

## कार्यालय : मुख्य निर्वाचन अधिकारी, उत्तराखण्ड

विश्वकर्मा भवन, प्रथम तल, सचिवालय परिसर 4-सुभाष रोड़, देहरादून- 248001

Email id-ceo\_uttaranchal@eci.gov.in फैक्स न० (0135) -2713724 फोन न०(0135) - 2713551

संख्या 845 /xxv-12(P-14)/2021 देहरादून : दिनांक 26 फरवरी, 2024

सेवा में,

श्री हेमन्त कुमार ध्यानी,  
बी-97/11 सुभाष नगर  
रूडकी हरिद्वार, उत्तराखण्ड।

विषय- सूचना के अधिकार अधिनियम-2005 के तहत सूचना के सम्बन्ध में।  
महोदय,

उपरोक्त विषयक राज्य निर्वाचन आयोग के पत्र संख्या-492 दिनांक 22 फरवरी, 2024 के साथ संलग्न श्री हेमन्त कुमार ध्यानी, बी-97/11 सुभाष नगर रूडकी हरिद्वार, उत्तराखण्ड का अनुरोध पत्र दिनांक 20.02.2024 जो इस कार्यालय में दिनांक 23.02.2024 को प्राप्त हुआ है। जिसमें सूचना के अधिकार में मांगी गयी वांछित बिन्दुओं से सम्बन्धित सूचना निम्न प्रकार प्रेषित की जा रही है-

बिन्दु संख्या-	सूचना का विवरण
बिन्दु-01	निर्वाचन ड्यूटी में निर्वाचन कार्मिक को आयु के अन्तर्गत छूट प्राविधानित नियम/उपनियम/शासनादेश की प्रमाणित छायाप्रति/अर्थात् कार्मिक को किस आयु पर निर्वाचन ड्यूटी से छूट का प्राविधान है, लिखित विवरण (संलग्न-तीन पृष्ठ)
बिन्दु-02	सूचना इस रूप में धारित नहीं है।

इस आदेश के अन्तर्गत दी गई जानकारी से यदि आप असंतुष्ट हो तो आदेश प्राप्ति की तिथि से 30 दिन के अन्दर विभाग के अपीलीय अधिकारी जिनका पता निम्नवत है, अपील दायर कर सकते हैं।

संलग्न-यथोपरि।

अपीलीय अधिकारी का पता  
सहायक मुख्य निर्वाचन अधिकारी,  
विश्वकर्मा भवन, प्रथम तल,  
सचिवालय परिसर 4-सुभाष रोड़,  
देहरादून-248001  
मो० न०-9897995591

भवदीय,  
  
(बसन्त सिंह रावत)  
अनुभाग अधिकारी एवं  
लोक सूचना अधिकारी  
मो० न०-9411740189



By Speed Post/E-mail

# ELECTION COMMISSION OF INDIA

NIRVACHAN SADAN, ASHOKA ROAD, NEW DELHI-110001

No. 437/6/1/INST/ECI/FUNCT/MCC/2023

Dated: 21<sup>st</sup> December, 2023

To

1. The Chief Secretaries to all the States and Union Territories.
2. The Chief Electoral Officers of all the States and Union Territories.

A CEO (Election)

30

92997.10

21/12/24

**Subject:-** General Elections to House of the People (Lok Sabha), 2024 and State Legislative Assemblies of Andhra Pradesh, Arunachal Pradesh, Odisha and Sikkim - Transfer/Posting of officers - regarding..

Madam/Sir,

I am directed to state that the term of existing House of the people (Lok Sabha) and State Legislative Assemblies of Andhra Pradesh, Arunachal Pradesh, Odisha and Sikkim are upto 16<sup>th</sup> June, 2024, 11<sup>th</sup> June, 2024, 2<sup>nd</sup> June, 2024, 24<sup>th</sup> June, 2024 and 2<sup>nd</sup> June, 2024 respectively.

2. The Commission has been following a consistent policy that officers directly connected with conduct of elections in an election going State/UT are not posted in their home districts or places where they have served for considerably long period.

