

ANDHRA PRADESH STATE ELECTION COMMISSION
L-Block, Secretariat, Hyderabad – 500 022.

C I R C U L A R

No.211/SEC-B2/2017

Date: 29.11.2017

Sub:- APSEC – Elections to Rural Local Bodies – Restrictions on use of Loudspeakers for election campaign – Instructions – Issued – Reg.

All Political parties, candidates and their workers, supporters and sympathizers are using loudspeakers for their election campaign. These loudspeakers are not only used from fixed rostrums but are also mounted / fitted on vehicles like trucks, tempos, cars, taxis, vans, three wheeler scooters, cycle rickshaws, etc. These vehicles move on all roads, streets and lanes and also go around basties, mohallas, colonies and localities with the loudspeakers broadcasting at very great volume. This results in serious 'noise pollution' and causes great disturbance to the peace and tranquility of the general public. The student community, in particular, gets seriously disturbed as their studies are badly hampered because the loudspeakers start blaring from very early hours in the morning and continue to do so throughout the day and till extremely late hours in the night. The aged, the infirm and the sick whether in institutions, hospitals, etc. or at home are also put to severe discomfort.

The Commission is aware that the use of loudspeakers cannot be stopped altogether during the election period as the loudspeakers are one of the means of election propaganda and imparting information to public. But, at the same time, indiscriminate and unfettered use of loudspeaker at odd hours and at odd places at very high volumes which have the effect of disturbing peace and tranquility and causing annoyance to the general public, the sick, and the student community in particular cannot be permitted. Some reasonable restrictions are essential.

The Hon'ble Supreme Court of India passed an order banning the use of loudspeakers, vehicular horns and bursting of crackers between 10.00 PM and 6.00 AM near residential areas.

After considering all aspects of the matter, the State Election Commission, in exercise of powers conferred on it under Article 243K of the Constitution of India and all other powers enabling it in this behalf and in supersession of its earlier instructions, hereby, order that the use of loudspeakers at all elections to Gram Panchayats, Mandal Praja Parishads and Zilla Praja Parishads shall be strictly regulated as follows: -

(i) The use of loudspeakers, whether fitted on vehicles of any kind whatsoever, or in static position used for public meetings for electioneering purposes, during the entire election period starting from the date of issue of election notification and ending with the date of declaration of results shall be permitted only between 6.00 a.m. and 10.00 p.m.

(ii) All loudspeakers whether used for general propaganda or for public meetings or procession and whether used on moving vehicles or otherwise, shall be used only between 6.00 a.m. and 10.00 p.m. and never beyond.

(iii) All loudspeakers being used beyond the hours prescribed above shall be confiscated along with all the apparatus connected to them.

(iv) All political parties, candidates and any other persons using any loudspeakers on moving vehicles including but not restricted to trucks, tempos, cars, taxis, vans, three wheeler, scooters, cycle rickshaws, etc. shall intimate the registration / identification number of those vehicles to the authorities granting permission to use the loudspeakers and such registration / identification numbers of the vehicles shall be indicated on the permits granted by the authorities concerned.

(v) Any vehicle on which a loudspeaker is used without the said written permit shall be confiscated forthwith along with the loudspeaker and all the apparatus used along with it.

(vi) All political parties, candidates and even any other person using a loudspeaker either on a moving vehicle or at a fixed place shall intimate:-

- (1) the Returning Officer concerned, and
- (2) local Police authorities, in writing, the full details of the permits obtained by them before using any of those loudspeakers. In the case of mobile loudspeakers, the registration / identification numbers of the vehicles shall also be registered by them with the Returning Officer concerned and the local Police authorities.
- (vii) It shall be the responsibility of the local authorities granting permits for use of loudspeakers and the local Police authorities to strictly enforce that no loudspeaker is used by anyone in violation of any of the above directions.
- (viii) The political parties and candidates shall endeavour to see that no disturbance is caused in the areas adjacent to hospitals due to electioneering to avoid inconvenience to the patients.

No loudspeakers fitted on vehicles of any kind or in any other manner whatsoever shall be permitted to be used within the polling area during the period of forty-eight hours prior to the hour fixed for conclusion of the poll in case of elections to the Mandal Praja Parishads and Zilla Praja Parishads and forty-four hours prior to the hour fixed for conclusion of the poll in case of elections to Gram Panchayats. Even after the close of poll, proper law and order is required to be maintained till completion of election after the declaration of result. Use of loudspeakers is generally regarded as source of public nuisance and can often give rise to tension in a politically surcharged atmosphere. The District Administrations should, therefore, consider any application for permission to use loudspeakers on merit of each application and keeping in view the need to maintain proper law and order till the completion of election.

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The above orders of the Commission, which will check noise pollution and disturbance of public peace and tranquility, must be scrupulously implemented and strictly enforced by all election authorities concerned. Any violation thereof will be viewed by the Commission with grave concern and will invite severe disciplinary action against the defaulting officers.

A copy of this order shall be made available to local units of all recognised and registered political parties in the district under acknowledgement.

Sd/- Dr. N. Ramesh Kumar
State Election Commissioner

To
The Collectors and District Election Authorities.
The Superintendents of Police.
The Chief Executive Officers of Zilla Praja Parishad.
The District Panchayat Officers.

Copy to:
The Election Authority & Commissioner of Panchayat Raj, A.P.
The Principal Secretary to Government, PR & RD Department, A.P.

// Forwarded :: By Order //



SECRETARY