

**GOVERNMENT OF NATIONAL CAPITAL TERRITORY OF DELHI
GENERAL ADMINISTRATION DEPARTMENT
COORDINATION BRANCH, LEVEL-2, A-WING,
DELHI SECRETARIAT, NEW DELHI-110002.**

No. 53/674/CN/GAD/2024/ 793-803

Dated: 18.03.2024

To

1. Spl. Secretary to Chief Minister, Delhi.
2. Secretary to Minister, GAD, Govt. of NCT of Delhi.
3. Secretary to Minister, Food and Supply, Govt. of NCT of Delhi.
4. Secretary to Minister, Transport, Govt. of NCT of Delhi.
5. Secretary to Minister, Social Welfare, Govt. of NCT of Delhi.
6. Secretary to Minister, Health, Govt. of NCT of Delhi.
7. Secretary to Minister, Education, Govt. of NCT of Delhi.
8. OSD to Leader of Opposition, Delhi Legislative Assembly, Delhi.
9. OSD to Chief Whip (Ruling Party), Room No. 86, Delhi Legislative Assembly, Delhi.

Subject: Model Code of Conduct – defacement of official vehicle (s).

Sir/Madam,

Please find attached herewith a copy of the letter No. 3/7/2023/SDR dated 12.10.2023 of Election Commission of India received through O/o The Chief Electoral Officer, Delhi vide letter No. CEO/COE/102(26)/2024/148-159 dated 16.03.2024, on the subject cited above (copy attached).

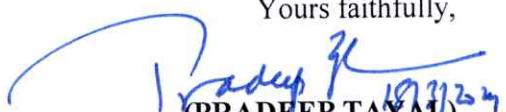
In this regard, I am directed to convey the instruction of Election Commission of India that official vehicles allotted to/deployed with Hon'ble Council of Ministers, Hon'ble Leader of Opposition, Hon'ble Chief Whip shall not be used for display of political advertisements during the period when the Model Code of Conduct is in force.

It is requested that aforesaid may be brought to the knowledge of Hon'ble Council of Ministers, Hon'ble Leader of Opposition, Hon'ble Chief Whip accordingly please.

This issues with the approval of Competent Authority.

Yours faithfully,

Encl: As above.


(PRADEEP TAYAL)
DEPUTY SECRETARY (GAD)

No. 53/674/CN/GAD/2024/ 793-803

Dated: 18.03.2024

- 1) Staff Officer to Chief Secretary, 5th Level, Delhi Secretariat, New Delhi.
- 2) Asstt. Chief Electoral Officer (COE), O/o Chief Electoral Officer, Old St. Stephen's College Building, Kashmere Gate, Delhi w.r.t. his letter referred above.


(PRADEEP TAYAL)
DEPUTY SECRETARY (GAD)