3. Hence, the Commission has decided that no officer connected directly with elections shall be allowed to continue in the present district (revenue district) of posting:-

(i) if she/he is posted in her/his home district.

(ii) if she/he has completed three years in that district during last four (4) years or would be completing 3 years on or before 30<sup>th</sup> June, 2024

While calculating the period of three years, promotion to a post within the district is to be counted.

4. If any small state/UT with a few numbers of districts, face any difficulty in compliance of the above instruction, then it may refer the specific case with reasons to the Commission through CEO for exemption and the Commission would issue directions, if considered necessary.

chlo CEO  
1.1.24

eg Karmik/Election  
Full  
(एच.एल. उच्च न्यायालय)  
प्रमुख निजी सचिव-मुख्य सचिव  
उत्तराखण्ड शासन

246180/2023/06/1-3  
28/12/23

A. CEO  
7  
संयुक्त मुख्य निर्वाचन अधिकारी  
1-1-24

A ROI  
BS  
SO  
21/12/24  
ACCO  
2-1-24

## 5. Applicability

5.1 District Officers: - These instructions shall cover not only officers appointed for specific election duties like DEOs, Dy. DEOs, RO/AROs, EROs/AEROs, officers appointed as nodal officers of any specific election works but also district officers like ADMs, SDMs, Dy. Collector/Joint Collector, Tehsildar, Block Development Officers or any other officer of equal rank directly deployed for election works.

5.2 Officers other than District Officers: - These instructions shall also cover the officers deputed in Municipal Corporations and Development Authorities, etc.

5.3 Police Officers: - These instructions shall be applicable to the police department officers such as Range ADGs/IGs, DIGs, Commandants of State Armed Police, SSPs, SPs, Addl. SPs, Sub-Divisional Head of Police, SHOs, Inspectors, Sub-Inspector, RIs / Sergeant Majors or equivalent ranks, who are responsible for security arrangement or deployment of police forces in the district at election time. The police officials who are posted in functional departments like computerization, special branch, training, etc. are not covered under these instructions. Following shall be followed:

- (i) The Police Sub-Inspectors and above should not be posted in their home district.
- (ii) If a Police Sub-Inspector has completed or would be completing a tenure of 3 years out of four years on or before the cutoff date in a police sub-division, then he should be transferred out to a police sub-division which does not fall in the same AC. If that is not possible due to small size of district, then he/she should be transferred out of the district.

5.4 Prohibition and Excise Officers: - Further, these instructions shall also be applicable to the officers of the Prohibition and Excise Department of the State of the rank of Sub-Inspector and above.

## 6. Categories of Officers not covered under transfer policy

During an election, a large number of employees are drafted for different types of election duty and the Commission has no intention of massive dislocation of state machinery by large scale transfers. Hence, the aforesaid transfer policy is normally not applicable to the categories of officers mentioned below:

- (i) Officers posted in the State headquarters of the department concerned.
- (ii) Officers/Officials who are not directly connected with elections like doctors, engineers, teachers/principals etc. However, if there are specific complaints of political bias or prejudice against any such govt. officer, which on enquiry, are found to be substantiated, then CEO/ECI may order not only the transfer of such official but also appropriate departmental action against the said officer.

