C and sign the certificate in Part-II of the Form and scan and upload it to electronically transmit the same to the ARO Migrant at Jammu who will take further necessary action to send Postal Ballot to the elector concerned. Hard copies so uploaded are to be sent to ARO Migrant at Jammu.

11. The postal Ballot will be sent through Speed post to the elector concerned by the ARO Migrant, Jammu. The elector can send polled Postal Ballot through Speed post (free of cost) to the Returning Officer concerned of the Parliamentary constituency to which he belongs so that the same can reach the RO concerned in time. The cost of Speed Post will be paid by the R.O. concerned



(B. C. PATRA)
SECRETARY

ELECTION COMMISSION OF INDIA