

संख्या : 351/III(1)19-09(10)सामान्य/2017

प्रेषक,

प्रदीप मोहन नौटियाल,
अनु सचिव,
उत्तराखण्ड शासन।

सेवा में,

प्रमुख अभियन्ता
लोक निर्माण विभाग,
उत्तराखण्ड, देहरादून।

लोक निर्माण अनुभाग-1

देहरादून, दिनांक 25 फरवरी, 2019

विषय:- लोकसभा सामान्य निर्वाचन, 2019 को स्वतंत्र, निष्पक्ष एवं पारदर्शी रूप से संचालित/सम्पादित किये जाने हेतु अधिकारियों/कर्मचारियों की तैनाती/स्थानान्तरण के सम्बन्ध में।

महोदय,

कृपया उपर्युक्त विषयक अपर मुख्य निर्वाचन अधिकारी, उत्तराखण्ड के पत्र संख्या-541/XXV-47/18, दिनांक 11.02.2019 प्रति संलग्न कर प्रेषित करते हुए मुझे यह कहने का निदेश हुआ है कि लोक सभा सामान्य निर्वाचन, 2019 को स्वतंत्र, निष्पक्ष एवं पारदर्शी रूप से संचालित/सम्पादित किये जाने हेतु भारत निर्वाचन आयोग एवं मुख्य सचिव, उत्तराखण्ड शासन के पत्र दिनांक 18.01.2019 द्वारा निर्गत दिशा- निर्देशों एवं मानकों के अन्तर्गत आने वाले विभागीय अधिकारियों का स्थानान्तरण अनिवार्य रूप से किये जाने के सम्बन्ध में नियमानुसार अग्रेत्तर आवश्यक कार्यवाही सुनिश्चित करने का कष्ट करें।

संलग्नक-यथोपरि।

भवदीय,

(प्रदीप मोहन नौटियाल)
अनु सचिव

कार्यालय प्रमुख अभियन्ता एवं विभागाध्यक्ष
व्यवस्थापन 'क' वर्ग
लो0नि0वि0, उत्तराखण्ड, देहरादून

Office of the Engineer in Chief, PWD, Dehradun Uttarakhand

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पत्रांक 525/492व्यक-सा0/19

दिनांक:- 28/02/2019

प्रतिलिपि निम्नलिखित को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित:-

1. मुख्य अभियन्ता, क्षेत्रीय/रा0मा0/ए0डी0बी0/विश्व बैंक/पी0एम0जी0एस0वाई0, लो0नि0वि0, अल्मोड़ा/पिथौरागढ़/हल्द्वानी/पौड़ी/टिहरी/देहरादून इस आशय से प्रेषित कि अपने अधीनस्थ कार्यालयों को अपने स्तर से परिचालित करने का कष्ट करें।
2. वरिष्ठ स्टाफ आफिसर-1/11/अधिष्ठान, विभागाध्यक्ष कार्यालय, लो0नि0वि0, देहरादून।
3. समस्त अधीक्षण अभियन्ता, विभागाध्यक्ष कार्यालय, लो0नि0वि0, देहरादून।
4. समस्त अधिशासी/सहायक अभियन्ता, विभागाध्यक्ष कार्यालय, लो0नि0वि0, देहरादून।
5. प्राविधिक वर्ग, विभागाध्यक्ष कार्यालय, लो0नि0वि0, देहरादून।
6. आई0टी0 हैड, विभागाध्यक्ष कार्यालय, लो0नि0वि0, देहरादून को वेब साइट पर अपडेट करने हेतु।
7. गार्ड पत्रावली।

