

NO VOTER TO BE LEFT BEHIND

Welcome to the Learning Module for MCC Teams

Session 2: Model Code of Conduct
Theory (MCC)

Learning Objectives of the Module

Sr. No	Learning Objectives	Sr. No	Sub Learning Objectives
2	To ensure compliance of Model Code of Conduct	2.1	To be able to explain the basics of Model Code of Conduct
		2.2	To be able to list provisions for ban on transfer during Model Code of Conduct
		2.3	To be able to explain Model Code of Conduct for Tour of Ministers/Chairmen/Members of Commissions
		2.4	To be able to explain Model Code of Conduct for use of Aircraft /Official Vehicles
		2.5	To be able to explain Model Code of Conduct for Maintenance of Law & Order and deployment of security force
		2.6	To be able to explain Model Code of Conduct for Welfare Schemes
		2.7	To be able to explain Model Code of Conduct for advertisements

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Sub learning Objective 1

To be able to explain the basics of MCC

Objective of MCC

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MCC comes into operation from the day
ECI announces the program for election
in your constituency

Developed for maintaining a healthy and
peaceful atmosphere conducive to the
conduct of smooth elections

Understand the rationale behind MCC



A visible and rigorous enforcement of Model Code of Conduct enhance the credibility of the elections and gives confidence to the stakeholders/voters.

It ensures that official machinery for the electoral purposes is not misused.

It ensures that electoral offences, malpractices and corrupt practices such as impersonation, bribing and inducement of voters, threat and intimidation to the voters, is prevented by all means.

Broad areas of application of MCC

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1. Execution of welfare schemes and Government work.

Publicity / campaign on welfare schemes and Government work.

Appointment, transfer and posting of Government officials.

Use of Rest House, Dak Bungalow and other Government accommodation.

Provisions regarding tour of Ministers / Political functionaries.

Broad areas of application of MCC

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Use of official aircrafts/vehicles.



Use of loudspeaker.



Printing of pamphlet, posters & other media activities.



General Conduct



- No party or candidate shall include in any activity which may aggravate existing differences or create mutual hatred or cause tension between different castes and communities, religious or linguistic
- Criticism of other political parties, when made, shall be confined to their policies and programme, past record and work. Parties and Candidates shall refrain from criticism of all aspects of private life, not connected with the public activities of the leaders or workers of other parties. Criticism of other parties or their workers based on unverified allegations or distortion shall be avoided.
- There shall be no appeal to caste or communal feelings for securing votes. Mosques, Churches, Temples or other places of worship shall not be used as forum for election propaganda.

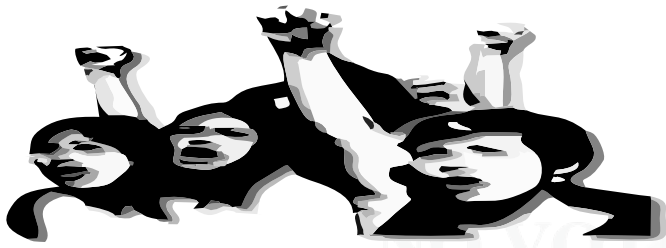




General Conduct

- All parties and candidates shall avoid scrupulously all activities which are “corrupt practices” and offences under the election law, such as bribing of voters, intimidation of voters, impersonation of voters, canvassing within 100 meters of polling stations, holding public meetings during the period of 48 hours ending with the hour fixed for the close of the poll, and the transport and conveyance of voters to and from polling station
- The right of every individual for peaceful and undisturbed home-life shall be respected, however much the political parties or candidates may resent his political opinions or activities. Organizing demonstrations or picketing before the houses of individuals by way of protesting against their opinions or activities shall not be resorted to under any circumstances.





General Conduct

- No political party or candidate shall permit its or his followers to make use of any individual's land, building, compound wall etc., without his permission for erecting flag-staffs, suspending banners, pasting notices, writing slogans etc
- Political parties and candidates shall ensure that their supporters do not create obstructions in or break up meetings and processions organized by other parties. Workers or sympathizers of one political party shall not create disturbances at public meetings organized by another political party by putting questions orally or in writing or by distributing leaflets of their own party. Processions shall not be taken out by one party along places at which meetings are held by another party. Posters issued by one party shall not be removed by workers of another party



Do's

Ongoing programs, which actually started in the field before the announcement of elections may continue

Relief and rehabilitation measures to the people in areas affected by floods, drought, pestilence, and other natural calamities, can commence and continue.

Grant of cash or medical facilities to terminally or critically ill persons can continue with appropriate approvals.

Do's

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Public places like maidans must be available impartially to all parties/contesting candidates for holding election meetings. Also use of helipads must be available impartially to all parties/contesting candidates, to ensure a level playing field.

Criticism of other political parties and candidates should relate to their policies, programme, past record and work.

Do's

The right of every individual for peaceful and undisturbed home life should be fully safeguarded.

The local police authorities should be fully informed of the venue and time of the proposed meetings well in time and all necessary permissions taken.

If there are any restrictive or prohibitory orders in force in the place of the proposed meeting, they shall be fully respected. Exemption, if necessary, must be applied for and obtained well in time.

Do's

Permission must be obtained for the use of loudspeakers or any other such facilities for the proposed meetings.

The assistance of the police should be obtained in dealing with persons disturbing meetings or otherwise creating disorder.

The time and place of the starting of any procession, the route to be followed and the time and place at which the procession will terminate should be settled in advance and advance permissions obtained from the police authorities.

Do's

The existence of any restrictive orders in force in the localities through which the procession has to pass should be ascertained and fully complied with. So also all traffic regulations and other restrictions.

The passage of the procession must be without hindrance to traffic.

Co-operation should be extended to all election officials at all times to ensure peaceful and orderly poll.

All Workers must display badges or identity cards.

Do's

Unofficial identity slips issued to voters shall be on plain (white) paper and not contain any symbol, name of the candidate or name of the party.

Restrictions on plying of vehicles during the campaign period and on poll day shall be fully obeyed.

Except voters, candidates and their election/polling agents, only persons with a specific valid authority letter from the Election Commission can enter any polling booth. No functionary however highly placed (e.g. Chief Minister, Minister, MP or MLA etc) is exempt from this condition.

Do's

Any complaint or problem regarding the conduct of elections shall be brought to the notice of the observer appointed by the Commission/Returning Officer/Zonal/Sector Magistrate/Election Commission of India.

Directions/orders/instructions of the Election Commission, the Returning Officer, and the District Election Officer shall be obeyed in all matters related to various aspects of election.

Do leave the constituency after the campaign period is over if you are not a voter or a candidate or candidate's election agent from that constituency.

Don't's

NO VOTER TO BE LEFT BEHIND

Any and all advertisements at the cost of the public exchequer regarding achievements of the party/Government in power is prohibited.

