

GOA STATE ELECTION COMMISSION

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CITIZENS' CHARTER
OF
GOA STATE
ELECTION COMMISSION

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**THE MISSION OF THE
GOA STATE ELECTION COMMISSION**

**TIME BOUND DISCHARGE
OF STATUTORY
RESPONSIBILITIES ENTRUSTED
TO IT WITHOUT FEAR OR FAVOUR
AND STRENGTHEN THE
CONFIDENCE OF THE CITIZENS
IN THIS INSTITUTION
THROUGH FAIR, JUST AND
TRANSPARENT CONDUCT**

GOA STATE ELECTION COMMISSION



P. M. BORKAR
Commissioner
Goa State Election Commission

FOREWORD

It is my proud privilege to place before you the "CITIZENS' CHARTER" of the Goa State Election Commission. In this Charter an attempt has been made to explain in simple language the official structure of the Commission, its duties and responsibilities and the procedure followed by it in conducting elections and other relevant matters.

We are living in the 21st Century in which the information technology and citizen friendly initiatives are of prime importance in functioning of any Organisation. The Commission has therefore taken steps for publication of this Charter for the benefit of the Citizens so as to make them aware of the services which the Commission renders to the public.

The Goa State Election Commission is an autonomous institution constituted under Article 243K of the Constitution of India. During the period of last ten years the Commission has successfully conducted various elections and bye-elections of local bodies declared as Self Government Institutions. The statutory responsibility of time- bound work is being discharged by the Commission without fear or favour and with utmost sense of justice and transparency.

The Commission would like to take this opportunity to welcome from the public their suggestions, if any, for improving its working which in turn will help us to perform more transparently and effectively in future.

Panaji – Goa
Dated: 31st May, 2005.

(P. M. BORKAR)
Commissioner

GOA STATE ELECTION COMMISSION

INTRODUCTION

The Goa State Election Commission is a one man Commission consisting of the Commissioner who is appointed by the Governor under Article 243 K and 243 ZA of the Constitution of India read with Section 237 of the Goa Panchayat Raj Act, 1994 and Section 10A of the Goa Municipalities Act, 1968. The State Election Commission has been entrusted with the responsibilities of conducting the election to the urban and rural local self-government bodies viz. the Village Panchayats, the Zilla Panchayats and of the Municipal Councils in accordance with the provisions contained in the relevant election procedure rules. The Commission is also required to conduct elections to the Municipal Corporation of the City of Panaji.

.In addition to the functions of conducting the elections to the local bodies, the Commission has also to function as a quasi-judicial body for the purpose of deciding and disposing of the appeals relating to disqualification of the members of the Village Panchayats and the Zilla Panchayats.

The State Election Commission does not have its own funds and has to depend upon the funds from the State Government for making payments to its staff and for meeting the expenditure on elections. The State Government has been meeting the financial requirements of the Commission expeditiously by making provision in its budget estimates under Demand No. 73.

2. GOA STATE ELECTION COMMISSIONERS

So far there have been five Election Commissioners of the Goa State Election Commission. Their names and tenure are as follows:-

Sr .No.	Name	<u>Tenure</u>
1.	1. Smt. Geeta Sagar	04. 01.1995 to 18.08.1995
2.	2. Shri B.S. Subanna	26.10.1995 to 14.08.1997
3.	3. Shri S. D. Sadhale	11.09.1997 to 28.03.1998
4.	4. Shri Prabhakar Timble	29.04.1999 to 28.04.2004
5.	5. Shri P. M. Borkar	01.07.2004 onwards

3. OFFICIAL STRUCTURE

The State Election Commission is a one man Commission headed by the State Election Commissioner. There is a Secretary to the Commission, who is a Junior Grade Officer of Goa Civil Service and is appointed on deputation by the State Government. The Secretary is the Head of the Office and also the Drawing and Disbursing Officer of the Commission.

