

DELHI LEGISLATIVE ASSEMBLY SECRETARIAT

BULLETIN PART-II

(General information relating to legislative and other matters)

Monday, 3rd November, 2014/Kartika 12, 1936 (Saka)

No. 24

Sub: Bye Election to fill casual vacancies to the Legislative Assemblies of 45-Mehrauli, 52- Tuglakabad and 60-Krishana Nagar Assembly Constituency of NCT of Delhi.

Please find enclosed copies of the letter Nos. CEO/COE/102(49)/2014/44263-429 & 45398-493 dated 27.10.2014 and 31.10.2014 along with its enclosures, from Shri A.K. Srivastava, Dy. Chief Electoral Officer, Office of the Chief Electoral Officer, Delhi for the information of the Hon'ble Members of Delhi Legislative Assembly.

L.R. Garg
Secretary

दिल्ली विधान सभा

समाचार भाग-2

विधायी तथा अन्य मामलों से संबंधित सामान्य जानकारी
सोमवार, 3 नवम्बर, 2014 / कार्तिक 12, 1936 (शक)

संख्या-24

विषय: विधान सभा की आकस्मिक रिक्तियों को भरने हेतु उप चुनाव, विधान सभा क्षेत्र संख्या: 45- महरौली, 52-तुगलकाबाद व 60-कृष्णा नगर, राष्ट्रीय राजधानी क्षेत्र दिल्ली।

दिल्ली विधान सभा के माननीय सदस्यों के सूचनार्थ श्री ए.के. श्रीवास्तव, उप मुख्य चुनाव अधिकारी, मुख्य चुनाव अधिकारी कार्यालय, दिल्ली के पत्र संख्या सीईओ/सीओई/102(49)/2014/44263-429 एवं 45398-493 दिनांक 27.10.2014 एवं 31.10.2014 के संलग्नकों सहित भेजे जा रहे हैं।

एल. आर. गर्ग
सचिव

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MOST URGENT
OUT TODAY
BY SPL. MESSENGER
BY FAX / BY EMAIL



OFFICE OF THE CHIEF ELECTORAL OFFICER, DELHI
OLD ST. STEPHEN'S COLLEGE BUILDING, KASHMERE GATE, DELHI - 110006

No.CEO/COE/102(49)/2014/ 45398-493 Dated:- 31.10.2014

To

1. Secretary to Lt. Governor, Delhi
2. O.S.D to Chief Secretary, Delhi,
3. Commissioner of Police, Police Head Quarter, ITO, New Delhi
4. Commissioner of NDMC, SDMC and EDMC, Delhi
5. All Secretaries/HODs of Govt. of NCT of Delhi
6. The Divisional Commissioner, Govt of NCT of Delhi
7. General Manager, Delhi Metro Rail Corporation, Delhi
8. Heads of All Autonomous Bodies/Local Bodies, Govt of NCT of Delhi
9. Secretary, Delhi Legislative Assembly, Delhi
10. Municipal Secretary, NDMC, SDMC and EDMC, Delhi
11. District Election Officer, District South and East, Delhi
12. Returning Officer of 45- - Mehrauli, 52 - Tuglakabad and 60- - Krishna Nagar
Assembly Constituency of NCT of Delhi

Sub: Bye Election to fill casual vacancies to the Legislative Assemblies of 45- - Mehrauli,
52 - Tuglakabad and 60- - Krishna Nagar Assembly Constituency of NCT of Delhi

Sir/Madam,

In continuation to this office letter no. CEO/COE/102(49)/2014/44263-429 dated 27/10/2014 on the subject cited above, I am directed to forward herewith a copy of letter no. 437/6/1/2014-CC&BE/428 dated 25-10-2014 issued by the Election Commission of India along with a copy of letter no. 437/6/1/2013 - CC&BE dated 25-10-2013. Copy of letter no. 437/6/INST/2012/CC&BE dated 26-04-2012 has already been circulated vide this office letter dated 27-10-2014.

Encl: As above.

Yours faithfully,

(A.K. Srivastava)

Dy. Chief Electoral Officer

By Fax/Spl. Messenger/Speed Post

ELECTION COMMISSION OF INDIA

NIRVACHAN SADAN, ASHOKA ROAD, NEW DELHI-110001

No. 437/6/1/2014-CC&BE | 428.

