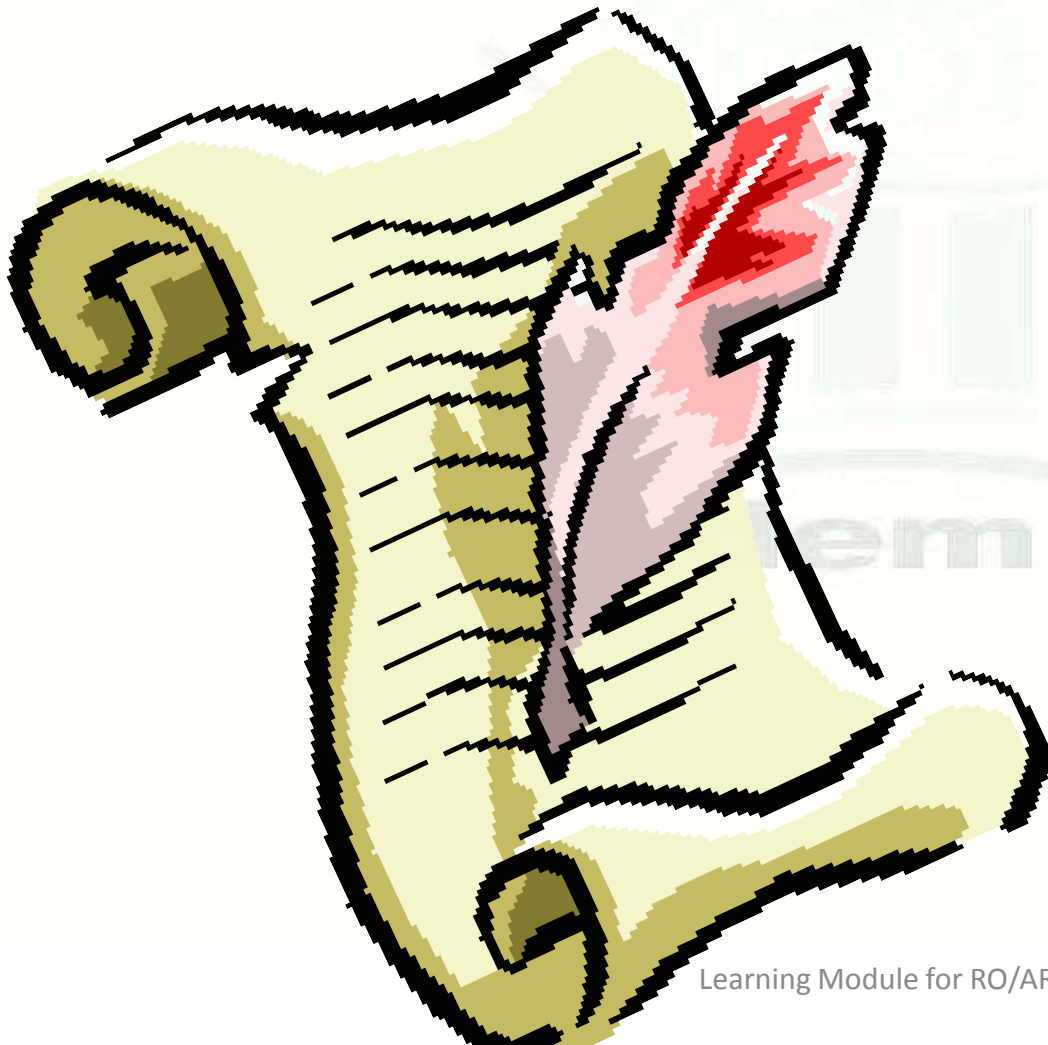


The Model Code of Conduct



What is the Model Code of Conduct ?

- The MCC is a set of guidelines issued by the Election Commission to regulate political parties and candidates prior to elections, to ensure free and fair elections.
- This is in keeping with Article 324 of the Constitution, which gives the Election Commission the power to supervise elections to the Parliament and state legislatures.
- The MCC is operational from the date that the election schedule is announced till the date that results are announced.

1: Objective of MCC

- MCC comes into operation from the day ECI announces the program for election in your constituency and will be in force till the completion of the election
- Developed for maintaining a healthy and peaceful atmosphere conducive to the conduct of smooth elections
- Also, provides level playing field for all parties.



How Model Code of Conduct evolved over time?

- MCC was first introduced in the state assembly elections in Kerala in 1960. It was a set of instructions to political parties regarding election meetings, speeches, slogans, etc.
- In the 1962 general elections to the Lok Sabha, the MCC was circulated to recognised parties, and state governments sought feedback from the parties. The MCC was largely followed by all parties in the 1962 elections and continued to be followed in subsequent general elections.
- In 1979, the Election Commission added a section to regulate the 'party in power' and prevent it from gaining an unfair advantage at the time of elections. In 2013, the Supreme Court directed the Election Commission to include guidelines regarding election manifestos, which it has included in the MCC for the 2014 general elections.

Key provisions of the Model Code of Conduct

- The MCC contains eight provisions dealing with general conduct, meetings, processions, polling day, polling booths, observers, party in power, and election manifestos. Major provisions of the MCC are -
- **General Conduct:** Criticism of political parties must be limited to their policies and programmes, past record and work. Activities such as: (a) using caste and communal feelings to secure votes, (b) criticising candidates on the basis of unverified reports, (c) bribing or intimidation of voters, and (d) organising demonstrations or picketing outside houses of persons to protest against their opinions, are prohibited.
- **Meetings:** Parties must inform the local police authorities of the venue and time of any meeting in time to enable the police to make adequate security arrangements.
- **Processions:** If two or more candidates plan processions along the same route, organisers must establish contact in advance to ensure that the processions do not clash. Carrying and burning effigies representing members of other political parties is not allowed.
- **Party in power:** The MCC incorporated certain restrictions in 1979, regulating the conduct of the party in power. Ministers must not combine official visits with election work or use official machinery for the same. The party must avoid advertising at the cost of the public exchequer or using official mass media for publicity on achievements to improve chances of victory in the elections. Ministers and other authorities must not announce any financial grants, or promise any construction of roads, provision of drinking water, etc. Other parties must be allowed to use public spaces and rest houses and these must not be monopolised by the party in power.
- **Election manifestos:** Added in 2013, these guidelines prohibit parties from making promises that exert an undue influence on voters, and suggest that manifestos also indicate the means to achieve promises.

