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ELECTION COMMISSION OF INDIA

NIRVACHAN SADAN, ASHOKA ROAD, NEW DELHI-110001

No.464/INST/EPS/2023/L&O

Dated: 8th June, 2023

To

1. The Chief Secretaries of all States/UTs
2. The Chief Electoral Officers of all States/UTs

Subject: Measures related to Law & Order for conduct of peaceful, free and fair General/Bye elections – Consolidated Instruction – regarding.

Reference: Commission's Instructions on Law & Order related issues and to ensure conduct of free and fair elections:

- (i) No.464/96-L&O/PLN-I dated 17.01.1996
- (ii) No.464/96-L&O/PLN-I dated 13.03.1996
- (iii) No.476/3/98-JS-II dated 14.02.1998
- (iv) No.437/GE-99/PLN-III/MCC dated 28.07.1999
- (v) No.464/L&O/99-PLN-I dated 18.08.1999
- (vi) No.576/14/99-PLN-I dated 21.08.1999
- (vii) No.464/INST/2006/PLN-I dated 20.04.2006
- (viii) No.464/L&O/2007/PLN-I dated 08.01.2007
- (ix) No.464/INST/2007-PLN-I dated 08.01.2007
- (x) No.464/INST/2007-PLN-I dated 12.10.2007
- (xi) No.464/INST/2008/PLN-I dated 27.02.2008
- (xii) No.464/GJ-LA/2007 dated 19.11.2007
- (xiii) No.464/GJ-LA/2007 dated 26.11.2007
- (xiv) No.464/INST/2008/EPS dated 05.11.2008
- (xv) No.464/L&O/2008/EPS dated 12.11.2008
- (xvi) No.464/INST/2009/EPS dated 09.01.2009
- (xvii) No.464/INST/2009/EPS dated 24.03.2009
- (xviii) No.464/INST/2009-EPS dated 08.04.2009
- (xix) No.464/INST/2009/EPS dated 01.09.2009
- (xx) No.464/UP/2011/EPS dated 30.12.2011
- (xxi) No.470/INST/2014-EPS dated 15.05.2014
- (xxii) No.464/INST/2019/EPS dated 21.05.2019

Madam/Sir,

Election Commission of India is vested with the superintendence, direction and control of, inter alia, the conduct of all elections to the Parliament and to the Legislature of every State under

clause (1) of Article 324 of the Constitution of India. The Commission is well aware of the existence of money and muscle power and its ill impact on election process. It has always been the endeavor of the Commission to take a number of strict enforcement measures over and above the purview of normal law and order arrangements, for amplifying the efforts and strengthen administrative systems for peaceful, free, fair and transparent elections.

In view of above and in supersession of all the previous instructions issued by the Commission under reference, a revised consolidated instruction is being issued in the matter related to preventive law and order actions for strict compliance by all concerned.

A. PREVENTIVE LAW AND ORDER ACTIONS:

(i) The DEO and SP shall initiate preventive measures to ensure that intimidation/ obstruction does not happen during elections. Confidence-building measures such as guarding of vulnerable locations, area domination etc. point patrolling, undertaking visits to meet vulnerable communities, tracking should be initiated to bolster the voters' confidence about the arrangements for free and fair poll. CAPF, in combination with State Police, shall be extensively used for patrolling and confidence building activities before poll day and for safeguarding polling stations and material on poll day and post poll duration.

(ii) Vulnerability Mapping exercise shall be initiated and continuously carried out as provided in the relevant Manual on the subject. The police should identify and keep track of the vulnerable locations, voters in those locations and persons causing vulnerability and take prophylactic measures in the context of holding peaceful elections.

(iii) A special drive shall be launched by every Superintendents of Police/ Commissioners of Police 6 (six) months prior to the probable date of elections (*as an estimate take date and month of the poll day of the last relevant General Election*) to:

(a) Compile a list of all such persons indulged in electoral offences

like booth capturing, intimidation, impersonation in each police station of each and every constituency during the past Parliamentary and State Assembly elections.

- (b) Compile a list of history sheeters, declared absconders, fugitive criminals in each police station falling in each and every Parliamentary/Assembly Constituency
- (c) Effect the service of all pending warrants in each police station of each and every Parliamentary/Assembly Constituency promptly and monitor regularly.
- (d) Expedite the investigation and prosecution of all electoral offences registered in previous elections in each police station of each and every Parliamentary and Assembly Constituency and a fortnightly report be made available to the District Election Officers concerned and shall be forwarded to the Commission as and when asked for.
- (e) Compile a list of persons reported to have indulged in the offences under SC and ST (Prevention of Atrocities) Act, 1989 during past elections and initiate actions as required.

The above activities shall be reviewed **weekly** at SP/CP level for initiation of preventive measures for a conducive environment during elections.

B. BAN ON SALE OF LIQUOR:

(i). Section 135C of Representation of the People Act, 1951 provides that no spirituous, fermented or intoxicating liquor or other substances of like nature shall be sold, given or distributed at a hotel, eating house, tavern, shop or any other place, private or public, within a polling area during the period of 48 hours ending with the hour fixed for conclusion of poll for any election in the polling area. Therefore, 'Dry Day' shall be declared and notified under relevant State Laws for the stipulated period for the poll areas.

(ii) The day on which counting of votes is to be taken up, shall also be



declared 'Dry Day'. For the purpose of declaring DRY DAY on day of counting, State Excise Department shall issue comprehensive instructions regarding dry day on day of counting (up to completion of counting of votes and declaration of result) using its appropriate powers, mentioning specific relevant provisions in its Acts/Rules. State Governments need to issue comprehensive instructions to all concerned authorities to take appropriate legal measures to ensure strict compliance of the said provision.

