

ELECTION COMMISSION OF INDIA
Nirvachan Sadan, Ashoka Road, New Delhi-110001

No. ECI/PN/46/2005

Dated: 27th October, 2005

PRESS NOTE

**Sub: Schedule for bye-elections to fill casual vacancies in the
State Legislative Assembly of Uttar Pradesh.**

It has been a clear and consistent policy of the Commission that the bye elections shall be held at the earliest possible opportunity in order to ensure that no segment of the Indian people are left unrepresented for unnecessary length of time. There are 2 (two) clear vacancies in the State Legislative Assembly of Uttar Pradesh as indicated below: -

VACANCIES IN STATE LEGISLATIVE ASSEMBLY

Sl.No.	Name of State	Number and name of Constituency	Date of Vacancy
1.	Uttar Pradesh	231-Aurai A.C. 399-Nagal (SC) A.C.	30.05.2005 22.09.2005

399-Nagal (SC) A.C. is a clear vacancy and is not subject to any election petition or appeal pending in any Court. In respect of 231-Aurai A.C. there is a writ petition [No.55444(C)] pending in the Hon'ble Allahabad High Court challenging the order of the Hon,ble Governor of Uttar Pradesh, dated 18.05.2005 disqualifying Shri Udai Bhan Singh from the membership of the Uttar Pradesh Legislative Assembly, under article

192 (1) of the Constitution. However, there is no interim stay order granted by the Hon'ble High Court against the impugned order. As per the provisions of Sections 150 and 151A of the Representation of the People Act, 1951, the Commission is duty bound to hold the bye-election within a period of six months from the date of occurrence of vacancy. As the remaining tenure of the State Legislative Assembly of Uttar Pradesh is more than one year, the Commission announces bye-elections from the abovementioned constituencies as per the following schedule:

Programme	Schedule
1. Announcement	27.10.05 (Thursday)
2. Issue of Notification	03.11.05 (Thursday)
3. Last date of making Nominations	10.11.05 (Thursday)
4. Scrutiny of Nominations	11.11.05 (Friday)
5. Last date for withdrawal of candidature	14.11.05 (Monday)
6. Date of Poll	28.11.05 (Monday)
7. Counting of votes	29.11.05 (Tuesday)
8. Date before which election shall be completed	30.11.05 (Wednesday)

ELECTRONIC VOTING MACHINES

The Commission has decided to use EVMs in these bye-elections in all the polling stations. Adequate numbers of EVMs have been made

available to these States 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 the past practice, the Commission has decided that the voter's identification shall be mandatory in the aforementioned bye-elections 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 Rolls, separate instructions will be issued to allow additional documents for identification of voters at the time of poll in the aforementioned bye-elections.

MODEL CODE OF CONDUCT

The Model Code of Conduct shall come into force with immediate effect i.e., 27th October 2005, in the districts in which the whole or a part of any 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 of Uttar Pradesh. The Model Code of Conduct shall also be applicable to the Union Government as far as the State of Uttar Pradesh is concerned.

(K.F.WILFRED)
SECRETARY