

OFFICE OF THE CHIEF ELECTORAL OFFICER

Vikram Vein Road, Lawstottam, Raddarsalayam, Puducherry-605 003
Phone: 0413 2292204 2292205 Fax: 0413 2292303
Web: <http://ecp.puducherry.gov.in> Email: ecp_puducherry@ecp.in

OFFICE OF THE
SUPER. OF POLICE (EAST)
No. 456/SP/EA/11
Dated: 26/10/16

No.: E.108(1)/2016-BE/ 2-114

Puducherry, dt.

22 OCT 2016

To

1. The District Collector, Puducherry
2. The Inspector General of Police
3. The Chief Engineer, PWD, Puducherry
4. The Director of Local Administration, Puducherry
5. All Head of Departments/Offices/Corporations/Agencies/Boards/Local Bodies



Sub: Prevention of defacement of property - Reg.

- Ref:
1. The Pondicherry Open Places (Prevention of Disfigurement) Act, 2010
 2. Letter No.3/7/2008/JS-II dated 7.10.2008
 3. Letter No.3/7/2008/JS-II/SDR dated 10.11.2008
 4. Letter No.437/6/INST/2012-CC&BE dated 18.01.2012
 5. Letter No.3/7/2014/SDR dated 11.03.2014
 6. Letter No.3/7/2014/SDR dated 26.09.2014

MUTHIALPET CIRCLE
No.: 153/M.I./R.11
Date: 28/10/16

During the period of run up to the Bye-Election to 17-Nellithope Assembly Constituency 2016, it is necessary to ensure prevention of defacement of public and private properties in accordance with the instructions of the Election Commission of India, copies of which are enclosed for ready reference.

2. It is to be noted that the Election Commission of India has, in supersession of all earlier instructions, laid down directions in connection with defacement of public places, private places, defacement of halls/auditoriums and other public properties, defacement of vehicles and other campaign related items to be complied with by political parties, candidates, individuals organizations, etc., during election period. In the letter dated 10.11.2008, vide third cited, the Commission has further elaborated the instruction regarding defacement of private property.

3. In the light of the above directions of the Election Commission, it is expedient that the concerned law enforcement authorities take prompt action from now onwards, so that the State Government ensures an atmosphere conducive for the conduct of free and fair elections.

4. For effective control of defacement of property, which is one of the important steps to be taken by the Government, to pave the way for free and fair poll, it is mandatory that the following action may be taken/initiated with immediate effect:-

- i. The District Collectors, Puducherry may invoke the provisions of Section 4 of the POPPPD Act 2000 and issue necessary notification in connection with prevention of defacement of public places, private places, halls/auditoriums and other public properties, vehicles and other campaign related items.
- ii. **NO GOVERNMENT DEPARTMENT/LOCAL BODIES/ AGENCIES/ CORPORATION/ BOARDS SHALL ISSUE PERMISSION TO ANY ONE TO ERECT BANNERS OF ANY KIND, PASTING OF POSTERS ETC., TO ANY POLITICAL PARTIES, CANDIDATES, INDIVIDUALS AND ORGANIZATIONS, ETC., DURING ELECTION PERIOD WITHOUT THE SPECIFIC APPROVAL OF THE DISTRICT COLLECTORS.**
- iii. In this connection, it is requested that the Chief Engineer, Public Works Department and the Director of Local Administration may issue specific instructions to all their subordinate Officers for strict compliance. It is to be brought to their attention that violation, if any, would be viewed very seriously.

Forwarded for Necessary action
Mut. PS / Kai. PS / O.P.

[Signature]
28-10-16
INSPECTOR OF POLICE
MUTHIALPET CIRCLE
PUDUCHERRY

[Handwritten initials]

[Handwritten: SP(CHQ)]

[Handwritten: SP(EE)]

[Handwritten: All SAs/CR. Muthialpet from 19.]

[Handwritten signature]
27/10/16

OFFICE OF THE SUPER. OF POLICE (EAST)
PUDUCHERRY

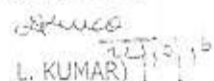
[Handwritten initials]

4456
CS/10/20

- iv. All the Head of Departments/Offices should ensure that no **DEFACEMENT** OF **ANY KIND** has been made in and around their Office premises. In case of defacement, they are to take immediate action to remove those.
 - v. It is necessary to mobilise necessary manpower from Revenue Department and the Local Bodies and form Flying Squads who will swing into action immediately to identify and remove all kinds of defacements done by various political parties.
 - vi. The Public Works Department and the Commissioners of all Municipalities and Commune Panchayats to provide them additional manpower from their strength of Gangman and Sanitary Workers.
 - vii. The Tahsildars and Deputy Tahsildars may form necessary small squads with the manpower available with them, viz., Village Administrative Officers and Village Assistants. Each squad should be allotted specified areas. These squads should fan-out in their allotted area and list the spots of defacement. Wherever they see defacement on private property, they should ascertain from the owners / occupiers of such buildings whether they have given specific permission for display, writing, etc. and note down the address of the buildings, name of owner / occupier, nature of display (eg. poster, wall writing, flag mast, hoarding, banner, etc.) name of political party / candidate who have written / displayed and obtain the signature of the owner / occupier. This should be compiled Assembly Constituency-wise and political party / candidate-wise, for cross checking with the accounts of election expenditure to be submitted by them, later.
 - viii. In case defacements have been made without permission of the owners/occupiers, they may be requested to ask the party / persons responsible to remove the same, giving them a short time limit and in case of their failure, to lodge a complaint with the Police Station of their area, under section 34 (B) (vii) of the Police (Puducherry Amendment) Act, 1966. Action may also be taken under the provisions of the Puducherry Open Places (Prevention of Disfigurement) Act, 2000 (Act 6 of 2000).
 - ix. Wherever any defacement is noticed on the buildings belonging to Central / State Government / Local Body / Co-operatives/ Government owned corporations and such other establishments, they should bring it to the notice of the officer in charge of the building, who will arrange for its removal, by the party / person who made it, failing which, he should lodge a complaint/FIR with the Police Station of the area, with intimation to the District Election Officer/District Magistrate.
5. The District Collector, Puducherry may kindly give wide publicity through the Media for the information of General Public.

(BY ORDER OF THE CHIEF ELECTORAL OFFICER)

Yours faithfully,

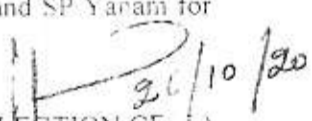

L. KUMAR
ADDITIONAL CHIEF ELECTORAL OFFICER

Copy submitted to :-
The Chief Secretary to Government, Puducherry.
All Secretaries to Govt., Puducherry

Endt.No.20 /CR/SP(EC)/2016

O/o the Supdt. of Police,
Election cell, Puducherry.
Dated:26.10.2016

Copy communicated to SPs East, West, North, South in Puducherry, SP Mahe and SP Yanam for information and necessary action.


SP(ELECTION CELL)

To
All concerned.
Copy Submitted to: DGP/IGP/SSPs(L&O)/(HQ)/(C&I) - for kind information please.