



पत्रांक:-आर0एम0पी0यू0/239/2024

दिनांक: 14 फरवरी, 2024

सेवा में,

प्राचार्य/प्राचार्या

समस्त महाविद्यालय,

सम्बद्ध राजा महेन्द्र प्रताप सिंह राज्य विश्वविद्यालय,

अलीगढ़।

विषय: General Election and by election to Lok Sabha and State Legislative Assemblies-(i) Engagement of Child and (ii) Engagement of Child in Election related activitiesreg.

महोदय/महोदया,

कृपया उपर्युक्त विषयक उप सचिव, उच्च शिक्षा अनुभाग-3, उत्तर प्रदेश शासन, लखनऊ के पत्र सं0-320/सत्तर-3-2024 दिनांक: 13 फरवरी, 2024 का अवलोकन करने का कष्ट करें।

2. उक्त सन्दर्भित पत्र के माध्यम से संलग्न भारत निर्वाचन आयोग के पत्र संख्या-4/3/2023/SDR/Vol.X, दिनांक: 05.02.2024 में General Election and By election to Lok Sabha and State Legislative Assemblies-(i) Engagement of Child and (ii) Engagement of Child in Election related activities के सम्बन्ध में दिये गये दिशा-निर्देशों का गहनतापूर्वक अध्ययन कर सम्बन्धितों के संज्ञान में लाते हुए आवश्यक कार्यवाही किये जाने की अपेक्षा की गयी है।

3. इस सम्बन्ध में अपर मुख्य निर्वाचन अधिकारी, कार्यालय मुख्य निर्वाचन अधिकारी के पत्र संख्या-265/सी0ई0ओ0-1-142/1-2008, दिनांक: 06.02.2024 की छाया प्रति संलग्नक सहित प्रेषित करते हुए मुझे यह करने का निदेश हुआ है कि प्रश्नगत प्रकरण में की गयी अपेक्षानुसार आवश्यक कार्यवाही करने का कष्ट करें।

संलग्नक: यथोक्त

भवदीय

डॉ0 (महेश कुमार)

कुलसचिव

प्रतिलिपि:-निम्नलिखित को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित :-

1. मा0 कुलपति जी, राजा महेन्द्र प्रताप सिंह राज्य विश्वविद्यालय, अलीगढ़।
2. उप सचिव, उच्च शिक्षा अनुभाग-3, उत्तर प्रदेश शासन, लखनऊ।
3. क्षेत्रीय उच्च शिक्षा अधिकारी, आगरा/अलीगढ़।
4. प्रभारी, विश्वविद्यालय वेबसाइट को विश्वविद्यालय वेबसाइट पर अपलोड करने हेतु तथा महाविद्यालयों को कालेज लॉगिन पर प्रेषित किये जाने हेतु।
5. गार्ड फाइल।

14.02.24
उप कुलसचिव

प्रेषक,

एस0पी0 मिश्र,

उप सचिव,

उ0प्र0 शासन।

सेवा में,

1. निदेशक,

उच्च शिक्षा उ0प्र0,

प्रयागराज।

2. कुलसचिव,

समस्त राज्य/निजी विश्वविद्यालय,

उ0प्र0।

उच्च शिक्षा अनुभाग-3लखनऊ : दिनांक 13 फरवरी, 2024

विषय: General Election and By election to Lok Sabha and State Legislative Assemblies-(i) Engagement of Child and (ii) Engagement of Child in Election related activities - reg.।

महोदय,

उपर्युक्त विषयक अपर मुख्य निर्वाचन अधिकारी, कार्यालय मुख्य निर्वाचन अधिकारी के पत्र संख्या-265/सी0ई0ओ0-1-142/1-2008, दिनांक 06.02.2024 (छाया प्रति संलग्न) का कृपया संदर्भ ग्रहण करने का कष्ट करें।

2- उक्त संदर्भित पत्र के माध्यम से संलग्न भारत निर्वाचन आयोग के पत्र संख्या-4/3/2023/SDR/Vol.X, दिनांक 05.02.2024 में General Election and By election to Lok Sabha and State Legislative Assemblies-(i) Engagement of Child and (ii) Engagement of Child in Election related activities के सम्बन्ध में दिये गये दिशा-निर्देशों का गहनतापूर्वक अध्ययन कर सम्बन्धितों के संज्ञान में लाते हुए आवश्यक कार्यवाही किये जाने की अपेक्षा की गयी है।

