



HANDBOOK ON MEDIA MATTERS FOR CEOs & DEOs

Edition -1 Feb 2024



भारत निर्वाचन आयोग
Election Commission of India
Nirvachan Sadan, Ashoka Road, New Delhi-110001

324.6.COM:HB:001:2024



सत्यमेव जयते

HANDBOOK ON MEDIA MATTERS FOR CEOs & DEOs

Edition -1 Feb 2024

324.6.COM:HB:001:2024



भारत निर्वाचन आयोग
Election Commission of India

Nirvachan Sadan, Ashoka Road, New Delhi-110001

राजीव कुमार
भारत के मुख्य निर्वाचन आयुक्त

Rajiv Kumar

Chief Election Commissioner of India



भारत निर्वाचन आयोग
Election Commission of India



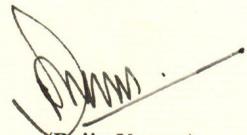
Message

India is the largest democracy in the world. The magnitude and scale of Indian elections is unparalleled across the globe. Dialogue, Disclosure, Consensus and Responsiveness are the hallmarks of our election system. Trust of every stakeholder is the biggest asset of the Commission. Election Commission of India (ECI) has earned this trust due to its non-partisan and professional conduct of elections.

Media, being an important stakeholder in the whole process, contributes in building a well-informed citizenry which is an indispensable prerequisite for a mature democracy. Election Commission of India considers Media as its invaluable ally in making the election process truly participative, democratic and transparent. Media also acts as the Commission's eyes and ears on the field during the election process. This handbook is an effort to present a comprehensive guide on the instructions & guidelines issued by the Commission on various critical issues related to the media matters and its functioning during the elections.

Social media as an evolving, dynamic field in a fast-changing media landscape is being increasingly used for campaigning by political parties and candidates alike. While it has enriched the voter awareness by its vast and instant reach, it has also posed various challenges. Misinformation, deep fake and use of Artificial Intelligence are being increasingly used to undercut the faith and trust of the people in the electoral process. Commission also has been evolving its mechanism and guidelines proactively, to maintain a level playing field and foster an informed electorate.

I congratulate the Communication Division for this initiative to prepare this Handbook for officials in CEOs and DEOs Offices. It gives me immense pleasure to be a part of such an activity. I am sure this document will serve as a useful guide to concerned stakeholders.



(Rajiv Kumar)

अनूप चन्द्र पाण्डेय

भारत के निर्वाचन आयुक्त

Anup Chandra Pandey

Election Commissioner of India



भारत निर्वाचन आयोग
Election Commission of India



Message

Electorate confidence and stakeholder trust is necessary in the electoral processes. Election Commission of India recognizes the significance of all stakeholders and especially the Media in carrying out a responsibility of this magnitude. Media is a key ally of ECI as it informs the public about ECI's mandate and electoral processes. Media acts as a force multiplier to build a positive narrative around elections, the festivals of democracy. Hence, in the conduct of elections, an efficient structure for information dissemination to the Media has been created at the Commission, State and District levels.

With increasing internet and smartphone penetration, the media landscape has seen a paradigm shift over the past few years. Social Media, now also referred to as the fifth pillar of democracy has emerged as a powerful communication & campaigning medium for all stakeholders.

In an era of information overload, it has been noticed that new ways and means devised to affect the course of elections are on the rise. ECI has been proactively issuing directions and guidelines to streamline the election procedure. This handbook encompasses updated instructions for CEO and District Offices with regards to media engagement.

I hope this handbook with updated instructions would give a detailed perspective, including the role of media in Indian elections. I hope that this document will be of immense benefit to all those who wish to gain an insight into the significance of the role of media in Indian Elections.

(Anup Chandra Pandey)

अरुण गोयल
भारत के निर्वाचन आयुक्त

Arun Goel

Election Commissioner of India



भारत निर्वाचन आयोग
Election Commission of India

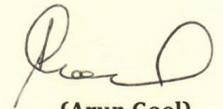


Message

Media is considered the fourth pillar of democracy. It is essential that the media play a part in developing a democratic culture that transcends the political system and gradually permeates the collective consciousness. Over the years, Indian media has been an important stakeholder in the conduct of elections. Media in all its forms (print, Electronic, social media) has been a catalyst and a force multiplier, in delivery of free, fair, transparent, peaceful and participative elections each time. The fast changing media landscape has added a new set of communication platforms under the domain of Social Media and Digital platforms.

This document holistically covers various instructions of ECI and matters involving media's role during elections, in addition to topics relating to important matters like certification of political advertisements, paid news, media monitoring and social media. The Election Commission has a two fold relationship with media - Media Facilitation and Media Management. With the mandate of ensuring a level playing field during the festival of democracy, Election Commission of India cautiously categorizes, segregates and analyzes various roles of media, which have a decisive influence.

I am happy to note that this comprehensive document will cover all aspects of media matters related to Indian elections. I congratulate the Communication Division for the efforts in putting together this exhaustive handbook for officials and stakeholders, in a very creative, interesting and easy to read manner.



(Arun Goel)

बी. नारायणन (आई.आई.एस : 1990)
महानिदेशक

B. Narayanan (IIS : 1990)
Director General



Foreword



भारत निर्वाचन आयोग
Election Commission of India

In 1841, Thomas Carlyle wrote, "Burke said there were Three Estates in Parliament; but, in the Reporters' Gallery yonder, there sat a Fourth Estate more important far than they all". Carlyle used it in the sense that the media is integral to the working of democracy, and to holding power to account, as much as the other three Estates, in the context of the French Revolution. Indeed, with almost two centuries' having elapsed since that statement, the media, and its 21st Century Avatar, the social media, fulfills that role even more now than ever.

Media plays a key role in many aspects of Indian elections. Firstly, to inform the public about political parties, their candidates and the issues at stake. Secondly, for the Commission, to hold up a mirror that reflects the Election Commission's work in a free and candid manner. Thirdly, as an important source of information for the Commission, in addition to its internal sources, on what is happening in the field. Indeed, the Election Commission's own Election Observers are urged to closely follow the media of the constituencies they are assigned to monitor, and the Commission itself gets a 360-degree feedback of print, TV and Social Media reportage every day, all 365 days in a year, from its Media Division.

Over the years, the Commission has issued various guidelines and instructions for State and District Election Offices to follow on media matters. Media Certification and Monitoring Committees (MCMC) have been set up at District and State Level for pre-certification of political advertisements, curbing the menace of paid news and monitoring violations. Even more crucially, instructions for regulating social media and managing the counter-narratives on social media have also been issued.

In order to provide a detailed understanding of the issues and ECI's instructions, the Election Commission has put together a compilation on Media related issues for ECI officials. This handbook has been compiled with the objective of providing an easy understanding of all media-related matters such as the role and responsibilities of MCMC, SOPs for media engagement, ECI guidelines for use of social media during elections, media facilitation during elections, allotment of broadcast time to political parties for election campaigning, amongst others.

I appreciate the efforts of the Communication Division who have worked wholeheartedly towards successful execution of this initiative. I am sure this document will go a long way towards clarifying the doubts in the minds of media officials.


(B. Narayanan)

निर्वाचन सदन, अशोक रोड़ नई दिल्ली- 110 001

Nirvachan Sadan, Ashoka Road, New Delhi- 110 001 दूरभाष /Tel: 011-23052239 / 9313869131 (M)

ई-मेल / E-mail: Mail dgmedia@eci.gov.in, ट्विटर / Twitter @spokespersoneci वेबसाइट / Website: www.eci.gov.in

अनुज चांडक (आई.आई.एस.)
संयुक्त निदेशक

Anuj Chandak (IIS)
Joint Director



भारत निर्वाचन आयोग
Election Commission of India



Preface

In today's interconnected world, the role of media in shaping public opinion and influencing democratic processes cannot be overstated. Media platforms have become powerful channels through which election information is disseminated, debates are ignited, and voter sentiment is shaped. Recognizing the profound impact of the media on elections, it is crucial for election officials to be well-versed in media matters, equipped with the knowledge and skills necessary to navigate this ever-evolving landscape.

This first edition of the 'Handbook on Media Matters' serves as a comprehensive guide for CEOs, DEOs and their media officials, providing invaluable insights into the intricacies of a wide range of media-related topics including pre-certification of political ads, MCMCs, handling of matters related to paid news, role of media in elections, media regulations and ethics, social media engagement, media facilitation and countering fake news during the election period and beyond.

This handbook draws inspiration from the Hon'ble Commission's valuable insights and wouldn't have been possible without the constant support and guidance of Hon'ble Commission and DG Media. Throughout this handbook, Commission's instructions and guidelines on media related matters issued over several years have been compiled lucidly for an easy and comprehensive understanding of the officials, using graphics also for emphasis on certain matters.

I also convey my sincere thanks to former DG (Media) Ms. Sheyphali B Sharan for initiating and her guidance in preparing this handbook. I extend my deepest appreciation to each team member from the Communication Division for their invaluable contributions. Their collective efforts have enriched the content and ensured its relevance and practicality for election officials.

It is our sincere hope that this handbook will serve as a valuable resource for all stakeholders.


(Anuj Chandak)
Joint Director

निर्वाचन सदन, अशोक रोड, नई दिल्ली- 110001

Nirvachan Sadan, Ashoka Road, New Delhi-110001 दूरभाष/ Tel: 011-23052205 / 8447950828 (M)

ई-मेल/ E-mail : anuj.chandak@nic.in वेबसाइट/ Website: www.eci.gov.in



**NO VOTER
TO BE LEFT
BEHIND**

INDEX

S.No.	Subject	Page no.
Introduction		01
Chapter 1. Media Certification and Monitoring Committees (MCMC)		03
1.	Composition of MCMC at different levels and its functions	08
2.	Duties of MCMCs	11
3.	Criteria for Social Media Expert (for District/State MCMC)	12
Chapter 2. Pre-Certification of political Advertisement		15
1.	Pre-Certification of Political Advertisements	17
2.	The provisions highlighted by the Hon'ble Court	17
3.	Key points to be noted for pre-certification	19
4.	MCMC Jurisdiction	21
5.	Application for certification of political advertisement	22
6.	Timeline to submit application for certification	23
7.	Timeline for MCMC to deliver decision on the applications for precertification of political advertisements	24
8.	Guidelines for dealing with candidates' advertisements on TV/Cable channels/newspapers owned by political parties	24
9.	Pre-certification in Print Media	25
10.	Legal Action on violation of pre-certification instructions	26
11.	Proforma of application for certification of Advertisement	27
12.	Proforma of certification of political advertisements	29
13.	FAQs on Pre-Certification of political Advertisement	31
Chapter 3. Paid News		37
1.	Paid News	39
2.	Functions of MCMC and Timeline for appeal in Paid News cases	41
3.	How to identify Paid news	43
4.	Points to be noted for systematic procedure and prompt action in paid news cases	46
5.	Paid News reporting	46
6.	Follow up action in confirmed Paid News Cases	47

S.No.	Subject	Page no.
7.	Additional Provisions to be taken care of in Paid News cases	48
8.	Format of Paid news cases to be submitted after completion of election.	54
9.	FAQ on Paid News	59
Chapter 4. Social Media: Guidelines, Engagement & Regulation		65
1.	Social Media Guidelines	67
2.	Voluntary Code of Ethics	68
3.	Appointment of Social Media Nodal Officers	68
4.	SOP for reporting social media violations	69
5.	Proforma for reporting violations	69
6.	Social Media Engagement & Outreach	70
7.	Social Media Cell	71
8.	SOP for Social media outreach during elections	72
9.	Fake News	74
10.	FAQs on Social Media: Guidelines, Engagement & Regulation	77
Chapter 5. Regular Media Monitoring and feedback		81
1.	Media Monitoring	83
2.	Electronic Media Monitoring	83
3.	Role of EMMC	84
4.	Role of the CEO	84
5.	Nodal Officer for EMMC reports in CEO office	85
6.	Appointment of District/State Media Nodal Officers	85
7.	FAQs on Media Monitoring and feedback	87
Chapter 6. Media facilitation and Information Dissemination		89
1.	Media facilitation and Information Dissemination	91
2.	Issuance of Authority Letters/Media Passes	93
3.	Procedure to apply for Authority letters and its Issuance	94
4.	Sponsoring authority for Media Passes	95
5.	Signing Authority for Media Passes	96
6.	Coverage of actual polling inside the Polling Stations	96

S.No.	Subject	Page no.
7.	Procedure for coverage inside the counting hall	97
8.	Announcement of round wise results	98
9.	Creation of Media Centres (MC) and Facilities Available	99
10.	Permanent Media Cell & Regular Media Interactions	99
11.	Maintenance and up-dation of the media corner on the CEOs website for easy information access.	101
12.	Broad Guidelines for COVID- Safety During Counting of votes for media, authorized to cover poll process	102
13.	Presence of media in the office of R.O. during filing of nomination	102
14.	FAQs on Media Facilitation & Information Dissemination	103
Chapter 7. Allotment of broadcast time to political parties		107
1.	Salient features of the Free Broadcast Time	109
2.	Issuance of Time Vouchers	110
3.	Date of Telecasts/Broadcasts	111
4.	Guidelines for observance in Telecasts/Broadcasts	112
5.	Panel Discussions and Debate	112
6.	FAQs on Allotment of broadcast time to political parties	115
Chapter 8. Regulations & guidelines for media coverage during elections		117
1.	Media Coverage related provisions	120
2.	Restrictions on Exit Poll and Opinion Poll	122
3.	Guidelines of Press Council of India and Norms of Journalistic Conduct-2020	123
4.	Guidelines of NBSA	123
5.	Voluntary Code of Ethics	123
6.	FAQs on Regulations & guidelines for media coverage during elections	125
Standard Operating Procedure (SOP) for last 72 hours till counting		127
SOP for Commission's visits in State for review meetings and Press conference		129
Annexures		133
Sample letters issued to CEOs during recent elections		225

Media and Elections – basics to note

Perception Management

- Media is Omnipresent
- Media, a force multiplier, is a catalyst in the delivery of free and fair elections each time.
- Media is the eyes and ears in the field and thus a useful ally of the Commission.
- Election time is media's special time - they are specially alert/ highlight glitches, opine and spread messages at lightning speed.
- Good news is no news; Normal is boring
- Perception matters - need to steer narrative/ perils of vacuum - lack of information=misinformation



ECI & Media – An Important ally

ECIs two fold relationship with Media

Media Facilitation

- Media Passes for entry into polling Stations & Counting Centers
- Media centers at state and district level
- Free Air time allocation to political parties on public broadcaster – based on past performance
- National Media Awards for voter education

Media Management

- ECI does not regulate media. Responsibility to enforce the provisions of law on media or certain aspects of media functioning.
- Pre-certification of Political Ads
- Paid News
- Compliance with Election Laws/ Supreme Court orders
- Media Monitoring to avoid violations

INTRODUCTION

Elections are the hallmark of representative democracy, allowing people's regular input in choices about leaders and policies. Election management in the country has undergone a significant shift in recent times with new methods and mechanisms having come in place to deal with new and complex challenges. Simultaneously, the evolving socio-economic background and information habits of Indian society indicate significant media penetration and consumption. The level of awareness among voters has increased. The appearance and entrenchment of the internet and new media, particularly the social media have added completely new dimensions. Thus at election time, it becomes imperative that the media provides people with all information necessary to make informed choices.

Media can make or break opinions, which is what makes it so vital in modern society. The Election Commission of India recognizes the importance of media and regards media as a significant ally. Regardless of whether it is the dissemination of election related data or bringing electoral violations to notice, the media plays a substantive role. However, there are many issues that affect media participation and require detailed consideration.

In order to address the various issues that affect facilitation of media coverage of elections, the Election Commission has put together a compilation on Media related instructions. This document highlights the varied recommendations and updates with regards to topics like Media Certification and Monitoring Committee (MCMC), Pre-certification of Political Advertisements, Paid News, Social media Engagement and regulations, regular Media Monitoring and Feedback, Media facilitation and Information Dissemination, Allotment of broadcast time to political parties, regulations & guidelines for media coverage during elections etc.

Chapter 1

Media Certification and Monitoring Committee (MCMC)

Media Certification and Monitoring Committee (MCMC)

ECI initiated the framework for establishment of MCMC after the order of the Hon'ble Supreme Court of India in SLP ©No. 6679/2004. (Ministry of Information and Broadcasting vs. M/s Gemini TV Pvt. Ltd and Others) which highlighted that - every registered, National and State, political party/unregistered political parties/contesting candidate or other person, proposing to issue advertisements on television channel and/or cable network will have to apply to the Election Commission/ Designated Officer (as Designated by Election Commission), prior to the commencement of telecast of advertisement.

These directions are always applicable in the whole territory of India and not only during the period commencing from the date of announcement of the election and till the completion of election process. This means the **pre-certification of political advertisement is a year around activity.**

In compliance with Hon'ble Supreme Court directions, the Commission has subsequently issued various guidelines regarding the Constitution of Media Certification & Monitoring Committee at District and State Level and related matters including ambit of Committees, Timelines, Application procedures, action to be taken against violations, etc.

MCMC - Media Certification and Monitoring Committee

State level MCMC
(Appellate committee)

Addl. CEO/Jt. CEO Committee
(State level certification committee)

District level MCMC

ROLES & RESPONSIBILITIES

- ✓ Pre-certification of political advt.
- ✓ Paid news – Monitoring and Action
- ✓ Monitoring Media violations – Fake news, Hate news Menace

- MCMC to be a permanent body for pre-certification of political advertisements on electronic media.
- MCMCs to be established and functional in all states

Flowchart of MCMC



STATE LEVEL MCMC (APPELLATE COMMITTEE)

Composition:-

- The Chief Electoral Officer, Chairman
- ADG/ Director level officer from PIB/BOC present in the state-Nodal officer for MCMC to be nominated by DG (Zone), I & B Ministry, Govt. of India or one expert to be co-opted by the Committee.
- Any Observer appointed by the Election Commission of India
- Officer of Indian Information Service (IIS), (at the level of US/DS) posted in the State/UT, representing a media Department of Government of India.
- Independent citizen or journalist as nominated by PCI (if any)
- Addl./ Jt. CEO in charge of Media (Member Secretary)
- An intermediary expert/ social media expert (to be chosen by the CEO subject to the eligibility criteria)

Decision of this committee on appeal in respect of pre-certification shall be final and can be challenged in Supreme Court of India only.

Decision in r/o Paid News cases on appeal of candidate against the decision of Dist MCMC or suo motu cases it refers whereby the committee directs the concerned ROs to issue notices to the candidates.

Candidate may appeal against the decision of State level MCMC to ECI within 48 hrs of receiving of order from this Committee

APPEAL

ECI level Committee

- Additional Director General (News), News Services Division: AIR, New Delhi
- Additional Director General, DAVP, New Delhi
- PCI member
- Principal Secretary/Secretary (in-charge of Election Expenditure)
- Principal Secretary (Legal)
- Principal Secretary (in-charge of the State/ UT from where reference is received)
- Principal Secretary (in-charge of CC & B.E. Division)
- Director/Principal Secretary/Dy. Secretary (Media Division) - Convener Members at Sl No. (i), (ii) & (iii) are based on nominations by concerned Ministries/Departments.

It takes decision on appeal of candidate against the decision of State Level MCMC in paid news cases and decision on the reference paid news cases received from State level MCMCs.

FINAL ACTION

Actual/notional expenditure is added to the candidates election expenses account and action against media house is proposed. CEOs to submit Weekly report in Annexure I format and Annexure-II of confirmed cases with supporting documents and compiled Annexure-1 just after the completion of elections.

ECI HQ

Paid News cases related to Print Media are sent to PCI for action against media houses

Paid News cases related to Electronic Media are sent to NBSA for action against media houses

1. Composition of MCMC at different levels and its functions:

The composition of MCMC is as under:

1.1 District Level Media Certification and Monitoring Committee (MCMC)

1.1.1 The District level MCMC shall be formed in each district with the following members:

- a) District Election Officer/Returning Officer of Parliamentary Constituency
- b) ARO (not below SDM)
- c) An intermediary expert/ Social media expert (to be chosen by the RO subject to the eligibility criteria*)
- d) Central Govt. I & B Ministry official (if any in the district)
- e) Independent Citizen/ Journalist as may be recommended by PCI
- f) DPRO/ District Information Officer/ equivalent- Member Secretary

1.1.2 For the purpose of the certification of advertisements, Returning Officer of the parliamentary constituency/District Election Officer, ARO (not below SDM) and Social media expert shall be the members of the MCMC. However, for the scrutiny of the cases of 'Paid News' etc, District MCMC shall have three additional members as given at 'd', 'e' and 'f' in para 1.1.1 above.

1.1.3 If Central Govt. Official of the Ministry of I & B is not posted in the district, the District Election Officer can appoint preferably a Central Govt. Officer, or a senior State Govt. Officer posted in the district.

1.1.4 Returning Officer of Parliamentary Constituency may co-opt as many members to assist him in certification of political advertisements as the number of districts falling in that Parliamentary Constituency to have wider opinion and equal representation from all the districts in the matter of certification.

1.1.5 If PCI does not provide names of members to be included in the MCMC, DEO may himself appoint either an independent senior citizen or journalist, who is willing and as who, in the opinion of the DEO, is eligible in terms of background and record of neutrality.

* Details given on page-12 (Para 3 of this chapter)

1.1.6 The Member Secretary (DPRO/DIO or equivalent) should be from the State Civil Services.

This Committee shall have two distinct set of functions:

- i. Entertains application for certification of an advertisement proposed to be issued on electronic media by an individual or candidate contesting election from the Parliamentary Constituency concerned or candidate contesting in Assembly Constituency falling within that Parliamentary Constituency
- ii. Examines complaints/issues of Paid News through a monitoring arrangement. It scans all media e.g. print media, electronic media, cable network, etc.

1.2 Addl./Joint CEO's Committee on Certification (State Level Certification Committee):

1.2.1 The Addl./Joint CEO State Level Certification Committee shall comprise of the following officers:

- a) The Additional/Joint Chief Electoral Officer - Chairperson
- b) Returning Officer of any Parliamentary constituency located in the capital of the State.
- c) One expert being an officer not below the rank of Class-I officer to be requisitioned from the Ministry of Information & Broadcasting.
- d) One intermediary expert/social media expert as chosen by the chairperson of the committee subject to the eligibility criteria.

1.2.2 The Committee will entertain applications for certification for advertisement on electronic media by the following:

- a) All registered political parties having their headquarters in that State/Union Territory,
- b) All organizations or groups of persons or associations having their registered offices in that State/Union Territory.

This committee shall have no jurisdiction over cases of Paid News.

1.3 State level Media certification and Monitoring Committee (MCMC) [Appellate Committee]

1.3.1 The State level MCMC shall comprise of the following officers:

- a) The Chief Electoral Officer, Chairman
- b) ADG/ Director level officer from PIB/BOC present in the state-Nodal officer for MCMC to be nominated by DG (Zone), I & B Ministry, Govt. of India **or** one expert to be co-opted by the Committee.
- c) Any Observer appointed by the Election Commission of India
- d) Officer of Indian Information Service (IIS), (at the level of US/DS) posted in the State/UT, representing a media Department of Government of India.
- e) Independent citizen or journalist as nominated by PCI (if any)*
- f) Addl./ Jt. CEO in charge of Media (Member Secretary)
- g) An intermediary expert/ social media expert (to be chosen by the CEO subject to the eligibility criteria)

The appeal on certification of advertisements needs to be handled by members at (a), (b), (c) & (g), while the complete State MCMC shall deal with Paid News cases. During the non-election period, the Committee shall continue its functions with members at (a), (b) & (g).

If PCI does not provide names to be included in the State Level Committee, the CEO may himself appoint either an independent senior citizen or journalist, who is willing and who, in the opinion of the CEO, is eligible in terms of background and record of neutrality.

In respect of an observer appointed by the Commission in State level MCMC, the General Observer deputed during election in the State Headquarter may be co-opted by the Committee. In case of bye-elections or in case no observer is available at the State capital, the CEO may obtain the services of an observer available in any of the nearby districts.

1.3.2 The State level MCMC shall perform following sets of functions:

- (i) Decision on the appeal of any political party or candidate or any other person in regard to grant or refuse Certification of advertisement. Such appeals will lie only with and will be

*PCI is requested to nominate/recommend the names of members for inclusion in the State and District level MCMC after announcement of election.

disposed of by the State Level Committee headed by CEO as per Commission's Order dated 15th April, 2004* and no reference in this regard needs to be made to the Commission.

- (ii) Examining all cases of Paid News on appeal against the decision of District MCMC or cases that they may take up *suomotu*, in which case it shall direct the concerned ROs to issue notices to the candidates.

Any appeal against the decision of the State level MCMC (headed by CEO) in matter of Paid News will be made to the Election Commission of India. Wherever complaints on Paid News cases are made to the Commission directly, the Commission shall forward cases to the State level MCMC for initial consideration.

2. Duties of MCMCs

The functions performed by the MCMC are;

- A. Pre-certification of Political Advertisements (given in detail in Chapter-2).
- B. Examining complaints/issues of Paid News (given in detail in Chapter-3).
- C. Other functions of MCMC (Media Monitoring)

Other functions assigned to MCMC(Media Monitoring):

- Scan the political advertisements in electronic media to ensure that the telecast/ broadcast has been done only after certification by the Committee.
- Monitoring the political advertisements in other media, in relation to candidates either overt or covert from expenditure monitoring angle. This will also include publicity or advertising or appeal by or on behalf of the candidate, or by Star Campaigner(s) or others to impact the candidate's electoral prospects.
- Monitoring if any advertisement in print media is published with the consent or knowledge of the candidate: in which case it will be accounted for in the election expenses of the candidate(s). However, if the advertisement is not with the authority from the candidate, then action may be taken for prosecution of the publisher for violation of 171H of IPC.

- Checking, if the names and address of the publisher and the printer are carried on any election pamphlet, poster, handbill and other documents as required under section 127A of RP Act, 1951.
- Submission of daily report to Accounting team with a copy to RO and Expenditure Observer in respect of each candidate in the prescribed format w.r.t expenditure incurred by the candidate on election advertising or actual expenditure incurred for publishing the news.

3. Criteria for Social Media Expert (for District/State MCMC):

3.1 Intermediary expert/ social media expert to be included in the MCMCs should preferably be a government officer subject to following eligibility criteria:

A. If he/she is a government officer, he/she could/should be-

- Not below the rank of SDM
- Has at least five-year experience of working in the IT department/cell/social media cell of the government.

B. If he/she is not a government officer (means private individual) he/she should-

- Have a master's degree in the field of IT.
- Have at least 10 years' experience of working in the IT department/ cell/social media cell of the government at central or state level with a good understanding of social media platforms and how they work.
- Also eligible in terms of background and neutrality.

Social Media Expert in MCMC

Preferably be a Government Officer subject to following eligibility

If he /she is a Govt. Officer

- Not below the rank of SDM
- Has at least 5 years of Experience of working in the IT department/cell/social media cell of Government

If he/she is a Private Individual

- Have Masters Degree in field of IT
- Have at least 10 years of experience working in the IT Dept/social media cell of Govt or have good understanding of social media platforms
- Eligibility in terms of background & neutrality

3.1.1 Role of Social Media Expert: With respect to the profile of work which the intermediary expert/ social media expert will be handling, it is to state that he/she shall:

- i. Assist the MCMC in the matter of certification of political advertisements proposed to be published on social media platforms
- ii. Assist MCMC in scanning social media platform for suspected cases of Paid news
- iii. Assist MCMC in submitting a daily report to Accounting team with copy to RO and Expenditure Observer w.r.t to expenditure incurred by the candidate on election advertisement on social media platforms
- iv. Assist the MCMC in the matters of queries/ complaints related to advertisement on social media platforms
- v. Look after the overall coordination between MCMC and the intermediaries/ social media platforms.
- vi. Make sure that the Election Laws are strictly adhered to with matters related to advertisement on social media platforms
- vii. Assist MCMC in handling the violation cases on Social media
- viii. Being part of State level MCMC, he/she will assist in deciding appeal from District and Addl./ Joint CEO Committee on certification of advertisement on social media and examining all cases of Paid News on appeal against the decision of the District MCMC or cases that they may take up suo-motu.

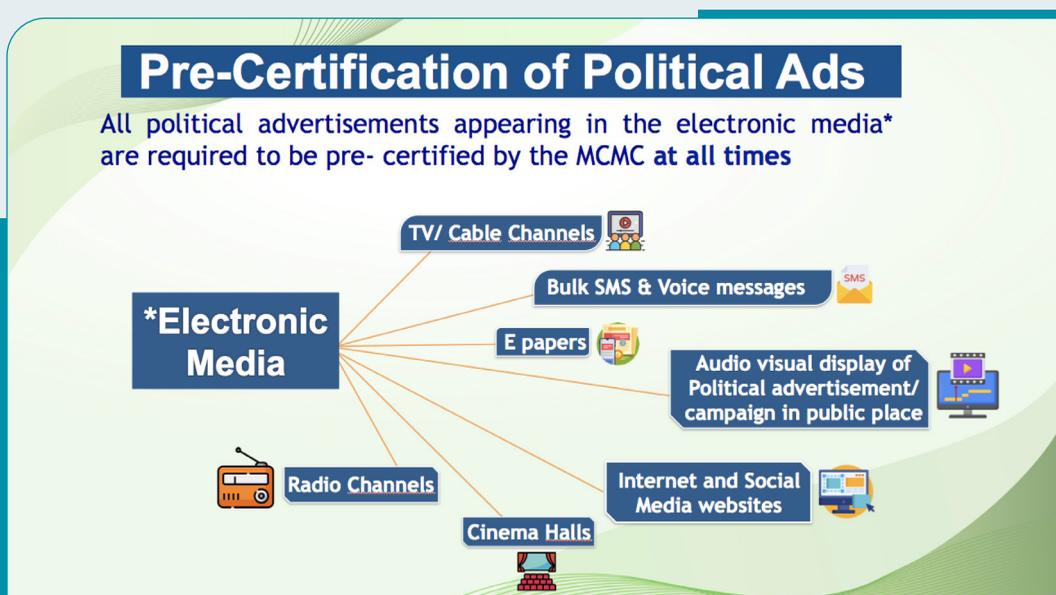
Chapter 2

Pre-Certification of Political Advertisement



Pre-certification of Political Advertisements

Pre-certification means prior clearance of political advertisements by the MCMC before being used. As per Supreme court order and Commission's subsequent instructions, this is to be done before telecast/broadcast on TV and Cable network/Cable Channels, advertisements to be displayed year round in Cinema Halls, Radio including private FM channels, audio-visual displays in public places, advertisements in e-newspapers, use of bulk SMS/voice messages, advertisements on social media and internet websites by any registered political party or by any group of organization/ association or by any contesting candidate/individual and also for print media on pre poll and poll day.



The Supreme Court vide its order dated 13th April 2004 authorized the Commission to constitute the Committees for the certification of political advertisements. In the this order, the Supreme Court referred to the provisions of the Cable Television Networks (Regulation) Act, 1995 and The Cable Television Network Rules 1994.

2. The provisions highlighted by the Hon'ble Court are as follows: -

- 2.1. Any cable operator is prohibited from transmitting or re-transmitting any advertisement which is not in conformity with the prescribed programme code and advertisement code and is likely to promote enmity on grounds of "religion, race, language, caste or community or any other ground

whatsoever, disharmony or feelings of enmity, hatred or ill-will between religion, racial, linguistic or regional groups or castes or communities or which is likely to disturb public tranquility”.

- 2.2. Any advertisement carried in the cable service shall be designed so as to conform to the laws of the country and should not offend morality, decency and religious susceptibilities of the subscribers.
- 2.3. No advertisement shall be permitted which deride any “race, caste, color, creed and nationality, is against any provision of the Constitution of India and tends to incite people to crime, cause disorder or violence or breach of law or glorifies violence or obscenity in any way”.
- 2.4. The above provisions as mentioned by the Hon’ble Supreme Court shall be the guiding principles for certification of advertisements. Additionally, the following may not be permitted while certifying political advertisements: -
 - a) criticism of other countries
 - b) attack on religions or communities
 - c) anything obscene or defamatory
 - d) incitement to violence.
 - e) anything amounting to contempt of court
 - f) aspersion against the integrity of the President and Judiciary
 - g) anything affecting the unity, sovereignty, and integrity of the Nation
 - h) any criticism by name of any person.

PRE-CERTIFICATION OF Ads – Don’ ts

- Criticism of other countries;
- **Attack on religions or communities**
- Anything obscene or defamatory
- **Incitement of violence**
- Anything amounting to contempt of court;
- Aspersion against the integrity of the President and Judiciary;
- Anything affecting the unity, sovereignty and integrity of the Nation;
- **Any criticism by name of any person**
- use of temples/ mosques/ churches/ gurudwara or any place of worship in posters, music etc. or electioneering
- photographs of defence personnel and functions
- Criticism in any aspect of private life, not connected with the public activities of the leaders
- criticism of other parties or their workers on behalf of unverified allegations or on distortions.

2.5 The **parameters mentioned in the Don'ts for political parties and candidates as part of Model Code of Conduct** shall also be kept in mind while certifying the political advertisements.

- a) use of temples/mosques/churches/gurudwara or **any place of worship** or religious text/ symbols/ or slogan in posters, music etc or electioneering
- b) photographs of **defence personnel** and photographs of functions involving Defence personnel
- c) **No aspect of private life**, not connected with the public activities of the leaders or workers of other parties shall be criticized.
- d) No criticism of other parties or their workers on behalf of unverified allegations or on distortions.

2.6 **Advertisements by Third Party other than contesting candidate/political party**

1. The Hon'ble Supreme Court order does not prohibit ads by persons other than political party or candidate. However, the order does say that such persons cannot give ads for the benefit of any political party or candidate.
2. This also implies that advertisements against a political party or candidate cannot also be allowed, as that would benefit other parties/candidates.

3. **Key points to be noted for pre-certification: -**

- 3.1 Besides political advertisements to be telecast on TV and Cable network/ Cable Channels, advertisements to be displayed in Cinema Halls, Radio including private FM channels, audio-visual displays in public places, advertisements in e-newspapers, use of bulk SMS/voice messages have been added in the ambit of pre-certification of political advertisement/ campaigning vide Commission's subsequent instructions.
- 3.2 Since social media and internet websites are also electronic media by definition, therefore, these instructions of the Commission for pre-certification shall also apply to websites including social media websites.

- 3.3 All political advertisements proposed to be issued on all forms of electronic media including Audio-visual displays at public place require pre-certification but is not applicable on the flex hoardings, Wallpapers, Pamphlets etc., though, such advertisements must adhere to provisions of Model Code of conduct and other election related laws/Guidelines.
- 3.4 Any political content in the form of messages/comments/photos/videos being posted/uploaded on the 'blogs/self accounts' on websites/social media websites will not be treated as political advertisement and therefore would not require pre-certification. Even if the same is posted/uploaded by political parties/candidates, it would not fall within the meaning political advertisement and would not be subject to directions/guidelines issued by the Commission.
- 3.5 These directions are always applicable in the **whole territory of India** and not restricted only during the period commencing from the date of announcement of the election and till the completion of election process. This means the pre-certification of advertisement is a **year around activity** and not only during election period. Therefore, political advertisements to be telecast on TV and Cable network/Cable Channels, advertisements to be displayed in Cinema Halls, audio-visual displays in public places, advertisements in e-newspapers, advertisements in social media and internet websites need to be certified by the committee concerned for the entire period and not just during elections.
- 3.6 Subsequent to the amendment of 'Code for Commercial Advertisement' on All India Radio in 2008, the Commission's instructions for pre-certifications shall also apply to any advertisements of political nature on Radio including private FM channels during the period Model Code of Conduct is in operation
- 3.7 Taking cognizance of the increasing use of bulk SMS & recorded voice messages in election campaigning, the Commission in 2015 also included the bulk SMSs/ voice messages on phone in election campaigning within the purview of pre-certification of election advertisements. Legal Provisions, as apply on other modes of electronic media, shall also be applicable on bulk SMSs/Voice messages
- 3.8 The MCMC has the right to refuse to give certification of an advertisement, it does not find fit to be telecast/broadcast/etc. Appeal can be made against the decision of both District level MCMC and Additional/Joint CEO level

Committee to State level MCMC headed by CEO of the State. Only, the Hon'ble Supreme Court of India can entertain the appeal against the order of State level MCMC on pre-certification.

- 3.9 During elections, it should also be brought to the notice of all candidates/ political parties seeking certification that their advertisements should also comply with the provisions of Model Code of Conduct.

4. MCMC Jurisdiction: Guidelines for submission of Applications for pre-certification by political parties with headquarters in Delhi and/or different States/UTs.

- 4.1 Committee constituted at Delhi under the chairmanship of Joint/Additional CEO will entertain the applications for certification of political advertisements by all registered political parties/groups/organizations having their headquarters in NCT of Delhi. However, the application from the State Units of the above mentioned may be submitted to the Committees in the State concerned.
- 4.2 Committees constituted in other States/UTs will entertain the applications for certification of political advertisements by all registered political parties/ organizations / group / associations having their headquarters in that State/UT.
- 4.3 If the Central Office of any of the National Parties or the State Parties with headquarters in Delhi seeks certification of same advertisement in multiple languages (Hindi/English and in regional languages), the advertisement material in each of the languages along with certified transcripts should be submitted to the committee in the office of the CEO, Delhi. In addition, in such cases, the applicant should also submit a duly affidavit stating, as is done in the Courts, that the regional language version of the advertisement is a true translation of the advertisement in Hindi/English and the applicant will be responsible for any mistake therein.
- 4.4 If the Central Office of any of the National Parties or the State Parties with headquarters in Delhi wishes to seek certification of advertisement in any regional language (without there being any Hindi/English version of the advertisement), the application seeking certification will have to be submitted to the committee in the office of the CEO of the State concerned (i.e., the State to which the regional language pertains).

- 4.5 Any advertisement certified for telecast/broadcast by the committee in the office of the CEO, Delhi, on application from the Central Office of the National Parties and the State Parties with headquarters in Delhi, will be valid for telecast/broadcast throughout India in all States and UTs. No separate certification would be required in such cases from the committees in other States. However, the parties should submit a copy of the certificate obtained from the committee in Delhi to the Chief Electoral Officer of the State in which such advertisements are proposed to be telecast/broadcast. The copy should be submitted with a declaration that the same is a true copy of the certificate issued from the committee in Delhi and this should be submitted to the CEO in the State concerned before the advertisement is telecast/broadcast.
- 4.6 In the cases where registered parties/group/organization/association, not having their Headquarter in NCT of Delhi but wish to telecast/broadcast their advertisement in Delhi, certification of the advertisement should be considered by the MCMC in the State, where the party is contesting election.
- 4.7 In the case of State Parties, applications from the units of the parties in States other than where they have their headquarters shall also be dealt by the Committees in the States concerned where the state units are submitting applications.
- 4.8 Chief Electoral Officer of States/ UTs may accept and pre-certify the advertisements from any political parties irrespective of location of their headquarter, provided they have the language competency to do so.

5. Application for certification of political advertisement: -

- 5.1 Every application, in the format prescribed at Annexure A (pg : 27-28), shall be accompanied by two copies of the proposed advertisement in the electronic form along with a duly attested transcript thereof.
- 5.2 The political parties/candidates, if they desire so, may also follow the alternative procedure by first submitting the transcript of the proposed advertisement for certification and once the transcript is vetted/approved by the Committee the party/ candidate will submit the final product in electronic form, another time for final certification.

- 5.3 While taking a decision on the applications for certification of an advertisement, it will be open for the Committees to direct deletion/modification of any part of the advertisement. Every such order making comments and observations for deletion and modification shall be binding and be complied by the concerned political party or contesting candidate or any other person within 24 hours from the receipt of such communication. The advertisement so modified will be re-submitted for review and certification.
- 5.4 Where the Committee is satisfied that the advertisement meets the requirements of the law and in accordance with the directions of the Supreme Court dated 13.04.2004, it should issue a certificate to the effect that the advertisement concerned is fit for telecast/broadcast. The format for the certificate is at Annexure B (pg : 29).
- 5.5 When the certificate for telecast/broadcast is issued by the committee, an authenticated copy of the transcript as approved by the committee should also be handed over to the applicant, and at the same time, the committee should retain a copy of the approved transcript and an electronic copy of the material certified for telecast/broadcast.
- 5.6 A proper record in a register should be maintained for all applications received for certification. Each application should be serially numbered, and the serial numbers should also be indicated on the two copies in electronic form and the receiving officer should affix his signature on the electronic copy. After issue of certificate, one electronic copy of certified advertisement, should be retained by the Committee/ Designated Officer.
- 5.7 The Committee while issuing certificate to the applicant may also include the following disclaimer – The responsibility for the factuality and correctness of claims and allegations made in the advertisement lies wholly with the Publisher /advertiser. The certification committee is in no way answerable or liable for any damage, loss, or injury, civil or criminal on account of such publication.

6. Timeline to submit application for certification: -

- 6.1 Registered National and State political parties and every contesting candidate must apply for precertification of political advertisements not later than

three days prior to the date of the proposed commencement of the telecast of the advertisement.

- 6.2 In case of any other person or unregistered political parties, it should be not later than seven days prior to the date of the telecast.

7. Timeline for MCMC to deliver decision on the applications for precertification of political advertisements:

- 7.1 The State and District MCMC shall deliver the decision on the applications of pre-certification of political advertisements and inform the applicant within two days of the receipt of application.
- 7.2 However, in order to facilitate political parties and candidates and to make sure that the process of pre-certification of advertisements is expedited, the MCMCs shall make best efforts to dispose of all such applications within the same day.

8. Guidelines for dealing with candidates' advertisements on TV/Cable channels/newspapers owned by political parties

- 8.1 If the candidate or their sponsoring parties utilize TV/Cable Channel/ Newspaper owned by them for promoting the electoral prospects of the candidate, the expenses for the same as per the standard rate card of the channel/newspaper have to be included by the candidate concerned in his Election Expenditure Statement (Schedule 4A), even if the actually do not pay any amount to channel/newspaper.
- 8.2 The Media Certification and Monitoring Committee (MCMC) to keep a close watch on the contents telecast on such channels to identify contents of the nature mentioned above, and after following all due procedures, the notional expenses as per standard rate cards of the channel shall be added in the election expenditure account of the candidate appropriately, even if, they actually do not pay any amount to channel/newspaper. This will also include publicity by or on behalf of candidates by Star Campaigner (s) or others, to impact his electoral prospects.

