

# Office of the Chief Electoral Officer, Jammu & Kashmir

"Greater Participation for a stronger Democracy"

**Sub: Scheme for voting by Kashmiri Migrants by means of Postal Ballot in the Municipal By- Elections 2020.**

**ORDER NO: CEO/ME/2020/466  
Dated :05.11.2020**

Consequent upon the notification of Kashmiri Migrants as the class of persons to cast their vote by postal ballot, vide Notification No: CEO/ME/2020/03 dated 05-11-2020, the detailed scheme for those of the 'notified voters' who wish to vote by postal ballot is enclosed herewith.


Sd/-  
(Hirdesh Kumar) IAS  
Chief Electoral Officer,  
J&K, Srinagar

No.:2125/CEO/ME/MPB/2020/1015-22

Dated:05-11-2020

Copy to the:-

1. Financial Commissioner, Housing & Urban Development Department J&K, Srinagar.
2. Principal Resident Commissioner, J&K Govt. 5-Prithvi Raj Road, New Delhi.
3. Divisional Commissioner, Kashmir/Jammu for information.
4. Deputy Commissioners, Kupwara/Bandipora/Baramulla/Srinagar/Ganderbal/Budgam/Pulwama/Shopian/Kulgam/Anantnag/Jammu/Udhampur for information and n/a.
5. Relief Commissioner, J&K
6. Director, Local Bodies Jammu/Kashmir for information.
7. All Returning Officers of the districts mentioned at S. No.4. (through their Deputy Commissioners), for n/a.
8. All Assistant Returning Officers (Migrants) for information and n/a.

  
(Anil Salgotra)KAS  
Joint Chief Electoral Officer  
Jammu & Kashmir

  
5/11

# **Office of the Chief Electoral Officer Jammu and Kashmir**

## **Greater Participation for a Stronger Democracy**

**Notification No:CEO/ME/2020/03**

**Dated:05-11-2020**

WHEREAS, a number of electors of the Assembly Constituencies in the Kashmir Valley, had to migrate and have been temporarily residing in various places outside their place of ordinary residence;

WHEREAS, the Jammu & Kashmir Representation of People Act, 1957 and the Jammu & Kashmir Conduct of Election Rules, 1965 have been specifically amended to treat such migrants as ordinarily resident of their respective places for inclusion/retention of their names in the electoral roll of the concerned constituency;

WHEREAS the Municipal Electoral Rolls are relatable to the Legislative Assembly Rolls of the assembly constituency in which the Municipal area falls;

WHEREAS, proviso to Rule 45 of Jammu & Kashmir Municipal Corporation (Election) Rules, 2003 and proviso to Rule 46 of Jammu & Kashmir Municipal Election Rules, 2003, authorizes the Chief Electoral Officer to specify any class of persons for casting of votes in a manner other than in person;

NOW, THEREFORE, the Chief Electoral Officer, J&K, in exercise of powers conferred under proviso to Rule 45 of Jammu & Kashmir Municipal Corporation (Election) Rules, 2003 and proviso to Rule 46 of Jammu & Kashmir Municipal Election Rules, 2003, for the purpose of casting votes at the ensuing Municipal Elections in the State, hereby notifies the migrant electors enrolled in the Municipal Rolls of any of the Assembly Constituencies specified in Table below, who are at present residing outside their place of ordinary residence, as the class of persons to cast their votes by postal ballot, subject to the fulfilment

of the requirements otherwise specified in the Acts & Rules governing the said elections:



No & Name of Assembly Constituency	No & Name of Assembly Constituency	No & Name of Assembly Constituency	No & Name of Assembly Constituency
1-Karnah	13-Baramulla	25-Batmaloo	37-Noorabad
2-Kupwara	14-Gulmarg	26-Chadoora	38-Kulgam
3-Lolab	15-Pattan	27-Badgam	39-Homshalibug
4-Handwara	16-Kangan	28-Beerwah	41-Devsar
5-Langate	17-Ganderbal	29-Khansahib	40-Anantnag
6-Uri	18-Hazratbal	30-Chrar-i-sharief	42-Doru
7-Rafiabad	19-Zadibal	31-Tral	43-Kokernag
8-Sopore	20- Eidgah	32-Pampore	44-Shangus
9-Gurez	21-Khanyar	33-Pulwama	45-Bijbehara
10-Bandipora	22-Habbakadal	34-Rajpora	46-Pahalgam
11-Sonwari	23-Amirakadal	35-Wachi	
12-Sangrama	24-Sonwar	36-Shopian	