(iii) Special drives shall be launched to keep a check on inter-State flow of illicit liquor and unearth illicit liquor making factories and all restrictions provided in State Excise Law or any other Laws on the storage of liquor in unlicensed premises shall be vigorously enforced. In such drive, all relevant law enforcement agencies shall initiate coordinated efforts.

C. BAN ON CARRYING OF LICENSED ARMS -

(i). Prohibitory orders under section 144 of the Criminal Procedure Code, 1973 shall be issued banning the carrying of licensed arms as soon as an election is announced and such ban should be made effective till the declaration of results.

(ii). The authorities shall conduct a 100% scrutiny of licences of arms and ammunition shops with a view to ensuring that the records of their stocks are kept up-to-date. Their antecedents, recent involvement in irregularities, variation in business transactions and political leanings, if any, warrant a close checking and monitoring during the days of active electioneering.

D. BAN ON ISSUE OF LICENSE OF ARMS-

Issue of license for arms should be prohibited during the period commencing with the date of announcement of elections. This ban will continue to be operative till the completion of the election as notified.

E. SEIZURE OF UNLICENSED ARMS AND AMMUNITIONS-

A special drive shall be launched to unearth and seize unlicensed arms and ammunition. A very thorough regular search and seizure by the State



Police of unlicensed arms and places of indigenous manufacturer of arms and ammunition or underground arms factories shall be carried out and persons involved shall be arrested according to the legal provisions. While unearthing and seizure of unlicensed weapons is a normal ongoing responsibility of the police, it shall be vigorously intensified during the election period. Inter-State and Intra-State movements of trucks and commercial vehicles shall be strictly checked with a view to preventing smuggling of arms, ammunition and anti-social elements. Close inter-state coordination shall be established, as required.

F. DEPOSIT OF LICENSED ARMS-

(i). Immediately after the announcement of elections, District Magistrates shall make a detailed and individual review and assessment, in accordance with the prevalent State laws, of all license holders so that licensed arms in those cases **where they consider it essential are impounded in order to ensure maintenance of law and order** and conduct of free and fair elections. The cases which may need *inter alia* special review are:

- (a) Arms licence of persons released on bail,
- (b) Arms licence of persons having a history of criminal offences, and
- (c) Arms licence of persons previously involved in rioting at any time but especially during the election period.

(d) Arms license of persons involved in election offences of any kind;

(ii). The Hon'ble High Court of Bombay in CWP No.835 of 2009 (Sh Govind Vs. Vikram Kumar, Distt Magistrate & Others) vide order dated 10th July 2009 had laid down procedure for review and assessment of all license holders, which needs to be followed scrupulously, as follows:

- (a) There shall be a Screening Committee in every District and in every Police Commissionerate area. In the District, the Screening Committee shall consist of the District Magistrate and the Superintendent of Police. In the Commissionerate area, it shall consist of the Commissioner of Police and Joint/Additional Commissioner of Police (Administration).



- (b) The Screening Committee shall commence the work of screening of all arms licenses from the day of announcement of election by the Election Commission and it shall complete the exercise of screening, as far as possible, before the date of issue of notification of elections.
- (c) Cases of all licence holders as mentioned in above para-F(i) shall also be placed before the Screening Committee.
- (d) On receipt of report from the Screening Committee, the licensing authority shall issue notice before the last date fixed for withdrawal of candidature to the individual license holder for depositing his arms and inform to the license holder that failure to deposit the arms as directed would result in prosecution under Section 188 of the Indian Penal Code.
- (e) The licence holders, thereafter, shall deposit their arms forthwith and in any case within a period of seven days from the date of receipt of the notice.
- (f) The decision taken by the Screening Committee shall be final.
- (g) Any licence holder who fails to deposit arms within the period specified above shall be liable for prosecution under Section 188 of the Indian Penal Code.
- (iii). The District Administration or Commissioner of Police shall ensure fool proof arrangements for keeping the deposited firearms in safe custody. Proper receipt must be given to the licence holders depositing their firearms. District Administration or the Commissionerate of Police shall ensure that all firearms deposited are returned to the licence holders immediately after one week of the date of declaration of results.
- (iv). Sportsmen who are the members of National Rifle Association, at different levels and have to participate in various sporting events in which they use their rifles, will be exempted from these restrictions. This ban shall also not be applicable to those communities who are entitled to display weapons by long standing law, custom and usage. This shall, however, not prevent the District Administration to impound weapons of



any person, even from such communities, if they are found to be indulging in violence or posing a threat to the maintenance of law and order and peaceful conduct of elections. In such cases also, the seized firearms shall remain impounded till one week after the declaration of results.

G. TRANSPORTATION OF ARMS AND AMMUNITIONS:

(i). Strict vigil shall be maintained by police, thorough checking of lorries, light vehicles and all other vehicles, preferably by setting up equipped check posts, from the day of announcement of elections to ensure that no undesirable elements or arms and ammunition are being transported into the constituency from outside and to apprehend them and take appropriate action under law if they are doing so.

(ii). Such checking of vehicles shall continue till the completion of the counting of votes and the declaration of results.

