



OFFICE OF THE CHIEF ELECTORAL OFFICER

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No.: E.108(1)/2019 - 352

Puducherry, dt.

NOTE

23 FEB 2019

Sub : Elections – General Election to Lok Sabha, 2019
– Use of loudspeakers for election campaigns –
Reg.

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A copy of the following instructions governing use of loudspeakers during election campaign issued by Election Commission of India are forwarded for information and necessary action.

S.No.	ECI Lr. No. & Date	Subject
1	3/8/2000/JS-II 26-12-2000	Consolidated instructions for use of loudspeakers in election campaigns.
2	3/7/2008/JS-II 07-10-2008	Revised instructions on prevention of defacement of property and other campaign related items.
3	464/KT-LA/2013 02-05-2013	Revised instructions on prevention of defacement of property and other campaign related items – Taking of policy decision.
4.	464/INST/2014-EPS 20-03-2014	Instruction regarding Single Window System for public meetings/rallies/procession use of Loudspeakers and use of vehicles for election campaigning as well as use of non-commercial/remote/uncontrolled airports/helipads
5.	464/INST/2014-EPS 03-04-2014	Clarification on ECI's letter dated 20-03-2014

2. It is requested that necessary instructions may kindly be issued to all SHOs to ensure strict compliance.

/BY ORDER OF THE CHIEF ELECTORAL OFFICER/

L. Kumar
24/2/19

(L. KUMAR)

ADDITIONAL CHIEF ELECTORAL OFFICER

Encl.: As above

To

1. The District Election Officer, Puducherry
2. The Senior Superintendent of Police (L&O), Puducherry
3. The Superintendent of Police (Special Branch), Pondicherry
4. The Superintendent of Police (Election Cell), Puducherry
5. The Transport Commissioner, Puducherry
6. The District Election Officer, Karaikal - for similar action
7. The Regional Administrator, Mahe / Yanam - for similar action

Copy submitted to:-

1. The Chief Secretary to Government, Puducherry
2. The Director General Of Police, Puducherry

S. 23/2/2019

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the IPC stipulates that whoever without the general or special authority in writing of a candidate incurs or authorises expenses on account of the holding of any public meeting, or upon any advertisement, circular or publication, or in any other way whatsoever for the purpose of promoting or procuring the election of such candidate, shall be punished with fine which may extend to five hundred rupees: Provided that if any person having incurred any such expenses not exceeding the amount of ten rupees without authority obtains within ten days from the date on which such expenses were incurred the approval in writing of the candidate, he shall be deemed to have incurred such expenses with the authority of the candidate.

DEFACEMENT OF HALLS/AUDITORIUMS AND OTHER PUBLIC PROPERTIES

6. In the case of Halls/Auditoriums/Meeting venues owned/controlled by the Government/ local authorities/PSUs/Cooperatives, if the law/guidelines governing their use do not preclude political meetings therein, there is no objection to it. It shall be ensured that the allocation is done on equitable basis and that there is no monopolization by any political party or candidates. In such venues, displaying of banners, bunting, flags, cut-outs, may be permitted during the period of meetings subject to any restrictions under the law/guidelines in force. Such banners, flags, etc. shall be got removed by the party/individual who used the premises immediately after conclusion of the meeting, and in any case within a reasonable period after the meeting is over. Permanent/semi-permanent defacement such as wall writing/pasting of posters etc. shall not be permitted in such premises.

7. If any political party/association/candidate/person indulges in defacement of any property in violation of the local law, if any, or the above instructions, the Returning Officer/ District Election Officer shall issue notice to the offender for removing the defacement forthwith. If the political party/association/candidate/person does not respond promptly, the district authorities may take action to remove the defacement, and the expenses incurred in the process shall be recovered from the political party/association/candidate/person responsible for the defacement. Further, the amount also shall be added to the election expenditure of the candidate concerned, and action should also be initiated to prosecute the offender under the provisions of the relevant law (under the law relating to prevention of defacement, if any, or under the provisions of the general law for causing willful damage to the property of others).

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DEFACEMENT OF VEHICLES

8. (a) In private vehicles, subject to the provisions of the Motor Vehicles Act, Rules thereunder and subject to court orders in force, if any, flags and stickers may be put on the vehicles by the owner of the vehicle on his own volition, in such a manner that they do not cause any inconvenience or distraction to other road users. If such display of flags and stickers aims to solicit vote for any particular candidate, then the provisions of Section 171H of the IPC would be attracted and would have to be followed.

(b) On commercial vehicles, display of any flag, sticker etc. shall not be permitted, unless such vehicle is a vehicle validly used for election campaign after obtaining the requisite permit from the District Election Officer/Returning Officer and the display thereof in original on the wind screen.

