

Elections/ Most Immediate

TELANGANA STATE ELECTION COMMISSION
5th Floor, DTCP Building, Opp: PTI Building, A.C. Guards, Hyderabad – 500 004.

ORDER

No.391/TSEC-ULBs/2015

Date:01.07.2015

Sub:- Ordinary elections to urban local bodies – Use of vehicles by the candidates and political parties for campaigning and prevention of mis-use of official vehicles – Instructions issues– Reg.

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The State Election Commission, in exercise of the powers conferred on it under Articles 243 K and 243 ZA of the Constitution of India and in the interest of preserving the purity of election process, hereby, issues the following instructions relating to use of vehicles during the ensuing ordinary elections to Urban Local bodies.

I During filing of nominations: The maximum number of vehicles that will be allowed to come within the periphery of 100 meters of office of the Returning Officers / Election Officers office shall be **two**.

II Use of vehicles for campaigning:

1. The candidates contesting the office of Ward Members of the urban local bodies shall furnish details of the vehicles intended to be used by them for campaigning to the Municipal Commissioners / Commissioners of Municipal Corporations concerned. Only after proper permission / authorization has been issued by the Municipal Commissioner concerned, the vehicles so notified by the candidates can be used for the election campaign. Thus, prior permission / authorization by the Municipal Commissioners / Commissioners of Municipal Corporations is a must for the actual deployment of any vehicle for campaign purpose by the candidates.
2. Permit for vehicles including two wheelers of candidates/political parties should be issued only by the Commissioner of the Municipal Corporation concerned / Municipal Commissioner concerned. (copy of model permit is enclosed)
3. A list of permits issued to the contesting candidates and political parties for plying vehicles for campaigning and on poll day should be given to the General Observer and Expenditure Observer concerned and also Returning Officer concerned and updated on daily basis.
4. Ministers, MLAs and MPs who want to campaign for their political party and not for a particular candidate, shall also notify the vehicles to be used by them to the Municipal Commissioners / Commissioners of Municipal Corporations concerned indicating the areas in which they intend to campaign. The restrictions imposed on convoy of vehicles in this order are also applicable to them.

5. The Municipal Commissioners / Commissioners of Municipal Corporations who issue the permission / authorization to the contesting candidates for the use of vehicles shall publish on their office notice boards details of the vehicles for which permission / authorization given to the contesting candidates and also release it to the press. This measure is intended to enable the common citizen to bring to the notice of the authorities any unauthorised use of vehicles for the election campaign.
6. Vehicles deployed for election campaign, as per the intimation given by the candidates, or by the election agents should not be requisitioned by the administration.
7. Any vehicle which has not been permitted to use for election campaigning by the Municipal Commissioners concerned is found being used for campaigning it shall be deemed to be on unauthorized campaigning for the candidate and will attract penal provisions of Chapter-IX (A) of the Indian Penal Code and shall therefore be immediately taken out of the campaign exercise.
8. Vehicles permits for campaigning should be issued from the day of publication of list of contesting candidates up to 48 hours ending with the hour fixed for the conclusion of the Poll. On the day of poll, separate vehicle permit have to be issued to contesting candidates @ one per each candidate for their movement within their ward.
9. The permit must bear the number of the vehicle and name of the candidate in whose favour it is issued.
10. Permit must be displayed in original prominently on the windscreen of the vehicles.
11. Permit should be of sufficient dimension so that it could be seen from a distance.
12. A register must be maintained in this matter in the office of the Commissioner of the Municipal Corporation concerned / Municipal Commissioner concerned as well as Returning Officer concerned.
13. The vehicles permitted to be used under this order, shall not carry more persons than what is permitted as per the law/rules in force.
14. Though there is no limit in respect of number of vehicles to be permitted for campaigning to each candidate/political party (except for the poll day), yet the use of vehicles by the contesting candidates during the campaigning is subject to restrictions imposed by the authorities concerned, keeping in view the traffic problems etc., to avoid inconvenience to the general public.
15. The Returning Officer shall see that the expenditure is booked in candidate election expenditure for all the vehicles for which the permits are issued without fail.

III Restrictions on convoy of vehicles:-

1. **Cars/vehicles being used for electioneering purposes, shall, under no circumstances, be allowed to move in convoys of more than two vehicles during the campaigning period.** All bigger convoys shall be broken up, even if they are carrying any Minister of Central or State Government. This shall, however, be subject to any security instructions issued in respect of any such individuals. In other words the convoy shall not, in any case, exceed two vehicles plus the security vehicles.

2. If any person moves in a convoy of vehicles exceeding the limits prescribed above, in spite of the convoy having been broken, it shall be the duty of the local administration to initiate suitable action to seize the vehicles besides cancelling the permission granted.
3. The authorities concerned shall keep a close watch on the vehicles used by the contesting candidates, persons accompanying the contesting candidates and other party leaders and ensure that the Commission's instructions are not flouted.
4. Videography can be used effectively to check the use of unauthorized vehicles for campaigning as well as for violation of instructions regarding convoys.

