

# कार्यालय मुख्य निर्वाचन अधिकारी, उत्तर प्रदेश

चतुर्थ तल विकास भवन, जनपथ मार्केट, लखनऊ-226001

संख्या: 1554/सीईओ-2-74/2-2010 लखनऊ दिनांक: 25 अक्टूबर, 2016

सेवा में,

समस्त जिला निर्वाचन अधिकारी,  
उत्तर प्रदेश।

विषय Hon'ble Delhi High Court's Order dated 07-07-16 in W.P.(C) No. 8363/2010-Common cause vs Bahujan Samaj Party-regarding.

महोदय,

उपरोक्त विषयक भारत निर्वाचन आयोग के पत्र संख्या-56/4/LET/ECI/FUNC/PP/PPS-II/2015 दिनांक 07.10.2016 का अवलोकन करने का कष्ट करें।

2- आयोग द्वारा दिल्ली उच्च न्यायालय के आदेश दिनांक 07.07.2016 को सन्दर्भित करते हुए राजनैतिक पार्टियों द्वारा चुनाव चिन्ह के प्रचार हेतु लोकनिधि/सार्वजनिक स्थल के उपयोग किये जाने के सम्बन्ध में दिशा निर्देश जारी किया गया है।

उक्त परिप्रेक्ष्य में अनुरोध है कि आयोग के उक्त निर्देशों को सभी सम्बन्धित के संज्ञान में लाते हुए आवश्यक कार्यवाही सुनिश्चित कराने का कष्ट करें।

संलग्नक: यथोक्त।

भवदीय,

(जितेन्द्र प्रताप सिंह)  
25.10.16

संयुक्त मुख्य निर्वाचन अधिकारी।

संख्या:1554(1)/सीईओ-2 तददिनांक

प्रतिलिपि निम्नलिखित को संलग्नक सहित सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित-

- 1- समस्त मण्डलायुक्त उ0प्र0।
- 2- समस्त उप जिला निर्वाचन अधिकारी उ0प्र0।
- 3- समस्त अधिकारी/अनुभाग, कार्यालय मुख्य निर्वाचन अधिकारी, उ0प्र0।
- 4- प्रभारी कम्प्यूटर कक्ष को वेबसाइट अपलोड करने हेतु।

(जितेन्द्र प्रताप सिंह)  
25.10.16

संयुक्त मुख्य निर्वाचन अधिकारी।

संख्या 216 / एम.एस. / निर्वाचन / 2016

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

No. 56/4/LET/ECI/FUNC/PP/PPS-II/2015

Dated : 7<sup>th</sup> Oct., 2016

To

- (1) The Cabinet Secretary,  
Cabinet Secretariat,  
Rashtrapati Bhawan,  
New Delhi.
- (2) The Chief Secretaries  
Of all States and Union Territories

Sub: Hon'ble Delhi High Court's Order dated 07-07-16 in W.P.(C) No. 8363/2010-Common Cause vs Bahujan Samaj Party-regarding.

Sir,

I am directed to enclose herewith copy of the Commission's circular letter No. 56/4/LET/ECI/FUNC/PP/PPS-II/2015, dated 7<sup>th</sup> October, 2016, addressed to all political parties, in the context of the abovementioned order of the Hon'ble Delhi High Court regarding use of public funds/public places for propagating election symbol of political parties.

2. In the above-referred letter, the Commission has directed that no political party shall either use or allow the use of any public funds or public place or government machinery for carrying out any activities that would amount to advertisement for the party or propagating the election symbol allotted to the Party.

3. This is for your kind information and appropriate action.

Yours faithfully,

(K.F. WILFRED)  
PRINCIPAL SECRETARY

434/CEO/16

होमि डी

ACEO (AG)/JCEO

14.10.16

मुख्य निर्वाचन अधिकारी एवं  
प्रमुख सचिव निर्वाचन, उ०प्र० शासन।

संलग्न निर्वाचन सूची  
MS

12/10/16 (राहुल भटनागर)  
मुख्य सचिव

उत्तर प्रदेश शासन।

22/10/16  
DCEO (FP)

17/10/16 (सुमि/किन्द राय)  
संयुक्त मुख्य निर्वाचन अधिकारी  
उत्तर प्रदेश।

1375/ACEO/16

36/H CEO (R)

17/10/16

17/10/16 (अपर मुख्य निर्वाचन अधिकारी एवं  
सचिव, निर्वाचन, उत्तर प्रदेश शासन)

SA-2  
17/10/16

17/10/16

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

No. 56/4/LET/ECI/FUNC/PP/PPS-II/2015

Dated : 7<sup>th</sup> Oct., 2016

To

The President/General Secretary/Chairperson/Convener,  
Of all recognised National and State Political Parties.

**Sub: Hon'ble Delhi High Court's Order dated 07-07-16 in W.P.(C) No. 8363/2010-  
Common Cause vs Bahujan Samaj Party-regarding.**

Sir/Madam,

This is in continuation of the Commission's letter of even number, dated 9<sup>th</sup> September, 2016, in the matter of order dated 07-07-2016 passed by the Hon'ble Delhi High Court in WP (C) No. 8363 of 2010 - Common Cause vs. Bahujan Samaj Party. In the said judgment, the Hon'ble High Court has, inter alia, directed that appropriate direction/guideline be issued within the meaning of paragraph 16A of the Symbols Order preventing recognized political party in power from using public places and public funds for propagating the election symbol of the party.

2. Before taking final decision, the Commission decided to obtain the views of the recognised parties. Accordingly, vide the above referred letter dated 9<sup>th</sup> September, 2016, the recognised National and State Parties were requested to furnish their views in the matter latest by 19-09-16. The parties which have furnished their views in the matter have supported the idea of having guidelines in this regard.

3. The Commission has considered the matter in the light of the directions of the Hon'ble High Court and also the views expressed by the political parties. Having so considered the matter, the Commission is of the view that utilizing public funds/public place for promoting any political party or propagating its election symbol would be antithetical to the concept of free and fair election and the principle of level playing field for all stakeholders.

4. Accordingly, the Commission has directed that no political party shall henceforth either use or allow the use of any public funds or public place or government machinery for carrying out any activity that would amount to advertisement for the party or propagating the election symbol allotted to the Party.

7)

5. It is clarified that any violation of the above directions would be treated as violation of a lawful direction of the Commission within the meaning of paragraph 16A of the Election Symbols (Reservation & Allotment) Order, 1968.

Yours faithfully,



(K.F. WILFRED)  
PRINCIPAL SECRETARY

Copy to the Chief Electoral Officers of all States and Union Territories. It is requested that the above directions may be brought to the notice of all political parties based in the State/UT.