

M-75075/306/2020-ESTT-IV
Government of India
Ministry of Jal Shakti
Department of Water Resources, River Development & Ganga Rejuvenation
Central Water Commission

03rd Floor(S), Sewa Bhawan,
R. K. Puram, New Delhi-110066
Dated the 15th October, 2020

Subject: **Immediate action to be taken for enforcement of Model Code of Conduct and Application of Model Code of Conduct after announcement of (i) Biennial Election to the Karnataka Legislative Councils from Graduates' & Teachers' Constituencies and (ii) Bye-election to fill casual vacancies in Parliamentary Constituency of Bihar and State Legislative Assemblies of various States – reg.**

The undersigned is directed to forward herewith an OM F. No. F-23014/8/2020-Coord dated 09.10.2020 received from DoWR, RD & GR and an OM No. 1/41/2/2020-Cab dated 05.10.2020 received from Cabinet Secretariat enclosing a letter dated 29.09.2020 from Election Commission of India on the subject mentioned above for information and compliance.

Enclosure: Available at CWC web portal(Circular)

(R. K. Balamurugan)
Under Secretary (E-IV)
Tel: 011 29583332

Copy for information to:

1. PPS to Chairman, CWC
2. PPS to all members of CWC
3. All Chief Engineers in H/Quarter and Field Offices, CWC through Web Portal of CWC(Circular)
4. All Superintending Engineers in Field Offices, CWC through Web

Portal of CWC(Circular)

5. PS to Secretary, CWC
6. Director(Admn.)/Director(E-I), CG&PWC.
7. Accounts Officer, CWC
8. All US/All Establishment Sections/Directorates of CWC.

Signature Not Verified

Digitally signed by
R.K.BALAMURUGAN
Date: 2020.10.16 14:41:09 IST



From: "SO Coord MoWR" <coord-mowr@nic.in>

To: "tarunpahwa 02" <tarunpahwa.02@gmail.com>, mowr-divisionheads@lsmgr.nic.in, mowr-sections@lsmgr.nic.in, mowr-wingheads@lsmgr.nic.in, "G. Asok Kumar" <md.nwm@nic.in>, "Neeraj Kumar" <secy-cwma@nic.in>, "MS,GRMB" <membersecy-grmb@gov.in>, "director neriwalm" <director.neriwalm@gmail.com>, "Rajiv Ranjan Mishra" <dg@nmcg.nic.in>, "NWA" <nwa.mah@nic.in>, "dinesh 169" <dinesh_169@rediffmail.com>, "RD,RGNGWTRI" <rgi-cgwb@nic.in>, "Brahmaputra" <bbrd-ghy@nic.in>, bcb242433@gmail.com, "Chairman cwc" <chairman-cwc@nic.in>, "CHAIRMAN, CGWB" <chmn-cgwb@nic.in>, "CMD" <cmd.npcc@nic.in>, cmd@wapcos.co.in, "Shri R. Vasudevan" <dda.nca@nic.in>, "Director General NWDA" <dg-nwda@nic.in>, "dir-adm-gfcc" <dir-adm-gfcc@nic.in>, "S L Gupta" <director-csmrs@nic.in>, "Farakka Barrage Project Office of the GeneralManager" <gmoffice-fbp@gov.in>, "krmb hyd" <krmb.hyd@gmail.com>, sebrb2008@rediffmail.com, secretarytbb@yahoo.com, "SSCAC" <sscac-mowr@nic.in>, "Devendra Pratap Mathuria" <uyrb-mowr@nic.in>, "Director NIH JVT" <director.nihr@gov.in>, "Sunil Kumar Garg" <dir-nwic-mowr@gov.in>, "Pramod Kumar Patra" <pramod.patra1983@gov.in>

Sent: Tuesday, October 13, 2020 3:24:24 PM

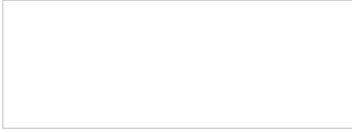
Subject: Immediate action to be taken for enforcement of Model Code of Conduct and Application of Model Code of Conduct after announcement of (i) Biennial Election to the Karnataka Legislative Councils from Graduates' & Teachers' Constituencies and (ii) Bye-election to fill casual vacancies in Parliamentary Constituency of Bihar, and State Legislative Assemblies of various States - reg.

Sir,

Please find the attachment for information and compliance.

