

ELECTION COMMISSION OF INDIA
Nirvachan Sadan, Ashoka Road, New Delhi-110001

No. ECI/PN/ 43/2009

Dated: 17th August, 2009.

PRESS NOTE

Subject : Schedule for bye-elections to fill the casual vacancies in the Legislative Assembly of Bihar and NCT of Delhi

The Commission had announced bye – elections for 20 Assembly Constituencies In Andhra Pradesh (1 Assembly Constituency), Bihar (7 Assembly Constituencies), Gujarat (7 Assembly Constituencies), Madhya Pradesh (2 Assembly Constituencies), Sikkim (1 Assembly Constituency), Uttarakhand (1 Assembly Constituency), & NCT of Delhi (1 Assembly Constituency), vide its Press Note dated 12.08.2009.

Subsequently, a delegation of four persons led by Sh. Sharad Yadav met the Commission on 14.08.2009. They, in the representation presented to the Commission, stated that 26 Districts out of 38 districts of Bihar have been declared draught affected and as such massive drought relief efforts are required to be taken on emergency basis. When a bye–election is announced, the Model Code of Conduct comes into effect and relief work may be affected. They have further stated that all political parties are involved in the fight against drought and if bye-elections are held in phases, then political parties and administration would remain involved with election management and as such campaigning and long term relief work may get affected. They, thus, requested to hold the pending bye-elections in all the 18 Assembly Constituencies of Bihar instead of 7 already announced by the Commission on 12.08.2009.

The matter relating to providing additional police forces was discussed with the Ministry of Home Affairs on 16.08.2009.

After taking into consideration the aforesaid representation and various factors like requirement of police forces, festivities, position of electoral rolls, etc, the Commission has further decided to announce bye-

elections to fill up the remaining 11 vacancies of Bihar, namely, 02–Bagaha (SC), 09–Nautan, 105– Begusarai, 113–Tribeniganj, 119–Simri–Bakhtiarpur, 130–Araria, 155 – Dhuraiya (SC), 167–Munger, 193–Phulwari (SC), 228–Ghosi, 235 – Bodh Gaya (SC).

In addition another vacancy has arisen on 13th August 2009 in 54–Okhla Legislative Assembly Constituency in NCT of Delhi. The Commission has decided to hold this bye – election also.

The Programme to hold the said bye-elections shall be as under:

Event	Date
1. Issue of Notification	21.08.09 (Friday)
2. Last date of making Nominations	28.08.09 (Friday)
3. Scrutiny of Nominations	29.08.09 (Saturday)
4. Last date for withdrawal of Candidatures	31.08.09 (Monday.)
5. Date of Poll	15.09.09 (Tuesday)
6. Counting of Votes	17.09.09 (afternoon Thursday)
7. Date before which election shall be completed	21.09.09 (Monday)

The Commission has further decided that the counting of votes for 7ACs in Bihar, earlier announced to be held on 14.09.2009 vide Press Note dated 12.08.2009 shall also be taken up on 17.09.2009 afternoon.

ELECTORAL ROLL

The electoral rolls w.r.t. 01.01.2009 as the qualifying date as per pre – delimitation order in Bihar, have been revised and published and the bye – elections will be held on the basis of these electoral rolls. The General Elections to the Legislative Assembly of NCT of Delhi was held on the basis of electoral rolls revised w.r.t. 01.01.2009 as the qualifying date on post delimitation basis. Hence there is no need to revise the electoral rolls in respect of bye – election relating to 54 – Okhla Assembly Constituency of NCT of Delhi. Accordingly, the said bye – election shall be held on the basis of post delimitation electoral rolls.

ELECTRONIC VOTING MACHINES (EVMs)

The Commission has decided to use EVMs in these 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 poll is conducted smoothly with the help of these machines.

IDENTIFICATION OF VOTERS

In consonance with the past practice, the Commission has decided that the voter's identification shall be mandatory in the aforementioned bye-elections at the time of poll. 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 voters at the time of poll in these bye-elections.

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 (are) included. The Model Code of Conduct shall be applicable to all candidates, political parties and the State Government. The Model Code of Conduct shall also be applicable to the Union Government as far as these States are concerned.

(R. K. SRIVASTAVA)
SECRETARY