Is the Model Code of Conduct legally binding?

- The MCC is not enforceable by law. However, certain provisions of the MCC may be enforced through invoking corresponding provisions in other statutes such as the Indian Penal Code, 1860, Code of Criminal Procedure, 1973, and Representation of the People Act, 1951.
- The ECI has argued against making the MCC legally binding; stating that elections must be completed within a relatively short time (close to 45 days), and judicial proceedings typically take longer, therefore it is not feasible to make it enforceable by law.

2: Rationale behind MCC

- A visible and rigorous enforcement of Model Code of Conduct enhances 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.



3: Broad areas of Application

1. Execution of welfare schemes and Government work.
2. Publicity / campaign on welfare schemes and Government work.
3. Appointment/transfer/posting of Government officials.
4. Use of Rest House, Dak Bungalow and other Government accommodation by political functionary.
5. Provisions regarding tour of Ministers /political functionaries.
6. Use of official aircrafts/vehicles/flags etc.
7. Use of loudspeaker.
8. Printing of pamphlet, posters & other media activities.

NOTE- The Commission has exempted all matters pertaining directly to defence forces from the per view of model code letter number 437/6/CG/2014-CC &BE dated 29 -03 -2015

Conduct for Officials

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.

Model Code of Conduct for Officials

No video conferencing should take place between the Chief Ministers of the States, Ministers and other political functionaries of the Union and State Governments and the officials individually or collectively, after the announcement of elections and from the date from which Model Code of Conduct comes into force in a state or the constituency. (Instruction Sl. No.73 [p.121] of compendium ECI letter dt.30.12.2004)

However, in the immediate aftermath of any calamity of significant scale/ magnitude, if video- conferencing is considered essential, CM/ Minister concerned may hold video conferencing with officials concerned subject to conditions as laid in ECI letter No. 437/6/INST/2014-CC&BE dated 18/03/2014. S.No.74 p. 122

Tour/leave of Officials during election

There are restrictions on tours / leave of the officers whose spouses are active in Political arena. In such cases, the concerned officers should not leave their HQs either on leave or on tour till the elections are complete ([Instruction SL. No. 102 p.171, EC letter dated 23.01.1998](#))

Ban on Transfer

Immediately on announcement of elections 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/DEO/RO/ARO & other revenue officers connected with conduct of elections. ECI letter dated 19.10.2008(Sl.No. 95 p. 159)

Ban on Transfer of police officers

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;

Ban on Transfer of other officers connected with election

Other officers drafted for election work 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.

Transfer/postings

Various instructions on transfer/posting of officers for conduct of free and fair elections. [These instructions are implemented before the announcement of elections that is before MCC comes into force]

- Officer should not be allowed to continue in the present district if officer is posted in her/his home district or completed three years out of 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 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.

Model Code of Conduct on Transfer/posting

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

- 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.

Exception relating to transfer/posting during MCC

- Commission has decided that Sector officers are not covered by these transfer orders as their knowledge of the terrain of the area in which they are deployed is essential for effective performance of their duty as sector officers.

iiidem

Tour of Ministers etc. during MCC

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.

(Instruction Sl. No. 79 p.128-129, EC Letter dated 17/01/1996)

Exception

Exception: In case of failure of law and order or occurrence of a natural calamity which requires personal presence of a minister or chief minister for supervision/ review/ relief, he may, in his capacity as in charge of the department concerned, or as a chief minister may undertake an official visit to a constituency and summon any election related officers of the constituency to a place outside the constituency.

(Instruction Sl. No. 81 p.131-135, letter dated 23/11/2007)

Ministers' Visit for campaigning to be treated private

All arrangements to be made by non-officials and not by government servants 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 filing nomination papers and subsequent tours to his constituency should be regarded as being for election purpose.

(Annexure-1, Copy of circular letter No. 10/17/89-M&G, dated November 1, 1989) p.134-135 of Compendium

Combining of official visit with electioneering is not allowed

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

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

(Instruction SL. No. 80 p.130, EC Letter dated 28/12/2004)

(Instruction SL. No. 81 p131-135, ECI Letter Dated 23/11/2007)

Republic Day function

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. [S.No. 20 letter dated 10.01.1998 p. 41]

Central Minister / State Minister can participate in celebration of “Sadbhavna Divas” but their speeches should be confined only to promotion of harmony. [\(Instruction Sl. No.23 p.23, ECI letter dated 16.08.1999\)](#)

No beacon light etc.

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

(Instruction Sl. No. 50 p.88-92, ECI Letter dated 23/11/2007)

private visits for campaigning purpose

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

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

In a recent decisions, the Commission has allowed the chief ministers of the states and the union cabinet ministers to take one personal staff(Non gazetted official) during his visit to states for electioneering. However such officials shall not do any political work for the ministers.

The restrictions of one non gazetted staff mentioned is not applicable to the PM.

NO. 437/6/INST/2011 Dt. 27-04-2011

Visit in public interest

If a Union/State 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.

Visit in public interest

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.

Meeting with officials

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.

Use of official vehicle

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.

No. 464/INST/2007-PLN-I Dt. 07-01-07

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

In a recent decision, Commission has exempted the Prime Minister from the purview of this restriction- vide letter No. 437/6/CG/2014-CC&BE Dt. 07-10-2014

Iftar party etc at the cost of exchequer

Any entertainment at state cost on a religious occasion like organizing 'Iftar Party' etc. by the Minister is prohibited (Instruction SL. No. 10, EC letter No.ECI/GE98-437/6/BR/98-PLN-III dated 27.01.1998

There is no ban to organize kavi sammelan, mushairas or other cultural functions in connection with Republic Day celebrations and being attended by the Central Ministers, Chief Ministers, Ministers in the States and other political functionaries. However, utmost care should be taken to ensure that no political speeches are made on the occasion (Instruction Sl. No. 5, ECI letter No.437 / 6/ 98-PLN-III dated 10.01.1998)

Security to political functionaries

All ministers both of 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.