(c) External modification of vehicles including fitting of Loudspeaker thereon, would be subject to the provisions of the Motor Vehicles Act/Rules and any other Local Act/Rules. Vehicles with modifications and special campaign vehicles like Video Rath etc., can be used only after obtaining the requisite permission from the competent authorities under the Motor Vehicles Act.

OTHER CAMPAIGN RELATED ITEMS

9. Subject to accounting for the expenditure, the following may be permitted:-

(a) In processions and rallies etc., flags, banners, cutouts etc. can be carried subject to local laws and prohibitory orders in force;

(b) In such procession, wearing of party/candidate supplied special accessories like cap, mask, scarf etc. may be permitted. However, supply of main apparels like saree, shirt, etc. by party/candidate is not permitted.

(c) Educational institutions including their grounds (whether Govt. aided, private or Govt.) shall not be used for political campaigns and rallies.

10. The Chief Electoral Officers are requested to bring the directions of the Commission to the notice of the District Election Officers, Returning Officers and all other election related

authorities, and all political parties in the State, including State units of recognized National and State parties, and all registered un-recognized parties based in the State, and also the contesting candidates (at the time of elections) for information and compliance.

11. Please acknowledge receipt of this letter. The Chief Electoral Officers may kindly confirm that action as required above has been taken.

Yours faithfully,

(K. F. WILFRED)
SECRETARY

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Annexure-1

Defacement of Properties Law

Sl. No.	Name of State/UT	Name of Act/Rule	Extent of applicability
1.	Andhra Pradesh	The Andhra Pradesh Prevention of Disfigurement of Open Places and Prohibition of Obscene and Objectionable Posters and Advertisements Act, 1997.	It extends to the entire State.
2.	Arunachal Pradesh	The Arunachal Pradesh Prevention of Defacement of Property Act, 1997.	It extends to the entire State.
3.	Bihar	The Bihar Prevention of Defacement of Property Act, 1985.	It extends to the entire State.
4.	Chattisgarh	No separate law/Act framed by the State. But the Madhya Pradesh Sampatti Virupan Nivaran Adhiniyam, 1994 is applicable in the state.	It extends to the entire State.
5.	Goa	The Goa Prevention of Defacement of Property Act, 1988 as amended vide Act of 1992 and 2001.	It extends to the entire State.
6.	Haryana	The Haryana Prevention of Defacement of Property Act, 1989 as amended vide Act of 1996.	It extends to the entire State.
7.	Himachal Pradesh	The Himachal Pradesh Open Places (Prevention of Disfigurement) Act, 1985.	It extends to the entire State and come into force in the areas comprised in the Municipal Corporation of Shimla at once and shall come into force in the remaining part of the State on such date as the State Govt. may by notification, appoint.
8.	Jharkhand	No separate law/Act but the Bihar Prevention of Defacement of Property Act, 1985 is applicable in the state.	It extends to the entire State.

9.	Jammu & Kashmir	The Jammu & Kashmir Prevention of Defacement of Property Act No. XIX of 1985.	It extends to the entire State.
10.	Karnataka	The Karnataka Open places (Prevention of Disfigurement) Act, 1981 as amended vide Act of 1983.	It extends to Bangalore, Mysore, Hubli, Dharwar, Mangalore and Belgaun constituted or continued under the Karnataka Municipal Corporation Act - 1976, or under any other law on 5.5.81 and come into force in the Municipalities, notified areas, sanitary Boards, constituted or continued under the Karnataka Municipalities Act - 1964, or under any other law, or in any other local area, on such date, as the State Govt. may by notification appoint.
11.	Madhya Pradesh	The Madhya Pradesh Sampatti Virupan Nivaran Adhiniyam, 1994.	It extends to the entire State.
12.	Maharashtra	Maharashtra Act No. VIII of 1995 - regarding Prevention of Defacement of Property	Nothing is specifically mentioned about the extent of applicability.
13.	Mizoram	The Mizoram Prevention of Defacement of Property Act, 1995.	It extends to the entire State.
14.	Nagaland	The Nagaland Prevention of Defacement of Property Act, 1985.	It extends to the notified areas constituted under the Assam Tribal Areas (Administration of Town Committee) regulation 1950, or in any other local area or areas, on such date, as the State