Schedule- 4							
Details of expenditure on campaign through print and electronic media including cable network, bulk SMS or Internet or social media, news items/TV/radio channel etc., including the paid news so decided by MCMC or voluntarily admitted by the candidate. The details should include the expenditure incurred on all such news items appearing in privately owned newspapers/TV/radio channels etc.							
S. No	Nature of medium (electronic / print) and duration	Name and address of media provider (print /electronic /SMS / voice/ cable TV, social media etc.)	Name and address of agency, reporter, stringer, company or any person to whom charges / commission etc. paid/ payable, if any	Total Amount in Rs. Col. (3) +(4)	Sources of Expenditure		
					Amt. By candidate/ agent	Amt. By Pol. Party	Amt. By others
1	2	3	4	5	6	7	8
1							
2							
3							
4							
Total							

Schedule-4A							
Details of expenditure on campaign through print and electronic media including cable network, bulk SMS or Internet or social media, news items/TV/radio channel etc., including the paid news so decided by MCMC or voluntarily admitted by the candidate. The details should include the expenditure incurred on all such news items appearing in newspapers/TV/radio channels, owned by the candidate or by the political party sponsoring the candidate.							
S. No	Nature of medium (electronic / print) and duration	Name and address of media provider (print /electronic /SMS / voice/ cable TV, social media etc.)	Name and address of agency, reporter, stringer, company or any person to whom charges / commission etc. paid/ payable, if any	Total Amount in Rs. Col. (3) +(4)	Sources of Expenditure		
					Amt. By candidate/ agent	Amt. By Pol. Party	Amt. By others
1	2	3	4	5	6	7	8
1							

9. Pre-Certification in Print Media

9.1 Certification of Political Advertisement for Print Media

Starting from the last phase of Bihar assembly elections in 2015, ECI, in exercise of its power under Art 324 of the constitution has issued directions to CEOs of States/UTs that no political advertisements would be published in print media on poll day and pre-poll day in all the phases without pre-certification of State/District MCMC. This has been done to avoid any offending or misleading political advertisements through Print Media in order to not vitiate the entire election process in the last stage of the elections.

Before every General/Assembly election, instruction in this regard is issued by the Commission.*

9.2 Timeline for submission of ads for pre-certification in print media :-

The applicants for pre-certification of ads in print media shall have to apply to MCMC not later than 02(two) days prior to the proposed date of publication of advertisement on poll day and pre-poll day.

*(Page : 247-248)

9.3 Publication of advertisements/election matter in print media during elections:-

In reference to **Section 77(1) & 127A of the R.P. Act, 1951**, the Commission has directed that in the case of any advertisements/election matter for or against any political party or candidate in the print media, during the election period, the name and the address of the publisher should be given along with the matter/advertisement. Further, attention of **Section 171H of IPC** is also invited which prohibits incurring of expenditure, on inter alia, advertisement, circular or publication, for the purpose of promoting or procuring the election of a candidate, without authority from the candidate.

10. Legal Action on violation of pre-certification Instructions : -

- If there is a violation of Supreme Court's Order dated 13th April 2004 or any provisions of the Cable Television Networks (Regulation) Act, 1995 Act, an order to the violator may be issued to forthwith stop such violations and it will also be open to direct seizure of the equipment. Every order shall be promptly complied with by the person(s) on whom such order is served.
- Any instruction not followed in this regard will also amount to contempt of court.

APPLICATION FOR CERTIFICATION OF ADVERTISEMENT

I.

- (i) Name and full address of the applicant
- (ii) Whether the advertisement is by a political party/contesting candidate / any other person / group of persons / association/ organization / Trust (give the name)
- (iii) (a) In case of political party, the status of the party (whether recognized National/ State / unrecognized party)
(b) In case of a candidate, name of the Parliamentary / Assembly Constituency from where contesting
- (iv) Address of Headquarters of political party / group or body of persons /association/ organization / Trust
- (v) Platform (s) on which the advertisement is proposed to be telecast / Broadcast
- (vi) (a) Is the advertisement for the benefit of prospects of election of any candidate(s)
(b) If so, give the name(s) of such candidate(s) with full address and name(s) of constituency (ies)
- (vii) Date of submission of the advertisement
- (viii) Language(s) used in the advertisement (advertisement is to be submitted with two copies in electronic form alongwith a duly attested transcript)
- (ix) Title of advertisement
- (x) Cost of production of the advertisement
- (xi) Approximate cost of proposed telecast with the breakup of number of insertions and rate proposed for each such insertion
- (xii) Total expenditure involved (in Rupees)

II.

I, Shri / Smt. _____, S/o / D/o / W/o
 _____, (full address) _____, undertake
 that all payments related to the production and telecast/broadcast of this advertisement
 will be made by way of cheque / demand draft.

Place:

Signature of the applicant

Date:

III.

(Applicable for advertisement by a person / persons, other than a political
 party or a candidate) I, Shri/Smt. _____, S/o/D/o/W/o _____,
 (full address, hereby state and affirm that the advertisement(s) submitted
 herewith is not for the benefit of any political party or any candidate and
 that this advertisement(s) has / have not been sponsored / commissioned
 or paid for by any political party or a candidate.

Place:

Signature of the applicant

Date:

CERTIFICATION OF POLITICAL ADVERTISEMENTS

I.

- (i) Name and address of the applicant /political party / candidate/ person / group of persons /association /organization/ Trust
- (ii) Title of advertisement
- (iii) Duration of advertisement
- (iv) Language(s) used in advertisement
- (v) Date of submission of advertisement
- (vi) Date of certification

II.

Certified that the above advertisement is fit for use as per the guidelines prescribed by the Hon'ble Supreme Court of India.

*Signature of chairperson/
members of committee / Designated Officer*

Place:

Date:

*Applicable for telecast/broadcast on TV and Cable network/Cable Channels, advertisements to be displayed year round in Cinema Halls, Radio including private FM channels, audio-visual displays in public places, advertisements in e-newspapers, bulk SMS/voice messages, advertisements on social media and internet websites, print media (pre-poll & poll day)



FAQs on
**Pre-Certification of
Political Advertisement**

FAQs on Pre-Certification of political Advertisement

Q. What is certification of advertisement?

- A. Clearance of political advertisement by MCMC before being telecast on electronic media by any registered political party/group/organization/association/individual. It applies in the whole territory of India at all times.

Q. Does the provision of pre- certification of political advertisements apply on print media?

- A. The provision of pre- certification applies to electronic media at all times however, during the General Election to Lok Sabha and State Legislative Assemblies , 2019 and subsequent elections, the Commission in exercise of its powers has directed that during these elections, provisions of pre-certification shall be applicable on the print media also, on poll day and one day prior to poll day in all the phases, thus ensuring that offending and misleading advertisements are not published during the last stage of election.

This decision was first taken during Bihar Assembly Elections 2015 to ensure that instances of advertisements of offending and misleading nature published in print media during the last stage of election do not vitiate the election process.

Q. Time limits for application for certification?

- A. For recognized National and State party and every contesting candidate, not later than three days prior to the date of the proposed commencement of the use of the advertisement. In case of any other organization/association/ person or unregistered political parties, it should be not later than seven days prior to the date of the telecast/broadcast. Ads in print media shall have to apply to MCMC not later than 02(two) days prior to the proposed date of publication of advertisement on poll day and pre-poll day

Q. What are the documents required to be attached with application for certification?

- A. The application should be accompanied by two copies of the proposed advertisement in electronic form, along with duly attested transcript thereof. Apart from this, the application for certification shall also contain

following details:

- (i) Production cost of the advertisement.
- (ii) The approximate cost of proposed telecast of such advertisement on a television channel or cable network/other platform with the break-up of number of insertions and rate proposed to be charged for each such insertion. Statement whether the advertisement inserted is for the benefit of the prospects of election of a candidate(s)/parties.
- (iii) If the advertisement is issued by any person other than a political party or a candidate, that person shall state on oath that it is not for the benefit of any political party or a candidate and that the said advertisement has not been sponsored or commissioned or paid for by any political party or a candidate
- (iv) A statement that all the payment shall be made by cheque or demand draft.

Q. What are the duties of District level MCMC besides certification of political advertisements and monitoring Paid News cases?

A. The District level MCMC performs the following functions:

1. Scan the political advertisements in electronic media to check whether the telecast/broadcast has been done only after certification by the Committee.
2. Monitoring the political advertisements in media, in relation to candidates either overt or covert from expenditure monitoring angle this will also include publicity or advertisement or appeal by or on behalf of candidate, or by Star Campaigner(s) or others to impact candidate's electoral prospects.
3. Monitoring, if any advertisement in print media is published with the consent or knowledge of candidate in which case it will be accounted for in the election expenses of the candidate(s).

However, if the advertisement is not with the authority from the candidate, then action may be taken to prosecute the publisher for violation of 171H of IPC.

4. Checking, if the name and address of the publisher and the printer is printed on all election pamphlets, poster handbills and other documents as required under section 127A of the RP Act 1951.

5. Submission of daily report to Expenditure Accounting team with a copy to RO and Expenditure Observer in respect of each candidate in the prescribed format w.r.t expenditure incurred by the candidate on election advertising or actual expenditure incurred for publishing the news.

Q. Does the Media Certification Committee at Constituency/District or State level has the right to refuse to give certification of an advertisement, if does not find fit to be telecast?

A. Yes, the above Committee has the right to refuse to certify an advertisement, if it does not find it fit to be telecast.

Q. Which Committee will certify advertisement of National Party in regional language?

A. If any National Party or State Party with Headquarters in Delhi wishes to seek certification of advertisement in any regional language, the application has to be submitted to the State Level Committee of the State concerned (to which the regional language pertains).

Q. In the case of same advertisement of a National Party in multiple languages, which Committee will certify it?

A. If a National Party seeks certification of the same advertisement in Hindi/English and in regional languages, the advertisement material in each of the languages along with certified transcript of each should be submitted to the Committee in Delhi along with an affidavit affirming that the regional language versions are true translation of the advertisement in Hindi/English and that the applicant will be responsible for any mistake therein. The certificate issued by the committee in Delhi will be sufficient for the advertisements in regional languages. The party should submit a copy of the certificate issued from Delhi to the Chief Electoral Officer of the other State concerned along with the declaration that the copy of certificate is a true copy of the original issued by the committee in Delhi.

Q. Where can the appeal be made against the decision of above Committee.

A. Any political party or candidate can make an appeal against the decision of above Committee to State level Appellate Committee.

Q. Whether the decisions of the above Committees are legally binding?

A. Yes, Supreme Court Vide its order dtd. 13th April, 2004 authorized the Commission to constitute the Committees for the certification of political advertisements.

Q. Whether individuals other than political party or candidate can give advertisements on TV channel, Cable Network and Radio, against a candidate?

A. Honorable Supreme Court [in SLP (C) No. 6679 of 2004] does not specifically prohibit ads by persons other than political party or candidate. However, the order does say that such persons cannot give ads for the benefit of any political party or candidate. This implies that ads against a party or candidate cannot be allowed, as that would benefit other parties/ candidates.

Q. Whether the use of bulk SMSs/Voice messages in political campaigning require Pre-Certification as political advertisements?

A. Yes, the Commission has decided that the directions issued and mechanism provided at district and state level for certifying political advertisements on TV channels, Cable Network and Radio shall apply mutatis mutandis to the use of bulk SMSs/Voice messages for political campaigning. It is necessary to monitor the contents of such bulk SMSs/Voice messages forwarded to the electors so that objectionable contents are not transmitted through this medium.

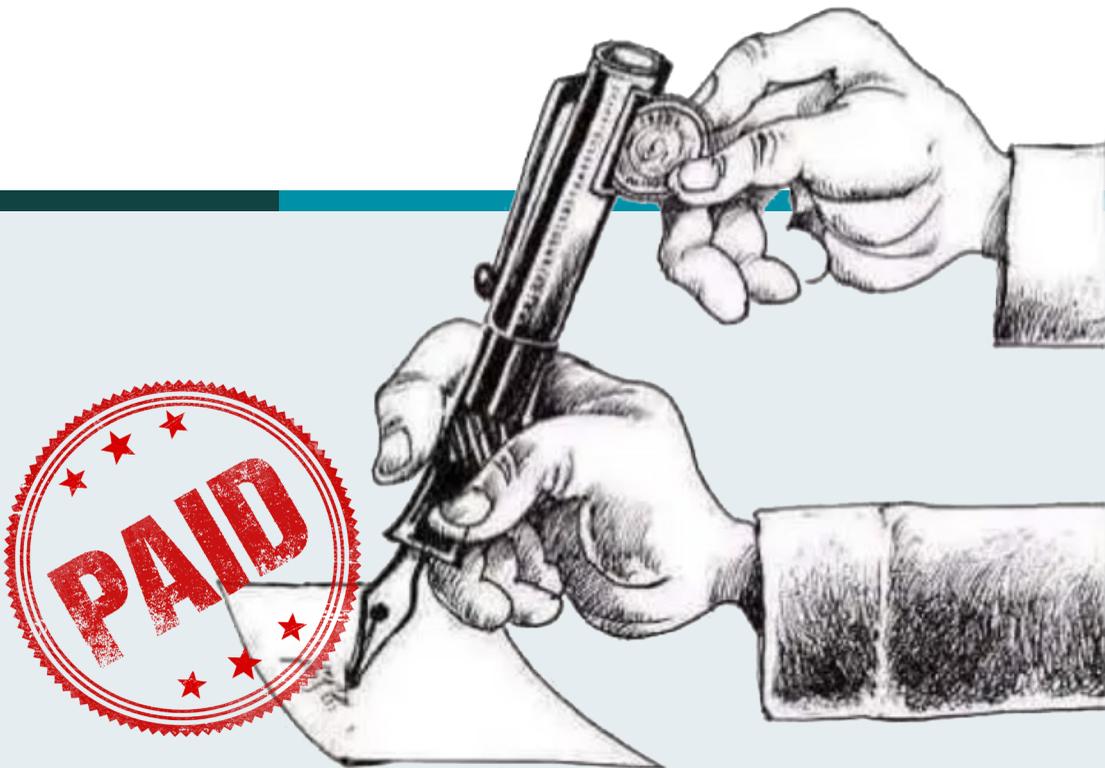
Q. Would political content on social networking sites and E-papers require pre-certification?

A. Any political content in the form of messages/comments/photos/videos being posted/uploaded on the 'blog/self accounts' on websites/social media websites will not be treated as political advertisement and therefore would not require pre-certification. However as per Commission's letter No. 491/ Paid News/2014 dated 26.02.2014, political advertisements issued on social media and e-papers versions of newspaper, shall invariably require pre-certification by the concerned Committee.

- Q. What will be the roles and responsibilities of the social media expert in MCMC?**
- A. The social media expert in MCMC will handle the following:
- (a) Assist MCMC in the matter of certification of political advertisements proposed to be published on social media platforms.
 - (b) Assist MCMC in scanning social media platforms for suspected cases of Paid News.
 - (c) Assist MCMC in submitting a daily report to Accounting team with copy to RO and Expenditure Observer w.r.t. expenditure incurred by the candidate on election advertising on social media platforms.
 - (d) Assist MCMC in the matters of queries/complaints related to advertisements on social media platforms.
 - (e) Look after the overall coordination between MCMC and the intermediaries/ social media platforms.
 - (f) Make sure that the Election Laws are strictly adhered to with matters related to advertisements on social media platforms.
 - (g) Assist MCMC in handling the violation cases on Social media.
 - (h) Being part of State level MCMC, he/she will assist in deciding appeal from District and Addl. /Jt. CEO Committee on certification of advt. on social media and also examining all cases of Paid News on appeal against the decision of District MCMC or cases that they may take up suomotu.

Chapter 3

Paid News



Paid News

PCI has defined paid news as “Any news or Analysis appearing in any media (print and electronic) for a price in cash or kind as consideration”. The Commission has accepted the definition of Paid News given by Press Council of India and considers that ‘Paid News’ disturbs level playing field in election and adversely affects free and fair poll by circumventing election expenditure laws and also causing undue influence on voters.



Cause of concern

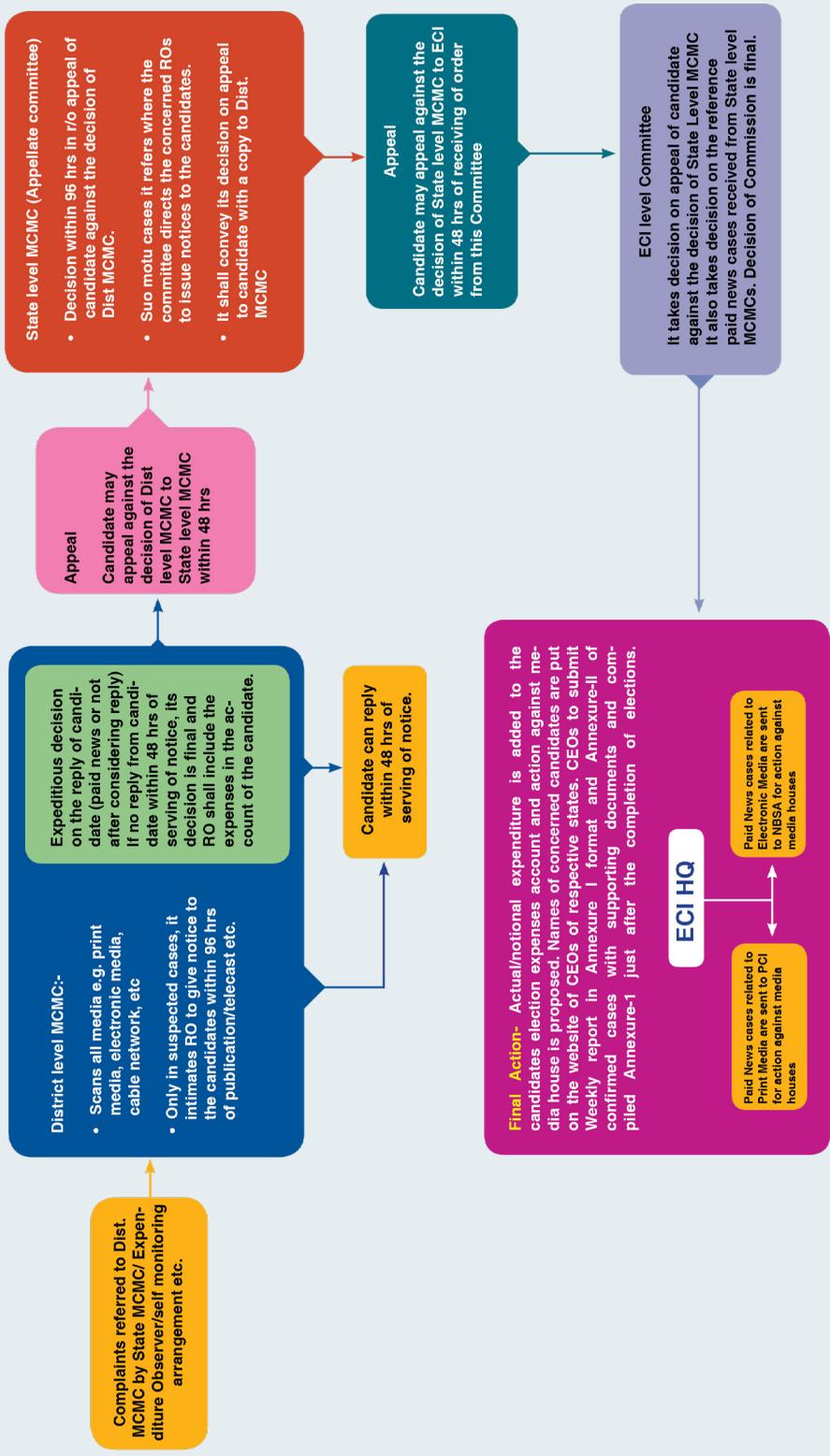
Paid News misleads the public and hampers the ability of people to form correct opinions. It causes undue influence on voters and is also seen as an infringement of their Right to Information. Paid News seeks to circumvent election expenditure laws and adversely affects the level playing field for all contesting candidates and parties.

Commission has experienced the problem of Paid News on the ground during the electoral process. Political parties and media groups also approached the Commission, requesting to take strong steps against Paid News. The Parliament also discussed the issue. There was consensus among all political parties in their meeting with the Commission on 4th October 2010 and again on 9th March, 2011 that stringent measures should be taken against Paid News.

To strengthen its vigilance, the Commission has set up a Media Certification and Monitoring Committee (MCMC) at District level and State Level to monitor media for Paid news and other violations besides certification of advertisements.

Time period for determining paid news cases:-

With reference to Section 77(1) of Representation of the People Act, 1951 it is clarified that paid news cases may be taken into account from the date of filing of nomination by the candidate.



2. Functions of MCMC and Timeline for appeal in Paid News cases: -

2.1 District MCMC

- 2.1.1 Paid news cases are scanned initially at the district level. This Committee examines complaints/issues of Paid News through a monitoring arrangement. It scans all media e.g. print media, electronic media, cable network, etc.
- 2.1.2 On reference from District MCMC, RO shall give notice to the candidates within 96 hrs of publication/ broadcast/ telecast/ receipt of complaint to explain/disclose the expenditure incurred for publishing the 'news' or similar matter, or state why expenditure should not be computed as per standard rate and added to the candidate's expenditure.
- 2.1.3 Notice is to be issued only in suspected cases of Paid News decided by this committee and not to all the reference cases received.
- 2.1.4 The Committee has to decide on the reply expeditiously and convey to the Candidate/Party its final decision. The reply of the show cause notice shall be addressed to R.O. and in case no reply is received by R.O. from the candidate within 48 hrs of serving of notice, the decision of MCMC will be final.
- 2.1.5 District level MCMC shall decide on the reply expeditiously and RO shall convey to the Candidate/Party such final decision.
- 2.1.6 The candidate may appeal against the final decision of District level MCMC to State level MCMC within 48 hrs of receipt of the decision, with information to the District level MCMC.

2.2 State MCMC

- 2.2.1 This Committee examines all cases of Paid News on appeal against the decision of District MCMC or cases they take up suo motu, in which, the concerned ROs are directed to issue notices to the candidates. The State level MCMC have to dispose of the case within 96 hrs of receipt of appeal and convey the decision to the Candidate with a copy to District level MCMC.

2.2.2 The candidate may appeal against the decision of State level MCMC to ECI within 48 hrs of receiving of order from this Committee

2.2.3 The cases of suspected Paid News or advertisement or appeal shall have to be considered within strict timelines and the entire process shall ordinarily be completed within the Election period.



2.3. ECI level Committee-

A Committee is constituted at ECI level to deal with the appeal against the decision of State level MCMCs which has the following composition:-

- (i) Additional Director General (News), News Services Division: AIR, New Delhi
- (ii) Additional Director General, DAVP, New Delhi
- (iii) PCI member
- (iv) Principal Secretary/Secretary (in-charge of Election Expenditure)
- (v) Principal Secretary (Legal)
- (vi) Principal Secretary (in-charge of the State/UT from where reference is received)
- (vii) Principal Secretary (in-charge of CC & B.E. Division)

- (viii) Director/Principal Secretary/Dy. Secretary (Media Division) - Convener

Members at Sl No. (i), (ii) & (iii) are based on nominations by concerned Ministries/Departments.

- This committee deals with the appeal against the decision of State level MCMCs. Wherever complaints on Paid News cases are made to the Commission directly, the Commission shall forward cases to the State level MCMC for initial consideration.

3. How to identify Paid news: -

3.1 PCI and NBDA Guidelines - PCI guidelines about election news and advertising say that news should be clearly demarcated from advertisements by printing disclaimers and should be strictly enforced by all publications. As far as news is concerned, it must always carry a credit line and should be set in a typeface that would distinguish it from advertisements. Guidelines issued by Press Council of India dtd 30.07.2010*, ‘Norms of Journalistic Conduct-2020**’ and “Guidelines for Election Broadcasts” issued by NBSA (now NBDA) dt 3rd March, 2014*** may be referred while scanning paid news cases.



3.2 Further, some illustrations of the cases for suspected paid news have been prepared and can be seen here below: -

3.2.1 Identical articles with photographs and headlines appearing in competing publications carrying by-lines of different authors around the same time.

- 3.2.2 On the same page of specific newspapers, articles praising competing candidates claiming that both are likely to win the same elections.
- 3.2.3 News item stating that one candidate is getting the support of each and every section of society and that he would win elections from the constituency.
- 3.2.4 News items favoring a candidate, not carrying any byline.
- 3.2.5 Newspaper publishing a banner headline stating that a party/candidate is ready to create history in the state/constituency but not carrying any news item related to this headline.
- 3.2.6 News item saying that the good work done by a Party/Candidate had marginalized the electoral prospects of the other party/candidate in the state with each and every sentence of the news item in favour of the party/ candidate.
- 3.2.7 There are instances of fixed size news items, each say of a length of 125- 150 words with a double-column photo. News items are seldom written in such a rigid format and size whereas advertisements are most often.
- 3.2.8 In specific newspapers, multiple font types and multiple drop case styles were noticed within the same page of a single newspaper. This happened because- the layouts, fonts, printouts, photographs- were provided by candidates who had paid for slots in the pages of the newspaper.



HOW TO TAKE ACTION IN THE PAID NEWS CASES

1

NOTICE:

- Paid news cases are taken into account from the date of filing of nomination by the candidate (Sec77(1) of RP act 1951)
- On reference from District MCMC, RO gives notice to the candidates within 96hrs. of publication/ broadcast/ telecast/receipt of complaint to explain why expenditure should not be added to the candidate's expenditure record.
- District MCMC decides on the reply expeditiously and convey it to the Candidate/Party its final decision.
- In case no reply is received by District MCMC from the candidate within 48 hrs of serving of notice, the decision of MCMC will be final.

2

APPEAL (STATE LEVEL MCMC)

If decision of District level MCMC is not acceptable to the candidate, he/she may appeal to State level MCMC within 48 hrs of receipt of decision, with information to the District MCMC.

State level MCMC disposes of the case within 96 hrs. of receipt of the appeal



3

APPEAL (ECI LEVEL COMMITTEE)

- The candidate may appeal against the decision of State level MCMC to ECI Level committee within 48 hrs of receiving of order
- The decision of ECI shall be final.



4. For Paid news monitoring, following points are to be noted for systematic procedure and prompt action:-

- a) CEOs, DEOs to brief political parties and media houses about instruction related to pre-certification of political advertisements on electronic media, media related provisions of the R.P. Act viz. Section 126 & Section 127A, Section 171H of IPC, Paid News and consequences of violation and to avoid surrogate advertising.
- b) CEOs to obtain a list of television channels/radio channels/newspapers, broadcasting/ circulated in the State/UT and their standard rate cards, six months before the due date of expiry of Lok Sabha or the State/UT Legislative Assembly, as the case may be and forward it to the Commission. [In case of any technical doubt relating to the application of the standard rate card, the matter can be referred to CBC (erstwhile DAVP), Ministry of I&B, Govt. of India for advice]. This list is also to be shared with MCMC for reference to add notional expenditure in confirmed paid news cases.
- c) In case of bye-election to Parliamentary or Assembly constituency, the standard rate cards shall be obtained by the District Election Officer concerned immediately on announcement of the bye-election and Media Certification and Monitoring Committee (MCMC) need to take due action immediately afterwards.
- d) District MCMC to strictly monitor campaigns through print/ electronic media.
- e) Media shall be asked to exercise self-regulation.

5. Paid News reporting:-

In this regard, following action points are to be considered: -

- 5.1 Weekly report on Paid News is to be submitted by CEO to ECI in Annexure-I format (page no. 54) on the last day of every week starting from the last date of nominations of each phase.
- 5.2 Further, a compiled list having information of Paid News in Annexure-I including the details from all districts is to be furnished to the Commission along with the details of confirmed cases of paid news in Annexure-II format (page no. 55), just after the completion of elections.

- 5.3 All relevant documents of paid news cases with clear and legible copy [Constitution of MCMCs of the regions, Proceedings/Minutes of meetings with due reasons as to how the news considered as paid news, News reports/advertisements/cuttings of newspaper along with its Hindi/English transcript/videos/Clippings of paid news etc.] must be provided along with Annexure-II and compiled Annexure-I.
- 5.4 In certain cases, notices on paid news are issued in large numbers while further action on the same remains pending. MCMCs to ensure that due deliberation takes place on each case and only cases that appear to be suspected cases of 'Paid News' are referred to the RO for issue of notice to the candidate. While seeing that frivolous cases are not taken up, MCMC should ensure that there is no laxity on checking actual 'Paid News'.

6. Follow up action in confirmed Paid News Cases: -

- 6.1 Where the suspected cases of Paid News are decided as a "Paid News" either at District level/CEO level, as the case may be, the actual/ notional expenditure shall be treated as part of election expenses of the Candidate concerned, with due intimation to him/ her or his/her agent.
- 6.2 Paid News cases related to Print Media are sent to PCI and those related to Electronic Media are referred to NBDA. The same are forwarded to these authorities by ECI and not by CEO/DEO.
- 6.3 The names of concerned candidates shall be put on the website of the Chief Electoral Officer of respective States/UTs. In this regard, a separate tab titled 'Paid News' is to be created where the details of erring candidates will be uploaded prominently.

7. Additional Provisions to be taken care of in Paid News cases-

7.1 Section 77(1) of the R.P. Act, 1951-

Reference Section 77(1) of the R.P. Act, 1951, Paid News cases may be taken into account from the date of filing of nomination by the candidate.

7.2 Section 127A of the R.P. Act, 1951-

This section provides restrictions on the printing of pamphlets, posters, etc. It is reproduced below for reference-

- 1) No person shall print or publish, or cause to be printed or published, any election pamphlet or poster which does not bear on its face the names and addresses of the printer and the publisher thereof.
- 2) No person shall print or cause to be printed any election pamphlet or poster—
 - a) unless a declaration as to the identity of the publisher thereof, signed by him and attested by two persons to whom he is personally known, is delivered by him to the printer in duplicate; and
 - b) unless, within a reasonable time after the printing of the document, one copy of the declaration is sent by the printer, together with one copy of the document,—
 - i) where it is printed in the capital of the State, to the Chief Electoral Officer; and
 - ii) in any other case, to the district magistrate of the district in which it is printed.
- 3) For the purposes of this section,—
 - a) any process for multiplying copies of a document, other than copying it by hand, shall be deemed to be printing and the expression “printer” shall be construed accordingly; and
 - b) “election pamphlet or poster” means any printed pamphlet, hand-bill or other document distributed for the purpose of promoting or prejudicing the election of a candidate or group of candidates or any placard or poster having reference to

an election, but does not include any hand-bill, placard or poster merely announcing the date, time, place and other particulars of an election meeting or routine instructions to election agents or workers.

- 4) Any person who contravenes any of the provisions of sub-section (1) or sub-section (2) shall be punishable with imprisonment for a term which may extend to six months, or with fine which may extend to two thousand rupees, or with both.

7.3 Section 171 H of IPC:-

Section 171H of IPC prohibits incurring of expenditure, on inter alia, advertisement, circular or publication, for the purpose of promoting or procuring the election of a candidate, without authority from the candidate.

Annexure-II

Guidelines issued by Press Council of India dtd 30.07.2010 to follow for observance during the election:

- i. It will be the duty of the Press to give objective reports about elections and the candidates. The newspapers are not expected to indulge in unhealthy election campaigns, exaggerated reports about any candidate/party or incident during the elections. In practice, two or three closely contesting candidates attract all the media attention. While reporting on the actual campaign, a newspaper may not leave out any important point raised by a candidate and make an attack on his or her opponent.
- ii. Election campaign along communal or caste lines is banned under the election rules. Hence, the Press should eschew reports, which tend to promote feelings of enmity or hatred between people on the ground of religion, race, caste, community or language.
- iii. The Press should refrain from publishing false or critical statements in regard to the personal character and conduct of any candidate or in relation to the candidature or withdrawal of any candidate or his candidature, to prejudice the prospects of that candidate in the elections. The Press shall not publish unverified allegations against any candidate/party.
- iv. The Press shall not accept any kind of inducement, financial or otherwise, to project a candidate/party. It shall not accept hospitality or other facilities offered to them by or on behalf of any candidate/party.
- v. The Press is not expected to indulge in canvassing of a particular candidate/party. If it does, it shall allow the right of reply to the other candidate/party.
- vi. The Press shall not accept/publish any advertisement at the cost of public exchequer regarding achievements of a party/ government in power.
- vii. The Press shall observe all the directions/ orders/instructions of the Election Commission/Returning Officers or Chief Electoral Officer issued from time to time.

‘Norms of Journalists Conduct- 2022’

- i) Newspaper should specifically mention “Marketing Initiative” on Supplement /special edition itself to distinguish them from various reports.

- ii) The newspaper should not mis-construe or misquote the statements given by leader. The statements quoted in editorial should project the true spirit of what is being tried to be conveyed by them.
- iii) Columns of news items which largely indicate names of voters on Caste basis and supporters of the candidate of particular political party, such tenor and manner of presentation of news establish the report to be paid news.
- iv) Political news published in competing newspaper with similar content strongly suggests such reports to be paid news.
- v) Two newspapers publishing same news item verbatim during election days is not accidental and it is evident that such news items have been published for consideration.
- vi) Manner of presentation of a news item/photograph that too in favour of a particular party/candidate as also the appeal for voting in favour of a particular party is suggestive of paid news.
- vii) Projecting a candidate's success in Election who is yet to file a nomination is suggestive of paid news.
- viii) News Reports on Campaign meeting and states enthusiasm because film stars were present cannot be termed as paid news.
- ix) While covering news on election, the newspapers are advised to ensure balance in publishing report/interview of candidates.
- x) During the course of election, subject to conditions laid down by the Election Commission of India, newspapers are free to make an honest assessment of prospects of candidates or the parties and its publication would not be paid news so long it is not established that consideration passed on for such publication.
- xi) Newspapers shall not publish any news survey predicting the victory of any political party without verification of it.
- xii) An attempt to influence the voters by projecting the contesting candidate with all virtues during the election is paid news.
- xiii) A news item giving negative aspect of a candidate and at the same time the positive aspect of candidate of other political party without any basis clearly shows that it is paid news.

Guidelines for Election Broadcasts

Availability of accurate, objective and complete information to enable citizens to exercise their franchise based upon a well informed choice, is the basic requirement of free and fair elections. The purpose of the following guidelines is to ensure that broadcast of news and current affairs programmes and all other content on a news channel pertaining to elections and election related matters is fair and balanced, that is being objective, accurate and duly verified:

1. News broadcasters should endeavour to inform the public in an objective manner, about relevant electoral matters, political parties, candidates, campaign issues and voting processes as per rules and regulations laid down under The Representation of People Act 1951 and by the Election Commission of India.
2. News channels shall disclose any political affiliations, either towards a party or candidate. Unless they publicly endorse or support a particular party or candidate, news broadcasters have a duty to be balanced and impartial, especially in their election reporting.
3. News broadcasters must endeavour to avoid all forms of rumor, baseless speculation and disinformation, particularly when these concern specific political parties or candidates. Any candidate/political party, which has been defamed or is a victim of misrepresentation, misinformation or other similar injury by broadcast of information should be afforded prompt correction, and where appropriate granted an opportunity of reply.
4. News broadcasters must resist all political and financial pressures which may affect coverage of elections and election related matters.
5. News broadcasters should maintain a clear distinction between editorial and expert opinion carried on their news channels.
6. News broadcasters that use video feed from political parties should disclose it and appropriately tagged.
7. Special care must be taken to ensure that every element of a news/programmes dealing with elections and election related matters is accurate on all facts relating to events, dates, places and quotes. If by mistake or inadvertence any inaccurate information is broadcast, the broadcaster must correct it as soon as it comes to the broadcaster's notice with the same prominence as was given to the original broadcast.
8. News broadcasters, their journalists and officials must not accept any money, or valuable gifts, or any favour that could influence or appear to influence, create a conflict of interest or damage the credibility of the broadcaster or their personnel.

9. News broadcasters must not broadcast any form of ‘hate speech’ or other obnoxious content that may lead to incitement of violence or promote public unrest or disorder as election campaigning based on communal or caste factors is prohibited under Election Rules. News broadcasters should strictly avoid reports which tend to promote feelings of enmity or hatred among people, on the ground of religion, race, caste, community, region or language.
10. News broadcasters are required to scrupulously maintain a distinction between news and paid content. All paid content should be clearly marked as “Paid Advertisement” or “Paid Content” ; and paid content must be carried in compliance with the “Norms & Guidelines on Paid News” dated 24.11.2011.
11. Special care must be taken to report opinion polls accurately and fairly, by disclosing to viewers as to who commissioned, conducted and paid for the conduct of the opinion polls and the broadcast. If a news broadcaster carries the results of an opinion poll or other election projection, it must also explain the context, and the scope and limits of such polls with their limitations. Broadcast of opinion polls should be accompanied by information to assist viewers to understand the poll's significance, such as the methodology used, the sample size, the margin of error, the fieldwork dates, and data used. Broadcasters should also disclose how vote shares are converted to seat shares.
12. The broadcasters shall not broadcast any “election matter” i.e. any matter intended or calculated to influence or affect the result of an election, during the 48 hours ending with the hours fixed for the conclusion of poll in violation of Section 126(1)(b) of The Representation of People Act 1951.
13. The Election Commission of India (ECI) will monitor the broadcasts made by news broadcasters from the time elections are announced until the conclusion and announcement of election results. Any violation by member broadcasters reported to the News Broadcasting Standards Authority (NBSA) by the Election Commission will be dealt with by the NBSA under its regulations.
14. Broadcasters should, to the extent possible, carry voter education programmes to effectively inform voters about the voting process, the importance of voting, including how, when and where to vote, to register to vote and the secrecy of the ballot.
15. News broadcasters must not air any final, formal and definite results until such results are formally announced by the Election Commission of India, unless such results are carried with clear disclaimer that they are unofficial or incomplete or partial results or projections which should not be taken as final results.
16. These guidelines will apply to all National, Assembly, Municipal and Local Elections held in India.

Place : New Delhi

Dated : March 3, 2014

ANNEXURE-I (To be submitted on the last day of every week) and a compiled list of all weekly reports shall be submitted after the completion of election.

1	2	3	4	5	6	7	8	9	10	11	12	13	14
Name of District/ Assembly/ Constituency/ Parliament/ Constituency, Exp as applicable	Complaints/ cases referred to District MCMCs by State MCMC/ Exp Observers/ suo motu cases identified by district MCMC etc.	Cases decided by District MCMC as suspected case of paid News & recommended for notice to candidate	Cases/ complaint not found to be paid news	Cases in which Notices issued by RO to candidate	Cases in which candidates accepted to have spent the amount and showed it in their accounts	Cases in which candidate did not reply to notice within stipulated time	Cases in which candidate refused to accept and gave explanation	Cases decided by District MCMC as NOT PAID NEWS after considering explanation/ reply to notice	Cases decided by District PAID MCMC as NEWS (after considering arguments/ reply to notice/or after reply not recd)	Appeal by Candidate to State MCMC on final decision of District MCMC within stipulated time	Cases decided as paid news by State MCMC	Cases decided as not paid news by State MCMC	Confirmed cases of paid news (6) + (10) – (13)

Reporting Format of Suspected Paid News/Confirmed paid news

Note:

(2) = (3) + (4)

(3) should generally be same as (5) [Sometimes single notice is issued to a candidate for multiple cases of 'paid news' related to him, the number of notices in (5) should indicate the no. of cases in which notices are issued and not the number of candidates who have been issued notices]

(5) = (6) + (7) + (8)

If in some cases, the candidate doesn't reply to the notice within stipulated time (7), the decision of District MCMC shall be final and further action taken by RO regarding inclusion of the expenses in the account of the candidate.

Similarly, if Candidate doesn't appeal against the decision of District MCMC (10) to State MCMC (11) within stipulated time, it is assumed that he has accepted District MCMC decision and the amount shall be shown in his account

(7) + (8) = (9) + (10)

(11) = (12) + (13)

(2) = (4) + (6) + (9) + (10)

Total cases of confirmed paid news = (6) + (10) – (13)

ANNEXURE-II (To be furnished after completion of election) *

Only Confirmed Paid News cases (column 14 of Annexure I)

Sl. No.	Name of the candidate and party affiliation to whom notice issued in paid news case	Title of the news items	Name of Newspaper/ broadcast media and date of publication and page no. of the newspaper/timimg of programme, where item appears	Date of notice issued by R.O.	Reply of candidate received (if any) and final action of Committee	Cost of said news item as per DIPR/DAVP rates that was accounted	Media Category (Print/Electronic/Social)

* The following complete documents must be enclosed:

- i. Proceedings/Minutes of meetings with due reasons as to how the news considered as paid news.
- ii. Copy of Notice issued to the candidate by R.O. and reply, if any, given by the candidate. If reply is submitted, proceeding/minutes of meeting of such consideration.
- iii. Clippings/cuttings of newspapers along with its Hindi/English transcript and video of broadcast in a CD

In the compiled Annexure-1 to be submitted shortly after completion of election, only those District/ Assembly Constituency/ Parliamentary Constituency will be included which have confirmed paid news cases.

Case Study:-

Let's say in 'A' State, 3 districts namely 'X', 'Y' & 'Z' have paid news cases.

