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OFFICIAL GAZETTE

GOVERNMENT OF GOA

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GOVERNMENT OF GOA

Department of Home

Office of the District Collector and District Magistrate, South Goa

Order

No. 38/24/02/2026/BYE-ELEC-21-P.A.C./MAG/XII/SG/M.O.1092
Under Section 163 of Bharatiya Nagarik Suraksha Sanhita, 2023

Whereas, the Election Commission of India has announced the Bye Election to 21 – Ponda Assembly Constituency, 2026 in South Goa District which is scheduled to be held on 09-04-2026 (Thursday) and the Election Commission of India has issued directions to ensure free, fair and peaceful Election;

And whereas, political disputes, confrontation, violence and breach of peace may arise on the eve of the Poll day due to misuse of hotels, restaurants, tea shops, pan shops and other food shops (Dhabas, Gaddas) etc., due to gathering of any crowd at such places within the vicinity of 100 mts. of the Polling Station which may create nuisance and law and order problems;

And whereas, under Section 126 of the Representation of People Act 1951, no public meetings, processions, musical concert or rally or any kind of propagation of any election matter for campaigning or electioneering is to be allowed in the last 48 hours from the hours of close of Poll i.e. from 18:00 hours on 07-04-2026;

And whereas, Sections 170 and 171 of Bharatiya Nyaya Sanhita, 2023 prohibits and penalize bribery and undue influence, while Section 176 of Bharatiya Nyaya Sanhita, 2023 penalizes any attempt for illegal payments for promoting election of any Candidate;

Now therefore, I, Eгна Cleetus, IAS, District Magistrate, South Goa District, Margao-Goa, in exercise of the powers vested in me under provision of Section 163 of B.N.S.S., 2023, do hereby order that:

From 18.00 hours of 07-04-2026 to 18.00 hours of 09-04-2026 in the jurisdiction of 21 – Ponda Assembly Constituency in Ponda Taluka in South Goa District:

- There shall be ban on unlawful assembly of more than 5 persons and prohibition of holding meeting as per sub-section (1) of Section 189 of B.N.S. and any procession or rally shall be strictly prohibited to prevent any nuisance disturbances and law and order problem.

- b) No loud speaker shall be permitted to be used for the purpose of elections during the said period of 48 hours proceeding with the poll closing time.
- c) Vehicles permitted to all Contesting Candidates by the Returning Officers for campaigning shall not ply on roads during the period to avoid any distribution of money or gifts or liquor and to prevent any nuisance and law and order problems, except for vehicles authorized by the Returning Officers on the day of Poll.
- d) All private vehicles shall be subject to inspections in a dignified manner as per rules to avoid their misuse for distribution of money or gifts or liquor and for causing any nuisance also to avoid any harassment to private persons.
- e) No liquor shops, hotels, restaurants, clubs and other establishments selling or serving liquor, shall be permitted to sell/serve liquor to anyone whosoever, on the aforesaid days;
- f) Non – proprietary clubs, star hotels, restaurants, etc. and hotels functioning under different categories of licenses for possession and supply of liquor, shall also not be permitted to serve liquor on these days.
- g) The storage of liquor by individuals shall be curtailed during the above period and the restrictions provided in the excise law on the storage of liquor in unlicensed premises shall be vigorously enforced.

And whereas, it is clarified that there shall be no restrictions on house – to – house visits during 48 hours in connection with door to door campaigning.

And whereas, the following instructions are issued with respect to the Election Booth (temporary Offices) on poll day:

- i) No election booth shall be set up within a distance of 100 meters from the entrance of the polling station. Even where more than one polling station has been set up in the same polling station location or premises, the election booth of a contesting candidate for such group of polling stations/booths shall not be set up within a distance of 100 meters from the entrance of any of these polling stations.
- ii) Only one table and two chairs shall be provided at each of such polling station with an umbrella or a small tent measuring not more than 10 X 10 ft. to protect from weather conditions.
- iii) No electioneering shall be allowed within 100 meter area around the Polling Station on the date of Poll.

Any person who contravenes the provisions of sub-section (1) of Section 130 of the Representation of the Peoples Act, 1951 shall be punishable with fine which may extend to two hundred and fifty rupees.

However, this order shall not apply to Officers authorised on Election Duty by the District Election Officer, South Goa District or the State Government including the Polling Officials, Magistrates and Police Officials.

Given under my hand and seal of this office, this 06th day of April, 2026.

Egna Cleetus, IAS, District Magistrate, South Goa District, Margao-Goa.

Order

No. 38/24/02/2026/BYE-ELEC-21-P.A.C./MAG/XII/SG/M.O.1093

Under Section 163 of the Bharatiya Nagarik Suraksha Sanhita, 2023

Whereas, the Election Commission of India (ECI) has announced the Bye Election to 21 – Ponda Assembly Constituency in Ponda Taluka in South Goa District which is scheduled to be held on 09-04-2026 (Thursday) and the Election Commission of India has issued directions to ensure free, fair and peaceful Election;

And whereas, political disputes, confrontation, violence and breach of peace may arise on the eve of the poll due to misuse of Hotels, Restaurants, Tea Shops, Paan Shops and other food shops/joints (Dhabas, Gaddas) etc., due to gathering of crowd in the vicinity of 100 meters of the polling station which may

create nuisance, law and order problem or may also create a situation of undue pressure or influence on the voter;

And whereas, Sections 170 and 171 of the Bharatiya Nyaya Sanhita, 2023 (BNS) disallow attempts of bribery and undue influence on any person or voter and whoever commits offence of bribery is punishable under Section 173 of Bharatiya Nyaya Sanhita and whoever commits the offence of undue influence or impersonation at an election is punishable under Section 174 of Bharatiya Nyaya Sanhita, 2023;

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 163 of the Bharatiya Nagarik Suraksha Sanhita, 2023, I hereby pass the order ex-parte.

Now therefore, I, Eгна Cleetus, IAS, District Magistrate, South Goa District, in exercise of the powers vested in me under sub-section (1) of Section 163 of Bharatiya Nagarik Suraksha Sanhita, 2023 hereby issue following prohibitory orders:

1. That all Restaurants, Bars, Tea shops, Tavern, Paan shops, Eateries and other Food shops/joints (Dhabas, Gaddas) etc., situated within 100 meter radius of all polling stations situated in 21 – Ponda Assembly constituency in Ponda Taluka in South Goa District jurisdiction w.e.f. 06.00 hrs. to 21.00 hrs. on the day of poll i.e. on 09-04-2026.
2. Ban any gathering or crowd comprising of more than 5 persons within 100 meters of polling stations within the area of 21 – Ponda Assembly Constituency in Ponda Taluka in 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 including the Polling Officials, Magistrates, Police Officials and Government Staff.

Failure to comply with this order shall be liable for penal action under Section 223 of Bharatiya Nyaya Sanhita, 2023 (BNS) and other relevant provisions of laws in force.

Given under my hand and seal of this office on this 06th day of April, 2026.

Eгна Cleetus, IAS, District Magistrate, South Goa District, Margao-Goa.