

# Section 126 of RP Act, 1951

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## About Section 126 of RP Act, 1951

- Section 126 of the RP Act, 1951, inter-alia, prohibits election campaign activities through public meetings, processions, etc, and displaying of election matter by means of television and similar apparatus.
- The purpose sought to be served by this prohibition is to provide a period of tranquility (silence period) for the electors before the voting day.
- The Commission calls upon all political parties to instruct and brief their leaders and campaigners to ensure that they observe the silence period on all forms of media as envisaged under Section 126 of the RP Act, 1951, and their leaders and cadres do not commit any act that may violate the spirit of Section 126.

## Provision under Section 126 of RP Act, 1951

- Section 126 of the RP Act prohibits displaying any election matter by means, inter alia, of television or similar apparatus, during the period of 48 hours before the hour fixed for conclusion of a poll in a constituency.
- During the silence period, star campaigners and other Political Leaders should refrain from addressing the media by way of press conferences and giving interviews on election matters.
- This communication may kindly be circulated to the cadre at all levels of the Party for compliance.
- The provision prohibits conduct of Exit poll and dissemination of their results during the period mentioned therein, in the hour fixed for commencement of polls in the first phase and half hour after the time fixed for close of poll for the last phase in all the

States.

- Violation of the provisions of Section 126 is punishable with imprisonment upto a period of two years, or with fine or both.

### **Scope of Reform**

- Prohibitory period of 48 hours before the completion of the poll
- Impact of new media platforms and social media during the prohibitory period of 48 hours before the close of poll campaign.
- Amend Section 126(1) of R P Act to impose the “campaign silence period” on print, electronic media and intermediaries.
- Intermediaries should ensure that their platforms are not misused to vitiate free and fair polls. This would include a notification mechanism by which EC may notify the platform of potential violations of Section 126 of R P Act.