No. DM(HR) Policy/2019-20/ D) Dated: 04 April, 2019

CIRCULAR

Enclosed please find herewith instructions / guidelines issued Election Commission of India with regard to application of Model Code of Conduct – General Elections to House of the People (Lok Sabha), 2019; for information and strict compliance on Top Priority.

This issues with the approval of Competent Authority.

Encl: As above

(Anil Taneja)
Dy. Manager (HR)

Copy for information to:

1. Sr. PS to MD
2. Sr. PS to Director (HR) / Director (Tech.) / Director (Finance)
3. Sr. PS to GM(HR) / All GM(T) / CMO / Dy. GM(Vigilance)
4. Sr. Manager (IT): For uploading in the Company’s website
Application of Model Code of Conduct - General Elections to House of the People (Lok Sabha) 2019 and State Legislative Assemblies in the States of Andhra Pradesh, Arunachal Pradesh, Odisha and Sikkim and certain bye-elections - reg.

To this end, it may be noted that the Election Commission has announced the schedule for the General Elections to Lok Sabha and to the Legislative Assemblies of the States of Andhra Pradesh, Arunachal Pradesh, Odisha and Sikkim and certain bye-elections (Press Note PM/2019-1, dated 10th March, 2019) available at the Commission’s website - www.eci.gov.in

With this announcement, the provisions of the Model Code of Conduct for the guidance of Political Parties and Candidates have come into force with immediate effect and will prevail till the conclusion of the General Elections and bye-elections mentioned above. It may be intimated to the notice of the Central and all State Governments/Union Territory Administrations, all Minister/Departments/Offices of the Union Government and State Governments/Union Territory Administrations. A copy of instructions issued by you in this effect, may be sent to the Commission for its information and record.

Your particular attention is drawn to the provisions of Model Code of Conduct for the guidance of Political Parties and Candidates and various instructions issued by the Commission, in particular, that the party in power whether at the Centre or in the States concerned, should ensure that no undue gesture for any complaint that it has used official position for the purposes of its election campaign and in particular -
The Ministers shall not combine their official visit with electioneering work and shall not also make use of official machinery or personnel during the electioneering work.

Government transport including official air craft, vehicles, machinery and personal shall not be used for furtherance of the interest of the party in power;

Public places and exhibitions etc. for holding public meetings and use of help funds etc. as regards in connection with elections shall not be monopolized by the party in power. Other parties and candidates shall be allowed the use of such places and facilities on the same terms and conditions on which they are used by the party in power;

Host houses, dak bungalows or other Government accommodation in the States/Land Territories where elections have been announced or are taking place can be given to the political functionaries who are provided security by the State in [insert] scale or above or equivalent by various State Governments or the Central Government under provisions of their laws, on equitable basis. This shall be subject to condition that such accommodation is not already allotted or occupied by election related officials or the Commission’s Observer. Such political functionaries shall not carry out any political activity while staying in the Government Host Houses/Host Houses or other Government accommodation etc;

Issue of advertisement at the cost of public exchequer in the newspapers and other media and the release of official mass media during the election period for partisan coverage of political news and publicity regarding achievements etc. in view of furthering the prospects of the party in power shall be scrupulously avoided;

Ministers and other authorities shall not give grants/payments out of the Treasury funds from the time elections are announced by the Commission and

- From the time, elections are announced by Commission, Ministers and other authorities shall not
- Announce any financial grants in any form or promises thereof, or
- Concept civil servants/students/civilian teams etc. of projects or schemes of any kind, or
- Revoke any promise of construction of roads, provision of drinking water facilities etc. or
- Make any adelie appointments in Government, Public Undertakings etc. which may have adverse effect on influencing the votes in favour of the party in power

As well as observed from Press [insert] and there no advertisement shall be issued electronic and print media highlighting the achievements of the [insert] at the cost of public exchequer. If any advertisement has already been released for telecast/broadcast or publication in the print media it must be ensured that the telecast/broadcast of such advertisement...
The Commission further directs that there shall be a freeze on the transfer of all the officials connected with the conduct of the elections. These include but are not limited to:

(i) The Chief Electoral Officer and Additional/Joint/Deputy Chief Electoral Officers;
(ii) Divisional Commissioners;
(iii) District Election Officers, Returning Officers, Assistant Returning Officers and other Election Officers connected with the conduct of elections;
(iv) Officers of the Police Department connected with the management of election, i.e., the range IGs and DIGs, Senior Superintendents of Police and Superintendent of Police, Sub-Divisional Police Officers like Deputy Superintendents of Police and other Police officers who are deputed to the Commission under section 28A of the Representation of People’s Act, 1951.

The transfers under sub-section (2) of this Act and the transfers of any other categories of officers prior to the date of announcement but not implemented till date should not be given effect to without obtaining specific permission from the Commission in this regard.