1	2	3	4	5	6	7	8	9	10	11	12	13	14
Name of District/ Assembly Constituency/ Parliamentary Constituency as applicable	Complaints with/ cases referred to District MCMCs by State MCMC/ & Exp Observers/ suo motu cases identified by district MCMC etc.	Cases decided by District MCMC as suspected case of paid News	Cases/ complaint not found to be paid news	Cases in which Notices issued by RO to candidate	Cases in which candidates accepted to have spent the amount and showed it in their accounts	Cases in which candidate did not reply to notice within stipulated time	Cases in which candidate refused to accept and gave explanation	Cases decided by District MCMC as NOT PAID NEWS after considering explanation/ reply to notice	Cases decided by District MCMC as PAID NEWS (after considering arguments/ reply to notice/or after reply not recd)	Appeal by Candidate to State MCMC on final decision of District MCMC within stipulated time	Cases decided as paid news by State MCMC	Cases decided as not paid news by State MCMC	Confirmed cases of paid news (6) + (10) – (13)
X	15	14	1	14	2	5	7	2	10	3	3	0	12
Y	8	8	0	8	1	2	5	1	6	4	3	1	6
Z	13	11	2	11	0	7	4	0	11	0	0	0	11
Total													29

Case of district 'X' is explained for reference:-

- 12 cases are considered by District MCMC as paid news during self monitoring mechanism/on complaint basis and 03 cases are referred to Dist MCMC by State MCMC/Expenditure Observer on the basis of complaint received/suo moto observation, thus making total cases '15' at initial level of Dist MCMC. (Column 2)
- Out of 15 cases, District MCMC on scrutiny found 01 case (Column 4) not in paid news category and remaining 14 cases (Column 3) are recommended to Returning officer to issue notice to candidates. Sometimes a single notice is issued to a candidate for multiple cases of 'paid news' related to him, the number of notices in (5) should indicate the no. of cases in which notices are issued and not the number of candidates who have been issued notices. For each 14 cases, notice should be served to the candidates within 96 hours of publication/ broadcast/ telecast/ receipt of complaint to explain/disclose the expenditure incurred for publishing the 'news' or similar matter, or state why expenditure should not be computed as per standard rate and added to the candidate's expenditure. Clear case of advertisement for

vote appeal shall not be considered in the paid news category. In such cases, only amount shall be added to candidate's account, if not added already.

3. Out of 14 cases in which notices are issued, 02 cases/candidates (Column 6) accepted to have spent the amount, thus, making them clear paid news cases. In 05 cases (Column 7), no reply is received to Dist MCMC within 48 hrs of serving of notice. In such case, decision of Dist MCMC is final. In 07 cases (Column 8), candidates have given reply within time limit.
4. After considering reply in 07 cases from candidates, Dist MCMC is satisfied with explanation in 02 cases (Column 9) and considered them as not paid news cases. Reply in 05 cases is rejected by Dist MCMC. Candidates shall be informed in this regard with copy to State MCMC for information. 10 cases (Column 10) are confirmed by Dist MCMC as paid news after considering arguments/reply to notice/or after reply not received. [Column 10 = Column 7 + Column 9]. Column 10 represents cases of paid news decided by Dist MCMC and therefore, cases which have been accepted by candidates itself shall not be considered in this column.
5. Out of 5 cases rejected by District MCMC, 03 cases (Column 11) are submitted by candidate/Candidates before State MCMC within 48 hrs of receipt of decision, with information to the District MCMC. State MCMC rejected appeal in all 03 cases (Column 12) and no case [0 case (column 13)] is set aside from the paid news category.
6. Total paid news cases are 12 for District 'X'. [Column (6) + Column (10) – Column (13)]. Similarly for 'Y' and 'Z' districts, cases are shown.
7. Total Paid news cases in 'A' State = 29.



FAQs on Paid News

FAQs on Paid News

Q. What is Paid News?

- A. Paid News has been defined by PCI as – “Any news or analysis appearing in any media (Print & Electronic) for a price in cash or kind as consideration”. The Commission has generally accepted the definition given by PCI.

Q. How is advertisement different from news?

- A. The PCI guidelines say – news should be clearly demarcated from advertisements by printing disclaimers, and it should be strictly enforced by all publications. It must always carry a credit line and should be set in a typeface that would distinguish it from advertisements. Besides, advertisement is meant to promote, while news is meant to inform.

Q. What made ECI to check Paid News

- A. Commission has experienced the problem of Paid News on the ground during the electoral process. Political parties and media groups also approached the Commission, requesting to take strong steps against Paid News. The Parliament also discussed the issue. There was consensus among all political parties in their meeting with the Commission on 4th October 2010 and again on 9th March, 2011 that stringent measures should be taken against Paid News.

Q. What are the adverse effects of Paid News?

- A.
1. In the election arena, Paid News misleads the public, causes undue influence on voters and affects their Right to Information.
 2. It seeks to circumvent election expenditure laws/ceiling, through covert expenditure.
 3. It disturbs the level playing field among political parties & candidates.

Q. How to keep a check on Paid News?

- A.
1. Self-regulation by media and political functionaries.
 2. Strict implementation of existing mechanisms to curb the menace in the electoral field.
 3. Sensitize people and stakeholders on the subject.

Q. What are the steps taken by the ECI to make Paid News an electoral offence?

A. The Commission has proposed Amendment in the R P Act 1951, to provide therein that publishing and abetting the publishing of 'Paid News' for furthering the election prospect of any candidate or for prejudicially affecting the election prospect of any candidate be made an electoral offence under chapter-III of Part-VII of the R P Act, 1951 with punishment of a minimum of two years' imprisonment.

Q. What mechanism has been developed by the ECI to curb Paid News?

A. The Commission has appointed Media Certification & Monitoring Committee (MCMC) at District level and State level to monitor media for Paid News. They scrutinize all newspapers and electronic media, in order to locate political advertisement in the garb of news coverage and take necessary action against the concerned candidates.

Q. What are the functions of District level MCMC?

A. District MCMC examines complaints/issues of Paid News through a monitoring arrangement. It scans all media e.g. print media, electronic media, cable network, etc. In the suspected cases of Paid News, it intimates the Returning Officer who then issues notices to candidates for inclusion of expenditure on the published matter in their election expenses account or notional expenditure based on DIPR/DAVP rates in their election expenses account.

Q. What are the functions of State level MCMC

A. State level Media Certification and Monitoring Committee (MCMC) examines all the cases of Paid News on appeal against the decision of District level MCMC and cases that they may take up suomotu, in which it directs the concerned Returning Officer to issue notice to the candidate. The State level MCMC shall dispose of the case within 96 hrs of receipt of appeal and convey the decision to the Candidate with a copy to District level MCMC.

Q. What is ECI level Committee and its functions?

A. A Committee has been constituted at ECI level to deal with the paid news cases. This Committee examines cases of Paid News on appeal against the

decision of State level MCMCs and also the references received from State level MCMCs. The candidate may appeal to this Committee against the decision of State level MCMC within 48 hrs of receiving of order from the State Level Committee. The National Level Committee on Paid News comprise of senior officers from AIR, DAVP and ECI.

Q. Who can issue notice to the candidate, if recommended by State/ District MCMC to do so?

A. Returning Officer of the election concerned can only issue the notice to the candidate on the recommendation of MCMC.

Q. Where can a candidate appeal against the decision of State level MCMC?

A. The candidate may appeal against the decision of District level MCMC to State level MCMC and against the decision of State level MCMC to Election Commission of India. The decision of the Commission is final.

Q. What is the time frame for making appeal against the decision of District level and State level MCMCs?

A. If the decision of District level MCMC is not acceptable to the candidate, he/ she may appeal to State level MCMC within 48 hrs of receipt of the decision, with information to the District level MCMC. The candidate may also appeal against the decision of State Level MCMC to Election Commission within 48 hrs of receiving of order from this Committee. The decision of the Commission is final.

Q. What is the action against the political candidates in the decided cases of Paid News?

A. In established cases of Paid News, its actual or notional expenditure based on DIPR/DAVP rates is added in the candidate's election expenses account. Besides, name of the candidate is also displayed on the respective CEO's website.

Q. What is the action against the media houses in the decided cases of Paid News?

A. Once the cases are decided as Paid News, ECI refers the cases of print media and electronic media to PCI and National Broadcasting Standards Authority (NBSA) respectively, for taking necessary action in the matter.

Q. What are the criteria to adjudge paid news?

- A. There can only be illustrations but no clinching or exhaustive list is available from any authenticated source. Some of the illustrations are:
- a. Identical articles with photographs and headlines appearing in competing publications either carrying by-lines of different authors around the same time or without any author's name.
 - b. On the same page of specific newspapers, articles praising competing candidates claiming that both are likely to win the same election.
 - c. News item stating that one candidate is getting the support of each and every section of society eulogizing him and that he would win elections from the constituency.
 - d. Small events involving a candidate being given exaggerated/repeated coverage and/or the opponents' news are not covered at all.
 - e. PCI decision on Paid News cases and previous decisions by MCMC of ECI can also serve as sources of guidance.

Q. From which time Paid News Cases may be taken into account against the Candidate during an election?

- A. Paid News Cases may be taken into account from the date of filling of nomination by the candidate.

Chapter 4

Social Media : Guidelines, Engagement & Outreach



Social Media Guidelines

With the increasing internet and smartphone penetration, the media landscape has seen a paradigm shift over the past few years. Social Media has now emerged as a powerful communication & campaigning medium for all stakeholders, now also referred to as the fifth pillar of democracy.



Considering its rising importance, the Commission proactively vide its instruction dated 25th October 2013* laid down instructions to guide and regulate the use of social media in election campaigns.

Key features:

1. Social Media by definition falls under the category 'electronic media' thus, all political advertisements on social media fall under the purview of pre-certification.
2. Candidates are required to furnish details of their authentic social media accounts in Form-26 while filing nominations.
3. Candidates and political parties are required to incorporate expenditure of social media campaigning including expenditure on political advertisements, cost of maintaining the accounts, developing content and salaries of the employees who manage the accounts in the election expenditure account of the candidate.
4. Candidates and political parties are required to pre-certify political advertisements before release on internet based media/social media websites
5. Provisions of Model Code of Conduct and related instructions are applicable to the content posted on social media platforms by candidates and political parties.

To curb ambiguity the Commission has further clarified that all the political advertisements published in the e-papers also require pre-certification. The instruction also adds that any political content in the form of messages/ comments/ photos/ videos uploaded on blogs/ social media platforms will not be treated as political advertisements. (Page: 180)

2. Voluntary Code of Ethics

Internet and Mobile Association of India (IAMAI) and major social media platforms in consultation with ECI had agreed upon a Voluntary Code of Ethics in General Elections 2019 which is applicable in all General & Assembly elections. The code is based on four fundamental points:

1. The social media platforms would voluntarily undertake voter awareness campaigns on electoral laws & other election related instructions.
2. The social media platforms would devise a high priority and dedicated grievance redressal channel.
3. Platforms have developed a notification mechanism for ECI to notify violations of Section 126 of R.P. Act, 1951 and other applicable electoral laws. Action will be taken by the platforms within three hours for reported violations of Section 126 and other cases will also be acted upon expeditiously.
4. Platforms have committed to facilitate transparency in paid political advertisements and will ensure all political advertisements shared through social media platforms are pre-certified by MCMC

IAMAI will overall coordinate with the social media and ECI during the elections.



3. Appointment of Social Media Nodal Officers

At ECI level, Social Media Nodal Officers are appointed for escalation of violation of MCC or any other Commission's instructions/ provisions of the law and court's orders in the matters related to election on Social Media platforms like Facebook, Twitter, Whatsapp etc., during elections.

Further, at State/UT level, a Social Media Nodal Officer has to be appointed. In case of any violation, it shall be forwarded/reported to ECI Nodal Officers and not directly to any of the Social Media Platforms.

4. SOP for reporting social media violations

- 4.1 Cases of violations of MCC or any other Commission’s instructions/ provisions of the law and court’s orders in the matters related to election on Social Media platforms should be forwarded to the designated ECI Nodal Officers by the CEOs. DEOs shall not send the requests directly to ECI nodal officers.
- 4.2 Complaints/violations shall also be forwarded on following e-mail id: media-division@eci.gov.in.

SOP in this regard is at (Page : 249-251)

5. Proforma for reporting Violations

Particular	Details
Source of violation / case (Platform)	Facebook/Twitter/YouTube/Whats App/etc.)
Clickable link /Whatsapp no	Give actual clickable link of the violation
Brief of the violation/case	Gist of the matter specifically where violation has happened in English
Provision violated (Legal)	Specific legal clause of the RP Act/IPC/ECI Conduct of Election Rules/MCC etc.
Transcript (if required)	Brief Gist in English of the issue where violation has happened

- While reporting the violation, the Nodal Officers will have to cite relevant provisions of electoral law, IPC, MCC, etc that are being violated.
- The social media nodal officer will also have to attach relevant link/ URL along with the screenshots and transcript of the post/tweet/ video (wherever required) when reporting a violation.
- It may be noted that e-mail shall be the primary mode to report social media violations. However, violations of grave nature can be reported to the ECI Nodal Officers telephonically to expedite the action with social media platforms.

- With reference to expenditure incurred by candidates and political parties on political advertisements, the **Social Media Officers may also visit the Ad transparency portals by Facebook and Google.**
- A separate and dedicated format for accounting of expenses on virtual/digital campaigns for both candidates and political parties is devised for accounting of expenses on virtual campaigns. (Schedule 11)

Schedule 11							
Details of election expenses incurred on Virtual Campaign							
Sl. No.	Nature of Virtual Campaign (Indicate Social Media Platforms/Apps/Other means)	Name of content creator	Name of media to disseminate message	Total Amount in Rs.	Sources of Expenditure		
					Amount by candidate/agent	Amount by political party	Amount by others
1	2	3	4	5	6	7	8

6. Social Media Engagement & Outreach

Social media as an evolving, dynamic field with fast-changing media landscape is a reality now. The convergence of various traditional media platforms and their active presence on all social media platforms suggests the expanding influence and impact of social media. Ways to mitigate viral spread of (mis)information to maintain a level playing field and ensuring optimal use of its potential, harnessing use to enhance the outreach for voter awareness, has to be the aim.

SOCIAL MEDIA

- ✓ SM strategy to be based on the pillars of Information , Motivation & Facilitation
- ✓ Focus on Voter Awareness
- ✓ Increasing Voter Registration
- ✓ Curbing Voter Apathy
- ✓ Use SVEEP Icons strategically
- ✓ Create more interactive content
- ✓ Increase Voter Turnout
- ✓ Curbing Fake News & Correct & Authentic Information Dissemination
- ✓ Redressing Grievances

Continuous year round communication

01

Voter Verification

Registration, Verification, Correction

02

Voter Awareness

ELCs, Competitions, Sankal Patras, Nukkad Nataks, rallies

03

Voting

Facilitation, EVM & VVPAT awareness, Ethical & Informed Voting, How to vote

Social Media has emerged as an important tool of communication among masses especially the country's youth, hence it is imperative that CEOs & DEOs utilise various social media platforms to engage with the audience.

70

7. Social Media Cell

- 7.1. Considering the relevance of social media for dissemination of information and communication with voters and other stakeholders at large, the Commission vide its letter dated 6th Sept, 2016* has already instructed all the CEOs to build capacities to use social media platforms and to depute proficient team for this purpose.
- 7.2. Social Media Cell to work under the overall supervision of the Social Media Nodal Officer of the rank of Additional CEO or Joint CEO
- 7.3. Roles & Responsibilities of the social media cell:
 - Minimize the Spread of Fake News and Disinformation campaigns. Monitoring of social media for fake News and subsequent Fact Check /response on social media handles.
 - Ensuring regular outreach through social media platforms of important decisions, SVEEP Activities& campaigns, information dissemination to media persons, information and updates on special events and activities like National Voters Day, Special Summary Revision, Conferences, workshops, etc.
 - Voter awareness campaigns on social media platforms throughout the year focusing on registration and election related literacy.
 - Small videos/Interaction with State and District Icons to motivate voters for registration and also cast their vote on the poll day.
 - Dissemination of necessary information relating to electoral process at the field level
 - Engagement through Crowd sourcing of content: Encouraging participation through various online contests
 - Regular resharing of content posted on ECI social media platforms from CEO platforms.
 - Content to be shared in respective state/local language
 - Trendy formats like Instagram reels, YouTube Inshorts for content development to be used
 - Collaborate with social media teams of Press Information Bureau, Public Broadcaster AIR and Doordarshan, State DIPR in the State/region for amplification of the social media content.

Challenges of SM Communication

24x7 alertness – Little Response time

Cascading effect across State Boundaries, International Ramifications

Varied segmentations of voters – gender, age group cohorts, service voters, Diaspora

Multi layered communication

Combating misinformation

Information overload- competing for eyeballs

Consistency of messaging - Authenticity, credibility



8. Standard operating procedure (SOP) for Social Media Outreach during elections

To ensure constant flow and proper dissemination of information to build a positive narrative about the election activities in the state on pre-poll and poll day through CEO's/DEOs social media handles.

Standard Operating Procedure for Social media posts:-

Pre-poll and poll day:

The information dissemination need to happen throughout the pre-poll and poll day to build the positive narrative about the election activities.

Use of social media:

DEOS and CEOs need to ensure regular updates on social media by putting out information/photos/short videos related to preparation for the poll day. Use of twitter, facebook, whatsapp and other social media need to be ensured.

Pre-Poll day	Poll-day
<p>Information, photos and short videos of following to be put out about the preparations:</p> <ul style="list-style-type: none"> • Information regarding vastness of activity (like number of polling booths, electorate, ACs etc. should be put out from DEO and CEO handles mentioning district and state level data. • Dispatch of polling parties. • Dispatch of material to various locations including difficult terrain and geographically remote locations, unique polling stations set up, etc. • Meetings by DEOS/ CEOs if any • Other relevant information 	<p>Information, photos and short videos of following to be put out on various social media platforms of DEOS/CEO:</p> <ul style="list-style-type: none"> • As a standard protocol, photos/ information regarding peaceful voting in various polling booths • Photos on PwD and elderly persons being assisted by ECI officials, participation of different categories of voters including Women, first time voters, centenarian voters, Third gender voters , etc. • Assured Minimum Facilities at PS, Facilities like Pick & Drop facility, Wheelchairs at PS, etc.
<p>The efforts should be made to showcase the cultural diversity, uniqueness of the activity, different gender, linguistic, cultural groups, polling teams reaching the last mile to ensure participation, etc.</p> <p>The above activity should start by 8 am in the morning.</p>	<ul style="list-style-type: none"> • Model polling stations, all women booths, PwD managed polling stations, Youth managed polling stations Information photos on arrangements for COVID Appropriate Behavior like maintaining Social Distancing, hand sanitizers at polling booths(arrangements as per instructions, if any) • Any other unique photos/information/ videos etc. <p>The above activity should start by 7am-7.30am in the morning.</p>
<p>The updates should be shared at regular intervals, every two hours, to the local/regional media along with social media updates.</p>	

Information dissemination:

- The social media posts from ECISVEEP and Spokesperson ECI handles should be retweeted/amplified by CEO handles immediately.

- All the social media information should be tagged, compulsorily to ECISVEEP and SpokespersonECI social media handles. Select tweets by CEOs would be retweeted by @SpokespersonECI and @ECISVEEP.
- CEO social media handles to ensure select retweeting/ re-publishing of DEO social media activities.
- DEOs/CEOs should ensure that all important regional handles of public broadcaster (DD and AIR), PIB and state information departments are tagged for wider dissemination.
- CEOs should ensure timely dissemination of information to the regional media - print & electronic, including public broadcasters.
- CEOs should take assistance from the regional PIB and state Information department, for reaching out to local media groups at large.
- Hashtags for Updates, which could be used (only for reference):
#GeneralElectons(year)
#AssemblyElections(year)
 State Specific eg. **#(State)Elections(year)**
 Other standard hashtags that can be used: **#ECI**
#NoVoterTobeleftBehind #EveryVoteCount #GoVote #IVote4Sure

9. Fake News

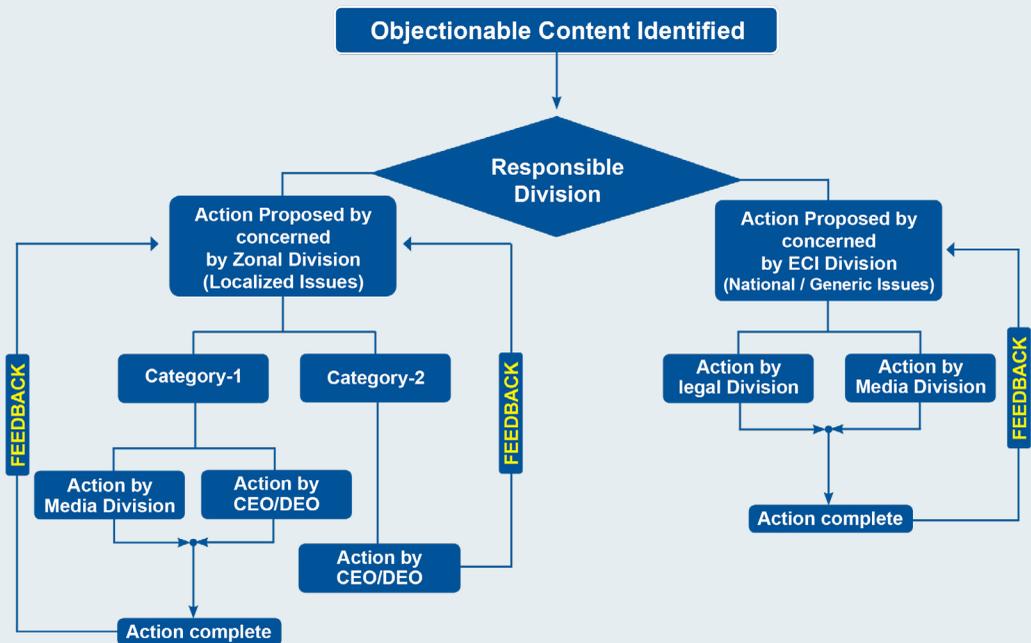
- 9.1 Malicious and Fake News Campaigns have become an ever- alarming challenge in conducting free, fair, peaceful electoral processes. A number of cases/links/videos/posts/fake news etc. related to elections are either forwarded or noticed by the Commission during election and non-election period. Such news items have the potential to promote mistrust amongst various shareholders on the electoral process and in some cases even result in law-and-order issues. It disturbs the level playing field, polarizes public opinion and such disinformation campaigns may also lead to social discord.

SOP for Quick Response Management is prepared for identification and quick response in cases of Fake News and misleading/unverified media stories, during election and non-election period and is available at page no : 194 to 202

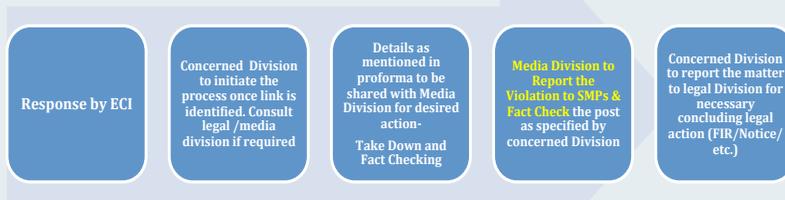
3. SOP for response to Media Story (in mass media such as newspapers/TV channels/Online news portals, blogs, etc)

District specific story	State Specific Story	National level Story
<ul style="list-style-type: none"> • DEO to ascertain local facts and prepare an immediate response in consultation with State CEO, based on damage potential. • State CEO to brief Zonal DEC to brief the Commission, if required • Zonal DEC to consult DG Media for response strategy, if required on case to case basis • After approval, response to be issued to local media/on social media by DEO • If required, a detailed response to be issued after consulting CEO & Zonal DEC. • Response to be amplified by CEO Social Media • Response issued shared with the Commission by Zonal DEC 	<ul style="list-style-type: none"> • CEO to ascertain local facts and prepare an immediate response in consultation with Zonal DEC, based on damage potential • Zonal DEC to brief the Commission of the matter, if required • Zonal DEC to consult DG Media for response strategy • After approval, response to be issued to state media/on social media by CEO (in vernacular language also) • If required, a detailed response to be issued after consulting Zonal DEC & DG Media. • Immediate & Detailed Response issued is shared with the Commission by Zonal DEC • Response to be amplified by ECI Social Media and shared with National Media by DG media (to be decided on case to case basis) 	<ul style="list-style-type: none"> • Division in-charge at ECI to prepare an immediate response in consultation with DG Media • Division in-charge to brief the Commission on the matter, if required • Dissemination Strategy to be briefed to the Commission by DG Media on case to case basis • After approval of the response and strategy by the Commission, response to the national media/ECI social media to be shared by DG Media • If required, a detailed response to be issued • Immediate and Detailed Response to be shared with the State CEO/CEO(s) if having implication in the state/states. • CEOs to amplify the response by sharing with local media. Also to be shared locally in vernacular language

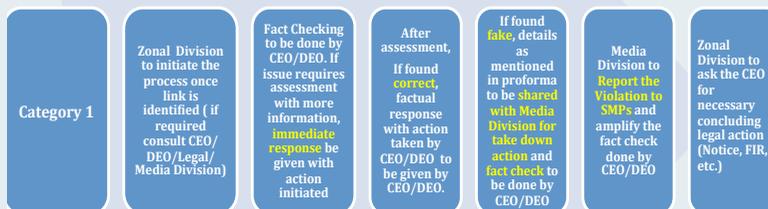
4. SOP for action on Fake News/Misinformation/Disinformation on social media



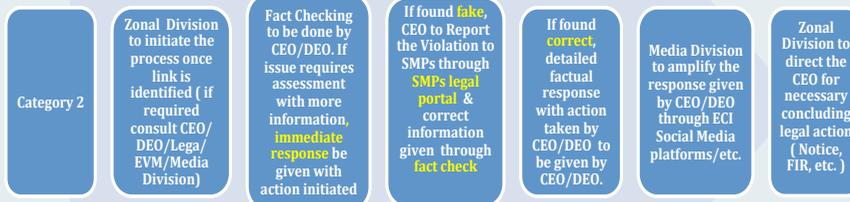
a. National/Generic Issues – Response/Action by ECI (during election and non-election period)



b. Localized Issues (during Election period)- Response by CEO/DEO



c. Localized Issues (during non-election period) – Response by CEO/DEO



5. **Response Timeline** – **3 hrs** for an immediate response and **24 hrs** for a detailed response, if the issue requires further investigation/more information;

Immediate response to provide factually correct information including action initiated and **Detailed response** to provide details of the investigation, relevant factual details and action taken

6. **Quick Response Team for countering fake news/misleading media stories at ECI level:** A multidivisional response team consisting of officials from EVM, Legal, Media, MCC, ER, Political Parties, EDMD and Zonal DEC In charge for taking instant action on any such case being notified. A Whats app group may be formed of officials for smooth and fast coordination and decision making.



FAQs on
**Social Media : Guidelines,
Engagement & Outreach**

FAQs on Social Media : Guidelines, Engagement & Outreach

Q. Do candidates have to mention details about their Social Media accounts at the time of filing nominations?

A. Authentic social media account (if any) should be informed by the candidate in Para 3 of Form-26 at the time of filing of nomination.

Q. Does political advt. on Social Media sites come under the purview of pre- certification?

A. Yes. Since social media websites are also electronic media by definition, therefore Commission's instructions with regards to pre-certification of political advertisements shall also apply mutatis mutandis to website including social media websites.

Q. Does the Model Code of Conduct apply to the content on the internet including social media?

A. Yes. Provisions of Model Code of Conduct and related instructions of the Commission issued from time to time shall also apply to the content being posted on the internet, including social media websites, by candidates and political parties.

Q. Do candidates/Political parties have to include their expenditure on advertisement of Social Media while submitting their final statement of expenditure?

A. Yes. Candidates and political parties have to include all expenditure on campaigning, including expenditure on advertisement on social media while submitting final statement of expenditure. This shall also include payment made to internet companies and websites for carrying advertisements and campaign related operational expenditure on creative development of content, operational expenditure on salaries and wages paid to the team of workers employed by such candidates and political parties to maintain their social media accounts etc.

Q. Will the content in the form of messages/ photos/ comments/ videos/ blogs/ self accounts' on websites be treated as political advertisement and therefore require to get pre-certification?

A. No. Any political content in the form of messages/ comments/ photos/ videos posted/uploaded on the 'blogs/ self accounts' on website will not be treated as political advertisement and therefore would not require pre-certification, even if the same is posted/uploaded by the political parties/ candidates.

Q. Will political advertisements issued in e-paper of any newspaper require pre-certification?

A. Yes. Political advertisements issued in e-paper of any newspaper shall invariably require pre-certification by concerned MCMC.

Q. How are CEOs and DEOs involved in Commission's Social Media participation?

A. Chief Electoral Officers and the District Electoral Officers are expected to activate their official accounts on various social media platforms like Facebook, Twitter, etc. for establishing a more interactive system. A Social Media Cell will also be set up by the CEOs to professionally handle the Social Media and disseminate all the necessary information regarding voters' awareness, pre-certification, MCC, etc. Complaints received on this platform would be promptly responded to.

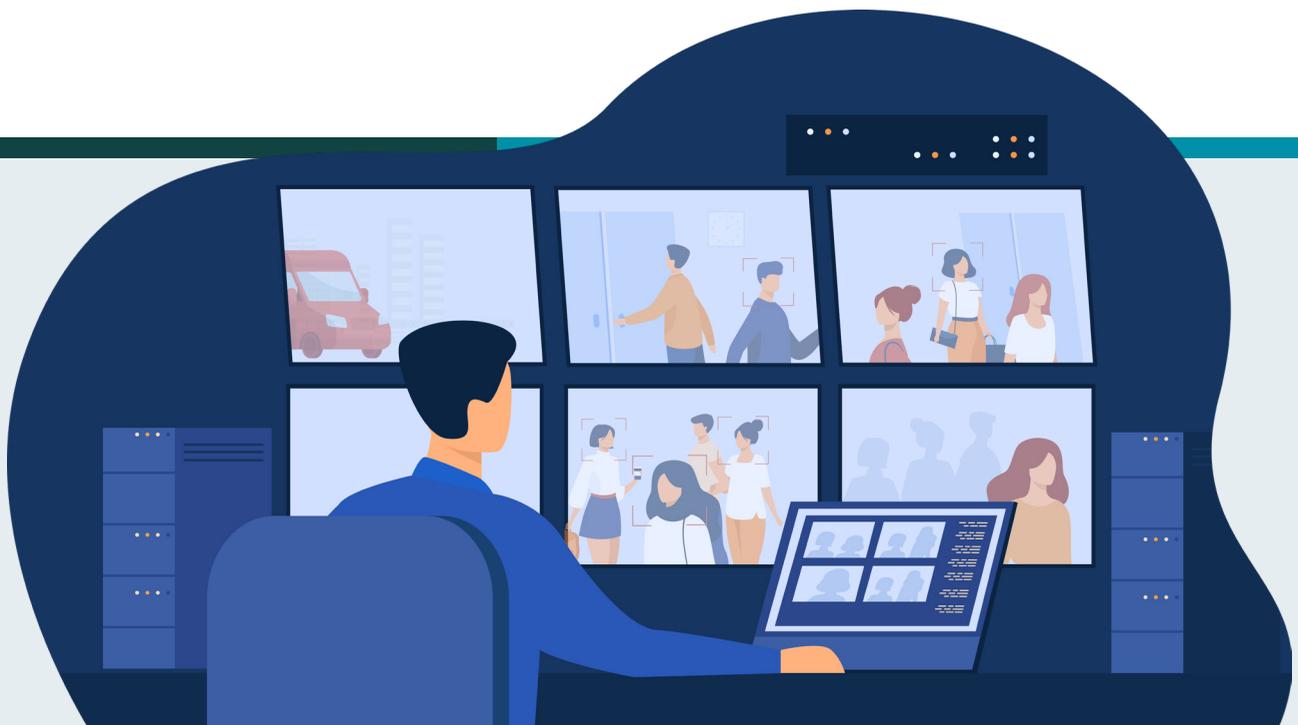
Q. What steps has the Commission planned in to establish its presence in the world of Social Media?

A. The ECI level, a Social Media Cell is also set up to disseminate all election related information to various stakeholders and to monitor the performance of the State/UTs and District and to guide and train them to maximise the use of Social Media, making it more interactive and interesting for the general public. The Social Media Cell also closely monitors the web for election related news and developments and regularly reports to the Commission.

- Q. What is the procedure for the CEOs to report social media violations during elections?**
- A. Cases of violations of MCC or any other Commission's instructions/provisions of the law and court's orders in the matters related to election on Social Media platforms should be forwarded to the designated ECI Nodal Officers by the CEOs. While reporting the violation, the Nodal Officers will have to cite relevant provisions of electoral law, IPC, MCC, etc that are being violated. The officers will also have to attach relevant link/URL along with the screenshots and transcript of the post/tweet/ video (wherever required) when reporting a violation.

Chapter 5

Regular Media Monitoring and Feedback



Media Monitoring and Feedback

1. Media Monitoring

Media monitoring is an important aspect of perception management and keeping the Commission abreast with ongoing ground-level activities and other important election-related matters being reported in the media. The Commission has instructed that the office of Chief Electoral Offices of states and UTs should establish a Permanent Media Cell*. One of the key tasks of the cell is to daily monitor relevant election-related news from local media coverage. News of relevance should then be compiled and submitted with gist daily. The prescribed format for the submission of the coverage is attached at page no. 237.

During elections, the media cell should be further strengthened with infrastructure and manpower to monitor local and regional news channels for election management and probable violation monitoring.

Media Monitoring

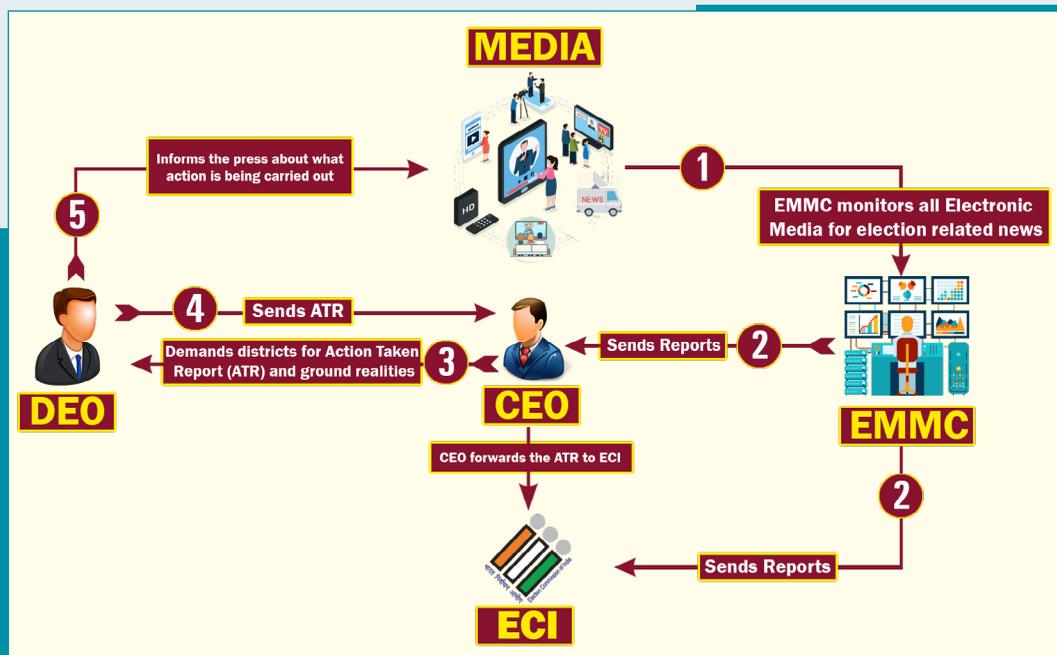
Monitoring daily media coverage

- Regular media monitoring is an important part for **devising suitable communication strategy**.
- Keep track of any possible misinformation or fake news and such cases should be **promptly countered** by giving out factually correct information.
- During elections special focus on news related to fake news; observance of silence period, Opinion polls, Exit polls and other **relevant regulations**.
- **Crisis management communication**



2. Electronic Media Monitoring

During all the General Elections, Electronic Media Monitoring Centre (EMMC) monitors all election management-related news on national and regional news channels.



3. Role of the EMMC

EMMC monitors all election management-related news (important events/MCC violation/search and seizure etc.) on the day of poll and a day prior to that and submits two-hourly reports to the Commission and concerned CEO office.



4. Role of the CEO

On receiving the reports from EMMC, the Office of CEO will ascertain status on the items on the report and file ATR/Status report within two hours/ before the

generation of the next report to the Commission. Besides, the Office of CEO will intimate the action taken in the matter to the media also. If the news item is not found correct, that particular media may be informed to issue rebuttal.

The ATR report received from the CEO office is then presented/sent to the Commission for perusal. Analysis of Media Monitoring is done by ECI after each phase of the poll. Final analysis is done after the elections are over. Format of ATR on EMMC reports is at page 224

5. Nodal Officer for EMMC reports in CEO office

A Nodal officer shall be appointed in the CEO office to coordinate for EMMC reports and the ATRs during elections.

6. Appointment of District/State Media Nodal Officers

Media is a critical ally for ECI and thus there is a need to have regular year-round interaction with media and not only during the elections. Considering the sensitivity of handling the media related matters, all CEOs shall set up a Permanent Media Cell & Social Media Cell and appoint a Nodal Officer at the level of Joint/Additional CEO.





FAQs on Regular Media Monitoring and Feedback

FAQs on Regular Media Monitoring and Feedback

Q. Who does the EMMC forward the monitoring reports to?

A. The EMMC must forward the monitoring reports on a two-hourly basis to the CEO of the State concerned as well as the ECI, to avoid delay.

Q. When does the EMMC monitor election management related news?

A. The EMMC monitors the election management related news on the day of polling and a day prior to that on two hourly basis. Additionally EMMC also monitors news every day after the announcement of poll and sends report daily in the evening.

Q. What type of coverage is monitored?

A. All election management related news are monitored. This may include any violation of Model Code Conduct, any law & order problem, seizure of cash/ liquor etc, any EVM malfunctioning and any other significant news.

Q. What is the role of state CEO in the process of submission of ATRs?

A. The state CEO office will ascertain action taken on the items mentioned in report and file ATR/Status report within two hours/before the generation of next report to the Commission.

Q. What is to be done if news item is not found correct?

A. If the news item is not found correct, that particular media may be informed by the CEO to issue rebuttal

Q. When does the ECI do the analysis of the media monitoring?

A. The ECI does the analysis of Media Monitoring after each phase of poll. Final analysis is done after the elections are over.

Q. What is to be done post elections?

A. A consolidated report is to be submitted to the Commission in a comparative chart format post-elections.

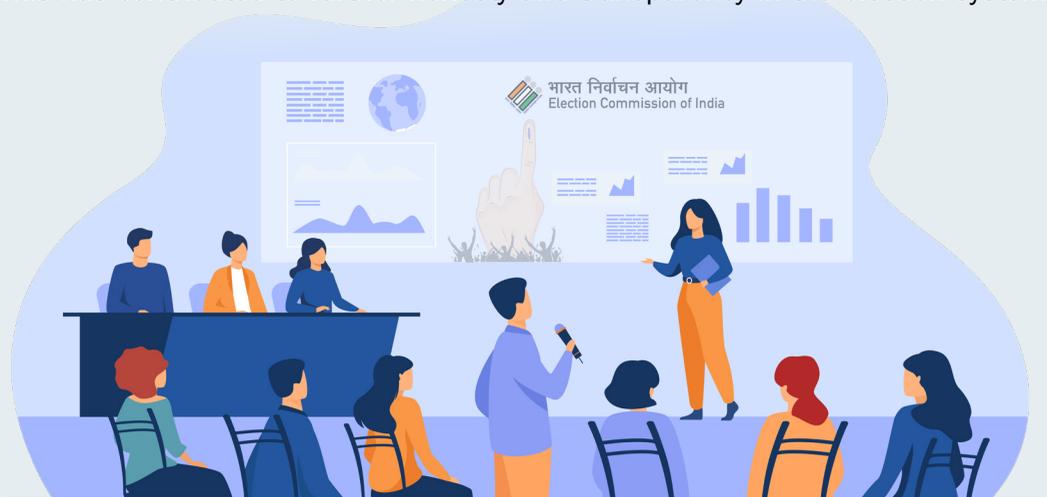
Chapter 6

Media Facilitation and Information Dissemination



Media Facilitation and Information Dissemination

Information dissemination in relation to elections, particularly during the process of elections is extremely important for all stakeholders. Starting from the announcement of elections to nomination, scrutiny, campaign, security arrangements, polling, counting, declaration of results etc., all of these require widest circulation. The voter comes to know about the basics like: what, when, where and how of elections generally through the media. Even last minute changes of polling arrangements, violation of MCC, and violation of expenditure instructions, any untoward incidents or disturbances promptly come to the notice not only of the people but also of the Commission through the 24x7 media. Newspapers and news channels have very enthusiastically made use of the information relating to educational, financial and criminal antecedents of the candidates, contained in the affidavit filed by them along with their nomination paper, which is immediately uploaded on the Election Commission's website. This has contributed to further honesty and transparency in the election system.



1. Media facilitation and Information Dissemination: -

The Election Commission of India has framed guidelines regarding facilities to the media for adequate and effective coverage of the election process. Guidelines for media coverage of elections have been framed to facilitate the media for adequate and effective coverage of the election process without impinging adversely on the rules for elections and the rights of the electorate. Media persons having **valid/signed Authority Letter** issued by the Election Commission of India may enter into polling station and counting centre to cover polling/counting process.

