

**GOVERNMENT OF INDIA
LAW , JUSTICE AND COMPANY AFFAIRS
LOK SABHA**

UNSTARRED QUESTION NO:2979
ANSWERED ON:21.03.2002
BAN ON TELECAST OF OPINION SURVEYS AND EXIT POLLS
ANANTA NAYAK;GADDE RAMAMOHAN;M.V.V.S MURTHI

Will the Minister of LAW , JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether there is demand for ban on publication and telecast of opinion surveys and exit polls as well as other restrictions on media reporting election to protect the democratic values; and

(b) if so, the details with the response of the Union Government?

Answer

MINISTER OF LAW, JUSTICE & COMPANY AFFAIRS (SHRI ARUN JAITLEY)

(a) and (b): The Election Commission of India has informed that taking cognizance of the views expressed by all the recognized National and State Political parties, it had issued guidelines on 20.1.1998, 19.11.1998, 21.5.1999 and 20.8.1999 in connection with the conduct of opinion polls and exit polls. These guidelines were challenged before some High Courts and also before the Supreme Court on the ground that the Commission had no authority to issue the same and that they were violative of the fundamental right of free speech and expression guaranteed by article 19(1)(a) of the Constitution. A Constitution Bench of the Supreme Court, which heard the matter on 14.9.1999, expressed some reservations about the powers of the Commission to issue these guidelines. Thereupon, the Election Commission withdrew these guidelines on 14.9.1999.