3- इस सम्बन्ध में अपर मुख्य निर्वाचन अधिकारी, कार्यालय मुख्य निर्वाचन अधिकारी के पत्र संख्या-265/सी0ई0ओ0-1-142/1-2008, दिनांक 06.02.2024 की छाया प्रति संलग्नक सहित प्रेषित करते हुये मुझे यह कहने का निदेश हुआ है कि है कि प्रश्नगत प्रकरण में की गयी अपेक्षानुसार आवश्यक कार्यवाही करने का कष्ट करें।

संलग्नक-यथोक्त।

भवदीय,



(एस0पी0 मिश्र)

उप सचिव।

कार्यालय मुख्य निर्वाचन अधिकारी, उत्तर प्रदेश।

चतुर्थ तल, विकास भवन, जनपथ मार्केट, हजरतगंज, लखनऊ-226001

संख्या-235/सी0ई0ओ0-1-142/1-2008 लखनऊ दिनांक 06 फरवरी, 2024

सेवा में,

समस्त जिला निर्वाचन अधिकारी,
उत्तर प्रदेश।

4722/UP/SHED/2024

विषय: General Election and Bye election to Lok Sabha and State Legislative Assemblies-(i) Engagement of Child Labour and (ii)Engagement of Child in Election related activities-reg.

महोदय/महोदया,

उपरोक्त विषय पर कृपया भारत निर्वाचन आयोग के पत्र संख्या-4/3/2023/SIDR/Vol.X दिनांक-05.02 2024 (छायाप्रति संलग्न) का सन्दर्भ ग्रहण करने का कष्ट करे।

2- उक्त पत्र के माध्यम से General Election and Bye election to Lok Sabha and State Legislative Assemblies-(i) Engagement of Child Labour and (ii)Engagement of Child in Election related activities के संबंध में दिशा-निर्देश दिये गये हैं।

अतः भारत निर्वाचन आयोग से प्राप्त उक्त पत्र की छायाप्रति संलग्नकर प्रेषित करते हुए अनुरोध है कि कृपया आयोग के दिशा-निर्देशों का गहनतापूर्वक अध्ययन कर समस्त संबंधितों के संज्ञान में लाते हुए आवश्यक कार्यवाही सुनिश्चित कराने का कष्ट करें।

संलग्नक:-यथोक्त।

भवदीय,

(चन्द्रशेखर)

अपर मुख्य निर्वाचन अधिकारी।

संख्या:-235(1)/सी0ई0ओ0-1-तददिनांक।

प्रतिलिपि उक्त संलग्नक सहित निम्नलिखित को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित:-

1- समस्त अपर मुख्य सचिव/प्रमुख सचिव/सचिव उत्तर प्रदेश शासन।

2- प्रमुख स्टाफ आफीसर, मुख्य सचिव, उत्तर प्रदेश शासन।

समस्त उप एवं सहायक जिला निर्वाचन अधिकारी, उत्तर प्रदेश।

उत्तर प्रदेश शासन।

श्री अमिता
9/2/24

(चन्द्रशेखर)
अपर मुख्य निर्वाचन अधिकारी।

803
8/2/24

115

vs(m)
08/02/24
आर.पी. चौधरी
निजी सचिव,
प्रमुख सचिव,
उच्च शिक्षा विभाग,
उत्तर प्रदेश शासन

Ds(SPO)/S-3

08/02/24
डॉ० अशोक कुमार मिश्रा
विशेष सचिव,
उच्च शिक्षा विभाग,
उत्तर प्रदेश शासन।

ELECTION COMMISSION OF INDIA

Nirvachan Sadan, Ashoka Road, New Delhi-110001

No.A/3/2023/SDR/Vol.X

Dated: 5th February, 2024

To,

1. The Chief Secretaries of all the States & Union Territories
2. The Chief Electoral Officers of all States & Union Territories
3. All Recognized National and State Political Parties.

Subject: General Election and Bye election to Lok Sabha and State Legislative Assemblies – (i) Engagement of Child Labour and (ii) Engagement of Child in Election related activities-reg.

Reference: Election Commission's Instructions No. and date

1. No.464/INST/2009/EPS dated 1st May, 2009.
2. No.464/INST/2013/EPS dated 2nd May, 2013.
3. No.464/INST/2013-EPS dated 6th November, 2013.
4. No.464/INST/2013-EPS dated 16th September, 2014 and
5. No. 464/INST/2017-EPS dated 1st May, 2017.