Besides the Secretary, the Commission has the following staff:-

Sr .No.	Designation	No of Posts
1.	Head Clerk 1	
2.	Accountant 1	(Part time posted from the Directorate of Accounts)
3.	Senior Stenographer	1 on deputation from Secretariat
4.	Junior Stenographer	1
5.	Upper Division Clerks	2
6.	Lower Division Clerks	2
7.	Driver	2
8.	Peon	2

4. DUTIES AND FUNCTIONS

Since the population of Goa is less than twenty lakhs, the State of Goa has adopted a two tier system of Panchayati Raj. So, we have two Zilla Panchayats at the District level. They are Zilla Panchayat of North Goa District and Zilla Panchayat of South Goa District. At the village level there are 190 Village Panchayats spread over 11 Talukas. Besides, for the City of Panaji there is a Municipal Corporation of City of Panaji. There are also 12 Municipal Councils in the State. They are Municipal Councils of Pemem, Mapusa, Bicholim, Valpoi, Ponda, Sanguem, Quepem, Margao, Mormugao, Canacona, Cuncolim and Curchorem-Cacora.

As per 2001 Population Census, the urban population of the State of Goa consisting of the City of Panaji and 12 Municipal areas is 3,88,835. The rural population which is comprised within the 2 Zilla Panchayats and 190 Village Panchayats is 9,58,833. Thus the total population of the State of Goa is 13,47,668.

The General elections to elect the members of the Municipal Corporation of the I City of Panaji, the members of Zilla Panchayats, Councillors of Municipal Councils and the members of different wards of the Village Panchayats are conducted by the Goa state Election Commission. Whenever seats in the wards of the Village Panchayats or Municipal Councils fall vacant, the State Election Commission is required to conduct bye-elections to fill up the vacant seats.

The following table shows number of Local Self Government Institutions in the State of Goa and the number of their Constituencies or wards:-

Sr. No.	Name of the Institution	No. of Institution	No. of Constituencies/ Wards
1.	Municipal Corporation of City of Panaji	1	30
2.	Municipal Councils	12	139
3.	Zilla Panchayats	2	50
4.	Village Panchayats	190	1450

5. PREPARATION OF VOTERS LISTS

Prior to the commencement of the process of election or bye-election, the State Election Commission is required to prepare the voters list of the constituencies of the above referred Local Self Government Institutions. The delimitation of the Constituencies means the divisions of local body like the City Corporation or the Zilla Panchayat as the case may be, into territorial Constituencies or the division of the Municipal Councils or of the Village Panchayats as the case may be into different number of wards equal to the number of their members. The delimitation is done by the State Government as per the provisions in the respective Acts. In every local body seats are reserved for Scheduled Tribes and Other Backward Classes and one third of the seats are reserved for women. Since the population of Scheduled Castes in the State of Goa is 1.77% no seats are reserved for them in the local bodies. However, members of Scheduled Castes are co-opted on the Village Panchayats.

The electoral rolls of the Goa Legislative Assembly prepared under the provisions of the Representation of Peoples Act, 1950 (Central Act 43 of 1951) and for the time being in force are divided by the Commission into different sections corresponding to the different constituencies of the Zilla Panchayats or wards of the Municipal Councils or of the Village Panchayats as the case may be. The constituency- wise or wardwise lists of voters so obtained collectively form the electoral rolls of the concerned Zilla Panchayats or the Municipal Councils or the Village Panchayats as the case may be until the State Election Commission notifies a different list. The printed copy of such sections of rolls signed by the Returning Officer and sealed with his common seal is used for the purpose of election or bye-election of the concerned local authority.

For a minimum period of thirty days before the date fixed for the nomination of the candidates for every general election and five days for bye-election of the local body the relevant list of voters is kept open for public inspection by giving a notice which is affixed on the Notice Board of the Village Panchayat, Zilla Panchayat or the Municipal Council or the Municipal Corporation as the case may be. Such notice is also published : at other conspicuous public places in the village or in the town.

The dates of elections to Village Panchayats or Zilla Panchayats and bye- elections to any of their wards or constituencies are required to be finalized by the State : Government in consultation with the State Election Commission. :

The State Election Commission is also required to give a decision on question as to disqualification of any member of the Panchayat or Zilla Panchayat if a reference to that effect is made to the Commission under section 11 of the Goa Panchayat Raj Act, 1994.

6. FIXING VARIOUS STAGES OF ELECTIONS

The elections to the Municipal Councils are required to be conducted in accordance with the provisions of the Goa Municipalities (Election) Rules, 1969. Hence the time limits prescribed for fixing various stages of the elections under Rule 4 of the Goa Municipalities (Election) Rules, 1969 are followed strictly.

