

राजस्थान सरकार

निर्वाचन विभाग

क्रमांक: 3.(1)(9)प्रथम/निर्वा/2024/1276

जयपुर, दिनांक: 13.2.24

प्रेषक : मुख्य निर्वाचन अधिकारी
राजस्थान, जयपुर

प्रेषिति : समस्त जिला निर्वाचन अधिकारी,
(कलक्टर्स) राजस्थान

विषय : लोकसभा आम चुनाव, 2024— लाउडस्पीकर के प्रयोग के संबंध में।

प्रसंग : भारत निर्वाचन आयोग के पत्रांक 3/8/2000 J.S. II दिनांक 26-12-2000,
निर्देश 3/8/2018/SDR/Vol.I दिनांक 05-09-2018, 3/8/2005/J.S.-II
दिनांक 26-09-2005

महोदय,

विषयान्तर्गत निवेदन है कि लोकसभा आम चुनाव, 2024 निकट भविष्य में सम्पन्न होने है। आगामी लोकसभा आम चुनाव के कार्यक्रम की घोषणा के साथ ही आदर्श आचार संहिता प्रभावी हो जायेगी, जो निर्वाचन प्रक्रिया की समाप्ति तक प्रभावी रहेगी। चुनाव कार्यक्रम की घोषणा की सूचना आपको विभाग द्वारा दे दी जायेगी तथा समाचार पत्रों के माध्यम से भी इसकी जानकारी हो जायेगी।

आदर्श आचार संहिता के प्रभावी रहने के दौरान भारत निर्वाचन आयोग के पत्रांक 3/8/2000 J.S. II दिनांक 26-12-2000 एवं संशोधित निर्देश 3/8/2005/J.S.-II दिनांक 26-09-2005 एवं पत्र क्रमांक 3/8/2018/SDR/Vol.1 में दिनांक 05.09.2018 द्वारा आयोग ने आदर्श आचार संहिता प्रभाव में रहने के दौरान रात्रि 10 बजे से सुबह 6.00 बजे तक के बीच डोर-टू-डोर अभियान, एसएमएस, वाट्सएप, कॉल, लाउडस्पीकर आदि के उपयोग संबंधी गतिविधियों पर प्रतिबन्ध लगाया है, क्योंकि नागरिकों के सार्वजनिक जीवन, गोपनीयता एवं अशान्ति को कम करना आवश्यक है। इसके अतिरिक्त लाउडस्पीकरों के उपयोग की पूर्व अनुमति लिया जाना आवश्यक है, लाउडस्पीकर की आवाज अनुमत्य सीमा के भीतर ही होनी चाहिए। मतदान समाप्ति के 48 घण्टे पूर्व से लाउडस्पीकर से चुनाव प्रचार के उपयोग पर पूर्ण प्रतिबन्ध रहेगा।

आयोग के उक्त दिशा-निर्देशों की पालना सुनिश्चित करावें।

संलग्न : उपरोक्तानुसार

भवदीय

(प्रवीण मुंदा)

मुख्य निर्वाचन अधिकारी,
राजस्थान, जयपुर।

एफ 3.(1)(9)प्रथम/निर्वा/2024/1276

जयपुर, दिनांक: 13.2.24

प्रतिलिपि निम्न को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित है।

1. समस्त मान्यता प्राप्त राजनैतिक दल।
2. समस्त राज्य स्तर के पंजीकृत अमान्यता प्राप्त राजनैतिक दल।
3. संयुक्त मुख्य निर्वाचन अधिकारी (आई.टी.), निर्वाचन विभाग को पत्र की प्रति विभाग की वेबसाइट पर अपलोड कराने हेतु प्रेषित है।

उप मुख्य निर्वाचन अधिकारी
राजस्थान, जयपुर।

ELECTION COMMISSION OF INDIA

Nirvachan Sadan, Ashok Road, New Delhi-110 001

No 3/8/2018/SDR/Vol.I

Dated: 5th September, 2018

To.

The Chief Electoral Officers
Of all States & Union Territories

Subject: - Instructions on prevention of defacement of open spaces and public property - regarding.

Sir.

I am directed to invite your attention to the Commission's letter No. 509/241/ECI/LET/FUNC/JUD/RCC/2011 dated 20th April, 2018 (copy enclosed), on the subject cited, and to state that the instructions in item (6) under Para 2 of the said letter pertaining to time limit for use of loudspeakers in connection with election campaign has been modified in line with the instructions issued in pursuance of the Hon'ble Supreme Court's Order dated 18.07.2005, vide letter no. 3/8/2005/JS-II dated 26th September, 2005 (copy enclosed) specifying the prohibited period of use of loudspeakers for election campaign as between 10.00 PM and 6.00 AM.

