



कार्यालय मुख्य निर्वाचन अधिकारी, दिल्ली
पुराना सेंट स्टीफन कॉलेज भवन
कश्मीरी गेट दिल्ली-110006

File No. 18/CEO/SVEEP/VS Question/2019/ 9133

Dated - 23/2/2019

सेवा में

चुनाव मंत्री के सचिव,
राष्ट्रीय राजधानी क्षेत्र दिल्ली सरकार
नई दिल्ली

विषय:- दिनांक 27.02.2019 को सदन की बैठक हेतु प्रश्न संख्या 102, श्री विजेन्द्र गुप्ता द्वारा पूछे गये प्रश्नों का उत्तर।

महोदय/महोदया

कृप्या आपके कार्यालय पत्र संख्या No. F/MOFSEFE/2019/562 दिनांक 19.02.2019 के सन्दर्भ में इस कार्यालय से सम्बन्धित उपरोक्त प्रश्न का उत्तर उचित एवं आवश्यक कार्यवाही हेतु संलग्न हैं।

भवदीय

(चरनजीत सिंह)
चुनाव अधिकारी

* प्रतिलिपि प्रेषित:-

① उप सचिव (प्रश्न शाखा)

दिल्ली विधान सभा



कार्यालय मुख्य निर्वाचन अधिकारी, दिल्ली
पुराना सेंट स्टीफन कॉलेज भवन
कश्मीरी गेट दिल्ली-110006

अतारांकित प्रश्न संख्या - 102

दिनांक - 27/02/2019

प्रश्नकर्ता का नाम - श्री विजेन्द्र गुप्ता

प्रश्न	उत्तर
(क) क्या यह सत्य है कि निर्वाचन आयोग को उचित कार्रवाई हेतु भेजे गये दिल्ली विधानसभा के 27.11.2018 को दिल्ली में वोटों को काटे जाने से सम्बन्धित पारित प्रस्ताव पर निर्वाचन आयोग द्वारा मुख्य सचिव, दिल्ली सरकार को दिया गया है। इसकी प्रतिलिपि मुख्य सचिव कार्यालय द्वारा इस कार्यालय को प्रेषित की गई है। उत्तर की प्रतिलिपि संलग्न है।	विधान सभा के 27.11.2018 को दिल्ली में वोटों को काटे जाने से सम्बन्धित पारित प्रस्ताव पर उत्तर निर्वाचन आयोग द्वारा मुख्य सचिव, दिल्ली सरकार को दिया गया है। इसकी प्रतिलिपि मुख्य सचिव कार्यालय द्वारा इस कार्यालय को प्रेषित की गई है। उत्तर की प्रतिलिपि संलग्न है।
(ख) क्या निर्वाचन आयोग के उत्तर से सरकार संतुष्ट है;	इस कार्यालय से सम्बन्धित नहीं है।
(ग) यदि नहीं, तो उसके क्या कारण हैं;	इस कार्यालय से सम्बन्धित नहीं है।
(घ) वर्ष 2015, 2016, 2017 एवं 2018 में प्रत्येक वर्ष मुख्य निर्वाचन कार्यालय द्वारा कितने मतदाताओं के नाम मतदाता सूची से हटाए गए, और	2015, 2016, 2017 एवं 2018 में मतदाता सूची से हटाये गये नामों की संख्या की सूची संलग्न है।
(ङ) उपरोक्त प्रत्येक वर्ष मुख्य निर्वाचन कार्यालय द्वारा कितने नाम मतदाता सूची में जोड़े गए?	2015, 2016, 2017 एवं 2018 में मतदाता सूची में जोड़े गये नामों की संख्या की सूची संलग्न है।

चरनजीत सिंह

(चरनजीत सिंह)
चुनाव अधिकारी

By Spl. Messenger

ELECTION COMMISSION OF INDIA

NIRVACHAN SADAN, ASHOKA ROAD, NEW DELHI-110 001

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No. 39/ECI/Terr/Lett/Nor-DL/2018/Vol.II

1646

Date: 14th December, 2018

To,

The Chief Secretary,
Government of National Capital Territory of India,
Delhi.

14/12/18
GAD/2018/64465
DY. NO.

Subject:- Resolution adopted on 27-11-2018 by the Legislative Assembly of NCT of Delhi regarding the alleged illegal deletions of names of lakhs of voters from the voter Lists in Delhi.' - regarding.