Similarly, the elections to the Village Panchayats and Zilla Panchayats .are required to be held in accordance with the provisions .of the Goa. Panchayat and Zilla Panchayat (Election Procedure) Rules, 1996. The provisions contained m Rules 10 (2) of these Rules, for the purpose of fixing various stages of the elections, are being strictly adhered to.

Elections to the Municipal Corporation of City of Panaji are required to be held in accordance with the provisions of the Corporation of City of Panaji (Election) Rules, 2004. The provisions contained in Rule 4 of these Rules for fixing various stages of election are being strictly adhered to.

7. PROCEDURE OF INQUIRIES

On announcement of the dates of elections by the Commission, a number of complaints are received by the Commission of alleged violation of the Code of Conduct prescribed by the Commission. The Commission attends to such allegations on priority by following the procedure given below:

- a) Letters calling for information from the persons/offices concerned with the alleged violation of the Code of Conduct are issued on the very day of receipt of the complaint;
- b) Information is called for from them within a period of 48 hours;
- c) Matter is discussed with the concerned persons/officers, if required, within a further period of 48 hours;
- d) Decision is taken in the matter immediately thereafter and communicated to the concerned persons/offices immediately or at appropriate time depending upon the nature of the alleged violation.

8. ELECTION PROCEDURE RULES

Elections to the Municipal Corporation of City of Panaji are conducted by the Commission under the powers delegated to it under Section 11 of the City of Panaji Corporation Act, 2002. The procedure to be adopted for these elections is laid down in the Corporation of City of Panaji (Election) Rules, 2004.

The elections to the Municipal Councils in Goa are being held under the powers delegated to the State Election Commission under Section 10 A of the Goa Municipalities Act, 1968. The procedure to be adopted for the purpose of these elections has been laid down by the Government in the Goa Municipalities (Election) Rules, 1969. The tenure of an elected Municipal Council is for a period of 5 years. The Commission has to ensure that the new Council for the Municipality is duly got elected at appropriate time before the expiry of the term of the existing Council.

The elections to the Village Panchayats and the Zilla Panchayats in Goa are conducted by the Commission under the powers delegated to it under Section 237 *of* the Goa Panchayat Raj Act, 1994. Specific provisions have been made by the Government in the Goa Panchayat and Zilla Panchayat (Election Procedure) Rules, 1996 laying down the procedure to be followed by the Commission for the purpose *of* conducting these elections.

9. MODEL CODE OF CONDUCT

It is ensured by the Commission that the provisions contained in the Rules controlling the procedure for conducting the elections, are strictly adhered to. In order to avoid wasteful expenditure on the elections and to ensure that the elections are conducted smoothly, Model Code *of* Conduct has been prescribed by the Commission which comes into force with effect from the date *of* announcing the schedule *of* elections. The Model Code *of* Conduct which was notified by the Commission under its Notification No. 3/10/99-SEC dated 25.8.1999 and the subsequent Corrigendum dated 7.12.2001 is given at ANNEXURE -A.

10. IDENTITY OF VOTERS

The Goa State Election Commission has identified nine types *of* Identity Documents, anyone *of* which is required to be produced by the voter at the time *of* polling. The production *of* anyone *of* these documents is compulsory as per the Notification No. 5/3/99-SEC dated 11.12.2001 issued by the Commission to avoid mal-practice *of* impersonation. A list *of* the Identity Documents is given at ANNEXURE -B.

11. SCRUTINY OF ELECTION EXPENSES OF CANDIDATES

In addition to the duties and functions conferred by the Constitution *of* India, the State Election Commission is vested with the powers conferred by the Goa Panchayat Raj Act, 1994, the Goa Municipalities Act, 1968 and the City *of* Panaji Corporation Act, 2002. The State Election Commission has authorized the Returning Officers to scrutinize the election expenses accounts submitted by the Candidates who contest the elections to the Local Self Government Institutions. The Commission has laid down the following limits on the expenditure that may be incurred by a candidate (either by himself or by his authorized agent or any other individual) in connection with the elections:-

- | | | |
|-----|--|--------------|
| (a) | in case of a candidate contesting elections to the Village Panchayat | Rs. 2,500/- |
| (b) | in case of a candidate contesting elections to Zilla Panchayats | .Rs.25,000/- |
| (c) | in case of a candidate contesting elections to Municipal Councils | Rs. 15,000/- |

The contesting candidates should maintain the account of the daily expenditure in the prescribed format which should be submitted to the concerned Returning Officer alongwith the abstract within a period of one month from the date of election.