Sd/-  
(Hirdesh Kumar)IAS  
Chief Electoral Officer  
Jammu & Kashmir  
Dated:05-11-2020

No. 2125/CEO/ME/MPB/2020/1059-65

Copy to:

1. Financial Commissioner, Housing & Urban Development Department J&K, Srinagar.
2. Principal Resident Commissioner, J&K Govt. 5-Prithvi Raj Road, New Delhi.
3. Divisional Commissioner, Kashmir/Jammu for information.
4. Deputy Commissioners, Kupwara/Bandipora/Baramulla/Srinagar/Ganderbal/Budgam/Pulwama/Shopian/Kulgam/Anantnag/ Jammu/Udhampur for information and n/a.
5. Director, Local Bodies Jammu/Kashmir for information.
6. All Returning Officers of districts mentioned at S. No.4 (through their Deputy Commissioners), for n/a.
7. All Assistant Returning Officers (Migrants) for information and n/a.

  
(Anil Salgotra)  
Joint Chief Electoral Officer  
Jammu & Kashmir  


**Annexure to Order No: CEO/ME/2020/466 dated 05-11-2020**

**Scheme for voting by Kashmiri Migrants by means of Postal Ballot  
in the Municipal Elections 2020**

**Details of the scheme**

**1. Persons Entitled to Vote by Postal Ballot**

The voters falling under the purview of Notification No: CEO/ME/2020/03 Dated: 05-11-2020 of the Chief Electoral Officer, J&K shall constitute class of persons who shall be entitled to vote by post through postal ballot, hereinafter referred as **Municipal Migrant Postal Ballot (MMPB)**. They shall, henceforth, be referred as 'Notified Voters' for the purpose of this scheme.

**2. Appointment of Assistant Returning Officers for 'Notified Voters'**

A. Following Officers have been designated as Assistant Returning Officer (Migrants), hereinafter referred as AROs, for the 'notified voters' of the municipal bodies falling within the 46 Assembly Constituencies of the Kashmir Valley:

- a) Assistant Commissioner (Relief), Jammu for migrants in Jammu as also in transit camps in Kashmir Valley,
- b) Deputy Director ( Horticulture, Planning & Marketing), New Delhi , functioning from the office of Resident Commissioner, J&K House, New Delhi, and
- c) Collector, Northern Railways, Udampur.

B. The AROs shall be responsible for:

- a) receipt of applications from the 'notified voters' who wish to avail the facility of MMPB and certification thereof;
- b) furnishing information for preparation of marked copies of electoral rolls
- c) setting of facilitation centres for signing of declarations, etc;

**3. Intimation by 'notified voters' to vote by MMPB:**

- a. A notified voter, who wishes to vote by MMPB, shall give his/her preference by filing Form-'MMPB-1', as enclosed.
- b. Copies of MMPB-1 shall be available at the following designated places and can also be downloaded from the website of the CEO J&K (ceojk.nic.in):

- 1) ARO Migrant, Jammu
- 2) ARO Migrant, Udampur
- 3) ARO Migrant, Delhi
- 4) Migrant Camp, Muthi
- 5) Migrant Camp, Purkhoo
- 6) Migrant Camp, Jagti
- 7) Migrant Camp, Nagrota
- 8) Zonal Office, Nanak Nagar (located at Shastri Nagar)
- 9) Zonal Office, Bakshi Nagar (located at Bohri Chowk)
- 10) Office of DC Relief, Srinagar (Indira Nagar, Srinagar)
- 11) Transit Camp, Shiekhpora (Budgam),
- 12) Transit Camp, Natnsua (Kupwara),
- 13) Transit Camp, Veerwan (Baramulla),
- 14) Transit Camp, Vessu (Kulgam),
- 15) Transit Camp, Mattan (Anantnag)
- 16) Transit Camp, Hawl (Pulwama)