No Minister shall enter any polling station or the place of counting, unless he or she is a candidate or as a voter only for voting.

Official work should not at all be mixed with campaigning/electioneering.

No inducement, financial or otherwise, shall be offered to the voter.

Don'ts

NO VOTER TO BE LEFT BEHIND

Caste/communal feelings of the electors shall not be appealed to.

No activity, which may aggravate existing differences or create mutual hatred or cause tension between different castes, communities or religious or linguistic groups shall be attempted.

No aspect of the private life, not connected with the public activities, of the leaders or workers of other parties shall be permitted to be criticized.

Don'ts

NO VOTER TO BE LEFT BEHIND

Activities which are corrupt practices or electoral offences as per the law (bribery, undue influence, illegal meetings, etc.) are prohibited.

Demonstrations or picketing before the houses of individuals by way of protesting against their opinion or activities shall not be resorted to.

Other parties or their workers shall not be criticized based on unverified allegations or on distortions.

Temples, Mosques, Churches, Gurudwaras or any place of worship shall not be used as places for election propaganda, including speeches, posters, music etc., on electioneering.

Don'ts

NO VOTER TO BE LEFT BEHIND

Subject to the local laws, no one can make use of any individual's land, building, compound wall, vehicles etc. for erecting flag staffs, putting up banners, pasting notices or writing slogans etc. without specific permission of the owner

No disturbances shall be created in public meetings or processions organised by other political parties or candidates.

Processions along places at which another party is holding meetings shall not be undertaken.

Don'ts

NO VOTER TO BE LEFT BEHIND

Processionists shall not carry any articles, which are capable of being misused as missiles or weapons

Posters issued by other parties and candidates shall not be removed or defaced.

Posters, flags, symbols or any other propaganda material shall not be displayed in the place being used on the day of poll for distribution of identity slips or near polling booths.

Don'ts

Loudspeakers whether static or mounted on moving vehicles shall not be used either before 6 a.m. or after 10 p.m. and without the prior written permission of the authorities concerned.

No person who has been assessed to be having a security threat and therefore provided official security or who has private security guards for himself, shall be appointed as an election agent or polling agent or counting agent.

Don'ts

No liquor should be distributed during elections.

On the day of the poll, no person who has been assessed to be having a security threat and therefore given official security shall enter the vicinity of a polling station premise (within 100 meters) with his security personnel.

If the person provided with official security happens to be a voter also, then he or she shall restrict his / her movement - accompanied by security personnel, to voting only.

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Sub learning Objective 2

To be able to list provisions for ban on transfer during Model Code of Conduct

MCC for ban on transfer



There shall be a total ban on the transfer of all officers/officials connected with the conduct of the election. These include but are not restricted to :

- The Chief Electoral Officer and Additional/Joint/Deputy Chief Electoral Officers, Divisional Commissioners;
- The District Election Officers, Returning Officers, Assistant Returning Officers and other Revenue Officers connected with the Conduct of Elections;
- Officers of the Police Department connected with the management of elections like range IGs and DIGs, Senior Superintendents of Police and Superintendents of Police, Sub-divisional level Police Officers like Deputy Superintendents of Police and other Police officers who are deputed to the Commission under section 28A of the Representation of the People Act, 1951;

MCC for ban on transfer

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Other officers drafted for election works like sector and zonal officers, Transport cell, EVM cell, Poll material, procurement & distribution cell, Training cell, Printing Cell etc. Senior officers, who have a role in the management of election in the State, are also covered by this direction.

The transfer orders issued in respect of the above categories of officers prior to the date of announcement but not implemented till the time when model code came into effect should not be given effect to without obtaining specific permission from the Commission.

MCC for ban on transfer

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

No appointments or promotions in Government / Public Undertakings shall be made during this period, without prior clearance of the Commission except for the appointments made by UPSC, State Public Service Commission or any other statutory authority. For appointments made by non-statutory authority will require clearance from ECI

ECI instructions regarding transfer/posting of officers



Various instructions on transfer/posting of officers for conduct of free and fair elections:

- Officer should not be allowed to continue in the present district if officer is posted in her/his home district and completed atleast three years out of last four years in that district.
- Officers/officials against whom Commission has recommended disciplinary action or who have been charged for any lapse in any election or election related work or who were transferred under the orders of the Commission previously may not be assigned any election related duty(ies).
- The Commission further desires that no officer/official against whom a criminal case is pending in any court of law, be associated with the election work or election related duty.

ECI instructions regarding transfer/posting of officers
(Instruction SL. No. 81, Election Commission's letter No.
437/6/2006/PLN- III Dated : 06.11.2006)

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The transfer orders in respect of officers/officials who are engaged in the electoral rolls revision work shall be implemented only after final publication of electoral rolls.

- The copies of the transfer orders issued under these directions shall be given to the Chief Electoral Officers concerned without fail.
- Any officer who is due to retire within coming six months will be exempted from the purview of the above-mentioned directions of the Commission.
- All the officials of the States/UTs who are on extension of service or re-employed in different capacities will not be associated with any election related work except those with the Office of CEOs.

Transfer of the officers (ECI Instruction No. 437/6/1/2014-CC&BE dated on 09.01.2014)

- No officer connected **directly** with elections should be allowed to continue in the present district of posting:
 1. If she/he is posted in her/his home district
 2. If she/he has completed 3 years in that district during the last 4 years

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Sub learning Objective 3

To be able to explain Model Code of
Conduct for Tour of
Ministers/Chairmen/Members of
Commissions

MCC for Tour of Ministers/Chairmen/Member of Commission (Instruction SL. No. 55, EC letter No 437/6/ES0025/94/MCS dated 21.10.1994)

There is total and absolute ban on the use of official vehicle for campaigning, electioneering, or election related travel during elections.



The expenditure incurred on security arrangement like barricading/rostrums etc. shall be borne by concerned political parties during visit of any person (Including Prime Minister) for electioneering and election related work.



MCC for Tour of Ministers/Chairmen/Member of Commission (Instruction Sl. No. 56, EC Letter No. 437/6/96/PLN-III dated 17.01.1996)

No minister either of central or state government shall undertake an official visit of any constituency from which elections have been announced by ECI till end of election process

No minister will summon any election related officer of constituency or state in which any elections have been announced, to a place or office, or guest house outside the aforesaid constituency for any official discussion during the period of elections commencing with the announcement of the elections from such constituency and ending with the completion of election process.