4 Anjum (14286)
18/3/24

SS(CAO)
18/3/24

Lok Sabha Election-2024

Most Immediate



कार्यालय मुख्य चुनाव अधिकारी, दिल्ली

OFFICE OF THE CHIEF ELECTORAL OFFICER, DELHI

पुराना सेंट स्टीफन कॉलेज भवन

कश्मीरी गेट, दिल्ली-110006

फोन नं.- 23946414

ईमेल- election.coe2024@gmail.com

Old St. Stephen's College Building

Kashmere Gate, Delhi-11000

Phone No.- 2394641

E-mail : election.coe2024@gmail.com

No.:CEO/COE/102(26)/2024/148-159

Dated : 16/03/2024

To,

- 1) The Chairman, New Delhi Municipal Council, Delhi.
- 2) The Commissioner, MCD, Delhi.
- 3) The Executive Officer, Delhi Cantonment Board, Delhi.
- 4) The Commissioner, Transport Department, Delhi.
- 5) The Pr. Secretary, Irrigation and Flood Control Department, L.M. Bund Office Complex, Shastri Nagar, Delhi-110031 (email-ceifcd@gmail.com)
- 6) The Pr. Secretary, General Administrative Department, 2th Level, Delhi Secretariat, New Delhi-110002.
- 7) The Pr. Secretary, Public Works Department, MSO Building, ITO, Delhi.
- 8) The Secretary, Department of Information Technology. 9th Level, B-Wing, Delhi Secretariat, New Delhi-110002.
- 9) The Chairman, Delhi Metro Rail Corporation Ltd., Metro Bhawan, Fire Brigade Lane, Barakhamba Road, New Delhi - 110001
- 10) The Managing Director, Delhi State Industrial & Infrastructure Development Corporation Ltd., N-Block, Bombay Life Building, Connaught Circus, New Delhi - 110001.
- 11) The Managing Director, DTTDC, GNCT of Delhi, Vikas Bhawan-II, 2nd Floor, C-Wing, Upper Bela Road, Near Metcalfe House, Delhi -110054.
- 12) The Chief Executive Officer (CEO), Delhi Urban Shelter Improvement Board, Govt. of NCT of Delhi, Punarwas Bhawan, I.P. Estate, New Delhi-110002. (e-mail : delhishelter@gmail.com).

Subject :- Prevention of Defacement of Property, display of advertisement on government owned vehicles & Other campaign related items-General Election to Lok Sabha Election-2024 -Regarding.

Madam/Sir,

In connection to the subject mentioned above, I am directed to draw your kind attention to "The Delhi Prevention of Defacement of Property Act, 2007" (Delhi Act 1 of 2009). The referred Act provides for the prevention of defacement of properties and for matters connected therewith or incidental thereto, in the National Capital Territory of Delhi (Copy enclosed).

Contd.....on Page-2

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Election Commission of India vide its press Note dated 16.03.2024 has announced the Schedule for General Election 2024 and Model Code of Conduct has came into force w.e.f. 16.03.2024 (copy .. may be download from ECI website at <https://elections24.eci.gov.in/docs/press-note-no-23.pdf>).

The Commission has issued instructions regarding immediate action to be taken for enforcement of the provisions of Model Code of Conduct after announcement of General Election to the House of People (Lok Sabha), 2024 and one of the important directions is regarding defacement of property. In the instruction, it is specified that immediate necessary actions may be taken **within 24 hours, 48 hours and 72 hours** from the date of announcement of election. Copy of the same is enclosed for ready reference.

Copies of the Election Commission of India's instruction/letter No. 3/7/2014/SDR dated 12.10.2023 and No. 437/6/1/INST/ECI/FUNCT/MCC/2024 dated 16.03.2024 are also enclosed for reference and compliance.

The receipt of this letter may be acknowledged and action taken/compliance report may be sent to this office at election.coe2024@gmail.com and mccmodel2024@gmail.com daily i.e. after 24 hours (i.e. upto 05:00 PM on 17.03.2024)/48 hours (i.e. upto 05:00 PM on 18.03.2024)/72 hours (i.e. upto 05:00 PM on 19.03.2024) from the date of announcement of election.

This is for kind information and necessary action.

Yours sincerely,

Encl: As above


(T. MISAO)
Asstt. Chief Electoral Officer (COE)

ELECTION COMMISSION OF INDIA

Nirvachan Sadan, Ashoka Road, New Delhi-110001

No.3/7/2023/SDR

Dated: 12th October, 2023

To,

The Chief Electoral Officers of
All States and Union Territories

Sub: Prevention of Defacement of Property and Other Campaign Related Items- regarding

Ref:

1. No. 3/7/1994/J.S.-II dated 05th January, 1994
2. No. 3/7/2008/JS-II dated 7th October, 2008
3. No. 3/7/2008/JS-II/SDR dated 10th November, 2008
4. No. 3/7/2014/SDR dated 11th March, 2014
5. No. 3/7/2014/SDR dated 26th September, 2014, and
6. No. 437/6/INST/2015-CCS dated 29th December, 2015

Madam/Sir,

I am directed to state that Clause (6) of Part I of the Model Code of Conduct for the guidance of Political Parties and candidates provides that no political party or candidate shall permit their followers to make use of any individual's land, building, compound wall etc., without his/her permission for erecting flag-staffs, suspending banners, pasting notices, writing slogans etc. However, it is observed that, at the time of elections, political parties indulge in defacement of public as well as private buildings, by sticking posters and wall writings and sometimes without permission of owners of the buildings. After elections are over, the cost of removing the posters and wall writings are borne out of the public exchequer in case of a public building and by the individual owners themselves in case of private buildings. In either case, it is the general public at large which has to bear the cost for no fault of theirs.

