## wa Form No. 27

## FIRST INFORMATION REPORT

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## Government of West Bengal Office of the District Magistrate & Collector, Purulia

Confidential Section :: Purulia :: 723101

Office: Ph: 03252-222302: FAX : 222490 :: Resi: Ph: 222301 : FAX: 222511: e-mail: dm-pur-wb@nic.in

Memo No. 198/C

Date: 16 /04/2021

To

The Superintendent of Police

Purulia

Sub: General Election to the Legislative Assemblies of West Bengal, 2021-Violation of the provisions of Section 126A of the Representation of People Act 1951- regarding

Ref: CEO's office memo no. 3567(5)Home(ELEC) dated 12.04.2021 and The letter of the Election Commisssion of India vide no.437/ECI/LET/TERR/ES-II/WB-LA/2021 Dt. 08.04.21

Sir,

In pursuance of the above subject, please find herewith the letters of the Chief Electoral Officer, West Bengal vide No. 3567(5) Dated:12.04.21 and the letter of the Election Commission of India vide no.437/ECI/LET/TERR/ES-II/WB-LA/2021 Dt. 08.04.21, it has been brought to the notice of the Election Commission of India that the 'Khabar 365 Din' Newspaper has published on its website on 27th March, 2021 "Trinamool Glorious Comeback in Lost Land- Trinamool 20 BJP 07". The Commission has considered it as exit poll and dissemination of results and decided that the following provisions have been violated:-

- Section 126A(1) of the Representation of People Act,1951, Provides that no person shall conduct any exit poll and publish or publicise by means of print or electronic media or any other manner the result of any exit poll during such period as may be notified by the Commission as per the provisions of sub-section (2) of Section 126A.
- Offence under Section 126A is punishable by imprisonment for a term upto 2 years or with fine or both. Section 126B provides that if the offence is committed by a company, every person who is incharge of and is responsible for conduct of the business of the company shall be deemed to be guilty of the offence and face punishment.

In this connection, the reported violation by 'Khabar 365 Din', prima facie, appears to be an offence under section 126A and 126B of the Representation of People Act, 1951 as well as offence under section 188 of IPC in as much as the offence also amounts to disobedience to Order duly promulgated by the Commission.

This complaint may be treated as FIR against the Managing Director and/or such other authorities of the 'Khabar 365Din'

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Wemo No. 198/1/C Representation of Reople Act, 195/1 1800

Inspector-in-Charge

Date: 16/04/2021

Inspector-IT-OUT PS

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Purulia Town PS

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District Election Officer

**District Magistrate** 

**District Election Officer** 

Purulia