

NO.1704/DM/D1/GELS/2024
GOVERNMENT OF PUDUCHERRY
OFFICE OF THE DISTRICT MAGISTRATE, PUDUCHERRY
Date.16.04.2024
ORDER UNDER SECTION 144 of Cr.P.C.

Whereas, the Election Commission of India, vide its Press Note No.ECI/PN/23/2024, dated.16.03.2024 has declared the schedule for General Elections to Lok Sabha 2024 and the said election will be held on 19.04.2024 in Puducherry District;

AND WHEREAS, under section 126 of the Representation of People Act 1951, in the period of 48 hours ending with the hour fixed for the close of poll, the campaign will come to an end. After the closure of campaign period, no campaign can take place within the constituency and there shall be restriction on presence of political functionaries, party workers, procession functionaries, campaign functionaries, etc, who have been brought from outside the constituencies and who are not voters of the constituencies. Therefore, such persons should not continue to remain present in the constituency as their presence after end of campaign period may undermine the atmosphere for free and fair poll;

And Whereas, as per the instructions of the Election Commission of India, orders under section 144 of Cr.P.C., 1973 has to be issued regarding ban on unlawful assembly & prohibition on holding of public meetings during the period of 48 hours ending with the hour fixed for close of poll;

And Whereas, no loudspeakers fitted on vehicles of any kind or any other manner whatsoever shall be permitted to be used in Puducherry district during the said period of 48 hours ending with the hour fixed for the close of poll in the entire district of Puducherry;

And Whereas, Cellular phones, cordless phones, etc. shall not be allowed within the 100 meters perimeter of the polling stations or within the Polling booth. No arms should be carried inside the polling station. Restrictions, however do not apply to the Officers in-charge of law and order and Security personnel put on duty near the Polling Booth for use of such instruments in the course of discharge of their official duties. Similarly, restriction on use of cellular phones, mobile phones, etc., do not apply to the observers appointed by the Commission and Officer in-charge of Polling duties and persons drafted for polling duty, in course of their official duties;

And Whereas, no unauthorized persons should be present inside the polling station at any time or during the Poll.

And Whereas, I am satisfied that there is every reason to believe that unknown miscreants and disgruntled persons may attempt to create disorder and trouble outside the polling stations and thereby interfere in the smooth and fair conduct of Polling process and also thereby may cause breach of peace and impact public tranquility. Hence, there is sufficient ground for proceeding for which immediate prevention is required;

Therefore, in order to ensure free, fair, peaceful conduct of elections and strict compliance/adherence to the instructions and rules laid down by the Election Commission of India and in exercise of the power conferred upon u/s 144 of Criminal Procedure Code, I, KULOTHUNGAN.A, IAS, District Magistrate, Puducherry district, in exercise of the power conferred upon U/S 144 of the Criminal Procedure Code, 1973, do hereby promulgate prohibitory order banning the following activities from 6.00 PM of 17.04.2024 till 6.00 AM of 20.04.2024 in Puducherry district:

- (1) Unlawful assembly and Holding of any public meetings/rallies.
- (2) Presence of electors or campaigners who are not voters of the constituencies in the district.
- (3) Use of Loudspeakers.
- (4) Displaying any election matter including results of any Opinion poll or any other poll survey in any electronic media.

Any violation of this order is punishable by legal action under section 188 of IPC and other relevant provisions by law.

However, the expression "unlawful assembly" appearing in this order, will not stand in the way of citizens going about their normal business and chores, to go to vote and celebrate the festival of democracy in proper spirit, gathering for private functions and this does not restrict house-to-house visit during 48 hours in connection with door-to-door campaigning. This shall not apply to the Agencies/Officials of the Government involved in the enforcement of Law and Order, conduct of election and the maintenance of essential services.

The emergent nature of case and circumstances do not permit serving of notice to the concerned in due time and hence this order is passed ex parte U/S 144 (2) of Criminal Procedure Code, 1973.

At Puducherry, dated 16th day of April 2024.


(KULOTHUNGAN.A, I.A.S.)
DISTRICT MAGISTRATE

To
The Director of Stationery & Printing, Puducherry ___ for publishing the order in an extra-ordinary issue of State Gazette immediately.

Copy Submitted to:

1. The Chief Secretary to Government, Puducherry
2. The Director General of Police, Puducherry.
3. The Chief Electoral Officer, Puducherry

Copy to:

1. The Senior Superintendent of Police (Law & Order), Puducherry
2. The Sub Divisional Magistrate (North/South/Mahe/Yanam), Puducherry
3. The Supdt. of Police (Elections/North/South/East/West/Mahe/Yanam)
4. The Director of Information & Publicity, Puducherry.....to make wide publicity.