प्रमुख अभियन्ता
प्रमुख अभियन्ता कार्यालय

सचिवालय . मुख्य निर्वाचन अधिकारी, उत्तराखण्ड
विश्वकर्मा भवन, प्रथम तल, 4 सुभाष रोड सचिवालय परिसर, देहरादून-248001

email id election09@gmail.com

फोन नं० (0135) - 2713760, 27

फैक्स नं० (0135) -2713724

संख्या: 541 /XXV-47/2018 देहरादून दिनांक 11 फरवरी, 2019

सेवा में,

समस्त प्रमुख सचिव/सचिव
उत्तराखण्ड शासन।

विषय : लोक सभा सामान्य निर्वाचन, 2019 को स्वतंत्र, निष्पक्ष एवं पारदर्शी रूप से संचालित/सम्पादित करवाने हेतु अधिकारियों/कर्मचारियों की तैनाती/स्थानान्तरण के संबंध में।

महोदय,

कृपया उपरोक्त विषयक लोक सभा सामान्य निर्वाचन, 2019 को स्वतंत्र, निष्पक्ष एवं पारदर्शी रूप से संचालित एवं सम्पादित करवाने के दृष्टिगत भारत निर्वाचन आयोग के पत्र संख्या 437/6/1/INS/ECI/FUNCT/MCC/2019 दिनांक 16 जनवरी, 2019 (प्रति संलग्न) के द्वारा निर्वाचन से संबंधित अधिकारियों एवं तैनाती हेतु नीति निर्धारित की गई है।

आयोग द्वारा निर्वाचन कार्य से जुड़े हुए अधिकारियों को आयोग के मानकों के अनुसार स्थानान्तरित किये जाने के निर्देश दिये गये हैं। उक्त के संबंध में मुख्य सचिव महोदय के पत्र संख्या 182/XXV-47/2018 दिनांक 18 जनवरी, 2019 के द्वारा भी निर्देश जारी किये गये हैं।

अतः अनुरोध है कि कृपया भारत निर्वाचन आयोग के दिशा-निर्देशों एवं मानकों के अन्तर्गत आने वाले विभागीय अधिकारियों का स्थानान्तरण करने का कष्ट करें।

भवदीय,

(डा० वी. षण्मुरगम)
अपर मुख्य निर्वाचन अधिकारी,
उत्तराखण्ड।

541/XXV-47/2018
(प्रदीप सिंह) संलग्नक : यथोपरि।
अपर सचिव
जनिक कल्याण/लोक निर्माण
एन।मि.स.स. एवं योजना
उत्तराखण्ड शासन

AS (m)

AS (PWD-1)

dm

(ओम प्रकाश)
अपर मुख्य सचिव,
मुख्यमंत्री,
13-2-19 उत्तराखण्ड शासन।

507
16-2-19

21-2-19

प्रेषक,

मुख्य सचिव,
उत्तराखण्ड शासन।

सेवा में,

1- अपर मुख्य सचिव,
कार्मिक, उत्तराखण्ड शासन2- प्रमुख सचिव,
गृह, उत्तराखण्ड शासन3- पुलिस महानिदेशक,
उत्तराखण्ड4- सचिव,
राजस्व, उत्तराखण्ड शासन5- मण्डलायुक्त,
गढ़वाल/कुमायूँ मण्डल

विषय:-

लोक सभा सामान्य निर्वाचन-2019, को स्वतंत्र-निष्पक्ष एवं पारदर्शी रूप से संचालित/सम्पादित करवाने हेतु अधिकारियों/कर्मचारियों की तैनाती/स्थानान्तरण के संबंध में आयोग के निर्देश।

महोदय,

लोक सभा सामान्य निर्वाचन-2019 को स्वतंत्र, निष्पक्ष एवं पारदर्शी रूप से संचालित एवं सम्पादित करवाने के दृष्टिगत भारत निर्वाचन आयोग के पत्र संख्या- 437/6/1/INS/ECI/FUNCT/MCC/2019 दिनांक 16 जनवरी, 2019 (प्रति संलग्न) के द्वारा निर्वाचन से संबंधित अधिकारियों के स्थानान्तरण एवं तैनाती हेतु नीति निर्धारित की गई है।

