

Election Commission of India

Nirvachan sadan, Ashoka Road, New Delhi-110001

No. 491/RPA/2017/Communication

Date: 8th January, 2018

Office Memorandum

Advancement and multi-fold increase in the digital, internet, mobile and satellite technology has impacted the usage of the platforms of electronic and social media. Regulation and control on the display of the 'election matter' in the polling area within the time period of 48 hours of the close of the poll, as provided in the Section 126 of the Representation of the people Act, 1951 has thrown several challenges. In order to address the challenges in the wake of expansion and diversity of media platforms and suggest modification and changes in the provisions of the Section 126 and other sections of the R.P. Act 1951, provisions of Model Code of the Conduct and any other ECI instructions in this regard, the Election Commission has decided to set up following Committee:

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|--------|--|---|------------------|
| (i) | Sh. Umesh Sinha , Sr.DEC | - | Chairman |
| (ii) | Sh. Sandeep Saxena, DEC | - | Member |
| (iii) | Sh. Sudeep Jain, DEC | - | Member |
| (iv) | Sh. Chandra Bhushan Kumar, DEC-In-Charge | - | Member |
| (V) | Sh. Dharendra Ojha, DG | - | Member |
| (vi) | Sh. S.K Mendiratta, Legal Advisor | - | Member |
| (vii) | Sh. K.F.Wilfred, Sr. Pr. Secretary | - | Member Secretary |
| (viii) | Sh. Vijay Kumar pandey, Director | - | Member |
| (ix) | Sh. Ajoy Kumar, Secretary | - | Rapporteur |
| (x) | One nominated member from the M/o information and Broadcasting | - | Member |
| (xi) | One nominated member from M/o Law and Justice (Legislative Department) | - | Member |
| (xii) | One nominated member from M/o Electronics and Information Technology | - | Member |
| (xiii) | One senior representative of Press Council of India (PCI) | - | Member |
| (xiv) | One senior representative of News Broadcasters Association (NBA) | - | Member |

2. If required, the Committee may invite members of other organizations as special invitee.

3. Term of reference – The terms of reference of above Committee will:

(a) Study and examine the present provisions of the Section 126 and other related Sections of the Representation of the People Act, 1951 and identify difficulties/critical gaps to regulate the violation of the said provisions of the act, particularly during the prohibitory period of 48 hours before the completion of the poll, mentioned in section 126 and suggest necessary amendment/modification.

(b) Examine the type, category or growth of communication technology or media platform in the country and difficulties in regulating these media platforms during multiphase election when prohibitory period of 48 hours are in force.

(c) Impact of new media platforms and social media during the prohibitory period of 48 hours before the close of poll and its implication in view of the provisions of section 126.

(d) Examine the present provisions of MCC related to the above issues and suggest modification in this regard.

4. Period:-

The Committee will give its report within three months from the date of its notification.

By order,



(Standhope Yuhlung)
(Principal Secretary (Admn))

Copy to:

- (1) Secretary, M/o Information and Broadcasting,
- (2) Secretary, M/o Law and Justice,
- (3) Secretary, M/o Electronics and Information Technology,
- (4) Press Council of India and
- (5) News Broadcasters Association, with the request to nominate an officer for the purpose of member of the Committee.