Sir,

I am directed to refer to the letter No. F.22(3)/Resolutions/2015/SAS-VI/Leg/3030 dated 25-11-2018 on the subject cited addressed to the Chief Election Commissioner of India by the Secretary (Legislative Assembly Secretariat, NCT of Delhi), and to draw your attention to the following Constitutional and legal provisions:-

- (i) Under Article 324 of the Constitution, the superintendence, direction and control of the preparation of the electoral rolls and the conduct of elections to Parliament, State Legislatures and offices of President and Vice President is vested in the Commission.
- (ii) Subject to the provisions of Article 327, the Parliament enacted the Representation of the People Act, 1950 and Registration of Electors Rules, 1960, which provide a well hierarchical electoral machinery and lay down a detailed and clear scheme and procedure for preparation and periodical revision and preparation of electoral rolls in the country.
- (iii) Sections 13A, 13AA and 13B of the 1950 Act, provides for appointment and responsibilities of Chief Electoral Officers, District Election Officers and Electoral Registration Officers, the key functionaries to prepare electoral rolls. While the Electoral Registration Officer is the statutory authority responsible for preparation of rolls for a constituency under his charge, District Election Officer and Chief Electoral Officer coordinate and supervise all work related to preparation of roll at the district and state level, respectively. The Act also provides a well defined mechanism for appeals against orders of Electoral Registration Officers.

- (iv) Though all these officers belong to the State Governments concerned, they are appointed by the Commission, in consultation with the State Governments and they shall be deemed to be on deputation to the Commission for the period during which they are so appointed and they shall, during that period, be subject to superintendence, control and discipline, under Section 13CC of the Act.
2. The Commission orders revision of electoral rolls annually, with reference to 1st January of the year as qualifying date. However, the rolls are constantly in the state of updating/preparation, except for a brief period between the last date of making nominations at an election and completion of election process. Thus, updating the Electoral Rolls is a dynamic process to take care of inclusion of new first time electors, migration of electors and removal of entries which are not correct.
3. During the current year, the Commission has issued schedule for Special Summary Revision of electoral rolls of intensive nature in all States/UTs, including NCT of Delhi, with reference to 1st January, 2019, as qualifying date. This being an election year and the current revision being the last opportunity for revision of rolls before the forthcoming general elections to House of the People and several State Assemblies, the Commission chalked out a detailed programme of pre-revision activities like, 100% house to house verification by Booth Level Officers in their respective polling areas with special focus on un-enrolled eligible citizens, prospective electors, deletion of names of dead, duplicate/multiple and permanently shifted electors, correction of existing entries and identification of persons with disabilities. The Booth Level Officers were instructed to collect details and requisite forms of claims and objections (Form- 6, 7 & 8), during such field verifications.
4. The draft roll which was published on 1st September, 2018, was prepared on the basis of final roll of the last revision published in January, 2018 and supplements prepared on the basis of claims and objections received during the period from January, 2018 to August, 2018. The citizens were given period of two months from 1st September till 31st October, 2018 for filing claims and objections. All these applications are being disposed of by the Electoral Registration Officers concerned within the given time schedule and roll will be finalised and published on 4th January, 2019. Applications are being received even after the last date of filing claims and objections i.e. 31st October, 2018, which would be acted upon during period of continuous updation, after the date of final publication, i.e. 04-01-2019.

5. The draft roll published on 01-09-2018 was displayed in all the designated locations, offices of Electoral Registration Officers and website of Chief Electoral Officer, Delhi, for scrutiny and inspection by the general public, political parties and other stakeholders. Besides, 2 copies of complete set of roll was given, free of cost, to the recognized political parties as per ECI instructions. Again, the final roll will be displayed at designated locations, offices of Electoral Registration Officers and CEO's website, in addition to sharing with political parties, as was done in case of draft rolls. 205

6. Thus, the citizens are given ample opportunities to check their names in electoral roll and if anyone finds that his name is not included in the final roll, which would be published during next month, he can apply under continuous updating process, which starts from the very next day following the day of final publication, ensuring that every eligible citizen would have enough opportunity to include his/her name in the electoral rolls.

7. In the resolution of the Legislative Assembly dated 27th November, 2018 forwarded to the Election Commission, by Secretary of Legislative Assembly Secretariat, Chief Electoral Officer, Delhi has been directed to put complete list of voters, deleted after February, 2015, on the website of Chief Electoral Officer, Delhi and also to give a physical and digital copy thereof to all the recognized political parties. The Chief Electoral Officer has also been directed to conduct a door to door survey of all the deletions along with the representatives from all the recognized political parties. Further, in the resolution, the Delhi Government has been directed to conduct inquiries into all deleted voters who are subsequently found genuine and fix the responsibility of the erring officials and submit a report before the House within a period of three months.

8. The 1950 Act and Registration of Electors Rules provide a well defined mechanism for preparation of electoral rolls and any person having a grievance can avail of the remedy as provided for therein. The Hon'ble Supreme Court in Pampakavi Rayappa Belangali -vs- B.D. Jatti (AIR 1971 SC 1348) has categorically held that the 1950 Act, and the Rules form a complete code in the matter of electoral rolls and that the entries in the electoral roll can only be challenged under the scheme of the said Act and Rules.

9. As explained above, the scheme of the Law is that the Chief Electoral Officer and other statutory authorities referred to above are to perform their functions related to preparation and