Accordingly, Para 2(6) of the Commission's letter dated 20.04.2018 has been modified as under: -

*"6. During MCC period there shall be a prohibition on campaign related activity including door-to-door campaign, SMS, WhatsApp, Calls, usage of loud speakers etc. between **10.00PM to 6.00AM** as it is necessary to respect the privacy of the citizens and reduce disturbance to public life in general."*

This may be brought to the notice of the District Election Officers, Returning Officers and all other election related authorities for information and compliance. This may also be communicated to State units of national parties, recognised State Parties and registered un-recognised based in your State/UT for compliance.

Yours faithfully,


(N.T. Bhutia)
SECRETARY

Copy to : PA to Dir (Law)

Sl. No. 4 (I)

By Speed Post/E-Mail

(153)

ELECTION COMMISSION OF INDIA

Nirvachan Sadan, Ashoka Road, New Delhi - 110001.

No. 509/241/ECI/LET/FUNC/JUD/RCC/2018 | 700-705 Sp | Dated: 20th April, 2018

To.

705 speed post
928-878

The Chief Electoral Officers and Chief Secretaries
of all States and UTs

Subject: Instructions on Prevention of Defacement of Open Spaces and Public Property - regarding.

Madam/Sir,

I am directed to invite your attention to the Commission's Instructions issued in this regard as contained in Table 1 below as well as to the advisories issued *vide* Letter No. 4/3/99/JS-II dated 16.07.1999, Letter No. 4/3/2003/JS-II/Vol.I dated 01.05.2003, Letter No. 4/3/2004/JS-II/Vol.I dated 11.03.2004, Letter No. 4/3/2006/JS-II/2159-2193 dated 16.03.2006 and Letter No. 4/3/2016/SDR dated 05.04.2016 for avoiding the use of plastic/polythene and similar non - biodegradable materials for preparation of campaign material and the advisory issued *vide* Letter dated 06.04.2016 for the use of eco-friendly substances for preparing election campaign/publicity material. This is to state that the above mentioned advisories are hereby made mandatory in nature.

Table 1: Commissions Instructions on the present subject matter

S. No.	CIRCULAR NO.	DATE	SUBJECT
1.	Letter No. 3/9/2004/JS-II	24.08.2004	Restriction on the Printing of Pamphlets, Posters etc.
2.	Letter No. 3/9/2007/JS-II	16.10.2007	Restriction on the Printing of Pamphlets, Posters etc.
3.	Circular Letter No. 3/7/2008/JS - II	07.10.2008	Prevention of defacement of property and other campaign related items - revised instructions.
4.	Letter 3/7/2008/J.S. - II/SDR/2905-2939	10.11.2008	Instruction on defacement of property.

RECEIVED
 20/04/2018
 REGIONAL
 OFFICE
 CHIEF SECRETARY
 REGIONAL COMMISSIONER OF INDIAN
 POSTS AND TELEGRAPH DEPT.

gC

5.	Instruction 437/6/INST/2012-CC&BE	No. 18.01.2012	Prevention of defacement of property and other campaign related items – revised instructions.
6.	Circular 3/7/2014/SDR	No. 11.03.2014	Prevention of defacement of property and other campaign related items – clarification regarding use of flags of political parties.
7.	Letter No. 4/LET/ECI/FUNC/JUD/S DR/2016	25.07.2016	Restriction on the printing of pamphlets, posters etc. – clarification.

2. It is further directed that the directions given by the Andhra Pradesh High Court in PIL No. 23 of 2014, *Trust for Social Justice rep. by its President B. Sree Latha V/s State of Andhra Pradesh and others*, vide Order dated 24.02.2014 shall be applicable throughout India. The relevant portion of the Order is being reproduced below for the sake of convenience:

"3. In view of the aforesaid revelation of fact, we direct the Commissioner, Greater Hyderabad Municipal Corporation, to review the permissions already granted to persons for erecting banners and sign boards and ascertain whether such permissions are to be allowed to be continued as to its necessity vis--vis above G.O. as it is stated in the report, any such permissions shall not be for more than two years at a time.

5. [...] Therefore, we direct the Commissioner, Greater Hyderabad Municipal Corporation, and the Commissioner of Police, Hyderabad, to remove all the cutouts, banners and sign boards which are erected without permission of the Greater Hyderabad Municipal Corporation, on streets or at public places.