[\(Instruction Sl. No. 63, Election Commission's letter No.437/6/GUJ/98-PLN-III dated 16.01.1998 \)](#)

Discretionary funds

Minister and other authority can not sanction grants/payments out of discretionary funds on eve of election ([Instruction No. 52, Election Commissioner's Letter No. 576/17/84 dated 9/11/1984](#))

Visit of Chairman of Commission for SC/ST etc

Official visit of the members of SC/ST/ All Commissions established by central/ state govt. should be deferred unless situation is emergent or unavoidable

During such visit chairmen/members should not meet ministers/politicians and should not hold public hearing or meet people

MCC for Political Parties and Candidates

All advertisement for telecasting on TV channels and cable networks by any political parties must be viewed, scrutinized and certified by Monitoring Committee on Media Certification (MCMC)

The CEO is also required to constitute committee at his level to attend complaints on certification of advertisement

[\(Instruction SL. No. 77, Col-2011, EC Letter No. 509/75/2004/JS-I, Dated 15/04/2004\)](#)

MCC for Political Parties and Candidates

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

[\(Instruction SL. No. 88, CoI-2011, EC Letter 437/6/inst/2008-CC&BE\)](#)

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

[\(Instruction SL. No. 44, EC Letter No. 4/3/2004/J.S.II/Vol.I, dated 11.03.2004\)](#)

MCC for Political Parties and Candidates

No part of State Guest Houses, Bhawans and Sadans at Delhi should be utilized for any political activities like holding of party meeting press conference and consultations [\(Instruction SL. No. 4, Election Commission's letter No.437/6/98-PLN-III dated 08.01.1998\)](#) (Relevant to police officers also)

MCC for Political Parties and Candidates

Even casual meeting by Members of political parties inside the premises of the Government owned guesthouse etc. are not permitted. (Relevant to police officers also)

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 (Relevant to police officers also)

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.

[Instruction SL. No. 72 of Col-2011, Election Commission's letter No 437 /6 /38 /2004-PLN-III, dated 06.04.2004](#)

MCC for Political Parties and Candidates

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+ category, 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

(Instruction SL.No. 73, of Col-2011, EC Letter No. 437/6/2006-PLN (Vol.II))

MCC for Political Parties and Candidates

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.

Advisory for Political Parties

The Commission has stated that it has been observed that in the recently held campaigns to the general elections to the assemblies of some states that the political parties are resorting to:

- 1. Mouthings of provocative and inflammatory statements' calculated to cause mutual hatred, disharmony**
- 2. Use of intemperate and abusive language transgressing the limits of decency, and**
- 3. Attacks on personal character and conduct of political rivals, in utterances and through posters/hoardings, tend to incite mutual hatred, disharmony or ill will and aggravate the differences between different political parties and classes of citizens on the grounds of religion caste, community etc. and which the Model Code of Conduct dissuades from being resorted to.**

Contd.....

Advisory for Political Parties

As the above mentioned conduct is against the model code of conduct, the Commission has put all political parties on notice that any repeated violations of the model code of conduct and use of intemperate and abusive language would invite action against the defaulting political parties

Letter No. 437/6/INST/2013-CC& BE, dated 28th November, 2013

Advisory for Political Parties

The M/o Defence has brought to the notice of the Commission that the photographs of defence personnel are being used by political parties, their leaders and candidates in advertisements as part of their election propaganda and requested that Commission to issue suitable instructions in this regard.

Having regard to the fact that armed forces of a nation are guardian of its frontiers, security and the political system and they are apolitical and neutral stake holders in a modern democracy, the Commission has advised all political parties and their leaders to exercise great caution while making any reference to the armed forces in their political campaign.

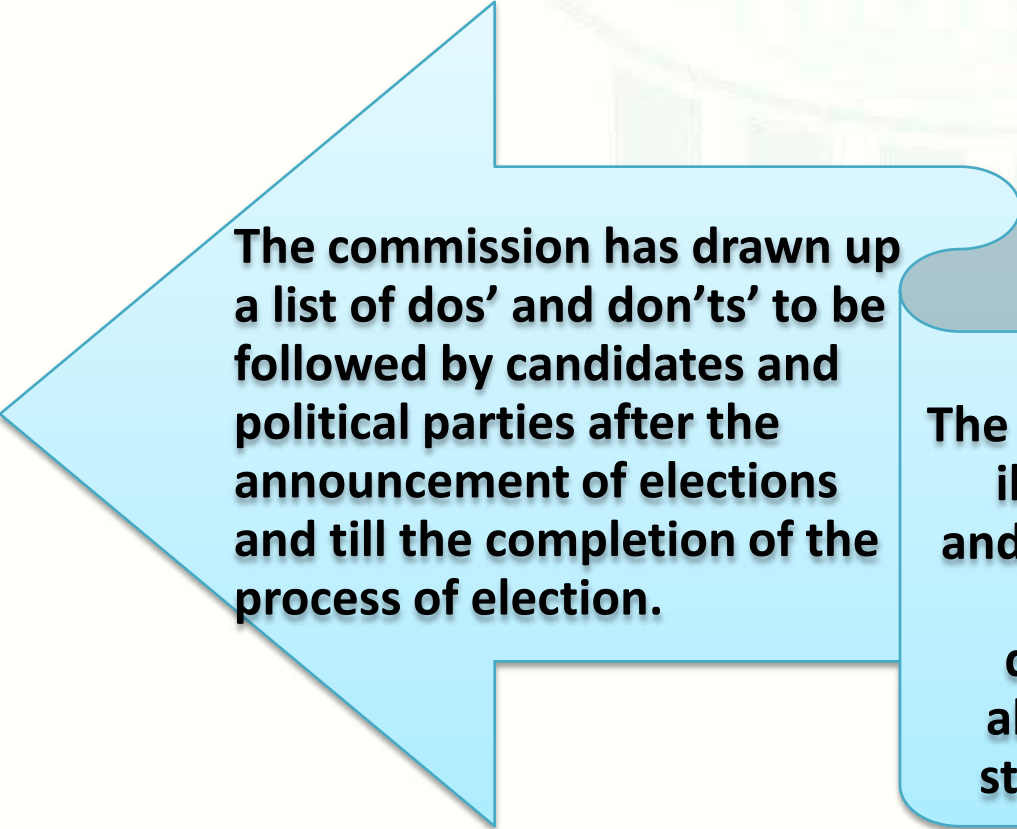
Advisory for Political Parties-2/2

The Commission has also advised that the photographs of chief of army staff or any other defence personnel and photographs of functions of defence personnel should not be associated with or used in any manner in advertisement/ propaganda/ campaign or in any other manner in connection with the elections.