- (iii) The officers appointed as Sector Officer/Zonal Magistrate involved in election duties are not covered under these instructions. However, the observers, CEO/DEOs and ROs should keep a close watch on their conduct to ensure that they are fair and non-partisan in the performance of their duties.
- (iv) It is further directed that the officers/officials against whom the Commission had recommended disciplinary action in past and which is pending or which has resulted in a penalty or the officers who have been charged for any lapse in any election or election related work in the past, shall not be assigned any election related duty. However, an officer who was transferred during any past election under the Commission's order without any recommendation of disciplinary actions will not be, just on this ground, considered for transfer, unless specifically so directed by the Commission. A copy of the Commission's instruction number 464/INST/2008-EPS dated 23<sup>rd</sup> December 2008 regarding tracking of names of tainted officers is enclosed. CEOs must ensure its compliance.
- (v) The Commission further desires that no officer/official, against whom a criminal case related to official functioning is pending in any court of law, be associated with/deployed on election related duty.
- (vi) Any officer, who is due to retire within the coming six months will be exempted from the purview of the Commission's directions mentioned in para-3. The six months period shall be reckoned backwards from 30th June, 2024. Further, officer falling in the category (home district/3 years+ criteria and due to retire within 6 months) if holding an election related post mentioned in para 5, shall be relieved of that charge and not be associated with any election related duty. It is however, reiterated that such retiring officer need not be transferred out of the district.
- (vii) All the officials of the State (except those posted in the office of the Chief Electoral Officer), who are on extension of service or re-employed in different capacities, will not be associated with any election related work.

7. The transfer orders in respect of officers/officials, who are engaged in the electoral rolls revision work, if any, during an election year shall be implemented only after final publication of the electoral rolls, in consultation with the Chief Electoral Officer concerned. In case of any need for transfer due to any extra ordinary reasons, prior approval of the Commission shall be taken.

8. The Chief Electoral Officer of the State/UT shall invariably be consulted while posting the persons in place of present incumbents who stand transferred as per the above policy of the Commission. A copy of each of the transfer orders issued under these directions shall be given to the Chief Electoral Officer without fail.
9. All election related Officers will be required to give a declaration in the format given below to the DEO concerned, who shall inform to CEO accordingly.

**DECLARATION**

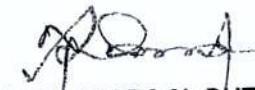
**(To be submitted within 2 days after the last date of nomination papers)**

I.....(Name).....presently posted .....from.....(Date)	
Do hereby make a solemn declaration, in connection with the current General/Bye election to Lok Sabha/.....(Legislative Assembly that.....	
(a) I am not a close relative of any of the contesting candidates in the current election/leading political functionary of the state/district at the aforesaid election.	
(b) No criminal case is pending against me in any court of law.	
Note- If answer of (a) or (b) above is 'YES', then give full details in a separate sheet.	
Dated.....	(Name) Designation

NOTE- Any false declaration made by any officer shall invite appropriate disciplinary actions.

10. The Commission's aforesaid instructions shall be brought to the notice of the concerned departments/offices or State Govt. for their strict compliance. The DEO or concerned district officers shall ensure that officers/officials who are transferred should immediately handover their charge without waiting for their substitute.
11. The Commission has further directed that transfer/posting of all officers covered under the above instructions shall be done and compliance reports by Chief Secretary and DGP with details of action obtained from the concerned departments/offices of State Government shall be furnished to the Commission by **31<sup>st</sup> January, 2024**.
12. Kindly acknowledge receipt of this letter.

Yours faithfully,

  
**(NARENDRA N. BUTOLIA)**  
**SENIOR PRINCIPAL SECRETARY**

# ELECTION COMMISSION OF INDIA

NIRVACHAN SADAN, ASHOKA ROAD, NEW DELHI-110001.

No 464/INST/2008/EPS

Date: 23<sup>rd</sup> December 2008

To  
The Chief Electoral Officers  
of all States/UTs

Subject Tracking the names of officers transferred by the order of the Election Commission of India charged with dereliction of duty etc.

Ref No.437/6/2006-PLN.III dated 6<sup>th</sup> November,2006 & ECI message No.100/1994-PLN.I dated 28.3.1994 addressed to the CEOs of all States & UTs

Sir/Madam,

The Election Commission of India vide the instruction referred to above had directed that a detailed review shall be undertaken before every election in all districts and all such officers should be posted out of their home districts or district where they have completed a tenure of 3 years out of 4 years, and had further directed that officers/officials against whom Commission has recommended disciplinary action or who have been charged for any lapse in election or election related work or who were transferred under the orders of the Commission in the matter may not be assigned to any election related duty

