

Panaji, 15th May, 2019 (Vaisakha 25, 1941)

SERIES III No. 6

OFFICIAL GAZETTE



GOVERNMENT OF GOA

PUBLISHED BY AUTHORITY

EXTRAORDINARY

No. 2

GOVERNMENT OF GOA

Department of Home

Home—General Division

Office of the District Magistrate, North Goa

Order

No. 40/09/2019-MAG/BYE ELECTION/L&O/608

Under Section 144 of Criminal Procedure Code, 1973

Whereas, the Bye Election to 11-Panaji Assembly Constituency is scheduled to be held on 19-05-2019 in the State of Goa and the Model Code of Conduct is already in force with effect from 10-03-2019. The Election Commission of India, New Delhi has issued directions to ensure free, fair and peaceful Elections;

And whereas, there is possibility of political disputes, confrontation, violence and breach of peace on the eve of the poll mainly due to misuse of hotels, restaurants, tea shops, pan shops and other food shops/joints (dhabas, gaddas) etc., while carrying out door to door campaigning and 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, R. Menaka, IAS, District Magistrate, North Goa District, in exercise of the powers vested in me under sub-section (1) of Section 144 of the Code of Criminal Procedure, 1973, hereby issue following prohibitory orders valid from 06.00 a.m. to 07.00 p.m. on the day of poll i.e. on 19-05-2019;

1. That all restaurants, bars, eateries, tea shops, pan shops and other food joints, gaddas etc. situated in the jurisdiction of 11-Panaji Assembly Constituency within 100 mtrs. of the polling station shall remain closed at aforesaid date and time.
2. Ban any gathering or crowd comprising of more than 5 persons within 100 meters of

any polling stations in the jurisdiction of 11-Panaji Assembly Constituency.

Penal Code and other relevant provisions of law in force.

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.

Given under my hand and seal of this office on this 14th day of May, 2019.

Failure to comply with this order shall be liable for penal action under Section 188 of Indian

R. Menaka, IAS,
District Magistrate & DEO,
North Goa District.

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