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क्रमाक :एफ 7(4)विविध/अकाद/आकाशि/2023/ दिनांक

प्राचार्य,
समस्त राजकीय महाविद्यालय,
राजस्थान।

विषयः—विधानसभा आम चुनाव, 2023—सरकारी वेबसाइट /सरकारी भवनों /विज्ञापनों पर फोटो एवं संदेश प्रदर्शन के संबंध में।

संदर्भः— मुख्य निर्वाचन अधिकारी, राज. जयपुर का पत्र क्रमांक एफ 3.(1)(9)प्रथम /निर्वा /2023/5613 दिनांक 24.09.2023।

उपर्युक्त विषयान्तर्गत संदर्भित पत्र के क्रम में आपको निर्देशित किया जाता है कि सलंग्न पत्र की अक्षरशः पालना करना सुनिश्चित करें।

संलग्नः— उपरोक्तानुसार

(प्रो.सीमा कश्यप)
संयुक्त निदेशक (अकादमिक)

Signature valid
Digitally signed by Seema Kashyap
Designation : Associate Professor
Date: 2023.10.03 18:50:20 IST
Reason: Approved

RajKaj Ref No. : 4833034

राजस्थान सरकार
निर्वाचन विभाग

जयपुर, दिनांकः 24.09.2023

एफ 3.(1)(9)प्रथम / निर्वा / 2023 / 5613

कार्यालय प्रमुख शासन सचिव
सूचना एवं तकनीकी विभाग
शासन सचिवालय, जयपुर
डायरी संख्या 5760
दिनांक 27/9/14

प्रेषक : मुख्य निर्वाचन अधिकारी
राजस्थान, जयपुर।

प्रेषिति : मुख्य सचिव
राजस्थान सरकार
जयपुर।

समस्त अतिरिक्त मुख्य सचिव / प्रमुख शासन सचिव / शासन सचिव
राजस्थान सरकार

I.D. No. 204
Dated 29/9/23

: राज्य सूचना विज्ञान अधिकारी, (NIC) सचिवालय, जयपुर।

समस्त अध्यक्ष / प्रबन्ध निदेशक / निदेशक / सचिव बोर्ड / आयोग / निगम, राजस्थान

विषय : विधानसभा आम चुनाव, 2023 – सरकारी वेबसाइट / सरकारी भवनों / विज्ञापनों पर फोटो एवं संदेश प्रदर्शन के संबंध में।

महोदय,

विषयान्तर्गत निवेदन है कि राज्य में विधानसभा आम चुनाव, 2023 निकट भविष्य में सम्पन्न होने है। आगामी विधानसभा आम चुनाव के कार्यक्रम की घोषणा के साथ ही आदर्श आचार संहिता प्रभावी हो जायेगी, जो निर्वाचन प्रक्रिया की समाप्ति तक प्रभावी रहेगीं। चुनाव कार्यक्रम की घोषणा की सूचना भारत निर्वाचन आयोग की राजकीय वेबसाईट पर उपलब्ध रहेगी साथ ही आपको विभाग द्वारा सूचना दे दी जायेगी तथा मीडिया के माध्यम से भी इसकी सार्वजनिक जानकारी हो जायेगी।

आदर्श आचार संहिता के प्रभावी रहने के दौरान भारत निर्वाचन आयोग के भारत निर्वाचन आयोग ने अपने पत्रांक 437/6/INST/2014/CC&BE दिनांक 20.03.2014 एवं पत्रांक 437/6/2007(INST) PLN-III दिनांक 21.11.2007 के द्वारा सरकारी वेबसाईटों से राजनेताओं / मंत्रियों के सभी संदर्भों को हटाने से संबंधित अनुदेश प्रदान किये गये हैं। साथ ही भारत निर्वाचन आयोग की Manual on Model Code of Conduct, March 2019 पुस्तिका अध्याय 9, जिसमें सरकारी वेबसाइट / सरकारी भवनों / विज्ञापनों पर फोटो एवं संदेश प्रदर्शन, पानी के टेंकर, एम्बुलेन्स, वाहनों आदि पर नाम, फोटो एवं संदेश तथा MP LAD /MLA LAD योजनान्तर्गत प्रदत्त विभिन्न कार्ड, बिजली व अन्य बिल, किसी योजनान्तर्गत वितरित किये जाने वाले खाद्य पैकिट एवं इसी प्रकार की अन्य सामग्रियों / वस्तुओं पर विभिन्न राजनेताओं के फोटो या नाम हटाये जाने के संबंध में विस्तृत दिशा–निर्देश दिये गये है, जिनकी प्रति संलग्न कर प्रेषित की जा रही है। साथ ही यह भी आवश्यक रूप से सुनिश्चित किया जाना आवश्यक हैं कि राजकोष या लोक निधि से व्यय करके अखबारों अथवा मिडिया माध्यमों पर कोई विज्ञापन प्रकाशित नहीं किया जायेगा, जिससे किसी सत्ताधारी राजनैतिक दल का प्रचार हो।