MCC for Tour of Ministers/Chairmen/Member of Commission

Minister even while on tours, whether for official or private purpose can take with him the minimum personal staff needed for this purpose and such staff is entitled to draw travelling and daily allowance under the rule

During visit, district official must arrange for normal courtesies and security. (Relevant to Police Officers also)

Minister is not entitled to any travelling allowances for additional journey if official tour is combined with private business of the minister

Exception to aforementioned instructions
(Instruction Sl. No. 75, CoI-2011, EC Letter- 437/6/2007-PLN-III,
Dated 23.11.2007)

Exception: Minister, in his capacity as in charge of the department concerned, or a chief minister undertakes an official visit to a constituency or summons any election related officers of the constituency to place outside the constituency, in connection with failure of law and order or occurrence of a natural calamity which requires personal presence of such ministers for supervision/review/relief

MCC for Tour of Ministers/Chairmen/Member of Commission (Annexure-1, Copy of circular letter No. 10/17/89-M&G, dated 01.11.1989)

All arrangement to be made by non-official and not by government servant during the election meeting by minister and all expenses except those relating to maintenance of law and order borne privately

Journey undertaken by minister for filling nomination papers and subsequent tours to his constituency should be regarded as being for election process

MCC for Tour of Ministers/Chairmen/Member of Commission

(Instruction SL. No. 57, EC Letter No. 437/6/7/2004/PLN-III, Dated 28.12.2004)

Under no circumstances, political or personal visits of the ministers can be combined with official visits to any other place in India during General election and bye-election

(Instruction SL. No. 75, CoI-2011, EC Letter No. 437/6/7/2004/PLN-III, Dated 23.11.2007)

Minister travelling for official work should not halt in the constituency or district where model code of conduct is in force and shall not attend to any political work

MCC for Tour of Ministers/Chairmen/Member of Commission

(Instruction SL. No. 4, Election Commission's letter No.437/6/98-PLN-III dated 08.01.1998)

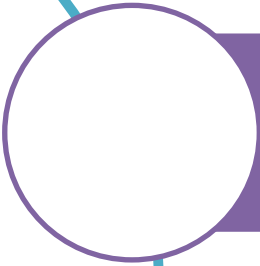
No part of such various State Guest Houses, Bhawans and Sadans within State or outside State are to be utilized for any political activities like holding of party meeting press conference and consultations

(Instruction Sl. No. 5, ECI letter No.437 / 6/ 98-PLN-III dated 10.01.1998)

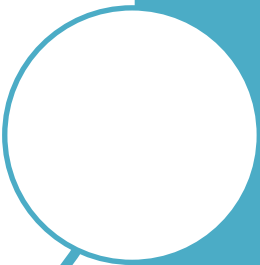
There is no ban to organize kavi sammelan, musicals or other function in connection with Republic Day function and association of above noted persons in those function.

MCC for Tour of Ministers/Chairmen/Member of Commission

NO VOTER TO BE LEFT BEHIND



No central Minister / State Minister or any other political functionary in the State / Ex-MPs shall do the honors at any Republic Day function at any location or where he/she is a contesting candidate or intends to contest during the election process



(Instruction Sl. No.7, ECI letter No.437/6/99-PLN-III, dated 16.08.1999)
Central Minister / State Minister can participate in celebration of “Sadbhavana Divas” but their speeches should be confined only to promotion of harmony.

MCC for Tour of Ministers/Chairmen/Member of Commission (Instruction SL. No. 72 of CoI-2011, Election Commission's letter No 437 /6 /38 /2004-PLN-III, dated 06.04.2004)

Even casual meeting by Members of political parties inside the premises of the Government owned guesthouse etc. are not permitted.

Only the vehicle carrying the person allotted accommodation in the guest house and not more than two other vehicles, if used by the person, will be permitted inside the compound of the Guest House

Rooms should not be made available for more than 48 hours to any single individual.

However, 48 hours before the close of poll in any particular area, there will be freeze on such allocations till completion of poll or re-poll.

MCC for Tour of Ministers/Chairmen/Member of Commission

(Instruction SL. No. 9, EC letter No.437/6/98-PLN-III dated 23.01.1998)

Restriction on tours / leave of the officers whose spouses are active in Political arena.

(Instruction SL. No. 10, EC letter No.ECI/GE98-437/6/BR/98-PLN-III dated
27.01.1998)

Any entertainment at state cost on a religion occasion like organizing 'Iftar Party' etc.
by the Minister is prohibited

MCC for Tour of Ministers/Chairmen/Member of Commission (Instruction SL.No. 73, of CoI-2011, EC Letter No. 437/6/2006- PLN (Vol.II) dated on 14.03.2006)

Accommodation can be given in government guest houses where elections have been announced to the political functionaries who are provided security by state in Z scale, subject to condition that such accommodation is not allotted /occupied by election related officials or observers

No political activities will be allowed during stay in government guest house

MCC for Tour of Ministers/Chairmen/Member of Commission

Government accommodation shall not be monopolized by the party in power or its candidates, use shall be in fair manner

No party or candidate shall use or be allowed to use government accommodation as a campaign office or for holding any public meeting for the purposes of election propaganda.

It shall be ensured that no functionary can use the Circuit House, Dak bungalow to set up campaign office.

MCC for Tour of Ministers/Chairmen/Member of Commission (Instruction Sl. No. 56, EC Letter No. 437/6/96/PLN-III dated 17.01.1996)

No minister either of central or state government shall undertake an official visit of any constituency from which elections have been announced by ECI till end of election process

No minister will summon any election related officer of constituency or state in which any elections have been announced, to a place or office, or guest house outside the aforesaid constituency for any official discussion during the period of elections commencing with the announcement of the elections from such constituency and ending with the completion of election process.

Relaxation of MCC on PM's visit (ECI Instruction No. 437/6/CG/2014/CC&BE dated on 07.11.2014)

- Exemption on PM from the operation of MCC provision pertaining to combining of the official visit with electioneering visit on the current case for all the future elections

NO VOTER TO BE LEFT BEHIND

Sub learning Objective 4

To be able to explain MCC for use of
Aircraft/Official Vehicles

MCC for Use of Aircraft /Official Vehicles



Official vehicles cannot be used for electioneering work. 'Official Vehicles' include all vehicles belonging to the Governments.

MCC for Use of Aircraft /Official Vehicles

No Minister, whether of union or state, will summon any election related officer of the constituency or the State, for any official discussions during the period of elections commencing with the announcement of the elections.

Only exception will be when a Minister, in his capacity as in charge of the department concerned, or a Chief Minister undertakes an official visit to a constituency, in connection with failure of law and order or a natural calamity or any such emergency

MCC for Use of Aircraft /Official Vehicles

There should be no discrimination between the ruling party on the one hand and the other parties and contesting candidates on the other.



The payment will be made by the political parties or the contesting candidates and proper record maintained.



The rates and terms and conditions should be uniform for all.



The actual allotment should be made on a first-come first-served basis. For this purpose, the date and time of receipt of the application should be noted down by the authorized receiving authority.



