



भारत निर्वाचन आयोग
Election Commission of India

Vice-Presidential Election-2025
By Special Messenger/Email

निर्वाचन सदन
NIRVACHAN SADAN
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No.480/ECI/LET/FUNC/V.P.E/P.D./BIEN/2025

Dated: 04th August, 2025

To

1. The Secretary to the Government of India,
Ministry of Home Affairs,
New Delhi.
2. The Secretary to the Government of India,
Ministry of Finance (Department of Revenue),
New Delhi.
3. The Secretary to the Government of India,
Ministry of Consumer Affairs,
Food and Public Distribution,
Krishi Bhawan,
New Delhi.
4. The Chief Secretaries of all States and Union Territories.

Sub: Vice-Presidential Election, 2025- List of electors under Preventive Detention- Furnishing of particulars.

Sir,

I am directed to state that Sh. Jagdeep Dhankhar, the Vice-President of India, has resigned from his office on 21.07.2025. The Commission is required to conduct election to the office of Vice-President to fill up the resultant vacancy, as per Article 68(2) of the Constitution.

2. Under sub-rule (1) of Rule 26 of the Presidential and Vice-Presidential Elections Rules, 1974 (extract enclosed for ready reference), an elector for Vice-Presidential election may, if he is subjected to preventive detention under any law for the time being in force, cast his vote by postal ballot. Sub-rule (4) of the above-mentioned Rule 26 lays down that it shall be the duty of every Government to intimate to the Election Commission at the appropriate time the names of electors, if any, who are subjected to preventive detention by or under the authority of that Government, together with necessary particulars as to their place(s) of detention. The list of electors, viz. the elected and nominated members of both Houses of Parliament, who are subjected to preventive detention under National Security Act, Essential Services Maintenance Act of Conservation of Foreign Exchange and Prevention of Smuggling Activities Act or under

any other law for the time being in force which provides for preventive detention, has to be maintained up-to-date by the Commission till the date fixed for the poll for the Vice-Presidential Election i.e. 09.09.2025.

3. I am accordingly, to request that a statement as on 23.08.2025 giving particulars of the elected and nominated member(s) of Parliament who may happen to be under preventive detention under the orders of the Central Government/State Government/Union Territory administration may kindly be sent to the Commission immediately and before 25.08.2025. In the statement, the full address of the detention camp in which the elector has been detained for the time being, should also be clearly furnished.

4. The Commission should also be kept informed of the electors, if any, who may be placed under preventive detention or released from such detention or released on after the furnishing of the above information as and when the event occurs upto the date of poll, i.e. 09.09.2025.

5. As the postal ballot papers for electors under preventive detention have to be sent by the Commission well before the date fixed for poll, it is essential that the information required above be communicated to the Commission as soon as the event occurs.

6. The receipt of the letter may kindly be acknowledged.

Yours faithfully,



(SUMAN KUMAR DAS)
SECRETARY

Copy forwarded to the Chief Electoral Officers of all States and UTs.

THE PRESIDENTIAL AND VICE-PRESIDENTIAL ELECTIONS RULES, 1974
[Extract of Rule 26]

26:

"Voting by electors under preventive detention: -

- (1) Notwithstanding anything in the foregoing provisions of this Chapter, an elector may, if he is subjected to preventive detention under any law for the time being in force, give his vote by postal ballot.
- (2) The Election Commission shall send by registered post to the officer-in-charge of the jail or other place where the elector is detained the appropriate ballot paper, together with a form of declaration of identity and attestation of signature and necessary envelopes specially prepared for the purpose and a letter of instructions, so as to reach that officer in good time before the date fixed for polling.
- (3) On the date of polling, the said officer shall deliver the ballot paper and other necessary papers to the elector, allow him all reasonable facilities and sufficient time, not exceeding two hours, for recording his vote in accordance with the instructions of the Election Commission, and if and when the elector has so recorded his vote, send the ballot paper and other connected papers in a sealed cover, either by registered post or through a special messenger, to the Returning Officer so as to reach him before the time fixed for the counting of votes under rule 27.
- (4) It shall be the duty of every Government to intimate to the Election Commission at the appropriate time the names of electors, if any, who are subjected to preventive detention by or under the authority of that Government, together with the necessary particulars as to their places of detention."

राष्ट्रपतीय और उपराष्ट्रपतीय निर्वाचन नियम, 1974
(नियम 26 के उद्घरण)

नियम 26:— निवारक निरोध के अधीन निर्वाचकों द्वारा मतदान :—

- (1) इस अध्याय के पूर्वगामी उपबन्धों में किसी बात के होते हुए भी, यदि निर्वाचक तत्समय प्रवृत्त किसी विधि के अधीन निवारक निरोध में रखा गया हो, तो वह अपना मत डाक मतपत्र द्वारा दे सकेगा।
- (2) निर्वाचन आयोग उस जेल या अन्य स्थान के, जहां ऐसा निर्वाचक निरुद्ध है, भारसाधक आफिसर को समुचित मतपत्र, पहचान की घोषणा और हस्ताक्षर के अनुप्रमाणन का प्रारूप तथा इस प्रायोजन के लिए विशेष रूप से तैयार किए गए आवश्यक लिफाफों और एक अनुदेशपत्र के साथ, राजिस्ट्रीकृत डाक द्वारा भेजेगा जिससे कि वे मतदान कि लिए नियत तारीख से पूर्व यथोचित समय पर उस आफिसर के पास पहुंच जाए।
- (3) मतदान की तारीख को उक्त आफिसर वह मतपत्र और अन्य आवश्यक कागजपत्र निर्वाचक को परिदत्त करेगा, उसे निर्वाचन आयोग के अनुदेशों के अनुसार अपना मत अभिलिखित करने के लिए सब युक्तियुक्त सुविधाएं और जब निर्वाचक ने अपना मत वैसे अभिलिखित कर दिया हो तो और तब, मतपत्र और अन्य संबंधित कागजपत्रों को मुहरबन्द लिफाफे में या तो राजिस्ट्रीकृत डाक द्वारा या विशेष संदेशवाहक द्वारा रिटर्निंग आफिसर को भेजेगा जिससे कि वे नियम 27 के अधीन मतों की गणना के लिए नियत समय से पूर्व उसके पास पहुंच जाएं।
- (4) हर सरकार का यह कर्तव्य होगा कि यदि कोई निर्वाचक उस सरकार द्वारा या उसके प्राधिकारक अधीन निवारक निरोध में रखे गए हैं, तो वह उनके नामों की सूचना, उनके निरोध के स्थानों के बारे में आवश्यक विशिष्टियों सहित, समुचित समय पर निर्वाचन आयोग को दे।