

राजस्थान सरकार
निर्वाचन विभाग

क्रमांक :- प.8(2)(2)निर्वा/2018/ 6835

जयपुर, दिनांक : 5/10/18

प्रेषक : मुख्य निर्वाचन अधिकारी
राजस्थान, जयपुर

प्रेषित : मुख्य सचिव
राजस्थान सरकार
जयपुर।

आयुक्त
सूचना एवं प्रौद्योगिकी विभाग
राजस्थान, जयपुर

समस्त अतिरिक्त मुख्य सचिव/
प्रमुख शासन सचिव/शासन सचिव
राजस्थान सरकार, जयपुर

निदेशक
सूचना एवं जनसम्पर्क विभाग
राजस्थान, जयपुर

राज्य सूचना अधिकारी,
राष्ट्रीय सूचना विज्ञान केन्द्र
राजस्थान, जयपुर।

विषय :- विधानसभा आम चुनाव, 2018 – आदर्श आचार संहिता – सरकारी खर्चे पर सरकार की उपलब्धियों संबंधी विज्ञापन, होर्डिंग्स आदि के प्रदर्शन पर निषेध बाबत।

प्रसंग :- भारत निर्वाचन आयोग के पत्र (1) क्रमांक 437/6/2004-PLN III/दिनांक 08.03.04, (2) क्रमांक 437/6/2007 (INST) PLN III दिनांक 21.11.2007, (3) क्रमांक 437/6/2007/INST/2008-CC&BE दिनांक 28.03.2009, (4) क्रमांक 437/6/INST/2008-CC&BE दिनांक 01.04.2009 एवं क्रमांक 437/6/INST/2015-CCS दिनांक 29.12.2015

महोदय,

विषयान्तर्गत निवेदन है कि आगामी विधानसभा आम चुनाव, 2018 के लिए कार्यक्रम की घोषणा शीघ्र ही संभावित है। निर्वाचन के कार्यक्रम की घोषणा की सूचना आपको समाचार पत्र व अन्य संचार माध्यमों से प्राप्त हो जायेगी एवं इस विभाग द्वारा भी अवगत करवा दिया जायेगा। भारत निर्वाचन आयोग द्वारा चुनाव के कार्यक्रम की घोषणा के साथ ही आदर्श आचार संहिता प्रभाव में आ जायेगी, जो निर्वाचन प्रक्रिया समाप्ति तक प्रभावी रहेगी।

भारत निर्वाचन आयोग ने प्रासंगिक पत्रों के द्वारा आदर्श आचार संहिता प्रभाव में आते ही निम्नांकित कार्यवाही करने के निर्देश दिये गये हैं :-

1. सरकारी/सार्वजनिक कोष से सरकार की उपलब्धियां दर्शाने संबंधी विज्ञापन, होर्डिंग्स, पोस्टर आदि नहीं लगाये जा सकते और यदि लगाये हुए हैं तो उनको तुरन्त हटा लिया

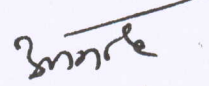
जावें एवं इसकी पालना रिपोर्ट आयोग को प्रेषित करने हेतु इस विभाग को अविलम्ब प्रेषित करावें।

2. समाचार पत्रों, इलेक्ट्रॉनिक मीडिया या अन्य मीडिया के माध्यम से राजकीय कोष से सत्ताधारी दल को फायदा पहुंचाने के उद्देश्य से किसी भी उपलब्धि बाबत विज्ञापन एवं राजनैतिक प्रवृत्ति के समाचार प्रसारित नहीं किये जावें।
3. राज्य/केन्द्र सरकार/सार्वजनिक उपक्रमों की वेबसाईट से मंत्रियों, राजनैतिक व्यक्तियों अथवा दलों के संदर्भ/फोटो आदि यदि हैं तो उन्हें तुरन्त हटा लिये जावें एवं इसकी पालना रिपोर्ट आयोग को प्रेषित करने हेतु इस विभाग को अविलम्ब प्रेषित करावें।
4. सरकारी/सार्वजनिक भवनों में प्रधानमंत्री, मुख्यमंत्री, मंत्रीगण एवं अन्य राजनैतिक व्यक्तियों (राष्ट्रपति, राज्यपाल, अतीत के विख्यात ऐतिहासिक पुरुषों, कवियों एवं राष्ट्रीय नेताओं के छोड़कर) के फोटोग्राफ नहीं लगाये जा सकते और यदि लगे हुए हैं तो उनको तुरन्त हटा लिया जावें।