MCC for Use of Aircraft /Official Vehicles
(Instruction SL No. 58, Election Commission's Order No.
437/6/94/MCS-Vol V dated 20.10.1994)

In the rare case when both the date and time of two or more applicants is the same, the allotment will be decided by draw of lots

To obviate any contingency of rejection of an application for failure to mention certain particulars or on such other technical grounds, a format of the application should be prepared and made available to all those who want to avail of the facility.

No individual, firm, party or candidate will be allowed to charter the aircraft/helicopter for more than three days at a time. Any application which does not conform to this requirement shall be rejected.

MCC for Use of Aircraft /Official Vehicles

No relaxation can be made to any person with regard to the absolute ban on the use of Government owned/funded/hired means of transport for any reason other than security.

The use of State owned aircraft (whether fixed wing or helicopter) propelled at State cost or hired at State cost will not be permitted for any reason including security. No exceptions in this regard will be made .

In respect of persons covered by security, the use of State owned one bullet proof vehicle for the particular person (PP) will be permitted in all cases where the security agencies have prescribed such use.

The use of multiple cars in the name of stand-by should not be permitted unless so specifically prescribed by security authorities.

The cost of propulsion of such bullet proof vehicles where such use of bullet proof vehicles is specified will be borne by the particular person whether he is in office or out, and whether he is a candidate or not

MCC for Use of Aircraft /Official Vehicles
(Instruction Sl. No. 92, CoI-2011: EC Letter No. 437/6/2007/PLN.III,
Dated 24.10.2007)

Under the directives of the Government of India in the Ministry of Home Affairs, the persons provided with Z+ security cover are permitted the use of State owned one Bullet proof vehicle .

MCC for Use of Aircraft /Official Vehicles
(Instruction SL. No. 59, EC letter No, 437/6/96-PLN-III, Dated
09.04.1996)

The number of vehicles to accompany the carcade including pilots, escorts etc. will be strictly in accordance with the instructions laid down by the security authorities and shall not exceed them under any circumstances

In all cases where a party or a candidate hires a private aircraft/helicopter for any reason whatsoever, the complete cost will be included as part of election expenditure without exception.

No relaxation can be provided on any considerations including those of security to any one regarding the use of loudspeakers whether fitted on vehicles or otherwise.

MCC for Use of Aircraft /Official Vehicles

(Instruction SL. No. 62, EC Letter, No. 437/6/98-PLN-III, Dated 18.08.1999)

Full records of all non-scheduled flights are maintained by the appropriate authorities as required under law and relevant rules

(Instruction SL. No. 63, EC Letter No. 4/2001/J.S.II dated 30.03.2001)

Restriction on the use of official vehicles for campaigning, electioneering or election related travel will be equally applicable in the case of Speaker and Deputy Speaker of the State Legislative Assembly at the time of General Election

MCC for Use of Aircraft /Official Vehicles

It is open for a minister of the Union or State to make private visits using his or her private vehicle(s).

For such private visits, the official personal staff of the ministers shall not accompany them.

If a Minister is traveling in some emergent situation, out of his HQ on purely official business, which cannot be avoided in public interest, then a letter certifying to this effect should be sent from the Secretary concerned of the Department to the Chief Secretary of the state where the Minister intends to visit, with a copy to the Commission.

MCC for Use of Aircraft /Official Vehicles

During tour to emergent situation, the Chief Secretary may provide the Minister with Government vehicle and accommodation and other usual courtesies for his official trip

However, immediately preceding or during or in continuation of such an official tour, no minister can carry out or combine any election campaign or political activity.

MCC for Use of Aircraft /Official Vehicles

Whether on a private or official visit all political functionaries should not use

- Pilot car(s)
- Car(s) with beacon lights of any color
- Car(s) affixed with sirens of any kind

Even if the State administration has granted him a security cover.

This is applicable whether the vehicle is government owned or private owned

MCC for Use of Aircraft /Official Vehicles

NO VOTER TO BE LEFT BEHIND

During Filling Nomination

Only three vehicles will be
allowed within periphery of 100
meters of RO/ARO office

MCC for Use of Aircraft /Official Vehicles
(Instruction SL. No. 76, CoI-2011, EC Letter No. 437/6/2006-PLN-III,
Dated 23.11.2007)

During Electioneering

Local administration will keep watch on vehicle used by persons accompanying the contesting candidates to curb illegal activities

CEO will verify vehicle used for video van by political parties

A cycle rickshaw is also a vehicle, its expenditure should be accounted in the account of candidate if it is used for campaigning

MCC for Use of Aircraft /Official Vehicles
**(Instruction SL. No. 110, CoI-2011, EC Letter No. 437/6/INST/2010-
CC&BE, Dated 5.10.2010)**

The vehicle in convoy shall
not be more than ten
excluding security vehicles

MCC for Use of Aircraft /Official Vehicles

Any official who meets the Minister on his private visit to the constituency where elections are being held shall be guilty of misconduct under the relevant service rules; and if he happens to be an official 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

MCC for Use of Aircraft /Official Vehicles
(Instruction Sl. No. 63, Election Commission's letter
No.437/6/GUJ/98-PLN-III dated 16.01.1998)

All ministers both Union and the State and all other leaders of political parties will be allowed security as per the threat perceptions assessed by official agencies and other professional agencies. The expenditure on the bullet proof cars and all other cars used by these individuals will be borne by the individuals concerned. However, expenditure on the security staff will be borne by the State Government/UT Administration concerned.

MCC for Use of Aircraft /Official Vehicles

From the date of notification of the election till the completion of election process in any constituency, the district administration shall keep a close watch on the vehicles used by the contesting candidates, persons accompanying the contesting candidates and other party leaders and ensure that the Commission's instructions are not abused.

If any person moves in a convoy of vehicles exceeding the limits prescribed above, in spite of the convoy having been broken, it shall be the duty of the local administration to ensure that such vehicles are not allowed to be used by flouting the Commission's directions till the process of election is completed.

MCC for Use of Aircraft /Official Vehicles

The contesting candidates be asked to get the details of all the vehicles that they are using in the election campaign lodged with the District Election Officer or such other officer(s) as may be specifically authorised by the District Election Officer in this behalf before the campaigning commences.

Any further deployment of any additional vehicles can take place only after notice to this effect is given by the candidates or his agent well before the actual deployment of the vehicles.

While conveying the details of the vehicles that are being deployed for election campaign the details of the areas [tehsil(s)] in which the vehicle would operate, should also be conveyed

MCC for Use of Aircraft /Official Vehicles
(Instruction Sl. No. 59 EC letter No.437/6/97-PLN-III Dated
18.03.1997)

The details so obtained should be conveyed by District Election Officer to the Election Expenditure Observers.

The vehicles employed for election campaign as per intimation given by the candidates or their election agents to the District Administration should not be requisitioned by the administration.

