

NO VOTER SHOULD BE LEFT BEHIND

Session 3

Important Instructions/Guidelines for Media Personnel

Disclaimer:

This training material is for use in training of election officials. It should not be referred as guidelines of ECI. In case of any variance in this training material and ECI instructions/guidelines/ rules/ laws, the ECI instructions/guidelines/ rules/ laws shall prevail.

Learning Objectives of the Module

| Sr. No. | Agenda |
|------------|---|
| 1 | Important guidelines/instructions relating to conduct of Media during elections |
| 2 | Important instructions regarding facilities for Media during elections |

NO VOTER SHOULD BE LEFT BEHIND

***Important guidelines / instructions relating to conduct of
Media during elections***

Guidelines for Election Coverage

(From Press Council of India, ECI's CoI, Vol II, 2009)

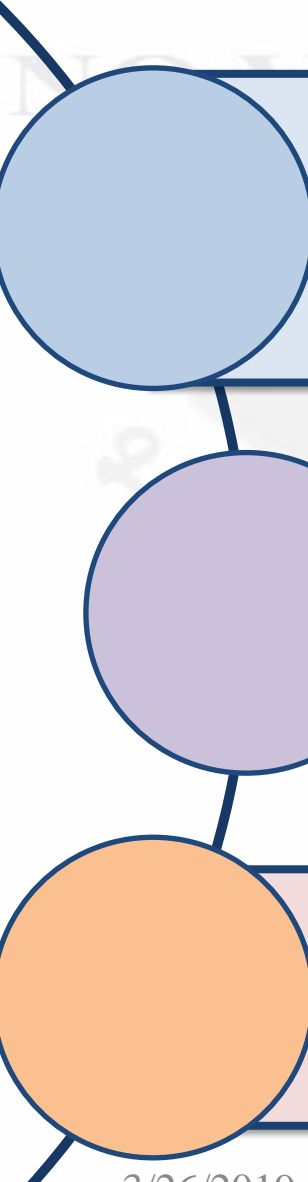


It is duty of Press to give objective reports about elections and the candidates.

The newspapers are not expected to indulge in unhealthy election campaigns, exaggerated reports about any candidate / political party.

While reporting on actual campaign, a newspaper may not leave out any important point raised by a candidate and make an attack on his / her opponent.

Election campaign along communal or caste lines is banned under election rules.



The Press should refrain from publishing a false or critical statements with regard to personal character and conduct of any candidate or in relation to candidature or withdrawal of any candidate, to prejudice the prospects of that candidate in the elections.

The Press shall not accept any kind of inducement, financial or otherwise, to project a candidate / political party.

Press shall not accept hospitality or other facilities offered to them by or on behalf of any candidate / political party

Contd...



Press is not expected to indulge in canvassing of a particular candidate / political party. If it does, it shall allow the right of reply to other candidate / political party.



Press shall not accept / publish any advertisement at cost of public exchequer regarding achievements of political party

Guidelines for Election Broadcasts

(Issued by NBSA on 3rd March 2014 & 24th March, 2014)

News broadcasters should endeavor to inform public in an objective manner about electoral matters

Unless they (news broadcasters) publicly endorse or support a particular candidate / political party, they have duty to be balanced and impartial.

News broadcasters must endeavor to avoid all forms of rumors, baseless speculation and disinformation, particularly concerning political parties / candidates.

Contd...

They should maintain clear distinction between editorial and expert opinion carried on their news channels.

News broadcasters that use video feed from political parties should disclose it and appropriately tag it.

Ensure that every element of news / programmes dealing with elections is accurate on all facts relating to events, dates, places and quotes.

Contd...

News broadcasters must not broadcast any form of hate speech or such content that may lead to incitement of violence or promote public unrest/disorder.

News broadcasters are required to scrupulously maintain a distinction between news and paid content. All paid content to be marked as “Paid Advertisement” or “Paid Content” should be compliant as per “Norms and Guidelines on Paid News” dt. 24.11.2011.