2. Some States have local laws and passed legislations for property defacements under which the authorities are empowered to prevent such defacement and bring to book the defaulters. The Election Commission has also recommended the enactment of such provisions in all States/UT's.
3. The Commission had also issued instructions to ensure strict compliance with the provisions of the local laws relating to prevention of defacement of property and to prosecute and proceed against those who indulged in the violation of extant laws. The instructions, inter-alia, provided that the party/association/body/ candidate or any other person who had written or painted or pasted any slogans, symbols or posters on any public or private building without

written permission of the owner of the building should be required to get the defaced walls and buildings whitewashed or painted at its/his cost so as to restore them to the original position.

4. However, it was noted that despite several States having enacted State laws, there was no uniformity throughout the country and therefore, a need was felt for having a comprehensive guidelines on defacement of property for guidance of political parties, law enforcing authorities and the Election Commission's Observers deployed during elections. Accordingly, the Election Commission issued fresh detailed guidelines in supersession of all earlier instructions on 7th October, 2008 and later additional instructions were also issued from time to time to supplement the instructions.

5. Now, in supersession of all the existing instructions, the following consolidated instructions are being issued for information and compliance of the electoral authorities:-

(i) **Defacement of Public Places**

- a) No wall writing, pasting of posters/papers or defacement in any other form, or erecting/displaying of cutouts, hoardings, banners, flags etc. shall be permitted on any Government premises (including civil structures). A Government premise would include any government office and the campus wherein the office building is situated.
- b) If the local law expressly permits or provides for writing of slogans, displaying posters, etc., or erecting cut-outs, hoardings, banners, political advertisements, etc., in any public place, (as against a government premises) on payment or otherwise, this may be followed strictly in accordance with the relevant provisions of the law and subject to Court orders, if any, on this subject. It should be ensured that any such place is not dominated/monopolized by any particular party(ies) or candidate(s). All parties and candidates should be provided equal opportunity in this regard.
- c) If there is a specifically earmarked place provided for displaying advertisements in a public place, e.g. bill boards, hoardings etc. and if such space is already let out to any agency for further allocation to individual clients, the District Election Officer through municipal authority concerned, if any, should ensure that all political parties and candidates get equitable opportunity to have access to such advertisement space for election related advertisements during the election period.

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(ii) Defacement of PSU's Building and Premises:

a) Buildings and premises of PSUs shall be treated at par with Govt. premises for the purpose of displaying political ads during election period. The Commission has directed that no political advertisements shall be displayed/pasted at the buildings/civil structures or any other structure owned by Public Sector Undertakings (PSUs) or in their premises during the period Model Code of Conduct is in force.

b) In case there is no specific provision in the by-laws of PSUs or in their agreements with the advertisement agencies to whom they let out space for advertisement for prohibiting display of political advertisement, PSUs may be instructed to add a para in their commercial agreements with commercial agencies/companies while providing space on lease to the advertisement agency for placing commercial advertisements that "*No political advertisement shall be displayed/pasted at the space provided on lease for commercial advertisement like airports, railway stations, Inter State/Local Bus Stands, Govt transportation post offices, Government hospitals/dispensaries etc. (except on main highways, main roads etc.) during the period of Model Code of Conduct. If there is any political advertisement in the provided space, the same shall be removed immediately on enforcement of the Model Code of Conduct.*"

(iii) Defacement of Government Halls/Auditoriums and Other Public Properties

a) If local laws/guidelines do not preclude political meetings at Halls/Auditoriums/Meeting venues owned/controlled by the Government/local authorities/PSUs/Cooperatives, there is no objection to do it. However, it should be ensured that allocation is done on equitable basis and banners, bunting, flags, cut-outs, displayed at the premises during meeting no defacement shall be permitted after conclusion of the meeting.

b) Educational institutions including their grounds (whether Govt aided, private Or Govt) shall not be used for political campaigns and rallies.

