

Biennial Elections to A.P.L.C

Most Immediate

GOVERNMENT OF ANDHRA PRADESH
GENERAL ADMINISTRATION (ELECS.B) DEPARTMENT

Memo No:258/Elecsion.B/A2/2013-12,

Dated:29.01.2013.

Sub: Elections - Biennial Elections to A.P.L.C from Graduates' and Teachers' Local Authorities Constituencies - Prohibition of Public meeting during the period of 48 hours ending with hour fixed for conclusion of poll - ECI Instructions - Regarding.

Ref: From ECI, New Delhi, Lr.No.464/INST/2007-PLN-I, dated 08-01.2007.

The attention of the District Election Officers and Returning Officers noted in the address entry is invited to Section 126 of the R.P Act, 1951 which clearly specifies that;

- (i) No person shall - (a) convene, hold or attend, join or address any public meeting or procession in connection with an election; or (b) display to the public any election matter by means of cinematograph, television or other similar apparatus; or (c) propagate any election matter to the public by holding, or by arranging the holding of, any musical concert or any theatrical performance or any other entertainment or amusement with a view to attracting the members of the public thereto, in any polling area during the period of 48 hours ending with the fixed or the conclusion of the poll for any election in the polling area.
- (ii) Any person who contravenes the provisions of sub-section (1) shall be punishable with imprisonment for a term which may extend to two years, or with fine, or with both.
- (iii) In this section, the expression "election matter" means any matter intended or calculated to influence or affect the result of an election.

2. Therefore, the Collectors & District Election Officers noted in the address entry are requested to ensure that the Section 126 of R.P.Act, 1951 should be implemented scrupulously and no campaign shall take place within the Constituency. Presence of political functionaries / party workers /

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processionists / campaign functionaries etc., who have been brought from outside the Constituency and who are not electors of the Constituency, should not continue to remain present in the Constituency as their continued presence after campaign ends may undermine the atmosphere for free and fair poll.

3. The District election administration / Police administration shall ensure that all such functionaries leave the Constituency immediately after the campaign period is over. This shall be brought to the notice of all political parties, candidates and their agents in order to enable them to scrupulously comply with the instructions. The detailed instructions issued by the Commission vide Lr.No.464/INST/2007-PLN-I, dated 08/01/2007(copy enclosed) shall be followed scrupulously.

BHANWAR LAL
CHIEF ELECTORAL OFFICER &
E.O.PRINCIPAL SECRETARY TO GOVERNMENT

To

The Collectors & District Election

Officers of Srikakulam, Vizianagaram, Visakhapatnam, East Godavari, West Godavari, Krishna, Guntur, Adilabad, Karimnagar, Nizamabad, Medak, Waragal, Khammam and Nalgonda districts (w.e)

The Superintendents of Police of Srikakulam, Vizianagaram, Visakhapatnam, East Godavari, West Godavari, Krishna, Guntur, Adilabad, Karimnagar, Nizamabad, Medak, Waragal, Khammam and Nalgonda districts (w.e)

The Returning Officers concerned through DEO's (w.e)

// FORWARDED :: BY ORDER //


SECTION OFFICER

Election Commission of India

Nirvachan Sadan, Ashoka Road, New Delhi 110001

No. 464/INST/2007-PLN-I

Dated: 8th January, 2007

To

1. The Chief Secretaries of all States and UTs
2. The Chief Electoral Officers of all States and UTs

Sub: Restrictions on presence of political functionaries in a Constituency after the campaign period is over.

Sir,

Under Section 126 of the Representation of the People Act, 1951, in the period of 48 hours ending with the hour fixed for the close of poll, the campaign will come to an end.

2. During the course of campaign in bye-election, the political parties mobilize their supporters, including from outside the constituency of poll, in order to bolster that campaign. In view of the fact that after the closure of campaign period no campaign can take place within the constituency, presence of political functionaries / party workers / procession functionaries / campaign functionaries etc., who have been brought from outside the constituency and who are not voters of the constituency, should not continue to remain present in the constituency as their continued presence after campaign ends may undermine the atmosphere for free and fair poll.

3. Hence the Commission has directed that after the campaign period is over, the district election administration / police administration shall ensure that all such functionaries leave the constituency immediately after the campaign period is over. This shall be brought to the notice of all political parties, candidates and their agents in order to enable them to comply.

4. The Commission further directs that in order to ensure that the above instruction is carried out, the election administration / police administration may take all necessary measures which may include:

1. Checking of kalyan mandapams / community halls etc., where such people are kept housed and find out whether the outsiders have been accommodated in these premises.
2. Verification of lodges and guesthouses to keep a track of the list of occupants.
3. Set up check-posts in the constituency borders and track the vehicular movement from outside the constituency.
4. Verify the identity of the people / group of people in order to find out whether they are voters or not and establish their identity.
5. This may be brought to the notice of all concerned and ensure strict compliance. Action taken in the matter may be informed to the Commission.

Yours sincerely,

Sd/-

(A.K. Majumdar)
Secretary