अतः भारत निर्वाचन आयोग के प्रासंगिक पत्रों की छाया प्रतियां संलग्न कर अनुरोध है कि आयोग के निर्देशों की पालना आप अपने अधीनस्थ सभी विभागों/स्थानीय निकायों/सार्वजनिक उपक्रमों से सुनिश्चित करावें, साथ ही आयोग को प्रेषित करने हेतु पालना रिपोर्ट इस विभाग को चुनाव कार्यक्रम की घोषणा होने के बाद अविलम्ब भिजवायें।

संलग्न : उपरोक्तानुसार।

भवदीय,



(आनन्द कुमार)

मुख्य निर्वाचन अधिकारी
राजस्थान, जयपुर

क्रमांक :- प.8(2)(2)निर्वा/2018/ 6835

जयपुर, दिनांक : 5/10/18

प्रतिलिपि मय आयोग के प्रासंगिक पत्रों की प्रति निम्नांकित को प्रेषित कर लेख है कि आदर्श आचार संहिता प्रभाव में आते ही आयोग के निर्देशों की पालना सुनिश्चित करवायें:-

1. आयुक्त एवं शासन सचिव, पंचायती राज विभाग, राजस्थान, जयपुर।
2. समस्त संभागीय आयुक्त, राजस्थान।
3. समस्त जिला निर्वाचन अधिकारी (कलेक्टर्स) राजस्थान।
4. निदेशक, स्वायत्त शासन विभाग, राजस्थान, जयपुर।
5. निदेशक (IEC) चिकित्सा एवं स्वास्थ्य विभाग, जयपुर।

संलग्न : उपरोक्तानुसार।



अतिरिक्त मुख्य निर्वाचन अधिकारी
राजस्थान, जयपुर

Election Commission's letter No. 437/6/2004-PLN III, dated 08.03.2004 addressed to the Cabinet Secretary, Govt. of India, the Secretary, Ministry of Information and Broadcasting, Govt. of India, the Chief Secretaries to the Govt. of all States and Union Territories and copies to Chief Electoral Officers of all States and Union Territories

Subject: Display of advertisements and hoardings at the cost of public exchequer.

It has come to the notice of the Commission that a number of hoardings depicting the achievements of the party in power are being displayed by the Union and the States/UT Governments at the cost of public exchequer. Your attention is invited to sub-para (iv) of para VII - Party in Power- of the Model Code of Conduct for the Guidance of Political Parties and Candidates which is as under-

The party in power whether at the Centre or in the States/UTs concerned, shall ensure that no cause is given for any complaint that it has used its official position for the purposes of its election campaign and in particular-(iv) Issue of advertisement at the cost of public exchequer in the newspapers and other media and the misuse of official mass media during the election period for partisan coverage of political news and publicity regarding achievements with a view to furthering the prospects of the party in power shall be scrupulously avoided.'

With the announcement of the schedule of elections to Lok Sabha and the legislative Assemblies of Andhra Pradesh, Karnataka, Orissa and Sikkim on 29th February 2004 the Model Code of Conduct came into force immediately. The continuing display of such hoardings and advertisements at the cost of public exchequer, even if such Hoardings, advertisements or posters were displayed prior to the date of announcement of elections, constitutes a violation of the Model Code of Conduct as it provides an undue advantage to the party in power and has the effect of influencing the voters in favour of the party in power.

