

## कार्यालय मुख्य निर्वाचन अधिकारी, उत्तर प्रदेश

चतुर्थ तल विकास भवन, जनपथ मार्केट, लखनऊ-226001

संख्या- 879 / सी0ई0ओ0-1-73 / 1-2016टीसी-1  
सेवा में,

लखनऊ: दिनांक: 13 मार्च, 2019

जिला निर्वाचन अधिकारी,  
मऊ।विषय:- लोक सभा सामान्य निर्वाचन-2019 में सरकारी सहायता महाविद्यालयों के एसोसिएट प्रोफेसर तथा असिस्टेन्ट प्रोफेसरों की पद एवं वेतनमान के आधार पर ड्यूटी लगाये जाने के सम्बन्ध में।

महोदय,

उपर्युक्त विषय पर कृपया डा0आदित्य नारायण सिंह, एसोसिएट प्रोफेसर एवं अध्यक्ष शिक्षक संघ, सर्वोदय पी0जी0 कालेज, घोसी, लखनऊ के संलग्न दिनांक रहित पत्र (छायाप्रति संलग्न) का संदर्भ ग्रहण करने का कष्ट करें जिसके द्वारा लोक सभा सामान्य निर्वाचन-2019 में महाविद्यालय के एसोसिएट प्रोफेसर तथा असिस्टेन्ट प्रोफेसरों की पद एवं वेतनमान के आधार पर ड्यूटी लगाये जाने के का अनुरोध किया गया है।

उपरोक्त विषय के सम्बन्ध में मुझे यह कहने का निदेश हुआ है कि आर0ओ0 हैण्डबुक के प्रस्तर-3.2.1 (d) में दिये गये निर्देशों के दृष्टिगत आवश्यक कार्यवाही सुनिश्चित कराने का कष्ट करें।

संलग्नक: यथोक्त।

भवदीय,

(अरबिन्द कुमार पाण्डेय)

सहायक मुख्य निर्वाचन अधिकारी।

संख्या:- 879 (1) / सी0ई0ओ0-1, तददिनांक।

प्रतिलिपि निम्नलिखित को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित।

- 1- डा0आदित्य नारायण सिंह, एसोसिएट प्रोफेसर एवं अध्यक्ष शिक्षक संघ, सर्वोदय पी0जी0 कालेज, घोसी, लखनऊ के दिनांक रहित पत्र के में।
- 2- समस्त जिला निर्वाचन अधिकारी, उत्तर प्रदेश।
- 3- उप/सहायक जिला निर्वाचन अधिकारी, मऊ।
- 4- प्रभारी कम्प्यूटर प्रकोष्ठ को वेबसाईट पर डालने हेतु।

(अरबिन्द कुमार पाण्डेय)

सहायक मुख्य निर्वाचन अधिकारी।

प्रेषक,

शिक्षक संघ,  
सर्वोदय पी0जी0 कालेज घोसी,  
मऊ, उ0प्र0, पिन-275105

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07 MAR 2019

सेवा में,

मुख्य निर्वाचन आयुक्त  
भारत सरकार,  
निर्वाचन सदन, अशोका रोड,  
नई दिल्ली-110001

✓ मुख्य निर्वाचन अधिकारी  
उ0प्र0, चतुर्थ तल,  
विकास भवन, जनपथ मार्केट  
हजरतगंज, लखनऊ।

जिला निर्वाचन अधिकारी/  
जिलाधिकारी,  
जनपद- मऊ, उ0प्र0।

विषय : लोक सभा, 2019 के आगामी निर्वाचन में ड्यूटी के सम्बन्ध में।

महोदय,

हम लोग सरकारी सहायता प्राप्त महाविद्यालय में एसोसिएट प्रोफेसर तथा असिस्टेंट प्रोफेसर के पदों पर कार्यरत हैं। हम लोग सदैव लोकतंत्र के पावन पर्व निर्वाचन में ड्यूटी करने हेतु तत्पर रहते हैं। विगत सभी चुनावों में हम सभी निर्वाचन में प्रदान की गयी ड्यूटियों का निष्ठापूर्वक निर्वहन करते रहे हैं। किन्तु विगत चुनावों में हमारे पद और वेतन को ध्यान में रखकर हमें ड्यूटियाँ प्रदान नहीं की जाती रही हैं। जबकि निर्वाचन आयोग के मार्ग निर्देशों के अध्याय-III के बिंदु 3, 2, 1, d में चुनाव कर्मियों की नियुक्ति के सम्बन्ध में निम्नलिखित दिशा निर्देश निर्धारित है :

