

भारत निर्वाचन आयोग  
**ELECTION COMMISSION OF INDIA**

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464/INST/2021-EPS/4778

निर्वाचन सदन,  
अशोक रोड, नई दिल्ली-110001.

Nirvachan Sadan,  
Ashoka Road, New Delhi-110001.

Dated: 20<sup>th</sup> December, 2021

To

The Chief Electoral Officers of,


1. Goa, Panaji.
2. Manipur, Imphal.
3. Punjab, Chandigarh.
4. Uttarakhand, Dehradun,
5. Uttar Pradesh, Uttar Pradesh.

Subject: Exemption from depositing of Firearms during elections by the members  
National Rifle Association of India and Rifle Clubs – regarding.

Sir/Madam,

I am directed to refer to the letter No. TRG/Elections/2021 dated 8<sup>th</sup> December, 2021 on the subject cited (copy enclosed) received from Secretary General, National Rifle Association of India. In this connection, I am directed to invite attention to the Commission's letter No. 464/INST/2009/EPS dated 1<sup>st</sup> September, 2009 (copy enclosed), wherein the Commission has already exempted the sportsmen who are the members of National Rifle Association, at different levels and have to participate in various sporting events. The above said standing instructions of the Commission are applicable in every General Election to the Lok Sabha and State Legislative Assembly. However, if any issue regarding deposition of such arms comes to your notice, you may advise the concerned person to contact concerned District Election Officers of the poll going States.

Yours faithfully,



**(SANJEEV KUMAR PRASAD)**  
**SECRETARY**

**Copy to:-** Sh. K. Sultan Singh, Secretary General, National Rifle Association of India, "NRAI House", 51-B, Tughlakabad Institutional Area, New Delhi – 110062.







SG(US)

K. SULTAN SINGH  
Secretary General



TRG/Elections/ 2021

December 8, 2021

The Chief Election Commissioner  
Nirvachan Sadan  
Ashoka Road  
New Delhi-110001



Subject: Deposit of Firearms during elections by members of National Rifle Association of India and Rifle Clubs

Dear Sir,

You have very kindly exempted the member of the National Rifle Association of India (NRAI) and other Rifle Clubs from depositing Firearms during the conduct of Elections of Lok Sabha and State Assemblies vide your notification no. 464/L&O/2/2006/PLN-I/923 dated 7<sup>th</sup> April 2006. This clearly states that such standing instructions of the Commission are applicable in every General Election to Lok Sabha/State Legislative Assembly.

Despite the above notification, the State authorities are insisting for deposit of Firearms. The Authorities are insisting for fresh orders from the Election Commission of India to retain Firearms by the member shooters of NRAI stating the notification has been withdrawn "IN LEMINI"

The Elections of various State Assemblies would be taking place during the months of February-March 2022. From January 2022 onwards, we will be conducting the Selection Trial/Competitions to select the teams for various International Competitions, which are scheduled to be held from end of February 2022 onwards. Our shooters need to train for these competitions/Selection Trials.

In view of the above and to avoid harassment of the competing shooters, we request you to kindly issue clarification/instructions in this regard for which we shall be grateful & obliged.

Thanking you

Yours faithfully

K. Sultan Singh  
Secretary General

Dr. R. K. Singh (SM)  
9/12  
U (Sharma)  
23/12/21  
13-12-2021  
11-12-2021



INSTRUCTION NO 16

ELECTION COMMISSION OF INDIA

NIRVACHAN SADAN, ASHOKA ROAD, NEW DELHI-110001.

No. 464/INST/2009/EPS

Dated: 1<sup>st</sup> September, 2009

To,

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

**Subject: Preventive Law & Order Action to ensure conduct of peaceful, free and fair poll during the General Elections/Bye-elections - Deposit of Arms - Regarding.**

Sir/Madam,

I am directed to invite your attention to the Commission's letters No. 464/INST/2009/EPS dated 24.03.2009 and 01.04.2009 on the above subject, wherein it has been stated that 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 licensed arms holders so that licensed arms, in those cases where they consider it essential are impounded in order to ensure maintenance of law and order so essential for ensuring free and fair elections.

2. The above instructions of the Commission came to be reviewed by the Hon'ble High Court of Bombay in CWP No. 835 of 2009 (Sh. Govind Vs. Vikram Kumar, Distt Magistrate & others) wherein it was alleged that the Commission's instructions had not been strictly followed. Upon such review, the Hon'ble High Court in its judgement/order dated 10.07.2009 has laid down certain guidelines to be strictly observed by all authorities concerned in respect of deposit of licence arms. A copy of the aforesaid judgement/order is enclosed herewith.

3. Accordingly, in view of the aforesaid judgement/order dated 10.07.2009, the Commission has reviewed its earlier instructions contained in its letters dated 24.03.2009 and 01.04.2009 and in supersession thereof issued the following instructions:-

(1.) The Commission being deeply aware of the increasingly vitative role of criminality and muscle power at elections has been taking and directing to take a number of measures over and above the purview of normal law and order arrangements, for augmenting the measures taken for peaceful, free and fair poll.



constituency-wise information of unserved warrants be made available to the concerned District Election Officer and Returning Officer to be forwarded to the Commission, if and when asked for.

3.4 A special drive should be launched to expedite the investigation and prosecution of all electoral offences registered in previous elections in each police station of each and every Parliamentary Assembly Constituency and a fortnightly report be made available to the District Election Officer and Returning Officer concerned to be forwarded to the Commission, if and when asked for.

