

**ELECTION COMMISSION OF INDIA**  
Nirvachan Sadan, Ashoka Road, New Delhi-110001.

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No. 56/4/LET/ECI/FUNC/PP/PPS-II/2015

Dated : 7<sup>th</sup> Oct., 2016

To

The President/General Secretary/Chairperson/Convener,  
Of all recognised National and State Political Parties.

**Sub: Hon'ble Delhi High Court's Order dated 07-07-16 in W.P.(C) No. 8363/2010-Common Cause vs Bahujan Samaj Party-regarding.**

Sir/Madam,

This is in continuation of the Commission's letter of even number, dated 9<sup>th</sup> September, 2016, in the matter of order dated 07-07-2016 passed by the Hon'ble Delhi High Court in WP (C) No. 8363 of 2010 - Common Cause vs. Bahujan Samaj Party. In the said judgment, the Hon'ble High Court has, inter alia, directed that appropriate direction/guideline be issued within the meaning of paragraph 16A of the Symbols Order preventing recognized political party in power from using public places and public funds for propagating the election symbol of the party.

2. Before taking final decision, the Commission decided to obtain the views of the recognised parties. Accordingly, vide the above referred letter dated 9<sup>th</sup> September, 2016, the recognised National and State Parties were requested to furnish their views in the matter latest by 19-09-16. The parties which have furnished their views in the matter have supported the idea of having guidelines in this regard.

3. The Commission has considered the matter in the light of the directions of the Hon'ble High Court and also the views expressed by the political parties. Having so considered the matter, the Commission is of the view that utilizing public funds/public place for promoting any political party or propagating its election symbol would be antithetical to the concept of free and fair election and the principle of level playing field for all stakeholders.

4. Accordingly, the Commission has directed that no political party shall henceforth either use or allow the use of any public funds or public place or government machinery for carrying out any activity that would amount to advertisement for the party or propagating the election symbol allotted to the Party.

5. It is clarified that any violation of the above directions would be treated as violation of a lawful direction of the Commission within the meaning of paragraph 16A of the Election Symbols (Reservation & Allotment) Order, 1968.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'K.F. Wilfred', with a stylized flourish at the end.

(K.F.WILFRED)  
PRINCIPAL SECRETARY

Copy to the Chief Electoral Officers of all States and Union Territories. It is requested that the above directions may be brought to the notice of all political parties based in the State/UT.