3, 2, 1, d

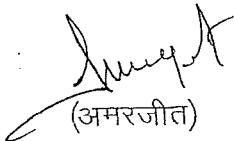
“Seniority of officials should properly be taken care of, while giving election related duty and it should be ensured that a senior official is not put on duty under an official who is quite junior to him/her. Presiding Officers and Polling Officers are to be classified on the basis of scale of pay and their post and rank.”

सरकारी सहायता प्राप्त महाविद्यालयों के एसोसिएट प्रोफेसर का वेतनमान 37400-67000, ग्रेड पे 9000 तथा असिस्टेंट प्रोफेसर का वेतनमान 15600-39100, ग्रेड पे 6000 है।

आपसे प्रार्थना है कि निर्वाचन आयोग के उपर्युक्त दिशा निर्देश के अनुरूप हमारे पद और वेतनमान को दृष्टिगत रखते हुए सरकारी सहायता प्राप्त महाविद्यालय के हम एसोसिएट प्रोफेसरों तथा असिस्टेंट प्रोफेसरों की लोक सभा-2019 के चुनाव में ड्यूटी निर्धारित करने की कृपा करें, जिससे हमारी गरिमा बनी रह सके।

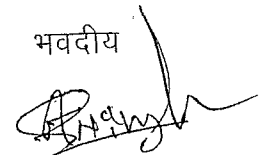
संलग्नक :

1. केन्द्रीय निर्वाचन आयोग के दिशा निर्देशों के संगत पृष्ठ की छाया प्रति।
2. प्राध्यापकों के वेतनमान की छाया प्रति।

  
(अमरजीत)

असि.प्रोफेसर एवं मंत्री  
शिक्षक संघ,  
सर्वोदय पी0जी0 कालेज घोसी, मऊ।

भवदीय



(डॉ0 आदित्य नारायण सिंह)  
एसोसिएट प्रोफेसर एवं अध्यक्ष  
शिक्षक संघ

सर्वोदय पी0जी0 कालेज घोसी, मऊ।

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CHAPTER - III

POLLING PERSONNEL

3.1 LEGAL PROVISIONS

3.1.1 Under Section 26 of the Representation of People Act, 1951 the District Election Officer is responsible for the appointment of the Presiding Officer and staff for each polling station in respect of all Assembly constituencies comprised within that district. When any constituency extends over more than one district, you should settle in consultation with the Chief Electoral Officer as to who should appoint the polling staff.

power to appoint polling personnel unilaterally

3.1.2 Section 26 of the Representation of the People Act, 1951 confers not only the power to the DEO to appoint unilaterally the Presiding and Polling Officers but also to impose on them all the obligations of such office irrespective of their consent, at the peril of prosecution under section 134 of the said Act in default. The judgement of the Calcutta High Court in Shri. R. P. Roy, alias Rampada Roy Vs. Shri. D. Rudra, District Election Officer & District Magistrate, Howrah (AIR 1971- Calcutta 461) refers. This principle equally applies to any case of refusal to attend training classes, as it is part of the obligation of such appointment as polling personnel.

3.1.3 The orders for requisitioning staff for election work are issued by the Chief Electoral Officer under section 159(1) of R.P. Act, 1951, requesting the authorities mentioned in sub-section (2) of section 159 of Representation of the People Act, 1951 to make available to Returning Officer such staff as may be necessary for performance of duties in connection with elections. Appointments of staff so seconded to Returning Officer should, however, be made by the District Election Officer under Section 26 of the Representation of the People Act, 1951. (ECI Instruction No.464/INST/2009/EPS dated 18-2-2011 of Election Commission)

3.1.4 As per Section 159 of the R.P. Act, 1951 as amended by the R.P.(Amendment) Act, 1998 (Act No. 12 of 1998), the following authorities, when so requested by the Chief Electoral Officer of the State, shall make available such staff as may be necessary for the performance of any duties in connection with an election to any Returning Officer:-

- (i) Every local authority
- (ii) Every University established or incorporated by or under a Central, Provincial or State Act;

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- (iii) A Government company as defined in section 617 of the Companies Act, 1956;
- (iv) Any other institution, concern or undertaking which is established by or under a Central, Provincial or State Act or which is controlled, or financed wholly or substantially by funds provided, directly or indirectly, by the Central Government or a State Government.

