

ANDHRA PRADESH STATE ELECTION COMMISSION
L-Block, Secretariat, Hyderabad – 500 022.

C I R C U L A R

No.208/SEC-B2/2017

Date: 27.11.2017

Sub: APSEC – Ordinary Elections to Gram Panchayats – Measures to ensure free and fair elections – Prevention of intimidation to the voters of vulnerable sections – Identification of critical Polling Stations – Instructions issued – Reg.

The State Election Commission, Andhra Pradesh has been issuing instructions on various measures to be taken in order to ensure free and fair elections to the Panchayat Raj Bodies. A conducive atmosphere in which each and every elector is able to access the polling station without being obstructed or being unduly influenced by anybody is an important prerequisite to a free and fair election. Undue influence at elections is an electoral offence under Section 171C of IPC, 1860. Any Voluntary interference or attempt at interfering with the free exercise of any electoral right constitutes the crime of undue influence at an election. Any direct or indirect interference or attempt to interfere by a candidate or his agent, or any other person at the behest of the candidate or his election agent against free exercise of any electoral right, constitutes a corrupt practice.

Taking due cognizance of the role being played by the muscle power in the Elections and taking into account of certain prevailing socio economic realities of the electoral politics, the Commission has decided to issue the following instructions to curb the menace of threat, intimidation and undue influence at elections by indentifying the locations within a polling station area vulnerable for such threat and intimation:

1. An exercise to indentify the habitats and segments of electorate vulnerable to any threat, intimidation or interference with the free exercise of electoral right shall be taken up polling station wise. The Zonal officers for their respective polling stations shall do this exercise by visiting the catchment areas of the polling stations. The Station House Officer and local civil authorities such as Mandal Parishad Development Officer/ Tahsildar shall also be consulted and their inputs taken into account before finalizing the list. They should identify the source of such threat/ intimidation/undue influence and identify the names of persons who are likely to spearhead such offence. While doing this exercise they shall take into account the past incidents, and current apprehensions.
2. They shall establish sustainable points of contact within the habitat/ community vulnerable for such undue influence so that information related to such developments can be traced constantly.
3. The Mandal Parishad Development Officer of the Mandal duly consulting with the SHO and Tahasildar concerned should compile all such information and finalize the vulnerability mapping for the entire Mandal, Gram Panchayat wise in a format – I (enclosed).
4. The EA/DEA/CEO/MPDO/CP/SP shall initiate all preventive measures to foil such intimidation/obstruction. They shall initiate confidence-building measures to bolster the voter's confidence about the arrangements for free and fair poll. They shall undertake tours to such locations and meet the communities and explain the arrangements made for the free and fair poll.
5. The DEA/CEO/MPDO shall interact with the candidates and representatives of political parties to gather regular feedback. The District Intelligence shall give regular feedback on the subject to the DEA through SP or the Commissioner of Police as the case may be.

6. The DEA/CEO/MPDO shall compile the information for entire Mandal and upon the arrival of the Observers hand over the details of the area/location wise Gram Panchayat vulnerability mapping for the relevant Mandal. The observer will also visit such locations and interact with the voters and constantly monitor the developments.
7. Collectors & DEAs, Commissioners of Police and all Superintendents of Police in the State should hold a joint review on the subject and finalize a focused action plan to deal with the potential threats and intimidation points identified. The action plan may include, Inter-alia, binding over the potential trouble mongers under appropriate sections of the law, preventive detention if required, forcing their appearance in local police stations at reasonable intervals to ensure their good behaviour, placement of police pickets, regular confidence building visits etc. It has to be ensured that all such measures are undertaken in absolutely non-partisan manner without fear or favour towards any particular party. The Commissioners of Police / Superintendents of Police compile information on action taken against persons identified for causing vulnerability for Gram Panchayat wise of Mandal concerned in a format – II (enclosed).
8. The Zonal and Sector officers to monitor the events on the poll day shall take such pre-identified vulnerable locations into account for effective tracking. If the normal Zonal route map does not cover the vulnerable locations special arrangements shall be made for this purpose. The Zonal officers shall make regular visits to those localities in advance and collect information and keep the senior officers informed.
9. Where there is a cluster of such vulnerable pockets, the DEA/MPDO, in consultation with SP/CP shall arrange for dedicated police teams/squads and locate them at convenient locations in the vicinity, to be pressed into service for action on the day of poll without any loss of time. It should invariably form part of the district security plan.
10. On the day of poll, the Zonal officers shall give special attention to verify whether voters from the vulnerable habitats/communities are turning up for voting or not. In case, they find (it can be gauged from the marked copy of the electoral roll where voters who have voted are ticked) that some section of voters is conspicuously absent, then they should inform the Returning Officer about this immediately. The DEA/CP/SP/MPDO shall dispatch the dedicated squad specifically meant for this purpose, to ascertain, by a visit to the area so that there is no hindrance – overt or covert – in movement of that section of voters. They should closely monitor the developments and initiate effective interventions. After the closing hours on the poll day, the Zonal officers shall submit a special report, polling station wise, in writing to the Returning Officers indicating as to whether voters from the vulnerable habitats were able to vote or not.
11. At the time of Dispatch of the polling parties at the Dispatch Centers the Returning Officer should brief the Presiding Officer concerned about the vulnerable locations within the Polling Station area, in the electoral roll the Section within the Part should also be marked for proper monitoring. The Presiding Officers shall submit a report indicating abnormally low percentage of voter turnout if any within any section / sections, particularly, with reference to the vulnerable locations of that polling station.