(iv) Defacement of Private Places

- a) In the States where there is no local laws on the subject, temporary and easily removable advertisement materials, such as flags and banners may be put up in private premises with the express permission of the occupant. Such banner or flag should not create any nuisance to others. Photo-copy of the permission in writing obtained in this connection should be submitted to the Returning Officer within 3 days of putting up the flags and banners. The permission should be an act of free will and not extracted by any pressure or threat.
- b) Where the local laws expressly permits wall writings and pasting of posters, putting up hoardings, banners, etc. on private premises with the owner's permission, the contesting candidates or the political parties concerned shall obtain prior written permission from the owner of the property and submit photocopy of the same within 3 days to the Returning Officer or an officer designated by him for the purpose, along with a statement giving the particulars in the prescribed format. The statement in such cases and in the cases mentioned in sub-para (a) above should clearly mention the name and address of the owner of the property from whom such permission has been obtained, and expenditure incurred or likely to be incurred for the purpose.
- c) In those States where the State/local defacement law specifically prohibits display of flags, banners, hoardings etc., the provisions in the law will strictly apply and such material shall not be displayed on private property or property in public view.
- d) If the local law does not expressly permit wall writing, pasting of posters, and similar other permanent/semi-permanent defacement which is not easily removable, the same shall not be resorted to under any circumstances, even on the pretext of having obtained the consent of the owner of the property. This will also apply in the States/UTs where there is no local law on the subject of prevention of defacement of property.
- e) If the state/local law does not so specifically prohibit display of flag or hoarding or banner, etc. on private property, then such material (flag, banner, hoarding) can be allowed to be displayed on private property, on

own volition of the owner/occupier of the property, subject, however to any court decision/direction to the contrary. In the case of display on others' property, prior permission should be obtained from the owner/occupier concerned.

(v) **Defacement of Vehicles**

- a) In private vehicles, subject to the provisions of the Motor Vehicles Act, Rules framed there under and subject to court orders in force, if any, flags and stickers may be put on the vehicles by the owner of the vehicle on his own volition, in such a manner that they do not cause any inconvenience or distraction to other road users. If such display of flags and stickers aims to solicit vote for any particular candidate, then the provisions of Section 171H (Illegal payments in connection with an election) of the IPC would be attracted.
- b) On commercial vehicles, display of any flag, sticker etc. shall not be permitted, unless such vehicle is a vehicle validly used for election campaign after obtaining the requisite permit from the District Election Officer/Retuning Officer and the display thereof in original on the wind screen.
- c) External modification of vehicles including fitting of Loudspeaker thereon, would be subject to the provisions of the Motor Vehicles Act/Rules and any other Local Act/Rules. Vehicles with modifications and special campaign vehicles like Video Rath etc. can be used only after obtaining the requisite permission from the competent authorities under the Motor Vehicles Act.
- d) On buses of State Road Transport Corporations and Municipal Corporations
As it would not be practically possible to ensure equitable sharing of space for the purpose of advertisements on such government owned buses / vehicles, both in terms of the quantity as well as for particular bus routes, the Commission has directed that the State Road Transport Corporation buses and buses owned by Municipal Corporations etc. and other govt. owned vehicles shall not be used for display of political advertisements during the period when the Model Code of Conduct is in force.