समन्वय अनुभाग

दूरभाष:011-23381895



I/39925/2020

IMMEDIATE

F. No. F-23014/8/2020-Coord.
Government of India
Ministry of Jal Shakti
Department of Water Resources, RD & GR
(Coordination Section)

Room No. 5, B Wing, Ground Floor,
Shastri Bhawan, New Delhi
Dated 09.10.2020

OFFICE MEMORANDUM

Subject :- Immediate action to be taken for enforcement of Model Code of Conduct and Application of Model Code of Conduct after announcement of (i) Biennial Election to the Karnataka Legislative Councils from Graduates' & Teachers' Constituencies and (ii) Bye-election to fill casual vacancies in Parliamentary Constituency of Bihar and State Legislative Assemblies of various States – reg.

The undersigned is directed to forward herewith an Office Memorandum No. 1/41/2/2020-Cab dated 05.10.2020 received from Cabinet Secretariat enclosing a letter dated 29.09.2020 from Election Commission of India on the subject mentioned above for information and compliance.

(Rajan Bhasin)
Under Secretary to the Government of India
Tel. 23074033

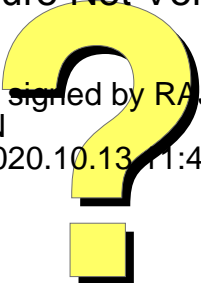
Encl : As above

To

1. Head of all Organizations under this Department
2. All Sections/Wings/SMDs of the Department

Signature Not Verified

Digitally signed by RAJAN
BHASIN
Date: 2020.10.13 11:40:31 IST



MOST IMMEDIATE

No.1/41/2/2020-Cab
GOVERNMENT OF INDIA (BHARAT SARKAR)
CABINET SECRETARIAT (MANTRIMANDAL SACHIVALAYA)
RASHTRAPATI BHAWAN

New Delhi, the 5th October, 2020

OFFICE MEMORANDUM

Subject: Immediate action to be taken for enforcement of Model Code of Conduct and Application of Model code of Conduct after announcement of (i) Biennial Election to the Karnataka Legislative Councils from Graduates' & Teachers' Constituencies; & (ii) Bye-election to fill casual vacancies in Parliamentary Constituency of Bihar, and State Legislative Assemblies of various States- reg.

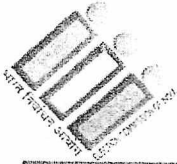
The undersigned is directed to forward herewith a copy each of the Election Commission of India letter No.322/ECI/LET/FUNC/KT-LC/BIEN/2020(G&T)/400 dated 29.09.2020 and letter No. 437/6/1/ECI/INST/FUNCT/MCC/2020/395 dated 29.09.2020 on the above subject for further necessary action

Encl: A/a


05/10/2020

(Ashutosh Jindal)
Joint Secretary
Tel: 23012697

All Secretaries to the Government of India



भारत निर्वाचन आयोग
Election Commission of India

निर्वाचन सदन
NIRVACHAN SADAN
अशोक रोड, नई दिल्ली-110001
ASHOKA ROAD, NEW DELHI-110001

No. 322/ECI/LET/FUNC/KT-LC/BIEN/2020(G&T)/400

Dated: 29th September, 2020

To

1. The Cabinet Secretary,
Government of India,
Rashtrapati Bhawan,
New Delhi.
2. The Chief Secretary,
Government of Karnataka, Bengaluru.
3. The Chief Electoral Officer,
Karnataka, Bengaluru.

Sub: - Biennial Election to the Karnataka Legislative Councils from Graduates' & Teachers' Constituencies -reg.

Sir,

I am directed to state that the Commission has announced biennial election to the Karnataka Legislative Council from Graduates' and Teachers' Constituencies vide Press Note No. ECI/PN/69/2020, dated 29th September, 2020.

2. With this announcement, the provisions of the Model Code of Conduct contained in Commission's instruction No. 322/ECI/INST/FUNC/BIEN-LC/2016, dated 26th December, 2016, for the guidance of the Political Parties and Candidates have come into force with immediate effect for these elections in the concerned Constituencies.

3. A copy of instruction No. 322/ECI/INST/FUNC/BIEN-LC/2016, dated 26th December, 2016 is enclosed. This may be brought to the notice of all concerned Departments of State/Central Government.

