

# कार्यालय मुख्य निर्वाचन अधिकारी, उत्तर प्रदेश।

चतुर्थ तल विकास भवन, जनपथ मार्केट, लखनऊ-226001

संख्या:-1734/सी0ई0ओ0-1-142/1-2008 लखनऊ दिनांक 13 सितम्बर, 2018

सेवा में,

समस्त जिला निर्वाचन अधिकारी,  
उत्तर प्रदेश।

विषय:- Insturctions on Prevention of defacement of open spaces and public property-regarding.

महोदय,

उपरोक्त विषय पर कृपया भारत निर्वाचन आयोग से प्राप्त पत्र संख्या-3/8/2018/SDR/Vol.I दिनांक 05.09.2018 का संदर्भ ग्रहण करने का कष्ट करें।

2- उक्त पत्र के माध्यम से Insturctions on Prevention of defacement of open spaces and public property के सम्बन्ध में निर्देश निर्गत किये गये हैं।

अतः आयोग से प्राप्त उक्त पत्र की छायाप्रति संलग्न कर भेजते हुए मुझे यह कहने का निदेश हुआ है कि कृपया आयोग द्वारा दिये गये निर्देशों का गहनतापूर्वक अध्ययन कर उसे समस्त संबंधित के संज्ञान में लाते हुए आवश्यक कार्यवाही सुनिश्चित कराने का कष्ट करें।

संलग्नक:-यथोक्त।

भवदीय,  
(अभय)

अपर मुख्य निर्वाचन अधिकारी।

संख्या:-1734(1)/सी0ई0ओ0-1-तददिनांक।

प्रतिलिपि उक्त संलग्नक सहित निम्नलिखित को सूचनार्थ एवं अवश्यक कार्यवाही हेतु प्रेषित:-

- 1- समस्त मण्डलायुक्त, उत्तर प्रदेश।
- 2- समस्त उप/सहायक जिला निर्वाचन अधिकारी, उत्तर प्रदेश।
- 3- प्रभारी कम्प्यूटर प्रकोष्ठ को पी0डी0एफ0 फाइल हेतु।

(अभय)

अपर मुख्य निर्वाचन अधिकारी।

# ELECTION COMMISSION OF INDIA

Nirvachan Sadan, Ashok Road, New Delhi-110 001

No 3/8/2018/SDR/Vol.I

Dated: 5<sup>th</sup> September, 2018

To,

The Chief Electoral Officers  
Of all States & Union Territories

Subject: Instructions on prevention of defacement of open spaces and public property - regarding.

Sr.  
I am directed to invite your attention to the Commission's letter No. 509/241/ECI/LET/FUNC/JUD/RCC/2011 dated 20<sup>th</sup> April, 2018 (copy enclosed), on the subject cited, and to state that the instructions in item (6) under Para 2 of the said letter pertaining to time limit for use of loudspeakers in connection with election campaign has been modified in line with the instructions issued in pursuance of the Hon'ble Supreme Court's Order dated 18.07.2005, vide letter no. 3/8/2005/JS-II dated 26<sup>th</sup> September, 2005 (copy enclosed) specifying the prohibited period of use of loudspeakers for election campaign as between 10.00 PM and 6.00 AM.

Accordingly, Para 2(6) of the Commission's letter dated 20.04.2018 has been modified as

Under: -  
*During MCC period there shall be a prohibition on campaign related activity including door-to-door campaign, SMS, WhatsApp, Calls, usage of loud speakers etc. between 10.00PM to 6.00AM as it is necessary to respect the privacy of the citizens and reduce disturbance to public life in general.*

This may be brought to the notice of the District Election Officers, Returning Officers and all other election related authorities for information and compliance. This may also be communicated to State units of national parties, recognised State Parties and registered un-recognised based in your State/UT for compliance.

Yours faithfully,

(N.T. Bhutia)  
SECRETARY

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508  
ANNEXURE (C) / 402

12/09/18  
Copy to: P.A. (Law)  
उप मुख्य निर्वाचन अधिकारी  
उत्तर प्रदेश

SO-E

12.09.18

913/2012  
10/3

21 No. 4 (CJ)

# ELECTION COMMISSION OF INDIA

Nirvachan Sadan, Ashoka Road, New Delhi - 110001.

By Speed Post/E-Mail

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No. 509/241/ECV/LET/FUN/CJ/UD/RCC/2011 700-705 Sp/ 705 Speed Post / 828-878  
Dated: 20<sup>th</sup> April, 2018

To.

The Chief Electoral Officers and Chief Secretaries  
of all States and UTs

**Subject: Instructions on Prevention of Defacement of Open Spaces and Public Property - regarding.**

Madam/Sir,

I am directed to invite your attention to the Commission's Instructions issued in this regard as contained in Table I below as well as to the advisories issued vide Letter No. 4/3/99/JS-II dated 16.07.1999, Letter No. 4/3/2003/JS-II/Vol.I dated 01.05.2003, Letter No. 4/3/2004/JS-II/Vol.I dated 11.03.2004, Letter No. 4/3/2006/JS-II/2159-2193 dated 16.03.2006 and Letter No. 4/3/2016/SDR dated 05.04.2016 for avoiding the use of plastic/polythene and similar non - biodegradable materials for preparation of campaign material and the advisory issued vide Letter dated 06.04.2016 for the use of eco-friendly substances for preparing election campaign/publicity material. This is to state that the above mentioned advisories are hereby made mandatory in nature.

