

S. No. 13(C)

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

No.3/7/2008/J.S.-II/SDR

2905-2939

Dated : 10<sup>th</sup> November, 2008

To

The Chief Electoral Officers of  
All States and Union Territories.

**Sub:- Instructions on defacement of property- regarding.**

Sir,

I am directed to invite a reference to the Commission's letter No. 3/7/2008/JS-II dated 7<sup>th</sup> October, 2008, on the subject cited above.

It is reported that there is some confusion in understanding the instructions of the Commission with regard to defacement of private property. The instructions in this regard are further elaborated below.

**Defacement of private property**

Where there is a Law which prohibits defacement

In States which have a Law that prohibits defacement of private property in any manner, the provisions of the law would apply, meaning thereby that there cannot be any defacement in such cases even with the consent of the owner of the property.

Where the Law permits defacement of private property

In States where the Law has express provisions permitting any kind of defacement of private property, with or without conditions, the Commission's instructions provide that the written permission of the owner/occupant of the property should be obtained by the party/candidate/person concerned and a copy of the same should be submitted to the Returning Officers concerned.

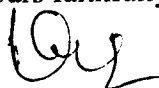
Please refer to  
JS-II  
SDR

Where there is no Law on defacement

In States where there is no Law on defacement of private property, as per the Commission's instructions, temporary and easily removable campaign material such as flags and banners would be permitted with the written permission of the owner/occupant of the property. The permission should be a voluntary one, and copy of the written permission obtained is to be submitted to the Returning Officers concerned.

Please acknowledge receipt of this letter.

Yours faithfully,

  
(K.F. WILFRED)  
SECRETARY