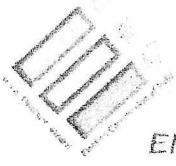
4. The receipt of this letter may kindly be acknowledged.

Yours faithfully

(Signature)
(SUMAN KUMAR DAS)
SECRETARY

(Signature)
11/10/20
NS(MKB) o/L
Sh-V.

(Signature)
1.10.20



भारत निर्वाचन आयोग
Election Commission of India

निर्वाचन सदन
NIRVACHAN SADAN
अशोक रोड, नई दिल्ली - 110 001
ASHOKA ROAD, NEW DELHI - 110 001

No. 322/ECI/INST/FUNC/BIEN-LC /2016

Dated: 26th December, 2016

To

- The Chief Electoral Officers
1. Maharashtra, Mumbai,
 2. Uttar Pradesh, Lucknow,
 3. Bihar, Patna,
 4. Karnataka, Bangalore,
 5. Andhra Pradesh, Hyderabad.
 6. Telangana, Hyderabad.

Subject: Biennial/Bye-Elections to the Legislative Councils from Council Constituencies - by Graduates' and Teachers' and Local Authorities' Constituencies- MCC-instructions - regarding.

Sir,

I am directed to state that some experience during conduct of elections to Legislative Councils shows that there is lack of clarity with regard to applicability of provisions of Model Code of Conduct in such elections.

2 The Commission constituted a Working Group to examine the matter. The Commission, having considered the report of the Working Group and the matter in its entirety, has directed that all provisions of Model Code of Conduct for the political parties and candidates' shall apply mutatis mutandis in Biennial including Bye Elections to the State Legislative Councils from Graduates' & Teachers' Constituencies as well as Local Authorities' Constituencies. Consequently, various instructions issued by the Commission from time to time in clarification of the MCC provisions would also apply for such elections.

3. I am further to say that the following instructions of the Commission which have been issued from time to time to ensure level playing field and also to ensure that a party in power doesn't misuse its position for electoral gains, shall also be applicable in connection with Biennial/Bye Elections to the State Legislative Councils from Graduates' & Teachers' Constituencies as well as Local Authorities' Constituencies (from the date of announcement of election till the date of completion of election).

1 of 5

Tel : 011-23717391-98, Fax: 011-23713412, Website : www.eci.nic.in

“मजबूत लोकतंत्र - सबकी भागीदारी”

Greater participation for a stronger democracy

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- I. Ministers, whether Central or State (including Chief Minister) may make official visit to any district(s) in which any Biennial/Bye-election from a Council Constituency is being held subject to the following conditions: -
 - a. They shall not do any inauguration/laying of foundation stones of any educational institution, which are constituents of Graduates' and Teachers' Constituencies.
 - b. Official visit shall not be combined with the election related work/tours.
 - c. There shall be no announcement of new policy programme/ policy likely to influence the graduates, the teachers and members of Local Authorities who form the electorate of the Constituencies going to poll.
- II. No official of any rank of the district(s) dealing with election related work where the biennial/bye-elections are being held shall be called to attend any meeting by any Minister at any place, even in another district, where election is not being held. Any official who meets the Minister on his private visit to the constituency where elections are being held shall be deemed to be guilty of misconduct under the relevant service rules; and if he happens to be an officer mentioned in Section 129 (1) of the Representation of People Act, 1951, he shall also be additionally considered to have violated the statutory provisions of that section and liable to penal action provided there under.
- III. No member of any Local Authority which forms part of the electorate of a Local Authorities' Constituency shall be called for any meeting/video conference by any Minister (in his capacity as Minister). Routine meetings of the Local Bodies, when essential, may be held with the prior permission of the District Election Officer of the District concerned.
- IV. No pilot car(s) or other car(s) with beacon lights of any colour or car(s) affixed with sirens of any kind making his presence conspicuous shall be used by any Minister during his private visit to the constituency, even if the State administration has granted him a security cover requiring presence of armed guards accompanying him on tour.
- V. No policy announcement or programme, which influences the electorate either directly or indirectly, shall be initiated in the Government Departments till the completion of elections.