Dated: 25th October, 2014

To

Diary No. 6538 / Addl. CEO

Dated: 20/10



1. The Cabinet Secretary,
Government of India,
Rashtrapati Bhawan,
New Delhi.
2. The Chief Secretary to the Government of
NCT of Delhi,
New Delhi.
3. The Chief Electoral Officer,
NCT of Delhi,
New Delhi.

Subject:- Bye-elections to 45-Mehrauli, 52-Tugalkabad and 60-Krishna Nagar Assembly Constituencies of NCT of Delhi- instructions on enforcement of Model Code of Conduct- regarding.

Sir,

I am directed to state that the Commission has announced, vide Press Note No.ECI/PN/52 /2014, dated 25th October, 2014, bye-elections from 45-Mehrauli, 52-Tugalkabad and 60-Krishna Nagar Assembly Constituencies of NCT of Delhi, and the provisions of the Model Code of Conduct have come into force with immediate effect in the district(s) in which the whole or any part of the Assembly Constituency going for bye-election is comprised, subject to partial modification as issued by the Commission vide its letter No. 437/INST/2012/CC&BE, dated 26th April, 2012 and No. 437/INST/2013/CC&BE, dated 21st October, 2013 (copies enclosed).

2. This may be brought to the notice of all concerned.

Yours faithfully,

(K. Ajaya Kumar)
Principal Secretary

Addl. CEO

28/10

By-CEO

Sd/-

Specimen, circulated by COE branch
28/10

22/12/2014
31/10/2014

EO (Adm)
EO (Gen)

Shri J
31/10/2014

Copy for information to :-

1. Sh.K.Ajaya Kumar, Pr.Secretary, Election Commission of India w.r.t letter referred above.
 2. All Branch Incharges at HQs.
 3. CA to CEO
 4. PS to Addl. CEO/Jt. CEO
-



(A.K. Srivastava)
Dy. Chief Electoral Officer

By speed post / fax

ELECTION COMMISSION OF INDIA

Nirvachan Sadan, Ashoka Road, New Delhi-110001

No.437/6/INST/2012/CC&BE

Dated: 26th April, 2012

To

1. The Cabinet Secretary, Govt. of India
Cabinet Secretariat,
Rashtrapati Bhawan, New Delhi.
2. The Chief Secretaries of
 - a) Andhra Pradesh, Hyderabad
 - b) Goa, Panaji
 - c) Jharkhand, Ranchi
 - d) Kerala, Thiruvananthapuram
 - e) Madhya Pradesh, Bhopal
 - f) Maharashtra, Mumbai
 - g) Tamilnadu, Chennai
 - h) Tripura, Agartala
 - i) Uttar Pradesh, Lucknow
 - j) West Bengal, Kolkata
3. The Chief Electoral Officers of
 - a) Andhra Pradesh, Hyderabad
 - b) Goa, Panaji
 - c) Jharkhand, Ranchi
 - d) Kerala, Thiruvananthapuram
 - e) Madhya Pradesh, Bhopal
 - f) Maharashtra, Mumbai
 - g) Tamilnadu, Chennai
 - h) Tripura, Agartala
 - i) Uttar Pradesh, Lucknow
 - j) West Bengal, Kolkata

Subject:- Bye-elections to the Lok Sabha/State Legislative Assemblies - instructions on enforcement of Model Code of Conduct - regarding.

Sir,

I am directed to state that the Commission has announced, vide Press Note dated 24th April, 2012, bye-elections from certain Parliamentary and Assembly Constituencies in various States. The Commission in that Press Note has issued instructions for enforcement of various provisions of the Model Code of Conduct in its entirety with the stipulation that such provisions of Model Code of Conduct will be enforceable in the district (s) in which the Assembly/Parliamentary Constituency is situated.

Many State Administrations have requested the Commission to reconsider the issue of enforcement of Model Code of Conduct in the entire district during bye-election as it

affects the developmental works in entire district, whereas only a part of the district may be involved in the election process.