(iii). It is clarified that Commission has not banned supply of arms and ammunitions from one State to other. However, such transfers should only be on the basis of valid papers, including 'No Objection Certificates' from the respective District Magistrates/ Commissioners of Police, as applicable in laws. The state authorities supplying the consignment of arms and ammunition shall inform the concerned authorities of the States wherein the supplies of arms and ammunitions are sent so as to take advance action for remitting the consignment to the actual consignee.

H. DISPLAY OF ARMS:

Display of arms in procession in support of a candidate during campaign period is tantamount to threat and intimidation to voters at elections. The Commission directs that no individual or group of persons can be allowed to display arms during a procession or any meeting in support of a candidate, under any circumstances. All meetings/processions for campaigning activity should be videographed for surveillance purpose and *inter alia* detect any violations of this direction.



I. ENTRY OF PERSONS WITH SPECIAL SECURITY COVER IN POLLING STATIONS/COUNTING CENTRES:

The CPT (Close Protection Team) with arms will follow the protectee to the door of the polling booth or the counting hall as the case may be, thereafter, only one Personal Security Officer with concealed firearms will accompany the protectee inside the polling booth and will locate himself so as to provide requisite cover to the Protectee without interfering with the proceedings, in any way, inside the polling station.

J. PROHIBITION ON MISUSE OF SHORT MESSAGE SERVICES (SMSs) AND OTHER SOCIAL MEDIA PLATFORMS:

The Commission is aware of the fact that persons with vested interests may transmit objectionable messages through SMSs or **other Social Media platforms** which may vitiate the process of elections by violating the election laws, model code of conduct and instructions issued by the Commission in the regard. To ensure that elections are conducted in free, fair and peaceful manner, the Commission has issued the following directions:

- (a) Police authorities should advertise special mobile numbers on which the receiver of such messages can forward the said messages along with the number of the sender(s). An appropriate inquiry shall be initiated by the police authorities and after tracing original sender of such messages, suitable action shall be taken under relevant provisions of Indian Penal Code, Representation of the People Act, 1951, Conduct of Election Rules, 1961, instructions/directions issued by the Commission and any other law applicable.
- (b) During 48 hours ending with the hour fixed for conclusion of poll, there shall be no transmission of bulk messages of political nature.
- (c) Bulk messages transmitted during campaign period will be brought to notice of CEO by Returning Officers or District Election Officers and the cost be apportioned to election expenditure of candidate(s) concerned.
- (d) Mobile Service Providers shall also be appropriately briefed and directed



about the sensitivities involved and legal provisions.

K. PREVENTION ON CARRYING OF MOBILE, SMART PHONES ETC WITHIN PROHIBITED AREA:

The Commission has prohibited carrying of mobile phones, smart phones, wireless sets etc. inside the polling stations on the day of poll and Counting Centres on the day of counting. However, Presiding Officers will be allowed to carry their phones in silent mode and use only for communication with Sector Officers, Returning Officers and Observers in case of necessity and exigency. These instructions will also not apply to the officers in charge of law and order, security personnel put on duty, Observers appointed by the Commission, election authorities and officers in charge of counting at Counting Centres.

L. RESTRICTION ON PRESENCE OF POLITICAL FUNCTIONARIES IN A CONSTITUENCY AFTER CAMPAIGN PERIOD IS OVER:

- (i). Under Section 126 of the Representation of the People Act, 1951, in the period of 48 hours ending with the hour fixed for the close of poll (*silence period*), the campaigning activities shall come to an end.
- (ii). During the course of campaign, political parties mobilize their supporters, including from outside the constituency, in order to bolster their campaign. In view of the fact of closure of campaign period, no campaign activities shall take place within the constituency in the last 48 hours, as specified. Political functionaries/party workers/procession functionaries/campaign functionaries etc., who have been brought from outside the constituency and who are not voters of the constituency, should not continue to remain present in the constituency as their continued presence, after end of the campaign period, may undermine or vitiate eco-system required for free and fair election.
- (iii). The Commission has directed that after the end of campaign period, the district administration/police administration shall ensure that all such functionaries leave the constituency immediately after the beginning of silence period. However, the said restriction may not be insisted upon



during the General Elections to Lok Sabha/State Legislative Assembly in respect of office bearer of Political Party who is in charge of the State. Such office bearer of the political party shall declare his place of stay in the State headquarters and his movement during the period in question shall remain confined normally between his party office and his place of stay.

(iv). Above mentioned directions on silence period shall be brought to the notice of all political parties, contesting candidates and their agents to comply with the directions.

(v). The Commission further directs that the district administration/police may take all necessary measures, to scrupulously implement this direction, which *inter alia* may include:

(a). Checking of marriage halls/ community halls etc., where such people are kept housed and find out whether any outsiders have been accommodated in these premises.

(b). Verification of hotels, lodges and guesthouses to keep a track of the list of occupants.

(c). Set up check posts in the constituency borders and track the vehicular movement from outside the constituency.

(d). Verify the identity of the people/group of people in order to find out whether they are voters or not and establish their identity.

M. VIGIL ON JAIL INMATES:

To eliminate any possibility of undue influence on peaceful, free and fair election from politically connected jail inmates, the Commission has directed that district administration shall take following measures:

(a) The District Magistrates shall regularly inspect the jails and ensure that the provisions of the Jail Manual are followed scrupulously.

(b) He shall submit a weekly report confirming that the inmates are not given access to cell phones etc. and that the provisions of the Jail Manual are followed scrupulously by the jail authorities in all respects, particularly the visits of outsiders to meet the jail inmates.



(c) Identified jail inmates should not be allowed to meet visitors every day to prevent them to hold virtual election meetings and discuss election related issues from inside the jails.