(vi) Election Advertisements by Political Parties/Candidates/Private Persons

- a) If any political party/association/candidate/person indulges in defacement of any property in violation of the local law, if any, or the above instructions, the Returning Officer/District Election Officer shall issue notice to the offender for removing the defacement forthwith. If the political party/association/candidate/person does not respond promptly, the district authorities may take action to remove the defacement, and the expenses incurred in the process shall be recovered from the political party/association/candidate/person responsible for the defacement. Further the amount also shall be added to the election expenditure of the candidate concerned and action should also be initiated to prosecute the offender under the provisions of the relevant law (under the law related to prevention of defacement, if any or under the provisions of the general law for causing willful damage to the property of others).
- b) Subject to any restrictions under any local law or any court orders in force, the political parties, candidates, their agents, workers and supporters may put up banners, bunting, flags, cut-outs, on their own property, provided they do so on their own volition voluntarily and without any pressure from any party, organization or person, and provided further that these do not cause any inconvenience in any manner to anyone else.
- c) Nothing inflammatory or likely to incite disaffection amongst communities shall be permissible in such writings/display.
- d) If such display of banners, flags etc. aims to solicit vote for any particular candidate, then the provisions of Section 171H of the IPC would be attracted and would have to be followed. Section 171H of the IPC stipulates that 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, shall be punished with fine which may extend to five hundred rupees. 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

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were incurred the approval in writing of the candidate, he shall be deemed to have incurred such expenses with the authority of the candidate.

e) The expenditure incurred on this mode of specific campaign of candidate(s) shall be added to the election expenditure made by the concerned candidate.

Expenditure incurred on exclusive campaign for a party without indicating name of any candidate shall not be added to the candidate's expenditure account. The contesting candidate shall furnish such information, village/locality/town-wise, to the Returning Officer, or the authorized officer within 3 days of obtaining the requisite permission from the concerned for easy checking by the Returning Officer or the Election Observer or any officer connected with the conduct of elections.

f) In context with defacement of property by sticking of posters etc., attention is also invited to the provisions of section 127A of the Representation of the People Act, 1951 which, *inter alia*, provides that 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. The Commission has issued separate instructions on restriction on the printing on pamphlets, posters etc. However, it is reiterated that if any officer, who is responsible for the enforcement of the provisions of the above law and the directions of the Commission, is found to have failed in the due diligence of his duties in this regard, he shall be liable to severe disciplinary action apart from any penal action that may be called for against him for breach of his official duty.

(vii) **Timeline for Removal of Unauthorized Defacement**

The Election Commission has fixed the following timelines for removal of unauthorized display of electioneering material:-

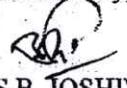
a) Defacement of Government property- For this purpose, a Government premise would include any Government office and the campus wherein the office building, compound and other establishment are situated. All wall-writings, posters/papers or defacement in any other form, including cutout/hoardings, banners, flags etc, on Government property shall be removed within 24 hours from the announcement of elections by the Election Commission.

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- b) Defacement of public property and misuse of public space- All unauthorized political advertisements, in the form of wall writings/posters/papers or defacement in any other form, cutouts/hoardings, banners/flags etc. at public property and in public space like railway stations, bus stands, airports, railway bridges, roadways, government buses, electric/telephone poles, municipal/local bodies' buildings etc., shall be removed within 48 hours from the announcement of elections.
- c) Defacement of private property- Subject to any local law and Court's direction, all unauthorized political advertisements displayed at a private property, shall be removed within 72 hours from the announcement of elections by the Election Commission.
- d) Subject to the local laws and Court's directions any defacement to the government, public or private property subsequent to the announcement of elections shall be dealt with as per the standard protocol provided in the guidelines of redressal of complaints received at C-Vigil. The cases of defacement, other than received at C-Vigil, shall also be redressed promptly, as soon as complaints are received.

6. Above instructions shall be brought to the notice of the District Election Officers, Returning Officers and all other election related authorities and all registered political parties based in the State, including State units of recognized National and State parties, and also the contesting candidates, for information and compliance. Further, for implementation of guidelines as envisaged in Para 5(ii) 'Defacement of PSU's Buildings and Premises', the PSUs located in the concerned States should also be advised accordingly.