12. PETITIONS INVOLVING DISQUALIFICATION OF MEMBERS

The Commission decides on petitions involving disqualification of members of Village Panchayats and Zilla Panchayats under Section 10 of the Goa Panchayat Raj Act, 1994. Such Petitions necessitate sufficient opportunity to be given to the concerned parties for defending themselves. Normally, further time is requested for by the concerned parties for submitting their say in writing. Requests for extending the time limit are duly considered by the Commission but it is ensured that the petition is disposed of within a period of three months.

13. DELIMITATION OF PARLIAMENTARY AND ASSEMBLY CONSTITUENCIES

The State Election Commissioner is also the Ex-Officio Member of the Delimitation Commission of India which is constituted under the Delimitation Act, 2002. The Commission is required to divide each State having a Legislative Assembly into single member territorial constituencies for the purpose of elections to the House of People and the Legislative Assembly of the State and carry out delimitation of the territorial constituencies on the basis of census figures of 2001 Population Census. The other two members of the Delimitation Commission of India are Justice Kuldeep Singh, Retired Judge of the Supreme Court and Shri B.B. Tandon, the Election Commissioner of India. As far as the State of Goa is concerned, the Delimitation Commission of India has already completed the work of delimitation of the two Lok Sabha Constituencies and 40 Assembly Constituencies in the State after holding several meetings and public hearings. The Associate members namely both the Members of Lok Sabha from Goa and five M.L.As. nominated by the Speaker of Goa Legislative Assembly were also consulted.

The Delimitation Commission has published its Order made under sub-section (2) of Section 9 read with sub-section (2) of section 4 of the Delimitation Act, 2002 by its Notification dated 31.3.2005 in the Gazette of India, Official Gazette of the State of Goa and three local newspapers

ALLOCATION OF ELECTION RELATED FUNCTIONS

Sr . No.	Subject	Under the Goa Panchayat Raj Act. 1994.	Under the Goa Municipalities Act, 1968.	Under the City of Panaji Corporation Act. 2002.
1	Delimitation of Wards	Director of Panchayats	Director of Municipal Administration	State Government
2	Reservation of Wards	Director of Panchayats	Director of Municipal Administration	State Election Commission in consultation with the State Government
3.	Fixingn date of Elections	Director of Panchayats inconsultation with State Election Commission	State Election Commission	State Election Commission
4.	Schedule of Elections	State Election Commission	State Election Commission	State Election Commission
5.	Appointment of election personnel:	State Election Commission	State Election Commission	State Election Commission
	a) Returning Officers			
	b) Observers			
	c) Other election staff	Returning Officer	Returning Officer	Returning Officer
6	Disqualification of Members	State Election Commission	Director of Municipal Administration	State Government
7	Electoral rolls (Preparation, addition/deletion of names,etc.)	Chief Electoral Officer	Chief Electoral Officer	Chief Electoral Officer
8	Voter's list	State Election Commission	State Election Commission	State Election Commission
9	Code of Conduct for elections	State Election Commission	State Election Commission	State Election Commission
10	Identity norms for voters	State Election Commission	State Election Commission	State Election Commission
11	Election Disputes	Tribunal	District Court	District Court
12	Grievance Officer/s Nodal Officer	Secretary,State Election Commission	Secretary, State Election Commission	Secretary, State Election Commission

**URBAN AND RURAL LOCAL SELF GOVERNING BODIES
IN GOA STATE**

1. MUNICIPAL CORPORATIONS

Name of the Corporation	No. of Wards
Municipal Corporation of City of Panaji	30

2. MUNICIPAL COUNCILS

Name of Municipal Council	No. of Wards
1. Bicholim Municipal Council.	10
2. Cacora-Curchorem Municipal Council.	10
3. Canacona Municipal Council	10
4. Cuncolim Municipal Council	10
5. Mapusa Municipal Council.	13
6. Margao Municipal Council.	16
7. Mormugao Municipal Council.	20
8. Pemem Municipal Council.	10
9. Fonda Municipal Council.	10
10. Quepem Municipal Council.	10
11. Sanguem Municipal Council.	10
12. Valpoi Municipal Council.	10