(d). The transfer of inmates during election process shall be monitored and, unless specific order of the competent court, the transfer of inmates shall not be done. In case of any such transfer needed for any justifiable reasons, prior information to the Chief Electoral Officer shall be given who in turn will seek the approval of the Commission.

N. ACTION TO BE TAKEN FOR ELECTORAL OFFENCES:

The following action *inter alia* shall be ensured:

(a) Identify critical polling stations and vulnerable areas, according to the various extant instructions and the Manuals on the subjects, that need special attention and appropriate measures be undertaken to prevent any untoward situation affecting free and fair conduct of election.

(b) Strict action shall be taken against any electoral offenders. A list of electoral offences is enclosed for easy reference (**Annexure-I**)

(c) Compile all the criminal cases lodged in the course of conduct of elections. The Commission has directed that the last date for launching of prosecution of all cases relating to electoral offences should be one month from the date of completion of elections. Close monitoring shall be done by District Election Officer and Superintendent of Police/ Commissioner of Police.

(d) The Commission has fixed the same period by which enquiries on complaints received or referred by the Commission, during the conduct of the elections, should be completed.

(e) No such case shall be withdrawn by the State Government without the prior concurrence of the Election Commission of India.

(f) Monthly report as enclosed in Proforma at **Annexure-II (Electoral Offences Report)** about the status of electoral offence cases in which FIRs have been lodged should be furnished to the Commission. Such Monthly



Report shall also be provided on Election Planning Portal by the Chief Electoral Officers.

O. LAW AND ORDER REPORT:

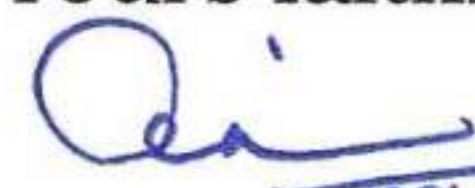
The Chief Secretary shall arrange, immediately after announcement of election till completion of election, for compilation of daily law & order report for each district in format prescribed at **Annexure-III (Law and Order Report-I)** and for its transmission to the Chief Electoral Officer.

District authorities should not send this report directly to the ECI.

The Chief Secretary shall also arrange for compilation of a consolidated report for the State in another format mentioned in **Annexure-IV (Law and Order Report-II)** by the Home Department. These reports should be sent to the Chief Electoral Officer, who in turn shall forward it with his/her comments to the Commission. Law and Order Report-II shall also be furnished by the chief Electoral Officer on Election Planning Portal for the specified period.

This instruction shall be brought to notice of all concerned for strict compliance.

Yours faithfully,


03/06/2023

(SANJEEV KUMAR PRASAD)
SECRETARY

ANNEXURE-I

Legal provisions regarding Electoral Offences/Corrupt Practices

Sl. No.	Brief Description of offence	Section/ Rules	Punishment
ELECTORAL OFFENCES CONCERNING MEETINGS:			
1	Promoting or attempting to promote on ground of religion, race, caste, community or language, feeling of enmity or hatred, between different classes of the citizens of India.	Sec 125 of the Representation of the People Act, 1951 and Section 153A of the IPC.	3 years imprisonment or fine or both.
2	Prohibition of public meetings during period of forty-eight hours ending with the hour fixed for the conclusion of the poll: - No person shall – (a) convene, hold or attend, join or address any public meeting or procession in connection with an election; or (b) display to the public any election matter by means of cinematograph, television or other similar apparatus; or (c) propagate any election matter to public by holding, or by arranging the holding of, any musical concert or any theatrical performance or any other entertainment or amusement with a view to attracting the members of the public thereto, 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.	Sec 126 of the Representation of the People Act, 1951	2 years imprisonment or fine or both.
3	Acting or inciting others to act in disorderly manner at a public meeting, for the purpose of disturbing the meeting.	Sec 127 of the Representation of the People Act, 1951.	6 months imprisonment or fine or both.

OFFENCES CONCERNING VEHICLES			
1	If any person illegally hires or procures any vehicle for the free conveyance of any elector other than the candidates himself, member of his family or his agent, to or from any polling station commits an offence.	Sec 133 of the Representation of the People Act, 1951.	3 months imprisonment and fine.
CONCERNING OFFICERS/PERSONS INVOLVED IN ELECTION DUTY			
1	Every officer, clerk, agent, or other person who performs any duty in connection with the recording or counting of votes at an election shall maintain the secrecy of the voting. Its violation constitutes an offence.	Sec 128 of the Representation of the People Act, 1951	3 months imprisonment or fine or both.
2	No official connected with conduct of elections shall do any act (other than giving of vote) for the furtherance of the prospects of election of any candidate.	Sec 129 of the Representation of the People Act, 1951.	6 months imprisonment or fine or both.
3	Breach of official duty, without reasonable cause, by any person involved in any duty in connection with an election	Sec 134 of the Representation of the People Act, 1951.	Fine up to Rs. 500/-.
4	Any person in the service of the Government acting as an election agent or a polling agent or a counting agent of a candidate at an election	Sec 134A of the Representation of the People Act, 1951.	3 months imprisonment or fine or both
AT OR NEAR POLLING STATION ON THE DATE(S) OF POLL			
1	Prohibition on the date(s) of poll of: - (a) canvassing in or near polling station; or (b) soliciting the vote of any elector; or (c) persuading any elector not to vote for any particular candidate; or (d) persuading any elector not to vote at the election; or (e) exhibiting any notice or sign (other than an official notice) relating to the election.	Sec 130 of the Representation of the People Act, 1951.	Fine upto Rs. 250/-.
2	Any person shouting in a disorderly manner or using loudspeakers, megaphones etc. so as to disturb the poll, in or around the polling station can be arrested and such apparatus seized by any	Sec 131 of the Representation of the People Act, 1951.	3 months imprisonment or fine or both