1- निर्वाचन कार्य से संबंधित कोई भी अधिकारी यथा, जिला निर्वाचन अधिकारी, उप जिला निर्वाचन अधिकारी, रिटर्निंग एवं सहायक रिटर्निंग आफिसर, निर्वाचक एवं सहायक निर्वाचक रजिस्ट्रीकरण अधिकारी, निर्वाचन से संबंधित नोडल आफिसर यथा अपर जिलाधिकारी, उप जिलाधिकारी, डिप्टी कलेक्टर, तहसीलदार, खण्ड विकास अधिकारी और समान पदधारक निर्वाचन से संबंधित अन्य अधिकारी गृह जनपद में तैनात नहीं किए जायेंगे। आयोग के उक्त दिशा-निर्देश आईजी पुलिस, डीआईजी पुलिस, कमाण्डेंट ऑफ स्टेट आर्म पुलिस, वरिष्ठ पुलिस अधीक्षक, पुलिस अधीक्षक, अपर पुलिस अधीक्षक, उप पुलिस अधीक्षक, एस0एच0ओ0, इन्सपेक्टर, सब इन्सपेक्टर, आर0आई0, सर्जेंट मेजर और समान पदधारक पुलिस अधिकारियों पर भी लागू होंगे।

2- उल्लिखित कोई भी अधिकारी जो दिनांक 31 मई, 2019 को संबंधित जनपद, तैनाती स्थल पर विगत चार वर्षों में तीन वर्ष की सेवा पूर्ण कर रहा है उन्हें आयोग के उक्त दिशा-निर्देशों के अनुसार संबंधित जनपद, तैनाती स्थल से स्थानान्तरित किया जायेगा। तीन वर्ष की उक्त सेवा अवधि में यदि किसी अधिकारी की पदोन्नति भी हुई हो तो उसे भी उक्त अवधि के अन्तर्गत सम्मिलित माना जायेगा।

3- निर्वाचक कार्यों से संबंधित उपरोक्त कोई भी अधिकारी जो विगत लोक सभा सामान्य निर्वाचन/किसी भी उप निर्वाचन में किसी जनपद,/विधान सभा निर्वाचन क्षेत्रान्तर्गत आदि में तैनात रहा हो उन्हें पुनः उसी जनपद/क्षेत्र में स्थानान्तरित/तैनात नहीं किया जायेगा।

4- किसी भी निर्वाचन के सफलतापूर्व संचालन एवं सम्पादन के लिए निर्वाचन संबंधी विभिन्न कार्यों के लिए बहुत अधिक संख्या में अधिकारियों/कर्मचारियों की तैनाती की जाती है, इसलिए ऐसे अधिकारी/कर्मचारी जो निर्वाचन कार्यों से सीधे सम्बन्ध नहीं हैं, आयोग के उक्त दिशा-निर्देश ऐसे किसी भी अधिकारी/कर्मचारी यथा डॉक्टर, इंजीनियर, शिक्षकों, प्रधानाचार्यों तथा जोनल एवं सेक्टर मजिस्ट्रेट के रूप में तैनात किए जाने वाले अधिकारियों पर लागू नहीं होंगे।

5- विगत में यदि भारत निर्वाचन आयोग के द्वारा किसी अधिकारी के विरुद्ध निर्वाचन संबंधी कर्तव्यों में लापरवाही हेतु कोई अनुशासनिक कार्यवाही की संस्तुति की गयी हो, या किसी अधिकारी को विगत किसी निर्वाचन में आयोग की संस्तुति पर स्थानान्तरित किया गया हो, अथवा किसी अधिकारी के विरुद्ध किसी न्यायालय में निर्वाचन से संबंधित कोई आपराधिक मुकदमा प्रचलित हो, तो ऐसे किसी भी अधिकारी को निर्वाचन कार्यों से बाहर रखा जायेगा।

6- ऐसे अधिकारी जो आगामी छः माह के अन्तर्गत सेवा निवृत्त हो रहे हैं उन्हें उक्त नीति के अन्तर्गत छूट प्रदान की जा सकती है किन्तु आयोग की पूर्वानुमति के बिना उन्हें निर्वाचन संबंधी कार्यों से सम्बद्ध नहीं किया जायेगा।