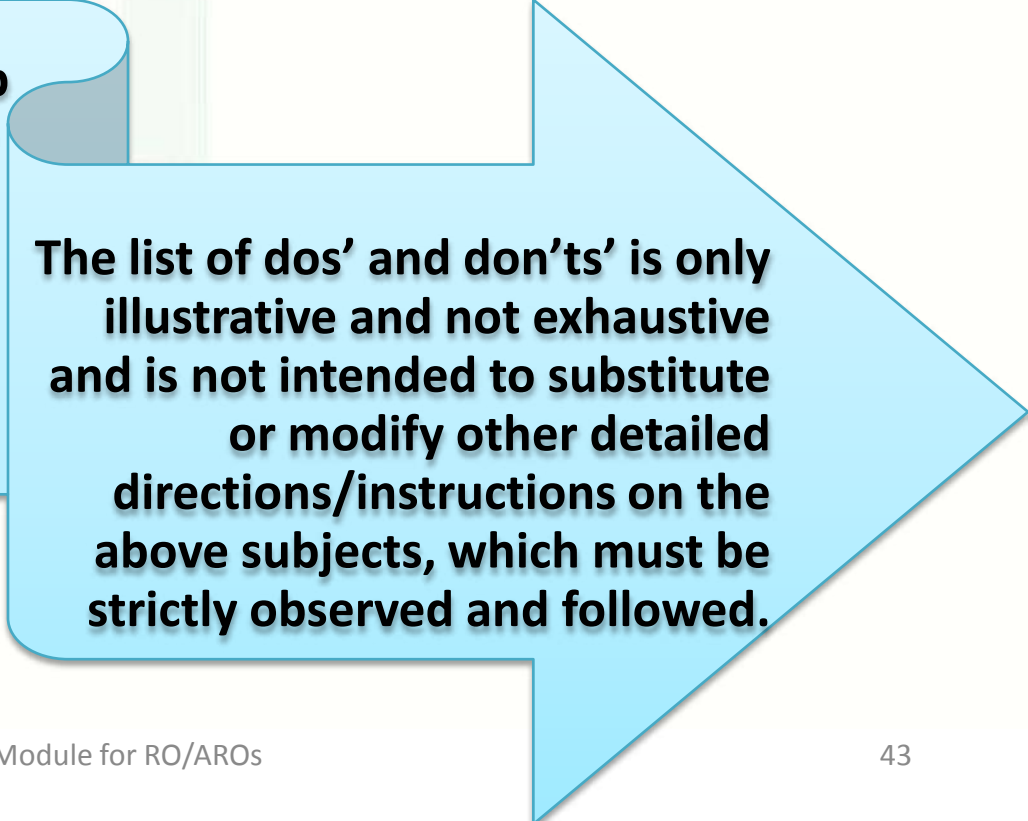
It has advised the political parties to issue appropriate instructions to their candidates, leaders, cadres in this regard to ensure compliance in the matter.

Letter No. 437/6/INST/2013-CC&BE, dated 4th December, 2013

Sub Learning Objective 10. Dos & Don'ts



The commission has drawn up a list of dos' and don'ts' to be followed by candidates and political parties after the announcement of elections and till the completion of the process of election.



The list of dos' and don'ts' is only illustrative and not exhaustive and is not intended to substitute or modify other detailed directions/instructions on the above subjects, which must be strictly observed and followed.

8/1. 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.

8/2. Do's

Public places like maidans must be available impartially to all parties/contesting candidates for holding election meetings. So 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.

8/3. 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.

8/4. Do's

Permission must be obtained for the use of loudspeakers or any other such facilities from police/competent authorities 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/competent authorities.

8/5. 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.

8/6. 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 by the candidates/ political parties etc.

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.

8/7. 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.


8/8. Don'ts



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.

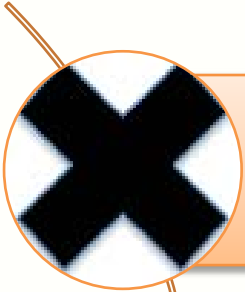


Official work should not at all be mixed with campaigning/electioneering.

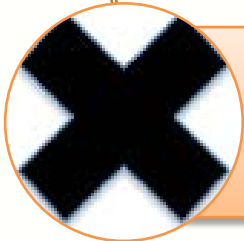


No inducement, financial or otherwise, shall be offered to the voter.

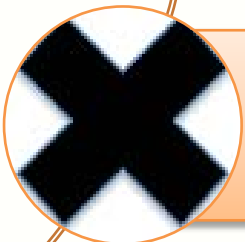
8/9. Don'ts



Race/caste/communal/religious/ language feelings of the electors shall not be appealed to.(Section 125, RP Act 1951)



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.

8/10. Don'ts



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.

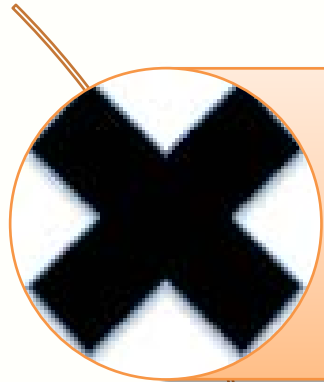


Other parties or their workers shall not be criticized based on unverified allegations or on distortions.