The Commission, after taking into consideration all relevant factors in this regard has decided, on experimental basis, that for the bye-elections announced vide Press Note, dated 24/4/2012, following instructions, in partial modification of the earlier instructions, shall be followed with regard to Model Code of Conduct: -

- (1) All instructions of the Commission issued regulating the implementation of the schemes of MNREGA, extending relief and starting works in case of Natural Calamities, Drought, Flood, Drinking Water, Digging of Bore-wells, Fodder, Agricultural inputs & input subsidies to farmers, New Developmental Work (whether beneficiary or work oriented) including work under MPLAD, MLA and MLC LAD Scheme, Announcement and commencement of New Projects, Programme, Concessions, Financial Grants, Defacement of Property, Use of Govt. Property for campaign purpose, etc. shall now be applicable only in respect of the areas falling in the Assembly constituency (s)/Parliamentary constituency going for bye-election and NOT TO the entire district (s) in which such constituency is situated.
- (2) However, all other existing instructions of the Commission on Model Code of Conduct on matters like Tours of Ministers, Vehicles, Advertisements, use of Govt. Guest Houses, and all prevailing Commission's instructions other than those mentioned in Para (1), transfers of officers etc. shall continue to remain applicable to the entire district (s) in which the constituency having the bye-election is situated.

This may be brought to the notice of all concerned.

Yours faithfully,



(K. N. BHAR)
SECRETARY

Copy to the President/General Secretaries of all recognised political parties.

By Special Messenger/Speed Po

ELECTION COMMISSION OF INDIA

NIRVACHAN SADAN, ASHOKA ROAD, NEW DELHI-110001

No. 437/6/INST/2013-CC&BE

Dated: 21st October, 2013

To

1. The Cabinet Secretary,
Government of India,
Rashtrapati Bhawan,
New Delhi.
2. The Chief Secretaries to
All States and Union Territories.
3. The Chief Electoral Officers of
All States and Union Territories.

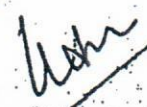
Subject:- Bye-elections to the Lok Sabha/State Legislative Assemblies - Instructions on enforcement of Model Code of Conduct--regarding.

Sir/Madam,

In partial modification of the Commission's existing instructions No.437/6/INST/2012/CC&BE dated 26th April, 2012 on enforcement of various provisions of the Model Code of Conduct for the bye-elections to the Lok Sabha/State Legislative Assemblies, the Commission has directed that (i) restrictions, in respect of all developmental works, including relief works and (ii) ban on transfer of officers(except the District Election Officer, Returning Officer, Assistant Returning Officer and District Superintendent of Police and other officers directly concerned with the conduct of election) under the Model Code of Conduct shall be applicable only in the areas falling in the Assembly Constituency(s)/Parliamentary Constituency(s) going for bye-election and NOT in the entire district(s) in which such constituency is situated.

This may be brought to the notice of all concerned.

Yours faithfully,


(K. Ajaya Kumar)
Principal Secretary

OFFICE OF THE CHIEF ELECTORAL OFFICER, DELHI
OLD ST. STEPHEN'S COLLEGE BUILDING, KASHMERE GATE, DELHI - 110006

No.CEO/COE/102(49)/2014/ 44263-429 Dated:- 27.10.2014

To

1. Secretary to Lt. Governor, Delhi
2. O.S.D to Chief Secretary, Delhi,
3. Commissioner of Police, Police Head Quarter, ITO, New Delhi
4. Commissioner of NDMC, SDMC and EDMC, Delhi
5. All Secretaries/HODs of Govt. of NCT of Delhi
6. The Divisional Commissioner, Govt of NCT of Delhi
7. General Manager, Delhi Metro Rail Corporation, Delhi
8. Heads of All Autonomous Bodies/Local Bodies, Govt of NCT of Delhi
9. Secretary, Delhi Legislative Assembly, Delhi
10. Municipal Secretary, NDMC, SDMC and EDMC, Delhi
11. District Election Officer, District South and East, Delhi
12. Returning Officer of 45- - Mehrauli, 52 - Tuglakabad and 60- - Krishna Nagar
 Assembly Constituency of NCT of Delhi

Sub: Bye Election to fill casual vacancies to the Legislative Assemblies of 45- - Mehrauli,
 52- Tuglakabad and 60- - Krishna Nagar Assembly Constituency of NCT of Delhi

Sir/Madam,

Election Commission of India has announced on 25-10-2014 for conducting Bye -
 Election to 45- Mehrauli, 52 - Tuglakabad and 60- Krishna Nagar Assembly Constituency
 of NCT of Delhi. In this regard, I am directed to forward herewith a copy of following letters
 received from the Commission, for information and taking further necessary action :-

S.No.	Letter No. and Date	Subject
1	437/6/1/2014-CC&BE/432 dated 25-10-2014	Release of funds under MPs'/MLAs' Local Area Development Scheme
2	ECI/PN/52/2014 dated 25-10-2014	Press Note - Schedule for Bye Election to fill casual vacancies in the legislative Assembly of NCT of Delhi
3	437/6/INST/2012/CC&BE dated 26-04-2012	Instructions on enforcement of Model Code of Conduct

Yours faithfully,

(A.K. Srivastava)

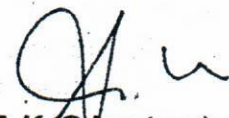
DY. Chief Electoral Officer

Encl: As above.