3. ZILLA PANCHAYATS

Name of the Zilla Panchayat	No. of Wards
1. North Goa Zilla Panchayat, Panaji.	30
2. South Goa Zilla Panchayat, Margao.	20

4. VILLAGE PANCHAYATS

TALUKAWISE CLASSIFICATION AND NO. OF WARDS

NORTH GOA DISTRICT

NORTH GOA DISTRICT

Sr.No.	Taluka	Classification				Total No. of Panchayats	Total No. of Wards	Reserv. for Women
		$\frac{A}{11}$	$\frac{B}{9}$	$\frac{C}{7}$	$\frac{D}{5}$			
1	SATTARI			12		12	84	24
2	BICHOLIM	2	4	8	4	18	134	44
3	BARDEZ	4	6	21	2	33	255	80
4	PERNEM		3	11	6	20	134	43
5	TISWADI	4	4	9	2	19	153	50
6	PONDA	5	3	10	1	19	157	51
TOTAL		15	20	71	15	121	917	292

SOUTH GOA DISTRICT

Sr.No.	Taluka	Classification				Total No. of Panchayats	Total No. of Wards	Reserv. for Women
		$\frac{A}{11}$	$\frac{B}{9}$	$\frac{C}{7}$	$\frac{D}{5}$			
1	MORMUGAO	3	3	2	1	9	79	27
2	SALCETE	2	9	15	4	30	228	73
3	QUEPEM		2	8	1	11	79	24
4	SANGUEM		4	8		12	92	28
5	CANACONA		3	4		7	55	17
TOTAL		5	21	37	6	69	533	169
GRAND TOTAL		20	41	108	21	190	1450	461

ANNEXURE – A

NOTIFICATION

3/10/99-SEC

In Order to ensure free, fair, smooth and peaceful elections to the Panchayats at all levels and the Municipalities, the State Election Commissioner in exercise of the powers conferred on him under Article 243K and 243ZA of the Constitution of India and under Section 237 of the Goa Panchayat Raj Act, 1994 and Section 10A of the Goa Municipalities Act, 1968, issues the following order:

1. This Order shall be called the Code of Conduct for the candidates contesting the elections to the Panchayats at all levels and Municipalities in the State of Goa.
2. This Code shall come into force from the date of announcement of schedule relating to elections to Panchayats at all levels and Municipalities as per the election programme.

3. General Conduct:

- (i) No candidate shall indulge in any activity which may aggravate existing differences or create mutual hatred or cause tension between different castes and communities, religious or linguistic.
- (ii) Criticism of other candidates when made, shall be confined to their policies and programmes, past record and work. Candidates shall refrain from criticism of all aspects of private life, not connected with the public activities.
- (iii) There shall be no appeal to caste or communal feelings for securing votes. Mosques, Churches, Temples or other places of worship shall not be used as forum for election propaganda.
- (iv) All candidates shall avoid scrupulously all activities which are "corrupt practices" and offences under the election law, such as the bribing of voters, intimidation of voters, personation of voters, canvassing within 100 metres of a polling station, holding public meeting during the period of 48 hours ending with the hour fixed for the close of the poll, providing transport and conveyance to voters to and from polling station.
- (v) Movement of candidate, his agents or another persons on his behalf to solicit the voters for voting of particular candidate, distribution of cards/names/ /symbols before 48 hours of poll, using any Government vehicles, Panchayat/ /Municipal/ /Government premises and any machinery for organising any meeting or parties and solicit voters by any means such as offering in kind or cash, is prohibited.
- (vi) The right of every individual for peaceful and undisturbed home life shall be respected. Organising demonstrations or picketing before the houses of individuals by way of protesting against their opinions or activities shall not be resorted to under any circumstances.

- (vii) No candidate shall permit his followers to make use of any individual's land, building, compound wall, etc.. without his permission for erecting flag-staffs, suspending banners, pasting notices, writing slogans, etc.
- (viii) The candidates shall ensure that their supporters do not create obstructions in or break up meetings and processions organised by the other candidates. Workers or sympathisers of one candidate shall not create disturbances at public meetings organised by another candidate by putting questions orally or in writing or by distributing leaflets of their own candidate. Processions shall not be taken out by one candidate along places at which meetings are being held by another candidate. Posters issued by one candidate shall not be removed by workers of another candidate.
- (ix) The candidates should ensure that no candidates or other supporters deface public property or public places or places opened to public view. All candidates should rigorously abide by the restriction imposed by the Goa Prevention of Defacement of Property Act, 1998. The candidates should note that the offence for the defacement of property is punishable with fine and imprisonment under Section 3 of of the Goa Prevention of Defacement of Property Act, 1998.