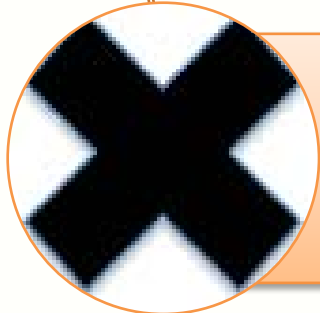


Temples, Mosques, Churches, Gurudwaras or any place of worship shall not be used as places for election propaganda, including speeches, posters, music etc., on electioneering.

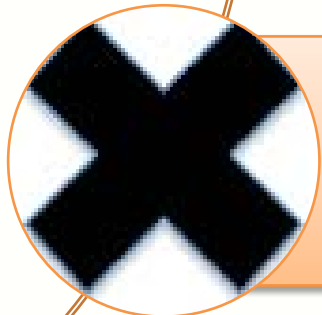
8/11. Don'ts



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

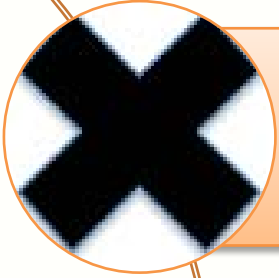


No disturbances shall be created in public meetings or processions organized by other political parties or candidates. (Section 127, RP Act 1951)

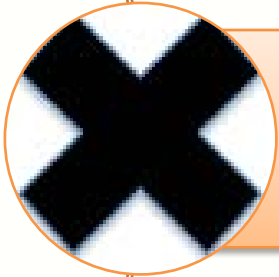


Processions along places at which another party is holding meetings shall not be undertaken.

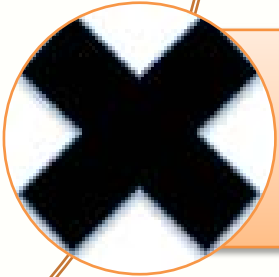
8/12. Don'ts



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

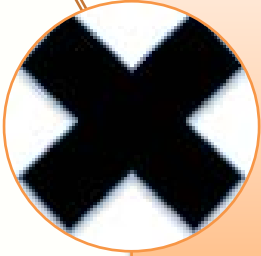


Posters issued by other parties and candidates shall not be removed or defaced.

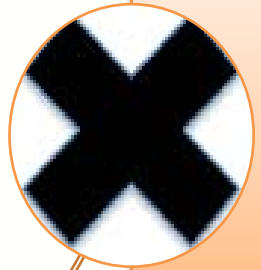


Posters, flags, symbols or any other propaganda material shall not be displayed in the place being used on the day of poll for distribution of identity slips or within 200 meter radius of polling stations.

8/13. Don'ts

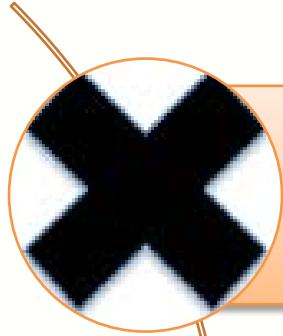


Loudspeakers whether static or mounted on moving vehicles shall not be used either before 6 a.m. or after 10 p.m. and without the prior written permission of the authorities concerned.

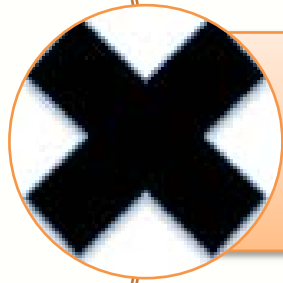


No person who has been assessed to be having a security threat and therefore provided official security or who has private security guards for himself, shall be appointed as an election agent or polling agent or counting agent.

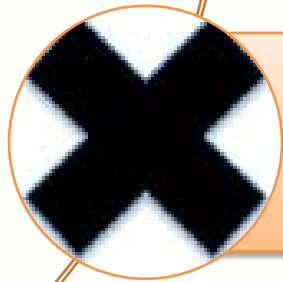
8/14. Don'ts



Distribution of liquor or bribery in any form is prohibited 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.

9/8: Model Code of Conduct for Use of Official Vehicles

During Electioneering



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

CEO will issue permits for video vans for electioneering 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

(Instruction SL. No. 76, Col-2011, EC Letter No. 437/6/2006-PLN-III, Dated 23/11/2007)

(Instruction SL. No. 110, Col-2011, EC Letter No. 437/6/INST/2010-CC&BE, Dated 5/10/2010)

9/9: Model Code of Conduct for Use of 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 till elections are over.

9/10: Model Code of Conduct for Use of 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

9/11: Model Code of Conduct for Use of Official Vehicles

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

(Instruction Sl. No. 59 EC letter No.437/6/97-PLN-III Dated 18.03.1997)

9/12: Model Code of Conduct for Use of Official Vehicles

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

(Instruction SL. No. 64, EC Letter No. 4/2001/JS-II, dated 08/05/2001)

9/13: Model Code of Conduct for Use of 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.

9/14: Model Code of Conduct for Use of 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 Assembly 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.