The Commission directs that all such hoardings, advertisements, etc. on display shall be removed forthwith by the concerned authorities and a compliance report furnished to the Commission

The Commission has also directed that no advertisements should be issued in the newspapers and other media including electronic media at the cost of public exchequer during the election period and the misuse of mass media during the election period for partisan coverage of political news and publicity regarding achievements with a view to furthering the prospects of the party in power should be scrupulously avoided.

All Ministries/Departments/Offices of the Central Government and the State Governments may be informed of this directive of the Commission for immediate compliance.

The receipt of this letter may be acknowledged.

By Special messenger/Speed post

ELECTION COMMISSION OF INDIA

Nirvachan Sadan, Ashoka Road, New Delhi-110001

No.437/6/2007(INST)-PLN-III

Dated : 21st November, 2007

To

1. The Cabinet Secretary, Government of India, Rashtrapati Bhawan, New Delhi.
2. The Chief Secretaries of all States and Union Territories
3. The Chief Electoral Officers of all States and Union Territories

Subject: Instructions relating to deletion of all references on politicians/Ministers on the official website during election period of General / Bye-Elections to the Lok Sabha and State Legislative Assemblies - regarding.

Sir,

I am directed to state that the Commission has considered the question of various references currently available in the State Government websites/Ministerial official websites pertaining to several Department and Govt. Organization highlighting their achievements but eulogizing the same as personal achievements of Politicians / Ministers. The Commission has decided that during the period when model code of conduct is in force in connection with general election to the Lok Sabha /State Legislative Assemblies, all references to Ministers, Politicians or Political Parties available on such State Government /Central Government 's official websites, shall be taken off/ purged of. During bye-elections, these instructions may be confined to only those Politicians/Ministers, etc. who themselves become candidates at such bye- elections.

This may kindly be brought to the notice of all concerned for strict compliance.

Kindly acknowledge receipt.

Yours faithfully,

(K. N. BHAR)
UNDER SECRETARY

Copy to:

The Principal Secretary /Secretaries/Under Secretaries for follow up action.

By Spl. Messenger/Camp Bag

ELECTION COMMISSION OF INDIA

Nirvachan Sadan, Ashoka Road, New Delhi-110001

No.437/6/INST/2008-CC&BE

Dated: 28th March, 2009

To

- 1) The Cabinet Secretary
Cabinet Secretariat
Rashtrapati Bhawan, New Delhi.
- 2) The Chief Secretaries of
All States and Union Territories
- 3) The Chief Electoral Officers of
All States and Union Territories

Subject: Prevention of misuse of vehicles during election – regarding.

Sir,

I am directed to invite your attention to the Commission's instructions issued vide its letter no. 437/6/2006-PLN-III dated 23rd November, 2007 on the subject cited and to state that in Commission's letter no. 437/6/INST/2008-CC&BE dated 31st October, 2008, the Commission had withdrawn the restriction imposed on the number of vehicles moving in a convoy in the case of political leaders availing exemption under explanation (1) of Section 77 of the R. P. Act, 1951. The Commission has decided to issue the following Guidelines in partial modifications of the above mentioned Commission's instructions dated. 23rd November, 2007.

2. It is now clarified that there is no restriction to the number of vehicles moving in a convoy and will be applicable to all concerned.

3. This may be brought to the notice of all Political parties / candidates and all election related Officials immediately for compliance.

Yours faithfully,

(K. N. BHAR)
UNDER SECRETARY

ELECTION COMMISSION OF INDIA

Nirvachan Sadan, Ashoka Road, New Delhi-110001.

No.437/6/INST/2008-CC&BE

Dated : 1st April, 2009.

To

1. The Cabinet Secretary,
Cabinet Secretariat,
Rashtrabhati Bhawan,
New Delhi.
2. The Chief Secretary to the Governments of
all States / Union Territories.
3. The Chief Electoral Officers of
all States / Union Territories.

