

ELECTIONS / URGENT

TELANGANA STATE ELECTION COMMISSION

1st Floor, DTCP Building, Opp: PTI Building, A.C.Guards, Hyderabad – 500 004.

NOTIFICATION

No.1796/TSEC-PR/2019

Dated:04.05.2019

Whereas, in the reference No.1553/TSEC-PR/2019, dated 20.04.2019, the State Election Commission issued notification for conduct of ordinary elections to MPTCs and ZPTCs in three phases in the State and also notified election programme in connection therewith.

And whereas, the Gaggallapally MPTC in Nagarkurnool Mandal and District was notified for election in 1st Phase. In pursuance of the said notification, the Returning Officer concerned issued election notice on 22.04.2019 for conduct of elections to Gaggallapally MPTC in Nagarkurnool Mandal and District.

And whereas, there were instances in the past when vested interests manipulated the election process by auctioning of posts or by intimidating candidates not to file nominations or forceful withdrawal of the nominations thereby "manufacturing" 'unanimous' elections. This not only denies the electoral rights of the voters but also fosters the tyranny of the influential elements over the majority in blatant abrogation of the Constitutional and legal provisions.

And whereas, with a view to prevent such misuse of influence/coercion/abuse of money power by the vested interests the State Election Commission issued notification No.103/TSEC-PR/2019, Dt.08.01.2019 and order No.1763/TSEC-PR/2019, Dt.28.04.019 requiring the returning Officers to obtain the clearance from the District Election Authority in all cases of unanimous elections. The District Election Authority is in turn required to obtain further instructions from SEC, in all cases where auctioning or use of undue influence is evidenced.

And whereas, in the Andhra Jyothi daily news paper dated: 30.04.2019, it was reported that, Sri Dodla Eeshawar Reddy, TRS candidate of Gaggallapally MPTC of Nagarkurnool Mandal and District., forcibly gave money to Sri Dodla Venkata Narayana Reddy, Indian National Congress Candidate of said MPTC to withdraw from the fray and also threatened him with dire consequences unless money is taken and withdraw from the fray.

And whereas, in Lr.No.1796/TSEC-PR/2019, dated 30.04.2019, the State Election Commission directed the Collector & District Election Authority, General Observer, Nagarkurnool and the Superintendent of Police of Nagarkurnool district to enquire into the contents of the report published in the Andhra Jyothi daily news paper and send factual report to the Commission.

And whereas, in Lr.No.C6/547/2019, dated 01.05.2019, the Collector & District Election Authority, Nagarkurnool sent a detailed report to the Commission on the events that occurred in MPTC elections of Gaggallapally MPTC of Nagarkurnool Mandal and District, alluding abuse of force / influence/ money power leading to the withdrawal of the candidature of Sri Dodla Venkat Narayana Reddy, congress candidate.

And whereas, perusal of the report of the Collector & District Election Authority of Nagarkurnool reveals that, the complainant Sri Dodla Venkat Narayana Reddy alleged both force and also a bribe of Rs. 10.00 lakhs for withdrawal from the election. In a counter complaint Sri Dodla Eshwar Reddy lone candidate remaining in the elections for the Gagallapally MPTC alleged that, the complainant approached the Collector & District Election Authority only as a result of the protest and demonstrations undertaken by the supporters of the Congress Party who sponsored the candidature of the complainant. Though the gist of the enquiry reveals no use of any physical force it alludes to amongst others the involvement of huge sum of Rs.10.00 lakhs offered as bribe. This amount of Rs. 10.00 Lakhs is handed over to the police.

And whereas, giving money to a candidate to withdraw from the fray amounts to bribery which is a corrupt practice under Section 211 (1) of Telangana Panchayat

Raj Ac, 2018, This is also a criminal under Section 171-B and 171-E of the Indian Penal Code, 1860. Besides, it subverts the democratic election process by denying freedom of choice to voters by excluding potential candidates from the contest on financial grounds. This, if allowed, could lead to imposition of the tyranny of a few over majority of the people.

And whereas, the State Election Commission after careful consideration of all relevant information, decided to declare the election process so far held to the office of Gaggallapally MPTC of Nagarkurnool Mandal and District in pursuance of election notification No.1553/TSEC-PR/2019, dated 20.04.2019 as void as the process was vitiated by illegal activities of bribing and exertion of huge influence for obtaining the withdrawal of the candidature of Sri Dodla Venkat Narayana Reddy.

Now, therefore, in exercise of the powers conferred under article 243 K of the Constitution of India and Rule 6 of the Telangana Panchayat Raj (Conduct of election) Rules, 2018, the State Election Commission, hereby, voids the election process so far held in pursuance of election notification No.1553/TSEC-PR/2019, dated: 20.04.2019 in respect of Gaggallapally MPTC of Nagarkurnool Mandal and District. Fresh notification for conduct of election to the office of Gaggallapally MPTC of Nagarkurnool Mandal and District will be issued separately.

Sd/- V. NAGI REDDY
State Election Commissioner

To

The Returning Officer of Gaggallapally MPTC of Nagarkurnool Mandal through the Collector & District Election Authority, Nagarkurnool district.

The Collector and District Election Authority, Nagarkurnool.

The General Observer, Nagarkurnool through C&DEA.

Copy to

The MPDO of Nagarkurnool Mandal through the Collector & District Election Authority, Nagarkurnool district.

The CEO of ZPP Mahabubnagar and Liaison Officer, Nagarkurnool,

The Commissioner of Panchayat Raj & Rural Employment and Election Authority for follow up action.

// Attested //


Joint Secretary