2. Issuance of Authority Letters/Media Passes



- a. Subject to the powers of the authorities competent to impose any restriction in pursuit of the maintenance of law and order, the permission of the Election Commission is not needed by any person, including media persons, for visiting and moving around in any constituency where election is being held and every person is free to observe the elections. Entry into the polling stations and counting centres is however fully regulated by the statutory provisions.
- b. No one can enter into any polling station or a counting centre as a matter of right except to the extent mentioned in the Rule 32 of the Conduct of Election Rules, 1961 – for polling stations, Rule 53(1) of the Conduct of Election Rules, 1961 – for counting centres, Rule 13 of Presidential and Vice Presidential Elections Rules, 1974 – for polling stations and Rule 28 of Presidential and Vice Presidential Elections Rules, 1974 – for counting centres.
- c. The premises where the Polling and counting takes place, is fully under the control of the Election Commission of India. Entry into any such place of counting of any media person shall be allowed only on the basis of valid entry pass issued by the Commission alone and not by any other authority. Entry passes issued by any other authority to any media persons for covering Parliamentary/ Assembly proceedings etc. do not entitle them to enter the places of counting during elections.
- d. The exclusive power of the Election Commission to issue entry passes to persons including media persons, also includes the power to refuse an entry pass to any person if in the Commission’s opinion, there are sufficient reasons to do so. **Authority letters issued will be subject to the conditions like media persons not being allowed to go near the voting compartment, photographers not to take photographs/films which may violate secrecy, etc imposed by the Commission as are mentioned on the authority letters. Any violation of such a condition will automatically invalidate the authority letter.**

- e. Representative of the Government owned media like AIR and Doordarshan, and officials of the Ministry of Information and Broadcasting, PIB, Public Relations Department, Director of Information, field publicity units etc. either of the Central or of any State Government are not entitled to any special facilities or preferential treatment whatsoever in the matter of entry into a place of polling and counting. They are totally at par with other media persons and can be allowed entry only if they are in possession of valid authority letters issued by the Commission. The same restrictions as applicable to other media persons with authority letters will be applicable to them also. The same restrictions will apply to foreign media/ journalists etc.
- f. **Number Passes for Counting:** i) For electronic media teams not more than two passes should be given for one counting centre and it is emphasized that each individual member will need a separate authority letter ii) For print media only one pass per news agency/newspaper should be given.

3. Procedure to apply for Authority letters and its Issuance

After the announcement of General Elections/ Bye-elections/ Biennial Elections, the Commission issues instructions to the Sponsoring Authorities for obtaining and forwarding, with specific recommendations, requests received from media persons for issue of Authority Letters for entry into polling stations and counting centres within a specified time limit

The Commission issues authority letters in advance to all the states and UTs as per expected requirements during election, to avoid eleventh hour rush. CEOs have to forward only the names of the media representatives to whom authority letters are to be issued along with their recommendations to the Commission for its approval. The procedures mentioned below are followed in this regard:

- a. The Commission will prescribe in the case of each election a deadline for the receipt in the Commission's Office of the duly sponsored list of media persons from the sponsoring authorities/ CEOs which will be fixed after taking into account the date of poll/ counting with a view to take timely decision on such requests to reach the Pr. DG and CEOs for preparation and dispatch of authority letters to the media persons. **The deadline to receive the duly sponsored requests shall not be later than 15 days prior to the date of poll.**

- b. It is for the sponsoring authorities/CEOs to inform all media persons about the deadline fixed by the Commission in each case and to ensure that their recommendations reach the Commission within the deadline. Any request received after the deadline will be considered only in the exceptional cases of acts of God, death or illness etc. on the recommendation of the sponsoring authority concerned.
- c. For media persons at Delhi, accredited by the State DIPR, recommendations shall be made by the said Director(through CEO, Delhi) to the Commission within the stipulated date.
- d. In the case of media persons outside Delhi, their requests should be duly scrutinized and sponsored by the Directorate of Information and Public Relations or equivalent (by whatever name known in a State/Union Territory) and should be forwarded to the CEO who after such consultation with the State Directors, I&PR concerned as may be needed forward consolidated list to the ECI within the stipulated time.
- e. In addition to accredited correspondents other genuine media persons can also be sponsored for issue of authority letters. It is up to the Pr. DG (M&C) and concerned State DIPR to scrutinize and sponsor names of such media persons and to lay down appropriate policies including providing temporary or casual accreditation, even for the limited period of covering the election process.
- f. **No piece-meal requests** from the sponsoring authorities/ CEOs will be entertained.
- g. There is no restriction on the number of constituencies which an applicant may like to cover. For an electronic media team with more than one person each individual member will need a separate authority letter.
- h. The Commission will normally not entertain any requests directly from any person, agency for media news coverage.

4. Sponsoring authority for Media Passes

The sponsoring organization will sponsor only names of those media-persons; about whosoever's identity as a genuine media-person they are satisfied. The total number of media-persons recommended for issue of authority letters/ media

passes will be within reasonable numbers to be decided by ECI or by an authority on its behalf.

The sponsoring authorities are as under:

For General Elections/ Bye-elections/ Biennial Elections:-

1. Principal Director General (Media & Communication)], for media persons accredited by PIB at national level and
2. The Director Information and Public Relations (or equivalent officer) of the respective states including the National Capital Territory of Delhi and Chief Electoral Officers of the State/ Union Territories concerned.

For election to the office of President or Vice President

1. Returning Officer of the election for the polling/counting in New Delhi
2. Assistant Returning Officer in the State concerned for polling at State HQ.

5. Signing Authority for Media Passes

The Chief Electoral Officer and one additional officer of the CEO's establishment (authorized by the CEO to do so) of the State/UT concerned are authorized to sign the Authority Letters. However, for the smooth media facilitation, the District Election Officer may be delegated the power of signing the authority letters to media persons in the district, if required.

6. Coverage of actual polling inside the Polling Stations



Media persons with authority letters can be allowed to enter inside the polling station by the Presiding Officers after verification of such authority letters. However, they will be allowed inside in very small numbers in batches and the actual numbers will be determined taking into account the size of the room and the space available, the number of electors waiting to cast their votes and other relevant factors. The Presiding Officer will have full discretion regarding the entry of the media persons inside the polling booth. While allowing such media persons inside the polling station the Presiding Officer may also further regulate the actual coverage by indicating a definite position beyond which they should not proceed. **No media person should photograph or videograph the scenes of any voter casting vote by covering the activities inside Voting Compartments which is violation of secrecy of vote.**

7. Procedure for coverage inside the counting hall

- (i) As for the coverage of the actual counting inside the counting hall, media persons with authority letters can be allowed to enter the counting hall by the Returning Officer after verification of their authority letters. However, they will be allowed inside the counting hall in very small numbers and in batches and the actual numbers will be determined taking into account the size of the counting hall, the space available and other relevant factors. The Returning officer and other election related officers will have full discretion regarding the entry of the media persons inside the counting hall, taking into account the situation obtaining at the relevant time and all other relevant factors as he alone will be able to do so on the spot. While allowing such media persons inside the counting hall the R.O. may also further regulate the actual coverage by indicating a definite position (by means of a line or string) beyond which they should not proceed. Arrangements to keep the mobile phones safely to be made as mobile phones shall not be allowed to be taken inside the counting halls by media persons.
- (ii) It may also be noted that no static (fixed) camera- still or video of the media is allowed inside any counting hall. No camera stand should therefore be allowed to be taken inside counting halls **(Only official Videographer may be allowed to use a tripod stand)**. Further, while taking audio visual coverage of the counting process with camera carried in hand or on shoulders, under no circumstances, the actual votes recorded on individual ballot papers, or the actual votes polled in each EVM, is to be photographed or covered by audio visual coverage, even by accident.

- (iii) It is expected that in counting centres, which are likely to attract large media attention, appropriate additional arrangements for security and law and order would have been made (by the concerned authorities). Under no circumstances, in whatever manner would the actual counting process be disrupted or hindered by the presence of Media persons inside the counting centre.
- (iv) The holders of the authority letters while covering the counting process can and should be allowed to come out of the counting hall(s) if they so desire, during the counting. They should be allowed to re-enter on the basis of the very same authority letter. All entry at all times however is subject to the overall requirement of maintenance of law and order, proper decorum and conduct of peaceful counting. Substitution of media personnel should be allowed only when the substitute also carries a valid authority letter in his/her name.
- (v) No one can be given any special facilities of access etc. Any CEO or anyone else who gives or permits extra facilities in violation of the directions of the Commission to Central Govt. or State Govt. media or to foreign press and media or members of any state Department connected with information and publicity, by whatever name known, will do so at his own risk and will face the consequences thereof.
- (vi) A separate centre for communication facilities will be set up by the R.O. at each counting for exclusive official use. It has to be noted that these internal communications facilities are for the exclusive use of Commission's officers like RO/ARO/DEO and its observers and are not available for use by any outside agency or person. The Returning Officer in charge at the counting centre has no discretion in allowing this to be used by any unauthorised person.
- (vii) The entire arrangements put in place should be explained to the observers when they arrive for the observation of the counting process.

8. Announcement of round wise results

- (i) The Returning Officer will at the time of counting announce the round wise results through the public address system with sound boxes fixed outside the counting hall, and also do so after completion of each round of counting. These announcements are expected to provide the counting trends and results information in an organised and systematic manner in good time.

This information should simultaneously or as soon as possible, be available in the District level media centre and state level media centre also for the benefit of the media persons who are not present inside the counting centre.

- (ii) In cases where the R.O. has made arrangements for display of the latest trends and result sheets on blackboard/whiteboard etc. for information of the media, this will be in addition to the system of announcement through public address system.

9. Creation of Media Centers (MC) and Facilities Available

During elections, Media Centers are set up in the office campus of the CEOs and DEOs. Officers of the level of District Information Officer are put in charge of District MC and their contact address & telephone numbers are circulated well in advance. In the CEOs office, an Additional/ Joint CEO will be in charge of the MC facilities. Media centre set up in the state Headquarters and District Headquarters (by the CEO and DEO respectively) will function round the clock during the entire process of counting. These media centres will have reasonable communication facilities, IT equipment etc.

Copies of Statistical Reports and documents of previous elections, background material etc. will be made available to these media centers for the purpose of reference to the extent feasible.

Adequate publicity

1. Adequate publicity regarding the facilities for the media should be made in advance so that there is absolute clarity in the matter and all concerned are aware.
2. The DEOs/ Returning Officers are accordingly required to review these arrangements in advance and work out the complete details and allocate necessary resources in terms of personnel and facilities. They should personally supervise these arrangements in the counting centre where they are present and identify a senior officer of the District to do so in the other counting centre in their charge.

10. Permanent Media Cell and Regular Media interactions

Considering the sensitivity of handling the media related matters, all CEOs shall set up a Permanent Media Cell, Social Media Cell and appoint a Media Nodal Officer at the level of Joint/Additional CEO and Social Media Nodal Officer.

The permanent media cell will have the following duties:

- A. Sustained year-round communication to be maintained with media by the Media Cell of CEO and DEO office, headed by a Nodal Media Officer at least of the rank of Additional or Joint CEO
- B. Regular interaction with local/vernacular media to highlight Voter awareness activities, best practices and sharing stories on unique initiatives taken for election management in the state/district. Organizing Press Conferences/media briefings for important events like Special Summary Revision (SSR), Election announcement, Visit of the Hon'ble Commission to review the poll preparedness conference /workshops , etc.
- C. Daily press coverage covering critical matters along with analysis is to be shared during the election period with the Commission. Coverage feedback to be analysed for course correction if any required.
- D. In case of any fake news and disinformation campaign, media to be informed of factually correct details on real time basis to minimize spread of misinformation.
- E. Website is an authentic source of information to media. CEO websites need to be updated with a specific tab titled - 'Media Corner' having all relevant information for media including State Fact Sheet, District Fact Sheet, Data of past elections, Press Releases, Media Gallery, Best Practices, Highlights of SSR Activities, publications.
- F. Social Media handles also to be used judiciously for sharing information.
- G. Organize workshops with the local media houses to apprise them about the ECI instructions related to pre-certification of political advertisements on electronic media and media related provisions of the RP Act - Section 126(1)(b) & Section 126A of the RP Act 1951 (silence period, opinion poll & Exit poll guidelines) and ECI Paid News Guidelines.



Communicating in public domain – Strategy

- 01 Cater to multimedia formats-
Print, audio-visuals, social media-
“snackable content” on whatsapp
- 02 Traditional forms of media, Mass media,
New media
Use local DD, AIR and prominent media
platforms, local cable channels
- 03 Translate and communicate in local
language to vernacular media houses
- 04 Disseminate information through
phone in programs, events.
- 05 Socio – cultural sensitivities –
appropriate messaging - Literacy
rates – audio visual modes



11. Maintenance and up-dation of the media corner on the CEOs website for easy information access.

All CEO Websites should have a specific tab titled - ‘Media Corner’ which shall have the following content

- State Fact Sheet
- Press Releases - segregated date wise
- Media Coverage of important events/activities/initiatives/SVEEP
- Gallery
- Photos
- Videos
- Audio
- Publications
- Print Advertisements
- Unique Stories/ Information on any interesting election related fact
- Paid news (Names of erring candidates in established cases of Paid News)



12. Broad Guidelines for COVID- Safety During Counting of votes for media, authorized to cover poll process (as and when required)

Media is also expected to follow all the extant guidelines issued by the Ministry of Home Affairs and Ministry of Health and Family Welfare (MoHFW) regarding COVID-19 containment measures during all their election related coverage. Besides, the guidelines issued by the Election Commission of India on 21st August, 2020 with regards to conduct of elections during COVID-19, shall also be applied while giving access to the media persons for the coverage of election process during polling and counting of votes etc.

- i. These guidelines, wherever applicable, shall also be applied mutatis mutandis to the media persons authorized to cover the counting process.
- ii. Only negative RT-PCR/RAT report/two dose vaccination report will be accepted. Reports from any authorized lab will also be accepted for this purpose.
- iii. The media room, inside the counting center premises should be sufficiently big to maintain social distancing and should have proper ventilation, windows, exhaust fan etc.
- iv. Entry of the media persons should be regulated properly. They will be taken inside the counting hall in very small batches in intervals in such a way that there should not be any violation of social distancing norms.
- v. DEO being the Nodal Officer for this purpose, shall ensure adherence to the all COVID-19 related norms for/by the authorized media persons at counting centers.

13. Presence of media in the office of R.O. during filing of nomination

Media is not debarred access at the time and place of filling of nomination by the candidate. However, the number and manner of their facilitation/access are to be decided by the Returning Officer concerned depending on the local situation and circumstances.



FAQs on

**Media Facilitation and Information
Dissemination**

FAQs on Media Facilitation and Information Dissemination

Q. What are the facilities provided to the media persons during elections?

A. For better election coverage Election Commission provides following facilities to the media:

- i) Authority Letters (Media passes)
- ii) Media Centers

Q. Can all media persons enter into polling station and counting centre to cover polling/counting process?

A. Media persons having valid/signed Authority Letter issued by the Election Commission of India may enter into polling station and counting centre to cover polling/counting process.

Q. Who is the Sponsoring Authority for issuance of Authority Letters?

A. For General Elections/ Bye-elections/ Biennial Elections

- i) Principal Director General (Media & Communication), for media persons accredited by PIB at national level and
- ii) The Director, Information and Public Relations (or equivalent officer) of the respective states including the National Capital Territory of Delhi and Chief Electoral Officers of the State/ Union Territories concerned

For election to the office of President or Vice President

- iii) Returning Officer of the election for the polling/counting in New Delhi
- iv) Assistant Returning Officer in the State concerned for polling at State HQ.

Q. Can ECI be directly approached for the issuance of Authority Letters?

A. The Commission normally does not entertain any request directly from any person/agency for media/news coverage.

Q. What is the deadline of receiving recommendation from Sponsoring Authority in the ECI?

A. The deadline should not be later than 15 days prior to the date of poll. Any request received after the deadline will be considered only in the exceptional cases like act of God, death or illness etc. on the recommendation of the Sponsoring Authority concerned.

Q. Who is authorized to sign the Authority Letters?

A. Chief Electoral Officer and one additional officer of the CEO's establishment (authorized by the CEO to do so) of the State/UT concerned are authorized to sign the Authority Letters. However, for the smooth media facilitation, District Election Officer may be delegated the power of signing the authority letters to media persons in the district, if required.

Q. Whether the formats of Authority Letters are same for all General Elections, Biennial Elections and Bye Elections?

A. Yes. However, format of the Authority Letters is different for the election to the office of President and Vice President.

Q. Can Authority Letters be issued to non-accredited correspondents?

A. In addition to accredited correspondents other genuine media persons can also be sponsored for issue of Authority Letters. It is up to the Pr. DG (PIB) and concerned State DIPR to scrutinize and sponsor names of such media persons and to lay down appropriate policies including providing temporary or casual accreditation, even for the limited period of the covering the election process. Election Commission will, however consider only such cases as are duly recommended by the concerned Sponsoring Authority.

Q. How many constituencies may an applicant cover?

A. There will be no restriction on the number of constituencies which an applicant may like to cover.

Q. Are representatives of Govt. owned media entitled for any special facilities?

A. No. Representatives of the government owned media like Akashvani and Doordarshan and the officials of the Min. of I&B, Press Information Bureau,

Public Relations Departments, Directorates of Information, etc., either of the central or any state governments are not entitled to any special facility or preferential treatment whatsoever in the matter of entry into a place of polling or a place for counting. They are totally at par with other media persons and can be allowed entry only if they are in possession of a valid Authority Letter issued by the Commission. The same restrictions apply to all foreign media/ journalists also. No one is given any special facilities of access etc.

Q. What are Media Centers?

A. During elections, for the purpose of disseminating election related information Media Centers are set up in the office campus of the CEOs and DEOs. Officers of the level of District Information Officer are put in charge of District MC and their contact address & telephone numbers are circulated well in advance. In the CEOs office, an Additional/ Joint CEO will be in charge of the MC facilities.

Q. What are the facilities provided at Media Centers?

A. The Media Centers should have reasonable communication facilities like telephones, WiFi, necessary furniture, teleprinters, etc for media persons. Copies of statistical reports and documents of previous elections will be made available in these Media Centers for the purpose of reference to the extent feasible.

A decorative graphic in the top right corner consisting of several overlapping triangles in shades of blue, purple, yellow, and pink, pointing towards the bottom right.

Chapter 7

Allotment of Broadcast Time to Political Parties

Allotment of broadcast time to political parties

At the time of General Election to Lok Sabha, in February, 1998 the Election Commission of India had taken up a new initiative for state funding of recognized political parties, through free use of state-owned Television and Radio under directions of the Commission (vide order No. ECI/GE98/437/MCS/98 dated 16th January 1998) *.

The said scheme was subsequently extended in all the General Elections to the Lok Sabha in 1999, 2004, 2009, 2014 and 2019 and General Elections to the State Assemblies, held after 1998.

With the amendment to the Representation of the People Act 1951, vide Election and Other Related Laws (Amendment) Act, 2003 and the rules notified there under, equitable time-sharing for campaigning by recognized political parties on electronic media now has statutory basis. In exercise of the powers conferred by clauses (a) of the section 39A of the Representation of the People Act 1951 the Central Government has notified all such broadcasting media which are owned or controlled or financed wholly or substantially by funds provided to them by Central Government as the electronic media for the purpose of that section.

1. Salient features of the Free Broadcast Time

- i. This facility is **available only to 'National Parties' and 'Recognized State Parties'** of the state concerned on All India Radio and Doordarshan and not to registered-unrecognized political parties or any independent candidates.
- ii. An equitable base time is allotted to each National Party and Recognized State Party of the state concerned uniformly on DD & AIR.
- iii. The additional time to be allotted to the parties is decided on the basis of the poll performance of the parties in the last assembly elections from the respective States/UT or in the last general Elections to Lok Sabha, as the case may be.
- iv. The period of broadcast and telecast will be between the date of publication of the list of contesting candidates for the election and two days before the date of poll (in each phase).

- v. The Prasar Bharati Corporation in consultation with the Commission will decide the actual date and time for broadcast and telecast.
- vi. In addition to the broadcast by parties, the Prasar Bharati Corporation organizes a maximum of two panel discussions and/or debates on the Kendra/Station of Doordarshan /All India Radio
- viii. Time Vouchers will be available in the denomination of 5 minutes with one voucher having time allotment from 1 to 4 minutes and the parties will be free to combine them suitably.

2. Issuance of Digital Time Vouchers

Vide order no. 437/TA-LA/1/2023/Communication dated 18th July, 2023*, the Election Commission of India, has amended the existing scheme for the use of Government-owned electronic media by political parties by introducing a provision to issue digital time vouchers through an Information Technology (IT) platform. Distribution of time vouchers to political parties for use on All India Radio and Doordarshan during elections will now be online. With this facilitation, the political parties will not be required to send their representatives to ECI/CEO Offices for collection of the time vouchers physically during elections.

The introduction of an IT-based platform for the processing and distribution of time vouchers to entitled political parties allows for a more efficient and streamlined process, enhancing accessibility and ease of use for the political parties.

Time vouchers in denomination of 5 minutes and fraction of 4, 3, 2 & 1 minute(s) equal to the total time allotted will be issued digitally by the Election Commission of India (Headquarter) to each National and State party for telecasts over Doordarshan and broadcasts on All India Radio. This facility will allow the authorized representatives of Political Party where they can download the time vouchers directly, thereby removing the need to physically collect the vouchers from the ECI/CEO office. As an added facility, the digitized time vouchers will also be made available at the official email id of the political party, as provided to the Commission by the political party in advance. The authorized and secured login is to ensure that the time vouchers are downloaded and distributed to only the functionaries assigned by the political parties.

The digital time vouchers are QR coded and to be shown at the Doordarshan and AIR Kendra where the AIR/DD representative will scan the QR Code on the voucher through an app developed by ECI.

A particular time voucher once utilized by the political party will be redeemed and cannot be used further.

Party shall have the discretion to choose any representatives and allow them to use those time vouchers, provided that no such individual representative shall be allowed to use more than 20 minutes of the total time allotted to that party, either on Doordarshan or on AIR. In a single session of broadcast/telecast no party will be allocated more than 15 minutes.

- **Doubling of Allotted Time during COVID**

During COVID-19 pandemic and enhanced relevance of non-contact based campaign, Election Commission of India, in consultation with Prasar Bharti Corporation had decided to double the broadcast/telecast time allotted to each National Party and recognized State Party first time for Bihar Assembly Elections in 2020 and later on for General Election to the Legislative Assembly of Assam, Kerala, Puducherry, Tamil Nadu & West Bengal, 2021 and General Election to the Legislative Assembly of Goa, Manipur, Punjab, Uttarakhand and Uttar Pradesh, 2022 . A base time of 90 minutes instead of 45 was given to each National Party and recognized State Party.

3. Date of Telecasts/Broadcasts

- 3.1 The telecasts/broadcasts shall span between the date of publication of the list of contesting candidates for the election and two days before the date of poll (in each phase). The Prasar Bharati Corporation, in consultation with the Commission, will decide the actual date and time for broadcast and telecast. This will be subject to the broad technical constraints governing the actual time of transmission available with the Doordarshan and All India Radio.
- 3.2 The actual date and time during which the above telecasts/broadcasts will be made by the authorized representatives of any party shall be predetermined, by lot, by the Prasar Bharti Corporation, in consultation with the Commission.
- 3.3 While deciding about such Dates and Time, it shall be ensured that fairness and equity is maintained to ensure principle of level playing field as far as possible and having due regard to the technical constraints in regard to the occasion and time for the telecasts/ broadcasts by such parties.

4. Guidelines for observance in Telecasts/Broadcasts

The telecasts/broadcasts on Doordarshan/AIR will not permit;

- (a) Criticism of other countries;
- (b) Attack on religions or communities;
- (c) Anything obscene or defamatory;
- (d) Incitement of violence
- (e) Anything amounting to contempt of court
- (f) Aspersion against the integrity of the President and Judiciary;
- (g) Anything affecting the unity, sovereignty and integrity of the Nation:
- (h) Any criticism by name of any person.

5. Panel Discussions and Debate

- 5.1 For parliamentary elections, in addition to the Party telecasts/broadcasts by parties, the Prasar Bharati Corporation may organize a maximum of two national panel discussion/debates on the national channel of Doordarshan and All India Radio. Each nationally recognized Party can nominate one representative to such programmes. The Election Commission of India will approve the names of moderators for such panel discussion and debates in consultation with the Prasar Bharati Corporation. In the State, where Assembly elections are also being held simultaneously, similar debates and panel discussions may be arranged from the Regional Kendras of Doordarshan and All India Radio of elections to the concerned State Assemblies. In these programmes, the concerned State recognized parties will be permitted to participate.
- 5.2 For State Assembly Elections, in addition to the broadcast by parties, the Prasar Bharati Corporation will organize a maximum of two panel discussions and /or debates on the Kendra/Station of Doordarshan/ All India Radio. Each eligible party (National and State recognized party in that state) can nominate one representative to such a programme.
- 5.3 To rule out any confusion and deviation in approval of transcripts submitted by the political parties to DD & AIR, Prasar Bharti may constitute an Apex Review Committee in all the States/UTs during elections which may have members/experts of both AIR and DD. In case of any difference of opinion/ approval between AIR/DD and political parties related to transcript of

broadcast/telecast, matter may be referred to this Apex Review Committee for final decision.

6. Office of the Chief Electoral Officers will coordinate with the political parties and the AIR & DD authorities in the State with regards to the implementation of the scheme.



FAQs on
Allotment of broadcast time
to political parties

FAQs on Allotment of broadcast time to political parties

Q. When was the scheme for allotment of Broadcast time to political parties introduced?

A. At the time of General Elections to the Lok Sabha in 1998, a new initiative for State funding of recognized political parties through free use of the State owned Television and Radio was introduced. With the amendment to the R. P. Act, 1951 in 2003, equitable time sharing for campaigning by recognized political parties on electronic media now has statutory basis.

Q. Is this scheme applicable to all political parties?

A. The facility of allotment of broadcast time is available only to 'National Parties' and 'Recognized State Parties' of the state concerned.

Q. Is this scheme available on all the media?

A. No. The scheme is available only on Govt. owned media i.e. Doordarshan & All India Radio.

Q. On what basis time is allotted to political parties?

A. A base time of 45 minutes is allotted to each National and Recognized State Parties of the state concerned uniformly. Additional time to be allotted to parties is decided on the basis of the poll performance of the parties in the last assembly election from the respective States/UT or in the last general elections to Lok Sabha, as the case may be.

Q. What is not permitted in this party broadcast?

A. The telecasts/broadcasts on Doordarshan/AIR will not permit: (a) criticism of other countries; (b) attack on religions or communities; (c) anything obscene or defamatory; (d) incitement of violence; (e) anything amounting to contempt of court; (f) aspersion against the integrity of the President and Judiciary; (g) anything affecting the unity, sovereignty and integrity of the Nation; (h) any criticism by name of any person.

A decorative graphic in the top right corner consisting of several overlapping triangles in shades of blue, purple, yellow, and pink, pointing towards the bottom right.

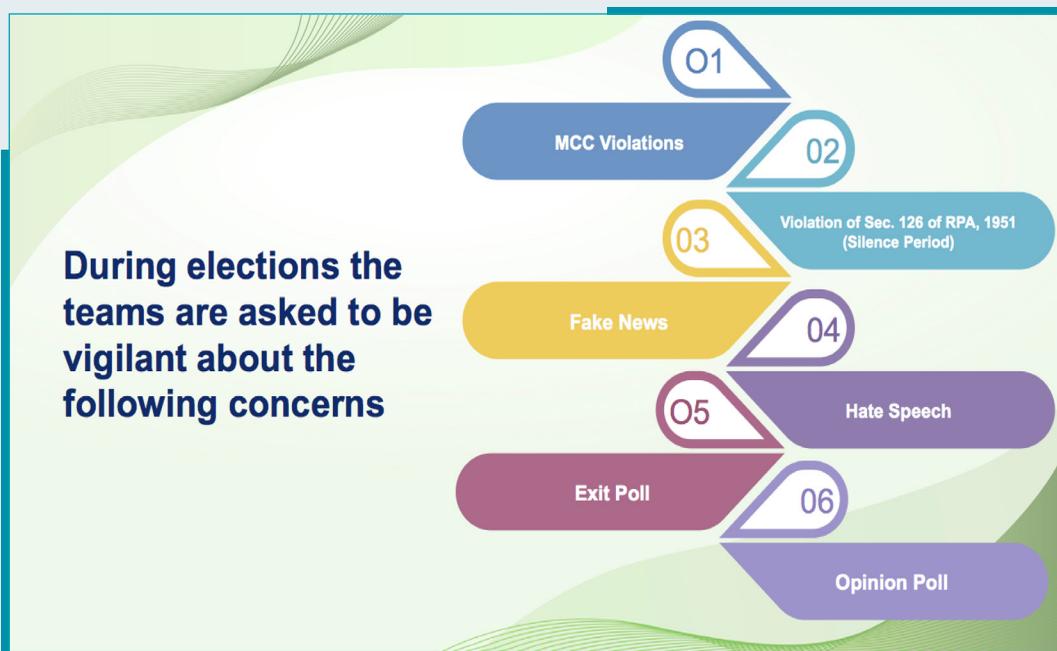
Chapter 8

Regulations & guidelines for media coverage during elections

Introduction

Considering the significant role, reach & substantial impact of Media vehicle & the message through media coverage on elections, Election Commission of India has devised a mechanism to be observed for free & fair elections providing a level playing field for all.

Although ECI does not regulate media, it has the role, responsibility & power to enforce the provisions of electoral laws & Court directions, which might have connection with media or certain aspects of media functioning. During elections, media's actively present role at all stages makes it a catalyst for dissemination of information to all the stakeholders which would also mean that they have to conform to the various laws governing the elections more responsibly. Although provisions of Section 126 of the RP Act 1951 is the core guideline in this context which is why the Commission reiterates it through direct notification (Press Release/Instructions) or through CEO offices during every election, yet there are other relevant guidelines & laws which are instrumental for regulations & guidelines for media coverage during elections.



1. Media coverage related provisions:

Section 126. Prohibition of public meeting during period of forty-eight hours ending with hour fixed for conclusion of poll- (1) No person shall- (a)..... (b) Display to the public any election matter by means of cinematograph, television or other similar apparatus; (c)..... In any polling area during the period of forty-eight hours ending with the hour fixed for the conclusion of the poll for any election in the polling area.

“Election matter” in this context means any matter intended or calculated to influence or affect the result of an election. Section 126 A of the RP Act, 1951 – It prohibits conduct of Exit poll and dissemination of their results during the period mentioned therein, i.e. the hour fixed for commencement of polls in the first phase and half an hour after the time fixed for close of poll for the last phase in all the States.

Penal Provision: Any person who contravenes the provisions of sub-section shall be punishable with imprisonment for a term which may extend to two years, or with fine, or with both.



Section 127A (1) – The printing and publication of election pamphlets, posters, etc. is governed by the provisions of this Section, which make it mandatory to mention the names and addresses of the printer and the publisher.

Section 127A(2) – No person shall print or cause to be printed any election pamphlet or poster- (a) unless a declaration as to the identity of the publisher thereof, signed by him and attested by two persons to whom he is personally known, is delivered by him to the printer in duplicate; and (b) unless, within a reasonable time after the printing of the document, one copy of the declaration is sent by the printer, together with one copy of the document- (i) where it is printed in the capital of the State, to the Chief Electoral Officer, and (ii) in any other case, to the district magistrate of the district in which it is printed.

Penal Provision: Any person who contravenes any of the provisions of the sub-section (1) or sub-section (2) shall be punishable with imprisonment for a term which may extend to six months, or with fine which may extend to INR 2000 or with both.

Penal / Legal Provisions The Indian Penal Code

IPC 153 A: Promoting enmity between different groups on grounds of religion, race, place of birth, residence, language, etc. and doing acts prejudicial to maintenance of harmony. Shall be punished with imprisonment which is extendable to 5 years and shall also be liable to fine

IPC 505(2): Statements, publishing or circulating report with rumor, creating or promoting enmity, hatred or ill-will between classes, regional or religious groups shall be punished with imprisonment which may extend to three years or with fine or with both.

IPC 171H: Whoever without the authority in writing of candidate incurs or authorise expenses on account of the holding of any public meeting, or upon any advertisement, circular or publication, for the purpose of promoting or procuring the election of such candidate, shall be punished with fine which may extend to Rs. 500

Section 125 of RP Act 1951: Promoting enmity between classes in connection with election is a punishable offense with imprisonment for up to 3 years and fine or both.



Promoting enmity between classes on grounds of religion, race, caste, community or language in connection with an election is a punishable offence.

SECTION 125 OF THE REPRESENTATION OF THE PEOPLE ACT, 1951



Follow us on: [f](#) [t](#) [i](#) [y](#) | www.eci.gov.in

2. Restriction on Exit Poll and Opinion Poll

ECI is mandated to conduct & complete free, fair, informed & ethical elections each and every time. To ensure the fact that electors should have all the necessary information about voting, right from enrolment process, necessary documents, poll day specific information, do's & don'ts at polling station, & most importantly provision where to find necessary information about the candidate based on which the elector is intending to cast his vote for, ECI runs extensive awareness campaigns through Print, electronic & Social Media besides issuing regular notifications to the offices of CEOs. While making necessary information available for electors it is also important to let them have a time tranquil especially from the high end bombardment of political campaigns & non-objective media reporting for making an informed, ethical & influence free use of their Constitutional right. Here comes the provision of the Silence Period.

During elections, media organizations & various other agencies conduct surveys & make assumptions based on which they portray through Opinion poll & Exit Poll surveys. Section 126 prohibits public meeting, display of any election matter publicly by means of cinematograph, television or other similar apparatus; in any polling area during the period of forty-eight hours ending with the hour fixed for the conclusion of the poll for any election in the polling area.



Section 126A of the R.P. Act, 1951, prohibits conduct of Exit Poll and dissemination of their results during the period mentioned therein, i.e. the hour fixed for commencement of poll in the first phase and half hour after the time fixed for close of poll for the last phase in all the States.

Similarly, under Section 126(1)(b) of the Representation of the People Act, 1951, displaying any election matter including results of any opinion poll or any other poll survey, in any electronic media, is prohibited during the period of 48 hours ending with the hour fixed for conclusion of poll in the respective polling areas in each phase of the General election and bye-elections.

3. **Guidelines of Press Council of India*** for print media/newspapers to be observed during the elections. **Norms of Journalistic Conduct-2022**** are also to be followed by newspapers.
4. **Guidelines of NBSA***** to be followed by broadcast media during the elections.

5. Voluntary Code of Ethics

To ensure free, fair & ethical use of social media platforms in elections, Internet & Mobile Association of India (IAMAI) on behalf of its members had agreed to observe the “Voluntary Code of Ethics” during General Elections to Lok Sabha 2019 and Legislative Assemblies scheduled along with the Lok Sabha election. The said code has been in effect from 20.03.2019 and is applicable for all elections including Legislative Assembly elections, subject to ECI being the Nodal office for all types of communication with social media platforms.

Section	Code	Violations in brief
126(1)(b)	Representation of People Act, 1951	prohibits displaying of any election related matter including opinion polls by means of cinematograph, on television or similar apparatus during the period of 48 hours ending with the hour fixed for conclusion of poll.
126A	Representation of People Act, 1951	Restriction of publication and dissemination of results of exit polls
123(2)	Representation of People Act, 1951	Corrupt practices, Undue influence through direct or indirect interference
123(3)	Representation of People Act, 1951	Corrupt practices, Promotion of feelings of enmity between different classes of people
125	Representation of People Act, 1951	Promoting enmity between classes in connection with election
171C	Indian Penal Code	Undue influence at elections
171G	Indian Penal Code	False statement in connection with an election
295A	Indian Penal Code	Deliberate and malicious acts, intended to outrage religious feelings of any class by insulting its religion or religious beliefs
464	Indian Penal Code	Making a false document
471	Indian Penal Code	Using as genuine a forged document or electronic record
505	Indian Penal Code	Statements conducing to public mischief



FAQs on
Regulations & guidelines
for media coverage
during elections

FAQs on Regulations & guidelines for media coverage during elections

Q. Whether displaying the result of any opinion poll survey is prohibited during the period of 48 hours?

A. Section 126(1)(b) of R. P. Act, 1951 prohibits displaying any election matter including results of any Opinion Poll or any other poll survey, in any electronic media during the period of 48 hours ending with the hour fixed for conclusion of poll in each of the phases of elections.

Q. What is the advisory issued to the media for coverage during the period referred to in Section 126 A of RP Act, 1951?

A. The media is advised to refrain from telecasting/publishing programmes including predictions by Astrologers, Tarot Readers, and Political Analysts etc. which in any way whatsoever predict the results of the elections during the prohibited period under the Section 126A of R.P. Act, 1951.

Q. What are the provisions for TV/Radio/Cable/FM channels to get approval for conducting any broadcast related event during the period not covered under Section 126?

A. During the period not covered by Section 126, TV/ Radio/Cable/FM channels are free to approach the state/district/local authorities for necessary permission for conducting any broadcast related events which must also conform to the provisions of the Model Code of Conduct and the programme code laid down by the Ministry of Information and Broadcasting under the Cable Network (Regulation) Act with regard to decency, maintenance of communal harmony, etc. They are also required to stay within the provisions of Commission's guidelines dated 27th August, 2012 regarding paid news and related matters. Concerned Chief Electoral Officer/District Election Officer will take into account all relevant aspects including the law and order situation while extending such permission.

Q. Whether telecast of films and commercials of the actors, who are contesting election should be restrained to telecast?

A. Telecast of feature films (other than commercial advertisement) of the actors, who are contesting elections will not be allowed on Doordarshan during the period of the enforcement of Model Code of Conduct, considering that Doordarshan is run on public funds. However, telecast of films and commercial advertisements involving film actors who are contesting elections will not be restrained on other TV channels or Cinema Theaters.

Standard Operating Procedure (SOP) for last 72 hours till counting

1. Section 126, Opinion Poll and Exit Poll:-

i.) Section 126(1)(b):-

a) No person shall display to the public any election matter by means of cinematograph, television or other similar apparatus in any polling area during the period of forty-eight hours ending with the hour fixed for the conclusion of the poll for any election in the polling area. Here “election matter” means any matter intended or calculated to influence or affect the result of an election.

b) It also covers opinion polls which states that displaying any election matter including results of any opinion poll or any other poll survey, in any electronic media, is prohibited during the period of 48 hours ending with the hours fixed for the conclusion of the poll in connection with the General Election.

ii) Exit Poll:-

Under Section 126A of The Representation of the People Act, 1951, No person shall conduct any exit poll and publish or publicize by means of the print or electronic media or disseminate in any other manner, whatsoever, the result of any exit poll during the period commence from the beginning of the hours fixed for poll on the first day of poll and continue till half an hour after closing of the poll in all the States and Union territories.

2. Standard operating procedure (SOP) for Social Media Updates

To ensure constant flow and proper dissemination of information to build a positive narrative about the election activities in the state, SOP is prepared for strategic communication on pre-poll and poll day through CEO’s social media handles.

3. Electronic Media Monitoring Center (EMMC):

The Commission has entrusted the Electronic Media Monitoring Centre (EMMC) with the task of media monitoring of all election management related news (important events/MCC violation/search and seizure etc.). The monitoring is to be done on two hourly basis on pre-poll day and the day of polling for submission of reports to the Commission on each phase of elections. EMMC will also send the reports to the CEO office simultaneously.

The CEO office will ascertain status on the items of the reports and file ATR/ Status report within two hours/before the generation of next reports to the Commission.

4. Pre-Certification of Political Advertisement for Print Media

No political advertisements would be published in print media on poll day and pre-poll day in all the phases without pre-certification of State/District MCMC. This has been done to avoid any offending or misleading political advertisements through Print Media in order to not vitiate the entire election process in the last stage of the elections. Before every General/ Assembly election, instruction in this regard is issued by the Commission.

5. Issuance of Authority Letters to Media-persons:

It is to be ensured that the authority letters will be issued only to the eligible persons, as sponsored by the competent authority. List of media persons including image of the media persons has to be approved by the Commission well in advance and the distribution of the Authority letters shall be completed before poll day.

SOP for Commission's visits in State for review meetings and Press Conference

SOP for review meetings

1. Photo/video coverage of Commission's arrival at respective airports/ alighting points to be ensured. No byte just visual coverage along with basic press release of Commission's meetings for local media coverage.
2. Photo Updates on respective CEO social media platforms and website at the earliest, soon after the arrival of the Commission.
3. No video recording or photos of meetings with political parties.
4. After review meetings are finished, some representative photos of review meetings with DEOs/SPs/Enforcement agencies to be shared on social media platforms of CEO and ECI and with local media. Details of review meetings to be given out at the concluding press conference/Press Note only.
5. Press release and media coverage of SVEEP events including the exhibition and Commission meeting with State Icons, felicitating senior citizens, PwD voters, EPIC distribution to first time voters, etc (as planned) to be shared with media soon after such events for media coverage. Also to be shared on CEO social media platforms.
6. Media clippings of the coverage (PC/Review meetings/SVEEP related launches) to be shared by the state media team daily in the morning by 8 AM
7. A copy of local/national available newspapers to be provided to the Commission and officials daily in the morning.

SOP for Press Conference

1. Appropriate venue to be ensured for the Press Conference with sufficient space to avoid overcrowding. As far as possible, the venue for the press conference should be in the same premises where review meetings are scheduled to save traveling time.
2. Press conference layout to be ensured such that cameras directly face the dais and seats for media persons do not interrupt their line of sight. It would be appropriate to have a Classroom type setting rather than a round table setting for press conference for media persons.
3. Name plates on dais to be clearly visible for the media cameras
4. Banner for Press Conference to have place and date to be specifically visible in media cameras. Banner to be placed at such height that written details are visible above the headroom of persons seated on the dais.
5. Media invite for PC to be issued by respective CEO/DIPR office. Media invite may be shown to the Commission before being issued by the local DIPR, CEO office team. The invite should read “Press conference by Election Commission of India.”
6. Live coverage of PC on CEO YouTube channel to be ensured. Live streaming can also be done on other CEO Social Media Platforms (like twitter and Facebook) or the same YouTube link can be shared . Press conferences may also have a component of powerpoint presentation, so arrangements for projection on split screen space (Half screen for showing the presentation and other half for the Commission) for the same to be ensured. Necessary arrangements like screen splitter to be ensured.
7. For live coverage of the event, live stream link on the CEO YouTube Channel to be created and appropriate internet bandwidth (Min 20 MBPS) at the venue should be ensured for high quality streaming of the Press Conference
8. Screens to be placed appropriately for displaying presentation for media persons and also in front of dias for the Commission.

