

Panchayat Election

Date Bound

**STATE ELECTION COMMISSION, HARYANA
"Nirvachan Sadan", Plot No.2, Sector-17, Panchkula**

No. SEC/3E-II/2012/3172

Dated: 29 .11.2012

To

The Financial Commissioner & Principal Secretary
to Government of Haryana, Home Department, Chandigarh.

Subject:- Panchayat Elections, December, 2012- Maintenance of Law & Orders to ensure free and fair elections.

Sir,

I am directed to refer to the subject cited above and to say that the State Election Commission, Haryana has issued notification No.SEC/3E-II/2012/2692, dated 29.11.2012 (copy enclosed) for the conduct of Bye Elections of the vacant seats of Panches, Sarpanches, Members of Panchayat Samitis and Zila Parishads in the State of Haryana and second General Election of Gram Panchayat, Sambhalkha in district Kurukshetra on 16.12.2012. The nominations for these Elections, as prescribed in the notification would start from 04.12.2012 to 06.12.2012. The date of scrutiny of nomination papers has been prescribed as 07.12.2012. The last date of withdrawal of nomination papers is 10.12.2012. The counting of votes in respect of Panches and Sarpanches shall be held immediately after the close of poll at the polling stations and in respect of Member Panchayat Samitis and Zila Parishads, it shall be held on 17.12.2012 at Block Headquarter concerned.

2. I am further directed to say that with a view to ensuring free and fair Panchayat Elections in the above said Panchayati Raj Institutions, the State Election Commission has decided that all necessary steps should be taken for effective enforcement of certain measures in the sensitive areas. In this connection, specific measures enunciated by the State Election Commission are detailed hereunder and it is requested that the same may kindly be got enforced in its letter and spirit.

- (i) The police should be asked to be vigilant and start the mopping up operation of the areas infested with known goondas and bad elements about 10 days prior of the poll. During such mopping operation, special attention should be paid to unearth and seize unlicensed arms and ammunitions right from now.
- (ii) After such review, all such license-holders who are identified, shall be directed to deposit their arms with the District Administration before the last date for the withdrawal of candidatures.
- (iii) The District Administration shall make foolproof arrangements for keeping the deposited firearms in safe custody. Proper receipt must be given to the license holders depositing the firearms. It shall be the bounden duty of the District Administration/Police Authorities to ensure that all firearms deposited with the Administration are returned to the license holders immediately after one week of the declaration of results.
- (iv) No new arms licenses be issued with effect from 30.11.2012 date on which model code of Conduct has come into force with the announcement of Election Programme.
- (v) An order be issued prohibiting carrying of all licensed fire arms and lethal weapons with effect from 30.11.2012. Further effective steps may also be taken to unearth the un-licensed weapons and seize the same.
- (vi) Arrangement be made for deployment of police at each polling station and near each polling station and also in sensitive areas.

- (vii) Adequate wireless sets be provided to improve communication for meeting any Law and Order problem of emergent nature.
- (viii) Strict vigil may be kept over movement of un-desirable elements and vigorous check may be carried out to prevent men and vehicles moving with arms and ammunition.
- (ix) Thorough checking of lorries, trucks and other vehicles be carried out for three days before poll and on the poll day etc. to ensure that no undesirable elements or arms ammunition are infiltrated into and around the polling areas.
- (x) Restriction on movement of vehicles on poll days may be imposed and instructions may be issued to regulate vehicular traffic and playing of vehicles on poll days.
- (xi) A special drive should be launched to unearth illicit liquor making factories and information about seizures made available to the concerned Deputy Commissioner and Returning Officer fortnightly to be forwarded to the State Election Commission if and when asked for. All restrictions provided in excise law on the storage of liquor in unlicensed premises shall be vigorously enforced. Section 173A of the Haryana Panchayati Raj Act, 1994 read with 135C of Representation of People's Act, 1951 provides that no spirituous, fermented or intoxicating liquors or other substances of like nature shall be sold, given or distributed at a hotel, eating house, tavern, shop or any other place, private or public, within a polling area during the period of 48 hours ending with the hour fixed for conclusion of poll for any election in the polling area. Therefore 'Dry Day' shall be declared and notified under relevant state laws for the stipulated period for the poll areas. The day on which counting of votes is to be taken up, shall also be declared 'Dry Day'.
- (xii) The District Administration should make the assessment (in accordance with the prevalent State laws) of all license holders so that licensed arms in those cases where they consider it essential are impounded in order to ensure maintenance of law and order so essential for ensuring free and fair elections. These arms should be deposited with the district authorities. Among cases which may need to be reviewed are the following:
- (a) Arms licenses of persons released on bail,
 - (b) Arms licenses of persons having a history of criminal offences, and
 - (c) Arms licenses of persons previously involved in rioting at any time but especially during the election period.
- The above categories are only illustrative and not exhaustive.

3. I am further directed to request you to kindly issue the necessary orders and instructions in regard to the points mentioned above to the concerned offices immediately under intimation to the State Election Commission.

Yours faithfully

(Parmal Singh)
Asstt. State Election Commissioner, Haryana
Email Id: asec.sec@hry.nic.in

Endst No. SEC/3E-II/2012/ 3173-3220

Dated: 29.11.2012

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

1. Director General of Police, Haryana, Panchkula.
2. Divisional Commissioners, Ambala, Hisar, Gurgaon and Rohtak.
3. A.D.G.P/CID, Haryana, Panchkula
4. All the Deputy Commissioners-cum-District Election Officers (P) in the State of Haryana.
5. All the District Development and Panchayat Officers in the State of Haryana.

(Parmal Singh)
Asstt. State Election Commissioner, Haryana
Email Id: asec.sec@hry.nic.in