IV Use of vehicles on the day of Poll:

1. Candidates contesting for the Office of Ward Member of the urban local bodies shall be allowed only one vehicle for their movement within their ward on the polling day. It may be noted that no separate vehicle will be allowed for their agents or other party leaders. However, the use of vehicles by the contesting candidates on poll day is subject to the restrictions imposed by the Collectors & DEAs / Superintendents of Police / Commissioners of Police concerned, keeping in view of the traffic problems that may occur due to narrow lanes and by lanes in urban local bodies to avoid inconvenience to the voters.
2. On the day of the poll, if the contesting candidate is absent from the ward, no other person will be allowed to use the vehicle allotted for the candidate.
3. The Commissioner of the Municipal Corporations / Municipal Commissioners are authorized to issue permits to the contesting candidates for use of vehicles during the day of poll as indicated above. This permit should be displayed on their vehicle.
4. The following types of vehicles shall be allowed to be plied on the poll day –
 - a) Private vehicles being used by the owners for their private use, not connected with elections;
 - b) Private vehicles being used by owners either for themselves or for members of their own family for going to the polling booth to exercise their franchise, but not going anywhere within a radius of 200 meters of a polling station;
 - c) Vehicles used for essential services namely hospital Vans, Ambulance, Milk Vans, Water Tankers, electricity emergency duty Vans, Police on duty, Officers on election duty;
 - d) Public transport carriages like buses plying between fixed termini and on fixed routes;
 - e) Taxis, three Wheelers, Scooters, Rickshaws etc., for going to Airports, Railway Stations, Inter-State Bus stands, Hospitals for journeys which cannot be avoided;
 - f) Private vehicles used by sick or disabled persons for their own use.

V Prevention of mis-use of “official vehicles” during elections:-

- 1) In the interest of preserving the purity of election process and to enable it to reflect the true choice of the people, the Commission has been issuing instructions and directions regarding the use of official vehicles.

- 2) For the purpose of these instructions vehicle means, and shall include, any vehicle used or capable of being used for the purpose of transport, whether propelled by mechanical power or otherwise and will include trucks, lorries, tempos, jeeps, cars, auto rickshaws, buses, belonging to the (1) Central Government, (2) State Government, (3) Public Undertakings of the Central and State Government, (4) Joint Sector Undertakings of Central and State Government, (5) Local Bodies, (6) Municipal Corporations, (7) Municipalities, (8) Marketing Boards, (by whatever name known) (9) Cooperative Societies, (10) Autonomous district councils.
- 3) The Commission directs that there shall be a total and absolute ban on the use of official vehicles for campaigning, electioneering or election related travel during elections.
- 4) The use of such vehicles belonging to any of these authorities by anyone including Ministers of the Central or a State Government, even on payment, for campaigning or on tours connected with elections but with the alleged and bogusly certified purpose of election work in their capacity as Ministers is totally prohibited. The only exception from the prohibition will be the Chief Minister and other political personalities, who might, in view of extremist and terrorist activities and threat to their lives, require security of a high order and whose security requirements are governed by any statutory provisions made by Parliament or the State Legislature in this behalf.
- 5) The Commission further directs that from the date of announcement of elections till the completion of elections, the District Administration shall keep a close watch on the use of all the above mentioned vehicles to see whether any such vehicles is being misused for electioneering for, or by, any candidate. If it is found that any of the above mentioned vehicles of Central Government or State Government, including those of public sector undertakings or local bodies is being used for electioneering purposes, the Collector & DEA shall, forthwith, requisition or cause to be requisitioned such vehicles, after following due procedure, for election work, to be used by officers performing election related duties. The vehicles so requisitioned shall not be released until after the completion of the process of elections.

VI General:

1. The election authorities concerned and the Commissioners of Police / Superintendents of Police concerned are requested to implement these instructions scrupulously. They are also directed to make necessary arrangements to open check posts in the areas, immediately upon the issue of notification for conduct of elections by the Commission, to effectively check un-authorized movement of vehicles during election campaign and on the day of poll and special drives also made till the completion of election process.
2. The contesting candidates and political parties are hereby informed that any contravention of these instructions will be viewed seriously by the State Election Commission.

3. A copy of this order shall be made available to the local units of all recognized National and State political parties and to each candidate or to the election agent authorized by him/her, at the time of filing nomination under acknowledgement.

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

**Sd/-M.Ashok Kumar
Secretary**

To

The Commissioner & Special Officer & Election Authority, Greater Hyderabad Municipal Corporation.

All the Collectors & District Election Authorities.

All the Commissioners of Municipal Corporations /Municipalities/Nagar Panchayats.

All the Superintendents of Police.

The Commissioners of Police, Hyderabad and Warangal.

The Election Authority & Commissioner & Director of Municipal Administration, Telangana, Hyd.

Copy to:

The Prl. Secretary to Govt., MA & UD Department, Telangana, Secretariat, Hyderabad.

All the Political parties.

The Press.

// ATTESTED //



SECTION OFFICER



TELANGANA STATE ELECTION COMMISSION

ORDINARY ELECTIONS TO

(Name of the Urban Local Body)

VEHICLE PERMIT (No.)

1. Name & No. of the Ward :
2. Name of the Candidate :
3. Party Affiliation :
4. Vehicle No. :
5. Permission obtained from _____ to _____
6. Area of operation : _____

Date: Commissioner _____ Mpl. Corpn /
Municipal Commissioner _____ Mplty & NPs.
(With Office Seal)