9. The camera placement and setting for the live coverage to ensure visibility of the Hon'ble Commission clearly without any hindrance.
10. Audio and Video outputs for taking live coverage of the event (in split screen mode) and/or good quality audio for media to be arranged.
11. Live tweeting of the Press Conference to be done from ECI and CEO handle along with the images of the Presentation. The CEO office needs to ensure regional language text of the tweets.
12. DD news also to be contacted beforehand to carry it live on their Youtube channel. ANI/DD team may be contacted to see their logistics if they can ensure a telecast of the Press Conference in the split screen mode - Half screen Commission/Half screen Presentation.
13. A local nodal officer may be identified to ensure arrangements for the live streaming of the Press Conference as mentioned above. The Nodal Officer needs to ensure a dry run / rehearsal of the live streaming set up before the start of the Press Conference (well in advance) to avoid any hiccups during the Press Conference.
14. Two persons with wireless mikes to be made available for transferring mikes to media persons during the Q&A session in the Press Conference.
15. List of local media to be made available for perusal of the Commission along with a list of probable local issues.
16. Important pointers from the Press Conference/Press Note to be shared by the CEO office with local media

ANNEXURES

ELECTION COMMISSION OF INDIA

Nirvachan Sadan, Ashoka Road, New Delhi-110001

No. 509/75/2004/JS-I

Dated: 15th April, 2004

To

The Chief Electoral Officers
of all States / Union Territories.

Subject:- Supreme Court's Order dated 13th April 2004 relating to advertisements of political nature on TV Channel and cable networks.

Sir,

I am directed to enclose herewith a copy of the order dated 15th April 2004 by the Commission in pursuance of the Order dated 13th April, 2004 of the Hon'ble Supreme Court in SLP© No. 6679 of 2004 (Min. of Information and Broadcasting Vs. M/s Gemini TV Pvt. Ltd and others).

2. It may be noted that the Commission has directed that for pre-viewing, scrutinizing and certifying advertisements to be telecast over TV channels and cable networks by any registered political party or by any group or organization / association, having headquarters in NCT of Delhi, the Chief Electoral Officer, Delhi is to constitute a Committee as directed in paragraph 6 (i) of the Order. Similarly, the Chief Electoral Officers of other States / Union Territories will constitute Committees for dealing with applications by political parties and other associations / groups with headquarters in their States / Union Territories, as per paragraph 6 (iii). Vide paragraph 6 (v) of the Order, the Returning Officer of every Parliamentary Constituency have been declared as Designated Officer for previewing, scrutinizing and certifying advertisements by individual candidates contesting election from the constituency concerned. For the candidates contesting the current general election to the Legislative Assemblies of Andhra Pradesh, Karnataka, Orissa and Sikkim and the bye-elections in some States, the Returning Officer of the Parliamentary Constituency comprising the Assembly Constituency concerned will entertain applications for certification of advertisements.

3. The Chief Electoral Officers of all States/Union Territories are also required to constitute further a Committee to attend to complaints /grievances in regard to the decision of the Committees / Designated Officers on the application for certification of advertisements.
4. Each application for certification is to be submitted before the Committee concerned or the Designated Officer concerned in a statement as per the format prescribed in Annexure-A appended to the Order. The certificate for telecast for an advertisement is to be given by the Committee / Designated Officer in the format as given in Annexure-B appended to the Order. The applicants are required to submit two copies of the proposed advertisements in electronic form alongwith an attested transcript thereof.
5. A proper record in a register should be maintained for all applications received for certification. Each application should be serially numbered and the serial numbers should also be indicated on the two copies in electronic form and the receiving officer should affix his signature on the electronic copy. After issue of certificate, one electronic copy of the advertisement as certified for telecast, should be retained by the Committee / Designated Officer.
6. All Chief Electoral Officers may take immediate action for acquiring, by hiring or purchase, necessary equipments / infrastructure, such as television, VCR, VCD, etc. that may be required for the purpose of previewing and scrutinizing of advertisements by the Committees and Designated Officer in their State / Union Territory. Any purchase made are to be in accordance with the rates and procedures approved by the State Governments for similar items.
7. The Commission's order may be given wide publicity and this may be specifically brought to the notice of all District Election Officers / District Magistrates, Returning Officers, TV Channels, cable operators and political parties in the State / Union Territory.
8. Kindly acknowledge receipt.

By Order,
(K.F. WILFRED)
SECRETARY

ELECTION COMMISSION OF INDIA

Nirvachan Sadan, Ashoka Road, New Delhi-110001

No.509/75/2004/JS-I

Dated : 15th April, 2004

O R D E R

1. Whereas, Section 6 of the Cable Television (Regulation) Act, 1995, provides that no person shall transmit or re-transmit through a cable service any advertisement unless such advertisement is in conformity with the prescribed advertisement code; and
2. Whereas, Sub- rule (3) of Rule 7 of the Cable Television Network (Regulations) Rules, 1994 laying down the advertising code in terms of the abovementioned Section 6 provides that “no advertisement shall be permitted, the objects whereof, are wholly or mainly of a religious or political nature; advertisements must not be directed towards any religious or political end”; and
3. Whereas, the High Court of Andhra Pradesh, by its judgement and order dated 23-03-2004 in WPMP No.5214/2004 (Gemini TV Pvt. Ltd. Vs. Election Commission of India and others), suspended the above mentioned provisions of Rule 7(3) of the Cable Television Network (Regulation) Rules, 1994; and
4. Whereas the Hon’ble Supreme court, by its interim order dated 2-4-2004, in SLP (Civil) No.6679/2004 (Ministry of Information & Broadcasting Vs M/s Gemini TV and Others), in substitution of the order under challenge, had directed as below:-
 - (i) **No cable operator or TV channel shall telecast any advertisement, which does not conform to the law of the country and which offends the morality, decency and susceptibility of views or which is shocking, disgusting and revolting;**
 - (ii) **The telecast shall be monitored by the Election Commissioner of India;**
 - (iii) **The question as to whether the expenditure incurred by the candidate on inserting such advertisement should or should not be included, shall be considered on 5th April, 2004; and**
 - (iv) **The modalities whether such advertisements are in conformity with law, shall be laid down by the Election Commission of India.**

5. Whereas, The Hon'ble Supreme Court of India by its further order dated 13th April, 2004, in SLP (Civil) No.6679/2004, has directed as follows:
- “ --- Before we pass the order, it will be worthwhile to notice certain provisions of the Cable Television Networks (Regulation) Act, 1995 [for short, “the Act”], as amended from time to time, and the Rules framed there under. The object of the Act is to regulate the operation of the cable television network in the country. Section 6 of the Act provides that no person shall transmit or re- transmit through a cable service any advertisement unless such advertisement is in conformity with the prescribed advertisement code. Section 11 of the Act provides that if any authorized officer has reason to believe that the provisions of the Act have been or are being contravened by any cable operator, he may seize the equipment being used by such cable operator for operating the cable television network. Section 12 of the Act provides for confiscation of the equipment in the event of any violation of the provisions of the Act. Similarly, Section 13 of the Act also provides for seizure or confiscation of the equipment and punishment. Section 16 further provides for punishment for contravention of the provisions of the Act. Section 19 lays down that an authorized officer, if he thinks necessary or expedient so to do in the public interest, may, by order, prohibit any cable operator from transmitting or re-transmitting any advertisement which is not in conformity with the prescribed programme code and advertisement code and it is likely to promote enmity on grounds of religion, race, language, caste or community or any other grounds whatsoever, disharmony or feelings of enmity, hatred or ill-will between different religion, racial, linguistic or regional groups or castes or communities or which is likely to disturb public tranquility. Section 22 of the Act empowers the Central Government to frame Rules to carry out the provisions of Act. The Central Government in exercise of the powers conferred on it by Section 22 of the Act is empowered to make Rules which are known as The Cable Television Networks Rules, 1994 [for short, “the Rules”]. Rule 7 of the Rules provides that where an advertisement is carried in the cable service it shall be so designed as to conform to the laws of the country and should not offend morality, decency and religious susceptibilities of the subscribers. Sub-rule (2), inter alia, provides that no advertisement shall be permitted which derides any race, caste, colour, creed and**

nationality, is against any provision of the Constitution of India and tends to incite people to crime, cause disorder or violence or breach of law or glorifies violence or obscenity in any way. Sub-rule (3) further provides that no advertisement shall be permitted the objects whereof are wholly or mainly of religious or political nature, advertisements must not be directed towards any religious or political end. It is in this background, we now propose to pass the following order:

Every registered National and State, political party and every contesting candidate proposing to issue advertisement on television channel and/or cable network will have to apply to the Election Commission/ Designated Officer (as designated by the Election Commission) not later than three days prior to the date of the proposed commencement of the telecast of such advertisement. In case of any other person or unregistered political parties, they will have to apply not later than seven days prior to the date of the telecast. Such application shall be accompanied by two copies of the proposed advertisement in electronic form along with a duly attested transcript thereof. In case of first phase of elections, the application shall be disposed of within two days of its receipt and until decision thereon is taken, our order dated 2nd April, 2004, shall apply. In case of subsequent phase of election, the application shall be disposed of within three days of its receipt and until the decision thereon is taken, our order dated 2nd April, 2004, shall apply. While disposing of such applications, it will be open to the Election Commission/Designated Officer to direct deletion/ modification of any part of the advertisement.

The application for certification shall contain following details:

- (a) The cost of production of the advertisement;
- (b) The approximate cost of proposed telecast of such advertisement on a television channel or cable network with the break-up of number of insertions and rate proposed to be charged for each such insertion;
- (c) It shall also contain a statement whether the advertisement inserted is for the benefit of the prospects of the election of a candidate(s)/parties;
- (d) If the advertisement is issued by any person other than a political party or a candidate, that person shall state on oath that it is not for the benefit of the political party or a candidate and that the

said advertisement has not been sponsored or commissioned or paid for by any political party or a candidate; and

- (e) A statement that all the payments shall be made by way of cheque or demand draft.

We find that Section 2(a) of the Act defines “authorized officer”, within his local limits of jurisdiction, as (a) District Magistrate; (b) Sub-divisional Magistrate; or (c) or Commissioner of Police. Similarly, Section 28-A of the Representation of People Act, 1951 provides that the Returning Officer, Assistant Returning Officer, Presiding Officer, Polling Officer and any other officer appointed under this part and any police officer designated for the time being by the State Government, for the conduct of any election shall be deemed to be on deputation to the Election Commission for the period commencing on and from the date of the notification calling for such election and ending with the date of declaration of results of such election and, accordingly, such officer shall during that period, be subject to the control, superintendence and discipline of the Election Commission.

Since it is not physically possible for the Election Commission to have a pre-censorship of all the advertisements on various cable networks and television channels, it has become necessary to authorize the Election Commission to delegate its powers in this behalf to the respective District Magistrates of all the States or Union Territories, not below the rank of a Sub-divisional Magistrate or a member of the State Provincial Civil Service. This may be done by a general order issued by the Election Commission. These officers shall act under the control, superintendence and discipline of the Election Commission. The Election Commission in its turn may delegate its powers to the Chief Electoral Officer of each State or the Union Territories, as the case may be.

The Chief Electoral Officer of each State or Union Territory may appoint a committee for entertaining complaints or grievances of any political party or candidate or any other person in regard to the decision to grant or to refuse certification of an advertisement. The committee so appointed shall communicate its decision to the Election Commission.

The committee so constituted will function under the overall superintendence, direction and control of the Election Commission of India.

The decision given by the committee shall be binding and complied with by the political parties, candidates, or any other person applying for advertisements in electronic media subject to what has been state above.

The comments and observations for deletion or modification, as the case may be, made, shall be binding and complied with by the concerned political party or contesting candidate or any other person within twenty four hours from the receipt of such communication and the advertisement so modified will be re-submitted for review and certification.

We may clarify that provisions of Section 126 of the Representation of People Act, 1951, shall apply to the advertisement covered by this order.

If any political party, candidate or any other person is aggrieved by the decision taken either by the committee or by the Designated Officer/Election Commission it will be open for them to approach only this court for clarification or appropriate orders and no other court, tribunal or authority shall entertain any petition in regard to the complaint against such advertisement. This order shall come into force with effect from 16th April, 2004 and shall continue to be in force till 10th May, 2004.

This order is being issued in exercise of the powers under Article 142 of the Constitution of India and it shall bind all the political parties, candidates, persons, group of persons or Trusts who propose to insert the advertisement in the electronic media, including cable network and/or television channels as well as cable operators.

It will be open to the Election Commission to requisition such staff as may be necessary for monitoring the telecast of such advertisements. Where the Election Commission is satisfied that there is a violation of this order or any provisions of the Act, it will issue an order to the violator to forthwith stop such violations and it will also be open to direct seizure of the equipments. Every order shall be promptly complied with by the person(s) on whom such order is served.

The funds to meet the cost of monitoring the advertisements should be made available to the Election Commission by the Union of India. Adequate publicity of this order shall be given by the Union of India on the electronic media and through print media.

This order is in continuation of the order passed by this Court on 2nd April, 2004 and shall remain in operation as an interim measure till 10th May, 2004.

Subject to the aforesaid order, the judgement of the High Court of Andhra Pradesh dated 23rd March 2004 shall remain stayed. This order is passed not in derogation of but in addition to the powers of the Central Government in regard to the breach of the provisions of the Act.”

6. Now therefore, in pursuance of the aforesaid directions of the Hon'ble Supreme Court, the Election Commission, hereby directs as follows: -
- (i) The Chief Electoral Officer Delhi is hereby directed to constitute a Committee comprising the following persons to deal with the applications by the political parties and organizations mentioned in para
 - (ii) herein below: -
 - (a) The Joint Chief Electoral Officer – Chairperson.
 - (b) Returning Officer of any Parliamentary Constituency in Delhi.
 - (c) One expert being an officer not below the rank of Class- I officer to be requisitioned from the Ministry of Information & Broadcasting.
 - (ii) The above Committee will entertain applications for certification of any advertisement to be inserted in a television channel or cable network by the following:-
 - (a) All registered political parties having their headquarters in NCT of Delhi.
 - (b) All groups or organizations or associations or persons having their headquarters in NCT of Delhi.
 - (iii) The Chief Electoral Officer of every other State/Union Territory is hereby directed to constitute the following Committee to deal with applications by political parties and organizations mentioned in para (iv) below: -
 - (a) The Additional/Joint Chief Electoral Officer - Chairperson.
 - (b) Returning Officer of any Parliamentary constituency located in the capital of the State.
 - (c) One expert being an officer not below the rank of Class- I officer to be requisitioned from the Ministry of Information & Broadcasting.
 - (iv) The Committee constituted in para (iii) above will entertain applications for certification for advertisement on television channel and cable network by the following:-
 - (a) All registered political parties having their headquarters in that State / Union Territory,

- (b) All organisations or group of persons or associations having their registered offices in that State/Union Territory.
- (v) The Returning Officer of every Parliamentary constituency in the country are hereby declared as Designated Officers for the purpose of entertaining application for certification of an advertisement proposed to be issued on cable network or television channel by an individual candidate contesting the election from the Parliamentary constituency of which such Designated Officer is the Returning Officer and candidates contesting in the Assembly constituencies falling within that Parliamentary constituency. The said Returning Officer may co-opt any of the Assistant Returning Officers, not below the rank of a Sub-divisional Magistrate belonging to the State Provincial Civil Service to assist him in the task of certification of applications.
7. The Chief Electoral Officer of every State/Union Territory will constitute the following Committee to entertain complaints/grievances of any political party or candidate or any other person in regard to the decision to grant or refuse certification of an advertisement:-
- (i) The Chief Electoral Officer-Chairperson.
 - (ii) Any Observer appointed by the Election Commission of India
 - (iii) One expert to be co-opted by the Committee other than the one mentioned in paras 6 (i) and 6 (iii) above.
8. The applications for certification of any advertisements by every registered political parties and every contesting candidates shall be made to the Committees mentioned in paras 6 (i) and 6 (iii) above or the Designated Officer as mentioned in para 6 (iv) above, as the case may be, not later than 3 (three) days prior to the date of the commencement of the telecast of such advertisements. In the case of first phase of elections such applications shall be disposed of within 2 (two) days of its receipt and until decision thereon is taken, the order of the Supreme Court dated 2-4-2004 shall apply.
9. Where an application for certification of advertisement is by any other person or unregistered political parties, it will have to be made not later than 7 (seven) days prior to the date of telecast.
10. Every such application, in the format prescribed at **Annexure A**, shall be accompanied by the following:
- (i) Two copies of the proposed advertisement in the electronic form along with a duly attested transcript thereof.
 - (ii) The application for certification shall contain following details: -
 - (a) The cost of production of the advertisement;
 - (b) The approximate cost of proposed telecast of such advertisement on a television channel or cable network with the break-up of

- number of insertions and rate proposed to be charged for each such insertion;
- (c) It shall also contain a statement whether the advertisement inserted is for the benefit of the prospects of the election of a candidate(s)/parties;
 - (d) If the advertisement is issued by any person other than a political party or a candidate, that person shall state on oath that it is not for the benefit of the political party or a candidate and that the said advertisement has not been sponsored or commissioned or paid for by any political party or a candidate;
 - (e) A statement that all the payment shall be made by way of cheque or demand draft.
11. While taking a decision on the applications for certification of an advertisement, it will be open for the Committees constituted in para 6 (i) and 6 (iii) above or the Designated Officer as in para 6 (v) above or the review Committee as constituted in para 7 above to direct deletion/modification of any part of the advertisement. Every such order making comments and observation for deletion and modification shall be binding and be complied by the concerned political party or contesting candidate or any other person within 24 hours from the receipt of such communication. The advertisement so modified will be re-submitted for review and certification.
 12. Where the Committees constituted in para 6 (i) and 6 (iii) above or the Designated Officer or the review Committee as constituted in para 7 above as the case may be, is satisfied that the advertisement meets the requirements of the law and in accordance with the directions of the Supreme Court as inserted in paras 4 and 5 above, it should issue a certificate to the effect of the advertisement concerned is fit for telecast. The format for the certificate is at Annexure B.
 13. The directions contained in the order dated 13th April 2004 by Supreme Court shall be strictly complied with by everyone concerned and will remain in operation till 10th May 2004 and it shall bind all the political parties, candidates, persons, group of persons or Trusts who propose to insert the advertisements in the electronic media, including the cable networks and/or television channels as well as cable operators.

By Order,
(K.F. WILFRED), SECRETARY

ELECTION COMMISSION OF INDIA

Nirvachan Sadan, Ashoka Road, New Delhi – 110001

No. 491/MCMC/5/2023/Communication

Dated: 24th August, 2023

To

The Chief Electoral Officer,
All States & Union Territories.

Subject: - Media Certification and Monitoring Committees (MCMC), Pre-certification of advertisements and Paid News - Consolidated instructions-reg.

Sir/Madam,

Your attention is invited to Hon'ble Supreme Court order dated April 13, 2004 (copy enclosed) which highlighted that - **Every registered National and State political party/unregistered political parties/contesting candidate or other person, proposing to issue advertisements on television channel and/or cable network will have to apply to the Election Commission/ Designated Officer (as Designated by Election Commission), prior to the commencement of telecast of advertisement.** These directions are always applicable in the **whole territory of India** and not only during the period commencing from the date of announcement of the election and till the completion of election process. This means the **pre-certification of political advertisement is a year around activity.**

In compliance with Hon'ble Supreme Court directions, the Commission has subsequently issued various guidelines regarding the Constitution of Media Certification & Monitoring Committee at District and State Level and related matters including ambit of Committees, Timelines, Application procedures, action to be taken against violations, etc.

It is hereby informed that the previous instructions related to composition & role of Media Certification and Monitoring Committee, Pre-certification of political advertisements and Paid News have been compiled and consolidated for better & comprehensive understanding. Commission's instructions compiled in this order are mentioned at Annexure- E. Complete instruction set is divided into 3 Sections namely:-

- i) Part A- Compiled guidelines on composition and role of Media Certification and Monitoring Committees (MCMC)
- ii) Part B- Compiled Guidelines in respect of pre-certification of political advertisements.
- iii) Part C- Compiled Guidelines in respect of Paid News and its reporting mechanism.

Part A

Extant Composition and Role of the MCMC is as follows:

1. District Level Media Certification and Monitoring Committee (MCMC)

1.1 The District level MCMC shall be formed in each district with the following members:

- a) District Election Officer/Returning Officer of Parliamentary Constituency
- b) ARO (not below SDM)
- c) An intermediary expert/ Social media expert (to be chosen by the RO subject to the eligibility criteria)
- d) Central Govt. I & B Ministry official (if any in the district)
- e) Independent Citizen/ Journalist as may be recommended by PCI
- f) DPRO/ District Information Officer/ equivalent- Member Secretary

1.1.1 For certification of advertisement, Returning Officer of the Parliamentary Constituency/District Election Officer, an ARO (not below SDM) and an Intermediary Expert/ Social Media Expert shall be the members of the MCMC.

1.1.2 If Central Govt. I & B Ministry Official is not posted in the district, District Election Officer can appoint preferably a Central Govt. Officer, or a senior State Govt. Officer posted in the district.

- 1.1.3 Returning Officer of Parliamentary Constituency may co-opt as many members to assist him in certification of political advertisements as the number of districts falling in that Parliamentary Constituency to have wider opinion and equal representation from all the districts in the matter of certification.
- 1.1.4 If PCI does not provide names to be included in the MCMC, DEO may himself appoint either an independent senior citizen or journalist, who is willing and as who, in the opinion of the DEO, is eligible in terms of background and record of neutrality.
- 1.1.5 The Member Secretary (DPRO/DIO or equivalent) should be from the State Civil Services.

1.2 The District level Committee shall have three distinct sets of functions:

- (i) Certification of political advertisements in electronic media **round the year** for which **three specific members** of MCMC i.e. RO, ARO and Social media expert shall have to consider and decide on such advertisements for certification. This committee considers application for certification of an advertisement proposed to be issued on electronic media by an individual or candidate contesting election from the Constituency falling within the jurisdiction of the Committee.
- (ii) Examining complaints/issues of Paid News by all members of the district MCMC through a monitoring arrangement.
- (iii) The MCMC shall, besides discharging the functions of Certification of Advertisement and checking of Paid News, would also assist in enforcement of media related regulations under the RP Act. Thus, MCMC shall scan all media (e.g. newspapers, print media, electronic media, cable network, internet, mobile network, social media, etc) for:
 - a. Monitoring of political advertisements in electronic media (for checking if the telecast/broadcast has been done only after certification by the Committee).
 - b. Suspected cases of paid news (Paid News cases are to be taken into account from the date of filing of nomination by

the candidate.) It shall also actively consider paid news cases referred to it by the Expenditure Observers. It shall intimate the Returning Officer for issue of notices to candidates for inclusion of actual expenditure on the published matter or notional expenditure based on DIPR rates in their election expenses account (in absence of DIPR rates, DAVP rates may be used), either based on or irrespective of whether the candidate actually has paid or not paid any amount to the channel/newspaper. A copy of the notice shall also be marked to Expenditure Observer)

- c. Monitoring political advertisements in other media, in relation to candidates, either overt or covert, from Expenditure monitoring angle (this will also include publicity or advertising or appeal by, or on behalf of candidate, or by Star Campaigner(s) or others, to impact candidate's electoral prospects)
- d. Advertisements in print media (MCMC shall check if the advertisement is with the consent or knowledge of candidate: in which case it will be accounted for in the election expenses of the candidate(s); however, if the advertisement is not with the authority from the candidate, then action may be taken for prosecution of the publisher for violation of Section 171H of IPC).
- e. Checking if the name and address of the publisher and printer is carried on any election pamphlet, poster, hand bill and other document as required under Section 127A of R.P.A 1951 (If any printed material does not bear on its face the names and addresses of the printer or the publisher, MCMC shall bring it to the notice of the RO for further necessary action; For the purpose of section 127A of RPA 1951, 'Paid News' would also fall in the category of 'other document').

- 1.3. It shall submit a daily report to the Accounting team with a copy to RO and Expenditure Observer in respect of each candidate in the prescribed format (as per annexure 12 of the prescribed Expenditure Guidelines) w.r.t.

expenditure incurred by the candidate on election advertising or actual expenditure incurred for publishing the 'News' that is substantiated by necessary documents furnished by the candidate or notional expenditure as computed by the Committee in the assessed cases of Paid News.

- 1.4. The MCMC shall create a suitable mechanism for monitoring media and shall be equipped with adequate manpower and infrastructure for the same.

2. Additional/ Joint CEO's Committee on Certification (State Level Certification Committee) : The Committee shall comprise of following officers: -

- a) The Additional/Joint Chief Electoral Officer - Chairperson.
- b) Returning Officer of any Parliamentary constituency located in the capital of the State.
- c) One expert being an officer not below the rank of Class- I officer to be requisitioned from the Ministry of Information & Broadcasting.
- d) An intermediary expert/ social media expert (to be chosen by the CEO subject to the eligibility criteria)

2.1 This committee considers applications for pre-certification from all registered political parties having their headquarters in that State/Union Territory, all organizations or groups of persons or associations having their registered offices in that State/Union Territory.

3. State Level Media certification and Monitoring Committee (MCMC)

3.1 The State level MCMC shall comprise of the following officers:

- a) The Chief Electoral Officer, Chairman
- b) ADG/ Director level officer from PIB/BOC present in the state-Nodal officer for MCMC to be nominated by DG (Zone), I & B Ministry, Govt. of India or

One expert to be co-opted by the Committee.

- c) Any Observer appointed by the Election Commission of India

- d) Officer of Indian Information Service (IIS), (at the level of US/DS) posted in the State/UT, representing a media Department of Government of India.
 - e) Independent citizen or journalist as nominated by PCI (if any)
 - f) Addl./ Jt. CEO in charge of Media (Member Secretary)
 - g) An intermediary expert/ social media expert (to be chosen by the CEO subject to the eligibility criteria)
- 3.1.1 If PCI is not providing names to be included in the Committee, the CEO may himself appoint either an independent senior citizen or journalist, who is willing and who, in the opinion of the CEO, is eligible in terms of background and record of neutrality.
- 3.1.2 In respect of an observer appointed by the Commission in State level MCMC, the General Observer deputed during election in the State Headquarter may be co-opted by the Committee. In case of bye-elections or in case no observer is available at the State capital, the CEO may obtain the services of an observer available in any of the nearby districts.
- 3.2 The State level MCMC shall perform two sets of functions:
- i. Decision on the appeal of any political party or candidate or any other person in regard to grant or refuse Certification of advertisement. Such appeals will lie only with and will be disposed of by the State Level Committee headed by CEO and no reference in this regard needs to be made to the Commission.
 - ii. Examining all cases of Paid News on appeal against the decision of District MCMC or cases that they may take up suo-motu, in which case it shall direct the concerned ROs to issue notices to the candidates.
- 3.2.1 The appeal on certification of advertisements needs to be handled by members at (a), (b), (c) & (g), while the complete State MCMC shall deal with Paid News cases. During the non-election period, the Committee shall continue its functions with members at (a), (b) & (g).
- 3.2.2 It is clarified that as regards the certification, the appeal both from District

and Addl./Jt. CEO Committee will lie only with and will be disposed of by the State Level MCMC headed by CEO as per Commission's order dated 15th April 2004 and no reference in this regard needs to be made to the Commission.

4. Appeal against decision of State level MCMC on Paid News

- 4.1 Any appeal against the decision of the State level MCMC in matters of Paid News will be made to the Election Commission of India. Wherever complaints on Paid News cases are made to the Commission directly, the Commission shall forward cases to the State level MCMC for initial consideration.

5. Criteria for Social Media Expert (for District/State MCMC):

- 5.1 It is also to state that intermediary expert/ social media expert to be included in the MCMCs should preferably be a government officer subject to following eligibility criteria:

A. If he/she is a government officer, he/she could/should be-

- i. Not below the rank of SDM
- ii. Has at least five-year experience of working in the IT department/ cell/social media cell of the government.

B. If he/she is not a government officer (means private individual) he/she should-

- i. Have a master's degree in the field of IT.
- ii. Have at least 10 years' experience of working in the IT department/ cell/social media cell of the government at central or state level with a good understanding of social media platforms and how they work.
- iii. Also eligible in terms of background and neutrality.

- 5.1.1 Role of Social Media Expert: With respect to the profile of work which the intermediary expert/ social media expert will be handling, it is to state that he/she shall:

- i. Assist the MCMC in the matter of certification of political advertisements proposed to be published on social media platforms
- ii. Assist MCMC in scanning social media platform for suspected cases of Paid news
- iii. Assist MCMC in submitting a daily report to Accounting team with copy to RO and Expenditure Observer w.r.t to expenditure incurred by the candidate on election advertisement on social media platforms
- iv. Assist the MCMC in the matters of queries/ complaints related to advertisement on social media platforms
- v. Look after the overall coordination between MCMC and the intermediaries/ social media platforms.
- vi. Make sure that the Election Laws are strictly adhered to with matters related to advertisement on social media platforms
- vii. Assist MCMC in handling the violation cases on Social media
- viii. Being part of State level MCMC, he/she will assist in deciding appeal from District and Addl./ Joint CEO Committee on certification of advertisement on social media and examining all cases of Paid News on appeal against the decision of the District MCMC or cases that they may take up suo-motu.

Part- B

1. Pre-certification of Political Advertisements

Pre-certification means prior clearance, in advance of usage of political advertisements by the Committee before being telecast/broadcast on TV and Cable network/Cable Channels, advertisements to be displayed year round in Cinema Halls, Radio including private FM channels, audio-visual displays in public places, advertisements in e-newspapers, use of bulk SMS/recorded voice messages, advertisements on social media and internet websites by any registered political party or by any group of organization/ association or by any contesting candidate/ individual as also for print media on pre poll and poll day

The Supreme Court vide its order dated 13th April 2004 authorized the Commission to constitute the Committees for the certification of political advertisements. In the above-mentioned order, the Supreme Court referred to the provisions of the Cable Television Networks (Regulation) Act, 1995 and The Cable Television Network Rules 1994.

2. The provisions highlighted by the Hon'ble Supreme Court are as follows: -

2.1. Any cable operator is prohibited from transmitting or re-transmitting any advertisement which is not in conformity with the prescribed programme code and advertisement code and is likely to promote enmity on grounds of "religion, race, language, caste or community or any other ground whatsoever, disharmony or feelings of enmity, hatred or ill-will between religion, racial, linguistic or regional groups or castes or communities or which is likely to disturb public tranquility".

2.2. Any advertisement carried in the cable service shall be designed so as to conform to the laws of the country and should not offend morality, decency and religious susceptibilities of the subscribers.

2.3. No advertisement shall be permitted which deride any "race, caste, color, creed and nationality, is against any provision of the Constitution of India and tends to incite people to crime, cause disorder or violence or breach of law or glorifies violence or obscenity in any way".

2.4 The above provisions as mentioned by the Hon'ble Supreme Court shall be the

guiding principles for certification of advertisements. Further provisions of Section 126 of the R.P.Act, 1951 shall also be considered. Additionally, the following may not be permitted while certifying political advertisements: -

- a) criticism of other countries
- b) attack on religions or communities
- c) anything obscene or defamatory
- d) incitement to violence.
- e) anything amounting to contempt of court
- f) aspersion against the integrity of the President and Judiciary
- g) anything affecting the unity, sovereignty, and integrity of the Nation
- h) any criticism by name of any person.

2.5 The parameters mentioned in the Don'ts for political parties and candidates as part of Model Code of Conduct shall also be kept in mind while certifying the political advertisements.

- a) Use of temples/ mosques/churches/ gurudwara or any place of worship or religious text / symbols/ or slogan in posters, videos, graphics, music etc or electioneering
- b) photographs of defence personnel and photographs of functions involving Defence personnel
- c) No aspect of private life, not connected with the public activities of the leaders or workers of other parties shall be criticized.
- d) No criticism of other parties or their workers on behalf of unverified allegations or on distortions.

2.6 Advertisements by Third Party other than contesting candidate/political party

- 1) The Hon'ble Supreme Court order does not prohibit ads by persons other than political party or candidate. However, the order does say that such persons cannot give ads for the benefit of any political party or candidate.
- 2) This also implies that advertisements against a political party or candidate

cannot also be allowed, as that would benefit other parties/candidates.

3. Key points to be noted for pre-certification: -

3.1 Besides political advertisements to be telecast on TV and Cable network/ Cable Channels, advertisements to be displayed in Cinema Halls, Radio including private FM channels, audio-visual displays in public places, advertisements in e-newspapers, use of bulk SMS/recorded voice messages have been added in the ambit of pre-certification of political advertisement/campaigning vide Commission's subsequent instructions.

3.2 Since social media and internet websites are also electronic media by definition, therefore, these instructions of the Commission for pre-certification shall also apply to websites including social media websites.

3.3 All political advertisements proposed to be issued on electronic media including Audio-visual displays at public place require pre-certification but is not applicable on the flex hoardings, Wallpapers, Pamphlets etc., though, such advertisements must adhere to provisions of Model Code of conduct and other election related laws/Guidelines.

3.4 Any political content in the form of messages/comments/photos/videos being posted/uploaded on the 'blogs/self accounts' on websites/social media websites will not be treated as political advertisement and therefore would not require pre-certification. Even if the same is posted/uploaded by political parties/candidates, it would not fall within the meaning political advertisement and would not be subject to directions/guidelines issued by the Commission.

3.5 These directions are always applicable in the whole territory of India and not restricted only during the period commencing from the date of announcement of the election and till the completion of election process. This means the pre-certification of advertisement is a year around activity and not only during election period. Therefore, political advertisements to be telecast on TV and Cable network/ Cable Channels, advertisements to be displayed in Cinema Halls, audio-visual displays in public places, advertisements in e-newspapers, advertisements in social media and internet websites need to be certified by the committee concerned for the entire period and not just during elections.

3.6 Subsequent to the amendment of ‘Code for Commercial Advertisement’ on All India Radio in 2008, the Commission’s instructions for pre-certifications shall also apply to any advertisements of political nature on Radio including private FM channels during the period Model Code of Conduct is in operation in connection with General Election to the House of People or to the Legislative Assembly of any State/UT.

3.7 Taking cognizance of the increasing use of bulk SMS & recorded voice messages in election campaigning, the Commission in 2015 also included the bulk SMSs/ voice messages on phone in election campaigning within the purview of pre-certification of election advertisements. Legal Provisions, as apply on other modes of electronic media, shall also be applicable on bulk SMSs/Voice messages.

3.8 The MCMC has the right to refuse to give certification of an advertisement, it does not find fit to be telecast/broadcast/etc. Appeal can be made against the decision of both District level MCMC and State level certification committee (Additional/Joint CEO level Committee) to State level MCMC headed by CEO of the State. Only, the Hon’ble Supreme Court of India can entertain the appeal against the order of State level MCMC on pre-certification.

3.9 During elections, it should also be brought to the notice of all candidates/political parties seeking certification that their advertisements should also comply with the provisions of Model Code of Conduct.

4. **MCMC Jurisdiction:** Guidelines for submission of Applications for pre-certification by political parties with headquarters in Delhi and/or different States/UTs.

4.1 Committee constituted at Delhi under the chairmanship of Joint/Additional CEO will entertain the applications for certification of political advertisements by all registered political parties/groups/organizations having their headquarters in NCT of Delhi. However, the application from the State Units of the above mentioned may be submitted to the Committees in the State concerned.

4.2 Committees constituted in other States/UTs will entertain the applications for certification of political advertisements by all registered political parties/organizations / group / associations having their headquarters in that State/UT.

4.3 If the Central Office of any of the National Parties or the State Parties with headquarters in Delhi seeks certification of same advertisement in multiple languages (Hindi/English and in regional languages), the advertisement material in each of the languages along with certified transcripts should be submitted to the committee in the office of the CEO, Delhi. In addition, in such cases, the applicant should also submit a duly affidavit stating, as is done in the Courts, that the regional language version of the advertisement is a true translation of the advertisement in Hindi/English and the applicant will be responsible for any mistake therein.

4.4 If the Central Office of any of the National Parties or the State Parties with headquarters in Delhi wishes to seek certification of advertisement in any regional language (without there being any Hindi/English version of the advertisement), the application seeking certification will have to be submitted to the committee in the office of the CEO of the State concerned (i.e., the State to which the regional language pertains).

4.5 Any advertisement certified for telecast/broadcast by the committee in the office of the CEO, Delhi, on application from the Central Office of the National Parties and the State Parties with headquarters in Delhi, will be valid for telecast/broadcast throughout India in all States and UTs. No separate certification would be required in such cases from the committees in other States. However, the parties should submit a copy of the certificate obtained from the committee in Delhi to the Chief Electoral Officer of the State in which such advertisements are proposed to be telecast/broadcast. The copy should be submitted with a declaration that the same is a true copy of the certificate issued from the committee in Delhi and this should be submitted to the CEO in the State concerned before the advertisement is telecast/broadcast.

4.6 In the cases where registered parties/group/organization/association, not having their Headquarter in NCT of Delhi but wish to telecast/broadcast their advertisement in Delhi, certification of the advertisement should be considered by the MCMC in the State, where the party is contesting election.

4.7 In the case of State Parties, applications from the units of the parties in States other than where they have their headquarters shall also be dealt by the Committees in the States concerned where the state units are submitting applications.

4.8 Chief Electoral Officer of States/ UTs may accept and pre-certify the advertisements from any political parties irrespective of location of their headquarter, provided they have the language competency to do so.

5. Application for certification of political advertisement: -

5.1 Every application, in the format prescribed at Annexure A,

- It shall be accompanied by two copies of the proposed advertisement in the electronic form along with a duly attested transcript thereof.
- The application shall contain following details:
 - Cost of production of advertisement
 - Approximate cost of proposed telecast/broadcast of such advertisement with break up of number of insertions and rate proposed to be charged for each such insertion
 - A statement whether the advertisement is for the benefit of the prospects of the election of a candidate/party
 - If the advertisement is issued by any person other than a political party or a candidate, that person shall state on oath that it is not for the benefit of the political party or a candidate and that the said advertisement has not been sponsored or commissioned or paid for by any political party or a candidate.
 - A statement that all the payments shall be made by way of cheque or demand draft.

5.2 The political parties/candidates, if they desire so, may also follow the alternative procedure by first submitting the transcript of the proposed advertisement for certification and once the transcript is vetted/approved by the Committee the party/ candidate will submit the final product in electronic form,

another time for final certification.

5.3 While taking a decision on the applications for certification of an advertisement, it will be open for the Committees to direct deletion/modification of any part of the advertisement. Every such order making comments and observations for deletion and modification shall be binding and be complied by the concerned political party or contesting candidate or any other person within 24 hours from the receipt of such communication. The advertisement so modified will be re-submitted for review and certification.

5.4 Where the Committee is satisfied that the advertisement meets the requirements of the law and in accordance with the directions of the Supreme Court dated 13.04.2004, it should issue a certificate to the effect that the advertisement concerned is fit for telecast/broadcast. The format for the certificate is at **Annexure B**.

5.5 When the certificate for telecast/broadcast is issued by the committee, an authenticated copy of the transcript as approved by the committee should also be handed over to the applicant, and at the same time, the committee should retain a copy of the approved transcript and an electronic copy of the material certified for telecast/broadcast.

5.6 A proper record in a register should be maintained for all applications received for certification. Each application should be serially numbered, and the serial numbers should also be indicated on the two copies in electronic form and the receiving officer should affix his signature on the electronic copy. After issue of certificate, one electronic copy of certified advertisement, should be retained by the Committee/ Designated Officer.

5.7 The Committee while issuing certificate to the applicant may also include the following disclaimer – The responsibility for the factuality and correctness of claims and allegations made in the advertisement lies wholly with the Publisher / advertiser. The certification committee is in no way answerable or liable for any damage, loss, or injury, civil or criminal on account of such publication.

6. Timeline to submit application for certification: -

6.1 Registered National and State political parties and every contesting candidate must apply for precertification of political advertisements not later than three days prior to the date of the proposed commencement of the telecast of the

advertisement.

6.2 In case of any other person or unregistered political parties, it should be not later than seven days prior to the date of the telecast.

7. Timeline for MCMC to deliver decision on the applications for precertification of political advertisements:

7.1 The State and District MCMC shall deliver the decision on the applications of pre- certification of political advertisements and inform the applicant within two days of the receipt of application.

7.2 However, in order to facilitate political parties and candidates and to make sure that the process of pre-certification of advertisements is expedited, the MCMCs shall make best efforts to dispose of all such applications within the same day.

8. Guidelines for dealing with candidates' advertisements on TV/Cable channels/newspapers owned by political parties

8.1 If the candidate or their sponsoring parties utilize TV/Cable Channel/Newspaper owned by them for promoting the electoral prospects of the candidate, the expenses for the same as per the standard rate card of the channel/newspaper have to be included by the candidate concerned in his Election Expenditure Statement (Schedule 4A), even if the actually do not pay any amount to channel/newspaper. (Annexure-C)

8.2 The Media Certification and Monitoring Committee (MCMC) to keep a close watch on the contents telecast on such channels to identify contents of the nature mentioned above, and after following all due procedures, the notional expenses as per standard rate cards of the channel shall be added in the election expenditure account of the candidate appropriately, even if, they actually do not pay any amount to channel/newspaper. This will also include publicity by or on behalf of candidates by Star Campaigner (s) or others, to impact his electoral prospects.

9. Print Media

9.1 Certification of Political Advertisement for Print Media

9.1.1 Starting from the last phase of Bihar assembly elections in 2015, ECI, in

exercise of its power under Article 324 of the constitution has issued directions to CEOs of States/UTs that no political advertisements would be published in print media on poll day and pre-poll day in all the phases without pre-certification of State/District MCMC. This has been done to avoid any offending or misleading political advertisements through Print Media in order to not vitiate the entire election process in the last stage of the elections.

9.1.2 Before every General/Assembly election, instruction in this regard is issued by the Commission.

9.2 Timeline for submission of ads for pre-certification in print media :-

9.2.1 The applicants for pre-certification of ads in print media shall have to apply to MCMC not later than 02(two) days prior to the proposed date of publication of advertisement on poll day and pre-poll day.