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Copy for information to :-

1. Sh.Sumit Mukherjee, Secretary, Election Commission of India w.r.t letter referred above.
2. Sh.K.Ajaya Kumar, Pr.Secretary, Election Commission of India w.r.t letter referred above.
3. All Branch Incharges at HQs.
4. CA to CEO
5. PS to Addl. CEO/Jt. CEO
6. All the National Recognized Political Parties.



(A.K. Srivastava)

DY. Chief Electoral Officer

By Fax/Spl. Messenger/Speed Post

ELECTION COMMISSION OF INDIA

NIRVACHAN SADAN, ASHOKA ROAD, NEW DELHI-110001

No. 437/6/1/2014-CC&BE | 432

Dated: 25th October, 2014

To

1. The Cabinet Secretary,
Government of India,
Rashtrapati Bhawan,
New Delhi.
2. The Secretary to the Government of India,
Department of Programme Implementation,
Sardar Patel Bhawan,
New Delhi.
3. ~~The~~ Chief Secretary to the Government of
NCT of Delhi,
New Delhi.
4. The Chief Electoral Officer,
NCT of Delhi,
New Delhi.

Subject: - Release of funds under MPs'/MLAs' Local Area Development Scheme.

Sir,

I am directed to refer to the Commission's Press Note, dated 25th October, 2014 (available on the Commission's web-site:- "<http://eci.nic.in/>"), as per which the Commission has announced the operation of the Model Code of Conduct for the guidance of the Political Parties and Candidates from 25.10.2014 itself.

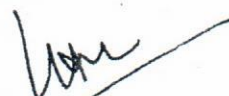
2. The Commission has considered the release of funds under the Member of Parliament Local Area Development Schemes and has decided that-

- a) No fresh release of funds under the Member of Parliament (including Rajya Sabha members) Local Area Development fund shall be made in any part of

the country where election is in progress till the completion of election process. Similarly no fresh release of funds under the MLAs'/ MLCs' Local Area Development Fund shall be made, if any such scheme is in operation, till the completion of election process.

- b) No work shall start in respect of which work orders may have been issued before the issue of this letter but the work has actually not started in the field. These works can start only after the completion of election process. However, if a work has actually started, that can continue.
- c) There shall be no bar to the release of payments for completed work(s) subject to the full satisfaction of the concerned officials.
- d) where schemes have been cleared and funds are provided or released and materials procured and reached the site such scheme may be executed as per programme.

Yours faithfully,



(K. Ajaya Kumar)
Principal Secretary

ELECTION COMMISSION OF INDIA

Nirvachan Sadan, Ashoka Road, New Delhi-110001

No. ECI/PN/52/2014

Dated: 25th October, 2014

PRESS NOTE

Subject: Schedule for bye-election to fill casual vacancies in the Legislative Assembly of NCT of Delhi-Regarding.

There are three clear vacancies from the 45-Mehrauli, 52-Tuglakabad and 60- Krishna Nagar Assembly Constituencies in the Legislative Assembly of NCT of Delhi, which are required to be filled up. The Commission has decided to hold bye-elections to fill these vacancies as per the following schedule:-

1.	Issue of Notification	28.10.2014 (Tuesday)
2.	Last date of making Nominations	05.11.2014 (Wednesday)
3.	Scrutiny of Nominations	07.11.2014 (Friday)
4.	Last date for withdrawal of Candidatures	10.11.2014 (Monday)
5.	Date of Poll	25.11.2014 (Tuesday)
6.	Date of Counting	23.12.2014 (Tuesday)
7.	Date of Completion of Election	29.12.2014 (Monday)

ELECTORAL ROLL

The electoral rolls of these Assembly Constituencies have been revised with reference to 01.01.2014 as the qualifying date and have been finally published on 31.01.2014 in the NCT of Delhi.

ELECTRONIC VOTING MACHINES (EVMs)

The Commission has decided to use EVMs in the bye-elections in all the polling stations. Adequate numbers of EVMs have been made available and all steps have been taken to ensure that the polls are conducted smoothly with the help of these machines.