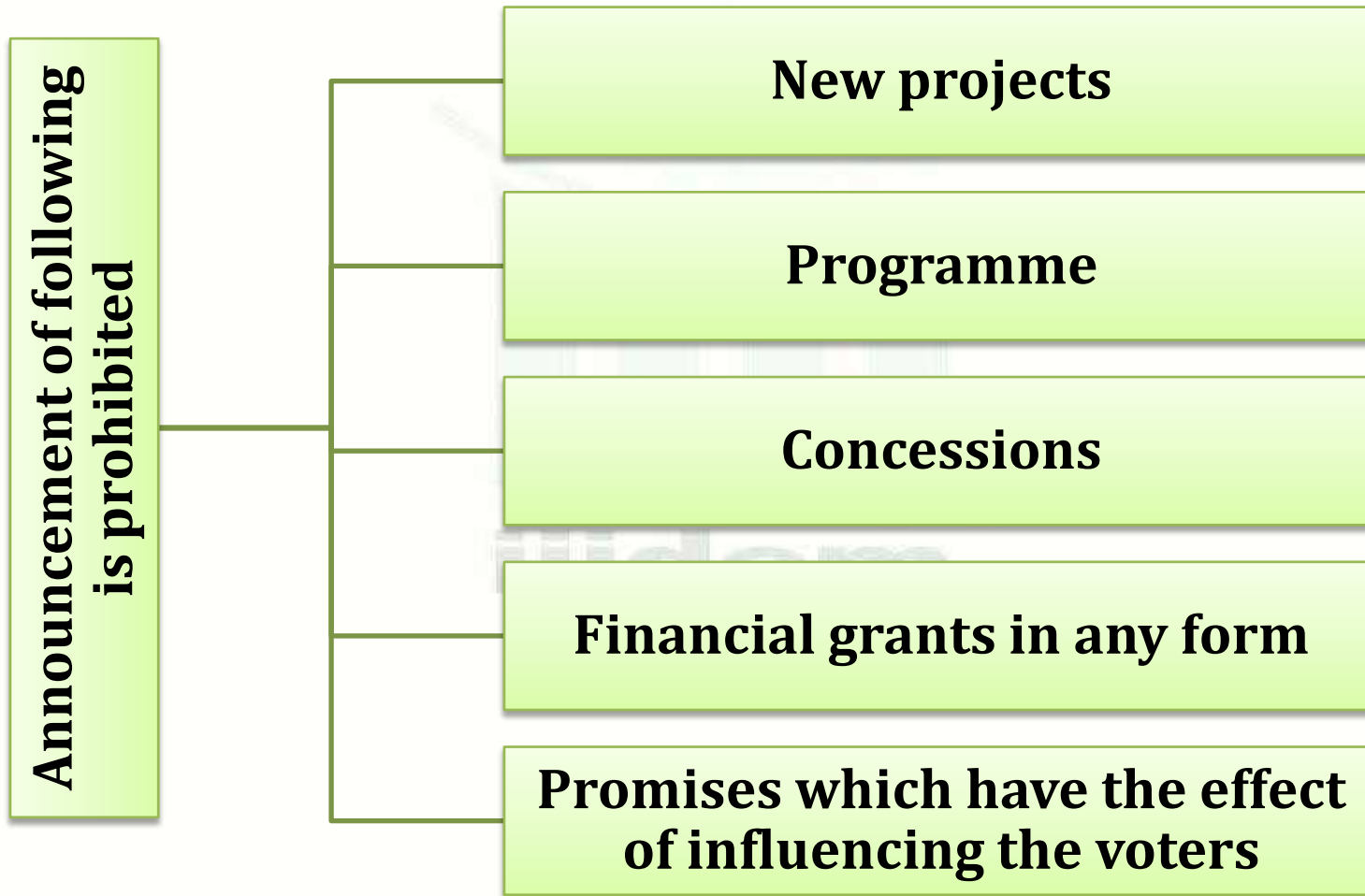
9/16: Model Code of Conduct for Use of Official Vehicles

If a Union/State 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.

During tour in 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.

10/1: MCC for State/Central Government



10/2: MCC for State/Central Government



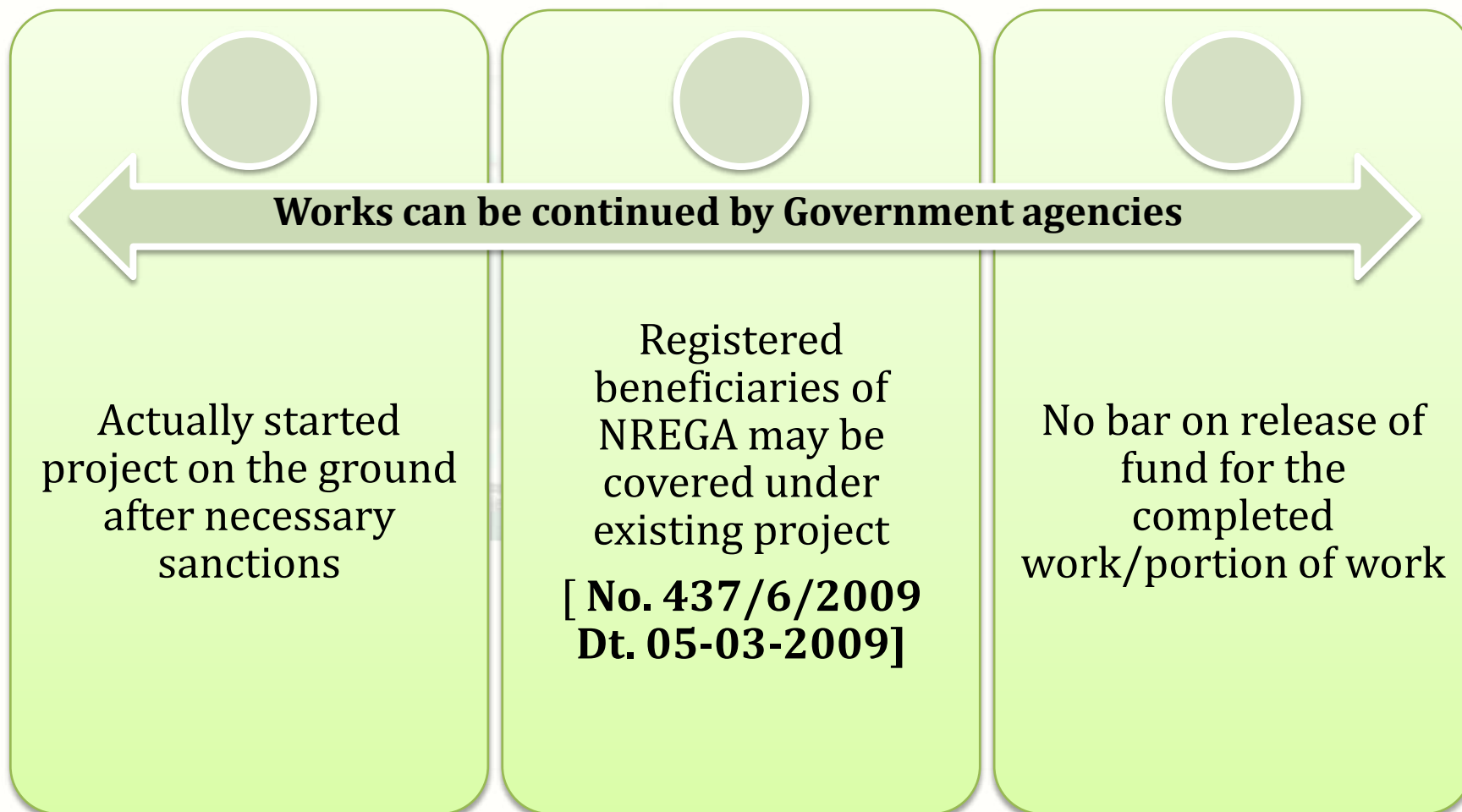
Prior approval of the Commission is needed for announcement of relief/benefits under any policy, fiscal measures, taxation related issues etc.