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- VI. On need basis and in consultation with CEO of the state/ECI Observer, the DEO/RO should put in place for every tehsil a special video team to videograph political meeting at public places and to record visits of the Ministers and other important political functionaries. The ECI observer shall see the video recording in the evening of the same day so that he can report any violation to the Commission in prescribed format.
 - VII. In case of elections from Local Authorities' Constituencies, the restrictions on "Official Tours" by Central & State Ministers will also be applicable to the use of any "Official Cars" by "Office Bearers" of Local Authorities, like, Mayors of Municipal Corporations, Presidents of Municipal Councils & Zilla Parishads. The use of official cars by them shall only be allowed for travel to & from Office to Residence.
 - VIII. Public places such as maidans etc., for holding election meetings, and use of helipads for air-flights in connection with elections shall not be monopolized by the party in power. Other parties and candidates shall also be allowed to use them on first-cum-first served basis.
 - IX. No fresh Sanction of work using the IT Platform to be used depending upon the MP/MLA/MLC schemes for work that would amount to influencing the electorate.
 - X. There shall be a total ban on the transfer of Returning Officers and Assistant Returning Officers appointed for Biennial elections/bye-elections to State Legislative Councils after the announcement of elections and this ban will be in force till the completion of elections. The transfer orders in respect of the above officers issued prior to the date of announcement but not implemented should not be given effect to without obtaining the specific permission of the Commission. In those cases, where transfer of an officer is necessary on account of administrative exigencies, the State Govt. may with full justification approach the Commission for prior clearance.
 - XI. In order to conduct free and fair elections to keep a check on adverse role of money power and to check the movement of black money during biennial elections/bye-elections to Legislative Council, the Standard Operating Procedure (SOP) issued on 29.05.2015, excepting deployment of Static Surveillance Teams, should be made applicable.

- XII. State and District Media Certification and Monitoring Committee (MCMC) shall be appointed, as prescribed in the Compendium of Instructions on Election Expenditure Monitoring, immediately on announcement of biennial/ bye elections for pre-certification of election advertisements as in case of TV Channels / Cable Network, Radio including private FM Channels, Cinema Halls, Audio-Visual displays in public place and social media and also monitoring the general conduct of political functionaries during campaign.
- XIII. The bulk SMSs/Voice messages on phone in election campaigning shall also be in the purview of pre-certification of election advertisements as in case of TV Channels / Cable Network, Radio including private FM Channels, Cinema Halls, Audio-Visual displays in public place and social media. The legal provisions, as applicable to other modes of electronic media shall also be applicable to bulk SMSs/ Voice messages.
- XIV. Under Section 29 of the Representation of the People Act, 1951 read with Rule 69 of the Conduct of the Election Rules, 1961, a place of poll is fixed for conducting poll in respect of election to the Council of States and the State Legislative Councils by MLAs. As per Section 135C, "dry day" is to be declared in Polling Areas and polling area is defined in Section 25 of the Representation of the People Act, 1951, which is applicable to elections from Constituencies i.e. for elections to Lok Sabha, Legislative Assemblies and elections to Legislative Councils from Graduates', Teachers' and Local Authorities' Constituencies.
- XV. The provision regarding prevention of misuse of vehicles and regulation of convoys during campaign period as in the case of elections to House of People / Legislative Assemblies shall be made applicable for Council elections also.
- XVI. Restriction on the presence of political functionaries in a constituency after the campaign period is over i.e., 48 hours before the closure of the poll as in the case of elections to House of People / Legislative Assemblies shall be made applicable for Council elections from Council Constituencies also.
4. In the context of certain queries that have been raised in this connection, it is clarified that: -
- (a) The practice of keeping the electors in hotels/resorts and other similar places during election period would amount to bribing of electors. It is clarified that

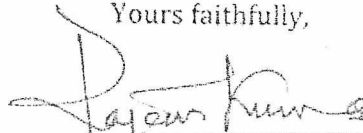
such practice shall be construed as violation of sub Para (4) of Para I-General Conduct of MCC apart from being violation of Section 171 B of IPC.

- (b) The phrase 'the rest houses/dak bungalows or other' Government accommodation' in paragraph (VII- (iii)) of MCC would also include *Guest Houses* of all institutions that are getting Government assistance in any form of grant-in-aid etc.
- (c) With regard to paragraph (VII-(v) & (vi)) of MCC, it is clarified that these would be made applicable only with regard to the Graduates'/Teachers'/Local Authorities' Constituencies where the election is being held.

Kindly inform all concerned including all registered and recognized parties based in your state.

Please ensure compliance.