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IDENTIFICATION OF VOTERS

The Commission has decided that the voter's identification shall be mandatory in the aforementioned bye-elections at the time of poll. Electoral Photo Identify Card (EPIC) shall be the main document of identification of a voter. However, in order to ensure that no voter is deprived of his/her franchise, if his/her name figures in the Electoral Rolls, separate instructions will be issued to allow additional documents for identification of voter at the time of poll in the said bye-election.

MODEL CODE OF CONDUCT

The Model Code of Conduct shall come into force with immediate effect in the district(s) in which the whole or any part of the Assembly Constituency going for bye-election is included, subject to partial modification as issued vide Commission's instruction No. 437/INST/2012/CC&BE, dated 26th April, 2012 (available on the Commission's website). The Model Code of Conduct shall be applicable to all candidates, political parties and the State Government concerned. The Model Code of Conduct shall also be applicable to the Union Government in respect of the above district(s) of the State concerned.


25/10/14
(Sumit Mukherjee)
Secretary

ELECTION COMMISSION OF INDIA

Nirvachan Sadan, Ashoka Road, New Delhi-110001

No.437/6/INST/2012/CC&BE

Dated: 26th April, 2012

To

1. The Cabinet Secretary, Govt. of India
Cabinet Secretariat,
Rashtrapati Bhawan, New Delhi.
2. The Chief Secretaries of
 - a) Andhra Pradesh, Hyderabad
 - b) Goa, Panaji
 - c) Jharkhand, Ranchi
 - d) Kerala, Thiruvananthapuram
 - e) Madhya Pradesh, Bhopal
 - f) Maharashtra, Mumbai
 - g) Tamilnadu, Chennai
 - h) Tripura, Agartala
 - i) Uttar Pradesh, Lucknow
 - j) West Bengal, Kolkata
3. The Chief Electoral Officers of
 - a) Andhra Pradesh, Hyderabad
 - b) Goa, Panaji
 - c) Jharkhand, Ranchi
 - d) Kerala, Thiruvananthapuram
 - e) Madhya Pradesh, Bhopal
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 - g) Tamilnadu, Chennai
 - h) Tripura, Agartala
 - i) Uttar Pradesh, Lucknow
 - j) West Bengal, Kolkata

Subject:- Bye-elections to the Lok Sabha/State Legislative Assemblies - instructions on enforcement of Model Code of Conduct- - regarding.

Sir,

I am directed to state that the Commission has announced, vide Press Note dated 24th April, 2012, bye-elections from certain Parliamentary and Assembly Constituencies in various States. The Commission in that Press Note has issued instructions for enforcement of various provisions of the Model Code of Conduct in its entirety with the stipulation that such provisions of Model Code of Conduct will be enforceable in the district (s) in which the Assembly/Parliamentary Constituency is situated.

Many State Administrations have requested the Commission to reconsider the issue of enforcement of Model Code of Conduct in the entire district during bye-election as it

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The Commission, after taking into consideration all relevant factors in this regard, has decided, on experimental basis, that for the bye-elections announced vide Press Note, dated 24/4/2012, following instructions, in partial modification of the earlier instructions, shall be followed with regard to Model Code of Conduct: -

- (1) All instructions of the Commission issued regulating the implementation of the schemes of MNREGA, extending relief and starting works in case of Natural Calamities, Drought, Flood, Drinking Water, Digging of Bore-wells, Fodder, Agricultural inputs & input subsidies to farmers, New Developmental Work (whether beneficiary or work oriented) including work under MPLAD, MLA and MLC LAD Scheme, Announcement and commencement of New Projects, Programme, Concessions, Financial Grants, Defacement of Property, Use of Govt. Property for campaign purpose, etc. shall now be applicable only in respect of the areas falling in the Assembly constituency (s)/Parliamentary constituency going for bye-election and NOT TO the entire district (s) in which such constituency is situated.
- (2) However, all other existing instructions of the Commission on Model Code of Conduct on matters like Tours of Ministers, Vehicles, Advertisements, use of Govt. Guest Houses, and all prevailing Commission's instructions other than those mentioned in Para (1), transfers of officers etc. shall continue to remain applicable to the entire district (s) in which the constituency having the bye-election is situated.

This may be brought to the notice of all concerned.

Yours faithfully,

(K. N. BHAR)
SECRETARY

Copy to the President/General Secretaries of all recognised political parties.