	police officer.		
3	Misconduct by any person in the polling station, or disobedience of lawful directions of the presiding officer may result in that person being removed from the polling station by any police officer on duty. Any person who has been so removed from a polling station re-enters the polling station without the permission of the presiding officer can be arrested.	Sec 132 of the Representation of the People Act, 1951.	3 months imprisonment or fine or both
AGAINST CARRYING OF ARMS:			
1	No person, other than the Returning Officer, the presiding officer, any police officer or any other person appointed to maintain peace and order at the polling station who is on duty at the polling station, shall, on a polling day, go armed with arms. If he does so, he commits an offence.	Sec 134B of the Representation of the People Act, 1951.	2 years imprisonment or fine or both
AGAINST TAMPERING OF EVMS/BALLOT PAPERS			
1	If the Presiding officer of a polling station has reason to believe that any person has removed ballot paper or EVM out of polling station, such officer may arrest or direct a police officer to arrest such person and may search such person or cause him to be searched by a police officer.	Sec 135 of the Representation of the People Act, 1951.	1 year imprisonment or fine or both.
2	Booth capturing is an offence. 'Booth capturing' includes – 1. seizure of a polling station or a place fixed for the poll by any person making polling authorities surrender the ballot papers or voting machines; 2. or allowing only his or their own supporters to exercise their right to vote and prevent/coerce others from free exercise of their right to vote; 3 seizure of a place for counting of votes.	Sec 135A of the Representation of the People Act, 1951.	3-5 years imprisonment and fine, if offence committed by a person in govt. service, and 1 to 3 years and fine for others.
3	If any person fraudulently defaces or fraudulently destroys any ballot paper or EVM or the official mark on any ballot paper or EVM or puts into any ballot box	Sec 136 of the Representation of the People Act, 1951.	2 years imprisonment or fine or both, if offence committed by any officer or clerk

	anything other than the ballot paper, or pastes any paper, tapes etc. on the symbol/names/ballot button of EVM for the purpose of the election commits an offence.		employed on election duty, and 6 months imprisonment or fine, for others.
AGAINST DENYING SOMEONE RIGHT TO VOTE:			
1	Non-granting of paid holiday to the employees entitled to vote on the date of the poll by the employer.	Sec 135B of Representation of the People Act, 1951.	Fine up to Rs. 500/-.
THREAT/INDUCEMENT OF VOTERS:			
1	Whoever forces or intimidates a member of SC/ST not to vote or to vote a particular candidate or to vote in a manner other than that provided by law commits an offence.	Sec 3(1) (vii) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989.	
2	<p>Bribery. — (1) Whoever—</p> <p>(i) gives a gratification to any person with the object of inducing him or any other person to exercise any electoral right or of rewarding any person for having exercised any such right; or</p> <p>(ii) accepts either for himself or for any other person any gratification as a reward for exercising any such right or for inducing or attempting to induce any other person to exercise any such right, commits the offence of bribery:</p> <p>Provided that a declaration of public policy or a promise of public action shall not be an offence under this section.</p> <p>(2) A person who offers, or agrees to give, or offers or attempts to procure, a gratification shall be deemed to give a gratification.</p> <p>(3) A person who obtains or agrees to accept or attempts to obtain a gratification shall be deemed to accept a gratification, and a person who accepts a gratification as a motive for doing what he does not intend to do, or as a reward for doing what he has not done, shall be deemed to have accepted the gratification as a reward.</p> <p>(2) Without prejudice to the generality of the provisions of sub-section (1),</p>	Sections 171B/171E of the Indian Penal Code.	1 year's imprisonment or fine or both.

	<p>whoever-</p> <p>(a) threatens any candidate or voter, or any person in whom a candidate or voter is interested, with injury of any kind, or</p> <p>(b) induces or attempts to induce a candidate or voter to believe that he or any person in whom he is interested will become or will be rendered an object of Divine displeasure or of spiritual pleasure, shall be deemed to interfere with the free exercise of the electoral right of such candidate or voter, within the meaning of sub section (1).</p> <p>(3) A declaration of public policy or a promise of public action, or the mere exercise of a legal right without intent to interfere with an electoral right, shall not be deemed to be interference within the meaning of this section.</p>		
3.	<p>Undue influence at election – (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.</p> <p>(2) Without prejudice to the generality of the provisions of sub-section (1), whoever- (a) threatens any candidate or voter, or any person in whom a candidate or voter is interested, with injury of any kind, or</p> <p>(b) induces or attempts to induce a candidate or voter to believe that he or any person in whom he is interested will become or will be rendered an object of Divine displeasure or of spiritual pleasure, shall be deemed to interfere with the free exercise of the electoral right of such candidate or voter, within the meaning of sub section (1).</p> <p>(3) A declaration of public policy or a promise of public action, or the mere exercise of a legal right without intent to interfere with an electoral right, shall not be deemed to be interference within the meaning of this section.</p>	Sections 171C/171F of the Indian Penal Code.	1 year imprisonment or fine or both
4	<p>Personation at elections. —Whoever at an election applies for a voting paper or</p>	Sections. 171D/171F of the Indian Penal	1 year's imprisonment or fine or both.