			Govt. may by notification appoint.
15.	Punjab	The Punjab Prevention of Defacement of Property Act, 1998.	It extends to the entire State.
16.	Sikkim	The Sikkim Prevention of Defacement of Property Act, 1988.	It extends to the entire State.
17.	Tamil Nadu	The Tamil Nadu Open Places (Prevention of Disfigurement) Act, 1959, as amended vide Act of 1992.	It extends to the entire State.
18.	Tripura	The Tripura Prevention of Defacement of Property Act, 1976 in conjunction with Tripura (Prevention of Defacement of Property) Amendment Bill, 1998 now in force in the State.	It extends to the entire State and shall apply in the first instance to municipal limits of Agartala Town, but the State Govt. may from time to time by notification in the official Gazette, apply to such other local areas or areas as may be specified in the notification.
19.	Uttara-khand	The Uttaranchal Prevention of Defacement of Public Property Act, 2003.	It extends to the entire State.
20.	Andaman & Nicobar	The Andaman & Nicobar Islands Prevention of Defacement of Property Regulation, 1987.	It extends to the entire Union Territory of the Andaman and Nicobar Islands.

21.	Chandigarh UT	The West Bengal Prevention of Defacement of Property Act, 1976 has been made applicable in Chandigarh UT.	It extends to the entire State.
22.	Delhi	The West Bengal Prevention of Defacement of Property Act, 1976 was made applicable in Delhi. (A separate act is under consideration)	It extends to the entire State.
23.	Pondicherry	The Pondicherry Open Places (Prevention of Disfigurement) Act, 2000.	It extends to whole of the Union Territory of the Pondicherry.

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States in which there is no specific Law on the subject
of Prevention of Defacement of Property

Sl. No.	Name of State/UT	
1.	Assam	No law/Act
2.	Gujarat	No law/Act
3.	Kerala	No law/Act
4.	Manipur	No law/Act
5.	Meghalaya	No law/Act
6.	Orissa	No law/Act
7.	Rajasthan	No specific law on the subject but there is a provision in Section 198 of Rajasthan Municipalities Act, 1959 that without the consent of the owner or occupier and in case of Municipal property, without the permission in writing of the board, affixing any poster, bill, placard or other paper or means of advertisement is punishable with fine which may extend to twenty rupees.
8.	Uttar Pradesh	No law/Act
9.	West Bengal	The earlier West Bengal Prevention of Defacement of Property Act, 1976. (West Bengal Act XXI of 1976). This Act has since been repealed.
10.	Dadra & N. Haveli	No law/Act
11.	Daman and Diu	No law/Act
12.	Lakshdweep	No law/Act

Annexure-2

Statement showing the details of wall-writings / posters / hoardings / banners, etc. displayed by Shri / Smt / Ms _____ contesting candidate in _____ Parliamentary Constituency / Assembly Constituency

Name of the Village / Town / Locality _____

S.No.	Name and address of the owner of the private property from whom written permission has been obtained	Details of Wall - Writing or Hoardings or Banners or Poster (Size of wall writing / hoarding / banner / poster shall be indicated	Expenditure incurred or likely to be incurred on the wall-writing / hoarding / banner / posters, etc. (Rs.)
			Total

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ELECTION COMMISSION OF INDIA

Nirvachan Sadan, Ashoka Road, New Delhi – 110001.

No.464/KT-LA/2013

Dated 2nd May, 2013

To

The Chief Electoral Officers of all
States/Union Territories.

Subject:- Prevention of defacement of property and other campaign relating items-
revised instructions – regarding.

Sir,

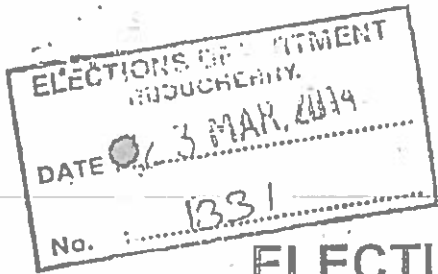
The Commission had issued instructions vide letter No.3/7/2008/JS-II, dated 7th October, 2008, on the subject cited. Para 8 of the letter mentioned refers to instructions regarding defacement of vehicle and a new sub para 8(d) shall be added as under:-

“8(d) – During election period, Road Transport Authorities, in consultation with police authorities, should take a policy decision under the Motor Vehicle Act whether or not to allow fitting of loud speakers on campaign vehicles. This policy decision should be communicated to all Returning Officers by the Transport Authorities. Based on this policy decision, Returning Officers may, if permitted by the Transport Authorities, grant permission for fitting of loud speakers on campaign vehicles with a stipulation that such speakers should not violate the provisions of Noise Pollution Rules or any other provisions in their State Laws.”