Restrictions apply equally to new schemes and also ongoing schemes.

RBI may continue to take decisions unhindered on monetary policy issues

No. 437/6/2009 Dt. 05-03-2009

10/3: MCC for State/Central Government



10/4: MCC for State/Central Government

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

Payment directly to hospital from CM/PM relief fund will be permissible provided selection of beneficiaries/ participants are done by the concerned Govt. officials/ heads of the concerned private hospitals. [No. 437/6/INST/2014-CC&BE Dt. 14-03-2015]

10/4: MCC for State/Central Government

Emergency relief work can be taken up with 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

10/5: MCC for State/Central Government

Activities require prior permission of the commission

New work from discretionary fund

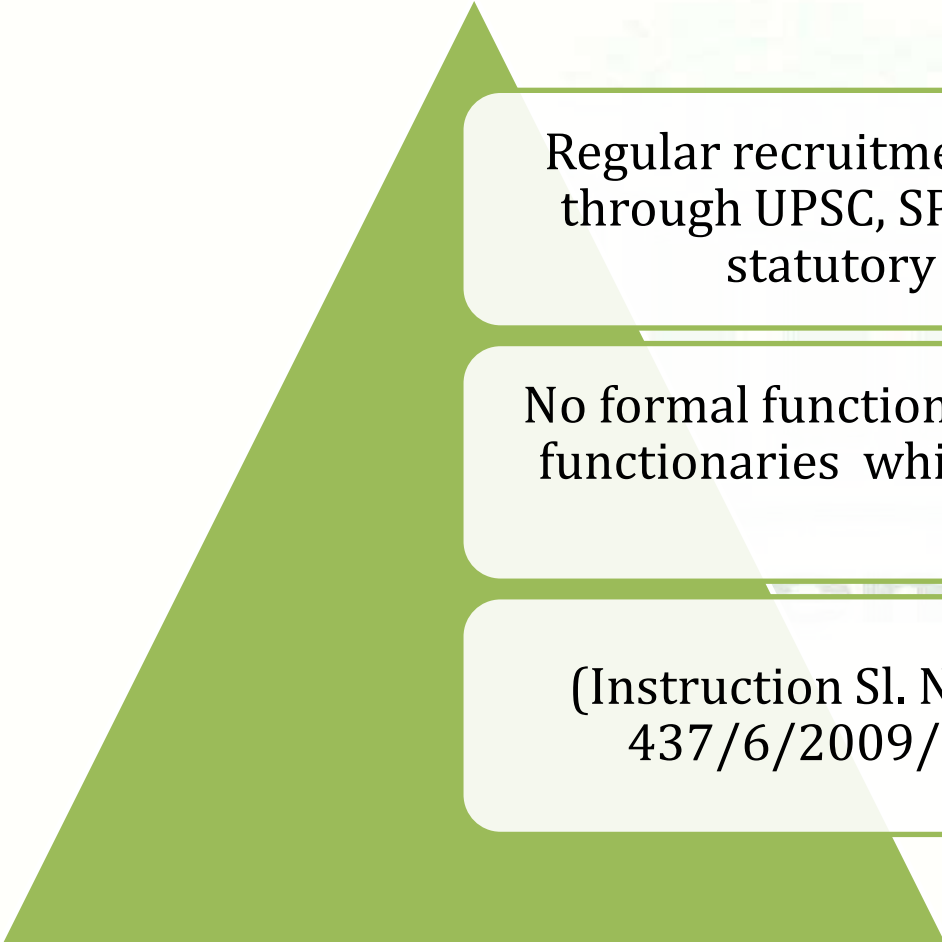
Proposal for revival of PSUs

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

Land allocation to individual or organization

Signing of MoU

10/6: MCC for State/Central Government



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)