9.3 Publication of advertisements/election matter in print media during elections:-

9.3.1 In reference to Section 77(1) & 127A of the R.P. Act, 1951, the Commission has directed that in the case of any advertisements/election matter for or against any political party or candidate in the print media, during the election period, the name and the address of the publisher should be given along with the matter/advertisement. Further, attention of Section 171H of IPC is also invited which prohibits incurring of expenditure, on inter alia, advertisement, circular or publication, for the purpose of promoting or procuring the election of a candidate, without authority from the candidate. For further clarification in this regard, attention may be invited to Section 77(1) & 127A of the R.P. Act, 1951.

10. The order to pre-certify political advertisements by the Hon'ble Supreme court dated 13.04.2004 was issued in exercise of the powers under Article 142 of the Constitution of India. If there is any violation of Hon'ble Supreme court order or any provisions of Cable Television Networks (Regulation) Act, 1995, an order will be issued to the violator to forthwith stop such violations and will also be open to direct seizure of the equipments. Every order shall be promptly complied with by the person(s) on whom such order is served.

Part- C

1. Paid News

1.1 Paid News disturbs the level playing field in elections and adversely affects free and fair polls by circumventing election expenditure laws and also causing undue influence on voters. The Commission has accepted the definition of Paid News given by Press Council of India which defines paid news as “Any news or Analysis appearing in any media (print and electronic) for a price in cash or kind as consideration”.

1.2 The Commission has directed that maximum vigilance may be observed so that the incidence of ‘Paid News’ or surrogate advertisements in Print and Electronic media in the context of elections is arrested. The cases of ‘Paid News’ may generally manifest in the forms of news articles/reports published about a particular candidate or a party eulogizing them, or similar news articles/reports denigrating the opponents, both intended at unduly influencing the voters. The same or similar type of news articles/reportings (with cosmetic modifications) appearing in more than one newspapers periodical would amount to further corroboration as circumstantial evidence that such news publication could result from collusion of the candidate/party with the publishers/editors/financers of the newspaper. Although, such cases have generally no transactional evidence of payment of consideration in cash or kind.

1.3 The practice of paid news has to be seen as an attempt to circumvent the provisions of Sections 77 and 123 (6) of the RP Act 1951 which prescribe accounting and ceiling of election expenses and make exceeding such prescribed limits a corrupt practice in elections.

2. PCI and NBDA Guidelines -

PCI guidelines about election news and advertising say that news should be clearly demarcated from advertisements by printing disclaimers and should be strictly enforced by all publications. As far as news is concerned, it must always carry a credit line and should be set in a typeface that would distinguish it from advertisements. Guidelines issued by **Press Council of India dated 30.07.2010, ‘Norms of Journalistic Conduct-2020’ and “Guidelines for Election Broadcasts”**

issued by NBSA (now NBDA) dt 3rd March, 2014 may be referred while scanning paid news cases (copy enclosed). Illustrations of suspected paid news cases are at Annexure-D.

3. Time period for determining paid news cases:-

3.1 With reference to Section 77(1) of Representation of the People Act, 1951 it is clarified that paid news cases may be taken into account from the date of filing of nomination by the candidate.

4. Composition of District & State level MCMC is already mentioned in Part-A. Sequence of Paid News monitoring and reporting is mentioned here below:-

4.1 District MCMC-

4.1.1 Paid news cases are scanned initially at the district level. This Committee examines complaints/issues of Paid News through a monitoring arrangement. It scans all media e.g. print media, electronic media, cable network, etc.

4.1.2 On reference from District MCMC, RO shall give notice to the candidates within 96 hrs of publication/ broadcast/ telecast/ receipt of complaint to explain/ disclose the expenditure incurred for publishing the 'news' or similar matter, or state why expenditure should not be computed as per standard rate and added to the candidate's expenditure.

4.1.3 Notice is to be issued only in suspected cases of Paid News decided by this committee and not to all the reference cases received.

4.1.4 The Committee has to decide on the reply expeditiously and convey to the Candidate/Party its final decision. The reply of the show cause notice shall be addressed to R.O. and in case no reply is received by R.O. from the candidate within 48 hrs of serving of notice, the decision of MCMC will be final.

4.1.5 District level MCMC shall decide on the reply expeditiously and RO shall convey to the Candidate/Party such final decision.

4.1.6 The candidate may appeal against the final decision of District level MCMC to State level MCMC within 48 hrs of receipt of the decision, with information to the District level MCMC.

4.2 State MCMC-

4.2.1 This Committee examines all cases of Paid News on appeal against the decision of District MCMC or cases they take up suo-motu, in which, the concerned ROs are directed to issue notices to the candidates. The State level MCMC have to dispose of the case within 96 hrs of receipt of appeal and convey the decision to the Candidate with a copy to District level MCMC.

4.2.2 The candidate may appeal against the decision of State level MCMC to ECI within 48 hrs of receiving of order from this Committee

4.2.3 The cases of suspected Paid News or advertisement or appeal shall have to be considered within strict timelines and the entire process shall ordinarily be completed within the Election period.

4.3 ECI level Committee-

4.3.1 A Committee is constituted at ECI level and has the following composition:-

- (i) Additional Director General (News), News Services Division: AIR, New Delhi
 - (ii) Additional Director General, DAVP, New Delhi
 - (iii) PCI member
 - (iv) Principal Secretary/Secretary (in-charge of Election Expenditure)
 - (v) Principal Secretary (Legal)
 - (vi) Principal Secretary (in-charge of the State/UT from where reference in received)
 - (vii) Principal Secretary (in-charge of CC & B.E. Division)
 - (viii) Director/Principal Secretary/Dy. Secretary (Media Division) - Convener
- Members at SI No. (i), (ii) & (iii) are based on nominations by concerned Ministries/Departments.

4.3.2 This committee deals with the appeal against the decision of State level MCMCs. Wherever complaints on Paid News cases are made to the Commission directly, the Commission shall forward cases to the State level MCMC for initial consideration. The Committee to also examine and recommend on references , directly received in the Commission, which are not any State/UT specific, regarding Paid News.

4.3.3 The Committee also supports policy formulation at ECI on issues like - Paid News, issues relating to usage of electronic media and print media for campaigning proposed by parties and candidates, Do's and Don'ts to be followed by both print and electronic media, etc.

5. For Paid news monitoring, following points are to be noted for systematic procedure and prompt action:-

5.1 CEOs, DEOs to brief political parties and media houses before commencement of the election campaign about instructions related to pre-certification of political advertisements on electronic media, media related provisions of the R.P. Act viz. Section 126 & Section 127A, Section 171H of IPC, Paid News and consequences of violation and to avoid surrogate advertising.

5.2 CEOs to obtain a list of television channels/radio channels/newspapers, broadcasting/ circulated in the State/UT and their standard rate cards, six months before the due date of expiry of Lok Sabha or the State/UT Legislative Assembly, as the case may be and forward it to the Commission. [In case of any technical doubt relating to the application of the standard rate card, the matter can be referred to the DAVP, Ministry of I&B, Govt. of India for advice]. This list is also to be shared with MCMC for reference to add notional expenditure in confirmed paid news cases.

5.3 In case of bye-election to a Parliamentary or Assembly constituency, the standard rate cards shall be obtained by the District Election Officer concerned immediately on announcement of the bye-election and Media Certification and Monitoring Committee (MCMC) need to take due action immediately afterwards.

d) The Media Certification and Monitoring Committee (MCMC) at District level and State level will monitor all political advertisements in relation to candidates, either overt or covert, and will intimate the Returning Officer for issue of notices to candidates for inclusion of notional expenditure based on standard rate cards in their election expenses account, even if, they actually do not pay any amount to the channel/newspaper, that is otherwise the case with "Paid News". This will also include publicity by or on behalf of candidate(s) by Star Campaigner (s) or others, to impact his electoral prospects. A copy of the notice will also be marked to the Election Expenditure Observer.

e) Legal provisions under Sec 127 A of the RP Act 1951 make it mandatory for a publisher of an election advertisement, pamphlet, etc. to print the name and address of the publisher as well as printer and failure to do so attracts penalty of imprisonment up to two years and /or fine of Rs 2000. For the purpose of Sec.127A (1) of the R.P.Act, 1951,“election pamphlet or poster’ means any printed pamphlet, hand-bills or other document distributed for the purpose of promoting or prejudicing the election of a candidate or group of candidates”. Thus, ‘Paid News’ would also fall in the category of ‘other document’ liable to be included in ‘election pamphlet & poster’ and action taken accordingly.

f) District MCMC to strictly monitor campaigns through print/ electronic media. There should be vigorous scrutiny of all newspapers, published or having circulation in the district in order to locate political advertisement in the garb of news coverage appearing within the election period. DEOs should closely monitor advertisements released in print media in any form including surrogate advertising in the form of news, and serve notices to candidates/political parties where called for, so that the expenses incurred thereon are duly reflected in the account of the concerned candidate/party.

g) Similarly, the Committee should also keep a watch on the election news/features, etc. on the electronic media in the district. When there is disproportionate coverage to the speech/activities of a candidate on television/radio channels, which is likely to influence the voters and yield electoral benefit to a particular candidate, and the same coverage appears in several channels, then the candidate should be served with notices by the DEOs to explain her/his stand as to why the coverage should not be treated as advertisement.

h) Media shall be asked to exercise self-regulation.

6. It has come to notice of ECI from the recently concluded elections that the follow up action in confirmed Paid News Cases has not been taken up promptly and further some discrepancies are also noticed in reporting format. In this regard, following action points are to be considered: -

i. Weekly report on Paid News is to be submitted by CEO to ECI in Annexure-I format on the last day of every week starting from the last date of nominations of each phase.

- ii. Further, a compiled list having information of Paid News in Annexure-I including the details from all districts is to be furnished to the Commission along with the details of confirmed cases of paid news in Annexure-II, just after the completion of elections.
- iii. All relevant documents of paid news cases with clear and legible copy [Constitution of MCMCs of the regions, Proceedings/Minutes of meetings with due reasons as to how the news considered as paid news, News reports/advertisements/cuttings of newspaper along with its Hindi/English transcript/videos/Clippings of paid news etc.] must be provided along with Annexure-II and compiled Annexure-I.
- iv. It has been observed that in certain cases, notices on paid news have been issued in large numbers while further action on the same remains pending. MCMCs may ensure that due deliberation takes place on each case and only cases that appear to be suspected cases of 'Paid News' are referred to the RO for issue of notice to the candidate. While seeing that frivolous cases are not taken up, MCMC should ensure that there is no laxity on checking actual 'Paid News'.

7. In respect of confirmed paid news cases, following actions are to be taken:-

- i) Where the suspected cases of Paid News are decided as a "Paid News" either at District level/CEO level, as the case may be, **the actual/notional expenditure shall be treated as part of election expenses of the Candidate concerned**, with due intimation to him/ her or his/her agent.
- ii) Paid News cases related to Print Media are sent to PCI and those related to Electronic Media are referred to NBSA. The same are forwarded to these authorities by ECI and not by CEO/DEO.
- iii) **The names of concerned candidates shall be put on the website of the Chief Electoral Officer of respective states.** In this regard, a separate tab in the name of 'Paid News' is to be created where the details of erring candidates will be uploaded.

- 8. It is requested that the instructions/guidelines may be brought to the notice

of all Media Monitoring and Certification Committees(MCMCs)/District Election Officers/Returning Officers/Media/Political parties, Media houses & all other Stakeholders in the State/UT for strict compliance. It may also be brought to the notice of all the stakeholders that **failure to comply with the orders of the Hon'ble Supreme Court will amount to contempt of court.**

Yours Faithfully,

(Rajesh Kumar Singh)
Under Secretary

Annexure A

APPLICATION FOR CERTIFICATION OF ADVERTISEMENT

I.

- (i) Name and full address of the applicant
- (ii) Whether the advertisement is by a political party/contesting candidate / any other person / group of persons / association/ organization / Trust (give the name)
 - (iii) (a) In case of political party, the status of the party (whether recognized National/ State / unrecognized party)
 - (b) In case of a candidate, name of the Parliamentary / Assembly Constituency from where contesting
- (iv) Address of Headquarters of political party / group or body of persons / association/ organization / Trust
- (v) Platform(s) on which the advertisement is proposed to be telecast/broadcast
- (vi) (a) Is the advertisement for the benefit of prospects of election of any candidate(s)
- (b) If so, give the name(s) of such candidate(s) with full address and name(s) of constituency (ies)
- (vii) Date of submission of the advertisement
- (viii) Language(s) used in the advertisement (advertisement is to be submitted with two copies in electronic form along with a duly attested transcript)
- (ix) Title of advertisement
- (x) Cost of production of the advertisement
- (xi) Approximate cost of proposed telecast with the breakup of number of insertions and rate proposed for each such insertion
- (xii) Total expenditure involved (in Rupees)

II.

I, Shri / Smt. _____, S/o / D/o / W/o _____, (full address) _____, undertake that all payments related to the production and telecast/broadcast of this advertisement will be made by way of cheque / demand draft.

Place:
of the applicant
Date:

Signature

III. (Applicable for advertisement by a person / persons, other than a political party or a candidate) I, Shri/Smt. _____, S/o/D/o/W/o _____, (full address, hereby state and affirm that the advertisement(s) submitted herewith is not for the benefit of any political party or any candidate and that this advertisement(s) has / have not been sponsored / commissioned or paid for by any political party or a candidate.

Place:
Date:

Signature of the applicant

Annexure – B**CERTIFICATION OF POLITICAL ADVERTISEMENT**

- I.
- (i) Name and address of the applicant /political party / candidate/ person / group of persons /association /organization/ Trust
 - (ii) Title of advertisement
 - (iii) Duration of advertisement
 - (iv) Language(s) used in advertisement
 - (v) Date of submission of advertisement
 - (vi) Date of certification for telecast
- II. Certified that the above advertisement is fit for use as per the guidelines prescribed by the Hon'ble Supreme Court of India.

Signature of chairperson/
members of committee / Designated Officer

Place:

Date:

*Applicable for telecast/broadcast on TV and Cable network/Cable Channels, advertisements to be displayed year round in Cinema Halls, Radio including private FM channels, audio-visual displays in public places, advertisements in e-newspapers, bulk SMS/voice messages, advertisements on social media and internet websites, print media (pre-poll & poll day)

Annexure-C

Schedule- 4

Details of expenditure on campaign through print and electronic media including cable network, bulk SMS or Internet or social media, news items/TV/radio channel etc., including the paid news so decided by MCMC or voluntarily admitted by the candidate. The details should include the expenditure incurred on all such news items appearing in privately owned newspapers/TV/radio channels etc.

S. No	Nature of medium (electronic / print) and duration	Name and address of media provider (print /electronic /SMS / voice/ cable TV, social media etc.)	Name and address of agency, reporter, stringer, company or any person to whom charges / commission etc. paid/ payable, if any	Total Amount in Rs. Col. (3) +(4)	Sources of Expenditure		
					Amt. By candidate/ agent	Amt. By Pol. Party	Amt. By others
1	2	3	4	5	6	7	8
1							
2							
3							
4							
Total							

Schedule-4A

Details of expenditure on campaign through print and electronic media including cable network, bulk SMS or Internet or social media, news items/TV/radio channel etc., including the paid news so decided by MCMC or voluntarily admitted by the candidate. The details should include the expenditure incurred on all such news items appearing in newspapers/TV/radio channels, owned by the candidate or by the political party sponsoring the candidate.

S. No	Nature of medium (electronic / print) and duration	Name and address of media provider (print /electronic /SMS / voice/ cable TV, social media etc.)	Name and address of agency, reporter, stringer, company or any person to whom charges / commission etc. paid/ payable, if any	Total Amount in Rs. Col. (3) +(4)	Sources of Expenditure		
					Amt. By candidate/ agent	Amt. By Pol. Party	Amt. By others
1	2	3	4	5	6	7	8
1							

Annexure-D**I Illustrations of suspected paid news cases:-**

Some illustrations of the cases for suspected paid news are prepared and can be seen here below: -

1. Identical articles with photographs and headlines appearing in competing publications carrying by-lines of different authors around the same time.
2. On the same page of specific newspapers, articles praising competing candidates claiming that both are likely to win the same elections.
3. News item stating that one candidate is getting the support of each and every section of society and that he would win elections from the constituency.
4. News items favoring a candidate, not carrying any byline.
5. Newspaper publishing a banner headline stating that a party/candidate is ready to create history in the state/constituency but not carrying any news item related to this headline.
6. News item saying that the good work done by a Party/Candidate had marginalized the electoral prospects of the other party/candidate in the state with each and every sentence of the news item in favor of the party/candidate.
7. There are instances of fixed size news items, each say of a length of 125- 150 words with a double-column photo. News items are seldom written in such a rigid format and size whereas advertisements are most often.
8. In specific newspapers, multiple font types and multiple drop case styles were noticed within the same page of a single newspaper. This happened because - the layouts, fonts, printouts, photographs - were provided by candidates who had paid for slots in the pages of the newspaper.

Annexure-E

1. Letter no. 509/75/2004/JS-I dated 15.04.2004 regarding Supreme Court's Order dated 13th April 2004 relating to advertisements of political nature in TV Channel and Cable Network and Letter No. 509/75/2004-JS-I, dated 22.07.2004 regarding Commission's Order dated 15.4.2004 relating to advertisements of political nature on TV Channel and cable networks
2. Letter no. 3/9/2004/JS-II dated 24.08.2004 on restrictions on the Printing of pamphlets, posters etc.
3. Letter no. 509/75/2004/J.S.-I/Vol. II dated 26.09.2007 regarding Supreme Court Order dated 13th April 2004, relating to advertisement of political nature on TV Channel and cable networks.
4. Letter no. 509/75/2004/JS-I/Vol.II/RCC dated 21.11.2008 and 18.03.2009 regarding advertisements of political nature on TV channels and Cable Networks and on Radio- clarification
5. Letter no. 3/ER/2009/SDR dated 19.03.2009 regarding advertisements of political nature on TV channels and Cable Networks and on Radio
6. Letter no. 491/Media/2009 dated 18.03.2011 regarding measures to check "Paid News" during elections i.e. advertisement in the garb of news in Media.
7. Letter no. 491/Paid News/2012/Media dated 27.08.2012 regarding Measures to check 'Paid News' during elections i.e. advertisement in garb of news in Media and related matters-revised guidelines.
8. Letter no. 491/Media Policy/2013 dated 10.10.2013 regarding clarification on certification of advertisement at public places.
9. Letter no. 491/Paid News/2014 dated 07.02.2014 and 26.02.2014 clarification on certification of advertisement and Composition of Media Certification and Monitoring Committees on Certification and Paid News.

10. Letter no. 491/MCMC/2014(Communication) dated 15.03.2014, 24.03.2014, 11.04.2014, 12.04.2014 and 25.04.2014 regarding Clarification of Political Advertisement, Certification of advertisement on political nature on electronic media, Guidelines on applications received from individuals seeking pre-certification of ads of political nature on TV Channels/Cable Network/ Radio regarding.
11. Letter no. 491/Media Policy/2015/Communication dated 28.05.2015 regarding Pre-Certification of political advertisements – Use of bulk SMSs/ voice messages in political campaigning
12. Letter no. 491/Media/2011 (Advt) dated 16.08.2011 & Letter no. 491/Media Policy/2016 dated 03.01.2016 for dealing with candidates' advertisements on TV/Cable channels/newspapers owned by political parties or their functionaries/office bearers during elections.
13. Letter no. 491/MCMC/2018/Communication dated 13.09.2018 on provision of pre- certification of political advertisements applicable in the whole territory of India at all times
14. Letter no. 491/Paid News/2019/Communication dated 25.02.2019 on inclusion of a social media expert in the MCMC
15. Letter no. 491/MCMC/2021/Communication dated 19.03.2021 regarding reconstitution of State Level MCMC.
16. Letter No. 491/Media/2010 dated 8th June, 2010 regarding measures to check “Paid News” during elections i.e. advertisement in the garb of news in Media.
17. Letter No. 491/Media Policy/2010 dated 23rd September, 2010 regarding measures to check “Paid News” during elections i.e. advertisement in the garb of news in Media.
18. Order No. 491/Paid News/2012/Media dated 15th March, 2012 regarding Constitution of a Committee at ECI level with a view to examine complaints/ references of “Paid News” received from State CEOs/MCMC

19. Letter No. 491/Paid News/2012/ Media dated 9th October, 2012 regarding Timeline for the candidate to reply to the notice issued by District/ State MCMC.
20. Letter No. 491/Paid News/2012/ Media dated 15th October, 2012 regarding inclusion of advertisement to be displayed in cinema halls.
21. Letter No. 491/Media Policy/2013 dated 7th March, 2014 regarding Measures to check 'Paid News' during elections i.e. advertisement in garb of news in Media and related matters – Revised Guidelines.
22. Letter no. 491/Media Policy/2016 dated 10.03.2016 regarding timeline for certification of political advertisement.
23. Letter No. 491/Paid News/2014 dated 22nd April, 2014 regarding Measures to check paid news during elections – time period for determining paid news against a candidate - Clarification.
24. Letter No. 491/SM/2013/Communication dated 25.10.2013 regarding Instructions of the Commission with respect to use of Social Media in Election Campaigning
25. Letter No. 491/SM/Comm./2013 dated 16.04.2014 regarding Clarification in respect of advertisements on social networking sites and E-Papers.
26. Letter No. 491/Paid News/2019 dated 4th June, 2019 on publicizing the confirmed cases of paid news on CEO's website as a measure to check its spread during elections.
27. Letter no. 491/MCMC/5/2023/Communication dated 04.08.2023 regarding reconstitution of State Level MCMC.

Signature

ELECTION COMMISSION OF INDIA

Nirvachan Sadan, Ashoka Road, New Delhi-110001

No. 491/SM/2013/Communication

Dated: 25th October, 2013

To,

1. Chief Electoral Officers of all States and Union Territories
2. Presidents/General Secretaries of All National/State recognized Political Parties.

Subject: Instructions of the Commission with respect to use of Social Media in Election Campaigning.

Sir,

The Commission's attention was drawn to use of social media for election campaigning and also certain violations of the Electoral Law in the social media, which need to be regulated in the interest of transparency and level playing field in the elections.

Social media refers to the means of interactions among people in which they create, share, and/or exchange information and ideas in virtual communities and networks. It differentiates from traditional/industrial media in many aspects such as quality, reach, frequency, usability, immediacy, and permanence. The prevalence of Web and social media has increased over the years and there have been demands from the political and social groups to regulate the social media during elections as other media is regulated.

There are broadly five different types of social media:

- a) collaborative projects (for example, Wikipedia)
- b) blogs and micro blogs (for example, Twitter)
- c) content communities (for example, YouTube)

- d) social networking sites (for example, Facebook)
- e) virtual game-worlds (e.g., Apps)

Legal provisions relating to election campaigning apply to social media in the same manner in which they apply to any other form of election campaigning using any other media. Since social media is a relatively new form of media, it appears necessary to clarify to all concerned by the following instructions:-

A. Information to be given by candidates about their social media accounts.

Candidates are required to file affidavits in Form-26 at the time of filing of nominations. Detailed instructions and the format in which the affidavits have to be filled were issued vide the Commission’s letter No. 3/4/2012/SDR dated 24, August, 2012. Para 3 of this Form requires that email ID of the candidate, if any, should be communicated to the Commission in this Form. The Commission finds it necessary that authentic social media accounts of candidates should also be informed to the Commission. This information should be furnished in the said Para 3 as follows:-

“My contact telephone no.(s) is/are.....,
 my email ID (if any) is,
 and my social media accounts (if any) are.....”

B. Pre-Certification of Political Advertisements

In pursuance of the Hon’ble Supreme Court of India’s Order in SLP (Civil) N. 6679/2004, dated 13 April,2004, the Commission issued detailed instructions on this subject vide its order no. 509/75/2004/JS-1/4572 dated 15.04.2004. In this order, it was stated that every registered/national and State political party and every contesting candidate proposing to issue advertisements on television channels and/ or on cable network will have to apply to Election Commission of India/designated officer for pre-certification of all political advertisements on electronic media before the publication. The order was further modified and consolidated vide Commission’s order dated 27.08.2012, wherein Media Certification and Monitoring Committees at district and State levels were given the responsibilities of pre-certification of such advertisement along with other

functions viz acting against Paid News etc. Since social media websites are also electronic media by definition, therefore, these instructions of the Commission contained in its order No.509/75/2004/JS- 1/4572 dated 15.04.2004 shall also apply mutatis mutandis to websites including social media websites and shall fall under the purview of pre-certification.

You are, therefore, requested to ensure that no political advertisements are released to any internet based media/websites, including social media websites, by political parties/ candidates without pre-certification from competent authorities in the same format and following the same procedures as referred in the aforesaid orders.

C. Expenditure on campaigning through internet including social media websites.

According to Section 77, sub section (1), of Representation of the People Act, 1951, every candidate is required to keep a separate and correct account of all expenditure in connection with the election incurred or authorized by him or by his election agent between the date on which he has filed nomination and the date of declaration of the result thereof, both dates inclusive. The Hon'ble Supreme Court of India had directed in Common Cause Vs. Union of India in 2005 that political parties should also submit a statement of expenditure of elections to the ECI and such statements are required to be submitted within 75 days of assembly elections and 90 days of Lok Sabha elections. It is obvious that expenditure on election campaign through any advertisement in social media is a part of all expenditure in connection with the elections.

For the sake of removing any ambiguity, it is hereby directed that candidates and political parties shall include all expenditure on campaigning, including expenditure on advertisements on social media, both for maintaining a correct account of expenditure and for submitting the statement of expenditure. This, among other things, shall include payments made to internet companies and websites for carrying advertisements and also campaign related operational expenditure on making of creative development of content, operational expenditure on salaries and wages paid to the team of workers employed by such candidates and political parties to maintain their social media accounts, etc.

D. Application of Model Code of Conduct to content on internet including social media.

The Commission has a model code of conduct in place during the elections in respect of political parties and candidates which remains in force from the date the elections are announced by the Commission till the completion of elections. It is clarified that the provisions of model code of conduct and related instructions of the Commission issued from time to time shall also apply to the content being posted on the internet, including social media websites, by candidates and political parties.

- E. As far as the content posted by persons other than candidates and political parties is concerned, the Commission is considering the matter in consultation with the Ministry of Communication and Information Technology on practical ways to deal with the issue, in so far as they relate to, or can be reasonably connected with, the election campaigning of political parties and candidates.

These instructions may please be brought to the notice of all concerned including candidates, political parties, media and election observers for immediate necessary action.

Yours faithfully,

(Rahul Sharma)

(Under Secretary)

Tel. 011-23052070

Email: rahulsharma.eci@gmail.com

ELECTION COMMISSION OF INDIA

Nirvachan Sadan, Ashoka Road, New Delhi-110001

No. 491/SM/Comm./2013

Dated: 16th April, 2014

To

Chief Electoral Officers, All State/UTs

Subject: Clarification regarding social networking sites and E-Papers-regarding.

Sir/Madam,

I am directed to clarify the following for information and compliance by all concerned.

- i. Any political content in the form of messages/comments/photos/videos being posted/uploaded on the 'blogs/self accounts' on websites/social media websites will not be treated as political advertisement and therefore would not require pre-certification. Even if the same is posted/uploaded by political parties/candidates, it would not fall within the meaning political advertisement and would not be subject to directions/guidelines issued by the Commission.
- ii. As per provisions contained in Commission's letter no. 491/Paid News/2014 dated 26.02.2014 political advertisements issued in e-papers of any newspapers shall invariably require pre-certification by the concerned Committee.

Yours faithfully,

(Rahul Sharma)

Under Secretary

Voluntary Code of Ethics



Voluntary Code of Ethics for the General Elections 2019

Preamble

The Internet has created opportunities for all to access reliable information, seek out credible sources, and obtain relevant facts. The web's openness has made these benefits available to all no matter who they are and where they are located.

This equally applies to elections, which are key to nurturing and strengthening a democratic culture. A free and fair election is the foundation of democracy. Access to reliable information and communication platforms via the Internet enables people to make informed choices in exercising their franchise during elections.

Keeping this context in mind and as per recommendations of the Sinha Committee Report, Participants recognise that while their products/services allow users to post content, the Participants are neither the author(s) nor the publisher(s) of such content. However, the Participants have together developed this 'Voluntary Code of Ethics for the General Elections 2019' (Code) and are committed to helping support such democratic processes by improving the integrity and transparency of the electoral process.

The Participants recognize that their group companies provide and administer different products and services, each operating under different business models and technologies while having varying audiences. Therefore, the Participants will endeavour to ensure that such products/ services meet the spirit of the Code while accounting for the diverse nature of the products/ services, which are governed by their respective product policies.

The Code shall apply within the existing legal framework in India. In case of any conflict between the voluntary framework and the existing legal framework, the legal framework will prevail.

Purpose of the Code

The purpose of this voluntary Code is to identify the measures that Participants can put in place to increase confidence in the electoral process. This is to help safeguard the products

A handwritten signature in blue ink, appearing to be 'Dive', is located at the bottom right of the page.



and/ or services of the Participants against misuse to vitiate the free and fair character of the 2019 General Elections in India.

Commitments

The Participants will endeavour to meet, in good faith and to the best of their ability, the following commitments during the 2019 Lok Sabha General Elections in India:

1. Participants will endeavour to, where appropriate and keeping in mind the principle of freedom of expression, deploy appropriate policies and processes to facilitate access to information regarding electoral matters on their products and/ or services.
 2. Participants will endeavour to voluntarily undertake information, education and communication campaigns to build awareness including electoral laws and other related instructions. Participants will also endeavour to impart training to the nodal officer at ECI on their products/ services, including mechanism for sending requests as per procedure established by law.
1. Participants and the Election Commission of India (ECI) have developed a notification mechanism by which the ECI can notify the relevant platforms of potential violations of Section 126 of the Representation of the People Act, 1951 and other applicable electoral laws in accordance with procedures established by law. These valid legal orders will be acknowledged and/ or processed within 3 hours for violations reported under Section 126 as per the Sinha Committee recommendations. All other valid legal requests will be acted upon expeditiously by the Participants, based on the nature of reported violation.
1. Participants are creating/opening a high priority dedicated reporting mechanism for the ECI and appoint dedicated person(s) / teams during the period of General Elections to interface with and to exchange feedback as may assist with taking expeditious action upon receipt of such a lawful request, following due legal process, from the ECI.



2. Participants will provide a mechanism for relevant political advertisers, in accordance with their obligations under law, to submit pre-certificates issued by ECI and/ or Media Certification & Monitoring Committee (MCMC) of the ECI in relation to election advertisements that feature names of political parties, candidates for the 2019 General Elections. Further, Participants shall expeditiously process/action paid political advertisements lawfully notified to Participants by the ECI that do not feature such certification.
3. Participants will commit to facilitating transparency in paid political advertisements, including utilising their pre-existing labels/ disclosure technology for such advertisements.
4. Participants will, pursuant to a valid request received from the ECI, via Internet and Mobile Association of India (IAMAI) provide an update on the measures taken by them to prevent abuse of their respective platforms.
5. IAMAI will coordinate with the Participants on the steps carried out under this Code and IAMAI as well as Participants will be in constant communication with the ECI during the election period.

Entry into Force

This Code will become effective and will enter into force on 20 March 2019 and will be in force for the duration of the 2019 Indian General Elections.

A handwritten signature in blue ink is located in the bottom right corner of the page. The signature is stylized and appears to be 'R. V.' with a horizontal line underneath.

Subho Ray
President
9464347198



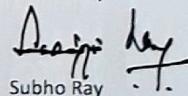
23 September, 2019

Dear Sir,

Subject: Voluntary Code of Ethics – reg.

1. Please refer your office letter No 491/Social Media/2019/Communication dated 02nd September 2019 and the meeting held at the office of Sh. Umesh Sinha, Sr. Deputy Election Commissioner on 19th September 2019.
2. Internet and Mobile Association of India on behalf of its members who are signatories to the “**Voluntary Code of Ethics**” (VCE) for the General Elections to Lok Sabha, 2019 are pleased to inform that we would observe the VCE during all elections subject to the Election Commission of India being the nodal office for all types of communication with the Social Media platforms on matters relating to the VCE.
3. We would be happy to cooperate with the Election Commission of India in ensuring the conduct of free and fair elections.

Yours Sincerely


Subho Ray

To:

Shri. Standhope Yuhlung
Principal Secretary
Secretariat of the Election Commission of India
Nirvachan Sadan, Ashoka Road
New Delhi – 110001

Copy to:

Shri. Dharendra Ojha
Director General, Communications
Election Commission of India
Nirvachan Sadan, Ashoka Road
New Delhi – 110001

Internet and Mobile Association of India

Mumbai : 406, Ready Money Terrace, 167, Dr Annie Besant Road, Worli, Mumbai - 400 018 (INDIA) Tel: +91-22-6176 6666, Fax: +91-22-6176 6605
Delhi : 28, First Floor, Okhla Industrial Estate, Phase-III, New Delhi 110 020 (INDIA) Tel : +91-11-4176 6666, Fax: +91-11-4176 6605
Bangalore : 501-509, Tower-D, 5th Floor, Diamond District, No-150, Old Airport Road, Kodihalli, Bangalore 560 008 (INDIA)

ELECTION COMMISSION OF INDIA

Nirvachan Sadan, Ashoka Road, New Delhi-110001

No. 491/SM-SOP/2023/Communication

Dated: 12th June, 2023

To,

Chief Electoral Officers of all the States/UTs

Sub: Setting up of a Permanent Media Cell and a Social media Cell- reg.

Sir,

You are requested to refer DO letter/e-mail no. 491/Media-cell/2021/Communication/ dated 23.06.2021 (copy enclosed), regarding setting up of a Permanent Media Cell in the Office of CEO. Further attention is invited to Commission's letter dated 6th Sept, 2016 (copy enclosed), whereby considering the relevance of social media, all CEOs were directed to build capacities to use social media and to depute proficient team for this purpose and to start their official social media accounts for sharing information relating to voter education, voter registration, MCC, pre-certification and other related issues.

2. In view of the above, CEOs of all States/UTs shall ensure that a Permanent Media Cell and social media Cell is set up and functioning with appointment of a nodal officer at the level of Additional/Joint CEO.

The following shall be the roles and responsibilities:

A. **Roles & Responsibilities of Media Cell**

- Appointment of a Media Nodal Officer of the level of Additional/Joint CEO
- Sustained year-round communication to be maintained with media
- Pushing positive stories including SVEEP initiatives in media. Regular interaction with local/vernacular media to highlight Voter awareness activities, best practices and sharing stories on unique initiatives taken for election management in the state/district.

- Organizing Press Conferences/media briefings for important events like SSR, NVD, Commission visits, etc.
- Ensuring appropriate display of all Press Notes, State Fact Sheet, success stories, Photo/Video Gallery, link to ECI website & Commission's profile on CEO website
- Establish a distribution/dissemination channel (like Whats app group) for instantaneous reach till DEO/BLO level of any important decision/matter.
- Monitoring of media for any fake news items. In case of any fake news and disinformation campaign, media to be informed of factually correct details on real time basis to minimize spread of misinformation.
- Daily media coverage covering critical matters along with analysis is to be shared during the election period with the Commission. Coverage feedback to be analysed for course correction if any required. Instructions are issued separately to poll going states.
- Organize workshops with the local media houses to apprise them about the ECI instructions related to pre-certification of political advertisements on electronic media and media related provisions of the RP Act - Section 126(1)(b) & Section 126A of the RP Act 1951 (silence period, opinion poll & Exit poll guidelines) and ECI Paid News Guidelines.

B. Roles & Responsibilities of Social media Cell

- Appointment of a Social Media Nodal Officer at the level of Additional/Joint CEO
- Minimize the Spread of Fake News and Disinformation campaigns. Monitoring of social media for fake News and subsequent Fact Check /response on social media handles.
- Ensuring regular outreach through social media platforms of important decisions, SVEEP Activities & campaigns, information dissemination to media persons, information and updates on special events and activities like National Voters Day, Special Summary Revision, Conferences, workshops, etc.
- Voter awareness campaigns on social media platforms throughout the year focusing on registration and election related literacy.
- Small videos/Interaction with State and District Icons to motivate voters for registration and also cast their vote on the poll day.
- Dissemination of necessary information relating to electoral process at the field level

- Engagement through Crowd sourcing of content: Encouraging participation through various online contests
- Ensuring social media updates on pre-poll day and poll day as per SOP (copy enclosed)
- Regular resharing of content posted on ECI social media platforms from CEO platforms.
- Content to be shared in respective state/local language
- Trendy formats like Instagram reels, YouTube Inshorts for content development to be used
- Collaborate with social media teams of Press Information Bureau, Public Broadcaster AIR and Doordarshan, State DIPR in the State/region for amplification of the social media content.

3. In view of the forthcoming Lok Sabha Elections 2024, all CEOs shall take necessary steps to ensure manpower and resources for functional Media and Social Media Cell to perform above roles and responsibilities.

4. Similarly District Election Officers, should also initiate similar move for dissemination of necessary information related to electoral process and countering fake news, sharing of best practices and success stories in election management, etc. Activities like capturing of campaign & SVEEP activities such as videos, audio and photographs should be encouraged.

5. Further, the updated details (as under) of Media & Social Media Nodal Officer appointed by concerned CEO Office may also be provided to the Commission.

1. Name and Designation
2. Mobile Number
3. E-mail

Enclosures (as above)

Yours faithfully,
(RAJESH KUMAR SINGH)
UNDER SECRETARY

p12 same
R.V.F. 24/06/21

Sample DO letter to CEOs



भारत निर्वाचन आयोग
Election Commission of India
S.B. Sharan, Director General (Media)

निर्वाचन सदन
NIRVACHAN SADAN
अशोक रोड, नई दिल्ली - 110 001
ASHOKA ROAD, NEW DELHI-110 001

DO No.491/Media-Cell/2021/Communication /733

Dated: 23rd June, 2021

Dear *Sh. Raju,*

As one of the pillars of democracy, Media has always been an important ally of the Commission in election management. Considering the reach and impact of modern day media, it becomes inevitable to have a sustained communication with the Media. Since Media is also one of the stakeholders in electoral process, its role in dissemination of information for free and fair elections in the country cannot be undermined.

2. Considering the relevance particularly of social media, for dissemination of information and communication with voters and other stakeholders, the Commission has desired that a permanent Media Cell be established in all CEO offices at State/UT level. All the Chief Electoral Officers are expected to establish a permanent Media Cell which will have following set of duties:-

- i. Collect press coverage feedback of various election process related activities and share relevant ones with ECI HQ at newsbulletin@eci.gov.in.
- ii. Have regular interaction with local media to highlight SVEEP/awareness activities like ELC and best practices stories/articles to be published regularly in regional/vernacular papers.
- iii. Stories on some of the unique initiatives taken by respective CEOs, DEOs also to be shared with ECI for getting coverage in national dailies.
- iv. Sustained communication to be maintained with media by the Media Cell of CEO office, headed by a Nodal Media Officer at least of the rank of Additional/Joint CEO.
- v. Minimize spread of misinformation, dissemination of correct information on real time basis.

Tel : 011-23052205-16, Fax : 011-23052223-25, Website : www.eci.gov.in

“मजबूत लोकतंत्र - सबकी भागीदारी”
“Greater Participation for a Stronger Democracy”

3. Accordingly, Commission has directed that all CEOs need to take necessary steps to ensure manpower to establish a permanent media cell to perform above mentioned duties.

4. In addition, as discussed in the review meeting held by the Commission on 15th June 2021, please undertake steps to publish relevant newspaper advertisements and periodic press releases to educate new voters about voter enrolment benefits and procedures to ensure wide dissemination of information. As directed intimate the action taken in this regard also in the monthly feedback DO desired by the Commission.

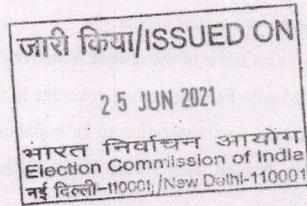
With kind regards.

Yours sincerely,



(S.B. Sharan)

Dr. S. Karuna Raju,
Chief Electoral Officer,
Punjab, Chandigarh.



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

491/SM/ 2015 /Communication

Dated: 6th September, 2016

To

CEOs of All States & UTs

Subject:- Use of Social Media- reg.

Sir/Madam,

1. Of late, Social Media has occupied a very important place in the world of communication. There has been increasing demand for the use of social media for a better outreach and communication with the voters and dissemination of election related information to them. In the recent elections, many States used social media in varying degree as a tool and platform for the communication with electors, especially with youth and other stakeholders.
2. Considering the relevance of social media for dissemination of information and communication with voters and other stakeholders, the Commission has desired to build capacities to use social media at State/UT or district level. All the Chief Electoral Officers and District Election Officers are expected to start their official accounts on Facebook, Twitter, or Youtube channel. CEO's social media platform should mainly propagate information relating to voter education, voter registration, MCC, pre-certification and other connected issues. They should also crowd source SVEEP creatives from the voters especially from students or youth. CEOs should also setup a Social Media Cell in their offices to make meaningful use of social media and also to handle MCMC, code of conduct, pre-certification, suggestions of various stakeholders. CEOs may make use of expert agency and necessary staff in order to professionally handle the Social Media.
3. Similarly, at the district level District Election Officers should also initiate the similar move as directed for the CEOs Office for dissemination of

necessary information relating to electoral process. At the field level, the activities like capturing of other campaign activities such as video, audio and photographs should be encouraged for the social media. Complaints received on the social media platform should be promptly addressed to.

4. It is also directed that all the vital information relating to electoral roll revision process such as NERP should be disseminated to the voters and stakeholders in a more innovative and interesting way. Collaboration or partnership with Social Media pages and links of Civil Societies or Educational Institutions will help in developing the synergy.
5. The Social Media Cell proposed to be setup at ECI level will regularly monitor the performance of States/UTs & the districts and will also be guiding them for greater and effective use of Social Media platforms and will train the State level master trainers from time to time.
6. CEOs shall take necessary steps as directed and shall issue necessary instructions to all the DEOs in this regard.
7. CEOs may also consult other CEOs of recently poll-gone states on their experience on use of Social Media.