Any vehicle that has not been registered for campaigning with the district administration if found being used for campaigning, shall be deemed to be unauthorized campaigning for the candidate and may attract penal provisions of Chapter IX A of the Indian Penal Code and shall therefore be immediately taken out of the campaigning exercise

MCC for Use of Aircraft /Official Vehicles
(Instruction Sl. No. 75, CoI-2011, EC Letter- 437/6/2007-PLN-III,
Dated 23.11.2007)

No Pilot car(s), or car (s), with beacon lights or any color or car (s) affixed with siren of any kind making his presence conspicuous shall be used by minister during electioneering visit

MCC for Use of Aircraft /Official Vehicles

Ministers are entitled to use their official vehicles only for commuting from their official residence to their office for official work provided that such commuting is not combined with any electioneering or any political activity.

Ministers, whether of the Union or State, shall not combine in any manner their official tours with election work.

MCC for Use of Aircraft /Official Vehicles

DURING POLL

Hiring/procuring/use of vehicles for free conveyance of voters is corrupt practice

Each contesting candidate is entitled to one vehicle for own use, one vehicle for election agent and one vehicle for use of his party or workers for entire constituency

Permit for above indicated vehicles will be issued by DM/RO and must affix on the vehicles.

No vehicle except with permit will be allowed for use

No vehicle with more than four wheels will be allowed for Candidates/workers/Parties

Not more than 5 persons including driver will be allowed.

MCC for Use of Aircraft /Official Vehicles

All above instructions are apply for two wheelers also.

There is no ban on vehicle for genuine bonafide use for purpose other than election

MCC for Use of Aircraft /Official Vehicles (Instruction SL. No. 64, EC Letter No. 4/2001/JS-II, dated 08.05.2001)

No leader of a political party shall use private fixed-wing aircraft and helicopters for the purposes of supervising and monitoring the polling and counting process on the days of poll and counting

NO VOTER TO BE LEFT BEHIND

Sub learning Objective 5

To be able to explain Model Code of Conduct for Maintenance of Law & Order and deployment of security force

MCC for Maintenance of Law & Order and deployment of security force

Activities under this application area are to be carried out by members of the Police forces. A DEO's job is to supervise & ensure the same is in order to ensure peaceful , free & fair elections

- A special drive should be launched to effect the service of all pending warrants and challans in each police station of each and every Assembly Constituency.
- Fortnightly updated constituency-wise information of unserved warrants be made available to the concerned District Election Officer and Returning Officer to be forwarded to the Commission if and when asked for.
- A special drive should be launched to expedite the investigation and prosecution of all electoral offences registered in previous elections in each police station of each and every Assembly Constituency

MCC for Maintenance of Law & Order and deployment of security force

(Instruction SL. No. 66, EC Order No. 464/96 (L&O), Dated 17.01.1996)

The States should conduct a 100% scrutiny of licenses of arms and ammunition shops and warrant a close super checking and monitoring of their business during the days of active electioneering.

A special drive should be launched to unearth illicit arms and ammunition in each police station of each and every Assembly Constituency

A special drive should be launched to unearth illicit liquor making factories.

MCC for Maintenance of Law & Order and deployment of security force

Issue of license for arms will be totally prohibited during the period commencing with the date of announcement of elections

This ban will continue to be operative till the completion of the election as notified.

The police should be directed to be vigilant and asked to start mopping up operations of the areas infested with known goonda and other bad elements right from the date of announcement of elections.

During such mopping up operations special attention should be paid to unearth and seize unlicensed arms and ammunition.

MCC for Maintenance of Law & Order and deployment of security force

Inter-state and intra-State movements of trucks and commercial vehicles shall be strictly checked

Raids should be carried out regularly and intensively on underground arms factories.

A very thorough search and seizure by the State Police of unlicensed arms and places of indigenous manufacture of arms and ammunition shall be carried out and persons involved shall be arrested.

While unearthing and seizure of unlicensed weapons is a normal ongoing responsibility of the police, it shall be vigorously intensified during the election period.



MCC for Maintenance of Law & Order and deployment of security force

NO VOTER TO BE LEFT BEHIND

Immediately after the announcement of elections, District Magistrates shall make a detailed and individual review and assessment for arm license holders

All license-holders who are identified, shall be directed to deposit their arms with the District Administration during the period of one week from the last date for withdrawal of candidatures.

MCC for Maintenance of Law & Order and deployment of security force



NO VOTER TO BE LEFT BEHIND

The District Administration shall make fool-proof arrangements for keeping the deposited fire arms in safe custody.

This ban shall, not be applicable to those communities who are entitled to display weapons by long standing law, custom and usage.

MCC for Maintenance of Law & Order and deployment of security force

(Instruction SL. No. 70, EC Letter No. 437/GE-99/PLN-III/MCC, Dated 28.07.1999)

The sportsmen being the member of National Rifle Association are exempted from deposit of arms during election

‘Dry days’ shall be declared and notified under the relevant state laws as is appropriate during 48 hours, ending with the hour fixed for conclusion of poll with respect to each of polling days for any election in that polling area.

MCC for Maintenance of Law & Order and deployment of security force

- **Following will not be permitted to sell liquor, even if issued different categories of licenses for possession and supply of liquor:**

Hotels, Star Hotels

Restaurants

Clubs

Other establishments
selling/serving liquor

Non-proprietary
clubs

And also in
adjoining areas of
constituency

MCC for Maintenance of Law & Order and deployment of security force

(Instruction SL. No. 73, EC Letter No. 3/10/2001/JS-II, Dated 23.03.2001)

There should be no cut outs and arches erected by candidates, political parties or their supporters

Writing and pasting election material on public walls shall be strictly enforced as per local laws

No large processions shall accompany a candidate while going to returning officer

MCC for Maintenance of Law & Order and deployment of security force

NO VOTER TO BE LEFT BEHIND

Authorities concerned must also identify sensitive constituencies and sensitive areas needing special attention and taken appropriate measures to deal with any situation affecting free and fair poll.

The last date for launching of prosecution of all cases relating to electoral offences and initiation of disciplinary proceedings against delinquent officials should be one month from the date of completion of general elections.

MCC for Maintenance of Law & Order and deployment of security force

(Instruction SL. No. 77, EC letter No. 464/L&O/2008/EPS, Dated 12.11.2008)

Commission has fixed the same period by which enquiries on complaints received by you direct or referred by the Commission during the conduct of the General Elections, should be completed

Proper FIRs in the case of cognizable offences and complaints before the Competent Magistrate in other cases are required to be lodged and matter investigated promptly and expeditiously as per instruction contained in the Commission's Message No. 464/89/(L&O) dated 21st November 1989

MCC for Maintenance of Law & Order and deployment of security force

Both the State Deployment Plan and District Deployment Plan would be finalized at least one week before the day of poll

Both the State Deployment Plan and District Deployment Plan would be finalized at least one week before the day of poll

District Deployment Plans which will be prepared by every district

MCC for Maintenance of Law & Order and deployment of security force

Deployment Plan

Shall be ensured that all polling stations are covered with adequate static duty reinforced by necessary mobile patrolling at the level of “zones” and “sectors”.