Madam/Sir,

I am directed to refer to the letters mentioned above on the subject cited and to say that Section 3(1) of the Child Labour (Prohibition and Regulation) Act, 1986 as amended vide the Child Labour (Prohibition and Regulation) Amendment Act, 2016 provides that no child [defined w/s 2(ii)] shall be employed or permitted to work in any occupation or process. The said Section 3(1) is reproduced as under: -

"3. (1) No child shall be employed or permitted to work in any occupation or process.

(2) Nothing in sub-section (1) shall apply where the child:-

(a) helps his family or family enterprise, which is other than any hazardous occupations or processes set forth in the Schedule, after his school hours or during vacations;

(b) works as an artist in an audio-visual entertainment industry; including advertisement, films, television serials or any such other entertainment or sports activities except the circus, subject to such conditions and safety measures, as may be prescribed;

Provided that no such work under this clause shall effect the school education of the child.

Explanation.- For the purposes of this section, the expression,

(a) "family" in relation to a child, means his mother, father, brother, sister and father's sister and brother and mother's sister and brother;

(b) "family enterprise" means any work, profession, manufacture or business which is performed by the members of the family with the engagement of other persons;

(c) "artist" means a child who performs or practices any work as a hobby or profession directly involving him as an actor, singer, sports person or in such other activity as may be prescribed relating to the entertainment or sports activities falling under clause (b) of sub-section (2)."

2. The Child Labour (Prohibition and Regulation) Act, 1986 also provides the provisions to regulate the conditions of work of children in certain other employment and penalties for violation of the law.

3. As regards involvement of minor children in election related activities, the Hon'ble Bombay High Court in its Order dated 4th August, 2014 in PIL No. 127 of 2012 (Chetan Ramlal Bhutada Vs. State of Maharashtra and others), stressed the need to ensure that political parties do not allow participation of minor children in any election related activities.

4. The Commission has always taken strong exception to use of children in any way in election related work and has issued instructions in this regard from time to time. The Election Commission of India had directed that no child should be involved in election process by political parties and election officials.

5. In supersession of all the existing instructions on the subject regarding Child Labour and keeping in view of the Child Labour (Prohibition and Regulation) Act, 1986 and the Child Labour (Prohibition and Regulation) Amendment Act, 2016, the Commission has decided to issue the following consolidated instructions for compliance of all electoral authorities and political parties/candidates in future.

(a) For Election Machinery:

- (i) All Election Officials/machinery should refrain from involving child labour in any election related work/activities.
- (ii) The District Election Officers/Returning Officers shall be personally responsible for any such violation of Acts/laws by election machinery and will face severe disciplinary action apart from facing the consequences of law. If any such instance comes to the notice of the Commission.

(b) For Political Parties/Candidates and their agents/representatives etc:-

- (i) All the political parties/candidates should refrain from involving child labour in any election related work/activities and ensure that there is no violation of any provision of the Child Labour (Prohibition and Regulation) Act, 1986 as amended vide the Child Labour (Prohibition and Regulation) Amendment Act, 2016.
- (ii) Extant guidelines of the National Commissions for Protection of Child Right (NCPCR) shall be complied by all the political parties/candidates/election agents/polling/counting agents during the elections.
- (iii) Political parties are directed not to use children in election campaign/rallies/ in any form whatsoever including distribution of posters/pamphlets or to participate in slogan shouting, campaign rallies, election meeting etc.

Note 1: However, mere presence of a child accompanied by his/her mother/father/guardian or a child in arms of his/her mother/father/guardian in proximity of a political leader and "who is not been involved in any activity relating to election campaigning by the political party", will not be construed as violation of the above said guidelines.

Note 2: It is clarified to obviate any doubt that all political leaders/candidates should not use children for campaigning/unmanning/rallies/yujans etc. in any manner, including holding a child in their arms, carrying a child in their vehicles or making child a part of election campaign/rallies etc. Further, use of child to create semblance of political campaign

either by spoken words/poem/songs, display of insignia of political party/candidate, exhibiting ideology of political party, promoting achievements of a political party or criticizing the opponent political parties/candidates shall not be resorted to.

6. The above may be brought to the notice of all concerned for strict compliance in letter and spirit.

Yours faithfully

(S. B. Joshi)
Principal Secretary