

BYE-ELECTION- 2017
MOST URGENT

OFFICE OF THE CHIEF ELECTORAL OFFICER, ANDHRA PRADESH & TELANGANA
South 'H' Block, Secretariat, Hyderabad - 500 022

Memo.No.4078/Elec. B/A1/2017-21, Dated:29.07.2017.

Sub: Elections - Bye-Election to 139-Nandyal Assembly Constituency, Kurnool district of Andhra Pradesh State scheduled to be held on 23.08.2017 - Deputation of election related officers to Election Commission of India - Instructions - Regarding.

Ref:1.From the Secretary, Election Commission of India, New Delhi, Press Note No.ECI/PN/64/2017, dated 27.07.2017.
2.This Office Memo N o.4078/Elec.B/A1/2017-1,dt.27.7.2017.

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In continuation of this office Memo second cited, it is informed that Section 20A, Section 28A and Section 129 Part-IV of the Representation of People Act, 1951, states as follows:

Section 20A - General duties of District Election Officer.—(1) *Subject to the superintendence, direction and control of the Chief Electoral Officer, the District Election Officer shall coordinate and supervise all work in the district or in the area within his jurisdiction in connection with the conduct of all elections to Parliament and the Legislature of the State. (2) The District Election Officer shall also perform such other functions as may be entrusted to him by the Election Commission and the Chief Electoral Officer.*

28A. Returning officer, presiding officer, etc., deemed to be on deputation to Election Commission.—*The Returning Officer, Assistant Returning Officer, Presiding Officer, Polling Officer, and any other officer appointed under this Part, and any Police Officer designated for the time being by the State Government, for the conduct of any election shall be deemed to be on deputation to the Election Commission for the period commencing on and from the date of the notification calling for such election and ending with the date of declaration of the results of such election and accordingly, such officers shall, during that period, be subject to the control, superintendence and discipline of the Election Commission.*

129. Officers, etc., at elections not to act for candidates or to influence voting.— (1) *No person who is a District Election Officer or a Returning Officer, or an Assistant Returning Officer, or a Presiding or Polling Officer at an election, or an officer or clerk appointed by the Returning Officer or the Presiding Officer to perform any duty in connection with an election shall in the conduct or the management of the election do any act (other than the giving of vote) for the furtherance of the prospects of the election of a candidate.*

(2) *No such person as aforesaid, and no member of a police force, shall endeavour—*

- (a) *to persuade any person to give his vote at an election, or*
- (b) *to dissuade any person from giving his vote at an election, or*
- (c) *to influence the voting of any person at an election in any manner.*

(3) *Any person who contravenes the provisions of sub-section (1) or sub-section (2) shall be punishable with imprisonment which may extend to six months or with fine or with both.*

(4) *An offence punishable under sub-section (3) shall be cognizable.*

2. In view of the above provisions of the Part-IV of the Representation of People Act, 1951 the Returning Officer, all the Assistant Returning Officers, Presiding Officer, Polling Officer, Assistant Polling Officers and any other officer appointed under the provisions of Part-IV of the Representation of People Act, 1951 (viz., all Observers, Nodal Officers, Members of Election Expenditure Monitoring Teams, Model Code of Conduct Teams, Micro Observers, Booth Level Officers, etc.) and any Police Officer designated for the time being by the State Government for the conduct of Bye-Elections to 139-Nandyal Assembly Constituency of Kurnool district shall be deemed to be on deputation to the Election Commission of India for the period commencing on and from the date of the notification calling for such election i.e., from **29.07.2017** up to **31.08.2017** (date before which election shall be completed) or the date of declaration of result of the said election, whichever is earlier, and accordingly, all such officers shall, during that period, be subject to the control, superintendence and discipline of the Election Commission of India.

3. The Collector & District Election Officer, Kurnool district is requested to communicate these instructions to all concerned.

BHANWAR LAL
CHIEF ELECTORAL OFFICER &
E.O. SPL. CHIEF SECRETARY TO GOVT.

To
The Collector & District Election Officer, Kurnool district.
The Returning Officer, 139-Nandyal AC, Kurnool district.
All Assistant Returning Officers
All Presiding Officers,
All Polling Officers
All Observers.
All Nodal Officers.
All Members of Election Expenditure Monitoring Teams.
All members of all Model Code of Conduct Teams.
All Micro Observers.
All Booth Level Officers.

Through the Collector
& District Election
Officer, Kurnool
district

Copy to:

The Director General of Police, Police Head Quarters, Andhra Pradesh,
Suryaraopet, Vijayawada, Krishna district (w.e)
The Superintendent of Police, Kurnool district.
All Officers & Sections in the O/o Chief Electoral Officer.
SF/SCs

//FORWARDED::BY::ORDER//


SECTION OFFICER