- c. To enable the notified voters to give the requisite details in Form MMPB-1, copies of the electoral rolls of all the Municipal wards of Kashmir Division shall be available at the above mentioned 16 locations. Electoral Rolls are also available on the CEO, J&K web portal (ceojk.nic.in).
  - d. Duly filled Form MMPB-1 should be deposited to the ARO Migrants or the designated Officers (to be appointed by the Relief Commissioner, J&K) at the locations mentioned at 3(b) above **by the date notified as 'the last date for making nomination' for the concerned Municipal body.**
  - e. Following officers are authorised for the purpose of signing the certificate in Part II of Form MMPB-1:
    - i). an officer incharge of a migrant camp/area;
    - ii). an officer incharge of an office from where the notified voter draws his salary as a migrant employee;
    - iii). an officer incharge of treasury/bank from where the notified voter draws his pension as a pensioner;
    - iv). any gazetted officer.
- 4. Registration of notified voters & preparation of marked copy of electoral rolls:**
- a. All the application received by the **due date (i.e. the date notified as the last date for making nomination for that municipal body)** in the Form 'MMPB-1' by all the AROs (Migrants) and designated Officers at the locations mentioned at 3(b) above shall be forwarded to the ARO (Migrants), Jammu.
  - b. Information related to each 'notified voter', whose Form 'MMPB-1' has been received within the prescribed time shall be entered in the prescribed format MMPB-7, ward-wise and forwarded to the ARO (Migrant), Jammu on the **due date (i.e. the date notified as the last date for making nomination for that municipal body)**. The ARO (Migrant), Jammu shall compile the same and forward it to the DC concerned, latest by the day fixed for scrutiny of nominations for that municipal body.
  - c. The DCs, on receipt of the list of notified voters who have opted for this scheme, forward the same to the concerned Returning Officers (ROs) who shall issue the MMPB and prepare the marked copies of Electoral rolls.
  - d. The marked copies of the electoral rolls shall be used at the respective polling stations.
- 5. Form of Postal Ballot paper**
- a) Every postal ballot paper shall have a counterfoil attached thereto and the said ballot paper and the counterfoil shall be in Urdu and English language.
  - b) The names of the candidates shall be arranged on the postal ballot paper in the order in which they appear in the list of contesting candidates.
  - c) If two or more candidates bear the same name they shall be distinguished by the addition of their occupation or residence or in some other manner.
- 6. Issue of Postal ballot paper**
- a) Based on the list of notified voters who have opted for the MMPB scheme, RO shall, within 48 hours of the last date of withdrawal, enclose the following in Cover C (as per Form 'MMPB-6') and send by post, under certificate of posting, to the notified voter:
    - i. a Migrant Postal Ballot (MMPB) with seal and signatures of the RO concerned on the backside;
    - ii. a declaration in Form 'MMPB-2';
    - iii. a cover in Form 'MMPB-3';

- iv. a large cover addressed to the RO concerned in Form 'MMPB-4'; and
  - v. instructions for the guidance of the notified voter in Form 'MMPB-5':
- b) The Returning Officer shall, at the same time—
- i. record on the counterfoil of the ballot paper the electoral roll number of the notified voter as entered in the marked copy of the electoral roll;
  - ii. mark the name of the notified voter in the marked copy of the electoral roll to indicate that a ballot paper has been issued to him, without, however, recording therein the serial number of the ballot paper issued to that notified voter; and
  - iii. ensure that the notified voter is not allowed to vote at a polling station.
- c) Every officer under whose care or through whom a postal ballot paper is sent shall ensure its delivery to the addressee without delay.
- d) After postal ballot papers have been issued to all the notified voters, the RO shall:
- i. seal up in a packet the marked copy of the electoral roll and record on the packet a brief description of its contents and the date on which it is sealed.
  - ii. also seal up in separate packet the counterfoils of the ballot papers issued to the notified voters and record on the packet a brief description of its contents and the date on which it was sealed.