This is being issued in consonance with spirit of the judicial pronouncements made in this behalf

Yours faithfully,

(TAPAS KUMAR)
PRINCIPAL SECRETARY



GE-2014

ELECTION COMMISSION OF INDIA

NIRVACHAN SADAN, ASHOKA ROAD, NEW DELHI-110001

No. 464/INST/2014-EPS

Dated:- 20th March, 2014

To

The Chief Electoral Officers,
of all States/UTs.

Sub: General Election to the Lok Sabha, 2014 – Instructions regarding SINGLE WINDOW SYSTEM for Public Meetings/Rallies/Processions, use of Loudspeakers and use of vehicles for election campaigning as well as use of non-commercial/remote/ uncontrolled airports/helipads.

Sir/Madam,

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I am directed to refer to the subject cited above and to state that the Commission has directed that a "Single Window System" may be set up in the offices of concerned District Magistrate/District Election Officer/Returning Officer (RO) of the Parliamentary Constituencies in all the States/UTs during the election period, to grant permissions to the political parties and candidates for –

- 20/3
- usage of non-commercial/remote/uncontrolled airports/helipads;
 - organizing public meetings/rallies/ processions, use of loudspeakers; and
 - use of vehicles for election campaigning.

2. In view of the above, DMs/DEOs/ROs of all Parliamentary Constituencies may be directed to follow the instructions/directions during the ensuing General Election to Lok Sabha, 2014, as given below :

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- All DMs/DEOs/ROs (PC) shall set up and operationalize "Single Window/Permission Cell" in their offices, which will be equipped with necessary infrastructure such as, photocopier machine, scanner, computer, telephone, etc. and dedicated staff who will provide photocopies of applications received by Permission Cell Incharge, to various Nodal Officers of other departments present in the office of Returning Officer for prompt action at their end with regard to obtaining specific clearances from their respective department.
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- 2) SSP/SP or equivalent level officer of different designations of the district shall designate one officer of the rank of DSP as Permission Cell Incharge for each R.O. Office who shall camp in the office premises of DM/RO. He/She will collect and process the applications and issue permission/decision to the applicant after obtaining necessary approval from the competent authority of State Police as well as other local authorities, land owning agencies etc. as per laws.
- 3) (a) The political party/candidate seeking permission has to apply to the Permission Cell Incharge in the office of the Returning Officer concerned at least 48 hours before the event along with details of Expenditure Plan in the prescribed format given in Annexure-16 of *Compendium of Instructions on Election Expenditure Monitoring (January 2014)* (copy enclosed) in accordance with the instructions of the Commission.
- (b) A political party/candidate may apply through an application for permission in respect of those events/rallies/processions etc. scheduled to be organized within 07 days of making the application (excluding the day of application).
- (c) Separate application has to be filed for more than one event on a particular day.
- (d) In case an event/rally/procession etc. is to be held in the area covering jurisdiction of more than one District(s) for any Parliamentary Constituency, then separate applications have to be filed with the Permission Cell Incharge in the office of the concerned DM/RO.
- 4) The Permission Cell Incharge shall also keep a separate register (Log-Book) for keeping the record of applications received, their transmission to Nodal Officers of various departments and final grant of permission/decision indicating date and time of each stage.
- 5) The Traffic Police related permission shall be obtained by the Permission Cell Incharge and the applicant will not be asked to obtain the same from the Traffic Police separately.
- 6) (a) Permission Cell Incharge after obtaining necessary clearance, if any, from other department such as fire, local authorities, land owning agencies etc. will issue the permission to the political parties/candidates within 36 hours of the receipt of application.
- (b) The State Nodal Officer of Police shall send Daily Report of cases of all RO offices where any permission is pending for more than 36 hours, with reasons, in format SWS-1 (Copy annexed).

- 7) The permission shall be given to the applicant(s) on "First Come First Served" basis from the Single Window only.
- 8) A copy of permission/decision along with a copy of Expenditure Plan (Annexure-16) shall be submitted by the Permission Cell Incharge to Returning Officer immediately, who in turn will forward it within one hour to the concerned Asst. Expenditure Observer of Assembly Constituency for making necessary arrangements for videography of the event for the purpose of enforcement of Model Code of Conduct and Election Expenditure Monitoring etc. and to the Asst. Expenditure Observer of Parliamentary Constituency for keeping the record in Folder of Evidence of concerned political party/candidate.
- 9) For usage of non-commercial/remote/uncontrolled airports/helipads by a political party/candidate, the application will have to be made to the concerned District Magistrate at least 24 hours before landing, mentioning the details of travel plan, place of landing in the district and names of passengers in the aircraft/helicopter. A separate register for keeping record of applications received and their disposal shall be maintained for the purpose. Permission Cell Incharge shall ensure that NOC of Police authorities, if required, is made available to the DM/DEO well within time.
- 10) The following officers of various departments shall be part of "Single Window System" set up at the office of DM/RO concerned, to coordinate, process and assist in obtaining issuance of No Objection Certificate (NOC)/Permission/Decision from their department as per rules of the department:-
 - (i) A Officer of the level of Executive Engineer or above of concerned Municipal Corporations, Cantonment Boards, etc. as the case may be, for use of land, building, premises, ground etc.
 - (ii) Assistant Divisional Fire Officer or equivalent of the concerned district.
 - (iii) An Officer of the level of Executive Engineer or above from Electricity Department/Board of the concerned district, for any requirement for temporary electricity connection at meeting site.
- 11) The above mentioned officers shall follow the following procedure for issuance of NOC/Permission/Decision at Single Window System:-
 - a) These officers shall camp in the office premises of DM/RO concerned.

