

**STATE ELECTION COMMISSION, HARYANA
NIRVACHAN SADAN, PLOT NO.-2, SECTOR-17
PANCHKULA**

ORDER

NO. SEC/1ME/2013/ 5068

Dated:26/08/2013

Subject:- Restriction on use of vehicles on poll day for the Municipal Bye Elections, September, 2013.

The State Election Commission, Haryana has issued Election Programme for the Bye elections for ward No.1, Municipal Council Jind , ward No.8, Municipal Council Sirsa and ward No.13 of Municipal Committee Ellenabad, Distt. Sirsa vide its Notification No. SEC/IME/2013/5022, dated 26/08/2013, according to which the poll shall take place on 17/09/2013.

2. In the interest of preserving the fairness of election process and rendering the same reflective of true choice of the people, the State Election Commission has issued instructions and directions on various aspects. The Commission has particularly been concerned about the increasingly vitiating role of criminality and muscle power at elections and has been directing the taking of a number of measures for ensuring peaceful, free and fair poll.

3. One of the ways in which the voter sought to be wooed is by providing him the “facility of free transport” on the day of poll.

4. The State Election Commission further observes that during the hour/period of election, private vehicles are used by the candidates, their agents and supporters for carting the supporters of a candidate within the wards and on many occasions the anti-social elements with muscle power are openly paraded to create a sense of fear in the minds of the voters, so that they either vote in favour of a particular candidate or abstain from voting altogether. These vehicles are also used some times to smuggle arms and ammunition with a view to create disturbances during the elections.

5. In order to curb such undesirable and illegal activities, the State Election Commission in exercise of the powers vested in it under Article 243ZA of the Constitution of India read with Section 3A of the Haryana Municipal Act, 1973 and all other powers enabling it in this behalf, hereby imposes restriction to hire or procure not more than 2 vehicles or vessels whether on payment or otherwise for use by a contesting candidate himself or his agents or his supporters on the day of poll during the Municipal Election.

6. The State Election Commission further directs that the expression “Vehicle” means any vehicle used or capable of being used for the purpose of road transport whether propelled by mechanical power or otherwise, and whether used for drawing other vehicle or otherwise.

7. The State Election Commission further directs that the contesting candidates should be issued permits as per proforma prescribed by the Commission appended herewith. The permits should be issued to the contesting candidates atleast 2 days before the day of poll.

8. The State Election Commission further directs that the District Administration shall keep a close watch on the vehicles used by persons accompanying the contesting candidates and their supporters for any possible mischief, including criminal activities like carrying of illegal arms and weapons. If any of these vehicles, either of a contesting candidate or a private owner, is found to be involved in any such act or for carting anti-social elements with a view to intimidating or creating terror in the minds of the voters, it should be the duty of the local administration to impound such vehicles and not to release them till the process of elections is completed. In addition, accordingly action against the owner, the occupant/occupants and the candidate who is involved in such illegal activities shall also be taken as per law.

9. So as to ensure free, fair and peaceful elections, the District Administration shall launch a drive for checking the vehicles immediately upon the announcement of the elections and shall continue the drive till the completion of the process of elections.

10 A copy of this order shall be made available to the local units of all recognized National/State Political Parties in the State of Haryana immediately and to each contesting candidates, or an agent authorized by him.

By order

Dated, Panchkula
26th August, 2013

Secretary
State Election Commission, Haryana

Endst. No. SEC/1ME/2013/5069-5077

Dated:-26/08/2013

A copy is forwarded for information and necessary action to:-

1. The Chief Secretary to Government, Haryana.
2. The Principal Secretary to Govt. Haryana, Urban Local Bodies Department, Chandigarh
3. The Additional Chief Secretary to Govt. Haryana, Home Department, Chandigarh.
4. Director General of Police, Haryana, Chandigarh
5. Director, Local Bodies, Haryana, Chandigarh
6. Director, Public Relation, Haryana, Chandigarh.
7. The Deputy Commissioner, Sirsa and Jind with the request that wide publicity may please be made in this regard.
8. Controller, Printing and Stationery Department, Haryana, Chandigarh for publication in Haryana Government Gazette (Extra Ordinary), dated 26/08/2013. He is requested to supply 25 copies of the notification to the State Election Commission, Haryana for information and record.

(Parmal Singh)
Asstt. State Election Commissioner, Haryana

PROFORMA

MUNICIPAL BYE- ELECTIONS SEPTEMBER, 2013

PERMIT NO. _____

Municipal Committee/Council _____

Name of Candidate _____

Ward No. _____

Vehicle Number _____

Returning Officer(MC)
(Seal)