4. Meetings:

- (i) The candidates shall inform the local police authorities of the venue and time of any proposed meeting well in time so as to enable the police to make necessary larrangements for controlling traffic and maintaining peace and order.
- (ii) A candidate shall ascertain in advance if there are any restrictive or prohibitory orders in force in the place proposed for the meeting. If such orders exist, they shall be followed strictly. If any exemption is required from such orders it shall be applied for and obtained well in time from the competent authority.
- (iii) If permission or licence is to be obtained for the use of loudspeakers or any other facility in connection with any proposed meeting, the candidate shall apply to the authority concerned well in advance and obtain such permission or licence.
- (iv) Organisers of a meeting shall invariably seek the assistance of the police on duty for dealing with persons disturbing a meeting or otherwise attempting to create disorder. Organisers themselves shall not take action against such persons.

5. *Processions:*

- (i) A candidate organising a procession shall decide before hand the time and place of the starting of the procession, the route to be followed and the time and place at which the procession will terminate. There shall ordinarily be no deviation from the programme.
- (ii) The organisers shall give advance intimation to the local police authorities of the programme so as to enable the latter to make necessary arrangements.
- (iii) The organisers shall take steps in advance to arrange for passage of the procession so that there is no block or hindrance to traffic. Any traffic regulations or restrictions shall also be carefully adhered to.
- (iv) Processions shall be so regulated as to keep as much to the right of the road as possible and the direction and advice of the police on duty shall be strictly complied with. Processions should not obstruct or impede regular traffic.
- (v) The candidates shall exercise control to the maximum extent possible in the matter of processionists carrying articles which may be put to misuse by undesirable elements, especially in moments of excitement.
- (vi) The carrying of effigies purporting to represent the candidate, burning such effigies in public and such other forms of demonstration shall not be done by any candidate.

6. *Polling Day:-*

All candidates shall:

- (i) co-operate with the Officers on election duty to ensure peaceful and orderly polling and complete freedom to the voters to exercise their franchise without being subjected to any annoyance or obstruction;
- (ii) supply to their authorised workers suitable badges or identity cards;
- (iii) agree that the identity slips supplied by them to voters shall be on plain (white) papers and shall not contain any symbol, name of the candidate;
- (iv) refrain from serving or distributing liquor on polling day and during the twenty-four hours preceding it;
- (v) not allow unnecessary crowds to be collected near the camps set up by the candidates, near the polling booths so as to avoid confrontation and tension among workers and sympathisers of the candidates; -
- (vi) ensure that the candidates camps shall be simple. They shall not display any posters, flags, symbols or any other propaganda material. No eatables shall be served or crowds allowed at the camps; and
- (vii) co-operate with the authorities in complying with the restrictions to be imposed on the plying of vehicles on the polling day and obtain permits for them which should be displayed prominently on those vehicles.

7. *Polling Booth-* Excepting the voters, no one without a valid pass from the Goa State Election Commission shall enter the polling booths.

8. *Observers.* -The Goa State Election Commission is likely to appoint Observers. If the candidates or their agents have any specific complaint or problem regarding the conduct of the elections, they may bring the same to the notice of the observer. Observer should file daily reports to the Goa State Election Commission regarding the violation, if any, of the provisions of Code of Conduct.

9. *Candidate in power or otherwise:-* The candidate who is a member or Office bearer of the Panchayat/Municipality concerned, shall ensure that no cause is given for any complaint that he has used his official machinery or personnel from his office for the purposes of his election campaign, and in particular:

