

STATE ELECTION COMMISSION

3rd Floor, Buddha Bhavan, MG Road, Secunderabad-500003, AP.

ORDER

No. 616/SEC-B1/2013

Date: 07.07.2013

Sub: State Election Commission - 4th Ordinary elections to Gram Panchayats – Curbs on flow of liquor during election period – Closure of belt shops and monitoring of production, storage and distribution of liquor during election period – Reg.

Ref: SEC Notification No. 757/SEC-B2/2013, dated 03.07.2013.

The State Election Commission issued a Notification for conduct of ordinary elections to Gram Panchayats in the State in the reference cited.

Under Sec. 225A of the A.P. Panchayat Raj Act, 1994, liquor shops have to be closed in the polling areas during the period of 44 hours prior to the hour fixed for conclusion of poll in Gram Panchayat elections and also on the counting day.

Further, bribing the voters by offering liquor to gain unfair edge is an election offence under Sec. 171-B and 171-E of IPC and also a corrupt practice under Sec. 211(1) of the A.P.P.R. Act, 1994.

The State Election Commission is of the view that in order to conduct elections to Gram Panchayats in a free, fair and peaceful manner, it has to exercise all the powers within its reach to control the flow of liquor which is widely used as an inducement to garner votes illegally. The State Election Commission has been receiving representations and suggestions from general public, political parties, NGOs and the Press to take strong measures to curb the role of liquor in the ensuing Gram Panchayat elections, which are keenly fought because of they are held after seven years in a politically volatile environment prevailing in the State with the advent of new political outfits and also the timing of elections just less than a year before the General elections to APLA/HOP.


Keeping all these factors in view and in order to hold elections in a free, fair and peaceful environment, the State Election Commission in exercise of the powers conferred on it under Article 243K of the Constitution of India, hereby, issues the following instructions to curb the role of liquor in the ensuing elections to Gram Panchayats.

1. All the unauthorized liquor outlets (belt shops) in the State shall be closed with immediate effect till the completion of the election process.
2. The production of IMFL/Beer/Country Liquor should be closely monitored with reference to production figures during the corresponding period in the last year.
3. The offtake of IMFL/Beer/Country Liquor from Central Stocks should also be watched and if there are major deviations then follow up trail should be established.
4. Stock Limits of Licensed Stockists should, in no case, be allowed to exceed permissible limits. All major stock points should be placed under video surveillance for round the clock check and excise pickets with Police help be posted at these points.

5. Daily receipt and offtake of retail sellers should be monitored. Excise Department officials should submit it every evening to the Collector and DEA who would take action on suspicious offtake.
6. Opening and Closing time of Liquor Vending Shops must be meticulously followed.
7. Intensive vigil over inter state movement of vehicles at RTO Check Posts and border check posts by Excise staff should be kept by special enforcement staff under the State Excise Department who are deputed round the clock from the date of notification till the completion of Poll/Repoll. For effective checking of the vehicles at border check posts, assistance of transport department may be obtained and joint checking of vehicles by excise and transport officers may be carried out.
8. Inter State co-ordination among Excise Commissioners with bordering States should be done for monitoring of inter state movement of IMFL, Beer and Country Liquor.
9. District Level Nodal Officers and State Level Nodal Officer of Excise Department should be identified to monitor the above aspects, conduct raids to seize illicit liquor.
10. The District Level Nodal Officer will submit Daily Report as per the proforma enclosed for IMFL, Beer and Country Liquor in separate forms to State Level Nodal Officer with copy to the Collector & DEA concerned. State Level Nodal Officer of Excise Department will, in turn, submit Daily Report on excise activity of the entire State to the State Election Commission in the same proforma (Fax Nos.040-27544580 / 27544428 / 27536033 / 27536055 / 27536066 / 27536077).

The State Election Commission also directs that the Superintendents of Police/ Superintendents of Police (Urban) / Commissioners of Police shall also coordinate with the officials of the Excise Department at the District level to take stringent measures to close all belt shops and also to deal with any law and order problem that may arise due to activities of unscrupulous elements and vested interests indulging in using liquor as an inducement to garner votes.

(BY ORDER AND IN THE NAME OF THE STATE ELECTION COMMISSIONER)


SECRETARY

To
The Commissioner, Prohibition and Excise Department, AP, Hyderabad.
The Director (Enforcement), Prohibition and Excise Department.
All the Collectors & District Election Authorities.
All the Superintendents of Police / Superintendents of Police (Urban) /
Commissioners of Police.
All the Deputy Commissioners of Prohibition and Excise Department.
All the District Panchayat Officers.

Daily Report of IMFL/Beer/Country Liquor by the State/District Level Nodal Officer (Separate report should be submitted for IMFL Beer & Country Liquor)				
Name of the District:			Date of Report:	
S.No.	Description	During the day (2013)	During the day (2012)	Remarks on excess, if any
1.	Opening stock with manufacturers in Bulk litres			
2.	Production/Bottling in Bulk litres			
3.	Total Despatch of stock from the manufacturer's godown in Bulk litres			
4.	Closing stock in Bulk litres with manufacturers (1+2-3)			
5.	Despatch of stock from manufacturer's godown to whole sellers/Stockists in Bulk litres			
6.	Opening stock with Retailers in Bulk litres			
7.	Purchase by Retailers in Bulk litres			
8.	Sale by Retailers in Bulk litres			
9.	Closing Stock with Retailers in Bulk litres (7+8-9)			
10.	Sale by others in Bulk litres			
11.	Number of check posts			
12.	Volume of illicit liquor seized by check posts in Bulk litres			
13.	Number of raids conducted			
14.	Volume of illicit liquor seized in Bulk litres during raids			
15.	No. of Prohibition cases			
16.	No. of persons arrested			
17.	Amount of Fine imposed			

18. No. of unauthorized liquor outlets (belt shops) closed in District / State:

Signature of Nodal Officer

Name :

Designation :

Note:-

1. Separate Reports for IMFL, Beer or Country Liquor is to be furnished in the above format by District Level Nodal Officer of Excise Department to the State Level Nodal Officer with copy to Collector & DEA.
2. The State Level Nodal Officer of Excise Department will monitor and compile the district level reports and submit composite report of the State to the State Election Commission in the same format.

