

Service Voters

Q.1 Who is a service voter ?

Ans. Service voter is a voter having service qualification. According to the provisions of sub – section (8) of Section 20 of Representation of People Act, 1950, service qualification means –

- (a) Being a member of the armed Forces of the Union ; or
- (b) Being a member of a force to which provisions of the Army Act, 1950 (46 of 1950), have been made applicable whether with or without modification ;
- (c) Being a member of an Armed Police Force of a State, and serving outside that state; or
- (d) Being a person who is employed under the Government of India, in a post outside India.

Q. 2 What is the relevant date for revision of electoral roll ?

Ans. The relevant date for revision of electoral roll is 1st January of the year in which the roll is finally published.

Q. 3 How is a service voter different from an ordinary elector?

Ans. While an ordinary elector is registered in the electoral roll of the constituency in which his place of ordinary residence is located, person having service qualification can get enrolled as ‘service voter’ at his native place even though he actually may be residing at a different place (of posting). He has, however, an option to get himself enrolled as general elector at the place of his posting where he factually, at the point of time, is residing ordinarily with his family for a sufficient span of time.

Q.4 What are the application Forms in which various categories of service voters have to apply for enrollment as elector ?

Ans. Following are the application Forms in which various categories of service voters are to make application for enrollment as service voter : -

1. Members of Armed Forces – Form 2
2. Members of Armed Police Force of a State, serving outside that State – Form 2 A
3. Persons employed under Government of India on post outside India – Form 3

However, if a service personnel has opted to get himself enrolled as general elector at place of his posting, where he is actually residing, he will have to apply in Form 6 like other general electors.

Q.5 Are members of all Armed Forces / Para Military Forces eligible to be enrolled as service voters?

Ans. As per the existing arrangements, members of Indian Army, Navy and Air Force and personnel of General Reserve Engineer Force (Border Road Organization), Border Security

Force, Indo Tibetan Border Police, Assam Rifles, National Security Guards, Central Reserve Police Force, Central Industrial Security Force and Sashastra Seema Bal are eligible to be registered as service voters.

Q.6 From where Form 2 / 2 A / 3 can be obtained?

Ans. It can be downloaded from the website of Election Commission of India.

Q.7 What is the process of enrollment of a service personnel as a service voter ?

Ans. Election Commission orders revision / updation of rolls for service voters twice in a year. The Commission sends a communication to Ministry of Defence, Ministry of Home Affairs and Ministry of External Affairs intimating them of the commencement of revision programme. As soon as the programme is announced, persons having service qualification can fill up the application in statutory Form 2 / 2A / 3, in duplicate, and handover to the officer in-charge of record office or the nodal authority in Ministry of External Affairs (in case of persons employed under Government of India on a post outside India). The person applying in Form 2 / 2A has also to submit a declaration in a prescribed format to the effect that he did not get enrolled as general elector in any constituency. The declaration need not be in duplicate. The officer in-charge / nodal authority will check the Form and declaration and ensure that the Form is complete in all respects and particulars filled by the applicant therein are correct. The officer in-charge, will then, sign the verification certificate provided in the Form itself and forward the same to the Chief Electoral Officer of the State concerned. The Chief Electoral Officer sends the Form to respective District Election Officer who will then send it to the Electoral Registration Officer of the constituency. The Electoral Registration Officer will process the Form.

Q.8 Is wife or son/daughter of a service voter also enrolled as a service voter ?

Ans. The wife of a service voter shall, if she is ordinarily residing with him, be also deemed to be a service voter in the constituency specified by that person. The service voter has to make a statement to the effect in the relevant Form 2/2A/3 that his wife ordinarily resides with him. The wife will be enrolled as a service voter on the basis of declaration made by her husband in the application form itself submitted by him and no separate declaration / application is required to be made by the wife. A son / daughter / relative / servant etc. residing ordinarily with a service voter cannot be enrolled as service voter.

Q.9 Is facility of enrollment as a service voter available to the husband of a female service voter ?

Ans. Under the existing law, this facility is available only to the wife of a male service voter and is not available to the husband of a female service voter.

Q.10 Can one be enrolled simultaneously as a service voter at his native place as well as a general voter at the place of posting ?

Ans. No. A person, at a particular time, cannot be enrolled as a voter at more than one place in view of the provisions contained under Sections 17 and 18 of Representation of People Act, 1950. Likewise, no person can be enrolled as an elector more than once in any electoral roll. As explained above, a service voter has option either to get himself registered as service voter at his native place or as general elector at the place of posting. When a person applies for registration as a service voter in Form 2 / 2A, he has to submit a declaration in a prescribed format to the effect that he did not get enrolled as ordinary general elector in any constituency.