Yours faithfully,


(S.B. JOSHI)
PRINCIPAL SECRETARY

STANDARD DISTRIBUTION

34/c
By Spl. Messenger/mail

ELECTION COMMISSION OF INDIA

NIRVACHAN SADAN, ASHOKA ROAD, NEW DELHI-110001

No. 437/6/1/INST/ECI/FUNCT/MCC/2024

Dated: 16th March, 2024

To

1. The Cabinet Secretary,
Government of India,
Rashtrapati Bhawan,
New Delhi.
2. The Chief Secretaries of all States and
Chief Secretaries/Administrators of Union Territories
3. The Chief Electoral Officers of
all States and Union Territories.

Subject: Immediate action to be taken for enforcement of Model Code of Conduct after announcement of General Elections to House of the People (Lok Sabha), 2024 and State Legislative Assemblies in the States of Andhra Pradesh, Arunachal Pradesh, Odisha and Sikkim and certain bye-elections-regarding.

Sir,

I am directed to state that the Election Commission has announced the schedule for holding General Election to House of the People (Lok Sabha), 2024 and State Legislative Assemblies in the States of Andhra Pradesh, Arunachal Pradesh, Odisha and Sikkim and certain bye-elections, operation of 'MODEL CODE OF CONDUCT' comes into effect with the announcement of elections by the Commission. In view of the elections, the Commission has given following directions for effective enforcement of provisions of MCC:-

1. **Defacement of Property-** ECI instructions contained in letter No. 3/7/2023-SDR, dated 12th October, 2023, provide for prevention of defacement of property. The Commission has directed to ensure strict compliance of its instruction and to take time bound action as prescribed below:-
 - (a) **Defacement of Government property-** For this purpose a Government premise would include any Government office and the campus wherein the office building, compound and establishment are situated. All wall- writing, posters/papers or defacement in any

other form, including cutout/hoardings, banners, flags etc, on Government property shall be removed within 24 hours from the announcement of elections by the Election Commission.

(b) **Defacement of public property and misuse of public space-** All unauthorized political advertisement, in the form of wall writing/posters/papers or defacement in any other form, cutout/hoardings, banners flags etc. at public property and in public space like railway station, Bus stands, Airports, railway Bridges, Roadways, government buses, Electric/Telephone poles, municipal/local bodies' buildings etc., shall be removed within 48 hours from the announcement of elections.

(c) **Defacement of private property-** Subject to any local law and Court's direction, all unauthorized political advertisement displayed at private property shall be removed within 72 hours from the announcement of elections by the Election Commission.

2. **Misuse of official vehicle-** The ECI's Consolidated instructions contained in letter No. 464/L&O/2023/EPS(Use of Veh.), dated 26th June, 2023, among other things, provides that there shall be a total ban on use of official vehicle by any political party, candidate or any other person connected with election (except officials performing any election related official duty) for campaigning, electioneering or election related travel during elections (subject to certain exception mentioned therein). The expression 'official vehicle' means and shall include, any vehicle used or capable of being used for the purpose of transport, whether propelled by mechanical power or otherwise and will include trucks, lorries, tempos, jeeps, cars, auto rickshaws, e-rickshaws, buses, belonging to Central Government, State Government/UT Administrations, public undertakings of Central/State Government, Joint sector undertakings of Central/State Government, local bodies, municipal corporations, marketing boards, cooperative societies or any other body in which public funds, however small a portion of the total, are invested. The CEOs/DEOs shall take necessary action for compliance of ECI instructions within 24 hours of the announcement of the elections.

3. **Advertisement at the cost of public exchequer-** ECI instructions contained in letter No. 437/6/INST/ECI/FUNCT/MCC/2024(ADVERTISEMENTS), dated 2nd January, 2024 provides that 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. No advertisements shall be issued in

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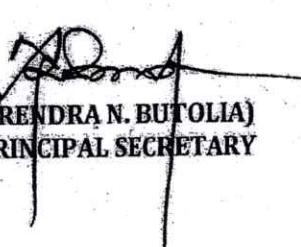
electronic and print media highlighting the achievements of the Govt. at the cost of public exchequer. If any advertisement has already been released for telecast/broadcast or publication in the print media, it must be ensured that the telecast/broadcast of such ads on electronic media is stopped forthwith and that no such ad is published in any newspapers, magazines, etc., i.e. in print media, from the date of announcement and it should be immediately withdrawn. The CEOs/DEOs have to take immediate action to remove/stop any advertisement, in the print/electronic media, showing the achievements of the Government soon after the announcement of elections.