(v) This ban shall be effective till the conclusion of the election. The Commission further directs that the State Governments should refrain from making transfers of any officers who have a role in the management of election in the State.

(vi) In those cases where transfer of an officer is necessary on account of administrative exigencies, the concerned State Government may with full justification approach the Commission for prior clearance.

The receipt of the letter may kindly be acknowledged.

Yours faithfully,

[Signature]

[NARENDRA K. BURLIKA]
PRINCIPAL SECRETARY
ELECTION COMMISSION OF INDIA

MIRACHAM SADAN, ASHOKA ROAD, NEW DELHI-110001

No. 137/4/EC/INST/FUNC/1/MCC/2019

Dated: 16th March, 2019

1. The Cabinet Secretary,
   Government of India,
   Rashtrapati Bhawan,
   New Delhi.

2. The Chief Secretaries of all States and
   Chief Secretaries/Administrators of Union Territories

3. The Chief Electoral Officers of
   all States and Union Territories.

Subject: Immediate action to be taken for enforcement of Model Code of Conduct after announcement of General Elections to House of the People (Lok Sabha), 2019 and State Legislative Assemblies in the States of Andhra Pradesh, Arunachal Pradesh, Odisha and Sikkim and certain bye-elections - regarding.

I am directed to state that the Election Commission has announced the schedule for holding General Elections to House of the People (Lok Sabha), 2019 and State Legislative Assemblies in the States of Andhra Pradesh, Arunachal Pradesh, Odisha and Sikkim and certain bye-elections. The Model Code of Conduct comes into effect with the announcement of elections by the Commission. In view of the general elections, the Commission has given following directions for strict enforcement of provisions of MCCs.

(a) Defacement of Government property: For this purpose a Government premises would include any Government offices and the campus wherein the office building is situated. All wall writings/posters/papers or defacement in any other form, cutouts/hoardings, banners, flags etc. on Government property shall be removed within 24 hours from the announcement of elections.

(b) Defacement of public property and misuse of public space: All unauthorized political advertisement, in the form of wall writings/posters/papers of defacement in any other form, cutouts/hoardings, banners, flags etc. at public property and in public space like railway stations, bus stands, Airports, railway Bridges, Roadways, Gym Halls, Electric/Telephone poles, municipal/local bodies’ buildings etc. shall be removed within 48 hours from the announcement of elections by the Commission.

(c) Defacement of private property: All unauthorized political advertisement displayed at private property and subject to local law and court’s directions, if any, shall be removed within 72 hours from the announcement of elections by the Commission.

2. Misuse of official vehicle: The ECI’s Consolidated instructions contained in letter No. 464/INST/2014/EPS, dated 10th April 2014, among other things, provides that there shall be a total ban on use of official vehicle by any political party, candidate or any other person connected with election (except officials performing any election related official duty) for campaigning, electioneering or election related travel during elections (subject to certain exception mentioned therein). The expression official vehicle means and shall include any vehicle used or capable of being used for the purpose of transport, whether propelled by mechanical power or otherwise and will include trucks, lorries, tempo, jeeps, cars, auto rickshaws, e-rickshaws, buses, belonging to Central Government, State Government/UT Administrations, public undertakings of Central/State Government, joint sector undertakings of Central/State Government, local bodies, municipal corporations, marketing boards, cooperative societies or any other body in which public funds, however small, a portion of the total, are invested. The CEO’s/DEOs shall take necessary action for compliance of ECI instructions within 24 hours of the announcement of the elections.

3. Advertisement at the cost of public exchequer: ECI instructions contained in letters, No. 457/2/14-CC&EPE, dated 15th March, 2014 provides that at the cost of public exchequer in the newspapers and other media and the misuse of official mass media during the election period for partisan coverage of political news and publicity regarding achievements...
have a view to furthering the prospects of the party in power shall be scrupulously avoided. No advertisements shall be issued in electronic and print media highlighting the achievements of the Govt. at the cost of public exchequer. If any advertisement has already been released for telecast/broadcast or publication in the print media, it must be ensured that the telecast/broadcast of such ads on electronic media is stopped forthwith and that no such ad is published in any newspapers, magazines, etc., i.e., in print media, from the date of announcement and it should be immediately withdrawn. The CEO/DEOs has to take immediate action to remove/stop any advertisement, in the print/electronic media, showing the achievements of the Government soon after the announcement of the elections.

Photograph of political functionary at official website- ECI instruction contained in letter No. 437/6/INST/2014-CC&CE dated 20th March, 2014 provides that all references of Ministers, Politicians or political parties available on central/state Government’s official website shall be removed. The CEO’s have to take immediate action to remove the photograph or any political functionary from official websites of state department.

