

R. No. 780
Dated. 27.1.09

District Magistrate
Collector
LETTER
27/1/2009
Paschim Medinipur

Government of West Bengal
Home(C&E)Department
Election Wing
21, Netaji Subhas Road, Kolkata-700 001

S. Post No.
EW 707964
Dt.

29-1-09
29-1-09

R-193
2-2-09
30.01.09

ADM (G)
of Election
[Signature]

From: Joint Chief Electoral Officer, West Bengal.
To: The District Election Officer, _____ (all)

No.205(19)-Home(Elec)
R3E-39/2008(Pl-II) Dated : The 19th Jan., 2009.

Subject: Restrictions on presence of political functionaries in a constituency after the campaign period is over. Regarding.

Sir,

I am directed to forward herewith a copy of letter No.464/INST/2008-EPS, dated 02-12-2008 received from the Election Commission of India addressed to the Chief Electoral Officer, Rajasthan on the above subject and to request you to bring this above-mentioned instructions of the Commission to the notice of all concerned (including all political parties) for strict compliance.



Yours faithfully,

[Signature]
Joint Chief Electoral Officer, West Bengal

Memo no 103 / dt. dated 02/02/09
Copy along with the copy of enclosure forwarded for issuance of information and taking necessary action to:-
(1) The S. D. O. _____ (Recd)
(2) The ofc, Election.
(3) The C.A. to DM/ADM (All)
(4) Guard file.

S221-hof(AR)

02.02.09
for District Magistrate,
Paschim Medinipur
[Signature]

11.12.08 339 11/12/08
205(19) JF CEP - 1

ELECTION COMMISSION OF INDIA

Nirvachan Sadan, Ashoka Road, New Delhi-110001

No 464/INST/2008-EPS

Dated: 2nd December 2008

To

The Chief Electoral Officer,
Rajasthan,
Jaipur.

Subject: ~~Restrictions on presence of political functionaries in a constituency after the campaign period is over~~

Sir,

I am directed to refer to the ~~instructions contained in Commission's letter No. 464/INST/2007-PLN-I dated 08th January 2007 read with letter No. 464/INST/2008/PLN-I dated 27th February 2008 (copies enclosed) regarding restrictions on presence of persons from outside the constituency/State after the campaign period is over. A clarification has been sought about the applicability of the said instructions during current general elections to the Legislative Assembly of Rajasthan. It is clarified that the said instructions shall be observed mutatis mutandis in the context of current general elections to the State of Rajasthan. Here it is mentioned that the said instructions were duly implemented at the time of general election to the State Legislative Assemblies of Uttar Pradesh, Gujarat, Karnataka, Madhya Pradesh, NCT of Delhi, Chhattisgarh and Mizoram. Accordingly, it shall be ensured that the said instructions are implemented strictly.~~

Yours sincerely,

(Sunit Mukherjee)
Under Secretary

Copy to:- The Chief Electoral Officers of all States and Uts (except Rajasthan).

ELECTION COMMISSION OF INDIA

Nirvachan Sadan, Ashoka Road, New Delhi-110001

No.464/INST/2008/PLN-1/

Dated : 27th February, 2008.

To

1. The Chief Secretaries to all States and Union Territories
2. The Chief Electoral Officers of all States and Union Territories

Subject:- Restrictions on presence of political functionaries in a constituency after the campaign period is over - regarding.

Sir,

I am directed to invite your attention to Para - 3 of Commission's letter No. 464/INST/2007/PLN 1, dated 8th January 2007 on the subject cited and to state that the Commission has further reviewed the instructions contained therein.


2. The Para - 3 of above referred letter has, accordingly, been modified, which shall be read as follows: -

"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. However, the said restriction may not be insisted upon during the General Elections to Lok Sabha/State Legislative Assembly in respect of the office bearer of Political Party who is in-charge of the State. Such office bearer of the political party shall declare his place of stay in the State Headquarters and his movement during the period in question shall remain confined normally between his par office and place of his stay. This shall be brought to the notice of all political parties, contesting candidates and their agents in order to enable them to comply."

3. This may be brought to the notice of all the District Election Officers/Returning Officers/ Assistant Returning Officers and all the election related officers immediately.

4. Action taken in the matter may be intimated to the Commission.

Yours faithfully,


(TAPAS KUMAR)
PRINCIPAL SECRETARY

Election Commission of India

Nirvachan Sadan, Ashoka Road, New Delhi-110001

No. 464/TNST/2007-PL.N-I

483-517 (CEO's) only

Dated: 8th January, 2007

To

35 + 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.

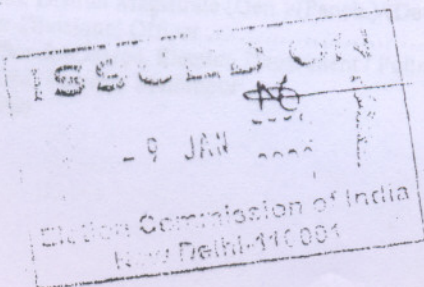
2. During the course of campaign in bye-election, the political parties mobilize their supporters, including from outside the constituency of poll, in order to bolster that campaign. In view of the fact that after the closure of campaign period no campaign can take place within the constituency, presence 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.

14

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,

Jai P. Prakash

(Jai P Prakash)

Deputy Election Commissioner

STANDARD DISTRIBUTION