Thus the staff of any of the above mentioned authorities, companies, institutions, concerns or undertakings could be requisitioned and put on election duty, in addition to employees of Central and State Governments, in view of the above amendment.

3.2 GENERAL GUIDELINES

3.2.1 While requisitioning staff, the following guidelines should be kept in mind:

(a) Based on the availability of staff in the institutions covered under Section 159(2) of the R.P Act 1961, and the requirement of staff, the staff may be requisitioned from such institutions.

(b) For the purpose of efficient control of the polling personnel and of economy in expenditure on travelling allowances, etc., each district, as far as practicable, should use its own personnel. All the personnel working under the State and Central Government offices in the State, as well as under the local bodies, have to be mobilized and an assessment of availability made well in advance. The Central Government and State Governments have issued instructions to all heads of departments and offices of the Central and State Governments to furnish to the District Election Officer data of officers in different categories. This would facilitate your task of making suitable selection of polling personnel. As the polling parties are to be comprised of a proper mix, to the extent possible, of Central Government/Central PSU and State Government /State PSU employees, separate database for such officials are to be prepared by you. (Some of these Central Govt. officials may also be deployed as Micro-Observers.)

(c) The database of the above officials should also contain the AC number and name, Part number and the Serial number of the electoral roll in which he has been enrolled in addition to his residential address and address of office where the burden on the DEO/RO, especially in ensuring delivery of appointment letters and other urgent communications from the DEO/RO to their own officials. All the sponsoring authorities may be asked to appoint a nodal officer who could be contacted by the election authorities in time of need.

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Joint Ministry

(d) Seniority of officials should properly be taken care of, while giving election related duty and it should be ensured that a senior official is not put on duty under an official who is quite junior to him/her. Presiding Officers and Polling Officers are to be classified on the basis of scale of pay and their post and rank. In determining the rank and status of officials drawn from different pools with different pay scales, the relative position of the official in his cadre/organization may be taken into account and not merely the pay scale. Say for example, if a Group-D employee from any pool, even if drawing a higher scale should not be assigned duties of a Presiding Officer or Polling Officer. The Presiding Officer should be of higher scale/grade in comparison to all Polling Officers.

(e) The employees belonging to the Revenue Departments (Central and State) who are enjoined upon responsibility of the collection of revenues, should be appointed in consultation with departments in-charge of the revenue collection. All representations, which are duly forwarded by the concerned department, in this regard, should be properly considered and cases of disagreement, if any, should be brought to the notice of the Chief Electoral Officer immediately. Further, schoolteachers working as Extra Department Postmasters should not be put on polling duty as that will lead to interruption in the maintenance of the essential service of Postal Department.

(f) Employees of banks, LIC may be drafted on election duty to the minimum extent possible, only in a constituency where sufficient numbers of govt. employees are not available or in emergent circumstances such as strike etc by the Govt. employees. Care should be taken to ensure that minimum numbers of employees of such institutions are requisitioned so that the business of these institutions is not hampered.

(g) In case employees of local bodies, namely, Municipalities, Panchayat samitis, Zila Parishads, etc., are engaged for polling duties at a polling station, it should be ensured that the Presiding Officer and the Sr. Polling Officer of a polling station (who in the event of absence of Presiding Officer is to function as Presiding Officer) should not both be the employees of local authorities. Further, except the first polling officer, who does the identification, the other polling officers could be employees of local authorities.

**3.3 EXEMPTED CATEGORIES**

3.3.1 The Commission has exempted certain officers from being drafted for election duty in view of essential nature of duties/service discharged by them.

- (a) The officers and staff of following departments will not be

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