Required approval of the commission in case of deployment of any force other than State’s own uniformed police force or the CPMFs, (for example, Village Defence Force, Homeguards, Adhoc Auxilliary force etc.)

Must spell out when and where the CPMFs are reaching the State.

MCC for Maintenance of Law & Order and deployment of security force

NO VOTER TO BE LEFT BEHIND

Area domination by CPMF 2 days prior to poll

MCC for Maintenance of Law & Order and deployment of security force

The central forces shall not be deployed or kept as “reserve” at any level

In rarest of the rare cases, when they are to be deployed as “reserve”

Prior ECI approval shall be obtained

they should be made available with suitable communication and mobility facilities for contingent deployment and movement on short notice.

MCC for Maintenance of Law & Order and deployment of security force

CPMF shall be used during the pre-poll period

Checking of border
areas etc.

Area domination

Conducting flag
marches

Confidence building
among the electors

MCC for Maintenance of Law & Order and deployment of security force

Ensure security for/of

Both inside and
around the counting
centers

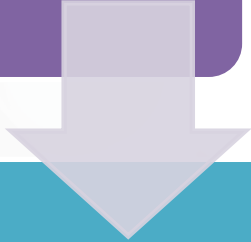
Contesting
candidates,
according to the
perception of threat
to their lives

Observers appointed
by the Commission

Strong rooms after
the completion of
poll

MCC for Maintenance of Law & Order and deployment of security force

State Government will provide adequate facilities and make necessary arrangements as needed, for transport and accommodation of the CPMF deployed.



(Instruction Sl.No. 78 Election Commission's letter No.464/L&O/2007/PLN-I Dated: 08.01.07)

All State Governments shall seal inter-state borders/inter-district borders well in advance to prevent infiltration of antisocial and disruptive elements

MCC for Maintenance of Law & Order and deployment of security force

(Instruction Sl. No. 85, Election Commission's letter No. 576/14/2007/PLN-I Date : 24.01.2007)

The District Magistrates who are also the DEOs shall regularly inspect the jails and ensure that the provisions of Jail Manual are followed scrupulously.

The DMs shall keep the jail under close watch and shall submit a weekly report confirming the inmates are not given access to cell phones etc.

MCC for Maintenance of Law & Order and deployment of security force

(Instruction SL. No. 86, CoI-2011, 464/MT-HP/2009, Dated 8.04.2009)

Security briefings of chief minister or home minister when considered essential, should be undertaken by home secretary or the chief secretary who, in turn should be briefed by police agencies

DG of Police looking after election related work may be advised not to take press conference

MCC for Maintenance of Law & Order and deployment of security force

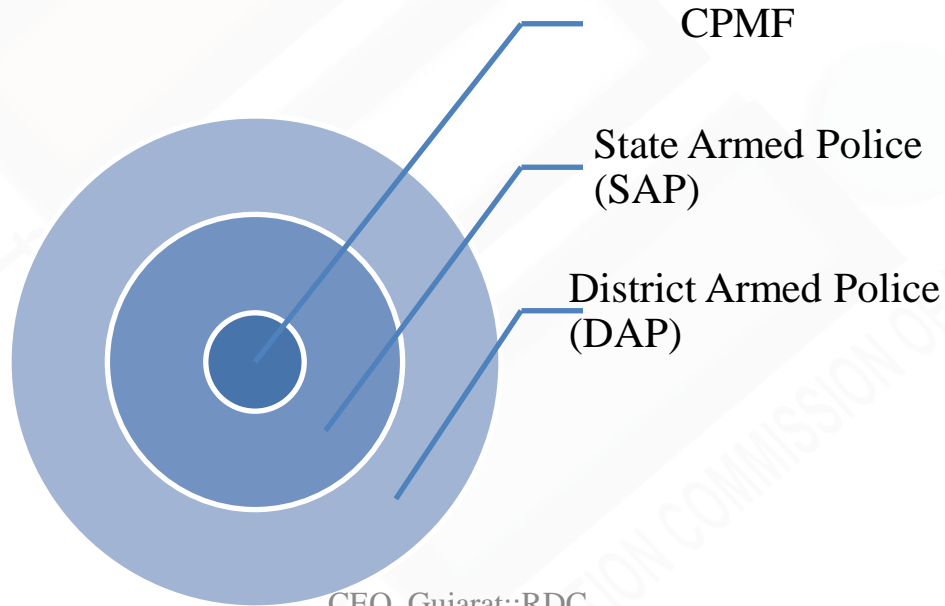
(Instruction Sl. No. 82, Election Commission's letter No. 464/INST/2008-EPS Date: 24.10.2008)

Deployment of Central Police Forces into the election going State(s) on the basis of its assessment of the ground realities

The Local State Police (including all its variants) and Central Police Forces at the time of elections stand deputed to the Election Commission of India and they come under its superintendence, direction and control for all purposes

MCC for Maintenance of Law & Order and deployment of security force

The forces shall be deployed at the polling stations in the following order of sensitivity (from higher to lower)



MCC for Maintenance of Law & Order and deployment of security force

(Instruction SL.No. 80, EC Letter No. 464/2007-PLN-1 dated on 12.10.2007)

Under Section 126 of the Representation of the People Act, 1951, in the period of 48 hours ending with the hour fixed for the close of poll, the campaign will come to an end

The district election administration / police administration shall ensure that all such functionaries leave the constituency immediately after the campaign period is over.	Verification of lodges and guesthouses will be done to keep a track of the list of occupants	Will set up check-posts in the constituency borders and track the vehicular movement from outside the constituency	Will verify the identity of the people / group of people in order to find out whether they are voters or not and establish their identity
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MCC for Maintenance of Law & Order and deployment of security force

(Instruction Sl. No. 88, Election Commission's letter No. 464/GJ-LA/2007 Dated : 26.11.2007)

There shall be prohibition of transmitting bulk SMSs of political nature for a period of 48 hours ending with the hour fixed for conclusion of poll.

For objectionable SMSs, which are violating the provisions of election law, model code of conduct and the commission's direction/instruction issued in this behalf shall be curtailed

MCC for Maintenance of Law & Order and deployment of security force

Announcement of following is prohibited				
New projects	Programme	Concessions	Financial grants in any form	Promises which have the effect of influencing the voters

MCC for Maintenance of Law & Order and deployment of security force

Prior approval of commission is needed for announcement of relief/benefits under any policy, fiscal measures, taxation related issues etc.

