

ELECTION COMMISSION OF INDIA

Nirvachan Sadan, Ashoka Road, New Delhi-110001

No. 437/KT-LA/2023

Dated: 07.05.2023

To,

The President/General Secretary/Chairperson of
National/State Recognized Political Party
(As per the list attached)

Subject: (i) Commission Instructions dated 02/05/23 on plummeting level of public discourse during campaigning:

(ii) Concerns of content and format of political advertisements in Print Media and the timeline of the pre-certification requirements as contained in ECI Order No. 491/MCMC/3/2023/Communication, dated 31.03.2023.

Sir/Madam,

The ECI is in receipt of complaints and counter complaints by some National Parties with regard to advertisements and averments containing allegedly unverified claims and counter claims made during campaign.

2. The timelines for pre-certification requirements for Political Advertisement in the Print Media presently are contained in ECI's Instructions dated 31.03.2023. By this Instruction with respect to the General Election to Legislative Assembly of Karnataka, ***"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 advertisement are got Pre-certified by them from the MCMC Committee at the State/District level, as the case may be."***

“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.”

“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 be given wide publicity to all Media of Mass Communication for general information and strict compliance. “

3. As there are still 24 hours for the Pre-Certification timeline to come into being, the Commission once again reiterates that the spirit underlying its Instruction of 31.03.2023 as contained in para1 of the Instruction dated 31.03.23 needs to be adhered to by the Political Parties i.e. “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 advertisement 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”.

4. While based on the record before the ECI, including the response from the Political Party, the option of extending of pre-certification deadline to a larger period was considered. However, given the shortness of time regarding remaining campaign period, the ECI has refrained from taking such a step. Instead, it reiterates that the instructions of a clean & serious campaign discourse should be understood and maintained by all stakeholders at all times during the campaign period, regardless of the timeline of pre-certification for advertisement in print media.

5. In terms of advertisements and averments made during campaign, attention is once again drawn to Clause 4.4.2(B) (v) of Model Code of Conduct, i.e. "Other parties or their workers shall not be criticized based on unverified allegations or distortions.".

6. In continuation and independently of the above, the ECI, given the shortness of the remaining campaigning period, ex-facie notes the concern that National Parties & Star Campaigners are duty bound to adhere to the expected standards of campaign discourse. Accordingly, the Commission also reiterates its direction of 02/05/23 and further reemphasizes its strict compliance with regard to advertisements and averments made during campaign.

Yours faithfully,



(B.C.PATRA)
SECRETARY