

STATE ELECTION COMMISSION

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

NOTIFICATION

No. 792/SEC-B2/2013

Date: 22.7.2013

Whereas, the State Election Commission issued Notification for conduct of 4th ordinary elections to Gram Panchayats in the State in Ref.No. 757/SEC-B2/2013, dated 03.7.2013;

And whereas, reports appeared in the Press and Electronic media that in some Gram Panchayats posts of Sarpanch and Ward members were auctioned in public;

And whereas, 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 and in conviction the offender is liable to one year imprisonment and disqualification to contest elections for a period of six years;

And whereas, the auctioning of posts subverts the democratic election process by denying the level playing field to all sections and restricting the right to contest and get elected to only rich, influential and affluent sections;

And whereas, the State Election Commission which is vested with the responsibility of conducting the elections in a free and fair manner issued the following directions to the Collectors & DEAs in Circular No. 792/SEC-B2/2013, dated 04.07.2013 to foil the nefarious designs of vested interests to manipulate the election process by indulging in auctioning of posts:

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. The Collectors & DEAs shall 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.
4. By way of abundant caution, wherever there are allegations of auctioning of posts, the Collectors and DEAs 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.

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And whereas, the State Election Commission has kept a watch on Gram Panchayats in the State in which allegations of auctioning of posts were reported in the Press and Electronic media and after expiry of the last date for withdrawal of candidature on 17.7.2013 at 3:00 PM, in (18) Gram Panchayats mentioned in the Annexure, there was unanimous election to all the offices giving credence to the reported auctioning of posts and the results were not declared;

And whereas, the Collectors & DEAs concerned reported that there is a prima facie case of auctioning of posts in the Gram Panchayats indicated in the Annexure to this Notification;

And whereas, the State Election Commission, after careful consideration of all relevant information, decided to declare the election process so far held in pursuance of the Election Notification referred to above in the aforesaid (18) Gram Panchayats as the process is vitiated by illegal activity of auctioning of posts by vested interests undermining the free and fair nature of the election process;

Now, therefore, in exercise of the powers conferred under Article 243K of the Constitution of India and also Section 200(1) and 201 of the A.P. Panchayat Raj Act, 1994, the State Election Commission hereby nullifies the election process so far held in pursuance of the Election Notification No. 757/SEC-B2/2013, dated 03.07.2013 so far as it relates to the aforesaid (18) Gram Panchayats indicated in the Annexure. The State Election Commission will issue a fresh Election Notification for conduct of elections in those (18) Gram Panchayats shortly.

**SD/- P. RAMAKANTH REDDY
STATE ELECTION COMMISSIONER**

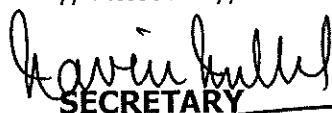
To

The Collectors & District Election Authorities of SPSR Nellore, Prakasam, Krishna, Nalgonda, Nizamabad, Guntur and YSR Districts.

The District Panchayat Officers of SPSR Nellore, Prakasam, Krishna, Nalgonda, Nizamabad, Guntur and YSR Districts.

The Returning Officers concerned.

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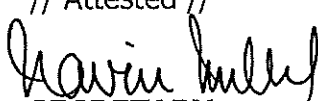

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Annexure
Names of the Gram Panchayats

Name of the District	Name of the Mandal	Name of the Gram Panchayat
SPSR Nellore	Sullurupet	Kudiri
	Thada	Irakam
	Thada	Karuru
Prakasham	Bestavaripeta	Chinna Obinenipalli
	Santhamaguluru	Makkenivaripalem
	Santhamaguluru	Pathamaguluru
	Maddipadu	Nelaturu
	Giddaluru	Kongalaveedu
Krishna	Pedana	Penumalli
Nalgonda	Dhamaracherla	Nadigadda
Nizamabad	Vailpoor	Komanpally
		Venkatapoor
Guntur	Vinukonda	Andugulapadu
	Savalyapuram	Erlapadu
	Gurazala	Gogulapadu
	Dachepalli	Sarangapalli
	Ipuru	Udijerla
YSR District	Rajupalem	Gopayapalli

SD/- P. RAMAKANTH REDDY
STATE ELECTION COMMISSIONER

// Attested //

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(2/2)

1. 10/10/2024

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