However, it was observed during recent elections that in spite of efforts made by the CEOs and the DEOs to comply the above instruction of the Commission, there were still some instances of the officers who come under the above criteria and liable to be transferred out of the district to a non election related assignment but managed to stay back and the Commission came to know about this only at a later stage through complaints being raised by various political parties and members of public. These incidents, though few in numbers, send a wrong signal at the field level and non maintenance of proper information about the officers liable to be transferred on the above criteria has been recognised as a reason for some stray incidents of non-compliance. In order to remove the possibility of the occurrence of such incidents in future, the Commission has issued the following directions to make the existing instruction more effective:-

- I The CEO of the State shall maintain a register in which the information about IAS/IPS officers, DEOs, ROs and EROs transferred by the order of the Election Commission and against whom Commission has recommended disciplinary action or who have been charged for any lapse in election or election related work shall be maintained.
- II Similarly, the DEO will maintain a register containing information about other junior officers and other staff.
- III Within 7 days of the announcement of elections by the Election Commission of India the CEO of the State will send a compliance letter to the Zonal Secretary in the Commission confirming that all the officers coming under the above criteria have been transferred. Similarly he shall obtain a similar

ACEO

compliance certificate from all the DEOs confirming that all the officers/staff coming under the above criteria have been transferred to non-election related assignment and out of the district

- IV. With reference to transfer of officers coming under '3 years out of 4 years criteria' and the home district criteria, DEOs shall ensure compliance in respect of ROs, EROs, AROs and AEROs and other election related officials and send a letter to CEO within the time, if any, stipulated for this purpose by the Election Commission of India or CEO and if not, within 7 days of issue of press note announcing the elections. Similarly, information related to DEOs, SSP and SPs and other senior police officials connected with the election work shall be maintained by the CEO and compliance by the State Govt shall be ensured at his level. Compliance regarding the transfer of these officers shall be collected from the DEOs and the CEO of the State shall send a consolidated letter of compliance to the Zonal Secretary within 7 days of the announcement of election.
- V. To facilitate the submission of this compliance letter within 7 days of the announcement of election, the CEO and DEO shall collect the information and ensure maintenance of register as stated above well in advance so that no time is lost.
- VI. There are many departments in the State Government that are involved in transferring officials and thereby accountable for the compliance of the above instructions of the Commission. The Commission's instruction regarding transfer of the officials during election shall be brought to the notice of the Secretaries of the departments concerned with a copy to the Chief Secretary. The Chief Secretary may be requested by the CEO to ensure that all the departments concerned comply with the Commission's instruction well in time.
- VII. With regard to bye-elections while the officers coming under the category, dealt within para marked as (I) shall be transferred out of the district within three days of announcement of bye-election and certainly before the first days of receipt of nomination whichever is earlier.
- VIII. The above instruction be followed without any deviation.

Yours faithfully,

(SHANGARA RAM)  
PRINCIPAL SECRETARY





सूचना का  
अधिकार

## राज्य निर्वाचन आयोग, उत्तराखण्ड

निर्वाचन भवन, लाडपुर, मसूरी बाईपास, रिंग रोड, देहरादून।

दूरभाष : 0135-2662253, 2662254

टैलीफैक्स : 0135- 2662251, 2662257

E-Mail : sec-uttarakhand@uk.gov.in

पत्रांक- 492 / आर0टी0आई0 / 4164 / 2024

दिनांक 22 फरवरी, 2024

### "सूचना के अनुरोध को दूसरे प्राधिकारी को हस्तांतरण"

सेवा में,

लोक सूचना अधिकारी,  
कार्यालय मुख्य निर्वाचन अधिकारी,  
उत्तराखण्ड, सचिवालय परिसर,  
देहरादून।

