



STATE ELECTION COMMISSION, HARYANA
NIRVACHAN SADAN, PLOT NO. 2, SECTOR- 17
PANCHKULA, HARYANA – 134109

Website: www.secharyana.gov.in
Email id: sec@hry.nic.in

Phone: +91172 258 4810
Fax: +91 172 258 5904

Most Immediate/Date Bound
Panchayati Raj Institutions Election

No.SEC/4E-II/2022/3220

Dated: 7th October, 2022

To

**The Additional Chief Secretary
to Government of Haryana,
Prohibition, Excise and Taxation Department,
Chandigarh.**

**Subject : General Elections of Panchayati Raj Institutions in the State ---
Prohibition of sale of liquor during elections--regarding.**

Sir,

I have been directed to refer to the above subject and to say that the State Election Commission, Haryana has issued notification for conduct of general elections for three tiers of Panchayati Raj Institutions in 10 districts, namely; Bhiwani, Fatehabad, Jhajjar, Jind, Kaithal, Mahendergarh, Nuh, Panchkula, Panipat and Yamuna Nagar vide Notification No. SEC/4E-II/2022/3064 dated 07.10.2022(copy enclosed). As per election schedule, nomination papers shall be presented from **14.10.2022 to 19.10.2022** and poll shall be held on **30.10.2022 and 02.11.2022**. Re-poll, if any, required, shall be held on **02.11.2022 and 04.11.2022** and counting of votes in respect of Panches and Sarpanches shall be held immediately after the close of poll at the polling stations of the Gram Panchayat concerned. Counting for election of Members of Panchayat Samitis and Zila Parishads shall be held on the date which will be notified by the State Election Commission, Haryana with the election schedule for the remaining 12 districts at the place(s) specified by the Deputy Commissioner-cum-District Election Officer (Panchayat) concerned and result shall be declared immediately after the completion of counting.

2. In discharge of its sacred constitutional responsibility of conducting and ensuring free and fair elections of the Panchayati Raj Institutions in a transparent and peaceful manner, the State Election Commission proposes to take strict measures to ensure an atmosphere conducive for holding free, fair and peaceful elections reflective of true choice of the electorate.

3. For meeting this objective, the State Election Commissioner, Haryana in exercise of powers conferred upon him under Article 243K (1) of Constitution of India, section 135C of the Representation of People Act, 1951 applicable under section 173A of Haryana Panchayati Raj Act, 1994 and all other powers enabling him in this behalf,

hereby directs that the State Government shall declare and notify 'dry days' under relevant laws for such period during general elections of Panchayati Raj Institutions as are appropriate at or around the areas where Panchayati Raj Institutions elections are to be held. Such period of 'dry days' so declared and notified must include the period of one day before the day of poll, actual date of polling including re-poll, if any and counting day. Extract of section 173A of the Haryana Panchayati Raj Act, 1994 and section 135C of the Representation of People Act, 1951, is reproduced as under:-

Section 173A of the Haryana Panchayati Raj Act, 1994

"173A. Application for certain sections of Central Act 43 of 1951 to Haryana Act 11 of 1994:- The provisions of sections 20B, 33A, 134A, 134B, 135B and 135C of the Representation of the People Act, 1951 (Central Act 43 of 1951), shall mutatis mutandis apply to the provisions of this Act: Provided that provisions of section 135B shall be applicable to the residents of the area."

Section 135C in the Representation of People Act, 1951

"135C. Liquor not to be sold given or distributed on polling day.

(1) No spirituous, fermented or intoxicating liquors or other substances of a like nature shall be sold, given or distributed at a hotel, eating house, tavern, shop or any other place, public or private, within a polling area during the period of forty- eight hours ending with the hour fixed for the conclusion of the poll for any election in that polling area.

(2) Any person who contravenes the provisions of sub- section (1), shall be punishable with imprisonment for a term which may extend to six months, or with fine, which may extend to two thousand rupees, or with both.

(3) Where a person is convicted of an offence under this section, the spirituous, fermented or intoxicating liquors or other substances of a like nature found in this possession shall be liable to confiscation and the same shall be disposed of in such manner as may be prescribed."

4. The State Election Commission further directs that:-

- (I) No liquor shops, hotels, restaurants, clubs and other establishments' selling/serving liquor shall be permitted to sell/serve liquor to any person whosoever may be, on the aforesaid dates.
- (II) No proprietary clubs, star hotels, restaurants etc. and hotels run by anyone, even if they are issued different categories of licenses for possession and supply of liquor, should be permitted to serve liquor on these days.
- (III) The storage of liquor by individuals shall be curtailed during the above period and the restrictions provided in the Excise laws on the storage in unlicensed premises shall be vigorously enforced.

- (IV) Steps shall also be taken to prohibit sale of liquor in adjoining areas of the Panchayati Raj Institutions where the elections are to be held, so that there are no chances of clandestine movement of liquor from those areas, wherein the restriction has not been in operation.

5. In pursuance of the above directions the State Election Commission hereby directs that the above ban must be imposed within the jurisdiction of the areas, where general elections of the Panchayati Raj Institutions are to be held and the areas adjoining to the jurisdiction thereof on **29.10.2022 & 30.10.2022** (where poll is scheduled to be held on 30.10.2022), **01.11.2022 & 02.11.2022** (where poll is scheduled to be held on 02.11.2022) and **04.11.2022** (where repoll is scheduled to be held, if any).

6. It is requested that a copy of order issued in furtherance of the above mentioned directions may be sent to the State Election Commission without delay.

Yours faithfully,

Encl:-As above



Assistant State Election Commissioner
for State Election Commissioner, Haryana
Panchkula.

Endst. No.SEC/4E-II/2022/3221-3243

Dated: 7th October, 2022

A copy is forwarded to the following for information and immediate compliance of above orders:-

1. Additional Chief Secretary to Government of Haryana, Development and Panchayat Department, Haryana, Chandigarh.
2. Director General of Police, Haryana, Panchkula.
3. Director, Development and Panchayat Department, Haryana, Chandigarh.
4. The Deputy Commissioner-cum-District Election Officer (Panchayat), Bhiwani, Fatehabad, Jhajjar, Jind, Kaithal, Mahendergarh, Nuh, Panchkula, Panipat and Yamuna Nagar.
5. The Superintendent of Police of the district Bhiwani, Fatehabad, Jhajjar, Jind, Kaithal, Mahendergarh, Nuh, Panchkula, Panipat and Yamuna Nagar.



Assistant State Election Commissioner
for State Election Commissioner, Haryana
Panchkula.