



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

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Most Immediate/Date Bound
Panchayati Raj Institutions Bye-Election

No.SEC/4E-II/2023/1237

Dated: 14th June, 2023

To

**The Commissioner & Secretary
to Government of Haryana,
Excise and Taxation Department,
Chandigarh.**

**Subject : Bye-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 bye-elections of Panchayati Raj Institutions in the State of Haryana vide notification No.SEC/4E-II/2023/1216 dated 14.06.2023(copy enclosed). As per election schedule, nomination papers shall be presented from **21.06.2023 to 26.06.2023** and poll shall be held on **09.07.2023**. The counting of votes shall be held immediately after the close of poll at the polling stations and result shall be declared immediately after the completion of counting. In case of re-poll, the State Election Commission, Haryana may change the date and time of counting of votes.

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 bye-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 his 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 whatsoever 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 bye-elections of the Panchayati Raj Institutions are to be held and the areas adjoining to the jurisdiction thereof on **08.07.2022 & 09.07.2023**, where poll is scheduled to be held on **09.07.2023**.

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.

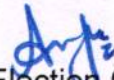
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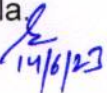
Dated: June, 2023


14/6/23

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. Excise & Taxation Commissioner, Haryana, Panchkula.
4. Director, Development and Panchayat Department, Haryana, Chandigarh.
5. All the Deputy Commissioners-cum-District Election Officers (Panchayat) in the State of Haryana.
6. All the Superintendents of Police of the district in the State of Haryana.


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


14/6/23