

# **ELECTION COMMISSION OF INDIA**

**Nirvachan Sadan, Ashoka Road, New Delhi-110001**

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No. ECI/PN/5/ 2010

Dated: February 19, 2010

## **PRESS NOTE**

A casual vacancy in the State Legislative Assembly of Tamil Nadu from 83-Pennagaram AC in Dharmapuri district fell vacant due to death of the sitting member on 01-12-2009. The Commission vide Press Note dated 22<sup>nd</sup> December 2009 announced programme for holding bye-election from the said constituency along with other bye-elections in Gujarat, Haryana and Maharashtra. The notification was issued on 26-12-2009 and the polling date was fixed on 20-01-2010. However, following representations from various political parties, the said notification for bye-election to Pennagaram was withdrawn vide notification dated 28-12-2009 as the Pongal festival and the Tamil New Year were falling during the campaign period. For notifying the bye-election dates afresh in 2010, the Commission had to revise the electoral roll with reference to 1.1.2010 as the qualifying date. The exercise of revision of electoral roll was ordered and the final roll was to be published on 02-02-2010, when the Commission received complaints from several individuals and political parties that names of ineligible persons had been included and eligible persons deleted from the electoral roll. In view of this, the Commission, on 01-02-2010, deferred the final publication of the electoral roll and simultaneously asked the Chief Electoral Officer, Tamil Nadu to get the said complaints verified and to take appropriate action (either inclusion or deletion) after following due procedure. The Commission had also asked CEO, Tamil Nadu to direct District Election Officer, Dharmapuri to hold a meeting of the representatives of the political parties to discuss the issues. On the basis of the reports of the CEO, Tamil Nadu and the DEO, Dharmapuri, the Commission allowed the final publication of electoral roll of 83-Pennagaram AC on 18.02.2010. While allowing the final publication, the Commission also directed the CEO to take all possible measures to include voters-applicants under

continuous updation till the last day of nominations in the electoral roll as per extant provisions of law.

Now that the electoral roll is in position, the Commission keeping in view all relevant considerations has decided to hold bye-election from the said assembly constituency as per the programme mentioned below:

<b>Event</b>	<b>Date</b>
1. Issue of Notification	03-03-2010 (Wednesday)
2. Last date of making Nominations	10-03-2010 (Wednesday)
3. Scrutiny of Nominations	11-03-2010 (Thursday)
4. Last date for withdrawal of Candidatures	13-03-2010 (Saturday)
5. Date of Poll	27-03-2010 (Saturday)
6. Counting of Votes	30-03-2010 (Tuesday)
7. Date before which election shall be completed	02-04-2010 (Friday)

### **ELECTRONIC VOTING MACHINES (EVMs)**

The Commission has decided to use EVMs in this bye-election in all the polling stations. Adequate numbers of EVMs have been made available and all steps have been taken to ensure that the poll is conducted smoothly with the help of these machines.

### **IDENTIFICATION OF VOTERS**

In consonance with past practice, the Commission has decided that the voter's identification shall be mandatory in the aforementioned bye-election at the time of poll. In order to ensure that no voter is deprived of his/her franchise, if his/her name figures in the Electoral Roll, separate instructions will be issued to allow additional documents for identification of voters at the time of poll in this bye-election.

## **MODEL CODE OF CONDUCT**

The Model Code of Conduct shall come into force with immediate effect in the district in which the Assembly Constituency going for bye-election is included. The Model Code of Conduct shall be applicable to all candidates, political parties and the State Government. The Model Code of Conduct shall also be applicable to the Union Government as far as the said district is concerned.

**(SHANGARA RAM)**  
**PRINCIPAL SECRETARY**