Restrictions apply equally to new schemes and also ongoing schemes for which work has not started

RBI may continue to take decisions unhindered on monetary policy issues

MCC for Maintenance of Law & Order and deployment of security force



Actually started project on the ground after necessary sanctions



Beneficiary project where name of beneficiaries have been identified before coming of MCC



Registered beneficiaries of NREGA may be covered under existing project



No bar on release of fund for the completed work/portion of work

Works can be continued by Government agencies

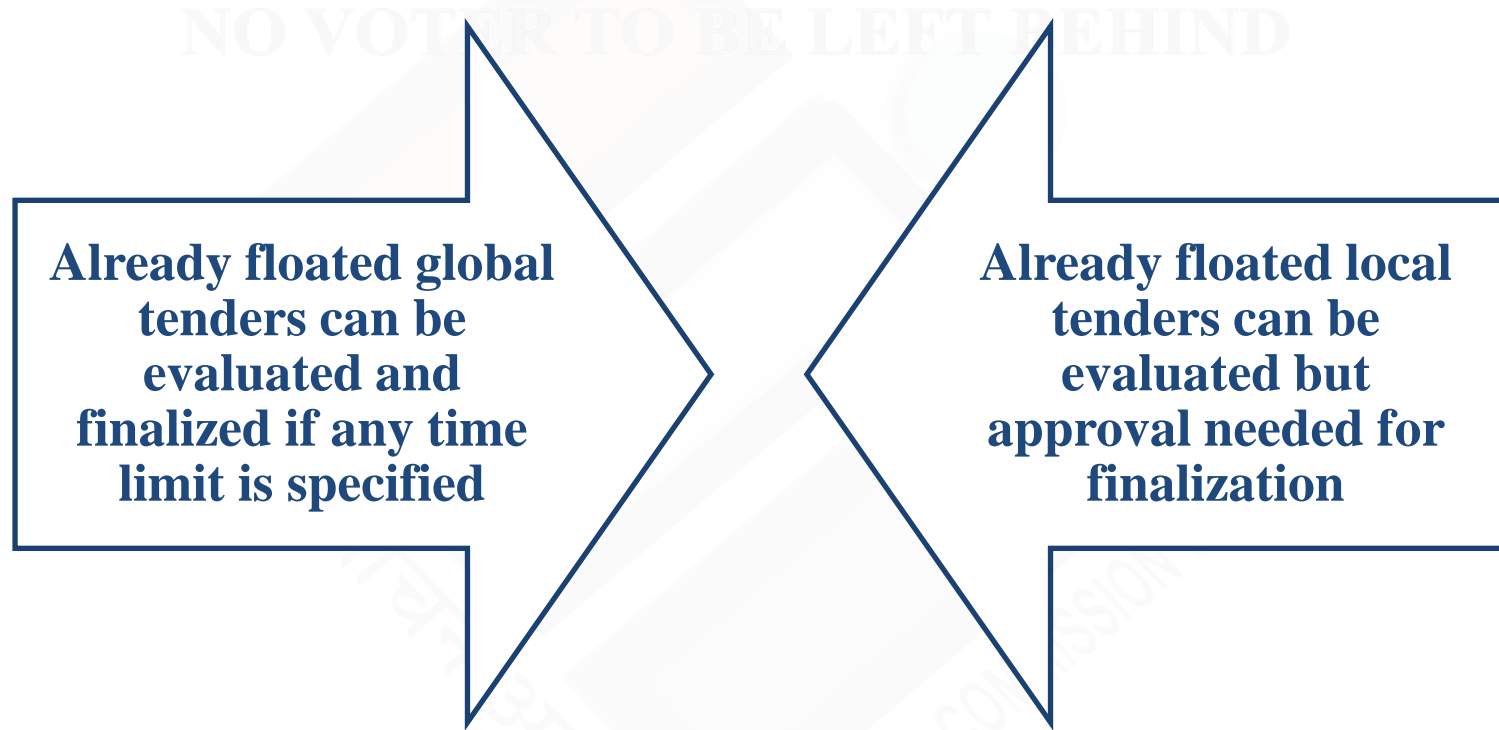
MCC for Maintenance of Law & Order and deployment of security force

Following conditions must met for new works to start

Administrative, technical and financial sanctions have been obtained

If work is time bound and with penalty clause

MCC for Maintenance of Law & Order and deployment of security force



NO VOTER TO BE LEFT BEHIND

Sub learning Objective 6

To be able to explain Model Code of
Conduct for Welfare Schemes

MCC for Welfare Schemes

Ex-gratia payments and gratuitous relief in the aftermath of a disaster can be given directly to the person affected

Payment directly to hospital and patients from CM/PM relief fund will be permissible

Emergency relief work can be taken up under intimation to the commission.

New work related to preventive measures to mitigate effect of natural disaster can be taken up by only prior permission of commission

Any selective assistance to a group of persons from the PM's or CM relief fund require prior permission of the commission

Model Code of Conduct for Welfare Schemes

Activities require prior permission of the commission

New work
from
discretionary
fund

Proposal for
revival of
PSUs

Government
take over

Fresh
auctions of
liquor vends

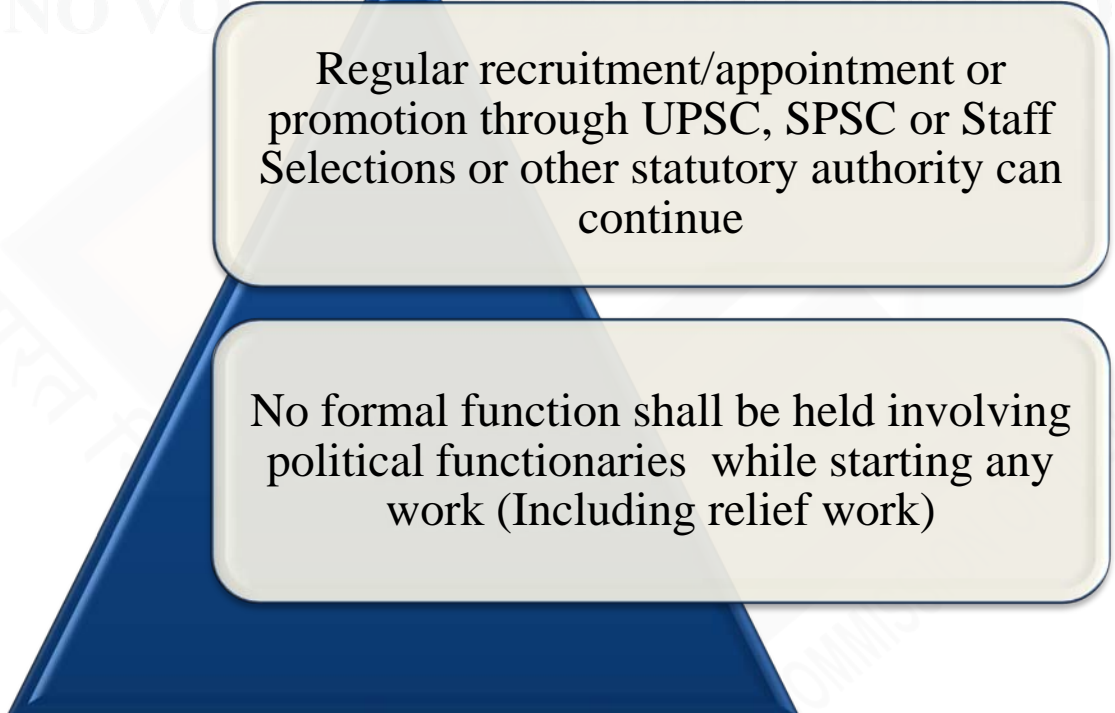
Extension in
area of work
of any
existing
project/scheme/
programme