#### 7. Recording of Vote

- a) A notified voter who has received a postal ballot paper and desires to vote shall record his vote on the ballot paper in accordance with the directions contained in Form MMPB-5.
- b) After recording his vote, he shall enclose the postal ballot in the **Cover A (Form MMPB-3)** and seal this envelope.
- c) The notified voter shall sign the declaration in Form **MMPB-2** in the presence of, and have the signature attested by, a 1st class magistrate or a Gazetted officer.
- d) The envelope containing postal ballot i.e. **Cover A (Form 'MMPB-3)** and the declaration in **Form 'MMPB-2'** shall be put in the bigger envelope **Cover B (Form 'MMPB-4)**. **This should be sealed properly.**

#### 8. Returning the ballot paper

- a) The sealed large **Cover-B (Form 'MMPB-4')**, containing postal ballot in Form 'MMPB-3' and declaration in Form 'MMPB-2', shall be returned by the notified voter to the RO concerned by post so as to reach him one day before the date fixed for counting of votes.
- b) The DC shall notify an Assistant Returning Officer, viz; ARO (hqrs), located at the district headquarters, as the 'Nodal officer' for MMPB in the district who shall also be the ARO (Counting) to assist all the ROs of the district in counting of the MMPBs.
- c) For the purpose of collection of MMPBs the address of the RO shall be that of the ARO (hqrs) of the concerned district, so that all MMPBs related to that district are received at a single point i.e. office of ARO (Hqrs).
- d) All the MMPBs, duly sealed in large Cover B (Form 'MMPB-4'), shall be received by the ARO (Hqrs) who shall ensure proper receipt of all the covers

and keep them in safe custody, until the commencement of the counting of votes. Also, if any such Cover is received after the expiry of the time stated above, the ARO (Hqrs) shall make note thereon the date and time of its receipt and forward it to the concerned RO.

**9. Counting of Migrant Postal Ballots**

- a) On the day of counting, the ARO (Hqrs) shall provide all the MMPBs received within the prescribed time period to the RO concerned.
- b) The RO shall comply with all the extant instructions regarding counting of postal ballots. In particular, he shall ensure that:
  - i. The MMPB received by him has his signatures on the back side.
  - ii. The MMPB is duly marked by the notified voter and there is no mark other than this on the MMPB.
  - iii. The declaration in Form MMPB-2 is duly signed by the notified voter as well as the attesting authority.
  - iv. The postal ballots are taken up for counting first.

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**FORM 'MMPB-1'**  
**Letter of Intimation to vote through Migrant Postal Ballot**  
**(To be filled by each 'notified voter' individually)**

To

The Assistant Returning Officer (Migrants),  
\_\_\_\_\_  
\_\_\_\_\_

Sir,

I, \_\_\_\_\_ son/daughter/wife of \_\_\_\_\_ resident  
of village/mohalla \_\_\_\_\_ of town/city/tehsil \_\_\_\_\_  
District \_\_\_\_\_ of Kashmir (J&K), belong to the class of notified voters,  
and wish to cast my vote by post at the election to \_\_\_\_\_ ward of \_\_\_\_\_  
Municipal Corporation/ Council/ Committee. My **complete present postal address** is as under:-

House/dwelling unit/tent number \_\_\_\_\_

Name of camp/mohalla/village \_\_\_\_\_

Name of ward/town/tehsil \_\_\_\_\_

District \_\_\_\_\_ Pin Code \_\_\_\_\_

State \_\_\_\_\_

My name is entered at S.No. \_\_\_\_\_ in part/polling station number \_\_\_\_\_ of  
the Electoral roll of Ward No: \_\_\_\_\_ of the Municipal Corporation/ Council / Committee  
\_\_\_\_\_ and my EPIC No. is \_\_\_\_\_.

\* I am registered as a migrant with \_\_\_\_\_ (designation of officer)  
Government of \_\_\_\_\_ under Registration No. \_\_\_\_\_ as  
a head/member of the family of self/Shri/Shrimati \_\_\_\_\_

\* I am registered as a migrant.