Yours faithfully,


(R. K. SRIVASTAVA)
SR. PRINCIPAL SECRETARY

CS-8355/20
30/9/20

By Fax/Spl. Messenger/Speed Post

ELECTION COMMISSION OF INDIA
NIRVACHAN SADAN, ASHOKA ROAD, NEW DELHI-110001

No.437/6/1/ECI/INST/FUNCT/MCC/2020/398

Dated: 29th September, 2020

To

1. The Cabinet Secretary,
Government of India,
Rashtrapati Bhawan,
New Delhi.
2. The Chief Secretaries to the Government of:-

a) Bihar, Patna;;	g) Madhya Pradesh, Bhopal;
b) Chhattisgarh, Raipur;	h) Manipur, Imphal;
c) Gujarat, Gandhinagar;	i) Nagaland, Kohima;
d) Haryana, Chandigarh;;	j) Odisha, Bhubaneswar;
e) Jharkhand, Ranchi;	k) Telangana, Hyderabad;
f) Karnataka, Bengaluru;	l) Uttar Pradesh, Lucknow;
3. The Chief Electoral Officers of:-

a) Bihar, Patna;;	g) Madhya Pradesh, Bhopal;
b) Chhattisgarh, Raipur;	h) Manipur, Imphal;
c) Gujarat, Gandhinagar;	i) Nagaland, Kohima;
d) Haryana, Chandigarh;;	j) Odisha, Bhubaneswar;
e) Jharkhand, Ranchi;	k) Telangana, Hyderabad;
f) Karnataka, Bengaluru;	l) Uttar Pradesh, Lucknow;

Subject:- Bye-election to fill casual vacancies in Parliamentary Constituency of Bihar, and State Legislative Assemblies of various States- instructions on enforcement of Model Code of Conduct- regarding.

I am directed to state that the Commission has announced, vide Press Note No. ECI/PN/67/2020, dated 29th September, 2020, schedule for bye-election to fill casual vacancies from the following Parliamentary/Assembly Constituencies in the various States :-


Name of the State	Name & No. of Constituency
Bihar	1-Valmiki Nagar Parliamentary Constituency
Chhattisgarh	24-Marwahi (ST) Assembly Constituency
Gujarat	01-Abdasa Assembly Constituency 61-Limbdi Assembly Constituency 65-Morbi Assembly Constituency 94-Dhari Assembly Constituency 106- Gadhada (SC) Assembly Constituency 147-Karjan Assembly Constituency 173- Dang (ST) Assembly Constituency 181-Kaprada (ST) Assembly Constituency
Haryana	33-Baroda Assembly Constituency

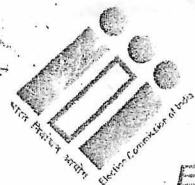
Jharkhand	10-Dumka (ST) Assembly Constituency 35- Bermo Assembly Constituency
Karnataka	136-Sira Assembly Constituency 154- Rajarajeshwarinagar Assembly Constituency
Madhya Pradesh	04-Joura Assembly Constituency 5-Sumawali Assembly Constituency 6-Morena Assembly Constituency 7-Dimani Assembly Constituency 8-Ambah (SC) Assembly Constituency 12-Mehgaon Assembly Constituency 13-Gohad (SC) Assembly Constituency 15-Gwalior Assembly Constituency 16-Gwalior (East) Assembly Constituency 19-Dabra (SC) Assembly Constituency 21-Bhander (SC) Assembly Constituency 23-Karera (SC) Assembly Constituency 24-Pohari Assembly Constituency 28-Bamori Assembly Constituency 32-Ashok Nagar (SC) Assembly Constituency 34-Mungaoli Assembly Constituency 37-Surkhi Assembly Constituency 53- Malhara Assembly Constituency 87-Anuppur (ST) Assembly Constituency 142-Sanchi (SC) Assembly Constituency 161-Biaora Assembly Constituency 166-Agar (SC) Assembly Constituency 172-Hatpipliya Assembly Constituency 175-Mandhata Assembly Constituency 179-Nepanagar (ST) Assembly Constituency 202-Badnawar Assembly Constituency 211-Sanwer (SC) Assembly Constituency 226-Suwasra Assembly Constituency
Manipur	30-Lilong Assembly Constituency 34-Wangjing Tentha Assembly Constituency
Nagaland	14-Southern Angami-I (ST) Assembly Constituency 60-Pungro-Kiphire (ST) Assembly Constituency
Odisha	38-Balasore Assembly Constituency 102-Tirtol (SC) Assembly Constituency
Telangana	41-Dubbak Assembly Constituency
Uttar Pradesh	40- Naugawan Sadat Assembly Constituency 65-Bulandshahr Assembly Constituency 95-Tundla (SC) Assembly Constituency 162- Bangermau Assembly Constituency 218-Ghatampur (SC) Assembly Constituency 337- Deoria Assembly Constituency 367-Malhani Assembly Constituency