- (i) any Minister whether Central or State Government or M. P ./MLA shall not be visited to impress upon the voters by organising any public functions:
 - a) to lay foundation stone, etc.. or any projects or scheme of any kind on behalf of the Panchayat ; or
 - b) to make any promise of construction of roads, provision of drinking water facilities etc..;
 - c) to announce any financial grants in any form or promises thereof; and
 - d) to desist from issuing new tenders of developmental work in villages from the panchayat funds and in Municipal areas from Municipality funds, from the time the elections are announced by the Goa State Election Commission.
- (ii) Government or Panchayat accommodation shall not be monopolised by the Candidate in power and such accommodation shall be allowed to be used by other candidates in a fair manner but no candidate shall use or be allowed to use such accommodation as a campaign office or for holding any public meeting for the purposes of election propoganda. Candidates or other agents should not corner the common facilities such as open public places, Community halls or Panchayat and Municipal halls, Government and Officials rest houses. These facilities should be made available to all the contesting candidates on payment as per rules and the charges levied should be those that are fixed for use by private persons and the use of such facilities should be treated as used for private purposes.
- (iii) Candidates should not make use of Government vehicle, vehicle belonging to Panchayats / Zilla Panchayat / Municipality / Government Departments /Public Corporations/Co-operative Institutions such as Sugar factory, Federations, Urban Societies, Dairy Societies, Co-operative Banks, etc..
- (iv) Restriction on the use of vehicles stated in para (iii) above will also cover MLAs and MPs making tours in the areas covered under election.
- (v) The use of money power gives distinct advantage to the contesting candidates employing such money power as against the candidates having meagre financial resources. Large sums of money are spent in wasteful advertisements in newspapers etc.. This makes a mockery of participatory democracy at the grassroots. The limits of expenditure that may be incurred by the

candidate (either by himself or by his authorised agent or any other individual) in connection with the election, shall be as given below:

- a) In case of every candidate
contesting elections to the Village Panchayats Rs. 2,500.00
- b) In case of every candidate
contesting elections to Taluka Panchayats Rs. 10,000.00
- c) In case of every candidate contesting
elections to Municipal Councils Rs. 15,000.00
- d) In case of every candidate contesting
elections to Zilla Panchayats Rs. 25,000.00

(vi) The contesting candidates should maintain the detailed accounts of daily expenditure in PART II given below which should be submitted to the concerned Returning Officer alongwith the abstract in PART I within a period of one month from the date of the elections:

PART I

(a) Name of the Candidate and his address :

(b) Number and name of the ward/Council
Constituency of election :

(c) Nature of election: Bye-election /General election

(d) Date of declaration of result :

(e) Amount of expenditure incurred on

- i) Public Meetings, processions etc.
- ii) Campaign materials like handbills, posters, video and audio cassettes, loudspeakers, etc..
- iii) Vehicles used and POL expenditure on such vehicles
- iv) Erection of gates, arches, Cutouts, etc. :
- v) Visits of VIPs to the ward/Council /Constituency
- vi) Other Miscellaneous expenses

Total

Signature of Candidate

PART II

(Details of daily expenditure)

Date	Name and address of the Payee	Date of payment	Sr. No. of the Voucher	Amount paid	Remarks

(Signature of Candidate)

- (vii) Contesting candidates should strictly adhere to the provisions of the Indian Penal Code relevant to elections and the violation of Sections 153-A 153-B, 171-A to 171-D, 171-F to 171-I and 505 will be viewed as violation of the Code of Conduct.

10. Government & other Instrumentalities of the State.

- (i) Ban the sale of liquor and intoxicants before .the day of the poll and also on the day of counting of votes. Do not permit selling or serving of liquor on the aforesaid days in any liquor shops, hotels, restaurants, clubs, star hotels and other establishments. Rigorously restrict storage of liquor in unlicensed premises. Take steps to avoid liquor from the adjoining areas to the area where the sale or serving is prohibited. The authorities concerned of the State Government should declare and notify as dry days the areas as per Rules in force.
- (ii) Transfers of Government Officers and servants such as Chief Officers, Collectors, Additional Collector, Dy. Collector, BDOs, Mamlatdars, Panchayats Secretaries and such employees connected with or associated with the work of making preparations for and the conduct of the Panchayat and Municipal elections and bye- elections and Police Officers of all levels in the area where elections are being held should not be ordered from the date of announcement of election programme until the date of completion of the election.
- (iii) Officers about whom complaints have been received from any contesting candidates reflecting partisan attitude or behaviour will be disassociated with the election work by the Commission.
- (iv) Concerned authorities to launch prosecution against person who contravenes the provisions of laws and Rules particularly in respect of the Goa Prevention of Defacement of Property Act; Indian Penal Code; Rules Governing conduct of meetings, morchas, processions, etc.; Rules governing use of loudspeakers, etc. Concerned authorities should note that the use of loudspeaker is permitted only between 8.30 a.m.. to 10.00 p.m..
- (v) The State/Central Government should not declare new programme, new scheme, new benefit or initiate new public works of any nature in the area wherever election process is announced.