	<p>votes in the name of any other person, whether living or dead, or in a fictitious name, or who having voted once at such election applies at the same election for a voting paper in his own name, and whoever abets, procures or attempts to procure the voting by any person in any such way, commits the offence of personation at an election:</p> <p>Provided that nothing in this section shall apply to a person who has been authorised to vote as proxy for an elector under any law for the time being in force in so far as he votes as a proxy for such elector.</p>	Code.	
5	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 in relation to the personal character or conduct of any candidate commits a crime.	Sec 171G of the Indian Penal Code.	Fine
6	<p>Whoever without the general or special authority in writing of a candidate incurs or authorizes expenses on account of the holding of any public meeting, or upon any advertisement, circular or publication, or in any other way whatsoever for the purpose of promoting or procuring the election of such candidate.</p> <p>Provided that if any person having incurred any such expenses not exceeding the amount of ten rupees without authority obtains within ten days from the date on which such expenses were incurred the approval in writing of the candidate, he shall be deemed to have incurred such expenses with the authority of the candidate.</p>	Sec 171H of the Indian Penal Code.	Punishment with a fine which may extend to five hundred rupees.
7	<p>Statements creating or promoting enmity, hatred or ill will between classes—</p> <p>Whoever makes, publishes or circulates any statement or report containing rumour or alarming news with intent to</p>	Sec.505(2) of the Indian Penal Code.	Imprisonment up to 5 years and fine.

	create or promote, or which is likely to create or promote, on grounds of religion, race, place of birth, residence, language, caste or community or any other ground whatsoever, feelings of enmity, hatred or ill will between different religious, racial, language or regional groups or castes or communities, shall be punished with imprisonment which may extend to three years, or with fine, or with both.		
8	Filing of false affidavit, or concealing any information in the affidavit filed by the candidate.	Section 125A of the Representation of the People Act, 1951.	Six months imprisonment or fine or both
9	False declaration in connection with preparation, revision or correction of electoral roll, or inclusion or exclusion of any entry in or from the electoral roll.	Section 31 of the Representation of the People Act, 1950.	1 year's imprisonment or fine or both
AGAINST HARMING A PUBLIC SERVANT ON DUTY:			
1	Whoever voluntarily causes simple or grievous hurt or assaults to deter a public servant from discharging his duty.	Section 332/333/353 of the Indian Penal Code	Imprisonment from 2 to 10 years and fine.
CONCERNING PAMPHLETS/POSTERS//HANDBILLS/ PLACARDS:			
1	Whoever prints or publishes any election pamphlets, poster, handbills or placards which does not bear on its face the name and the address of the printer and the publisher commits an offence.	Section 127A of the Representation of the People Act, 1951.	Six months imprisonment or fine up to Rs.2000/-or both

Corrupt Practices under RP Act, 1951

1	<p>123. Corrupt practices: —The following shall be deemed to be corrupt practices for the purposes of this Act: —</p> <p>(1) “Bribery” that is to say— (A) any gift, offer or promise by a candidate or his agent or by any other person with the consent of a candidate or his election agent of any gratification, to any person whomsoever, with the object, directly or indirectly of inducing—</p> <p>(a) a person to stand or not to stand as, or to withdraw or not to withdraw from being a candidate at an election, or</p> <p>(b) an elector to vote or refrain from voting at an election, or as a reward to—</p> <p>(i) a person for having so stood or not stood, or for having withdrawn or not having withdrawn]</p>
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	<p>his candidature; or</p> <p>(ii) an elector for having voted or refrained from voting;</p> <p>(B) the receipt of, or agreement to receive, any gratification, whether as a motive or a reward—</p> <p>(a) by a person for standing or not standing as, or for withdrawing or not withdrawing from being, a candidate; or</p> <p>(b) by any person whomsoever for himself or any other person for voting or refraining from voting, or inducing or attempting to induce any elector to vote or refrain from voting, or any candidate to withdraw or not to withdraw his candidature.</p> <p>Explanation. —For the purposes of this clause the term “gratification” is not restricted to pecuniary gratifications or gratifications estimable in money and it includes all forms of entertainment and all forms of employment for reward but it does not include the payment of any expenses bona fide incurred at, or for the purpose of, any election and duly entered in the account of election expenses referred to in section 78.</p>
2	<p>(2) Undue influence, that is to say, any direct or indirect interference or attempt to interfere on the part of the candidate or his agent, or of any other person with the consent of the candidate or his election agent, with the free exercise of any electoral right:</p> <p>Provided that— (a) without prejudice to the generality of the provisions of this clause any such person as is referred to therein who—</p> <p>(i) threatens any candidate or any elector, or any person in whom a candidate or an elector is interested, with injury of any kind including social ostracism and ex-communication or expulsion from any caste or community; or</p> <p>(ii) induces or attempts to induce a candidate or an elector to believe that he, or any person in whom he is interested, will become or will be rendered an object of divine displeasure or spiritual censure,</p> <p>shall be deemed to interfere with the free exercise of the electoral right of such candidate or elector within the meaning of this clause;</p> <p>(b) a declaration of public policy, or a promise of public action, or the mere exercise of a legal right without intent to interfere with an electoral right, shall not be deemed to be interference within the meaning of this clause.</p>
3	<p>(3) The appeal by a candidate or his agent or by any other person with the consent of a candidate or his election agent to vote or refrain from voting for any person on the ground of his religion, race, caste, community or language or the use of, or appeal to religious symbols or the use of, or appeal to, national symbols, such as the national flag or the national emblem, for the furtherance of the prospects of the election of that candidate or for prejudicially affecting the election of any candidate:</p> <p>Provided that no symbol allotted under this Act to a candidate shall be deemed to be a religious symbol or a national symbol for the purposes of this clause</p>

