

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

ORDER

NO. SEC/3E-II/2010/7895

Dated : 26.11.2010

Subject:- Restriction on use of vehicles on poll day for the Panchayat Bye Election, 2010.

The State Election Commission, Haryana has issued Election Programme for the Panchayat Bye Elections vide its Notifications No. SEC/3E-II/2010/7861 dated 26.11.2010, according to which the poll shall take place on 15.12.2010.

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 243K(1) of the Constitution of India read with Section 212 of the Haryana Panchayati Raj Act, 1994 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 Panchayat Bye 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. 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

The, Panchkula
Dated 26th November, 2010

Puran Mal
Secretary
State Election Commission, Haryana

Endst. No.SEC/3E-II/2010/7896

Dated:26.11.2010

A copy is forwarded to the following for information and immediate compliance of above orders:-

1. Chief Secretary to Government of Haryana, Chandigarh.
2. Financial Commissioner & Principal Secretary to Govt. of Haryana, Development and Panchayat Department, Chandigarh.
3. Director-General, Police, Haryana, Panchkula.
4. Divisional Commissioners, Gurgaon, Hisar, Ambala and Rohtak.
5. Director, Development and Panchayat, Haryana, Chandigarh.
6. Director, Public Relation, Haryana, Chandigarh.
7. All Inspector Generals of Police Ranges of Haryana and Police Commissioners, Gurgaon and Faridabad.
8. All the Deputy Commissioners-cum-District Election Officer (Panchayat) in the State for information and further necessary action.
9. The Controller, Printing & Stationery Department, Haryana, for publication in the Haryana Government Gazette. He is requested to supply 10 copies of the order to this Commission for information and record.
10. All the District Development and Panchayat Officers in the State.

Sd/-
(Parmal Singh)
Assistant State Election Commissioner, Haryana
Email Id: asec.sec@hry.nic.in

PROFORMA

PANCHAYAT bye ELECTIONS DECEMBER, 2010

Permit No. _____

Panchayat Samiti/Gram Panchayat _____

Name of Candidate _____

Ward No. _____ Vehicle Number _____

Returning Officer (P)
Seal.