महोदय,

कृपया अवगत कराना है कि सूचना का अधिकार अधिनियम 2005 के अन्तर्गत श्री हेमन्त कुमार ध्यानी, बी-97/11 सुभाष नगर, रुड़की, हरिद्वार, उत्तराखण्ड द्वारा पंजीकृत डाक के माध्यम से प्रेषित अनुरोध-पत्र दिनांक 20.02.2024 राज्य निर्वाचन आयोग में दिनांक 21.02.2024 को प्राप्त हुआ है तथा अनुरोधकर्ता द्वारा नियमानुसार आवेदन शुल्क रू0 10.00 को नॉन ज्यूडिशियल ई-स्टाम्प पेपर के रूप में संलग्न कर प्रेषित किया गया है।

चूँकि उपरोक्त अनुरोध पत्र में मांगी गयी सूचनाएं आपके विभाग से भी संबंधित हैं, अतएव सन्दर्भित अनुरोध पत्र की छायाप्रति आपको इस आशय से अंतरित की जा रही है कि अनुरोध-पत्र में वांछित सूचनाएं नियमानुसार अनुरोधकर्ता को अपने स्तर से उपलब्ध कराने का कष्ट करें।

इस पत्र की एक प्रति अनुरोधकर्ता को सूचनार्थ प्रेषित की जा रही है।

संलग्नक-उपरोक्तानुसार।

भवदीय,

(राजकुमार वर्मा)

सहायक आयुक्त /

लोक सूचना अधिकारी।

मो0नं0-7302254903

संख्या- 492 / सू0का0अ0 / 3050-1 / 2021 तददिनांक। (पंजीकृत)

प्रतिलिपि:- श्री हेमन्त कुमार ध्यानी, बी-97/11 सुभाष नगर, रुड़की, हरिद्वार, उत्तराखण्ड।

(राजकुमार वर्मा)

सहायक आयुक्त /

लोक सूचना अधिकारी।



सेवा में,

लोक सूचना अधिकारी/  
राज्य निर्वाचन आयोग उत्तराखण्ड  
कार्यालय राज्य निर्वाचन भवन  
रिंग रोड लाडपुर देहरादून

विषय: सूचना का अधिकार अधिनियम 2005 के धारा 6(1) के  
अन्तर्गत सूचना उपलब्ध कराने के सम्बन्ध में।

महोदय,

उपर्युक्त विषयक रु. 10.00 मूल्य का नान ज्यूडिशियल स्टाम्प पेपर  
संख्या: IN-UK04420633201045W दिनांक 13.02.2024 इस निवेदन  
के साथ प्रेषित है कि मुझ अनुरोधकर्ता को लोक सभा/विधान सभा/नगर  
निकाय त्रिस्तरीय पंचायत निर्वाचन इयूटी के सम्बन्ध में निम्न बिन्दुओं पर  
सूचना उपलब्ध कराने की कृपा करें।

- 1) उक्त निर्वाचन इयूटी में निर्वाचन कार्मिक को आयु के अन्तर्गत दूर  
प्राविधानिक नियम/उपनियम/शासनोदेश की प्रमाणित छापा प्रवि/अर्थात्  
कार्मिक को किस आयु पर निर्वाचन इयूटी से दूर का प्रावधान है, लिखित  
विवरण प्रदान करें।
- 2) पति-पत्नी दोनों राजकीय सेवा में होने पर जिस नियम/उपनियम/  
शासनोदेश के अन्तर्गत किसी एक को निर्वाचन इयूटी से दूर प्रदान  
की जाती है, उस नियम/उपनियम/शासनोदेश की प्रमाणित छापा प्रवि।

दिनांक: 20.02.24

संलग्नक

रु. 10.00 मूल्य का नान ज्यूडिशियल  
स्टाम्प पेपर संख्या: IN-UK04420633201045W  
दिनांक 13.02.2024

भवदीय

H. J. Jans

जी बडोनी

②

21.02.2024

(राज कुमार बर्मा)  
सहायक आयुक्त  
राज्य निर्वाचन आयोग  
उत्तराखण्ड

हेमन्त कुमार धरानी  
बी-97/11 सुभाष नगर  
राइकी हरिद्वार।  
उत्तराखण्ड।

मो. 8859002479

इस कदम के बारे में नहीं है

REVIEW