Yours faithfully,

(Dhirendra Ojha)
Director

Standard Operating Procedure for Social media posts

Pre-poll and poll day:

The information dissemination needs to happen throughout the pre-poll and poll day to build the positive narrative about the election activities.

Use of social media:

DEOs and CEOs need to ensure regular updates on social media by putting out information/photos/short videos related to preparation for the poll day. Use of twitter, Facebook, Whatsapp and other social media need to be ensured.

Pre-Poll day	Poll-day
<p>Information, photos and short videos of following to be put out about the preparations:</p> <ul style="list-style-type: none"> • Information regarding vastness of activity (like number of polling booths, electorates, ACs etc. should be put out from DEO and CEO handles mentioning district and state level data. • Dispatch of polling parties. • Dispatch of material to various locations including difficult terrain and geographically remote locations, unique polling stations set up, etc. • Meetings by DEOs/ CEOs if any • Other relevant information 	<p>Information, photos and short videos of following to be put out on various social media platforms of DEOs/CEO:</p> <ul style="list-style-type: none"> • As a standard protocol, photos/ information regarding peaceful voting in various polling booths. • Photos/Videos on PwD and elderly persons being assisted by ECI officials, participation of different categories of voters including Women, first time voters, centenarian voters, Third gender voters, etc. • Assured minimum facilities at PS, Facilities like pick and drop facility, wheel chairs at PS, etc. • Model polling stations, all women booths, PwD managed polling stations, Youth managed polling stations.

Pre-Poll day	Poll-day
<p>The efforts should be made to showcase the cultural diversity, uniqueness of the activity, different gender, linguistic, cultural groups, polling teams reaching the last mile to ensure participation, etc.</p> <p>The above activity should start at 8am in the morning.</p>	<ul style="list-style-type: none"> • Information photos on arrangements for COVID Appropriate Behavior like maintaining social distancing, hand sanitizers at polling booths (arrangements as per instructions, if any). • Any other unique photos/ information/ videos etc. <p>The above activity should start at 7am-7.30am in the morning.</p>
<p>The updates should be shared at regular intervals, every two hours, to the local/ regional media along with social media updates.</p>	

Information dissemination:

- The social media posts from ECISVEEP and SpokespersonECI should be retweeted by CEO handles immediately.
- All the social media information should be tagged, compulsorily to ECISVEEP and SpokespersonECI social media handles. Select tweets by CEOs would be retweeted by @SpokespersonECI and @ECISVEEP.
- CEO social media handles to ensure select retweeting/ re-publishing of DEO social media activities.
- DEOs/CEOs should ensure that all important regional handles of public broadcaster (DD and AIR), PIB and state information departments should be tagged, for its further dissemination.
- CEOs should ensure that the timely dissemination of information to the regional media - print & electronic, including public broadcaster.
- CEOs should take assistance from regional PIB and state Information department, for reaching out to media at large.
- Tentative Hashtags for updates, which could be used:
#AssemblyElections(year)
State Specific- #(State)Election(year): for eg: #KarnatakaElections2023 (Sample)
For bye-elections- **#ByeElections(year)**
For Parliamentary Elections: **#Loksabab2024**
Other standard hashtags that can be used:
#ECI #NoVoterTobeleftBehind #iVote4Sure #GoVote

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

No. 491/SM/2023/5/Communication

Dated:3th August, 2023

To,
Chief Electoral Officers of all the States/UTs

Sub: SOP for Quick Response Management on Fake News related to elections- reg.

Sir/Madam,

With reference to the subject cited, it is stated that a number of cases of Fake News on election matters viz. EVMs, indelible ink, electoral roll, law & order, postal ballot facility etc. circulated during election and non-election period have been noticed by the Commission. Such fake news items/disinformation campaigns have the potential to promote mistrust amongst various shareholders on the electoral process and in some cases even result in law-and-order issues. It disturbs the level playing field, polarizes public opinion may also lead to social discord.

In view of above, an 'SOP for Quick Response Management' (copy enclosed) has been prepared for identification and quick response in cases of Fake News and misleading/unverified media stories, during election and non-election period. Further, the SOP may kindly be shared with DEOs also for swift action and better coordination in future cases of fake news.

Yours faithfully,

(RAJESH KUMAR SINGH)
UNDER SECRETARY

Media & Communication Division

Standard Operating Procedure (SOP) for Quick Response Management

Index

1. Introduction
2. Setting up of Media Cell
3. SOP for response to a Media Story
4. SOP for action on Fake News/Misinformation on social media
 - a. National /Generic Issues – Response by ECI
 - b. Localised Issues (during elections)- Response by CEO/DEO
 - c. Localised Issues (during non-election period)- Response by CEO/DEO
5. Response Timeline
6. Quick Response Team for countering fake news/misleading media stories at ECI level
7. Proforma for reporting Violations & Action Taken
8. A list of probable fake narratives during elections
9. Link to SMPs legal portals/Email for reporting violations
10. Legal Provisions

1. Introduction

A number of cases/links/videos/posts/fake news etc. related to elections are either forwarded or noticed by the Commission during election and non-election period. Such news items have the potential to promote mistrust amongst various shareholders on the electoral process and in some cases even result in law-and-order issues. It disturbs the level playing field, polarizes public opinion and such disinformation campaigns may also lead to social discord. Accordingly, an SOP has been prepared for identification and quick response to any fake news/misinformation and Media Story as under.

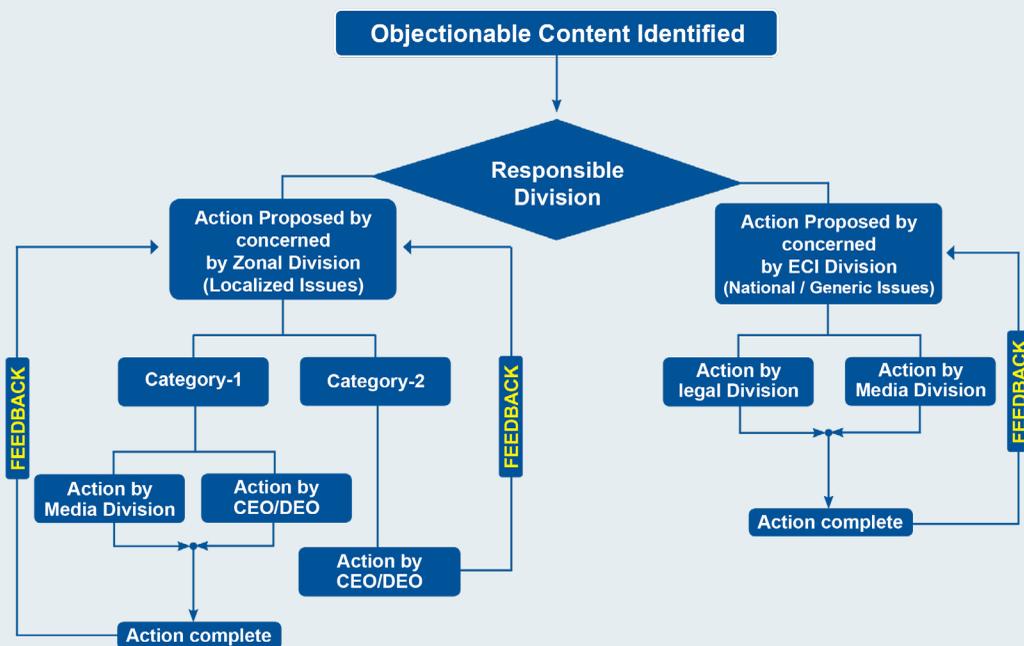
2. Setting up of a Media Cell at CEO & DEO/RO level

The media cell to regularly monitor and scan the media space for any fake news and misleading stories. Shall Fact Check and respond to any fake news identified and amplify through local media and social media platforms.

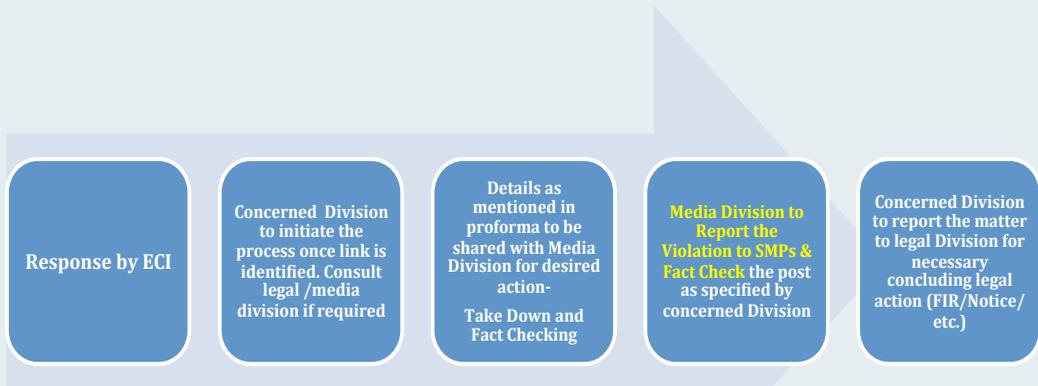
3. SOP for response to Media Story (in mass media such as newspapers/TV channels/Online news portals, blogs, etc)

District specific story	State Specific Story	National level Story
<ul style="list-style-type: none"> • DEO to ascertain local facts and prepare an immediate response in consultation with State CEO, based on damage potential. • State CEO to brief Zonal DEC to brief the Commission, if required • Zonal DEC to consult DG Media for response strategy, if required on case to case basis • After approval, response to be issued to local media/on social media by DEO • If required, a detailed response to be issued after consulting CEO & Zonal DEC. • Response to be amplified by CEO Social Media • Response issued shared with the Commission by Zonal DEC 	<ul style="list-style-type: none"> • CEO to ascertain local facts and prepare an immediate response in consultation with Zonal DEC, based on damage potential • Zonal DEC to brief the Commission of the matter, if required • Zonal DEC to consult DG Media for response strategy • After approval, response to be issued to state media/on social media by CEO (in vernacular language also) • If required, a detailed response to be issued after consulting Zonal DEC & DG Media. • Immediate & Detailed Response issued is shared with the Commission by Zonal DEC • Response to be amplified by ECI Social Media and shared with National Media by DG media (to be decided on case to case basis) 	<ul style="list-style-type: none"> • Division in-charge at ECI to prepare an immediate response in consultation with DG Media • Division in-charge to brief the Commission on the matter, if required • Dissemination Strategy to be briefed to the Commission by DG Media on case to case basis • After approval of the response and strategy by the Commission, response to the national media/ECI social media to be shared by DG Media • If required, a detailed response to be issued • Immediate and Detailed Response to be shared with the State CEO/CEO(s) if having implication in the state/states. • CEOs to amplify the response by sharing with local media. Also to be shared locally in vernacular language

4. SOP for action on Fake News/Misinformation/Disinformation on social media



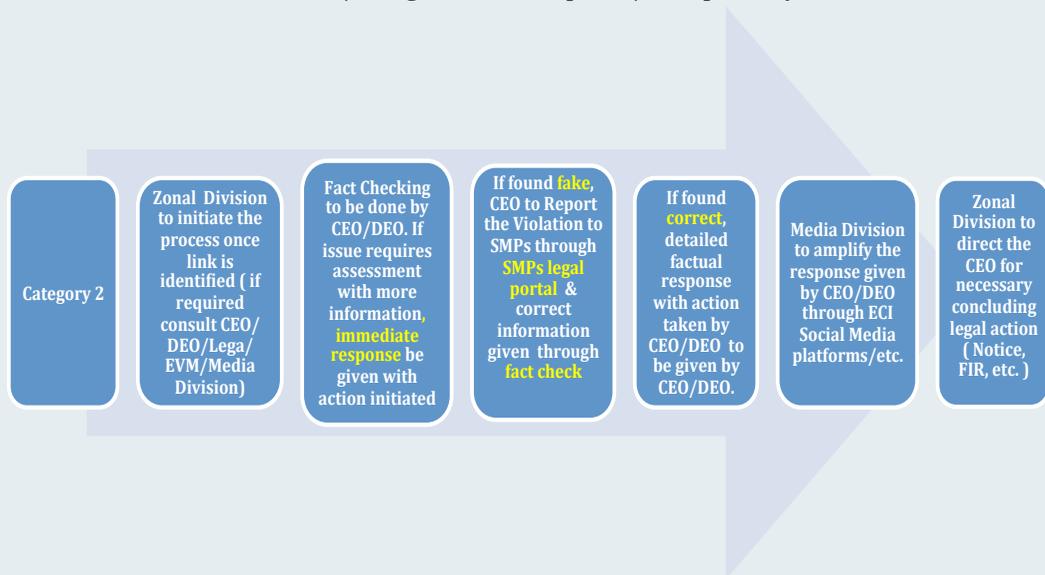
a. National/Generic Issues – Response/Action by ECI (during election and non-election period)



b. Localized Issues (during Election period)- Response by CEO/DEO



c. Localized Issues (during non-election period) – Response by CEO/DEO



5. **Response Timeline** – **3 hrs** for an immediate response and **24 hrs** for a detailed response, if the issue requires further investigation/more information;
Immediate response to provide factually correct information including action initiated and
Detailed response to provide details of the investigation, relevant factual details and action taken
6. **Quick Response Team for countering fake news/misleading media stories at ECI level:** A multidivisional response team consisting of officials from EVM, Legal, Media, MCC, ER, Political Parties, EDMD and Zonal DEC In charge for taking instant action on any such case being notified. A Whats app group may be formed of officials for smooth and fast coordination and decision making.

7. Proforma for reporting Violations on social media & Action Taken

S. No	Particular	Details
1.	Initiating Division	Zonal/EVM/ER/MCC/PP/etc.
2.	Source of violation / case (Platform)	Facebook/Twitter/YouTube/Whats App/Google/Koo, etc.)
3.	Clickable link /Whatsapp no	Give actual clickable link of the violation/Whats App number
4.	Brief of the violation/case	Gist of the matter specifically where violation has happened in English
5.	Provision violated (Legal)	Specific legal clause of the RP Act/IPC/ECI Conduct of Election Rules/MCC etc.
6.	Transcript (if required)	Brief Gist in English of the issue where violation has happened
7.	Action as desired by concerned Division/Zonal:	Take Down; Fact Check/Response; Amplification of the response
8.	Correct Factual Information (In brief) for Fact Check	Factual details for dissemination of correct information.

Signature

Action Taken by Media Division/CEO (Tick mark)

1. Reported to SMPs for killing the post/Take down
2. Fact Check /Response disseminating correct information
3. Amplification of the CEO/DEO response

Signature

8. A list of probable fake narratives during elections:

FAKE NARRATIVES DURING ELECTIONS	
SUBJECT	Probable list of Fake Narratives
EVM	<ul style="list-style-type: none"> ● Capturing of EVM ● EVMs can be hacked ● VVPAT Slips from training, mock polls ● Training EVMs projected as polled EVMs ● Unauthorized movement/transportation of EVMs ● Ban on EVMs ● Fake EVMs ● No security at strong room ● Warehouse related ● EVM taken out of warehouse
Law & Order	<ul style="list-style-type: none"> ● Violence videos from other regions, times being released with present election contexts (Dated videos) ● CAPF stopping voters from reaching polling stations ● Fake Violence videos ● Certain groups capturing and sloganeering at polling booths ● Bogus voting/ Rigging/Booth capturing ● Certain groups not allowed to come to booth
Electoral Roll	<ul style="list-style-type: none"> ● Mandatory linking of Voter id with AADHAAR ● Circulation of Fake Electoral Rolls ● Deletion of Specific categories of Voters including Influencers/Celebrities from Electoral Roll
Election Integrity	<ul style="list-style-type: none"> ● Distributing freebies/money to voters by polling agents ● Morphed images/audio/video of the Commission/Deep Fakes ● Dated videos
Polling Station Facilities	<ul style="list-style-type: none"> ● No AMF at polling stations ● Morphed videos of people returning from polling stations without voting due to long queues/ voting allowed only with EPIC as ID card ● Polling booths not accessible ● Denial of voting facilities to PwDs
Postal Ballot facility	<ul style="list-style-type: none"> ● Unable to cast a vote at polling station - filled form 12D ● Polling agent casting vote for absentee voters ● Violation of secrecy of voting
Secrecy while voting	<ul style="list-style-type: none"> ● Morphed Images of persons casting a vote on EVM to a particular candidate ● Family members casting vote during absentee voting
Service Voters	<ul style="list-style-type: none"> ● One person/CO casting vote for all service officials

Election Planning/ Management	<ul style="list-style-type: none"> • Fake Election dates are being circulated before the election announcement
Results	<ul style="list-style-type: none"> • Wrongful declaration of votes • Manipulation of counting • Counting agent interference • Recounting wrongfully ordered

9. Links to SMPs legal portals/Email for reporting violations

- Twitter - <https://legalrequests.twitter.com/>
- Google/YouTube - https://support.google.com/legal/answer/9312048?visit_id=637357659628981141-2599501998&rd=1
- Facebook - reports@content.facebook.com
- Facebook portal for Law Enforcement Agencies - <https://www.facebook.com/records/login/>
- Whats App- election.reports@whatsapp.com

10. Legal Provisions

(Hate speech, Misinformation, Fake News etc.)

S. No	Legal Provisions	Brief
1.	Section 505 of IPC	Statements conducing to public mischief. - (1) Whoever makes, publishes or circulates any statement, rumor or report, with intent to incite, or which is likely to incite, any class or community of persons to commit any offence against any other class or community, shall be punished with imprisonment which may extend to three years, or with fine, or with both
2.	Section 125 of the RP Act 1951	Promoting enmity between different classes in connection with election
3.	Sections 153A of IPC	Promoting enmity between different groups on ground of religion, race, place of birth, residence, language, etc., and doing acts prejudicial to maintenance of harmony
4.	Sections 153B of IPC	Imputations, assertions prejudicial to national-integration.
5.	Section 295A of IPC	Deliberate and malicious acts, intended to outrage religious feelings of any class by insulting its religion or religious beliefs
6.	Section 298 of IPC	Uttering words, etc., with deliberate intent to wound the religious feelings
7.	Section 123(3A) of RP Act 1951	The following shall be deemed to be corrupt practices for the purposes of this Act: — (3A) The promotion of, or attempt to promote, feelings of enmity or hatred between different classes of the citizens of India on grounds of religion, race, caste, community, or language, by a candidate or his agent or any other person with the consent of a candidate or his election agent for the furtherance of the prospects of the

		election of that candidate or for prejudicially affecting the election of any candidate.
8.	Section 94 of the RP Act	Secrecy of voting not to be infringed— No witness or other person shall be required to state for whom he has voted at an election. 1[Provided that this section shall not apply to such witness, or other person where he has voted by open ballot.
9.	Section 171 C of IPC	Undue influence at elections - (1) Whoever voluntarily interferes or attempts to interfere with the free exercise of any electoral right commits the offence of undue influence at an election.
10.	Section 171 G of IPC	False statement in connection with an election. — Whoever with intent to affect the result of an election makes or publishes any statement purporting to be a statement of fact which is false and which he either knows or believes to be false or does not believe to be true, in relation to the personal character or conduct of any candidate shall be punished with fine
11.	Section 126(1)(b) of RP Act 1951	Silence Period - Under Section 126(1) (b) of RP Act, 1951, no person shall display any election matter to the public by means of cinematograph, television or other similar apparatus in any polling area during the period of forty-eight hours ending with an hour fixed for conclusion of poll for any election in that polling area. Opinion polls are banned during the silence period only.
12.	Section 126 A of RP Act 1951	Restriction of Exit Poll- Section 126A of the R.P. Act, 1951, prohibits conduct of Exit Poll and dissemination of their results during the period mentioned therein, i.e., the hour fixed for commencement of poll in the first phase and half hour after the time fixed for close of poll for the last phase in all the States.
13.	Section 471 of IPC	Using as genuine a forged [document or electronic record]. — Whoever fraudulently or dishonestly uses as genuine any [document or electronic record] which he knows or has reason to believe to be a forged [document or electronic record], shall be punished in the same manner as if he had forged such [document or electronic record]

ELECTION COMMISSION OF INDIA

Nirvachan Sadan, Ashoka Road, New Delhi-110001

No. 491/2004/MCP-Vol.II

Dated 27th April, 2004

To,

The Chief Electoral Officers of all States and Union Territories

Subject:- Facilities to be provided to media persons for coverage of process of elections regarding.

Refer

1. Order no. 491.94 dated 14th December, 1994
2. Order no. 491/96/MCS dated 27th March, 1996
1. Letter no. 491/97/MCS-Vol.II dated 25th March, 1997
2. Letter no. 491/CNTG/MCS/99 dated 20th September, 1999
3. Letter no. 491/CNTG/MCS/99 dated 21st September, 1999

Sir,

I am directed to state that in the matter of providing facilities for media at the time of polling and counting of votes, the Election Commission of India attaches great importance to the conduct of Election with as much transparency as practicable. At the same time it recognizes the fact that the election laws and the procedure governing the election process should not be impinged and that the actual polling and counting process should not be hindered in any way. Therefore after detailed observation of the process of polling and counting in various States and taking into consideration the suggestions received from a few quarters, the instructions for providing facilities to the media persons at the time of counting of votes have been made more comprehensive. The revised and updated instructions for facilities to be provided to media during the process of polling and counting votes at the elections to the Lok Sabha and State Legislative Assemblies, will now be as under:-

For Polling

2. (I) Legal Provisions

Rule 32 of the Conduct of Elections Rules, 1961, which regulates the entry into polling stations is reproduced below for facility of ready reference:

“32. Admission to polling stations – The Presiding Officer shall regulate the number of electors, to be admitted at any one time inside the polling station and shall exclude therefrom all persons other than: -

- (a) Polling Officers;
- (b) Public Servants on duty in connection with election;
- (c) Persons authorised by the Election Commission;
- (d) Candidates, their election agents and subject to the provisions of rule 13, one polling agent of each candidate;
- (e) A child in arms accompanying an elector;
- (f) A person accompanying a blind or infirm elector who cannot move without help; and
- (g) Such other persons as the Returning Officer or the Presiding Officer may employ under sub-rule(2) of rule 34 or sub-rule (1) of rule 35.”

For Counting

(II) Legal Provisions

- (i) Entry to any place fixed for counting of votes is governed by the provisions of Rule 53 (1) of the Conduct of Election Rule 1961, which is quoted below:

“Rule 53. Admission to the place fixed for counting- (1) the Returning Officer shall exclude from the place fixed for counting of votes all persons except

- (a) { such persons (to be known as counting supervisors and counting assistants)} as he may appoint to assist him in the counting;*
- (b) persons authorized by the Election Commission;*
- (c) public servants on duty in connection with the election; and*
- (d) candidates, their election agents and counting agents”.*

- (ii) Subject to the powers of the authorities competent to impose any restriction in pursuit of the maintenance of law and order, the permission of the Election Commission is not needed by any person, including media persons, for visiting and moving around in any constituency where election is being held and every person is free to observe the elections. Entry into the polling stations and counting centres is however fully regulated by the statutory provisions.

(III) Entry procedure

- (i) No one can enter into any polling station and counting centres as a matter of right. In addition to the persons directly connected with the polling and counting, such persons as are specifically authorized by the Election Commission can alone enter the polling station and counting centres. The exclusive power of the Election Commission of India to issue entry passes to persons including Media Persons, also includes the power to refuse an entry pass to any person if in the Commission's opinion, there are sufficient reasons to do so.
- (ii) Representative of the Government owned media like AIR and Doordarshan, and officials of the Ministry of Information and Broadcasting, PIB, Public Relations Department, Director of Information, field publicity units etc. either of the Central or of any State Government are not entitled to any special facilities or preferential treatment whatsoever in the matter of entry into a place of polling and counting. They are totally at par with other media persons and can be allowed entry only if they are in possession of valid authority letters issued by the Commission. The same restrictions as applicable to other media persons with authority letter will be applicable to them also. The same restrictions will apply to foreign media/ journalists etc.
- (iii) Passes for Counting
 - (a) For electronic media teams not more than two passes should be given for one counting centre and it is emphasized that each individual member will need a separate authority letter.
 - (b) For print media only one pass per news agency/newspaper should be given.

- (iv) The Returning Officer and other election related officers have absolute right and responsibility to keep persons without such authority letters away from the place of polling and counting.
- (v) Authority letters issued will be subject to the conditions imposed by the Commission as are mentioned in the authority letters, like media persons not being allowed to go near voting compartment, photographers not to take photographs/films which may violate secrecy, etc. Any violation of such conditions will automatically invalidate the Authority letter and will also invite penal action.
- (vi) The premises where the counting takes place, is fully under the control of the Election Commission of India. Entry into any such place of counting of any media person shall be allowed only on the basis of valid entry pass issued by the Commission alone and not by any other authority. Entry passes issued by any other authority to any media persons for covering Parliamentary/ Assembly proceedings etc. do not entitle them to enter the places of counting during elections.

(IV) Media Room inside the counting centre

- (i) It may be clearly stated that Media persons with valid passes issued by the Election Commission of India, inside the counting premises will be allowed to sit in a separate room known as the media room, and not in the actual counting hall itself. This room/hall will be near the counting hall.
- (ii) Entry of Media persons into the counting hall will be regulated. They will be taken inside the counting hall in small batches at regular intervals by an official/officials designated for this purpose by the officers in charge of counting, in advance. There should be sufficient number of officials in the media room, throughout the process of counting.
- (iii) The media rooms in the counting centres should have the required personnel and infrastructural facilities like telephone with ISD/STD, Fax Machines, necessary furniture and other basic facilities like drinking water etc. These may be provided by the concerned Government who shall be free to decide the charge if any, to be

levied for various facilities. No special arrangements need be made to answer queries telephonically.

- (iv) For this purpose it is necessary for each RO to interact with the Divisional Managers of the Department of Telecommunications in advance and arrange for such PCO/STD booths to be set up at the counting centres. This can be in the media room itself or in a separate room adjoining the media room. Alternatively this can be set up in a veranda or in the open space close to the counting hall in any temporary structure. The availability of such facilities should be known to the media persons in advance.

(V) Media centre at District Level and State Level

- (i) A media centre set up in the state Headquarters and District Headquarters (by the CEO and DEO respectively) specially for the purpose of disseminating election related information, will function during the process of counting also. Officers of the level of Dist. Information Officer will be put in charge of the media centre at the District level and their contact address and telephone numbers will be circulated in advance. These centres will function round the clock during the entire process of counting. These media centres will have reasonable communication facilities like telephone ISD, STD etc, fax machines, necessary furniture etc. Keeping in view the presence of large number of wire news agencies/media persons from print and electronic media based at the State Headquarters, the provision of sufficient number of telephone lines with STD/ISD facilities and separate fax machines be made in the media centre.
- (ii) Each state/UT shall be free to decide the charges to be levied for various facilities.
- (iii) Copies of Statistical Reports and documents of previous elections, background material etc. will be made available to these media centre for the purpose of reference to the extent feasible.
- (iv) The round wise result etc. announced by the R.O. at the counting centre will be available simultaneously, or as soon as possible thereafter at the Distt. Level and State level media centres also for the benefit of Media persons without Authority letters.

(VI) Procedure for coverage inside the counting hall

- (i) As for the coverage of the actual counting inside the counting hall, media persons with authority letters can be allowed to enter the counting hall by the Returning Officer after verification of their authority letters. However they will be allowed inside the counting hall in very small numbers and in batches and the actual numbers will be determined taking into account the size of the counting hall, the space available and other relevant factors. The Returning officer and other election related officers will have full discretion regarding the entry of the media persons inside the counting hall, taking into account the situation obtaining at the relevant time and all other relevant factors as he alone will be able to do so on the spot. While allowing such media persons inside the counting hall the R.O. may also further regulate the actual coverage by indicating a definite position (by means of a line or string) beyond which they should not proceed.
- (ii) It is repeated that media persons will be escorted in small batches inside the counting hall by officials designated for the purpose by the officers in charge of counting in advance; and these officials who escort the media persons will remain with the media persons throughout their stay in the counting hall and will escort them out after their coverage to the media room. It is therefore important that adequate numbers of officials are available for this purpose.
- (iii) It may also be noted that no static (fixed) camera- still or video of the media is allowed inside any counting hall. No. Camera stand should therefore be allowed to be taken inside counting halls. Further, while taking audio visual coverage of the counting process with camera carried in hand or on shoulders, under no circumstances, the actual votes recorded on individual ballot papers, or the actual votes polled in each EVM, is to be photographed or covered by audio visual coverage, even by accident.
- (iv) It is expected that in counting centres, which are likely to attract large media attention, appropriate additional arrangements for security and law and order would have been made (by the concerned authorities). Under no circumstances, in whatever manner would the actual counting process be disrupted or

hindered by the presence of Media persons inside the counting centre.

- (v) The Returning Officer will also be free to use regulatory measures, as he may feel necessary in this regard, taking into account the situation at hand. It is expected that all media persons will extend necessary co-operation in this regard. This will be ensured by each Returning Officer in a suitable manner.
- (vi) The holders of the authority letters while covering the counting process can and should be allowed to come out of the counting hall(s) if they so desire, during the counting. They should be allowed to re-enter on the basis of the very same authority letter. All entry at all times however is subject to the overall requirement of maintenance of law and order, proper decorum and conduct of peaceful counting. Substitution of media personnel should be allowed only when the substitute also carries a valid authority letter in his/her name.
- (vii) No one can be given any special facilities of access etc. Any CEO or any one else who gives or permits extra facilities in violation of the directions of the Commission to Central Govt. or State Govt. media or to foreign press and media or members of any state Department connected with information and publicity, by whatever name known, will do so at his own risk and will face the consequences thereof.

(VII) Announcement of round wise results

- (i) The Returning Officer will at the time of counting announce the round wise results through the public address system with sound boxes fixed outside the counting hall, and also do so after completion of each round of counting. These announcements are expected to provide the counting trends and results information in an organised and systematic manner in good time. This information should simultaneously or as soon as possible, be available in the District level media centre and state level media centre also for the benefit of the media persons who are not present inside the counting centre.
- (ii) In cases where the R.O. has made arrangements for display of the latest trends and result sheets on blackboard/whiteboard etc. for

information of the media, this will be in addition to the system of announcement through public address system.

(VIII) Facilities inside counting hall for exclusive official use

A separate centre for communication facilities, telephone, fax, etc; will be set up by the R.O. at each counting for exclusive official use. It has to be noted that these internal communications facilities alongwith computer and communication set up, are for the exclusive use of Commission's officers like RO/ARO/DEO and its observers and are not available for use by any outside agency or person. The Returning Officer in charge at the counting centre has no discretion in allowing this to be used by any unauthorised person. These are not, repeat not available for the representatives of the media.

(IX) Observers to be aware of all arrangements

The entire arrangements put in place should be explained to the observers when they arrive for the observation of the counting process.

(X) Adequate publicity

1. Adequate publicity regarding the facilities for media should be made in advance so that there is absolute clarity in the matter and all concerned are aware.
2. The DEOs/ Returning Officers are accordingly required to review these arrangements in advance and work out the complete details and allocate necessary resources in terms of personnel and facilities. They should personally supervise these arrangements in counting centre where they are present and identify a senior officer of the District to do so in the other counting centre in their charge.

Yours faithfully,

(S. K. KAURA)

SECRETARY

ELECTION COMMISSION OF INDIA

Nirvachan Sadan, Ashoka Road, New Delhi-110001

No. ECI/GE98/437MCS/98

Dated: 16 January, 1998

Subject: Scheme for Use of Govt. owned Electronic Media by Political Parties during Elections

ORDER

1. The question of State funding of election expenditure by political parties has been engaging the attention of the Election Commission of India, Parliament and the Central Government for some time. However, no decision could be arrived at in the matter, as it has been linked with the bigger question of overall Electoral Reforms.
2. The Commission has bestowed considerable thought on this issue. One of the concrete proposals initiated by the Commission has been the use of Govt. owned electronic media by the recognised National and State political parties, on a much extended scale, during elections, in lieu of the limited facility that is presently available to them of making one telecast and two broadcasts of 15 minutes duration each over Doordarshan and All India Radio at the time of general elections to the House of the People and State Legislative Assemblies. The reach of the vast network of Doordarshan and All India Radio is now widespread, covering almost every nook and corner of the country, and their impact substantive. Use of such electronic media by political parties would provide them with an opportunity to give first hand information to voters about their policies, programmes, manifestos and views on major issues. For electors also, it would be an important source of information for understanding major policy issues as projected by different parties.
3. The provision of above facility to political parties would considerably cut down their expenses on election campaigns and general party propaganda and, as such, would amount to indirect State funding. One of the most important features of the above facility would be that, unlike money

transactions, it would not involve any maintenance of detailed accounts and rendition of such accounts to any authority for scrutiny and audit. Further, unlike cash subsidy, it can not be misused.

4. The above scheme was discussed by the Commission with the recognised National and State parties at the meetings held at New Delhi, on 7th May 1997 and, again, on the 22nd and 23rd December 1997. They all wholeheartedly welcomed the scheme.
5. The Commission has further interacted with the Prasar Bharati Corporation, which now manages the Doordarshan and All India Radio. That Corporation has also welcomed the Scheme and agreed to provide suitable assistance, and support, to implement the Scheme and make it operational for the ensuing general elections to the House of the People (for constituting the 12th Lok Sabha) and certain State Legislative Assemblies.
6. Accordingly, the Commission, after consultation with the Prasar Bharati Corporation, and in exercise of its plenary powers of superintendence, direction and control, inter alia, of elections to Parliament and State Legislatures vested in it by Article 324 of the Constitution of India, hereby directs, as follows:

Parties eligible for Telecast/Broadcast facility:

- (i) The above facility of use of Doordarshan (DD) and All India Radio (AIR) shall be available, in connection with the forthcoming general elections to the House of the People and the Legislative Assemblies of the States of Gujarat, Himachal Pradesh, Meghalaya, Nagaland and Tripura, only to those seven (7) National parties and thirty four (34) States parties, which are at present **recognized** as such National or State parties, under the provisions of the Election Symbols (Reservation and Allotment) Order, 1968, and whose names are shown in the list annexed hereto as **Annexure-I**. This facility will not be available to registered-unrecognized political parties or any independent candidates. The Supreme Court has held in the case of Ramakant Pandey vs. Union of India (AIR 1993 SC 1766) that the recognised National and State parties stand on a different footing from the unrecognised political parties and any discrimination between these two categories of political parties would be a reasonable and valid classification. At present also, the above mentioned limited facility of telecasts/broadcasts is available only to the recognised National and State

parties. The High Courts of Allahabad, Madras and Karnataka have also upheld the above classification in W.P.No.5790 of 1984 (Hari Shankar Jain vs. Chief Election Commissioner and others), W.Ps. Nos.12378 of 1984 and 14507 of 1989 (P.T.Srinivasan vs. Union of India and others and S. Shanmugam vs. Chief Electoral Officer, Tamil Nadu and others) and W.P. No.19367 of 1984 (Raghunathmal vs. Election Commission of India and others) respectively. The Madras High Court has, in the above-mentioned cases, specifically upheld the grant of above facility of telecasts/broadcasts only to the recognised political parties.

Total time Allotted for Telecasts/Broadcasts:

- (ii) The Prasar Bharti Corporation shall set apart on Doordarshan
 - (a) a total of not less than 10 hours of telecasting time on the National channel of the Doordarshan, for telecasts by the National parties;
 - (b) a total of not less than 15 hours of telecasting time on the Regional Doordarshan Kendras, for telecasts by the National parties;
 - (c) a total of not less than 30 hours of telecasting time on the Regional Doordarshan Kendras, for telecasts by the State parties; and
 - (d) a total of 6 hours of telecasting time through the Regional Satellite Services channel available to viewers across the whole country.

AND On All India Radio

- (e) a total of not less than 10 hours of broadcasting time on the National hookup of the All India Radio, for broadcasts by the National parties;
- (f) a total of not less than 15 hours of broadcasting time on the Regional AIR Stations, for broadcasts by the National parties;
- (g) a total of not less than 30 hours of broadcasting time on the Regional AIR Stations, for broadcasts by the State parties; and
- (h) a total of 6 hours broadcasting time on the National hook up for broadcasts by the State Parties.

Allocation of Time to each Party:

- (iii) Each National and State party shall be allotted time for telecasts over Doordarshan (DD) and broadcasts on All India Radio (AIR), according to the following parameters:-

For National Parties:

- (a) of the total ten hours telecasting/broadcasting time reserved over the National channel/hookup of DD/AIR for the National parties, 45 (forty five) minutes shall be allotted to each of the 7 National parties, i.e., a total of five hours and fifteen minutes (5-1/4 hours), each on the DD & AIR separately;
- (b) the remaining four hours and forty five minutes (4-3/4 hours) telecasting/broadcasting time shall be further divided among the seven National parties, according to the percentage of votes polled by each such party, at the last general election to the House of the People held in 1996;
- (c) in addition, each National party shall be allotted one and a half times of the total time allotted to it under sub-para (a) and (b) above, for telecasts/broadcasts on the Regional Doordarshan Kendras/Regional AIR Stations;
- (d) of the total time so allotted to each National party under sub-para (c), each such party shall have the option to utilise the time so allotted on any of the Regional Doordarshan Kendra/State capital AIR Station: provided that not more than one-tenth (1/10th) of such time shall be utilised by it at any one Regional Doordarshan Kendras/AIR Stations;

For State Parties:

- (e) of the total time of thirty (30) hours reserved for telecasting/ broadcasting by the State parties on the Regional DD Kendras/ Regional AIR Stations, each of the 34 State parties shall be allotted forty five (45) minutes, i.e., a total of twenty five hours and thirty minutes (25-1/2 hours), each on DD and AIR separately;
- (f) the remaining four hours and thirty minutes (4-1/2 hours) telecasting/ broadcasting time for parties shall be further divided among the said 34 State parties, according to the percentage of votes polled by each such party in the State (s) in which it is recognized, at the last general election to the House of the People held in 1996, and the last general election to the Legislative Assembly of the State concerned, taken together;
- (g) in addition, each State party shall be allotted 10 minutes telecasting/ broadcasting time on Regional Satellite Services channel of DD available to viewers across the whole country and the National hook up of AIR

Time vouchers for Parties

- (iv) Each party shall be given time vouchers of different denominations of, 5 minutes and 10 minutes, equal to the total time allotted to it for telecasts on Doordarshan and broadcasts on AIR. That party shall have the discretion to choose any representatives and allow them to use those time vouchers, provided that no such individual representative shall be allowed to use more than 20 minutes of the total time allotted to that party, either on Doordarshan or on AIR.

Dates of Telecasts/Broadcasts

- (v) The above telecasts/broadcasts shall span between the last date of nominations for the first phase and two days prior to the last of the dates of poll any where in India in case of Parliamentary elections, and the relevant State or States where elections for the respective State Assemblies are also being held simultaneously. The Prasar Bharati Corporation, in consultation with the Commission, will decide and announce the days of the week and the time slots during which these telecasts/broadcasts will be made.
- (vi) The actual date and time during which the above telecasts/broadcasts will be made by the authorised representatives of any party shall be predetermined, by lot, by the Prasar Bharati Corporation, in consultation with the Commission.
- (vii) While deciding about such Dates and time, it shall be ensured that fairness and equity is maintained, as far as possible and having due regards to the technical constraints in regard to the occasion and time for the telecasts/broadcasts by such parties.

Guidelines for observance in Telecasts/Broadcasts

- (viii) The telecasts/broadcasts on Doordarshan/AIR will not permit:
 - (a) criticism of other countries;
 - (b) attack on religions or communities;
 - (c) anything obscene or defamatory;
 - (d) incitement to violence;
 - (e) anything amounting to contempt of court;
 - (f) aspersions against the integrity of the President and Judiciary;

- (g) anything affecting the unity, sovereignty and integrity of the Nation; and
- (i) any criticism by name of any person.

Submission of Transcripts in advance

- (ix) The parties or their representatives shall have to submit, in advance, within the time frame as indicated by the Prasar Bharati Corporation on account of technical constraints, the transcripts of their telecasts/broadcasts to the authorities specified in this behalf by the Prasar Bharati Corporation. It shall be the responsibility of the parties to have their transcripts, after approval, recorded at their cost in Private Studios; meeting required technical standards of the Prasar Bharati Corporation, provided that the symbol of the party with a white background can be shown in any video recording.

Panel Discussions and Debate

- (x) In addition to the above mentioned Party telecasts/broadcasts, the Prasar Bharati Corporation may organise a maximum of two national panel discussions/debates on the national channels of Door Darshan and All India Radio. Each nationally recognised Party can nominate one representative to such programmes.

The Election Commission of India will approve the names of moderators for such panel discussions and debates in consultation with the Prasar Bharati Corporation.

- (xi) In the States of Gujarat, Himachal Pradesh, Meghalaya, Nagaland and Tripura, where Assembly elections are also being held simultaneously, similar debates and panel discussions may be arranged from the Regional Kendras of Door Darshan and All India Radio for elections to the concerned State Assemblies. In these programmes, the concerned State recognised parties will be permitted to participate.

Powers of the Election Commission to remove Difficulties

7. Notwithstanding anything contained in para 6, the Election Commission may issue such further directions and instructions –
 - (a) for the clarification of any of the provisions of this Order, or
 - (b) for the removal of any doubt which may arise in relation to the implementation of any such provision; or

- (c) in relation to any matter with respect to the allotment of time to, or utilisation of time by, any recognised National or State party, for which this Order makes no provision or makes insufficient provision, and such provision is, in the opinion of the Commission, necessary for the smooth and orderly implementation of the scheme covered by this Order.
8. The above guidelines shall also apply mutatis mutandis at all future elections to Parliament and State Legislatures.

By Order,

(Subas Pani)

Deputy Election Commissioner

ELECTION COMMISSION OF INDIA

Nirvachan Sadan, Ashoka Road, New Delhi-110001

No. 437/TA-LA/1/2023/Communication

Dated: 18th July, 2023

Sub: - Scheme for use of Govt. owned Electronic Media by Political Parties during elections - Modification of Scheme – Para-6 sub clause-(iv) – Provision to provide time vouchers through IT platform – regarding.

