



भारत निर्वाचन आयोग
Election Commission of India

निर्वाचन सदन
NIRVACHAN SADAN
अशोक रोड, नई दिल्ली 110001-
ASHOKA ROAD, NEW DELHI-110001

No. 100/LET/ECI/FUNC/CS-BR/15/BIEN/2019

Dated: 26th September, 2019

To

1. The Chief Electoral Officer of Bihar, Patna.
2. Sh. Sh. Bateshwar Nath Pandey, Secretary, Bihar Vidhan Sabha-cum Returning Officer for the Bye-Election to the Council of States from Bihar, Patna.

Subject: Bye-election to the Council of States from Bihar – Approval of place of poll, type of ballot boxes and other instructions – regarding.

Sir,

I am directed to invite your attention to the Commission's letter of even number dated 26th September, 2019 forwarding therewith an advance copy of each of the Notifications to be issued by the Commission under Section 147 (1), 39 (1), 56, 21 and 22(1) of the Representation of the People Act, 1951 for holding bye-election to fill up the seat from Bihar as mentioned therein.

2. With reference to sub-section (1) of section 29 of the said Act, I am further to convey the approval of the Commission to fix the **Old Library at First Floor of Main House, Bihar Legislative Assembly, Patna** as place of poll for the said bye election shall, if necessary, be taken. The Election Commission further directs, under the said section that the place for the poll so fixed shall be notified by putting up a notice on the notice board of the Legislative Assembly. A draft of the form in which the place of poll shall be so notified is enclosed.

3. I am also to invite your attention to rule 69 of the conduct of Election Rules, 1961 and to request that the place so fixed as also the date and the time fixed for polling may be included in the notice to be sent to each of the electors under the said Rule. A copy of the notice may in addition, be sent to each contesting candidate for his information.

4. In pursuance of rule 70 read with rule 29 of the said Rules, the Commission hereby approves the **"DAGA type"** ballot boxes to be used in said bye election.

5. I am also to draw your attention to the fact that under section 39(2) read with section 34(1)(b) of the Representation of the People Act, 1951 as amended by the **Representation of the People (Amendment) Act, 2009** every candidate at an election to the Council of States has to

make a deposit of Rs. 10,000/- with his/her nomination paper unless he/she belongs to a scheduled caste or scheduled tribe community, in which case he/she needs to make a deposit of Rs. 5000/- only.

6. It may also be noted that the system of voting in the election to the Council of States (Rajya Sabha) shall be through open ballot vide The Representation of People (Amendment) Act, 2003 no. 40 of 2003 dated 28th August, 2003 and Government of India Notification dated 27th February, 2004.

7. Kindly acknowledge the receipt of this letter together with its enclosures.

Yours faithfully,

(ASHWANI KUMAR MOHAL)
UNDER SECRETARY

बिहार सरकार

निर्वाचन विभाग

मुख्य निर्वाचन पदाधिकारी, बिहार का कार्यालय
7, सरदार पटेल मार्ग (मैंगल्स रोड), पटना-800015

ज्ञापांक :- बी1-3-122/2019- 6935

पटना, दिनांक 26 सितम्बर, 2019 ई0।

प्रतिलिपि :- निर्वाची पदाधिकारी, राज्य सभा उप निर्वाचन, 2019-सह-सचिव बिहार विधान सभा, पटना/सहायक निर्वाची पदाधिकारी-सह-निदेशक, बिहार विधान सभा, पटना/श्री राजीव कुमार, उप सचिव, बिहार विधान सभा, पटना को राजपत्र की प्रति के साथ सूचना एवं आवश्यक कार्रवाई हेतु प्रेषित।

26/9/2019
(बैजूनाथ कुमार सिंह)
उप मुख्य निर्वाचन पदाधिकारी, बिहार

**BYE-ELECTION BY THE ELECTED
MEMBERS OF THE LEGISLATIVE ASSEMBLY
TO FILL A VACANCY IN THE COUNCIL OF STATES.**

In pursuance of the provision of sub-section (1) of section 29 of the Representation of the People Act, 1951, I, Returning Officer for the
..... to fill the vacancy in the Council of States, hereby fix, with the previous approval of the Election Commission, the as the place at which a poll shall be taken in pursuance of the Election Commission's Notification No. dated

Dated the

RETURNING OFFICER