Development/Construction related activities- within 72 hours of announcement of elections, the CEO/DEO shall obtain the following list of works for reference in case of validating any complaint on violation of MCC:

(i) List of work which has already been started on ground.
(ii) List of fresh work which has not started on ground.

Activities for Expenditure Monitoring and enforcement of MCC- Flying squad, FSG, video team, intensive checking for liquor/Cash Control, banned drugs, flying squads of excise department to check illicit trafficking of Drugs/Narcotics to be immediately activated after announcement.

Complaint Monitoring System- The poll going states shall have a complaint redressal mechanism based on website and call center. The toll free number of call center is 1950. Complaints can be registered by making calls to the toll free call center numbers or on the website. Complaints will also be informed of the action taken by SMS and by the call center. Complaints can also see the details of the action taken on their complaints. The system should be operational within 24 hours of the announcement. All complaints should be dealt with promptly and properly. The 24x7 control Room at the district level must be activated and sufficient deployment of manpower and other logistics be ensured in
particular,round the clock personnel should be deployed in the control room and their duty roster must be revised to avoid any evasion or confusion.

8. IT Application- All IT applications including official website and social media shall be operational with the announcement.

9. Dissemination of information for Awareness of voters and political parties: Publicity of major election activity would be given through CEO/DEO/RC. For this purpose, all necessary information shall be disseminated through radio, tv, cinema. Government channel to display voter education material.

10. Active cooperation from Educational Institutions and Civil Societies: Cooperation can be sought from educational institutions and civil societies for giving wide publicity to the election related information to the general public and other stakeholders.

11. Media Centre- Effort should be made for awareness among the voters, political parties and other stakeholder through media center about election system including use of EVM/VVPAT.

12. MCC/DRC: ECI instruction contained in letter no. 491/MCMC/2014/Communication dated 24th March, 2014 provides that all registered political parties will approach the Media Certification and Monitoring Committee (MCMD) at District and State level, as the case may be, for pre-certification of their political advertisements proposed to be issued on electronic media. The Commission has directed to ensure strict compliance of its instructions contained in above said letter.

13. Control Room: The 24X7 control room at district level must be activated immediately and sufficient deployment of manpower and other logistics be ensured by the DED/CEO. A control room with complaint Monitoring Centre would also be set up at ECI Secretariat during the entire election process.

Yours faithfully,

[Signature]

[Narendra N. Bajrula]
Principal Secretary
ELECTION COMMISSION OF INDIA

By Speed Post/E-mail

NIRVACHAN SADAN, ASHOKA ROAD, NEW DELHI-110001

Dated: 10th March, 2019

The Cabinet Secretary,
Government of India,
Rashtrapati Bhawan,
New Delhi

To The Secretary to the Government of India,
Department of Programme Implementation,
Sardar Patel Bhawan,
New Delhi

To The Chief Secretaries to the Governments of all States and
Chief Secretaries/Administrators of Union Territories

To The Chief Electoral Officers of
all States and Union Territories

Subject: General elections to House of the People (Lok Sabha), 2019 and State
Legislative Assemblies of Andhra Pradesh, Arunachal Pradesh, Odisha
and Sikkim and certain bye-elections - Release of funds under
MPs/MLAs’ Local Area Development Scheme - regarding


I am directed to refer to the Commission’s Press Note No. ECI/PN/23/2019, dated
10th March, 2019 (Press Note available at Commission’s web-site - www.eci.gov.in) as per
which the Commission has announced the enforcement of the Model Code of Conduct for
the guidance of the Political Parties and Candidates, consequent on the announcement of
general elections to Lok Sabha and to the Legislative Assemblies of the States of Andhra
Pradesh, Arunachal Pradesh, Odisha and Sikkim and certain bye-elections.

2. The Commission has instructed that the release of funds under the Member of
Parliament Local Area Development Schemes will be subject to the following restrictions-

[Further details about restrictions would be provided here]
a) No fresh release of funds under the Member of Parliament (including Rajya Sabha members) Local Area Development fund shall be made in any part of the country where election is in progress. Similarly, no fresh release of funds under the MLA's/MLC's Local Area Development Fund shall be made, if any such scheme is in operation, till the completion of election process.

b) No work shall start, in respect of which work orders have been issued before the issue of this letter but the work has actually not started in the field. These works can start only after the completion of election process. However, if a work has actually started, that can continue.

c) There shall be no bar to the release of payments for completed work(s) subject to the full satisfaction of the concerned officials.

d) Where schemes have been cleared and funds are provided or released and materials procured and reached the site such scheme may be executed as per programme.

Yours faithfully,

[Signature]

[NARENDRA N. BUTOLIA]
PRINCIPAL SECRETARY