Broadcasters shall not broadcast any “election matter” i.e. any matter intended or calculated to influence or affect the result of an election, during the 48 hours ending with hours fixed for conclusion of poll in violation of Sec 126 (1) (b) of RP Act, 1951

Contd...

The ECI will monitor the broadcasts made by news broadcasters from the date of announcement of elections until the announcement of election's results. Any violation to be reported by the ECI to the NBSA, it will be dealt with by the NBSA according to its regulation

News broadcasters must not air any final, formal and definite results until such results are formally announced by the ECI.

Restriction on Exit Poll and Opinion Poll - Provisions under RP Act 1951

Sec 126 of RPA 1951 prohibits displaying any election matter (meaning intended or calculated to influence or affect the result of election) by means of cinematograph, television or similar apparatus during period of 48 hours before the hour fixed for conclusion of poll. This will also cover any publication of opinion poll.

Any person who contravenes the provision of the act shall be punishable with imprisonment for a term of 2 years or fine or both

*Guidelines regarding **Opinion polls / survey** relating to elections*

IF OPINION/EXIT POLL OR SURVEY IS CONDUCTED DURING THE ELECTION PROCESS, MEDIA SHALL ACT AS WATCHDOGS & NEWS BROADCASTERS SHOULD ABIDE BY THE FOLLOWING

News broadcasters must conduct a proper check in regard to agencies engaged for conducting any opinion poll or survey related to elections

News broadcasters must obtain and retain raw data pertaining to any opinion poll / survey relating to elections

News broadcasters must conduct random or sample checks on the raw data pertaining to any opinion poll or other survey relating to elections

48 HOURS BEFORE THE CONCLUSION OF POLL, PUBLICIZING/PUBLICATION OF ANY KIND OF OPINION/EXIT POLL OR SURVEY IS STRICTLY PROHIBITED

Paid News

What is it?

(Please refer to NBSA Guidelines on 'Paid News' dated on November 24th, 2011)

- **Any news or analysis appearing in any media (Print & Electronics) for a price in cash or kind as consideration.**

– *Press Council of India (PCI)*

- PCI guidelines about election news and advertising say that news should be clearly demarcated from advertisements by printing disclaimers, should be strictly enforced by all publications.
- As far as news is concerned, it must always carry a credit line and should be set in a typeface that would distinguish it from advertisements.

Paid News cases related to print media are sent by ECI to PCI and those related to Electronic Media are referred to NBSA.

Some examples of Paid News

- Identical articles with photographs and headlines appearing in competing publications carrying by-lines of different authors around the same time.
- on the same page of specific newspapers, articles praising competing candidates claiming to win the election.
- News item saying that good work done by a party/candidate had marginalized the electoral prospects of the other party/candidate in the State with each and every sentence of the news item in the favour of party/candidate.
- News items favouring a candidate, not carrying any by-line.
- News item stating that one candidate is getting support of each and every section of society and that he would win elections from the constituency.

***According to, Hon'ble Supreme Court's Order of dated 13/04/2004
& the ECI's instructions of dated 15/04/2004***

Any cable operator is prohibited to transmit any advertisement which is not in conformity with prescribed programme code and advertisement code and is likely to promote enmity on any grounds whatsoever, disharmony or feelings of enmity, hatred or ill-will which is likely to disturb public tranquility.

Any advertisement carried in cable service shall be designed so as to conform to the laws of country and should not offend morality, decency and religious susceptibilities of subscribers.

No advertisement shall be permitted which derides any race, color, caste, creed or nationality, is against provisions of the Constitution of India and tends to incite people to crime, cause disorder or breach the law.

Instructions / Guidelines related to outdoor print publicity

The printing and publication of election pamphlets, posters etc. is governed by provisions of Sec. 127 A of Representation of the People Act 1951, which makes it mandatory to bear on its face the names and addresses of printer and publisher.

