

ELECTION COMMISSION OF INDIA

Nirvachan Sadan, Ashok Road, New Delhi-110 001

No. 3/ER/2018/SDR/VOL-I

Dated: 15th March, 2019

To,

The President/General Secretary/Chairperson/Convenor of
All recognized National & State Parties.

Subject: - Provisions of Section 126 of the Representation of the People Act, 1951-reg.

Sir/Madam,

As you are aware, Section 126 of the RP Act, 1951, inter-alia, prohibits election campaign activities through public meetings, processions, etc, and displaying of election matter by means of television and similar apparatus. The purpose sought to be served by this prohibition is to provide a period of tranquil (silence period) for the electors before the voting day.

2. Issues related to alleged violation of the provisions of Section 126 have been raised before the Commission; particularly on infringement of the provisions of clause (b) thereof dealing with telecast/broadcast of election matters on electronic media during the silence period. For reviewing the working of Section 126 in the context of advancements in communication technology and rise of social media a Committee was constituted by the Commission with the mandate of reviewing the provisions of Section 126 of the Representation of the People Act, 1951 and other related provisions and to make suitable recommendation in this regard. The views of all recognized National and State Parties had also been sought by the Committee. In the report, submitted by the Committee apart from various recommendations, the Committee has proposed for an advisory to political parties for every compliance with the letter and spirit of the provisions of Section 126. The Commission calls upon all political parties to instruct and brief their leaders and campaigners to ensure that they observe the silence period on all forms of media as envisaged under Section 126 of the RP Act, 1951, and their leaders and cadres do not commit any act that may violate the spirit of Section 126.


3. In a multi-phased election, the silence period of last 48 hours may be on in certain constituencies while campaign is ongoing in other constituencies. In such event, there should

not be any direct or indirect reference amounting to soliciting support for parties or candidates in the constituencies observing the silence period.

4. During the silence period, star campaigners and other Political Leaders should refrain from addressing the media by way of press conferences and giving interviews on election matters.

5. This communication may kindly be circulated to the cadre at all levels of the Party for compliance.

Yours faithfully,


(N.T. Bhutia)
Secretary

Copy to : - All Chief Electoral Officers.