4. **Photograph of political functionary at official website-** ECI instruction contained in letter No. 437/6/INST/ECI/FUNCT/MCC/2024(MCC ENFORCEMENT) dated 2nd January, 2024 provides that all references of Ministers, Politicians or political parties available on central/state Government's official website shall be removed. The CEOs have to take immediate action to remove/hide the photographs of any political functionary from official websites of state department.
5. **Development/construction related activities-** within 72 hours of announcement of elections, the CEO/DEO shall obtain the following list of works for reference in case of validating any complaint on violation of MCC:
 - (i) List of work which has already been started on ground.
 - (ii) List of fresh work which has not started on ground.
6. **Activities for Expenditure Monitoring and enforcement of MCC-** Flying squad, FST, video team, intensive checking for liquor/Cash/Contra banned drugs, flying squads of excise department to check illicit trafficking of Drug/Narcotics to be immediately activated after announcement.
7. **Complaint Monitoring System-** The poll going states shall have a complaint redressal mechanism based on website and call center. The toll free number of call center is 1950. Complaints can be registered by making calls to the toll free call center numbers or on the website. Complainants will also be informed of the action taken by SMS and by the call center. Complainants can also see the details of the action taken on their complaints. This system should be operational within 24 hours of the announcement. All complaints should be dealt promptly and properly. The 24x7 control Room at the district level must be activated and sufficient deployment of manpower and other logistics be ensured in particular, round the clock personnel should be deployed in the control room and their duty roaster must be issued to avoid any evasion or confusion.

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8. **IT Application-** All IT applications including official website and social media shall be operational with the announcement.
9. **Dissemination of information for Awareness of Voters and political parties.** Publicity of major election activity would be given through CEO/DEO/RO. For this purpose, all necessary information shall be disseminated through radio, tv, cinema, government channel to display voter education material.
10. **Active cooperation from Educational Institutions and Civil Societies-** Cooperation can be sought from educational institutions and civil societies for giving wide publicity to the election related information to the general public and other stakeholders.
11. **Media Centre-** Efforts should be made for awareness among the voters, political parties and other stakeholder through media center about election system including use of EVM/VVPAT.
12. **MCMC/DEMC-** ECI instruction contained in letter no. 491/MCMC/5/2023/Communication dated 24th August, 2023 provides that all registered political parties will approach the Media Certification and Monitoring Committees (MCMC) at District and State level, as the case may be, for pre-certification of their political advertisements proposed to be issued on electronic media. The Commission has directed to ensure strict compliance of its instructions contained in above said letter.
13. **Control Room-** The 24x7 control room at district level must be activated immediately and sufficient deployment of manpower and other logistics be ensured by the DEO/CEO. A control room with complaint Monitoring Centre would also be set up at ECI Secretariat during the entire election process.

Yours faithfully


(NARENDRA N. BUTOLIA)
SR. PRINCIPAL SECRETARY

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GOVERNMENT OF NATIONAL CAPITAL TERRITORY OF DELHI
(DEPARTMENT OF LAW, JUSTICE & LEGISLATIVE AFFAIRS)
8th LEVEL, C-WING, DELHI SECRETARIAT, NEW DELHI

No. F.14(28)/LA-2006/LC LAW/42-51

Dated the 29th January, 2009

NOTIFICATION

F.14(28)/LA. The following Act of the Legislative Assembly of the National Capital Territory of Delhi received the assent of the President of India on the 17th, January 2009 and is hereby published for general information :-

*** The Delhi Prevention of Defacement of Property Act, 2007***

(Delhi Act 1 of 2009)

(As passed by the Legislative Assembly of the National Capital Territory of Delhi on 31st March 2008)

(17th January, 2009)

An Act to provide for the prevention of defacement of properties and for matters connected therewith or incidental thereto in the National Capital Territory of Delhi.

