

Election Commission of India

Nirvachan Sadan, Ashoka Road, New Delhi

ECI/PN/16/2017

Dated: 13.02.2017

Press Note

Sub:- General Election to the Legislative Assembly of Uttar Pradesh- violation of the provisions of Section 126A of RP Act, 51, and the Commission's notification dated 27-01-17.

The Commission had notified on 27-01-17 the period during which **conducting** any exit poll and publishing or publicizing by means of print or electronic media **or disseminating** results in any other manner would be prohibited during the current elections, specifying the period between 7 AM on 04-02-17 and 5.30 PM on 08-03-17 .

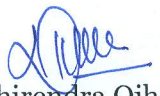
Now, it has been brought to the notice of the Commission that the Dainik Jagran Newspaper has published result of exit polls conducted by a company by the name of Resource Development International (I) Pvt. Ltd. on the first phase of elections in UP, through their website.

Therefore, the reported violation by the Resource Development International (I) Pvt. Ltd. and Dainik Jagran by conducting the exit poll and dissemination of results amount to offence under Sections 126A and 126B of RP Act, 1951 as well as offence under Section 188 of IPC. The offence also amounts to disobedience to Order duly promulgated by the Commission.

The Commission has decided to take stringent action against the perpetrators of this serious violation of the Provisions of Section 126A of R. P. Act, 1951 to uphold the law to ensure the smooth conduct of free and fair elections. Accordingly, the Commission has directed that the District Election Officers of each of the districts covered under the first phase of poll and Lucknow shall immediately file FIR against the Managing Director and/or such other authorities of RDI and Dainik Jagran including the Managing Editor/Editor in Chief/Editor/Chief Editor of the Newspaper under Section 188 of IPC read with Section 126A and 126B of RP Act, 1951.

Under sub-section 3 of Section 126 A of R.P.Act, 1951, Offence under Section 126A is punishable by imprisonment for a term up to 2 years or with fine or both. Section 126B provides that if the offence is committed by a company, every person who is in charge of and is responsible for conduct of the business of the company shall be deemed to be guilty of the offence and face punishment.

Commission while reiterating its directions, makes it clear that it will not hesitate to take stern legal action in the event of any violations of the above mentioned legal provisions.


Dhirendra Ojha
(Director)