\* I am \_\_\_\_\_ serving as a Government employee.

\* The Head of the family is (designation) \_\_\_\_\_ in the office of \_\_\_\_\_  
\_\_\_\_\_ (full address).

\* I am \_\_\_\_\_ a pensioner and drawing pension.

\* The Head of the family is under account No. \_\_\_\_\_ from Government  
Treasury/Branch of Bank, located at \_\_\_\_\_ (full address)

Yours faithfully,

(signature of the elector)

**PART-II**

*Certificate by the officer incharge 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 Gazetted officer.*

It is hereby certified that the particulars given by the applicant in Part-I are correct as per our record/to the best of my knowledge and understanding.

Dated :

\_\_\_\_\_  
(Full signature of the attesting officer)

Name \_\_\_\_\_

Address \_\_\_\_\_

Rubber Stamp \_\_\_\_\_

**\* Strike off whichever is not applicable and tick the relevant statement.**



**FORM 'MMPB-2'**  
**DECLARATION BY NOTIFIED VOTER**

Election to the .....

***(This part is to be used only when the notified voter signs the declaration himself/herself)***

I hereby declare that I am the notified voter to whom the postal ballot paper bearing serial number \_\_\_\_\_ has been issued at the above election.

Date \_\_\_\_\_ Address \_\_\_\_\_

Signature of notified voter.

***Attestation of Signature***

The above has been signed in my presence by \_\_\_\_\_ (notified voter) who is personally known to me/has been identified to my satisfaction by \_\_\_\_\_ (identifier) who is personally known to me.

Signature of identifier, if any \_\_\_\_\_  
Address \_\_\_\_\_

Signature of Attesting Officer

Date.....

Designation.....  
Address.....

***(This part is to be used when the notified voter cannot sign himself)***

I hereby declare that I am the notified voter to whom the postal ballot paper bearing serial number \_\_\_\_\_ has been issued at the above election.

Date \_\_\_\_\_

Signature of Attesting Officer  
on behalf of notified voter.

Address of notified voter.....

***Certificate***

I hereby certify that—

The above named notified voter is personally known to me/has been identified to my satisfaction by .....(identifier) who is personally known to me;

(2) I am satisfied that the notified voter is illiterate/suffers from .....(infirmary) and is unable to record vote or sign declaration;

(3) I was requested by him/her to mark the ballot paper and to sign the above declaration on his/her behalf; and

(4) The ballot paper was marked and the declaration signed by me in his/her presence and in accordance with the wishes.

(Signature of identifier, if any )  
Address.....

Signature of Attesting Officer,  
Designation.....  
Address:.....

Date:.....

**FORM 'MMPB-3'**

**'COVER - A'**

**NOT TO BE OPENED BEFORE COUNTING (by anybody including RO)**

- \*Election to the .....
- \*Name of the District:.....
- \*Name of Municipal body:.....
- \*Ward No & Name:.....
- \*Polling Station No. & Name:.....

**POSTAL BALLOT PAPER**

**\*\*Serial number of ballot paper .....**

- \* Appropriate particulars of the election to be inserted here by RO
- \*\* Serial number of the postal ballot paper to be filled by the RO

**FORM-'MMPB-4'**

**'COVER - B'**

**(Service unpaid)**

Every officer under whose care or through whom a postal ballot paper is sent shall ensure its delivery to the addressee without delay

**ELECTION-IMMEDIATE  
POSTAL BALLOT PAPER**

For Election to: \*District:.....  
                          \*Name of Municipal body.....  
                          \*Ward No & Name:.....  
                          \*Polling Station No & Name:.....

(NOT TO BE OPENED BEFORE COUNTING by anybody including RO)

To  
The Returning Officer,  
Ward No & Name.....  
Municipal body.....  
C/o ARO (HQRS),.....  
\*In the office of the Deputy Commissioner,.....  
.....  
.....  
.....

Signature of sender.....

