

STATE ELECTION COMMISSION
3rd Floor, Buddha Bhavan, M.G. Road, Hyderabad-500003, A.P.

CIRCULAR

No. 792/SEC-B2/2013

Date: 04.7.2013

Sub: State Election Commission – 4th Ordinary elections to Gram Panchayats – Reports in the Press and Electronic Media regarding auctioning of posts of Sarpanchas / Ward Members – Reg.

It is reported in the Press and Electronic Media that in some Gram Panchayats, the posts of Sarpanch/Ward Members are auctioned in the public.

Auctioning of posts is a corrupt practice under Sec. 211(1) of the A.P. Panchayat Raj Act, 1994. This is also an electoral malpractice under Sec. 171-B and 171-E of the Indian Penal Code, 1860. In conviction the offender is liable to one year imprisonment and disqualification to contest elections for a period of six years.

Therefore, all the Collectors and District Election Authorities are requested to take the following measures to foil the nefarious designs of some vested interests to manipulate the election process by way of auctioning.

1. A Special Cell shall be opened to scan the reports published in the Press and Electronic Media about alleged incidents of auctioning of posts and to cause for conduct of an enquiry forthwith.
2. The Collectors and District Election Authorities shall take prompt action to file FIR and launch prosecution against the persons involved in auctioning of posts under the sections referred above.
3. They have to send a report to the State Election Commission wherever there is prima facie case of auctioning of posts to enable the State Election Commission to stop the election process in the Gram Panchayat concerned.

(PTO)

:: 2 ::

4. By way of abundant caution, wherever there are allegations of auctioning of posts, the Collectors and District Election Authorities shall give instructions to the Returning Officers concerned not to declare the result in case of unanimous election to any office in the Gram Panchayat concerned without obtaining clearance from the Collector and District Election Authority.

The above instructions shall be followed scrupulously.

Yours faithfully,
Sd/- Navin Mittal
Secretary

To
All the Collectors and District Election Authorities.
All the Superintendents of Police / Commissioners of Police.
All the District Panchayat Officers.

Copy to:
The Director General of Police, A.P.
The Principal Secretary to Government (PR), PR & RD Department.
All the Election Observers.
The Commissioner of PR & RE Department.
The Commissioner of I & PR Department.

// Attested //


Joint Secretary