Prabhakar Timble, Commissioner, Goa State Election Commission.

Panaji, 25th August, 1999.

GOA STATE ELECTION COMMISSION

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No. 3/10/99-SEC

Dated the 7th December, 2001.

NOTIFICATION

WHEREAS the State Election Commission, vide its Notification of even number dated the 25th August, 1999 published in the Official Gazette No. 23, Series I dated the 2nd September, 1999, had prescribed a Code of Conduct for ensuring free, fair, smooth and peaceful elections to the Panchayats at all levels and Municipalities;

AND WHEREAS the State Election Commission, with a view to curb the use of money power and wasteful expenditure by the candidates or their workers, supporters or sympathizers, considering the smallness of the constituency of a candidate i.e. the ward of a Village Panchayat which is small and compact involving few households and a small voter-base;

AND WHEREAS the State Election Commission feels it necessary to avoid extravagant spending and expenditure wars by the contesting *candidates* so that the elections to the local self-governing bodies at the grassroots provide a level playing field to the common man and ensure the participation of citizens with limited resources;

NOW THEREFORE, the State Election Commission, under the powers delegated to it under Article 243K and 243ZA of the Constitution of India and under Section 237 of the Goa Panchayat Raj Act, 1994, issues the following order which is an addition to the existing Code of Conduct referred to in para. 1 above:

1. That the following types of canvassing, propaganda and expenditure by the contesting candidates, their workers, supporters and sympathisers is banned and prohibited:
 - a) Defacement and spoiling of public or private property including buildings by pasting of posters, writing of slogans, paintings of symbols, erecting flagstuffs, suspending banners etc., without the written permission of the owners, whether private or public;
 - b) Advertisements in the newspapers or electronic media or cable TV and advertisements in the form of hoardings on public roads, streets and public transport vehicles;

- (c) Use and movement on roads of vehicles fitted with loudspeakers/sound system for propaganda. However, loudspeakers for public meetings or corner meetings are allowed if valid permissions are obtained from the concerned authorities;
 - c) Use of vehicles including two wheelers for public processions. Vehicles should not form a part of the public processions. However, bicycles are allowed for such processions.
2. Election pamphlets, posters, handbills, leaflets should bear the name and address of the Printer/Xeroxing firm/Computer firm and the publishers should also mention the number of copies printed.

By order and in the name of the
State Election Commission

Sd/
(**Raghuveer Savardekar**)
Secretary,
State Election Commission

ANNEXURE – B

GUARD YOUR VOTE AND GUARD AGAINST IMPERSONATION PRODUCE EVIDENCE OF YOUR IDENTITY

As per the Notification No. 5/3/99-SEC dated 11-12-2001 issued by the State Election Commission, the production of any of the identity documents mentioned below is compulsory at the time of voting. The voter should produce at the time of polling any **ONE** of the following identity documents to the Presiding Officer at the polling station.

- Photo Identity Card issued by the Election Commission of India.
- Photo Identity Card issued by a Department of the Central or State Government or Central/State Government undertaking.
- PAN Card issued by the Income-Tax Department.
- SMART Card **OR** any other Photo-Identity Card issued by the Govt. of Goa.
- Driving Licence/Passport containing photo of the holder.
- Bank Pass Book wherein the name of the voter alongwith photograph, is entered, issued on or before 31-12-2004 by a nationalised/Public Sector Bank/State Cooperative Bank/Urban Cooperative Bank(excluding Urban Coop. I Credit Societies)
- Photo Identity Card issued to an employee by the employer wherein the name and designation of the issuing authority is clearly shown provided the firm is registered under the Indian Companies Act/Trust Act/Cooperative Societies Act.
- Photo Identity Cards issued by the Heads of Educational Institutions recognised by the Government.
- Ration Card issued by the Directorate of Civil Supplies wherein the name of the Voter is entered.

If the voter fails or refuses to produce such identity or evidence, the Presiding Officer will not supply the ballot paper or record the vote of such voter at the election.

Personation is an offence under Section 416 of the Indian Penal Code and the penalty for personation under Section 417 of the Indian Penal Code is imprisonment extending to period upto one year or with fine or with both.