**Table I: Commissions Instructions on the present subject matter**

S. No.	CIRCULAR NO.	DATE	SUBJECT
1.	Letter No. 3/9/2004/JS-II	24.08.2004	Restriction on the Printing of Pamphlets, Posters etc.
2.	Letter No. 3/9/2007/JS-II	16.10.2007	Restriction on the Printing of Pamphlets, Posters etc.
3.	Circular Letter No. 3/7/2008/JS - II	07.10.2008	Prevention of defacement of property and other campaign related items - revised instructions.
4.	Letter 3/7/2008/JS - II/SDR/2905-2939	10.11.2008	Instruction on defacement of property.

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ELECTION COMMISSION OF INDIA  
NEW DELHI

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Instruction No.	No.	Date	Subject
437/6/INST/2012-CC&BE	18.01.2012		Prevention of defacement of property and other campaign related items - revised instructions.
3/7/2014/SDR	11.03.2014		Prevention of defacement of property and other campaign related items - clarification regarding use of flags of political parties.
4/LET/ECV/FUN/CJ/UD/S DR/2016	25.07.2016		Restriction on the printing of pamphlets, posters etc. - clarification.

2. It is further directed that the directions given by the Andhra Pradesh High Court in PIL No. 23 of 2014, *Trust for Social Justice rep. by its President B. Sree Lakha V/s State of Andhra Pradesh and others*, vide Order dated 24.02.2014 shall be applicable throughout India. The relevant portion of the Order is being reproduced below for the sake of convenience:

"3. In view of the aforesaid revelation of fact, we direct the Commissioner, Greater Hyderabad Municipal Corporation, to review the permissions already granted to persons for erecting banners and sign boards and ascertain whether such permissions are to be allowed to be continued as to its necessity vis--vis above G.O. as it is stated in the report, any such permissions shall not be for more than two years at a time.

5 [...] Therefore, we direct the Commissioner, Greater Hyderabad Municipal Corporation, and the Commissioner of Police, Hyderabad, to remove all the cutouts, banners and sign boards which are erected without permission of the Greater Hyderabad Municipal Corporation, on streets or at public places.  
6. At the first instance, the Greater Hyderabad Municipal Corporation and the Police Commissioner, Hyderabad, shall issue notice to those persons identifiable who erected unauthorized cutouts, banners, hoardings, sign boards to remove them at their own costs within seven days, failing which they shall be removed and such cost of removal shall be recovered from those persons who installed and erected them as public debt and also by an order of rates and taxes leviable by the Greater Hyderabad Municipal Corporation. The matter will appear one month hence to submit compliance report to this Court. Any person aggrieved by this, may approach this Court and the Court will examine their grievance. In the meantime, the Greater Hyderabad Municipal Corporation

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and the Police Commissioner, Hyderabad, shall see that no posters, banners and cutouts are erected in public streets or place or park without permission and ensure that this order is strictly followed and submit a progress report about the implementation of this order."

3. The Solid Waste Management Rules, 2016 and the Plastic Waste Management Rules, 2016, and other applicable laws in this regard are hereby adopted for disposal of the campaign material by the local municipal authority and the cost for the same shall be recovered from the candidates or political parties, as the case may be, in accordance with the polluter pays principle.
4. Certain areas must be demarcated by every Municipal Body/Panchayat and specifically designated for graffiti, wall writing, pasting of posters or display of cut-outs and such an area shall be allowed to be used in an equitable manner. Moreover, it should be the responsibility of the political parties or candidates to remove the campaign material after election.
5. Except the commercial places made available by the advertisers and the designated places as noted in the above paragraph, there should be no pasting or sticking of the campaign material on any open place or any public property.
6. During MCC period there shall be a prohibition on campaign related activity including door-to-door campaign, SMS, Whatsapp, Calls, usage of loud speakers etc. between 7 pm to 8 am as it is necessary to respect the privacy of the citizens and reduce disturbance to public life in general.
7. The above instructions may be brought to the notice of all Election related authorities, Municipal Bodies/Panchayats, Police Authorities as well as Political Parties.

Copy To: All Recognized National and State Political Parties.

Yours' Faithfully,

  
(VIJAY KUMAR PANDEY)  
DIRECTOR (LAW)

## ELECTION COMMISSION OF INDIA

Nirvachan Sadan, Ashoka Road, New Delhi- 110 001.

Dated:- 26<sup>th</sup> September, 2005

No. 3/8 2005-JS-II

To

1. The Chief Secretaries of all States and Union Territories
2. The Chief Electoral Officers of all States and Union Territories

Subject - Use of Loudspeakers for election campaigns - regarding

Sir,


In pursuance of the Hon'ble Supreme Court's Orders dated 18-7-2005 in W.P. (C) No. 22 of 1998 (Forum, Prevention of Environment and Sound Pollution V. UOI & Anr.) I am directed to state that para 3(i) of the Commission's instructions circulated in its letter No. 3/8 2000-JS-II, dated 26<sup>th</sup> December, 2000, regarding use of loudspeakers for election campaign (reproduced at item No. 95 of the Compendium of Instructions, 2004 edition), shall be substituted as under -

"3(i) A public address system or loudspeaker or any sound amplifier, whether fitted on vehicles of any kind whatsoever, or in stationary position, used for public meetings for electioneering purposes, shall not be used at night between 10.00 p.m. and 6.00 a.m."

2. The above changes may be brought to the notice of the District Election Officers, Returning Officers and all other election related authorities for information and compliance. All national State Parties and recognised state parties may be informed about the abovementioned directions for compliance. In the case of Bihar where general election to the Legislative Assembly is now in progress, these instructions should be brought to the notice of all candidates, as well

3. Kindly acknowledge receipt of this letter

Yours faithfully,

  
(K.F. WILFRED)  
SECRETARY

Circulated to all Zonal Secretaries, Under Secretaries and Zonal Sections

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