

Elections / Most Immediate

STATE ELECTION COMMISSION
3rd Floor, Buddha Bhavan, M G Road, Secunderabad – 500 003

ORDER

No.528/SEC-F1/2011-1

Dated:01-07-2011

Sub: SEC – 4th ordinary elections to Urban Local Bodies – Restrictions on possession of Arms during elections – Reg.

* * *

In exercise of the powers conferred under Article 243 K read with Article 243 ZA of the Constitution of India the State Election Commission, hereby, orders that the following instructions shall be observed during ensuing elections to the Municipal bodies in the State.

1. Issue of licence for arms is to be totally stopped during the period commencing with the date of announcement of elections. This ban will continue to be operative till the completion of the election process.

2. The police are directed to be vigilant and to start mopping up operations of the areas infested with known anti-social elements within the areas going to polls. During such mopping up operations special attention should be paid to unearth and seize unlicensed arms and ammunition. A very thorough search and seizure by the Police of unlicensed arms and places of indigenous manufacture of arms and ammunition shall be carried out and persons involved shall be arrested and prosecuted. While unearthing and seizure of unlicensed weapons is a normal ongoing responsibility of the police, it shall be vigorously intensified during the election period. Inter-State and intra-state movements of trucks and commercial vehicles shall be strictly checked with a view to prevent smuggling of arms and ammunition and anti-social elements. Raids should be carried out regularly and intensively on underground arms factories.

3. Immediately after the announcement of elections, the District Magistrates shall make a detailed and individual review and assessment of all licence holders living in such municipal areas. So that licenced arms, in those cases, where they consider it essential, are impounded in order to ensure maintenance of law and order so essential for ensuring free and fair elections. These arms should be deposited with the district authorities. Among cases which may need to be reviewed are the following:

1. Persons released on bail,
2. Persons having a history of criminal offences, and
3. Persons previously involved in rioting at any time but especially within` the election period. (The above categories are only illustrative and not exhaustive)
4. After such review, all such licence-holders who are identified, shall be directed to deposit their arms with the District Administration during the period of 3 days from the last date for withdrawal of candidatures.

5. The District Administration shall make fool-proof arrangements for keeping the deposited fire arms in safe custody. Proper receipt must be given to the licence holders depositing the fire arms. It shall be the bounden duty of the District Administration to ensure that all fire arms deposited with the Administration are returned to the licence holders immediately after one week after the declaration of results.
6. Prohibitory orders under section 144 of the Criminal Procedure Code, 1973, shall be issued banning the carrying of licenced arms as soon as the elections are announced and should be effective till the declaration of results.
7. This ban shall, not be applicable to those communities who are entitled to display weapons by long standing law, custom and usage. This shall, however, not prevent the District Administration to impound weapons of any such persons of even such communities if they are found to be indulging in violence or posing a threat to the maintenance of law and order and peaceful conduct of elections. In these cases also the fire arms shall remain impounded till one week after the declaration of results.
8. Strict vigil shall be maintained by thorough checking of lorries, light vehicles and all other vehicles from three days before the date of poll to ensure that no undesirable elements or arms and ammunition are being transported into the municipal areas from outside and to apprehend them if they are doing so. Such checking of vehicles shall continue till the completion of the counting of votes and the declaration of results. As and when such culprits are apprehended, the arms and ammunition and vehicles concerned shall be confiscated.
9. A copy of this order shall be made available to the local units of all recognised National/State political parties, in each district immediately and to each candidate or the agent authorised by him under acknowledgement.
10. The receipt of this order shall be acknowledged immediately.

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

**Sd/- K. Ram Gopal,
SECRETARY**

To

- 1) The EA & Commissioner & Director of Municipal Administration, AP., Hyderabad.
- 2) All the Collectors & DEAs in the State.
- 3) The Commissioners of Police concerned.
- 4) All the Superintendents of Police in the State.
- 5) All the Commissioners of Municipal Corporations in the State.
- 6) All the Municipal Commissioners in the State.
- 7) All the Regional Directors-cum-Appellate Commissioners of Municipal Administration in the State.

Copy to

1. The Secretary to Govt., MA&UD Department, AP., Secretariat, Hyderabad.
2. The Director General of Police, AP., Hyderabad.

// ATTESTED //


ASSISTANT SECRETARY