Land
allocation to
individual
or
organization

Signing of
MoU

Model Code of Conduct for Welfare Schemes

(Instruction Sl. No. 96, CoI-2011, EC Letter No. 437/6/2009/-
CC&BE, dated 5.03.2009)



Regular recruitment/appointment or promotion through UPSC, SPSC or Staff Selections or other statutory authority can continue

No formal function shall be held involving political functionaries while starting any work (Including relief work)

Model Code of Conduct for Welfare Schemes

NO VOTER TO BE LEFT BEHIND

In the case of national, regional and State utility schemes, which have already been brought up to the stage of completion, their utilization or functioning in public interest should be stopped or delayed.

Commissioning of such schemes is done by civil authority and without associating political functionaries and without any fanfare or ceremonies.

Model Code of Conduct for Welfare Schemes

No fresh sanctions of
Government schemes

No review of schemes by
political executive
(Ministers etc.)

No fresh release of funds on
welfare schemes

No contract for works

Model Code of Conduct for Welfare Schemes

NO VOTER TO BE LEFT BEHIND

No work shall start in respect of which even if work orders have been issued before the model code came into effect, if 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

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

Model Code of Conduct for Welfare Schemes

Commission does not refuse approval for schemes for tackling

- Emergencies
- Unforeseen calamities
- Welfare measures for the aged, infirm etc.

In these matters, however, prior approval of the Commission should be taken.

Model Code of Conduct for Welfare Schemes

- All ostentatious functions should be strictly avoided and no impression should be given or allowed to be created that such welfare measures or relief and rehabilitation works are being undertaken by the Government in office so as to influence the electors in favor of the party in power which at the same time will adversely affect the prospects of the other parties.

Model Code of Conduct for Welfare Schemes (Instruction No. 52, Election Commissioner's Letter No. 576/17/84 dated 9.11.1984)

Minister and other authority can not sanction grants/payments out of discretionary funds on eve of election

Model Code of Conduct for Welfare Schemes

(Instruction Sl. No.12 of compendium Vol.-3. ECI letter No.437/6/2002-PLN-III dated 25.01.2002)

Financial institutions funded, partially or wholly by the State Government should not take recourse to writing off loans, enhance financial limits by indiscriminate issuing of loans when MCC is in force.

No demolition / eviction drive can be carried out by any Government / civic agencies during the panchayat election process.

(Instruction Sl. No.13 of compendium Vol.-3. ECI letter No.437/6/3/2004-PLN-III dated 19.02.2004)

In case such demolition is to be carried out as per order of the court of law the matter should be brought to the notice of commission first.

(Instruction Sl. No.29 of compendium Vol.-3. ECI letter No.437/6/ 2004-PLN dt.30.12.2004)

No Official Video Conferencing should take place between the Chief Minister/Minister/Political functionaries of Union/State Government with officials after announcement of Election.

Model Code of Conduct for Welfare Schemes

(Instruction SL. No. 2 EC Letter No. 437/6/93/J.S. II, dated 31.12.1993)

No any kind of passes be issued or allowed to be used for travel to and from the states/constituencies from announcement of election to declaration of result.

(Instruction Sl. No.3, ECI letter No.434/6/PLN-III dated 22.03.1996)

Ban on conduct of major auction, tenders by Government agencies (Liquor vender, tendu leaves etc)

No central Minister / State Minister or any other political functionary in the State / Ex-MPs shall do the honours at any Republic Day function at any location or where he / she is a contesting candidate or intends to contest during the election process.

NO VOTER TO BE LEFT BEHIND

Sub learning Objective 6

To be able to explain Model Code of
Conduct for advertisements

MCC for advertisements

(Instruction SL. No. 77, CoI-2011, EC Letter No. 509/75/2004/JS-I,
Dated 15.04.2004)

All advertisement for telecasting on TV channels and cable networks by any political parties must be viewed, scrutinized and certified by committee constituted by CEO

The CEO of the states/UTs also required to constitute committee to attend complaints on certification of advertisement

MCC for advertisements
**(Instruction SL. No. 101, CoI-2011, EC Letter No 437/6/INST/2008-
CC&BE dated on 13.04.2009)**

All hoardings, advertisements, etc. on display at the cost of Public exchequer shall be removed forthwith by the authorities

No advertisement should be issued in the newspaper and other media at the cost of public exchequer during the election period

MCC for advertisements

(Instruction SL. No. 88, CoI-2011, EC Letter 437/6/inst/2008-CC&BE dated on 18.02.2009)

The campaign by star campaigner should be meticulously tracked

The CEO and DEO should maintain party wise register to track instances of violations being committed by campaigners of political parties

Record also put in public domain so that interested parties can pick up the input

(Instruction SL. No. 44, EC Letter No. 4/3/2004/J.S.II/Vol .1, dated 11.03.2004)

All political parties should try to avoid the use of plastic/polythene for preparation of posters, banners etc. during election campaign.

MCC for publicity of events (Instruction No. 437/6/INST/2014/CC&BE dated on 11.09.2004)

NO VOTER TO BE LEFT BEHIND

1. Beneficiary cards distributed, construction site plaques etc. erected during enforcement of MCC shall not contain the photographs, messages etc. of CM, Ministers etc.

MCC on publicity and enforcement (ECI Instruction No. 437/6/INST/2014/C&BE dated on 20.03.2014)

During the period when MCC is in force in connection with General Election to Lok Sabha/State Legislative Assemblies, all the references of Ministers, Politicians or Political Parties available on such Central/State Government's official website shall be removed

What have you learned?



- **The basics of Model Code of Conduct**
- **Provisions for ban on transfer during Model Code of Conduct**
- **Model Code of Conduct for Tour of Ministers/Chairmen/Members of Commissions**
- **Model Code of Conduct for use of Aircraft /Official Vehicles**
- **Model Code of Conduct for Maintenance of Law & Order and deployment of security force**
- **Model Code of Conduct for Welfare Schemes**
- **Model Code of Conduct for advertisements**

Thank You

NO VOTER TO BE LEFT BEHIND