- Printer shall furnish 4 copies of printed material, along with declaration of publisher, within 3 days of printing thereof in prescribed Performa to DEOs.
- Sec 171(H) of Indian Penal Code prohibits incurring expenditure on, inter alia, advertisement without authority of contesting candidate.

Ban on exit poll

The Election Commission of India, u/s 126A of Representation of People Act 1951 notifies the period between which conduct of any exit poll and publication and dissemination of result of such exit poll is banned. This is as follows:

- Ban on exit polls starts from commencement of the poll and continues till half and hour after closing of the poll in an election held in a single phase and in multi phased election.
- In case of elections in different States announced simultaneously, the ban on exit poll starts from the date and time of commencement of poll on the first day of the poll and continues till half and hour after closing of poll on the last day of the poll.

NO VOTER SHOULD BE LEFT BEHIND

***Important instructions regarding facilities for Media
during elections***

Media Facilities during Elections

After announcement of elections, ECI issues a letter to sponsoring authorities for obtaining and forwarding requests received from media persons for issue of authority letters for entry in Polling Stations and Counting Centres with specified time limit. The sponsoring authorities include:

- Principal Director General (Media & Communication) for media persons accredited by PIB at national level &
- Director (Information and Public Relations) of respective States including CEOs concerned

Issue of authority letters / media passes

Total number of media persons recommended for issue of authority letters will be within reasonable numbers to be decided by the ECI.

CEOs to send the list of media personnel for issue of authority letters to the ECI. The deadline for the same is 15 days prior to the poll.

CEOs to inform media persons about deadline of the ECI so that their recommendations reach to the CEO in timely manner.

For media persons outside Delhi, their requests should be duly scrutinized and sponsored by DIPR or equivalent and should be forwarded to CEO.

In addition to the accredited correspondent, other genuine media persons can be sponsored for issue of authority letters. It is up to Pr. Director General (Media & Communication) and concerned State Director of Information and Public Relation to scrutinize and authorize names for issue of authority letters/media passes.

Contd...

There will be no restriction to number of constituencies which an applicant may like to cover. For electronic media team with more than one person, each individual member will need a separate authority letters.

Authority letters issued will be subject to conditions imposed by Commission as are mentioned in authority letters.

DEOs are delegated with power of signing the authority letters given to media persons in district.

NO VOTER SHOULD BE LEFT BEHIND

100

BACK

FRONT

CEO, Gujarat

BACK

- 23

Coverage of actual polling inside the Polling Stations

Media persons to be allowed in PS after verification of authority letters by Presiding Officer (PrO).

However, they will be allowed inside in very small numbers in batches depending on the size of the room, number of electors etc.

PrO will have full discretion regarding entry of media persons inside the polling booth.

PrO may also regulate actual coverage by indicating a definite position beyond which they should not proceed.

Contd..

No media person to photograph or videograph the scenes of any voter casting vote by covering activities inside voting compartments which is in violation of secrecy of vote.

Under no circumstances, the process of polling will be disturbed.

Media Centres (State & District) -What are they?

Media Centres are set up in the office campus of CEOs and DEOs for the purpose of disseminating election related information.

District Information Officers will be put in charge of District Media Centre and their contact details are circulated well in advance.

Media Centres will commence functioning from date of notification of elections and will remain open during hours up to the end of period of electioneering and thereafter round the clock up to the end of process of election.

In the CEO office, an Additional /Jt. CEO will be in charge of Media Centre facilities.

All Media can avail communication facilities like phones, ISD/STD, Fax machines, internet, printers etc. on payment of nominal charges.

Media required to obtain authority letters for the usage of Media Centre.

Contd...

Copies of statistical reports and documents of previous elections will be made available in these Media Centre for purpose of reference to the extent feasible.

Daily press notes containing comprehensive statistical and other information related to election process will be issued at Media Centre.

NO VOTER SHOULD BE LEFT BEHIND

Thank You