

ELECTION COMMISSION OF INDIA

NIRVACHAN SADAN, ASHOKA ROAD, NEW DELHI- 110001

No.4/MISC/ECI/LET/FUNC/JUD/SDR

Dated: 23rd October, 2017

To,

The Chief Electoral Officer of
All States and Union Territories.

Sub: - Voting by Blind and infirm Voters-instructions – regarding.

Sir,

I am directed to state that Rule 49N of the Conduct of the Elections Rules, 1961, which deals with the recording of votes of blind or infirm electors provides that if the presiding officer is satisfied that owing to blindness or other physical infirmities an elector is unable to recognize the symbol on the balloting unit of the voting machine or unable to record his vote by pressing the appropriate button thereon without assistance, the presiding officer shall permit the elector to take with him a companion of not less than eighteen years of age to the voting compartment for recording the vote on his behalf and in accordance with his wishes. It further says that no person shall be permitted to act as the companion of more than one elector at any polling station on the same day.

2. For uniformity in application of the provisions in the said Rule, the Commission has formulated the following comprehensive instructions to be followed uniformly by all States and Union Territories for voting by blind and infirm voters at the polling station: -

- (i) Infirm voters who are capable of voting by herself/himself by pressing the button of the candidate of his choice on the balloting unit of EVM shall be permitted authorized companion only up to Voting Compartment in the Polling Station, but not inside the Voting Compartment. This will apply in cases where the nature of physical infirmity is

such that the elector needs assistance only for his movement and not for voting. The Presiding Officer has to take decision in such cases.

- (ii) Sub-rule (2) of Rule 49N provides that the Presiding Officer shall keep a record of cases where electors record vote with the assistance of companion in Form 14A. This should cover all cases where the companion is permitted to go into the voting compartment with the elector to assist him in recording the vote. Cases where a companion only comes to assist the elector in his movement and does not go into the voting compartment shall not be included in Form 14A.
- (iii) While Scrutinizing of various documents such as the Form 17A, Presiding Officers Diaries etc, by the Observer and Returning Officer on the day following the day of poll, Form 14A shall also be scrutinized to see whether there are unusually larger no. of cases of companions accompanying the electors in recording votes in any Polling Station, which may create suspicion about the fairness of poll.
- (iv) As per the first proviso to sub-rule (1) of Rule 49N, one person cannot act as the companion of more than one elector. In order to facilitate the polling staff to ensure compliance of these provisions, application of indelible ink shall also apply to the companion. Indelible ink shall be applied on the right index finger of the companion. Marking of ink on the left index finger of the elector in such cases shall continue to apply as per the existing provisions.
- (v) Before an elector is permitted to take with him a companion inside the voting compartment, the right index finger of the companion should be checked to ensure that it is not already marked with indelible ink. If it is found to be already marked, such person cannot be permitted to be companion for the purpose of Rule 49N.

(vi) Companion shall leave Polling Station Location immediately after assisting an infirm/blind voter.

3. The above instructions may be communicated to all DEOs and ROs in the State and also to the political parties based in your state.

Kindly acknowledge receipt.

Yours faithfully,



(K.F. WILFRED)
Sr. Pr. Secretary