Subject:- Display the photographs/calendars, etc. of national leaders and prominent personalities in the government offices/ premises – clarification regarding.

Sir,

I am directed to invite a reference to the Commission letter of even number dated 28th March, 2009, on the above subject, and to state that the underlying intention of the Commission's instruction was that the photographs and images of the political functionaries, who have deep influence on the minds of electors and many of whom are still active in public life and may even be contesting the current general elections, should not be displayed in the government buildings and premises as that would have the effect of disturbing the level playing field vis-à-vis the political functionaries of other parties and candidates.

In view of the inputs received, the Commission had issued the above instructions. In the meanwhile, certain doubts have been raised and clarification has been sought about the removal of the images of some national leaders, poets and prominent

historical personalities of the past. In this regard, the Commission would like to state that the abovementioned underlying purpose of the instruction needs to be fully appreciated while being acted upon. It is clarified that while the photographs of Prime Minister, Chief Ministers, Ministers and other political functionaries should not be displayed, this instruction, however, is not applicable with regard to the images of national leaders, poets, and prominent historical personalities of the past, and the President of India and the Governors. It is further clarified that in case of any doubt in this regard regarding removal of any photograph or images, the issue may be referred to the Chief Electoral Officer of the State/Union Territory concerned before taking action in the matter.

Yours faithfully,

(K. AJAY KUMAR)
SECRETARY

ELECTION COMMISSION OF INDIA

Nirvachan Sadan, Ashoka Road, New Delhi-110001

K. AJAYA KUMAR
PRINCIPAL SECRETARY
No. 437/6/INST/2015-CCS

Dated: 29th December, 2015.

To

1. The Cabinet Secretary,
Cabinet Secretariat,
Rashtrapati Bhawan,
New Delhi.
2. The Chief Secretaries of
All the States and Union Territories.
3. The Chief Electoral Officers of
All the States and Union Territories.

Subject: Banning use of building/civil structures owned by Public Sector Undertakings(PSUs) for political advertisement during period of Model Code of Conduct - regarding.

Sir/Madam,

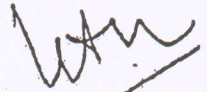
I am directed to invite a reference to the Commission's circular letter No.3/7/2008-JS-II, dated 7th October, 2008, wherein it has, inter alia, directed that there shall be no display of election posters, hoardings, banners, etc., in any Government premises or civil structures. It has come to the notice of the Commission that political parties have been displaying/pasting their posters, banners, etc., at the buildings/civil structures and/or premises owned by the Govt. and Public Sector Undertakings (PSUs) during election periods as part of their election campaign. It is clarified that buildings and premises of PSUs shall also be treated at par with Govt. premises for the purpose of displaying political ads during election period. The Commission has directed that no political advertisements shall be displayed/pasted at the buildings/civil structures owned by Public Sector Undertakings (PSUs) or in their premises during the period Model Code of Conduct is in force.

In case there is no specific provision in the by-laws of PSUs or in their agreements with the advertisement agencies to whom they let out space for advertisement for prohibiting display of political advertisement, PSUs may be instructed to add a para in their commercial agreements with commercial agencies/companies while providing space on lease to the

advertisement agency for placing commercial advertisements that "No political advertisement shall be displayed/pasted at the space provided on lease for commercial advertisement like airports, railway stations, Inter State/Local Bus Stands, Govt. transportation post offices, Government hospitals/dispensaries etc. (except on main highways, main roads etc.) during the period of Model Code of Conduct. If there is any political advertisement in the provided space, the same shall be removed immediately on enforcement of the Model Code of Conduct."

It is requested that appropriate instructions be issued to all concerned to ensure that the above directions are complied with and to ensure that instances of display of political advertisements in any form do not occur in the premises of PSUs in any election in future.

Yours faithfully,



(K. AJAY KUMAR)