BE it enacted by the Legislative Assembly of the National Capital Territory of Delhi in the Fifty-ninth year of the Republic of India as follows:-

1. Short title, extent and commencement.

- (1) This Act may be called the Delhi Prevention of Defacement of Property Act, 2007.
- (2) It extends to the whole of the National Capital Territory of Delhi.
- (3) It shall come into force on such date as the Lieutenant Governor of the National Capital Territory of Delhi may, by notification in the Official Gazette, appoint.

2. Definitions.

In this Act, unless the context otherwise requires,-

- (a) "defacement" includes impairing or interfering with the appearance or beauty, damaging, disfiguring, spoiling or injuring in any other way whatsoever and the word "deface" shall be construed accordingly;
- (b) "Lieutenant Governor" means the Lieutenant Governor of the National Capital Territory of Delhi appointed by the President under Article 239 and designated as such under Article 239AA of the Constitution;

- (c) "property" includes any building, hut, structure, wall, tree, fence, post, pole or any other erection;
- (d) "writing" includes printing, painting, decoration, lettering, ornamentation etc., produced by stencil.

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3. Penalty for defacement of property

- (1) Whoever defaces any property in public view by writing or marking with ink, chalk, paint or any other material except for the purpose of indicating the name and address of the owner or occupier of such property, shall be punishable with imprisonment for a term which may extend to one year, or with fine which may extend to fifty thousand rupees, or with both.
- (2) When any offence is committed under sub-section (1) is for the benefit of some other person or a company or other body corporate or an association of persons (whether incorporated or not) then, such other person and every president, chairman, director, partner, manager, secretary, agent or any other officer or persons connected with the management thereof, as the case maybe, shall, unless he proves the offence was committed without his knowledge or consent, be deemed to be guilty of such offence.
- (3) The aforesaid penalties will be without prejudice to the provisions of Section 425 and Section 434 of the Indian Penal Code, 1860 (45 of 1860) and the provisions of relevant Municipal Acts.

4. Composition of offences

- (1) Any offence of defacement whether committed before or after the commencement of this Act punishable under Section 3, may either before or after the institution of the prosecution, be compounded by such officers or authorities and for such amount as the Government may, by notification in the Official Gazette, specify in this behalf.
- (2) Where an offence has been compounded under sub section (1), the offender, if in custody, shall be discharged and no further proceedings shall be taken against him in respect of such offence.

5. Offence to be cognizable

An offence punishable under this act shall be cognizable

6. Power of the Lieutenant Governor to erase writing, etc.

Without prejudice to the provisions of Section 3, it shall be competent for the Lieutenant Governor to take such steps as may be necessary for erasing any writing, freeing any defacement or removing any mark from any property.

7. Act to override other Laws

The provisions of this Act shall have effect notwithstanding anything to the contrary contained in any other laws for the time being in force:

Provided that the provisions of this Act shall not be applicable to advertisements displayed at duly authorised public spaces for advertising by appropriate authorities.

8. Repeal and Savings

On the day on which the Delhi Prevention of Defacement of Property Act,2007 comes into force , the West Bengal Prevention of Defacement of Property Act, 1976 (Bengal Act no.21 of 1976) as extended to the National Capital Territory of Delhi shall cease to have effect except in case of things done or omitted to be done before the commencement of this Act.

(Sd Savita Rao)

Joint Secretary (Law)

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DEPARTMENT OF URBAN DEVELOPMENT

NOTIFICATIONS

Delhi, the 24th February,2009

F.No.¹⁸(A)/43/2000/UD/Pl.F-1/3371.

In exercise of the powers conferred by sub-section (3) of section 1 of the Delhi Prevention of Defacement of Property Act, 2007 (Delhi Act 1 of 2009), the Lt Governor of the National Capital Territory of Delhi is pleased to appoint the 1st day of March, 2009 as the date on which the said Act shall come into force.