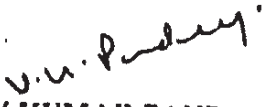
6. At the first instance, the Greater Hyderabad Municipal Corporation and the Police Commissioner, Hyderabad, shall issue notice to those persons identifiable who erected unauthorized cutouts, banners, hoardings, sign boards to remove them at their own costs within seven days, failing which they shall be removed and such cost of removal shall be recovered from those persons who installed and erected them as public debt and also by an order of rates and taxes leviable by the Greater Hyderabad Municipal Corporation. The matter will appear one month hence to submit compliance report to this Court. Any person aggrieved by this, may approach this Court and the Court will examine their grievance. In the meantime, the Greater Hyderabad Municipal Corporation

and the Police Commissioner, Hyderabad shall see that no posters, banners and cutouts are erected in public streets or place or park without permission and ensure that this order is strictly followed and submit a progress report about the implementation of this order.

3. The Solid Waste Management Rules, 2016 and the Plastic Waste Management Rules, 2016, and other applicable laws in this regard are hereby adopted for disposal of the campaign material by the local municipal authority and the cost for the same shall be recovered from the candidates or political parties, as the case may be, in accordance with the polluter pays principle.
4. Certain areas must be demarcated by every Municipal Body/Panchayat and specifically designated for graffiti, wall writing, pasting of posters or display of cut-outs and such an area shall be allowed to be used in an equitable manner. Moreover, it should be the responsibility of the political parties or candidates to remove the campaign material after election.
5. Except the commercial places made available by the advertisers and the designated places as noted in the above paragraph, there should be no pasting or sticking of the campaign material on any open place or any public property.
6. During MCC period there shall be a prohibition on campaign related activity including door-to-door campaign, SMS, Whatsapp, Calls, usage of loud speakers etc. between 7 pm to 8 am as it is necessary to respect the privacy of the citizens and reduce disturbance to public life in general.
7. The above instructions may be brought to the notice of all Election related authorities, Municipal Bodies/Panchayats, Police Authorities as well as Political Parties.

Copy To: All Recognized National and State Political Parties.

Yours' Faithfully,


**(VIJAY KUMAR PANDEY)
DIRECTOR (LAW)**

ELECTION COMMISSION OF INDIA
Nirvachan Sadan, Ashoka Road, New Delhi - 110 001

No. 3/8/2005/JS-II

Dated - 26th September, 2005

To

1. The Chief Secretaries of all States and Union Territories
2. The Chief Electoral Officers of all States and Union Territories.

Subject - Use of Loudspeakers for election campaigns - regarding

Sir,


In pursuance of the Hon'ble Supreme Court's Orders dated 18-7-2005 in W.P. (C) No. 72 of 1998 (Forum, Prevention of Environment and Sound Pollution Vs UOI & Anr.), I am directed to state that para 3(i) of the Commission's instructions circulated in its letter No. 3/8/2000/JS-II, dated 26th December, 2000, regarding use of loudspeakers for election campaign (reproduced at item No. 95 of the Compendium of Instructions, 2004 edition), shall be substituted as under:-

"3(i) A public address system or loudspeaker or any sound amplifier, whether fitted on vehicles of any kind whatsoever, or in static position, used for public meetings for electioneering purposes, shall not be used at night between 10.00 p.m. and 6.00 a.m."

2. The above changes may be brought to the notice of the District Election Officers, Returning Officers and all other election related authorities for information and compliance. All national State Parties and recognised state parties may be informed about the abovementioned directions for compliance. In the case of Bihar where general election to the Legislative Assembly is now in progress, these instructions should be brought to the notice of all candidates, as well

3. Kindly acknowledge receipt of this letter.

Yours faithfully,



(K.F. WILFRED;
SECRETARY

Circulated to all Zonal Secretaries, Under Secretaries and Zonal Sections.

ITEM NO. 200

Election Commission's letter No.3/8//2000 J.S.II dated 26.12.2000 addressed to the Chief Electoral Officers of all States and Union Territories.

Subject: Use of Loudspeakers for election campaigns- Consolidated instructions

All political parties, candidates and their workers, supporters and sympathizers are using loudspeakers for their electioneering campaigns. These loudspeakers are not only used from fixed rostrums but are also used mounted/fitted on vehicles like trucks, tempos, cars, taxis, vans, three wheeler scooters, cycle rickshaws, etc. These vehicles move on all roads, streets and lanes and also so around villages, basties, Mohallas, colonies and localities with the loudspeakers broadcasting at very great volume. This results in serious 'noise pollution' and causes great disturbance to the peace and tranquility of the general public. The student community, in particular, gets seriously disturbed as their studies are badly hampered because the loudspeakers stall blaring from very early hours in the morning and continue to do so throughout the day and till extremely late hours in the night. The aged, the infirm and the sick whether in institutions, hospitals, etc. or at home are also put to severe discomfort.