12. During the poll, the Observers and other Senior Officers while visiting the polling stations or Gram Panchayats shall pay a special attention to this problem and find out whether any undue influence, intimidation/obstruction is being caused.
13. The police patrolling parties should keep track of the Gram Panchayat wise vulnerable locations and keep the control room informed. Wherever necessary police pickets shall be established to ensure free access to all voters to cast their votes without fear.
14. If any complaint is received or information gathered from any sources about obstruction /threat to any voter/voters the same shall be enquired into by the local administration without any delay.
15. The Returning Officer shall take the inputs on mass scale intimidation/threat /obstruction if any into consideration while submitting their report after the poll.
16. The Observers shall give their full attention to this issue and verify at every stage (before poll/on poll day) and submit reports to the Commission from time to time. A special mention shall be made about this in their final report. Apart from this, they should get counter foils of used ballot papers and the marked copy of the electoral rolls used in the polling stations verify thoroughly at the time of scrutiny, ordered if any, by the Commission after the poll.
17. The Commission directs that accountability of various police and civil officials for vulnerability mapping and follow up at every stage shall be clearly defined with reference to each polling station or Gram Panchayat. Severe disciplinary action will be initiated in case of dereliction of duty on the part of any police/civil officials in this matter.
18. All Polling Stations with such likely incidents shall be identified as critical polling stations.
19. In Addition to this, the Gram Panchayat wise election results with reference to past general elections shall be analyzed. All such Gram Panchayats where percentage of Poll recorded in more than 75% and where more than 75% of these votes have been recorded in favour of one candidate shall be identified as critical Polling Stations.
20. The Polling Stations that went for repoll during the previous elections as a result of electoral malpractices and any sort of electoral violence shall also be identified as critical.
21. The DEAs/CEOs/DPOs/MPDOs shall factor all the above inputs while finally identifying the sensitive /hyper-sensitive / critical Gram Panchayats for additional measures. The observers shall be consulted while finalizing the list of such Gram Panchayats on above instructions.
22. **With reference to the polling stations indentified as critical polling stations on account of indicators listed above one or all of the following measures shall be put in place:**

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- i) The presence of sufficient police force to safeguard the Gram Panchayat.
- ii) Digital camera or video camera shall be positioned in all polling stations of that GP. The procedure for deploying such cameras may be followed as was done in the recently held elections to the Assembly/Parliament.
- iii) Deployment of Micro-Observers.
- iv) The Presiding Officer shall be specially briefed to ensure that the EPIC/approved identification document is properly verified and its details are noted on the counter foil of the ballot paper before issue of ballot paper to the voter.
- v) Undertake Web casting. The volunteers operating the Web-casting and Micro Observers shall be guided to be extra careful to see that, the cameras capture all the voters moving in the Polling Stations in clear and identifiable form, excepting when they are focusing on any other more important scene.

Specific instructions be given to the volunteers operating the web-casting and Micro Observers posted at such Polling Stations.
- vi) Place responsible officers incharge of the web-casting, who shall ensure that the web-cameras are not put-off or directed towards inconsequential events besides ensuring that the feeds are properly stored and preserved for use subsequently.
- vii) The copy of the circular be handed over to all Observers.

This shall be brought to the notice of all concerned.

Sd/- Dr. N. Ramesh Kumar
State Election Commissioner

To

1. The Election Authority & Commissioner of Panchayat Raj, A.P.
2. The Collectors and District Election Authorities.
3. The Superintendents of Police.
4. The Commissioners of Police concerned.
5. The Chief Executive Officers of Zilla Praja Parishads.
6. The District Panchayat Officers.
7. The MPDOs (through CEOs of ZPPs).

Copy to: The Principal Secretary to Government, PR & RD Dept., A.P.

// Forwarded :: By Order //



Secretary

FORMAT – I

**ORDINARY ELECTIONS TO SARPANCH AND WARD MEMBERS OF
GRAM PANCHAYAT / MEMBER, MPTC / MEMBER, ZPTC**

COLLECTION OF INFORMATION OF VULNERABLE AREAS

Name of the District: _____

Name of the Mandal: _____

Sl.No.	Name of the Gram Panchayat	Total Number of Polling Stations	Description of areas identified as vulnerable	Names of persons identified as probable source of trouble in those areas (Area-wise)	Remarks (Type of Threat, e.g. caste, domination, tension, criminal gangs etc)
1	2	3	4	5	6

MPDO

Tahsildar

Station House Officer

FORMAT - II

**ORDINARY ELECTIONS TO SARPANCH AND WARD MEMBERS OF GRAM PANCHAYAT /
MEMBER, MPTC / MEMBER, ZPTC
ACTION TAKEN REPORT ON PERSONS IDENTIFIED FOR CAUSING VULNERABILITY**

Name of the District: _____

Sl. No.	Name of the Mandal	Number of Gram Panchayats identified as critical	Number of persons identified for causing Vulnerability	Details of Action Taken against the persons mentioned in Column 4				No. of Persons in column 4 where no action is taken	Reasons for not taking action as mentioned in column 9
				Bound over	Externment	In Custody	Any other action (with description)		
1	2	3	4	5	6	7	8	9	10

**COMMISSIONER OF POLICE /
SUPERINTENDENT OF POLICE**