7- निर्वाचन से संबंधित उपरोक्त अधिकारियों आदि के द्वारा आयोग के उक्त संदर्भित पत्र दिनांक 07 सितम्बर, 2016 के प्रस्तर (XIV) में नाम निर्देशन के अन्तिम दिनांक के 02 दिन पश्चात निर्धारित प्रारूप पर घोषणा पत्र प्रस्तुत करना होगा।

अतः आयोग के उक्त दिशा-निर्देशों के क्रम में समुचित कार्यवाही करते हुए तदनुसार अनुपालन आख्या सचिव एवं मुख्य निर्वाचन अधिकारी को दिनांक 21-01-2019 तक उपलब्ध कराने का कष्ट करें ताकि तदनुसार भारत निर्वाचन आयोग को अनुपालन आख्या प्रेषित की जा सकें।

संलग्नक: यथापार

भवदीय,
(रुतपल कुमार सिंह)
मुख्य सचिव,

ELECTION COMMISSION OF INDIA

NIRVACHAN SADAN, ASHOKA ROAD, NEW DELHI-110001

No.437/6/1/INST/ECI/FUNCT/MCC/2019

Dated: 16th January, 2019

To

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

Subject:- General Elections to House of the People (Lok Sabha), 2019 and State Legislative Assemblies of Andhra Pradesh, Arunachal Pradesh, Odisha and Sikkim - Transfer/Posting of officers – regarding.

Sir/Madam,

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 3rd June, 2019, 18th June, 2019, 1st June, 2019, 11th June, 2019 and 27th May, 2019, 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 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 31st May, 2019.

4. While implementing the above said instructions/transferring officers, the concerned departments of the State Govt. should take care that they are not posted in their home districts. It shall also be ensured that no DEO/RO/ARO/ Police inspectors/Sub-inspector or above is posted back or allowed to continue in the AC /district where he/she was posted during the General/Bye elections held in the Assembly prior to 31st May, 2017.

5. If any small state/UT with a few number 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.

6. Applicability-

6.1 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.

6.2 These instructions shall also be applicable to the police department officers such as Range 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.

7. Following clarifications/relaxations issued by the Commission, from time to time, are for information/guidance of all the concerned:-

- (i) The police officials who are posted in functional departments like computerization, special branch, training, etc. are not covered under these instructions.
- (ii) The Police Sub-Inspectors and above should not be posted in their home district.
- (iii) 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.
- (iv) 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 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.
- (v) 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

- (xiii) It is further clarified that 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.
- (xiv) 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 postedfrom.....(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.

8. The Commission's aforesaid instructions shall be brought to 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.

9. The Commission has further directed that transfers/postings of all officers covered under the above instructions shall be done by 28th February, 2019, and compliance reports with details of action obtained from the concerned departments/offices of State Government furnished to the Commission by first week of March, 2019.

10. Kindly acknowledge receipt of this letter.

Yours faithfully,


(NARENDRA N. BUTOLIA)
PRINCIPAL SECRETARY

A

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

ELECTION COMMISSION OF INDIA

NIRVACHAN SADAN, ASHOKA ROAD, NEW DELHI-110001.

No 464/INST/2008/EP5

Date: 23rd 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 6th 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

should keep a close watch on their conduct to ensure that they are fair and non-partisan in the performance of their duties.

- (vi) While calculating the period of three years, promotion to a post within the district is to be counted.
- (vii) These instructions do not apply to the officers posted in the State headquarters of the department concerned.
- (viii) 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 23rd December 2008 regarding tracking of names of tainted officers is enclosed. CEOs must ensure its compliance.
- (ix) The Commission further desires that no officer/official, against whom a criminal case is pending in any court of law, be associated with/deployed on election related duty.
- (x) Further, 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.
- (xi) 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.
- (xii) 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. Further, officer falling in the category (home/3+ criteria and due to retire within 6 months) if holding an election related post mentioned in para 6.1 and 6.2, 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.