
FAQ on Media Coverage during elections

- Q. What does Section 126 (1) (b) of Representation of the People Act, 1951 provide?**
- A. Section 126 (1)(b) of the Representation of the People Act, 1951, prohibits displaying any election matter by means, inter alia, of television or similar apparatus, in any polling area during the period of forty-eight hours ending with the hour fixed for the conclusion of the poll for any election in the polling area.
- Q. What does “Election Matter” mean, w.r.t to Section 126 of R.P. Act , 1951?**
- A. “Election matter” has been defined in that Section as any matter intended or calculated to influence or affect the result of an election.
- Q. What must be avoided by electronic media during the period of 48 hours referred to in Section 126 (1) (b)?**
- A. TV/Radio channels/cable networks/internet websites and social media should ensure that the contents of the programme telecast/broadcast/ displayed by them during the period of 48 hours referred to in Section 126 do not contain any material, including views/appeals by panelists/ participants that may be construed as promoting/ prejudicing the prospect of any particular party or candidate(s) or influencing/affecting the result of the election.
- Q. Whether displaying the result of any opinion poll survey is also prohibited during the period of 48 hours?**
- A. Section 126(1)(b) of R. P. Act, 1951 prohibits displaying any election matter including results of any Opinion Poll or any other poll survey, in any electronic media during the period of 48 hours ending with the hour fixed for conclusion of poll in each of the phases of elections.
- Q. What are the provisions in R. P. Act, 1951 for conduct of Exit poll survey?**
- A. Section 126A of the R.P. Act 1951, prohibits conduct of Exit poll and dissemination of their results by means of **print or electronic media** during the period mentioned therein, i.e. between the hour fixed for commencement of poll in the first phase and half an hour after the time fixed for close of poll for the last phase in all the States.

Q. Whether violation of Section 126 is a punishable offence?

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

Q. What is the advisory issued to the media for coverage during the period referred to in Section 126 A of RP Act, 1951?

A. The media is advised to refrain from telecasting/publishing programmes including predictions by Astrologers, Tarot Readers, and Political Analysts etc. which in any way whatsoever predict the results of the elections during the prohibited period under the Section 126A of R.P. Act, 1951.

Q. What are the provisions for TV/Radio/Cable/FM channels to get approval for conducting any broadcast related event during the period not covered under Section 126?

A. During the period not covered by Section 126, TV/ Radio/Cable/FM channels are free to approach the state/district/local authorities for necessary permission for conducting any broadcast related events which must also conform to the provisions of the Model Code of Conduct and the programme code laid down by the Ministry of Information and Broadcasting under the Cable Network (Regulation) Act with regard to decency, maintenance of communal harmony, etc. They are also required to stay within the provisions of Commission's guidelines dated 27th August, 2012 regarding paid news and related matters. Concerned Chief Electoral Officer/District Election Officer will take into account all relevant aspects including the law and order situation while extending such permission.

Q. Whether telecast of films and commercials of the actors, who are contesting election should be restrained to telecast?

A. Telecast of feature films (other than commercial advt) of the actors, who are contesting elections will not be allowed on Doordarshan during the period of the enforcement of Model Code of Conduct, considering that Doordarshan is run on public funds. However, telecast of films and commercial advertisements involving film actors who are contesting elections will not be restrained on other TV channels or Cinema Theaters.