2. The provisions of the Model Code of Conduct have come into force with immediate effect in the district(s) in which the whole or any part of the Parliamentary/Assembly Constituency going for bye-election is comprised, subject to partial modification as issued by Commission vide its letters No. 437/6/INST/2016-CCS dated 29th June, 2017 and No. 437/6/MISC/ECI/LET/FUNCT/MCC/2017 dated 18th January, 2018 (copies enclosed).

3. This may be brought to the notice of all concerned.

Yours faithfully,


(NARENDRA N. BUTOLIA)
SR. PRINCIPAL SECRETARY



भारत निर्वाचन आयोग
Election Commission of India

निर्वाचन सदन

NIRVACHAN SADAN

अशोक रोड, नई दिल्ली - 110 001
ASHOKA ROAD, NEW DELHI - 110 001

No. 437/6/INST/2016-CCS

Dated: 29th June, 2017

To,

1. The Chief Electoral Officers of all States and Union Territories.
2. The Chief Secretaries of all States and Union Territories.
3. Recognized political parties of all States/UTs

Subject:- Model Code of Conduct- instructions- bye-election of Parliamentary/Assembly Constituency-regarding.

Sir,

On the above cited subject, I am directed to state that the Commission has reviewed the issue and has issued the following modifications of its earlier instructions-

1. Enforcement of MCC

The Commission's instructions, contained in letters No. 437/6/INST/2012/CC&BE dated 26.04.2012 and No. 437/6/INST/2012/CC&BE dated 21.10.2013, list various provisions of applicability of MCC to the concerned district or the AC/PC concerned. These instructions are modified to the extent that in case the constituency is comprised in State Capital/Metropolitan Cities/Municipal Corporations, then aforesaid instructions would be applicable in the area of concerned Constituency only. In all other cases the MCC would be enforced in the entire district(s) covering the Constituency going for bye-election(s).

2. Publishing of Advertisements

The Commission on 25th June, 2013, directed that the release /publishing of advertisements during the period of operation of Model Code of Conduct in connection with bye-elections would be regulated as follows:-

- (i) Advertisement of general nature in connection with specific occasions of importance may be published. However, such publishing shall be restricted to the dates coinciding with the special occasion only, and it shall not be published on other days. The advertisement shall not bear photographs of any Minister and other political functionaries.
- (ii) No advertisement having any specific/pointed reference or connotation to the areas covered by the bye-election constituencies shall be released/published on any date during the period.

Further, it is clarified that no new schemes should be advertised in the districts where the bye-election is being conducted. [Subpara (ii) above] stands modified.

3. Tours of Ministers

During bye elections from any constituencies, either Parliamentary or Assemblies, the following restrictions are applicable as per instruction issued by the Commission on 23rd November, 2007 with regard to the tours of Ministers which inter alia provides that:-

- (i) All Ministers, whether Central or State, shall not combine in any manner their official tours with election work after the announcement of the bye elections. All and any visits to the district(s) where bye-election is being held and where Model Code of Conduct is, therefore, in force, have to be completely private in nature.
- (ii) In case where a Minister travelling on official work transits through the district(s) where the bye-election is being held en route to any other district on official visit, he shall not attend to any political work.

Further, it is clarified that the Ministers or persons holding equivalent rank/status cannot combine their official visit with campaign by en routing their journey for official purposes to a place where MCC is not in force and then proceeding from that place to the area where MCC is in force for election campaign. In case it is done, the entire journey expense shall be treated as election expense. [subpara (ii) above stands modified].

4. Regarding Transfer/Posting of Officers

For all officers, who are connected with the conduct of bye-election in the State, the existing ECI's instructions on implementation of transfer policy be applied within the area falling under the concerned AC/PC. While implementing this policy the DEO/RO should take care that in case of deployment of any officer from outside the constituency for any election related duty, shall also conform to the transfer policy of the Commission.

