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## PRESS NOTE

### LAST 48 HOURS (P-2)

**Bengaluru, May 10 :-** The last 48 hours before the polls are extremely crucial for the election machinery, not only from the poll day planning perspective, but more crucially, from the law and order and creation of conducive environment for free and fair polling. 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, the campaign will come to an end. Hence, this period essentially constitutes the period when all election campaigning through public meetings etc is brought to a halt. However, strict vigil needs to be maintained in the poll-bound areas to ensure that no unscrupulous elements are able to engage in various activities like illicit distribution of cash, gifts, liquor etc to unduly induce and influence the electors for extracting political mileage. A brief summary of the major actions required on P-2 Day are as follows:

- **ISSUANCE OF ORDERS UNDER 144 CrPC:**
  - Generally, orders under section 144 of the Criminal Procedure Code, 1973 (CrPC) are issued regarding ban on unlawful assemblies and prohibition on holding of public meetings during the period of 48 hours ending with the hour fixed for the close of the poll, applicable for the areas/ constituencies bound for polls.
  - This order is issued by the District Magistrate or any other competent authority effective from P- 2 day to P+1 day within the Constituency.
  - The restrictions under 144 CrPC Order do not permit more than 5 persons to assemble/move together in the area. However, the Commission has clarified that this does not restrict house-to-house visits during 48 hours in connection with door-to-door campaigning. However, this should be specifically spelt out in the orders under Section 144 to avoid any confusion.
- **RESTRICTION ON PRESENCE OF POLITICAL FUNCTIONARIES IN A CONSTITUENCY AFTER THE CAMPAIGN PERIOD IS OVER: (ECI NO.464/INST/2009/ EPS dated 11.10.2009)**
  - During the course of campaign in General Election to Legislative Assemblies, the political parties mobilize their supporters, including from outside the constituency of poll, in order to bolster that campaign. In view of the fact that after the closure of campaign period, no campaign can take place within the constituency, presence of 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 campaign ends may undermine the atmosphere for free and fair poll.
  - The Commission has directed that after the campaign period is over, the district election administration/ police administration shall ensure that all such **functionaries leave the constituency immediately after the campaign period is over.**

However, the said restriction may not be insisted upon during the General Elections to State Legislative Assemblies in respect of the 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 remaining confined normally between his party office and place of his stay.

- The Commission further direct that in order to ensure that the above instruction is carried out the election administration/police administration may take all necessary measures which may include:
  - Checking of kalyan mandapams / community halls etc., where such people are kept housed and find out whether the outsiders have been accommodated in these premises.
  - Verification of lodges and guesthouses to keep a track of the list of occupants.
  - Set up check-posts in the constituency borders and track the vehicular movement from outside the constituency.
  - Verify the identity of the people / group of people in order to find out whether they are voters or not and establish their identity.
  - This shall be brought to the notice of all political parties, candidates and their agents, District Election Officers / Returning Officers / Assistant Returning Officers in order to enable them to comply.
- **EXCISE ENFORCEMENT:**
  - All restrictions provided in excise law on the storage of liquor in unlicensed premises shall be vigorously enforced from P-2 day.
  - **Special drives** should be launched to unearth illicit liquor making factories and information about seizures should be made available to the concerned District Election Officer and Returning Officer.
  - 'Dry Day' shall be declared and notified under relevant state laws for the stipulated period for the poll. **(No.576/14/99-PLN-1 Dt.21.8.1999 & ECI letter No. 464/L&O/2007/PLN- I dated 08.12.2007 & ECI letter No. 576/ 14 / 2007 / PLN –I dated 28.12.2007).**
- **USE OF LOUDSPEAKER:**
  - No loudspeaker shall be permitted to be used during the period of 48 hours ending with the poll closing time. **(ECI Sl. No. 73, of Col-2011, ECI Letter No. 437/ 6 / 2006-PLN-Vol-II**
- **MEDIA MATTERS:**
- Exit Polls: (No. 576/Exit/2014/SDR-Vol.I, Dated: 3<sup>rd</sup> April, 2014)
  - Exit Poll is prohibited under the Law from the period from the start of poll in first poll day and 30 minutes after the end of poll on the last poll date in a state/ country.
- Opinion Polls: (No.ECI/MCS/98/01 dated 20.01.1998)
  - No result of any opinion poll conducted at any time shall, be published, publicized or disseminated, in any manner whatsoever, in or by any print or electronic media, 48 hours ending with the hours fixed for conclusion of poll.
  - All printed electronic media should formally, adhere to the Commission's instructions regarding EXIT POLL and OPINION POLL and should not mix up the one with the other.