#### **Ban on Sale of Liquor**

3.5 A special drive should be launched to unearth illicit liquor making factories and information about seizures be made available to the concerned District Election Officer and Returning Officer concerned, fortnightly to be forwarded to the Commission if and when asked for. All restrictions provided in excise law on the storage of liquor in unlicensed premises shall be vigorously enforced. Section 135C of Representation of the People Act, 1951 provides that no spirituous, fermented or intoxicating liquors 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. The day on which counting of votes is to be taken up, shall also be declared 'Dry Day'.

#### **Ban on carrying of Licensed Arms**

3.6 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 should be effective till the declaration of results.

3.7 The States should conduct a 100% scrutiny of licenses of arms and ammunition shops with a view to ensuring that the records of their stocks are kept up-to-date and that their antecedents, recent involvement in irregularities, if any, and political leanings, if any, warrant a close super checking and monitoring of their business during the days of active electioneering.



consist of the Commissioner of Police (Admn.) and Joint/Additional Commissioner of Police (Admn.)

- (b) The Screening Committee shall commence the work of screening from the day of announcement of election by the Election Commission and it shall complete the exercise of screening in respect of licences placed before it as far as possible before the date of issue of notification of elections.
- (c) Cases of all licence holders as mentioned in para 3.10 above shall 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 licence holder for depositing his arms and inform the licence holder that failure to deposit the arms as directed would result in prosecution under Section 188 of the I.P.C. as stated in clause 3.11 (g).
- (e) The licence holder thereafter shall deposit his arms forthwith and in any case within a period of seven days from the date of receipt of the notice. The Licensing Authority shall give proper receipt to the licence holder.
- (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.

3.12 The District Administration shall ensure foolproof arrangements for keeping the deposited firearms in safe custody. Proper receipt must be given to the licence holders depositing the firearms. It shall be the bounden duty of the District Administration to ensure that all firearms deposited with the Administration are returned to the licence holders immediately after one week after the declaration of results.

3.13 The 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



3.18 The Commanders/Assistant Commanders of the CPF shall be given a list of such vulnerable locations. Wherever CPF arrives in advance for area domination, special attention shall be given for such locations. On the day of poll the Commanders/Assistant Commanders shall make it a point to visit such vulnerable pockets as a confidence building measure. In case they come across any obstruction they shall take note of that and immediately inform any of the electoral officials such as RO/DEO/SP/Observer/Sector Officer and keep a note of the time of their intimation.

3.19 If any complaint is received or information gathered from any sources about obstruction/threat to any voter/voters the same shall be enquired into by the local administration without any delay.

3.20 A special drive should be launched to compile a list of such persons as are reported to have indulged in the offences under the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 during the election period.

#### Display of Arms

3.21 Display of arms in procession in support of a candidate during campaign period, tantamount to threat and intimidation to voters at election. 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. The meeting/procession for campaigning of a party should be Video-graphed.

4. The Chief Secretary shall arrange for compilation of daily law & order report for each district in format prescribed in the Proforma (LOR – Form I, **annexed**) and for its transmission to the CEO. District authorities should not send this report directly to the ECI. The Chief Secretary shall also arrange for compilation of a consolidated report for entire state in another format (LOR – Form II, **annexed**) by the Home Department. This reports should be sent to the CEO, who in turn would fax the report with his/her comments to ECI.

4. 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. It must be ensured that the supply reaches the actual consignee and it does not reach the hands of

**Daily Law & Order Report for Districts for  
Electoral Events**

**Election ID : STATE ELECTIONS, 2004**

(Report for a day should cover a period of 24 hours from 6.00 AM of that day to 6.00 AM of next day)

Report for..... day (2) Date		Month		Year			
Name of State:							
Name of Police District:							
<b>Part II : Details of Incidents of Violence</b> (Use a separate sheet for each incident of violence covered in item 6 of part I)							
<b>A. General Information</b>							
1.	Incident No.:					Time :	
2.	Place/Location:						
3.	Brief Narrative Summary of incident of violence :						
4.	Political/Communal Affiliation of the Groups/People involved in the incident, if any :						
5.	Police Action taken, if any :						
6.	Break-up of persons killed and injured in the incident:					Killed	Injured
	a) Political workers/Activists						
	b) Poll Officials						
	c) Policemen/Security Staff on Duty						
	d) Onlookers						
	e) Others						
	Total						

7. Details of Damage to Property, if any :

Signature  
of SP/SSP:

Name of  
SP/SSP:



## Election Commission of India

Daily Law & Order Report for State for Electoral Events  
Election ID : STATE ELECTIONS, 2004

(Report for a day should cover a period of 24 hours from 6.00 AM of that day to 6.00 AM of next day)

To

The Secretary

Election Commission of India

Start Date for these Reports (1): Date			Month		Year				
Report for..... day (2) : Date			Month		Year				

Name of State:

Sl. No.	Item	Reporting Day	Cumulative from Start Date upto and including Reporting day
1.	No. of Unlicensed Arms/Explosive seized		
	a) Arms/Weapons		
	b) Cartridges/Explosives(Quantity/Numbers)		
2.	No. of illicit arms manufacturing centres raided and seizures made		
3.	Licensed Arms deposited/impounded/Cancelled		
4.	No. of persons bound down U/S 107/116 CrPC etc.		
5.	Execution of non-bailable warrants		
	a) Executed		
	b) Pending		
6.	a) No. of incidents of violence related to poll campaign, political rivalry etc.		
	b) Total killed		
	c) Total injured		
	d) Damage to property (in Rs. Lakhs)		
Signature Of CEO:		Name of CEO:	

**IMPORTANT:** In case a violent incident has occurred for this day, please enclose, for each incident, a copy of the report for the concerned Police District in Form LOR-FORM I.