ORDER

Whereas, the Election Commission of India, after consultation with recognized National and State Parties and in exercise of power vested in it by Article 324, notified a scheme for use of Govt. owned electronic media by political Parties during elections vide order dated 16 January, 1998 (hereinafter ‘the scheme’) and the scheme has statutory basis under Section 39A of the R.P. Act, 1951;

2. Whereas, para-6 (iv) of the Scheme provided as follows:-

“Time Vouchers for Parties

(iv) Each party shall be given time Vouchers of different denominations of, 5 minutes and 10 minutes, equal to the total time allotted to it for telecasts on Doordarshan and broadcasts on AIR. That party shall have the discretion to choose any representatives and allow them to use those time vouchers provided that no such individual representative shall be allowed to use more than 20 minutes of the total time allotted to that party, either on Doordarshan or on AIR.”

3. Whereas, the Commission has been providing IT based options for interface with political parties as well as facilitation of other transactions/submission of documents/disclosure etc. consistent with the provisions of The Information Technology Act, 2000;

4. Now, accordingly, the Commission in exercise of powers at paragraph 7 of the scheme, has decided as below:-

i) Sub-paragraph (iv) of Para 6 of the scheme is amended by insertion of the following Proviso:

“Provided that the Election Commission shall process and distribute the said Time vouchers to entitled political parties using Information Technology platform”;

ii) The above-mentioned amendment to the scheme comes into effect immediately from the date of this order.

iii) The Commission will separately notify a standard operating procedure (SOP) for facilitating this operation as well as the effective date from which this transition to the IT platform based processing and issue of time vouchers to the entitled political parties shall be completed.

By order

**Anuj Chandak
Joint Director**

SOP on Digitization of Time Vouchers

As per provisions of ECI's order No. ECI/GE98/437MCS/98, dated 16th January, 1998 (copy enclosed), and Section 39A of the R.P. Act, 1951, the Commission allots telecast and broadcast time to National & State Political Parties on Doordarshan and All India Radio during the General Election to Lok Sabha and State Legislative Assembly.

2. Considering the changing technology landscape and increasing digitization for ease of stakeholders, the Commission has initiated the process of issuing the digitized time vouchers, for the Broadcast and Telecast time on Doordarshan and All India Radio to political parties during the General Election to Lok Sabha and State Legislative Assembly.

3. To ease the process, the Commission is making a provision on SUVIDHA Portal wherein the authorized representatives of Political Party can login and download the time vouchers directly, thereby removing the need to physically collect the vouchers from the ECI/CEO office. As an added facility, the digitized time vouchers will also be made available at the official email id of the political party, as provided to the Commission by the political party in advance. The authorized and secured login is to ensure that the time vouchers are downloaded and distributed to only the functionaries assigned by the political parties. The Email id of the political party, names and mobile number of the authorized representatives once provided by the political party shall be deemed to be valid till the date, the political party sends request to make changes in the above to ECI in time.

4. **Further, for the broadcast/telecast time facility for the elections to be held later this year in 2023, the parties can either collect physical time vouchers from ECI headquarter/respective CEO office in State or download digital time vouchers (from SUVIDHA Portal/ official email id of the political party). From 01.01.2024, time vouchers will be available through SUVIDHA Portal and on registered email only.**

Steps to be followed for Digitization of Time Vouchers

1. Political Parties through a letter to ECI will submit details of their authorized representatives in advance. Political parties can nominate two representatives. The details include the name and mobile number of the representatives. The mobile number is needed for an OTP based Login to the portal. The political parties to also provide official email ID. The details can be updated in case any change is required by the political parties and conveyed so to ECI in time.
2. The authorized political party representative can log in through a special link provided at the SUVIDHA portal through his/her mobile number via an OTP.
3. After logging in to the portal, the representative can download all the time vouchers allotted to the political party in pdf format. For eg. If a party is allotted 60 minutes each on DD & AIR then, 12 time vouchers for DD (5 mts each) and 12 time vouchers for AIR (5 mts each) can be downloaded with a single click in pdf format.
4. The political party can then distribute and share the downloaded vouchers to their concerned persons for further use for campaigning through DD & AIR.
5. Further, as an added facility, the digitized time vouchers will also be made available at the official email id of the political party, as provided to the Commission by the political party. The vouchers can also be downloaded from the email.
6. The digital time vouchers are QR coded and to be shown at the Doordarshan and AIR Kendra where the AIR/DD representative will scan the QR Code on the voucher through an app developed by ECI.
7. A particular time voucher once utilized by the political party will be redeemed and cannot be used further.

ELECTION COMMISSION OF INDIA

Nirvachan Sadan, Ashoka Road, New Delhi – 110001

No. 491/MM/2015/Communication

Dated: 6th January, 2016

To,

The Chief Electoral Officer of all States/UTs

(As per list attached)

**Sub: - Media Monitoring in General/Bye-Election/Biennial Elections –
Furnishing Action Taken report on Media Report.**

Sir/Madam,

As you aware the in all General Elections (Starting from year 2012), a Media Control Room is set up to monitor election management related news on national news channels (English & Hindi). It is also informed that the Commission has taken new a initiative regarding Electronic Media Monitoring Centre (EMMC) during the recently held, General Election to Bihar Legislative Assembly 2015, is as under:-

- i. For the prompt action. EMMC may forward the Media Report of any important events/MCC violation/search and seizure across that state of CEO as well as ECI, to avoid delay.
 - ii. And, on the completion of each phase of poll, an analysis on Media Monitoring, based on EMMC report and action taken at ECI/CEO level may be submitted to the Commission for perusal & information.
2. Beside the above, after the election is over, a consolidated analytical report may be submitted to the Commission on a dynamic/comparative chart format. A flow chart on above action is as under:-

Role of EMMC: *The Commission has entrusted the Electronic Media Monitoring Centre (EMMC) with the task of media monitoring of all election management related news (important events/MCC violation/search and seizure etc.) The monitoring is to be done on the day of polling and a day prior to that. Submission of reports to the Commission on each phase of elections is to be done on two hourly basis. EMMC will send also the reports to CEO office simultaneously.*

Role of CEO: *CEO office will ascertain status on the items on the report and file ATR/Status report within two hours/before the generation of next report to the Commission.*

Submitting to the Commission: *The ATR report received from CEO office will be presented/sent to the Commission for perusal.*

Analysis of Media Monitoring: *Analysis of Media Monitoring to be done by ECI after each phase of poll. In this analysis, and final analysis will be done after the elections are over.*

Post Elections, *a consolidated analytical report to be submitted to the Commission in a comparative chart format.*

3. You are, therefore, requested to furnish report on Electronic Media Monitoring Centre (EMMC) from future election, according to flow chart.

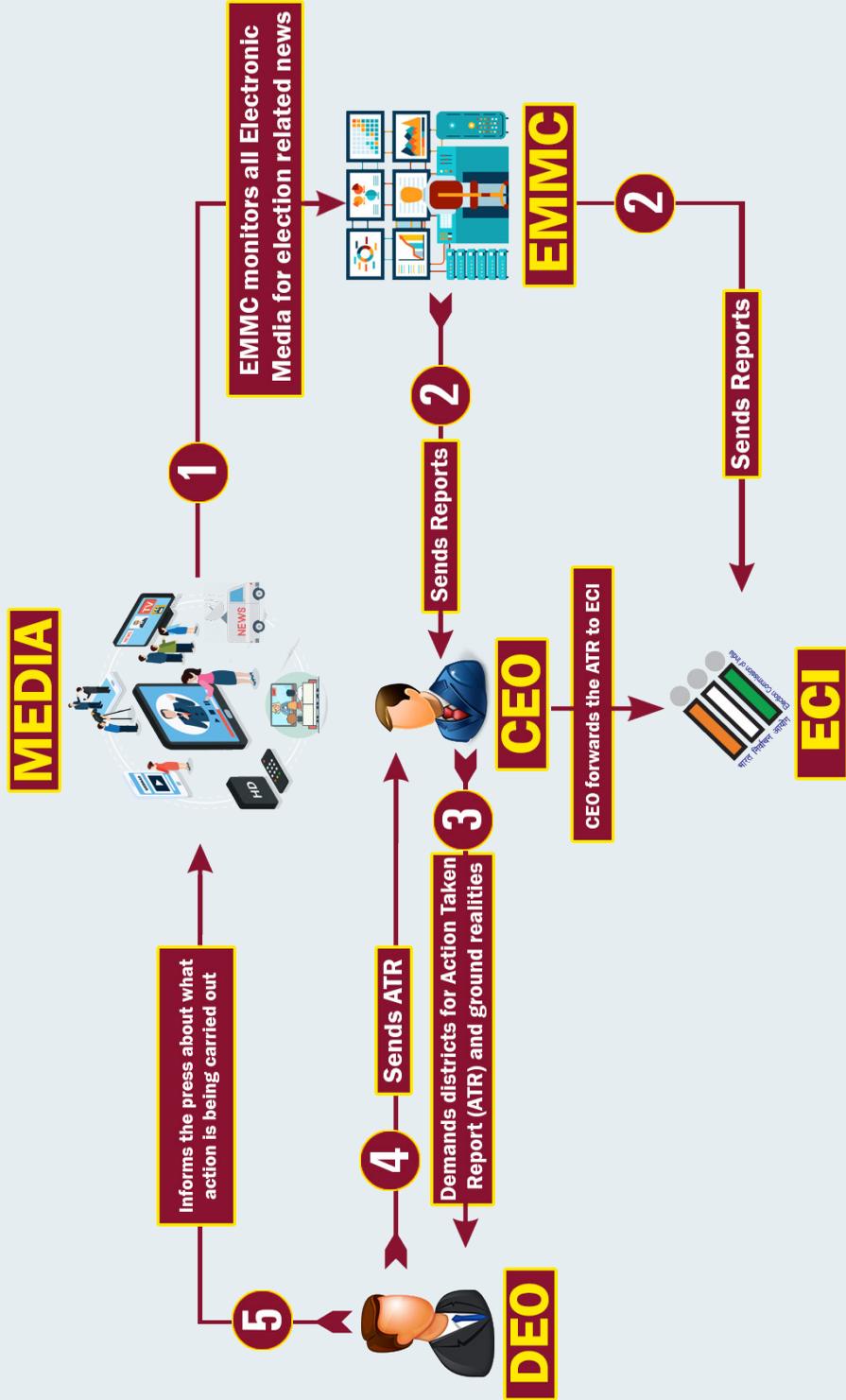
Yours faithfully,

(S.K. Das)

Under Secretary

011-23052082

E mail: sumands34@gmail.com



Action Taken Report on EMMC Report

Sl. No.	Gist of News	Channel Name/Time of Broadcast of News	Action Taken

Signature.....
Name of Officer.....

Sample Letters issued to CEOs during recent elections

ELECTION COMMISSION OF INDIA

Nirvachan Sadan, Ashoka Road, New Delhi-110001

No. ECI/PN/60/2023

Date: 13.10.2023

PRESS NOTE

Sub: General Election to the Legislative Assemblies of Rajasthan, Mizoram, Telangana, Madhya Pradesh, Chhattisgarh, 2023 - Media Coverage during the period referred to in Section 126 of the R.P. Act, 1951 and other guidelines regarding.

The schedule for holding General Election to the Legislative Assemblies of Rajasthan, Mizoram, Telangana, Madhya Pradesh, Chhattisgarh, 2023 has been announced on 09.10.2023. Polls in the states are to be held as per the schedule given below:

Name of State/UT	Phase & Poll date
Mizoram	Single Phase – 07.11.2023
Chhattisgarh	Two Phases – 07.11.2023 & 17.11.2023
Madhya Pradesh	Single Phase – 17.11.2023
Rajasthan	Single Phase – 25.11.2023
Telangana	Single Phase – 30.11.2023

In this regard, attention of all media is invited to the Section 126 of the Representation of the People Act, 1951 that prohibits displaying any election matter by means, inter alia, of television or similar apparatus, during the period of 48 hours before the hour fixed for conclusion of poll in a constituency. The relevant portions of the said Section 126 are re-produced below:

(126. Prohibition of public meeting during period of forty-eight hours ending with hour fixed for conclusion of poll-

- (1) No person shall-
- (a).....
- (b) Display to the public any election matter by means of cinematograph, television or other similar apparatus;
- (c).....

In any polling area during the period of forty-eight hours ending with the hour fixed for the conclusion of the poll for any election in the polling area.

- (2) Any person who contravenes the provisions of sub-section (1) shall be punishable with imprisonment for a term which may extend to two years, or with fine, or with both.
- (3) In this Section, the expression “election matter” means any matter intended or calculated to influence or affect the result of an election

2. During elections, there are sometimes allegations of violation of the provisions of the above Section 126 of the Representation of the People Act, 1951 by TV channels in the telecast of their panel discussions/debates and other news and current affairs programmes. The Commission has clarified in the past that the said Section 126 prohibits displaying any election matter by means, inter alia, of television or similar apparatus, during the period of 48 hours ending with the hour fixed for conclusion of poll in a constituency. “Election matter” has been defined in that Section as any matter intended or calculated to influence or affect the result of an election. Violation of the aforesaid provisions of Section 126 is punishable with imprisonment up to a period of two years, or with fine or both.

3. The Commission once again reiterates that the TV/Radio channels and cable networks should ensure that the contents of the programmes telecast/broadcast/ displayed by them during the period of 48 hours referred to in Section 126 do not contain any material, including views/appeals by panelists/participants that may be construed as promoting/prejudicing the prospect of any particular party or candidate(s) or influencing/ affecting the result of the election. This shall, among other things include display of any opinion poll and of standard debates, analysis, visuals and sound-bytes.

4. In this connection, attention is also invited to Section 126A of the R.P. Act 1951, which prohibits conduct of Exit poll and dissemination of its results during the period mentioned therein, i.e. from the beginning of the hours fixed for poll on the first day of poll and continue till half an hour after closing of the poll in all the States. Separate instruction will also be issued specifying the prohibition period for Exit Polls.

5. During the period not covered by Section 126, concerned TV/Radio/Cable/FM channels/internet websites/Social Media platforms are free to approach the state/ district/ local authorities for necessary permission for conducting any broadcast/Telecast related events (other than exit polls) which must also conform to the provisions of the model code of conduct, the programme code laid down by the Ministry of Information and Broadcasting under the Cable Network (Regulation) Act with regard to decency, maintenance of communal harmony, etc. Attention of all Internet websites and Social Media platforms is also invited to the provisions of The Information Technology Act, 2000, Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021 and ECI guidelines No-491/SM/2013/Communication, dt 25th October, 2013* (Annexure-I), for all political content on their platform. As regards political advertisement on electronic media, the same needs pre-certification by the Committees set up at State/District level as per the Commission’s order No. 509/75/2004/JS-I, dt 15th April, 2004.

6. Attention of all print media is also invited to the guidelines issued by Press Council of India dtd 30.07.2010 and 'Norms of Journalists Conduct - 2022' to follow for observance during the election. (Annexure-II) *
7. Attention of the electronic media is invited to the "Guidelines for Election Broadcasts" issued by NBSA dt 3rd March, 2014. (Annexure-III)**
8. Internet and Mobile Association of India (IAMAI) has also developed a "Voluntary Code of Ethics" for all the participating social media platforms to ensure free, fair & ethical usage of their platforms to maintain integrity of electoral process during the General Elections to the Lok Sabha 2019. As agreed by IAMAI, vide letter dated 23.09.2019, the "Voluntary Code of Ethics" shall be observed during all elections. Accordingly, the Code is also applicable in General Election to the Legislative Assemblies of Rajasthan, Mizoram, Telangana, Madhya Pradesh, Chhattisgarh, 2023. Attention of all concerned Social Media platforms is invited to the "Voluntary Code of Ethics" dt 20th March, 2019 in this regard. (Annexure-IV)***
9. Further, it is also informed that no Political Party or Candidate or any other Organization or Person shall publish any Advertisement in the print media on poll day and one day prior to poll day, unless the contents of political advertisements are got Pre-certified by them from the MCMC Committee at the State/District level, as the case may be. The applicants shall have to apply to MCMC not later than 02(two) days prior to the proposed date of publication of such advertisements.

The above advisory should be duly observed by all the concerned media.

Rajesh Kumar Singh
(Under Secretary)

ELECTION COMMISSION OF INDIA

Nirvachan Sadan, Ashoka Road, New Delhi-110001

No. ECI/PN/13/2023/Communication

Dated: 1st February, 2023

PRESS NOTE

Sub:-General Election to the Legislative Assemblies of Meghalaya, Nagaland & Tripura, 2023-Allotment of Broadcast/ Telecast time to National/State Political Parties-reg.

A copy of the Commission's Order No.437/TA-LA/1/2023/Communication, dated 1st February, 2023 regarding allotment of Broadcast/Telecast time to National/State political parties in the General Election to the Legislative Assemblies of Meghalaya, Nagaland & Tripura, 2023 is enclosed for the information of the general public.

(Rajesh Kumar Singh)
Under Secretary

ELECTION COMMISSION OF INDIA

Nirvachan Sadan, Ashoka Road, New Delhi-110001

No. 437/TA-LA/1/2023/Communication

Dated: 1st February, 2023

ORDER

At the time of General Elections to the Lok Sabha in 1998, a new initiative for State funding of recognized political parties through free use of the State owned Television and Radio was introduced under directions of the Commission vide its Order, dated 16th January, 1998. The said scheme was subsequently extended in all General Elections to the State Assemblies held after 1998 and General Elections to the Lok Sabha in 1999, 2004, 2009, 2014 and 2019.

With the amendments to the Representation of the People Act, 1951 vide "Election and Other Related Laws (Amendment) Act, 2003" and the rules notified there under, equitable time sharing for campaigning by recognized political parties on electronic media now has statutory basis. In exercise of the powers conferred by clause (a) of the Explanation below section 39A of the Representation of the People Act, 1951, the Central Government has notified all such broadcasting media which are owned or controlled or financed wholly or substantially by funds provided to them by the Central Government as the electronic media for the purposes of that section. Therefore, the Commission has decided to extend the said scheme of equitable time sharing on electronic media through Prasar Bharati Corporation to the ensuing General Election to the Legislative Assemblies of Meghalaya, Nagaland & Tripura, 2023.

The facility of use of broadcast time and telecast time is available only to 'National Parties' and respective 'Recognized State Parties' in Meghalaya, Nagaland & Tripura.

THE SALIENT FEATURES OF THE SCHEME ARE AS FOLLOWS:

1. The facilities will be available from the Regional Kendra of the All India Radio and Doordarshan and relayed by other stations within Meghalaya, Nagaland & Tripura.

Time allotted for Telecast/Broadcast:

2. A base time of 45 minutes will be given to each National Party and respective 'Recognized State Parties' in Meghalaya, Nagaland & Tripura, uniformly on the Regional Kendras of Doordarshan network and All India Radio network in Meghalaya, Nagaland & Tripura.

3. The additional time to be allotted to the party has been decided on the basis of the poll performance of the party in the last assembly election of Meghalaya, Nagaland & Tripura, 2018.
4. In a single session of broadcast, no party will be allocated more than 15 minutes.

Date of Telecast/Broadcast:

5. The period of broadcast and telecast will be between the date of publication of list of contesting candidates for the election and two days before the date of poll in Meghalaya, Nagaland & Tripura.
6. The Prasar Bharati Corporation in consultation with the Commission will decide the actual date and time for broadcast and telecast. This will be subject to the broad technical constraints governing the actual time of transmission available with the Doordarshan and All India Radio.

Submission of Transcripts in advance:

7. The guidelines prescribed by the Commission for telecast and broadcast will be strictly followed. The parties will be required to submit transcripts and recording in advance. The parties can get this recorded at their own cost in studios, which meet the technical standards prescribed by the Prasar Bharati Corporation or at the Doordarshan/All India Radio Kendra. They can, in the alternative, have these recorded in the studios of Doordarshan and All India Radio by advance requests. In such cases, the recordings may be done at timings indicated by Doordarshan/All India Radio in advance.

Panel Discussions and Debate:

8. In addition to the broadcast by parties, the Prasar Bharati Corporation will organize a maximum of two panel discussions and/or debates on the Kendra/Station of Doordarshan/All India Radio. Each eligible party can nominate one representative to such a programme.
9. The Election Commission of India will approve the names of coordinators for such panel discussions and debates in consultation with the Prasar Bharati Corporation.

Guidelines for observance in Telecasts/Broadcasts:

10. The telecasts/broadcasts on Doordarshan/AIR will not permit:
 - a) criticism of other countries;
 - b) attack on religions or communities;

- c) anything obscene or defamatory;
- d) incitement of violence;
- e) anything amounting to contempt of court;
- f) aspersion against the integrity of the President and Judiciary;
- g) anything affecting the unity, sovereignty and integrity of the Nation;
- h) any criticism by name of any person;

Time Vouchers for Parties: -

11. It will be available in the denomination of 5 minutes with one voucher having time allotment of 1 to 4 minutes and the parties will be free to combine them suitably. The allotment of time to different political parties is given in a statement enclosed herewith.

By order,

(Rajesh Kumar Singh)
Under Secretary

ELECTION COMMISSION OF INDIA

Nirvachan Sadan, Ashoka Road, New Delhi-110001

No. 491/Paid News/1/2023/Communication

Dated: 20.01.2023

To,

The Chief Electoral Officer of
Meghalaya, Nagaland & Tripura.

Sub: General Election to the Legislative Assemblies of Meghalaya, Nagaland & Tripura, 2023 – Measure to check ‘Paid News’ during elections - reg.

Sir,

I am directed to invite your attention to the subject cited above and to forward herewith hardcopy of comprehensive/consolidated instruction “Compendium of Instruction on Media Related Matters (January, 2020)” for your information and necessary action during the ongoing elections. Link of the said compendium is: -

<https://eci.gov.in/files/file/9757-compendium-of-instructions-on-media-related-matters/>

Time period for determining paid news cases:-

With reference to Section 77(1) of Representation of the People Act, 1951 it is clarified that paid news cases may be taken into account from the date of filing of nomination by the candidate.

2. In this regard, following action points are to be considered while submitting paid news cases to the Commission: -
 - i. Weekly report on Paid News is to be submitted by CEO to ECI in Annexure-I* (attached) format on the last day of every week starting from the last date of nominations of each phase.
 - ii. Further, a compiled list having information of Paid News in Annexure-I including the details from all districts is to be furnished to the Commission along with the details of confirmed cases of paid news in Annexure-II** format, just after the completion of elections. The details of only confirmed cases of Paid News shall be submitted in the format enclosed as ‘Format-II’ (attached).
 - iii. All relevant documents of paid news cases with clear and legible copy [Constitution of MCMCs of the regions, Proceedings/Minutes of meetings

with due reasons as to how the news considered as paid news, News reports/advertisements/cuttings of newspaper along with its Hindi/English transcript/videos/Clippings of paid news etc.] must be provided along with Annexure-II and compiled Annexure-I.

3. For any other information related to this subject, kindly refer Commission's letter no. 491/MCMC/1/2023/Comm. dated 05.01.2023.
4. The desired information may also be furnished on the following e-mail ID:-
media.election.eci@gmail.com

Yours faithfully,

Enclosed: As above

(RAJESH KUMAR SINGH)
UNDER SECRETARY
011-23052131

ELECTION COMMISSION OF INDIA

Nirvachan Sadan, Ashoka Road, New Delhi-110001

No. 491/MM/1/2023/Communication

Dated: 20th January, 2023

To,

The Chief Electoral Officer of
Meghalaya, Nagaland & Tripura.

Sub: - General Election to the Legislative Assemblies of Meghalaya, Nagaland & Tripura, 2023– Media Engagement and Media Monitoring –reg.

Sir,

I am directed to refer to the subject cited and to say that during assembly elections, a media monitoring control room is required to be established in the office of CEO/DEOs and some expert/professional staff may be deployed for the monitoring of all election management related news on major news channels and major national and regional print media immediately. Necessary instructions in this regard may also be issued to all the DEOs.

2. The daily media feedback report being sent by the CEO office (Press Clippings and reporting through Google Doc) may continue to be submitted on a daily basis latest by 12 noon positively. Additionally, any relevant / important news that needs immediate attention of the Commission shall also be informed telephonically to the undersigned/ Shri Anuj Chandak (Jt. Dir.).

3. For sensitization and making positive engagement with media, instructions are already in place for a Permanent Media cell to be established in the office of CEOs and sustained communication to be maintained with media by the Media Cell of CEO office, headed by a Media Nodal Officer (at the level of Joint/Additional CEO).

4. In view of above, at CEO and DEO level, regular interaction shall be done with media preferably on daily basis during election and maintaining a line of positive communication with media. Prompt action also needs to be ensured for Social Media Platforms. A workshop may be organized for media persons covering elections at state level and district level to sensitize media personnel on guidelines issued by ECI, PCI and NBDA in this regard. A copy of compendium of Instructions on Media Related Matters can be accessed here: Link: - <https://eci.gov.in/files/file/9757-compendium-of-instructions-on-media-related-matters/>

Yours faithfully,

**(RAJESH KUMAR SINGH)
UNDER SECRETARY**

ELECTION COMMISSION OF INDIA

Nirvachan Sadan, Ashoka Road, New Delhi-110001

No. 491/Media Monitoring/2/2023/Communication

Dated: 2nd March, 2023

To,

The Chief Electoral Officer of
Karnataka

Sub: - Election related Press Coverage feedback-reg.

Sir,

I am directed to refer to the subject cited and to request you to submit relevant election related local media coverage feedback from your state (including districts) daily for perusal of the Commission latest by 12 noon. The focus of the coverage should be core election related matters on the following issues:

1. Law-and-order issues
2. Electoral Roll matter
3. MCC Violations (post announcement)
4. Seizureseww
5. Fake news
6. Comments of Political parties/candidates' on election management related matters,
7. EVM related critical news
8. Any other relevant matter.

Routine SVEEP activities may not be included. Gist of the vernacular language clippings in English is to be included along with the clippings.

A copy of clearly scanned clippings shall be shared with the Media & Communication Division (presscoverage.eci@gmail.com, dgmedia@eci.gov.in) and concerned Deputy Election Commissioner in-charge of the States at ECI (decajb@eci.gov.in), till the completion of the election process in the states.

Additionally, a Google form has been created to report any critical issue that is to be brought to the notice of the Hon'ble Commission on priority. This is also to be updated daily latest by 11 am as clippings may follow later. If there is none, then same may be updated.

https://docs.google.com/forms/d/1r4JDfnn8eEZ8a_k1XQiU4wn2UAXibyMFD_fXT6O6WKE/edit

Yours faithfully,

(Rajesh Kumar Singh)
Under Secretary

Media Feedback Form

Daily Feedback to be submitted latest by 11 am to Media Division, ECI

ranjeet.media.eci@gmail.com [Switch account](#)



Not shared

* Indicates required question

Name of the State

Karnataka

Date *

Date

dd/mm/yyyy

Whether daily relevant state specific media coverage/press clippings sent to ECI

- Yes
 No
 No coverage

Whether daily relevant state specific media coverage/press clippings sent to ECI

- Yes
 No
 No coverage

Any sensitive issue(s)/important matter to be brought to the notice of the Commission

- Yes
 No

Details of the issue/matter (in brief)

Your answer

Action taken on the said issue/matter, if any

Your answer

Submit

Clear form

(Sample from Karnataka Assembly Elections)

ELECTION COMMISSION OF INDIA

Nirvachan Sadan, Ashoka Road, New Delhi-110001

No. 491/MM/2/2023/Communication

Dated: 20th January, 2023

To,

The Chief Electoral Officer of
Meghalaya, Nagaland & Tripura.**Sub:- General Election to the Legislative Assemblies of Meghalaya, Nagaland & Tripura, 2023– Media Monitoring –reg.**

Sir,

I am directed to refer to the subject cited and to state that the Commission has decided to entrust the job of media monitoring to Electronic Media Monitoring Centre (EMMC), M/o Information & Broadcasting during the General Election to the Legislative Assemblies of Meghalaya, Nagaland & Tripura, 2023.

2. EMMC monitors all English & Hindi channels at New Delhi for ECI on the day of poll and a day prior to the poll day. During the period, the EMMC will send two hourly reports to CEO and ECI. CEO's are requested to file action taken report (ATR) through a Media Monitoring and Response Team on the items reported by EMMC in the form of ATR as per Annexure (copy enclosed). A copy of the Commission's existing instructions issued on the subject with the flow chart is attached for reference.

3. Further, you are requested to appoint a Nodal officer and share his/her details thereof, to look after EMMC reports and the ATRs during elections.

Yours faithfully,

(RAJESH KUMAR SINGH)
UNDER SECRETARY
011-23052131

Action Taken Report on EMMC Report

Sl. No.	Gist of News	Channel Name/Time of Broadcast of News	Action Taken

Signature.....
Name of Officer.....

ELECTION COMMISSION OF INDIA

Nirvachan Sadan, Ashoka Road, New Delhi-110001

No. 491/Data/2023/Communication

Dated: January, 2023

To
The Chief Electoral Officer of
Tripura

Subject: - General Elections to the State Legislative Assembly of Tripura- Submission of Election Data (Facts at a glance)-reg.

Sir,

I am directed to request you to furnish the “Facts at a Glance- Annexure-I” (Phase-wise) in the enclosed format by 5:00 pm positively on 23.01.2023, whereas “Facts at glance- Annexure-II” (Phase-wise) in the enclosed format by 5:00 pm on the last date for withdrawal of candidature i.e. 02.02.2023 for the Commission’s information and further use. The information may also be sent through mail on E-mail ID- media.election.eci@gmail.com.

Your faithfully,

(Rajesh Kumar Singh)
Under Secretary
011-23052131

1. General Information

State:

Name & Number of Recognized State parties:

2. Assembly Constituencies:

2.1.1 Category wise:

General	SC	ST

2.1.2 Smallest and largest Constituencies:-By Area

By Area	Name of Constituency	Area (in square kilometers)
Smallest		
Largest		

2.1.3 Smallest and largest Constituencies:-By Size of Electorate.

By Area	Name of Constituency	Size of Electorate
Smallest		
Largest		

2.1.4 Electorate size-wise composition.

Size of Electorate	No. & Name of Assembly Constituencies
Less than 1 Lakh	
1 Lakh-1.50 Lakh	
More than 2 Lakh	

3. Electors: As on 10.10.2022 (Final Publication)

3.1.1 By Sex

	Male	Female	Third Gender	Total
Population				
Size of Electorate				
EPIC Issued To				

3.1.2 Ratios

Elector Gender Ratio	
Elector Population (EP) Ratio	

3.1.3 NRI & Service Voters:-

Number of NRI Voters	
Number of Service Voters	
Number of PwDs Voters	
Number of 80+ Voters	
Number of 100+ Voters	

3.2 Age and Sex-wise Composition of Electorate

	Male	Female	Third Gender	Total
18-19 years				
20-29				
30-40				
41-60				
>60				

4. No. of EVMs & VVPATs to be used in the elections:

	Urban	Rural	Total
Total no. of Polling stations			

5.2

	Total
All women managed polling stations	
Pwd Managed Polling stations	
Model Polling stations	
Web casting in various Polling stations	
Average no. of electors per polling station	

State-

1.1 Total No of candidates (Male, Female & Others):

Candidates	Total Number of Candidates
Male	
Female	
Others	
Total	

1.2 No. and Name of AC with Maximum and Minimum Number of Candidates:

1	No & Name of Assembly Constituency with Maximum number of candidates		
2	No & Name of Assembly Constituency with Minimum number of candidates		

1.3 Party wise list of Candidates:

ELECTION COMMISSION OF INDIA

Nirvachan Sadan, Ashoka Road, New Delhi-110001

No. 491/AI-Inst/2023/Communication (Vol I)

Dated: 20th January, 2023

To
The Chief Electoral Officers of
Meghalaya, Nagaland & Tripura

Subject: General Election to Legislative Assemblies of Meghalaya, Nagaland & Tripura, 2023 - Issue of Authority letters to the media persons and Instructions thereof - regarding

Sir,

I am directed to state that the Commission vide Press Note No. ECI/PN/1/2023 dated 18.01.2023 has announced the schedule for General Election to Legislative Assemblies of Meghalaya, Nagaland & Tripura, 2023.

2. In this connection, you are requested to assess the requirement of Authority Letters under Rules 32(C) and 53(1)(b) of the Conduct of Elections Rules, 1961 for the aforesaid election in your state and furnish list of persons to whom authority letters are to be issued. Such requests shall be recommended by the Head of the Public Relations Department / Director of Information of State Government in case of media persons outside Delhi. No preference will be given to the representatives of Central or State Government media or those representing foreign press/media and all should be treated alike with due and appropriate care.

3 (a). Two passport size photographs should accompany with each request for issuance of Authority Letter. The Chief Electoral Officer who is the officer authorized by the Commission for media persons outside Delhi and for persons deployed by media organizations for conducting election surveys and collecting election data, shall have one copy of the photograph pasted on the Authority Letter and this can be authenticated with the facsimile signature of the issuing authority. The other copy of the photograph can be pasted in the control register. The Authority Letter as such has to be signed personally by the authorized officer. This aspect may please be brought to the notice of all concerned sufficiently in advance to avoid any inconvenience.

3(b). It may also be clarified to all concerned that an authority letter to enter a "Counting Centre" is not an authority to enter the "Counting Hall(s)". Access to Counting Hall will be governed by separate set of instructions issued vide Commission's letter No. 491/CNTG/MCS/99 dated 21.09.1999.

3(c). The authority letter for Poll day is valid for all Polling Stations of the Constituency mentioned in authority letter, which an applicant may like to cover. The authority letter clearly mentions that photography and videography is strictly prohibited inside the Voting Compartment so as not to violate secrecy of Ballot.

4. While forwarding such requests duly recommended by the above-mentioned authorities, name of the person, full postal address, whether official or non-official and whether Authority Letter is required for (i) polling or (ii) counting or (iii) both should also be indicated clearly. No omnibus Authority Letter shall be issued. You should maintain appropriate control registers at your level.

5. While recommending passes for counting, care should be taken that: -

- (a) For electronic media teams, not more than two passes should be given for one counting centre and it is emphasized that each individual member will need a separate authority letter.
- (b) For print media, only one pass per news agency/newspaper should be given for one counting centre.

6. You are requested to screen and scrutinize such requests in accordance with Commission's standing directions issued from time to time on the subject and send your recommendations immediately.

7. Give wide publicity regarding the deadline fixed by the Commission in order to ensure that your requirements must reach the Commission not later than 15 days prior to the date of poll. Any request received after the deadline will be considered only on exceptional cases, like act of God, death or illness etc. on the recommendation of the sponsoring authority concerned. No piece-meal requests from the sponsoring authorities will be entertained. Please ensure wide publicity to the arrangements.

8. Your attention is also invited to the extant instructions regarding COVID-19 containment measures and ensure that these instructions are complied with while making arrangements for conducting the elections.

9. You are also requested to forward authority letter request in prescribed format.
(Copy enclosed)

10. You are requested to share your requests for Authority letters and media approval on media.election.eci@gmail.com

Yours faithfully

**(Rajesh Kumar Singh
Under Secretary**

To

Under Secretary,
Communication and Media Section,
Election Commission of India
New Delhi.

Sub: General Elections/Bye Elections/Biennial Elections to the Legislative Assembly Constituency/Parliamentary of Assembly Constituency(name of state/details of Assembly Constituency)/ Election to the office of President and Vice President - Issue of authority letters to media persons–reg.

Sir,

With reference to the above subject, a list of total media representatives to whom the Authority letters are to be issued is enclosed for kind approval of the Commission

For Polling Stations (Print and Electronic Media)(Number of media representatives)
For Counting Centers(Print and Electronic Media)(Number of media representatives
Total Blank authority letters required for polling stations and counting centres, if any(Polling Stations)(Counting Centres)

2. It is certified that the list of media representatives as recommended above has been scrutinized and found to be correct as per the ECI's guideline. The names recommended have also been found as genuine media persons and fulfill the criteria laid down in the Commission's guidelines.

Yours faithfully

.....
(Name and Designation of officer)

ELECTION COMMISSION OF INDIA

Nirvachan Sadan, Ashoka Road, New Delhi-110001

No. 491/MCMC/3/2023/Communication

Dated: 9th February, 2023

To
The Chief Electoral Officer of
Meghalaya, Nagaland & Tripura.

Subject: -General Election to the Legislative Assemblies of Meghalaya, Nagaland & Tripura – Pre-certification of Political Advertisements in Print Media on the day of poll & one day prior to poll– reg.

Sir,

I am directed to state that instances of advertisements of offending and misleading nature published in print media have been brought to the notice of the Commission in the past. Such advertisements in the last stage of the election vitiate the entire election process. The affected candidates and parties will not have any opportunity of providing clarification/rebuttal in such cases.

2. In order to ensure that such instances are not repeated, and no untoward incident takes place because of any inflammatory, misleading or hate advertisements, the Commission, in exercise of its powers under Article 324 of the Constitution and all other powers enabling it in this behalf, hereby directs that no Political Party or Candidate or any other Organization or Person shall publish any Advertisement in the print media on poll day and one day prior to poll day, unless the contents of political advertisements are got Pre-certified by them from the MCMC Committee at the State/District level, as the case may be. This will apply in the case of political advertisements to be published in the print media in circulation in the States as given below:

State	Phase and Date of poll	Restricted Days(poll day & one day prior to poll day)
Tripura	Phase I – 16.02.2023	15.02.2023 & 16.02.2023
Meghalaya	Phase I - 27.02.2023	26.02.2023 & 27.02.2023
Nagaland	Phase I - 27.02.2023	26.02.2023 & 27.02.2023

3. It is also informed that the applicants mentioned in Para 2 above shall have to apply to MCMC not later than 02(two) days prior to the proposed date of publication of advertisement on poll day and 01 day prior to poll day.

- 4 It is further directed that in order to facilitate the process of pre-certification of the newspaper advertisements and as instructed above, MCMC at State/district level be immediately alerted and activated in order to examine and pre-certify all such advertisements received from the political parties and candidates and others. It should also be ensured that the decision by MCMC is made expeditiously.
5. The above direction of the Commission may be brought to the notice of Presidents of all political parties, contesting candidates and Newspapers in the State and also given wide publicity to all Media of Mass Communication for general information and strict compliance.
6. These directions shall come into force immediately.
7. A copy of the instruction issued in this behalf may be endorsed to the Commission urgently.

Yours faithfully,

(Rajesh Kumar Singh)
Under Secretary
011-23052131

ELECTION COMMISSION OF INDIA

Nirvachan Sadan, Ashoka Road, New Delhi-110001

No. 491/Social Media-SOP/2023/Communication

Dated: 20th January, 2023

To,
Chief Electoral Officers of
Meghalaya, Nagaland & Tripura

Subject: SOP for escalating violations on Social Media for redressal during General Election to Legislative Assemblies of Meghalaya, Nagaland & Tripura, 2023-reg.

I am directed to refer to the subject cited and to inform that the Commission has appointed following Social Media Nodal Officers for escalating/reporting violation of MCC/ Commission's instructions/provisions of the law/court's orders in the matters related to election on Social Media platforms during ongoing elections to Legislative Assemblies of Meghalaya, Nagaland & Tripura.

Name	Designation	Email	Mobile
Sh. Anuj Chandak	Joint Director	anuj.chandak@nic.in	Mobile:8447950828 Tel No:011-23052120
Sh. Rajesh Kumar Singh	Under Secretary	rajesh@eci.gov.in	Mobile:9818917462 Tel No:011-23052131

2. In case any violation of MCC or any other Commission's instructions/provisions of the law/R.P. Act and court's orders in the matters related to election is observed during ongoing Assembly elections, the same shall be forwarded/reported to above mentioned Nodal Officers appointed by the Commission and not directly to any of the Social Media Platforms. Complaints/violations shall also be forwarded on following e-mail id:

media-division@eci.gov.in

3. The Nodal Officers appointed by the Chief Electoral Officer, while reporting any violation shall cite relevant provisions of electoral law, IPC, MCC etc. violated. Also, clickable link/URL along-with the screenshots and transcript of the post/tweet/video (wherever

required) shall also be enclosed. For any legal action taken/ initiated, the details may also be shared with ECI social media nodal officers.

4. All complaints from district shall also be routed through Social Media Nodal Officer in CEO Office with all details. DEOs shall not send the requests directly to ECI nodal officers.

5. E-mail shall be the primary mode of communication. However, violation of grave nature may be reported to the nodal officers for social media at Election Commission of India (HQ) over phone/WhatsApp so that the same can be expedited with the social media platforms.

6. For monitoring of the political ads and details of the expenditure, the Nodal Officers for social media at the office of the CEO may go to the links given in Annexure I.

7. Further, details viz. Name, Contact Number and e-mail of Social Media Nodal Officer appointed at the O/o CEO of respective states shall be communicated to the Commission.

8. Further, attention is invited to clause 4 (b) of IT intermediary guidelines rules 2021 issued by MeITY which mentions about Additional Due diligence to be observed by significant social media intermediary which states as follows

“appoint a nodal contact person for 24x7 coordination with law enforcement agencies and officers to ensure compliance to their orders or requisitions made in accordance with the provisions of law or rules made thereunder”.

In this regard, you may also coordinate with State Police Nodal officer (SPNO)/cyber cell for further necessary action.

Yours sincerely

(Rajesh Kumar Singh)

Under Secretary

Phone: 011-23052131

Mail: rajesh@eci.gov.in

Copy to:

Shri Subho Ray, President,

Internet & Mobile Association of India,
232-B, Ground Floor, Okhla Industrial Estate,
Phase-3, New Delhi-110020.

Annexure I

Ad Transparency Links

Social Media	Links
Twitter	Doesn't host any political Advertisements
Facebook & its products	https://www.facebook.com/ads/library/?active_status=all&ad_type=political_and_issue_ads&country=IN
Google & its products	https://transparencyreport.google.com/political-ads/region/IN?hl=en



भारत निर्वाचन आयोग
Election Commission of India

Nirvachan Sadan, Ashoka Road, New Delhi-110001

Follow us on :     | www.eci.gov.in