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आदर्श आचार संहिता प्रभाव में रहने के दौरान आयोग के उक्त निर्देशों की पालना सुनिश्चित करावें। साथ ही समस्त प्रशासनिक विभागों से भी यह अपेक्षा है कि वे अपने विभाग के नियन्त्रणाधीन गठित समस्त बोर्ड, आयोग, निगम आदि निकायों में भी इन निर्देशों की पालना हेतु समस्त संबंधित को तदनुसार निर्देशित करावें।

संलग्न : उपरोक्तानुसार

भवदीय,

(प्रवीण गुप्ता)
मुख्य निर्वाचन अधिकारी,
राजस्थान, जयपुर।

जयपुर, दिनांकः

एफ .3.(1)(9)प्रथम / निर्वा / 2023 /

प्रतिलिपि समस्त जिला निर्वाचन अधिकारी (कलक्टर्स), राजस्थान को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित हैं।

उप मुख्य निर्वाचन अधिकारी
राजस्थान, जयपुर।

INSTRUCTION Sl.No.19

ECI letter No. 437/6/INST/2014/CC&BE, dated 20.03.2014 addressed to the Cabinet Secretary, Chief Secretaries and Chief Electoral Officers of all States and UTs.

Subject: Instructions relating to deletion of all references on politicians/Ministers on the official website during election period of General/Bye-election to the LokSabha and State Legislative Assemblies -reg.

I am directed to state that the Commission vide its letter No. 437/6/2007 (INST)-PLN-III, dated 21st November, 2007, issued instructions to deletion of all references on politicians/Ministers on the official website during election period of General/Bye-elections to the LokSabha and State Legislative Assemblies.

It has come to the notice of the Commission that the aforesaid instructions of the Commission are not being followed by Central and State Governments during election period. It is clearly mentioned in clause VII (iv) of Model Code of Conduct for guidance of Political parties and candidate:-

"VII. Party in Power

The party in power whether at the Centre or in the State or States concerned, shall ensure that no cause is given for any complaint that it has used its official position for the purpose of its election campaign and in particular

(iv) Issues of advertisement at the cost of public exchequer in the newspapers and other media and the misuse of official mass media during the election period for partisan coverage of political news and publicity regarding achievements with a view to furthering the prospects of the party in power shall be scrupulously avoided."

The Commission has considered the question of various references currently available in the Ministerial office website and in the State Government websites pertaining to several Department and Government Organization highlighting their achievements but eulogizing the same as personal achievements of Politicians/Ministers.

The Commission has decided that during the period when Model Code of Conduct is in force in connection with General Election to the LokSabha/State Legislative Assemblies currently going on, all references of Ministers, Politicians or Political Parties available on such Central/ State Government's official website, shall be removed.

The above instruction of the Commission may kindly be communicated to all concerned for strict compliance.

INSTRUCTION Sl. No. 42

Election Commission's letterNo.437/6/2007(INST)-PLN-III Dated : 21stNovember, 2007 addressed to The Cabinet Secretary Government of India, the Chief Secretaries and the Chief Electoral Officers of all States and Union Territories.

Subject: Instructions relating to deletion of all references on politicians/Ministers on the official website during election period of General / Bye-Elections to the LokSabha and State Legislative Assemblies – regarding.

I am directed to state that the Commission has considered the question of various references currently available in the State Government websites/Ministerial official websites pertaining to several Department and Govt. Organization highlighting their achievements but eulogizing the same as personal achievements of Politicians / Ministers. The Commission has decided that during the period when model code of conduct is in force in connection with general election to the LokSabha /State Legislative Assemblies, all references to Ministers, Politicians or Political Parties available on such State Government /Central Government 's official websites, shall be taken off/ purged of. During bye-elections, these instructions may be confined to only those Politicians/Ministers, etc. who themselves becomecandidates at such bye- elections.

This may kindly be brought to the notice of all concerned for strict compliance.

Kindly acknowledge receipt.

CHAPTER 9
DISPLAY OF PHOTO/MESSAGE ON OFFICIAL WEBSITE/GOVT. BUILDINGS/ ADVERTISEMENTS

Main topics discussed in the Chapter:-

- Display of Photo/Message on Official Website
- Display of Photo/Message in Government Buildings
- Display of Photo/Message on Govt. Advt./Hoardings
- Whether Names/Photos can be Displayed on Mobile Objects Funded under MP/ MLA LAD
- Display of Photos on Beneficiary Cards/Electric bills/Construction Site Plaques etc-
- Whether Images of National Leaders/Poets/Prominent Personalities of the Past can be Displayed
- Restriction on Use of Photographs of Defence Personnel

9.1 Introduction

The Election Commission has observed that official websites of Ministers and their offices/ organizations, which carry material on personal achievements of the Ministers in their political/ public life, continue to display the same during election period. It amounts to violation of Model Code provisions. The Election Commission has issued directives to regulate this type of political advertisements.

9.2 Display of Photo/Message on Official Website

9.2.1 The Election Commission has instructed that partisan coverage of ministers highlighting and eulogizing their personal achievements on various official websites of Govt. Departments and social media, in order to furthering the prospects of party in power should be scrupulously avoided during the period Model Code is in force.

