

MINISTRY OF LAW AND JUSTICE

(Legislative Department)

NOTIFICATION

New Delhi, the 3rd February, 2011

S.O. 244(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:-

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