4	(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.
5	(3B) The propagation of the practice or the commission of sati or its glorification by a candidate or his agent or any other person with the consent of the 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. Explanation: —For the purposes of this clause, “sati” and “glorification” in relation to sati shall have the meanings respectively assigned to them in the Commission of Sati (Prevention) Act, 1987 (3 of 1988)
6	(4) The publication by a candidate or his agent or by any other person with the consent of a candidate or his election agent, of any statement of fact which is false , and which he either believes to be false or does not believe to be true, in relation to the personal character or conduct of any candidate or in relation to the candidature, or withdrawal , of any candidate, being a statement reasonably calculated to prejudice the prospects of that candidate’s election
7	(5) The hiring or procuring, whether on payment or otherwise, of any vehicle or vessel by a candidate or his agent or by any other person with the consent of a candidate or his election agent or the use of such vehicle or vessel for the free conveyance of any elector (other than the candidate himself the members of his family or his agent) to or from any polling station provided under section 25 or a place fixed under sub-section (1) of section 29 for the poll: Provided that the hiring of a vehicle or vessel by an elector or by several electors at their joint costs for the purpose of conveying him or them to and from any such polling station or place fixed for the poll shall not be deemed to be a corrupt practice under this clause if the vehicle or vessel so hired is a vehicle or vessel not propelled by mechanical power: Provided further that the use of any public transport vehicle or vessel or any tramcar or railway carriage by any elector at his own cost for the purpose of going to or coming from any such polling station or place fixed for the poll shall not be deemed to be a corrupt practice under this clause. Explanation: —In this clause, the expression “vehicle” means any vehicle used or capable of being used for the purpose of road transport, whether propelled by mechanical power or otherwise and whether used for drawing other vehicles or otherwise
8	(6) The incurring or authorising of expenditure in contravention of section 77.

9	<p>(7) The obtaining or procuring or a betting or attempting to obtain or procure by a candidate or his agent or, by any other person with the consent of a candidate or his election agent, any assistance (other than the giving of vote) for the furtherance of the prospects of that candidate's election, from any person whether or not in the service of the Government and belonging to any of the following classes, namely: —</p> <ul style="list-style-type: none"> (a) gazetted officers; (b) stipendiary judges and magistrates; (c) members of the armed forces of the Union; (d) members of the police forces; (e) excise officers; (f) revenue officers other than village revenue officers known as lambardars malguzars, patels, deshmukhs or by any other name, whose duty is to collect land revenue and who are remunerated by a share of, or commission on, the amount of land revenue collected by them but who do not discharge any police functions; and (g) such other class of persons in the service of the Government as may be prescribed: Provided that where any person, in the service of the Government and belonging to any of the classes aforesaid, in the discharge or purported discharge of his official duty, makes any arrangements or provides any facilities or does any other act or thing, for, to, or in relation to, any candidate or his agent or any other person acting with the consent of the candidate or his election agent (whether by reason of the office held by the candidate or for any other reason), such arrangements facilities or act or thing shall not be deemed to be assistance for the furtherance of the prospects of that candidate's election; (h) class of persons in the service of a local authority, university, government company or institution or concern or undertaking appointed or deputed by the Election Commission in connection with the conduct of elections
10	<p>(8) Booth capturing by a candidate or his agent or other person.</p> <p>Explanation. — (1) In this section the expression "agent" includes an election agent, a polling agent and any person who is held to have acted as an agent in connection with the election with the consent of the candidate.</p> <p>(2) For the purposes of clause (7), a person shall be deemed to assist in the furtherance of the prospects of a candidate's election if he acts as an election agent of that candidate.</p> <p>(3) For the purposes of clause (7), notwithstanding anything contained in any other law, the publication in the Official Gazette of the appointment, resignation, termination of service, dismissal or removal from service of a person in the service of the Central Government (including a person serving in connection with the administration of a Union territory) or of a State Government shall be conclusive proof—</p> <ul style="list-style-type: none"> (i) of such appointment, resignation, termination of service, dismissal or removal from service, as the case may be, and (ii) where the date of taking effect of such appointment, resignation, termination of service, dismissal or removal from service, as the case may be, is stated in such publication, also of the fact that such person was appointed with effect from the said date, or in the case of resignation, termination of service, dismissal or removal from service such person ceased to be in such

	<p>service with effect from the said date.</p> <p>(4) For the purposes of clause (8), “booth capturing” shall have the same meaning as in section 135A.</p>
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ANNEXURE-II**STATUS AS ON: /(Month)/(Year)****ELECTORAL OFFENCE REPORT DURING GENERAL ELECTION/ BYE
ELECTION TO LEGISLATIVE ASSEMBLY OF / LOK SABHA (YEAR)**

(A separate report to be filed for each election)

District	Constituency (Name/Number)	Details of Offence (FIR)		Details of complaints	Date of filing of Charge Sheet/ Final Report to competent courts or any other status	Remarks
		Number/Date	Police Station			

ANNEXURE-III

LAW & ORDER REPORT-I

DAILY LAW & ORDER REPORT FOR DISTRICT FOR ELECTORAL EVENTS

(Report for a day should cover a period of 24 hours from 6:00 AM of that day to 6:00AM of next day)

