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**OFFICE OF THE DISTRICT MAGISTRATE & DISTRICT ELECTION
OFFICER, SOUTH GOA DISTRICT**

*Magisterial Section, Room No. 435, 4th floor, Matanhy Saldanha Administrative
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No.38/2/2022/Z.P.-BYE ELEC-2022/MAG/XII/ 13414

ORDER

Under Section 144 of the Code of Criminal Procedure of 1973.

WHEREAS, the Goa State Election Commission has announced the Bye Elections to 13 – Davorlim Zilla Panchayat Constituency in Salcete Taluka and 25 – Cortalim Zilla Panchayat Constituency in Mormugao Taluka of South Goa District scheduled to be held on 16/10/2022 and counting of polled votes fixed on 18/10/2022;

AND WHEREAS, the Model Code of Conduct has already come in force with immediate effect. The Goa State Commission has issued directions to ensure free, fair manner and peaceful elections;

AND WHEREAS, there is possibility of political disputes, confrontation, violence and breach of peace mainly due to misuse of Hotels, Restaurants, Tea Shops, Paan Shops and other food shops/joints (Dhabas, Gaddas) etc., due to gathering of crowd at places within the vicinity of 200 meters of the Polling Stations which creates nuisance and law and order problems;

AND WHEREAS, Sections 171-B and 171-C of the Indian Penal Code (IPC) clearly disallow attempts of bribery and undue influence on any person or voter and whoever commits offence of bribery is punishable under section 171-E of IPC and whoever commits the offence of undue influence or impersonation at an election is punishable under section 171-F of IPC;

AND WHEREAS, I am satisfied that the circumstances do not permit the serving, in due time, of the notices individually upon the persons against whom this order is directed and therefore, under the powers vested in me under sub

section (2) of Section 144 of the Code of Criminal Procedure, 1973 I, hereby pass the order ex-parte;

NOW THEREFORE, I, Jyoti Kumari, IAS, District Magistrate, South Goa District, in exercise of the powers vested in me under sub section (1) of section 144 of Code of Criminal Procedure, 1973 hereby issue following Prohibitory orders:

1. That all Restaurants, Bars, Tea shops, Paan shops, Eateries and other Food shops/joints (Dhabas, Gaddas) etc., situated in 13 – Davorlim Zilla Panchayat Constituency in Salcete Taluka and 25 – Cortalim Zilla Panchayat Constituency in Mormugao Taluka of South Goa District jurisdiction within **200 mtrs** of the polling stations on day of Poll i.e. **on 16/10/2022 from 06:00 a.m. to 06:00 p.m. and** the counting centres on the day of counting i.e. **on 18/10/2022 from 06:00 am till end of counting of votes** of respective Zilla Panchayat Jurisdiction in South Goa District, shall remain closed.
2. Ban any gathering or crowd comprising of **more than 5 persons within 200 meters of polling stations** within the area of 13 – Davorlim Zilla Panchayat Constituency in Salcete Taluka and 25 – Cortalim Zilla Panchayat Constituency in Mormugao Taluka of South Goa District.

I further direct that the above restrictions shall not apply to public servants on duty and to bonafide marriage or funeral processions or religious processions/ functions. Also, the above order shall not apply to the authorised officers on Election Duty by the State Government, including the Polling Officials, Magistrates, Police Officials and Government Staff.

Failure to comply with this order shall be liable for penal action under section 188 of Indian Penal Code and other relevant provisions of laws in force.

Given under my hand and seal of this office on this 14th day of October, 2022.



Jyoti Kumari
(Jyoti Kumari, IAS)
District Magistrate & Zilla Panchayat
Election Officer,
South Goa District, Margao Goa.



Copy to:

- 1) The Director, Government Printing Press, Panaji with a request to publish the above Order in the extra-ordinary Gazette on 14-10-2022.
- 2) The Returning Officers/Assistant Returning Officers for 13 – Davorlim Zilla Panchayat Constituency in Salcete Taluka and 25 – Cortalim Zilla Panchayat

- Constituency in Mormugao Taluka of South Goa District... with instructions to enforce the Order.
- 3) The Superintendent of Police (South) Margao – Goa with instructions to enforce the Order.
 - 4) The Sub-Divisional Police Officer, Margao/ Vasco/ Quepem/ Ponda... with instructions to enforce the Order.
 - 5) The Director of Information and Publicity, Panaji – Goa..... with a request to give wide publicity through all local dailies.
 - 6) The Station Director, All India Radio, Panaji for giving wide publicity.
 - 7) The Director of Doordarshan, Panaji for giving wide publicity.
 - 8) The DIO, NIC, Margao – Goa.... to upload it on the website.

Copy for information to:

1. The Secretary, Goa State Election Commission, Altinho – Goa.
2. The Secretary to His Excellency the Governor of Goa, Raj Bhavan, Dona-Paula, Panaji.
3. The Chief Secretary, Govt. of Goa, Secretariat, Porvorim-Goa.
4. The Special Secretary (Home), Govt. of Goa, Secretariat, Porvorim-Goa.
5. The Director General of Police, Panaji – Goa.
6. The Election Branch of this Collectorate, Margao – Goa.

