

Representation of the People (Amendment) Act, 2010

February 15, 2013

REPRESENTATION OF THE PEOPLE (AMENDMENT) ACT, 2010¹

[NO. 36 OF 2010]

[21st September, 2010]

An Act further to amend the Representation of the People Act, 1950

Be it enacted by Parliament in the Sixty-first Year of the Republic of India as follows—

1. Received the assent of the President on September 21, 2010 and published in the Gazette of India, Extra., Part II, Section 1, dated 22nd September, 2010, pp. 1-2, No. 45

1. Short title and commencement.

(1) This Act may be called the Representation of the People (Amendment) Act, 2010.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.



2. Insertion of new Section 20-A.

In the Representation of the People Act, 1950 (43 of 1950) (hereinafter referred to as the principal Act), after Section 20, the following section shall be inserted, namely—

“20-A. Special provisions for citizens of India residing outside India.—

(1) Notwithstanding anything contained in this Act, every citizen of India,—

(a) whose name is not included in the electoral roll;

(b) who has not acquired the citizenship of any other country; and

(c) who is absenting from his place of ordinary residence in India owing to his employment, education or otherwise outside India (whether temporarily or not),

shall be entitled to have his name registered in the electoral roll in the constituency in which his place of residence in India as mentioned in his passport is located.

(2) The time within which the name of persons referred to in sub-section (1) shall be registered in the electoral roll and the manner and procedure for registering of a person in the electoral roll under sub-section (1) shall be such as may be prescribed.

(3) Every person registered under this section shall, if otherwise eligible to exercise his franchise, be allowed to vote at an election in the constituency."

3. Amendment of Section 22.

In Section 22 of the principal Act,—

(a) after the words "amend, transpose or delete the entry", the words "after proper verification of the facts in such manner as may be prescribed" shall be inserted;

(b) in the proviso, after the words "proposed to be taken in relation to him", the words "after proper verification of facts in such manner as may be prescribed" shall be inserted.

4. Amendment of Section 23.

In Section 23 of the principal Act, in sub-section (2),—

(a) after the words "direct his name to be included therein", the words "after proper verification of facts in such manner as may be prescribed" shall be inserted;

(b) in the proviso, after the words "strike off the applicant's name in that roll", the words "after proper verification of facts in such manner as may be prescribed" shall be inserted.



5. Amendment of Section 28.

In Section 28 of the principal Act, in sub-section (2), after clause (h), the following clauses shall be inserted, namely—

"(hh) the procedure for proper verification of facts for amending, transposing or deleting any entry in the electoral rolls, under Section 22;

(hhh) the procedure for proper verification of facts for inclusion of or striking off, names in the electoral rolls, under sub-section (2) of Section 23;

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