Q.11 Who is a Classified Service Voter?

Ans. Service voter belonging to Armed Forces or forces to which provisions of Army Act, 1950 are applicable, has Option of either voting through postal ballot or through a proxy voter duly appointed by him. A service voter who opts for voting through a proxy is called Classified Service Voter (CSV).

Q.12 Who is a ‘ proxy ’ ?

Ans. A service voter may appoint (by applying to Returning Officer in Form 13 F of Conduct of Elections Rules, 1961 – Form available at the website of Election Commission) any person as his / her proxy to give vote on his / her behalf and in his / her name at the polling station. The proxy shall have to be ordinary resident of that constituency. He need not be a registered voter but he / she must not be disqualified to be registered as a voter.

Q.13 What is the procedure of appointment of a ‘proxy’ ?

Ans. A ‘proxy’ can be appointed in the following two ways :-

- If a service voter is at the place of his posting, he has to put his signature in Form 13F before the Commanding Officer of the Unit and then to send the Form to his proxy for affixing his / her signature before a Notary / First Class Magistrate. Thereafter, the proxy can submit the Form to the Returning Officer concerned.
- If a service voter is at his native place, both he and his proxy can sign Form 13 F before a Notary / First Class Magistrate and then send to the Returning Officer concerned.

Q. 14 For what period a proxy remains valid?

Ans. The provision for voting through proxy is valid till the person making the appointment is a service voter. Once appointed, the proxy will continue until his appointment is revoked by the service voter. The facility of proxy voter can be revoked and the proxy can be changed at any time or for any number of times by the Classified Service Voter. Thus a Classified Service Voter can revoke and opt back for postal ballot route or even substitute the proxy by intimating the Returning Officer in Form 13 G of Conduct of Elections Rules, 1961 (Form available at the website of Election Commission). Revocation will become effective from the date it is received by the Returning Officer.

Q.15 When should the application for appointment of a proxy be made?

Ans. Application for appointment of a proxy should be received by the Returning Officer before the last date of filing of nomination papers. An application for appointment of a proxy received after the last date of filing nomination papers cannot be considered for the election in progress, though it will be valid for subsequent elections unless revoked / changed.

Q.16 How does a ‘proxy’ record the vote on behalf of the service voter at the polling station ?

Ans. The proxy can record the vote on behalf of the service voter at the polling station to which service voter is assigned, in the same manner as any other elector assigned to that polling station. The proxy will be entitled to vote on behalf of the service voter, in addition to the vote that he / she may cast in his / her own name if he/she is a registered elector in the constituency, at the polling station to which he / she has been normally assigned.

Q .17 Can a Classified Service Voter be issued postal ballots by the Returning Officer ?

Ans. A Classified Service Voter cannot be issued postal ballots but the appointed proxy shall physically come and vote at the polling station which covers the classified voter’s home address.

Q. 18 What is the structure of list of service voters in the electoral roll ?

Ans. While the list of classified service voter shall be maintained polling station wise, the list of other service voters is prepared separately for a constituency as a whole and all service voters registered therein shall be arranged at the end of electoral roll of a constituency as a separate last part. All service voters belonging to a constituency shall be listed together, irrespective of the place of residence, in this last part. These service voters do not have any specified polling station. The last part meant for service voters has three subparts – ‘A’ (For Armed Forces), ‘B’ (Armed Police Force of States serving outside the respective State) and ‘C’ (For persons employed under Government of India against a post outside India).

Q.19 How many times the last part of electoral roll for service voters is updated in a year?

Ans. The last part of electoral roll / list of service voters is updated twice and 2 supplements are brought out in a year.

Q.20 In which language the last part of rolls is prepared for service voters ?

Ans. The last part containing the list of service voter is prepared in English only.

Q.21 Is a service voter issued Elector Photo Identity Card (EPIC) like ordinary electors?

Ans. A service voter is not issued Elector Photo Identity Card (EPIC). Elector Photo Identity Card (EPIC) is a document of identity which an elector has to show at the polling station at the time of casting his vote. As service voters are issued postal ballots or votes through his ‘proxy’,

they are not required to visit the polling stations personally and therefore Elector Photo Identity Cards (EPICs) is not issued to them.

Q.22 Is a service voter required to apply for issue of a postal ballot paper?

Ans. No; the Returning Officer will himself send a postal ballot paper to him through his record office (or direct or through the Ministry of External Affairs in the case of a service voter serving outside India).