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- b) They will collect photocopy of application for permission submitted by a party/candidate at Single Window System from Permission Cell Incharge who is also camping in DM/RO office.
 - c) They will process the applications in their respective departments on urgent basis and issue permission/NOC/decision as per departmental rules on the same day of making application on "First Come First Served" basis and deliver to the Permission Cell Incharge for issuance of further permission/decision to the applicants.
 - d) DM/RO shall ensure necessary sitting arrangements for these officers.
- 12) An officer of the rank of Assistant Director or above from Transport Department, shall camp in the CEO's Office (Model Code of Conduct Branch) to facilitate obtaining permission/decision in respect of modified vehicles to be used for rally and election campaigning.
3. These instructions shall be displayed on the Notice Board in the office of all DMs/DEOs/ROs as well as other suitable places for public awareness.
4. The General Observers, Expenditure Observers, Asstt. Expenditure Observers, political parties/candidates and all concerned may be informed accordingly.

Yours faithfully,



(SUMIT MUKHERJEE)
SECRETARY

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Details of Expenditure on Public Meetings/Rallies etc.

(To be given by the candidate/his election agent at the time for applying for permission to hold the Public Meeting/Rally etc.)

Name of District : No. and Name of Constituency :
 Name of Candidate : Political Party if any :
 Date, time and duration of Public Meeting/Rally etc :
 [Location] Venue of Public Meeting/Rally etc :

S.No.	Item of Expenditure	Proposed to be used by the Candidate/his Election Agent		Proposed to be used by the Political Party		Proposed to be used by any other Association		According to the Report of the Officer In-Charge	
		Number of Units	Cost	Number of Units	Cost	Number of Units	Cost	Number of Units	Cost
1.	Pandal and fixture								
2.	Barricading & Arches								
3.	Tables								
4.	Chairs								
5.	Other furniture								
6.	Loudspeaker & Microphone								
7.	Posters								
8.	Banners								
9.	Cut Outs								
10.	Digital Boards								
11.	Illumination items like Serial lights etc.								
12.	Power connection charges paid/payable to EB etc.								
13.	Other items								
14.								
	Total								

Name and Signature of Candidate/Election Agent/Name and Signature of authorised representative of Political Party/any other Association Officer in-charge

Date :

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ELECTIONS DEPARTMENT PUDUCHERRY.	
DATE :	3 APR 2014
No. :	427

GE-2014

ELECTION COMMISSION OF INDIA
NIRVACHAN SADAN, ASHOKA ROAD, NEW DELHI-110001

No. 464/INST/2014-EPS

Dated:- 3rd April, 2014

To
The Chief Electoral Officers,
of all States/UTs.

Sub: General Election to the Lok Sabha, 2014 - Instructions regarding **SINGLE WINDOW SYSTEM** for Public Meetings/Rallies/Processions, use of Loudspeakers and use of vehicles for election campaigning as well as use of non-commercial/remote/ uncontrolled airports/helipads.

Sir/Madam,

I am directed to refer to the Commission's instructions issued vide its letter of even number dated 20th March, 2014 on the subject cited wherein it was directed that a "Single Window System" may be set up in the offices of concerned District Magistrate/District Election Officer/Returning Officer (RO) of the Parliamentary Constituencies in all the States/UTs during the election period, to grant permissions to the political parties and candidates.

2. The Commission has received a request from the CEO, Tamil Nadu that the above said "Single Window System" may be set up at each level of Assistant Returning Officers, as that will be more convenient and accessible at the local level. The Commission has considered the matter and decided that in addition to District Magistrate/District Election Officer/Returning Officer (RO), the Assistant Returning Officers (AROs) may also be authorized to grant permissions under the Single Window System.

3. All concerned may be informed accordingly.

Yours faithfully,



(SUMIT MUKHERJEE)
SECRETARY

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