



# महाराष्ट्र शासन राजपत्र

असाधारण

प्राधिकृत प्रकाशन

सोमवार, ऑगस्ट २८, १९९५/भाद्र ६, शके १९९७

स्वतंत्र संकलन म्हणून फाईल करण्यासाठी या भागाला वेगळे पृष्ठ क्रमांक दिले आहेत

## भाग एक अ-मध्य उप-विभाग

महाराष्ट्र जिल्हा परिषदा व पंचायत समित्या, ग्रामपंचायती, नगरपरिषदा, प्राथमिक शिक्षण आणि स्थानिक निधी लेखा परीक्षा अधिनियम यांखालील (भाग चार-व मध्ये प्रसिद्ध करण्यात आलेले आदेश व अधिसूचना यांव्यतिरिक्त) आदेश व अधिसूचना

### STATE ELECTION COMMISSION, MAHARASHTRA

New-Administrative Bldg., Opp. Mantralaya, Mumbai 400 032, Dated 28th August 1995.

#### Order

CONSTITUTION OF INDIA.

No. SEC. 1095/CR-77/95/Desk-3.—Whereas, by its Order No. SEC. 1095/101/Desk-3, dated the 7th February 1995, the State Election Commission has laid down the limit of expenditure to be incurred by contesting candidate at any Panchayat or Municipality election;

And whereas, amongst the various items on which expenditure, if any, incurred by a contesting candidate is required to be furnished in the Statement of Accounts, the items with regard to printing and publishing any election pamphlet or posters by or on behalf of such contesting candidate are also included;

And whereas, the laws in operation in the State with regard to elections to Panchayat or Municipality do not make any specific provisions providing for restrictions on the printing of pamphlets, posters, etc. in respect of such elections;

And whereas, with a view to have free and fair elections it is expedient to make provisions with regard to the restrictions on the printing of pamphlets, posters, etc. by contesting candidate at the elections to the Panchayat and the Municipality;

Now, therefore, in exercise of the powers conferred by Article 243-K and article 243-ZA of the Constitution of India read with sub-section (4) of section 18A of the Bombay Municipal Corporation Act (Bom. III of 1888), sub-section (4) of section 9B of the city of Nagpur Corporation Act. 1948 (C. P. and Berar II of 1950), sub-section (4) of section 14 of the Bombay Provincial

Municipal Corporations Act, 1949 (Bom. LIX of 1949), sub-section (4) of section 10A of the Maharashtra Municipal Councils, Nagar Panchayats and Industrial Townships Act, 1965 (Mah. XL of 1965), sub-section (4) of section 10A of the Bombay Village Panchayats Act, 1958 (Bom. II of 1959), the Zilla Parishads and Panchayat Samitis Act, 1961 (Mah. V of 1962), and of all other powers enabling me in this behalf, and in relation to holding of elections under these provisions under the supervision, direction and control of the State Election Commission, I, D. N. Chaudhari, State Election Commissioner, Maharashtra hereby make the following order, namely:—

1. This order may be called the Restrictions on Printing and Publishing of Pamphlets and Posters at Panchayat and Municipal Election Order, 1995.

2. (1) No person shall print or publish, or cause to be printed or published any election pamphlet or poster which does not bear or does not have names and addresses of the printer and the publisher thereon.

(2) No person shall print or cause to be printed any election pamphlet or poster—

(a) unless the declaration as to the identity of the publisher thereof, signed by him and attested by two persons to whom he is personally known is delivered by him to the printer in duplicate; and

(b) unless, within a reasonable time after printing of the document, one copy of the declaration is sent by the printer, together with one copy of the document—

(i) where it is printed by or on behalf of the contesting candidate at the Panchayat or Municipal elections other than Municipal corporation election, to the collector; and

(ii) where it is printed by or on behalf of a contesting candidate at the Municipal Corporation election to the Municipal Commissioner.

(3) for the purpose of this clause.—

(a) the expression "election" includes by-election;

(b) printing includes material produced in printed form from a computer or a teleprinter or any such device, and any process for multiplying copies of a document, other than copying it by hand shall be deemed to be printing and the expression "printing" shall be construed accordingly;

(c) an election pamphlet or poster means any printed pamphlet, handbill or other document distributed for the purpose of promoting or prejudicing the election of any candidate or group of candidates or any placard or poster having reference to an election but does not include a handbill, placard or poster merely announcing the date, time, place and other particulars of an election meeting or routine instructions to election agents or workers.

3. Any expenditure incurred by or on behalf of any contesting candidate for printing and publishing any such election pamphlet or poster shall be included in the Statement of Expenditure to be furnished by the contesting candidate.

D. N. CHAUDHARI  
State Election Commissioner,  
Maharashtra.