9.2.2 Similarly, all references of Ministers, politicians or political parties available on Central/ State Government's official website, shall be taken off/purged of/covered/hidden/removed. The Chief Electoral Officers shall take immediate action to remove/hide photographs of any political functionary from official websites of state department **(Annexure- XII)**.

During bye-elections, these instructions may be confined to only those politicians/ministers, etc. who themselves become candidates at such bye- elections.

9.2.3 In 2017, the Election Commission received a complaint that images of the Prime Minister and Minister of Housing & Urban Poverty Allevation were being displayed on website of Pradhan Mantri Awas Yojana, being completed in Uttar Pradesh. The Election Commission having considered the issue held that depiction of photographs of the Prime Minister and Ministers, as aforesaid, is in violation of Model Code and hence asked to remove such photographs immediately from the official website '*pmaymis.gov.in*'.

9.3 Display of Photo/Message in Government Buildings

The Election Commission has also instructed that during Model Code period photographs of Prime Minister, Chief Ministers, ministers and other political functionaries many of whom are still active in public life and may be contesting elections should not be displayed in government buildings/premises as that would have the effect of disturbing the level playing field vis-à-vis the political functionaries of other parties and candidates.

9.4 Display of Photo/Message on Government Advertisements/Hoardings

The Election Commission has directed that "hoardings, advertisements, etc., put up by the Government which purport to give general information or convey general messages to the masses on family planning, social welfare schemes etc. may be allowed to be displayed. However, all those hoardings, advertisements, etc. which seek or purport to project achievements of any living political functionaries or political party and which carry their photos or name or party symbol should be removed forthwith as no political functionary or political party can use public resources and incur or authorize expenditure from public exchequer to eulogize himself or itself or enhance his/its own or any other political leader's personal image. Such hoardings, etc. undoubtedly amount to their individual/party election campaign at public cost.

9.5 Whether Names/Photographs can be Displayed on Mobile Objects Funded under MP/MLA LAD

The Election Commission has been receiving complaints that names of MPs/MLAs painted on mobile objects like water tanks, ambulances etc. funded under MPLAD/MLALAD schemes are moving on various places in election going States. The Election Commission has considered the matter and directed that the names of MPs/MLAs etc. appearing on such moving vehicles etc. should be covered suitably during the election period as such vehicles moving from one place to another may be considered as a form of election campaign in favour of the MP/MLA etc. concerned.

9.6 Display of Photos on Beneficiary Cards/Electric Bills/Construction Site Plaques etc-

9.6.1 The Election Commission has issued clarification in the matter as follows:-

(i) Beneficiary cards distributed to beneficiaries, construction site plaques etc. erected during the enforcement of Model Code shall not contain photographs/messages of Chief Ministers, Ministers and other political functionaries. However, no interference is called for in respect of photos of political functionaries on beneficiary cards, construction site plaques etc. that are distributed/erected prior to the announcement of election.

(ii) Similarly, electricity bills, water bills etc. to be generated after the enforcement of Model Code should not contain any photographs or messages/symbols of political functionaries/parties.

9.6.2 During 2017 general election to Goa State Assembly, the Election Commission received a complaint that hoardings with photographs of Prime Minister were displayed at petrol-pumps. The Election Commission issued necessary direction to remove the photographs. Likewise, on the basis of a news item appeared in print media, the Election Commission ordered to stop distribution of certificates displaying photograph of Prime Minister by oil companies to LPG gas consumers who had surrendered gas subsidy, in Uttarakhand during 2017 general election to the State Assembly.

9.7 Whether Images of National Leaders/Poets/Prominent Personalities of the Past can be Displayed

The Election Commission has clarified that while photographs of Prime Minister, Chief Ministers, Ministers and other political functionaries should not be displayed, this instruction, however, is not applicable with regard to the images of national leaders, poets, and prominent historical personalities of the past, or images of the President of India and the Governors and these may continue to be so displayed. A reference was received from DAVP in 2013– whether on the occasion of the death anniversary of former Prime Minister Smt. Indira Gandhi and the birth anniversary of Sardar Valabhbhai Patel, their photograph and messages could be published in the advertisements. The Election Commission decided that there may be no objection to the publication of photographs and message related to the departed political leaders except those leaders who have passed away in the recent past.

9.8 Restriction on Use of Photographs of Defence Personnel

9.8.1 Ministry of Defence brought to the notice of the Election Commission that photographs of Defence personnel were being used by some political parties, their leaders and candidates in advertisements as part of their election propaganda and requested the Election Commission to issue suitable instruction in this regard.

9.8.2 The Election Commission maintained that photographs of Chief of Army Staff or any other Defence personnel or photographs of functions of Defence forces should not be associated with or used in advertisement/ propaganda/campaigning or in any other manner in connection with elections by political parties and candidates. The Election Commission, accordingly, called upon all the political parties to advise their candidates/ leaders to desist from displaying photographs of Defence personnel or functions involving them in advertisements, or otherwise, as part of their election propaganda/campaigning.

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