

**GOVERNMENT OF INDIA
LAW AND JUSTICE
LOK SABHA**

UNSTARRED QUESTION NO:4423
ANSWERED ON:22.04.2010
EXERCISING OF FRANCHISE BY ARMED FORCES PERSONNELS
Meghwal Shri Arjun Ram

Will the Minister of LAW AND JUSTICE be pleased to state:

- (a) the procedure in vogue for the Jawans and Officers of the three wings of defence forces exercise their franchise till now;
- (b) the percentage of the jawans and officers who exercised their right to vote;
- (c) whether this percentage has been very low;
- (d) if so, the reasons therefor; and
- (e) the action proposed to be taken by the Government to simplify the said procedure?

Answer

MINISTER OF THE STATE IN THE MINISTRY OF LAW AND JUSTICE (DR. M. VEERAPPA MOILY)

(a) to (e): A Statement is laid on the Table of the House.

Statement referred to in reply to parts (a) to (e) of Lok Sabha Unstarred Question No, 4423 for answering on the 22nd April, 2010.

In terms of sub-section (a) of section 60 of the Representation of the People Act, 1951 read with sub-sections (3) and (8) of section 20 of Representation of the People Act, 1950, and rule 18 of the Conduct of Elections Rules, 1961, the army personnel, including jawans and officers, are classified under the category of `service voters` and are permitted to vote either in person or through postal ballot or through proxy.

Voting by the Postal Ballots

The procedure for voting by postal ballots and their return laid down under the provisions of rules 23, 24, 25 and 27 of the Conduct of Elections Rules, 1961. For efficient management, the postal ballots for the service voters are centrally dispatched, within 48 hours of the finalization of the lists of contesting candidates on the last date for withdrawal of candidatures from the District Headquarters by & team under the supervision of the Returning Officer of the Constituency. The Election Commission has issued detailed instructions for smooth management of postal ballot papers

Proxy Votin

`Service Voters` who opt to vote by proxy under Section 60 of the Representation of the People Act, 1951 are categorized as `classified service voters`. The procedure for appointment of proxy for this purpose is detailed in rules 27M to 27Q of the Conduct of Elections Rules, 1961. There are standing instructions with regard to the procedures to be followed by the Returning Officer of a constituency while dealing with postal ballots/proxy voters of defence personnel.

The statistical data of Postal Ballots available with the Election Commission includes various other categories apart from that of the service electors from the three wings of Defence forces. Hence, it will not be possible to obtain the percentage of the service electors who have exercised their right to vote. Further, as per the provisions of rule 92 of Conduct of Elections Rules, 1961, the packets of unused ballot papers with counterfoils attached thereto, the packets of used ballot papers whether valid, tendered or rejected, the packets of the counterfoils of used ballot papers, the packets of the marked copy of the electoral roll or, as the case may be, the packets of the declarations by electors and the attestation of their signatures, inter-alia, shall be kept in safe custody of District Election Officer and as per the provisions of sub-rule (1) of rule 93 of Conduct of Elections Rules, 1961, while in the custody of the District Election Officer the records mentioned above shall not be open to inspection or produce before any person or authority except under the order of a competent court.

The Election Commission has issued instructions that the District Election Officer shall also take proactive steps to facilitate enrollment of armed forces personnel and to spread awareness about proxy voting facility among them.