District				State/UT			
Start Date for these Reports (Day 1)		Date		Month		Year	
Report for (.....) Day		Date		Month		Year	
Sr. No.	Items				Reporting Day	Cumulative from Start Date up to and including the Reporting Day	Remarks
1	No. of Unlicensed Arms/Explosive seized						
	(a)	Arms/Weapons					
	(b)	Cartridges/Explosives/Bombs (Quantity/Numbers)		(i) Cartridges			
	(ii) Explosives						
	(iii) Bombs						
2	No. of illicit arms manufacturing centers raided and seizures made						
3	Licensed Arms		a.	Total Licensed Arms			
			b.	Deposited			
			c.	Impounded			
			d.	Cancelled and deposited			
			e.	Exempted			
			f.	Pending [a-(b+c+d+e)]			
4	No. of cases put up under preventive sections of CrPC						
	(a)	of which no. of persons bound over under Sec. 107, 108, 110 r/w 151 of CrPC, 1973					
	(b)	of which no. of persons bound down under Sec. 107, 108, 109, 110 r/w 116 (3) of CrPC, 1973					
	(c)	No. of unserved notices against persons bound down under preventive sections of CrPC					
	(d)	No. of persons detained under NSA, PITNDPS or any other detention under local acts					

	(e)	No. of persons having licensed arms against (a+b+c)				
	(f)	No. of Licensed arms deposited against (d)				
5	Execution of non-bailable warrants		a.	Pending at the beginning of the day		
			b.	New NBWs received during the day		
			c.	Total No. of NBWs (a+b)		
			d.	No. of NBWs executed		
			e.	No. of NBWs returned to court unexecuted.		
			f.	No. of NBWs pending at the end of the day [c-(d+e)]		
6	Incidents of violence related to election (poll campaign, political rivalry, communal violence etc.)					
	a)	No. of incidents				
	b)	Total Death				
	c)	Total Injured				
	d)	Damage to property (in Rs. Lakh approx)				
7	No. of incidents occurred under The SCs and STs (Prevention of Atrocities) Act 1989 during election					
8	Information regarding Vulnerable Hamlets					
	a)	Number of Hamlets identified as Vulnerable				
	b)	Number of persons identified as probable source of trouble				
		Of which preventive action taken against	a.	107 with 151		
			b.	107 with 116 (3)		
			c.	109, 110		
d.			Others			
Total						
9	No. of Nakas Operational		a) Inter-State			
			b) Intra-State			
10.	No. of operational		a) FST			
b) SST						
c) QRT						

Note: A separate Report on violent incidents related to elections in the DISTRICT shall be attached.

ANNEXURE-IV

LAW & ORDER REPORT-II

DAILY LAW & ORDER REPORT FOR STATE/UT FOR ELECTORAL EVENTS

(Report for a day should cover a period of 24 hours from 6:00 AM of that day to 6:00AM of next day)

State/UT							
Start Date for these Reports (Day 1)		Date		Month		Year	
Report for (.....) Day		Date		Month		Year	
Sr. No.	Items				Reporting Day	Cumulative from Start Date up to and including the Reporting Day	Remarks
1	No. of Unlicensed Arms/Explosive seized						
	(a)	Arms/Weapons					
	(b)	Cartridges/Explosives/Bombs (Quantity/Numbers)	(i) Cartridges				
			(ii) Explosives				
			(iii) Bombs				
2	No. of illicit arms manufacturing centers raided and seizures made						
3	Licensed Arms		a. Total Licensed Arms				
			b. Deposited				
			c. Impounded				
			d. Cancelled and deposited				
			e. Exempted				
			f. Pending [a-(b+c+d+e)]				
4	No. of cases put up under preventive sections of CrPC						
	(a)	of which no. of persons bound over under Sec. 107, 108, 110 r/w 151 of CrPC, 1973					
	(b)	of which no. of persons bound down under Sec. 107, 108, 109, 110 r/w 116 (3) of CrPC, 1973					
	(c)	No. of unserved notices against persons bound down under preventive sections of CrPC					
	(d)	No. of persons detained under NSA, PITNDPS or any other detention under local acts					

	(e)	No. of persons having licensed arms against (a+b+c)				
	(f)	No. of Licensed arms deposited against (d)				
5	Execution of non-bailable warrants		a.	Pending at the beginning of the day		
			b.	New NBWs received during the day		
			c.	Total No. of NBWs (a+b)		
			d.	No. of NBWs executed		
			e.	No. of NBWs returned to court unexecuted.		
			f.	No. of NBWs pending at the end of the day [c-(d+e)]		
6	Incidents of violence related to election (poll campaign, political rivalry, communal violence etc.)					
	a)	No. of incidents				
	b)	Total Death				
	c)	Total Injured				
	d)	Damage to property (in Rs. Lakh approx)				
7	No. of incidents occurred under The SCs and STs (Prevention of Atrocities) Act 1989 during election					
8	Information regarding Vulnerable Hamlets					
	a)	Number of Hamlets identified as Vulnerable				
	b)	Number of persons identified as probable source of trouble				
		Of which preventive action taken against	a.	107 with 151		
			b.	107 with 116 (3)		
			c.	109, 110		
			d.	Others		
Total						
9	No. of Nakas Operational	a) Inter-State				
		b) Intra-State				
10.	No. of operational	a) FST				
		b) SST				
		c) QRT				

Note: A separate Report on violent incidents related to elections in the State shall be attached.