*\* Returning Officer to fill in all the details on this form. Returning Officer to insert here the name of the District, Municipal body and ward and also the postal address of the Counting centre of the district as notified by the concerned DC (Deputy Commissioner).*

**FORM 'MMPB-5'**  
**INSTRUCTIONS FOR GUIDANCE OF 'NOTIFIED VOTERS'**  
**Municipal Elections 2020**

- 1) The persons whose names are printed on the ballot paper sent herewith are candidates at the above election. Record your vote by placing clearly a mark opposite the name of the candidate to whom you wish to give your vote. The marks should be so placed as to indicate clearly and beyond doubt to which candidate you are giving your vote. If the mark is so placed as to make it doubtful to which candidate you have given your vote, your vote will be invalid. The number of members to be elected is one. Please remember that you have only one vote. Accordingly you should not vote for more than one candidate. If you do so, your ballot paper will be rejected. Do not put your signature or write any word or any mark, sign or writing whatsoever on the ballot paper other than the mark required to record your vote.
- 2) After you have recorded your vote on the ballot paper, place the ballot paper in smaller cover A, marked "Form MMPB-3" sent herewith. Close the cover and secure it by seal or otherwise.
- 3) You will then sign the declaration in Form 'MMPB-2', also sent herewith in the presence of an officer described in clause (2) below and obtain the attestation of your signature by such officer.
- 4) Attestation may be obtained from officer incharge of the camp, area or office where you are registered. If you are employed under the UT Govt. of J&K or Central Government, the attestation may be obtained from the officer incharge of your office. If you are a pensioner, attestation may be obtained from the officer incharge of the Treasury/Bank through which you are drawing your pension. If you are not registered anywhere but your name figures in the electoral roll the attestation may be obtained by a magistrate or a Gazetted Officer.
- 5) You may take the declaration to the authorised officer and sign it in his presence after he has satisfied himself about your identity. The officer will attest your signature and return the declaration to you. You must not show your ballot paper to the attesting officer nor tell him how you have voted.
- 6) If you are unable to make the ballot paper and sign the declaration yourself in the manner indicated above for reasons of illiteracy, blindness or other infirmity, you are entitled to have your vote marked and declaration signed on your behalf by any of the authorised officer mentioned above. Such an officer will, at your request mark the ballot paper in your presence and in accordance with your wishes. He will also complete the necessary certificate in this behalf.
- 7) After your declaration has been signed and your signature has been attested, place the declaration (Form 'MMPB-2') as well as the ballot paper sealed in smaller cover "A" (Form 'MMPB-3') in the larger cover "B" (Form 'MMPB-4'). You have to give your full signature in the space provided on the cover marked "B".
- 8) After closing the larger cover, send it to the RO concerned by post. No postage stamps need to be affixed by you if the cover is posted in India.
- 9) You must ensure that the cover reaches the concerned RO before the hour fixed for counting in the Municipal ward for which you are voting.
- 10) Please note that:
  - (i) If you fail to get your declaration certified in the manner indicated above, your ballot paper will be rejected; and
  - (ii) If the cover reaches the RO concerned after the time fixed for commencement of counting, your vote will not be counted.

\*\*\*\*\*

FORM 'MMPB-6'

'COVER - C'

Election to the \*.....  
To  
\*Sh/Smt.....  
\*S/o, D/o, W/o.....  
\*Complete Postal Address .....  
.....  
.....  
From:  
\*\*RO.....  
.....

\* Complete details to be filled in by RO as per information furnished by the 'notified voter' and furnished to him in Form 'MMPB-7'.

\*\* RO should fill his complete postal address.

**Form 'MMPB-7'**  
**List of Notified Voters who have applied for availing Postal Ballot facility**

Name of the district: .....

S. No.	Municipal Body	Ward No.	Ward Name	Polling Station No.	Polling Station Name	Name of the Notified voter	S. No. in the Roll	EPIC No.	Complete postal Address of the Notified Voter

Certified that all the Form 'MMPB-1' received up to the due date (i.e. the date notified as the last date for making nomination for that municipal body) have been accounted for in the above information.

(Name & Signature) of the  
 ARO Migrant, ...../Designated Officer, Camp.....  
 Phone No(Mobile):.....