

# ELECTION COMMISSION OF INDIA

Nirvachan Sadan, Ashoka Road, New Delhi-110001

No.464/WB-LA/2021

Dated: 22<sup>nd</sup> April, 2021

## ORDER

Whereas, the Commission, cognizant of the ongoing Covid-19 pandemic, has issued detailed guidelines **dated 21.08.2020** prescribing arrangements at polling stations for voters, for polling officials, as well as for political campaign to be followed during the conduct of Assembly Elections in the State of Bihar. The same guidelines were prescribed for all Bye Elections that were conducted in 2020; and

Whereas, the above Covid **guidelines were reiterated** while announcing the Assembly Elections for the States of Assam, West Bengal, Kerala, Tamil Nadu and UT of Puducherry on **26.02.2021**; and

Whereas, the Commission observed violation of the Covid guidelines during public meetings, rallies, etc and **again reiterated Covid Guidelines on 09.04.2021** for the conduct of safe elections in which the Commission **also gave a strict warning** that in case of breach the Commission will not hesitate in banning public meetings, rallies, etc.; and

**Whereas, the aforesaid guidelines issued by the Commission are supplementary** to the directions prescribed from time to time by the Ministry of Home Affairs, Government of India and orders issued by the Central and State Governments under the Disaster Management Act, 2005 to contain the spread of Covid-19; and

**Whereas, the Commission is vested** with the responsibility of conducting free and fair elections to the Parliament and State Legislatures and to the Offices of the President and the Vice-President of India; and

Whereas, it is a well settled law that Article 324 of the Constitution of India confers upon the Commission the widest possible power in the matter of "*superintendence, direction and control of... and the conduct of, all elections... to the Legislature of every State...*"; and

**Whereas, the Commission has noted several instances of election meetings and campaigns** wherein norms of social distancing, wearing of masks etc. have been flouted in blatant disregard of the Commission's aforesaid guidelines; and

**Whereas, the Commission has also taken a serious view** against repeated violations by star campaigners/political leaders/candidates who are supposed to be torch bearers for the campaign against Covid-19, grossly violating Covid-19 protocols, thereby exposing themselves as well as the public to the danger of infection; and

Whereas, in view of unprecedented public health concerns, **the Commission on 16.4.2021, invoking its plenary powers under Article 324, ordered the following:**



1. **No rallies, public meetings, street plays, Nukkad sabhas**, shall be allowed on any day during the days of campaign between 7pm and 10am w.e.f. 7pm of 16.04.2021.
2. **Silence period for rallies, public meetings, street plays, Nukkad Sabhas, bike rallies or any gathering for campaigning purposes shall be extended to 72 hours** before the end of the poll for Phase 6, Phase 7 and Phase 8 in the State of West Bengal. Thereby, for these phases, campaign shall end at 6.30PM on 19.04.2021; on 23.04.2021; and on 26.04.2021 respectively; and

**Whereas, on 21.04.2021**, the Commission further ordered that in case parties/candidates don't abide by the laid down Covid protocols during campaign, necessary action under pandemic act etc will be initiated immediately by the district authorities and their permission for further campaigns, even if granted previously, shall also be cancelled; and


**Whereas, the Commission has noted with anguish that many political parties/candidates are still not adhering to the prescribed safety norms during the public gatherings and this is making difficult for the State/District election machineries to enforce the aforesaid directions fully; and**

Now, therefore, in view of aforesaid and taking all material facts into consideration, and in addition to Commission earlier orders dated 21.08.2020, 26.02.2021, 16.04.2021 and 21.04.2021, the Commission invoking its powers under Article 324 further orders that w.e.f. from 7.00pm of 22.04.2021, in the State of West Bengal -

1. No road show/ *Pad-Yatra* shall be permissible;
2. No cycle/bike/vehicle rally shall be permissible.
3. No public meeting beyond the limit of 500 persons at a place subject to availability of adequate space with social distancing, adhering to COVID-19 safety norms, shall be permissible.
4. Permission for road show, cycle/bike/vehicle rally, if granted already, stands withdrawn. Permission for public meeting, if granted already, stands modified to the extent above.

CEO West Bengal, all DEOs and ROs shall bring this to the notice of all concerned immediately and shall **ensure compliance repeat ensure compliance** without fail.

By Order of the Commission

  
(RAKESH KUMAR)  
SECRETARY