2.The Commission is aware that the use of loudspeakers cannot be stopped altogether during the election period as the loudspeakers are one of the means of election propaganda and imparting information to public. But. at the same time, indiscriminate and unfettered use of loudspeaker at odd hours and at odd places at very high volumes which have the effect of disturbing peace and tranquility and causing annoyance to the general public, the sick, and the student community in particular cannot be permitted. Some reasonable restrictions are essential.

3.After considering all aspects of the matter, the Commission, in exercise of its powers conferred by Article 324 of the Constitution and all other powers enabling it in this behalf and in supersession of its earlier instructions, hereby DIRECTS that the use of loudspeakers at all future elections shall be strictly regulated as follows:-

- (i) The use of loudspeakers, whether fitted on vehicles of any kind whatsoever, or in static position used for public meetings for electioneering purposes, during the entire election period starting from the date of announcement of election and ending with the date of declaration of results shall be permitted only (a) between 6.00 a.m. and 11.00 p.m in rural areas i.e. areas outside corporation or municipal Limits: and (b) between 6.00 a.m. and 10.00 p.m. in other areas, i.e. areas falling within corporation or municipal limits.

✓ ***This para has been substituted vide Election Commission's letter No.3/8/2005/JS-II, dated 26th September, 2005 reproduced at Item No.184 as under:-***

"3(i) A public address system or loudspeaker or any sound amplifier, whether fitted on vehicles of any kind whatsoever, or in static position,

used for public meetings for electioneering purposes, shall not be used at night between 10.00 p.m. and 6.00 a.m."

(ii) All loudspeakers whether used for general propaganda or for public meetings or procession, and whether used on moving vehicles or otherwise, shall be used during the restricted hours only mentioned in clauses (ii) above and never beyond.

(iii) All loudspeaker being used beyond the hours as prescribed above, shall be confiscated along with all the apparatus connected with the use of these loudspeakers.

(iv) All political parties, candidates and any other persons using any loudspeakers on moving vehicles including but not restricted to trucks, tempos, cars, taxis, vans, three wheeler scooters, cycle rickshaws, etc. shall intimate the registration identification number of those vehicles to the authorities granting permission to use the loudspeakers and such registration identification numbers of the vehicles shall be indicated on the permits granted by the authorities concerned.

(v) Any vehicle on which a loudspeaker is used without the said written permit shall be confiscated forthwith along with the loudspeaker and all the apparatus used along with it.

(vi) All political parties, candidates and even other person using an loudspeaker either on a moving vehicle or at a fixed place shall intimate -

(1) the Returning Officer of the Constituency, and

(2) local Police authorities, in writing, the full details of the permits obtained by them before using any of those loudspeakers. In the case of mobile loudspeakers, the registration identification numbers of the vehicles shall also be registered by them with the Returning Officer and the local Police authorities.

(vii) It shall be the responsibility of the State Government authorities granting permits for use of loudspeakers and the local Police authorities to strictly enforce that no loudspeaker is used by anyone in violation of any of the above directions,

4. No loudspeakers fitted on vehicles of any kind or in any other manner

Whatsoever shall be permitted to be used during the period of 48 hours ending with the hour fixed for the conclusion of the poll in any polling area. Even after the close of poll proper law and order is required to be maintained till completion of election after the declaration of result. Use of loudspeakers is generally regarded as source of public nuisance and can often give rise to tension in a politically surcharged atmosphere. The District Administrations should, therefore, consider any application for permission to use loudspeakers after the aforesaid prohibitory period of 48 hours, on merit of each application and keeping in view the need to maintain proper law and order till the completion of election.

5.The above directions of the Commission, which will check noise pollution and disturbance of public peace and tranquility must be scrupulous- implemented and strictly enforced by all State government authorities concerned. Any violation there of will be viewed by the Commission with grave concern and will invite severe disciplinary action against the defaulting officers.

6.A copy of this order shall be made available to local units of all recognized National and State parties in English/Hindi and in local official languages, and 10 each candidate at the time of his nomination, under acknowledgment.

7.The receipt of this letter should be acknowledged immediately.