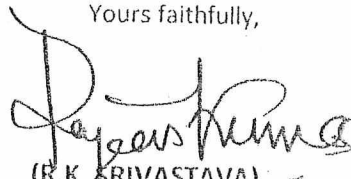
5. Regarding Announcement of D.A.

There is no ECI's instruction in the context of bye-election prohibiting State Governments to take decisions which have State wide effect and consequently in the Constituency concerned.

The Commission, after taking into consideration all relevant factors in this regards, has decided that announcement of D.A. by the state government may be done as a routine affair but it should not be publicized as the Government's achievement.

Kindly inform all concerned and give due publicity and ensure compliance in letter and spirit.

Yours faithfully,


(R.K. SRIVASTAVA)
SR. PR. SECRETARY

ELECTION COMMISSION OF INDIA

NIRVACHAN SADAN, ASHOKA ROAD, NEW DELHI-110001

No.437/6/MISC/ECI/LET/FUNCT/MCC/2017

935-970

Dated: 18 January 2018

To

The Chief Electoral Officers of
All States and Union Territories.

Subject: -Clarification regarding enforcement of MCC during bye-election - regarding.

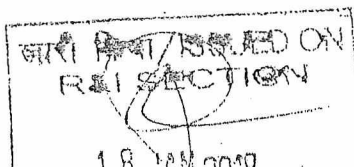
Sir,

I am directed to refer to the Commission's letter No. 437/6/INST/2016-CCS dated 29th June, 2017 regarding application of Model Code of Conduct wherein it has been stated that in case the constituency is comprised in State Capital/Metropolitan Cities/Municipal Corporations, then MCC instructions would be applicable in the area of concerned Constituency only. In all other cases aforesaid instructions would be enforced in the entire district(s) covering the Constituency going for bye-election(s). (Copy enclosed for ready reference)

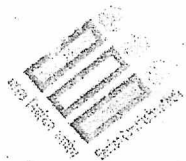
In this connection, a clarification was sought for by Returning Officer, Ajmer Parliamentary Constituency in Rajasthan, whether the MCC was to be enforced in the entire district of Jaipur or only in the Dudu Assembly segment of Jaipur District during the ensuing bye-election to Ajmer Parliamentary Constituency since Jaipur district has in it state capital, municipal corporation, metropolitan city as well as rural area. The Commission considered the matter and clarified that in order to avoid dislocation/disturbance of normal administrative work in Jaipur District, MCC would be enforced only in Dudu Assembly segment of Jaipur district.

Now, the Commission has decided that above direction shall be applied in all future bye-elections in the Country involving State Capital/Metropolitan Cities/Municipal Corporations. Accordingly, any district in which Corporation/ Metro/Municipal Corporation is located, MCC would be enforced in the particular Assembly Constituency Segment only and not in the whole of the district.

Yours faithfully,



(NARENDRA N. BUTOLIA)
PRINCIPAL SECRETARY



भारत निर्वाचन आयोग सचिवालय
SECRETARIAT OF THE ELECTION COMMISSION OF INDIA

निर्वाचन सदन, अशोक रोड, नई दिल्ली-110001
Nirvachan Sadan, Ashoka Road, New Delhi-110001.

No.437/6/MISC/ECI/LET/FUNCT/MCC/2019

Dated: 14th October, 2019

To

1. The Chief Secretaries of all States and Union Territories.
2. The Chief Electoral Officers of all States and Union Territories.

Subject: - Clarification regarding enforcement of MCC during bye-election - regarding.

Sir/Madam,

I am directed to refer to the Commission's Instructions issued vide letter No. 437/6/INST/2016-CCS dated 29.06.2017 and to state that the Commission has been receiving various requests seeking clarifications regarding enforcement of MCC during bye-elections where a small number of polling stations of the Constituency fall under jurisdiction of other district(s).

The Commission has considered the matter and directed that the instructions contained in the para-1 of the aforesaid letter shall cover the district in which all or maximum number of polling stations of constituency going to bye-election are located. For the district(s) with number of polling stations less than 10% of the total polling stations of the constituency concerned, the instructions contained in the para-1 of the aforesaid letter would be applicable only in the area under jurisdiction of those polling stations. However, it must be ensured that the other instructions regarding deployment of staff, etc., are strictly observed in all districts irrespective of number of polling stations situated therein.

Yours faithfully,


(NARENDRA N. BUTOLIA)
PRINCIPAL SECRETARY