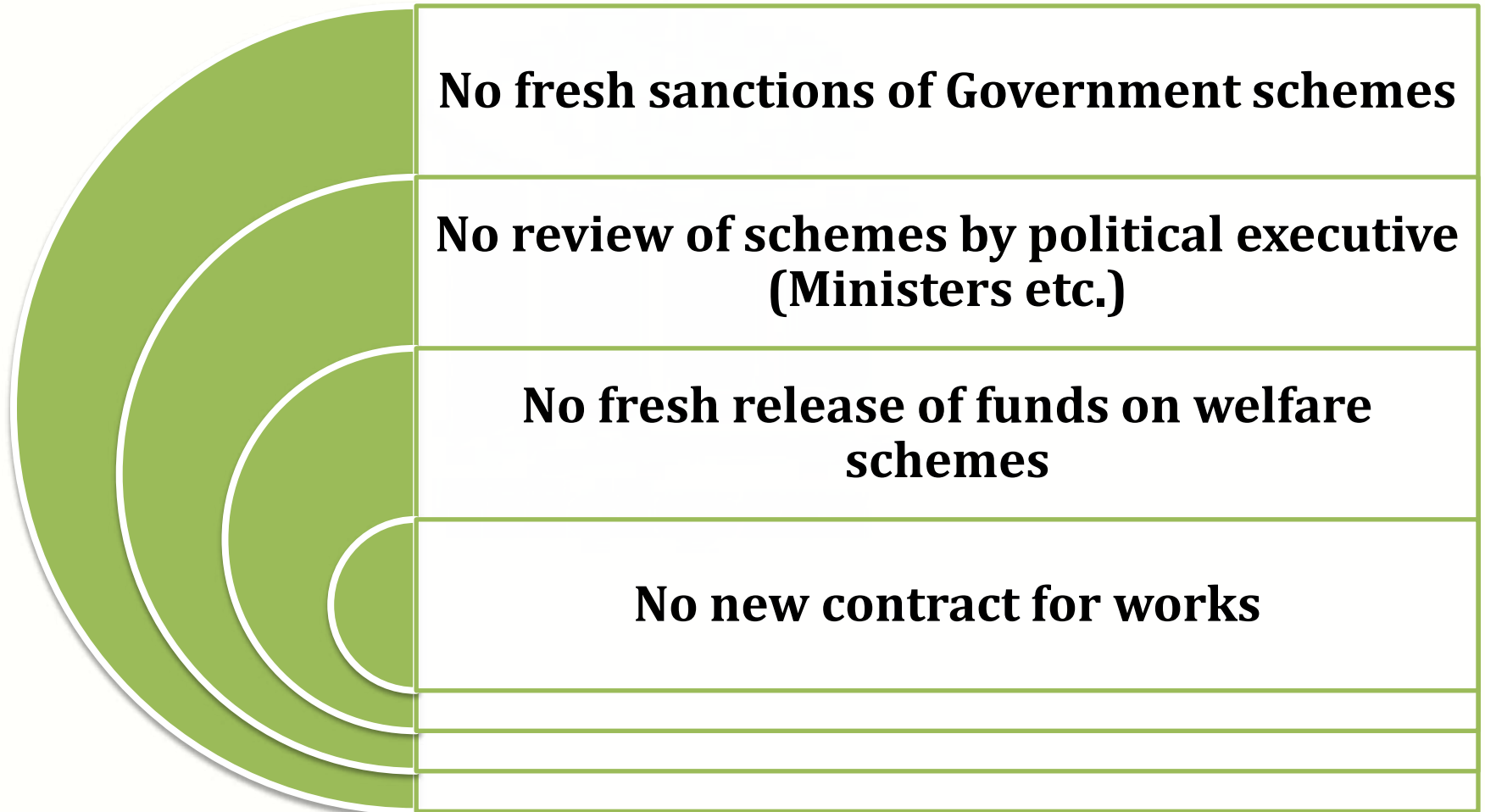
(Instruction Sl. No. 96, CoI-2011, EC Letter No. 437/6/2009/-CC&BE, dated 5/03/2009)

10/7: MCC for State/Central Government

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 not be stopped or delayed.

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

10/8: MCC for State/Central Government



10/9: MCC for State/Central Government

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.

(Instruction Sl. No. 96, CoI-2011, EC Letter No. 437/6/2009/-CC&BE, dated 5/03/2009)

10/10: MCC for State/Central Government

- **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.

- 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 favour of the party in power which at the same time will adversely affect the prospects of the other parties.

10/11: MCC for State/Central Government

Minister and other authority can not sanction grants/payments out of discretionary funds on eve of election (Instruction No. 52, Election Commissioner's Letter No. 576/17/84 dated 9/11/1984)

10/12: MCC for State/Central Government

Financial institutions funded, partially or wholly by the State Government should not take recourse in writing off loans, enhance financial limits by indiscriminate issuing of loans when MCC is in force. (Instruction Sl. No.12 of compendium Vol.-3. ECI letter No.437/6/2002-PLN-III dated 25.01.2002)

No demolition / eviction drive can be carried out by any Government / civic agencies during the poll 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.13 of compendium Vol.-3. ECI letter No.437/6/3/2004- PLN-III dated 19.02.2004)

10/13: MCC for State/Central Government

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

Ban on conduct of major auction, tenders by Government agencies (tendu leaves etc.)(Instruction Sl. No.3, ECI letter No.434/6/PLN-III dated 22.03.1996 read with ECI letter no. 437/6/2009/ CC &BE dated 24.03.2009)

10/14: MCC for State/Central Government

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

(Instruction SL. No. 101, Col-2011, EC Letter No 437/6/INST/2008-CC&BE)

10/14: MCC for State/Central Government

However, there is no objection to the publication of photographs message related to departed leaders except those leaders who passed away recently, on the occasion of birth/ death anniversary

No. 437/6/CG/2013-CC&BE Dt. 30-10-2013

11.Election Manifestos

The Supreme court in its judgment dated 5th July, 2013 in SLP(C) No. 21455 of 2008 (S. Subramaniam Balaji Vs Govt. of Tamil Nadu and Others) has directed the Election Commission to frame guidelines with regard to the contents of election manifestos in consultation with all the recognized political parties.

The Constitution under article 324 mandates the Election Commission, to conduct elections inter alia to the parliament and the State Legislatures. Having due regard to the above directions of the Supreme Court and after consultation with the political parties, the Commission, in the interest of free and fair elections, hereby directs that political parties and candidates while releasing election manifestos for any election to the parliament or State Legislature shall adhere to the following guidelines:-

(i) The election manifestos shall not contain anything repugnant to the ideals and principles enshrined in the Constitution and further that it shall be consistent with the letter and spirit of other provisions of the Model Code Of Conduct.

(ii) The Directive Principles of State Policy enshrined in the Constitution enjoin upon the State to frame various welfare measures for the citizens and therefore there can be no objection to the promise of such welfare measures in election manifestos. However, political parties should avoid making those promise which are likely to vitiate the purity of the election process or exert undue influence on the voters in exercising their franchise

.

(iii) In the interest of transparency, level playing field and credibility of promises, it is expected that manifestos also reflect the rationale for the promises and broadly indicate the ways and means to meet the financial requirements for it. Trust of voters should be sought only on those promises which are possible to be fulfilled.

12/1. FAQ on MCC

What is the Model Code of Conduct?

The Model Code of Conduct for guidance of political parties and candidates is a set of norms which has been evolved with the consensus of political parties who have consented to abide by the principles embodied in the said code and also binds them to respect and observe it in its letter and spirit.

12/3. FAQ on MCC

What is applicability of code during general elections and bye-elections?

During general elections to House of People (Lok Sabha), the code is applicable throughout the country.

During general elections to the Legislative Assembly (Vidhan Sabha), the code is applicable in the entire State.

During bye-elections, the MCC Will be applicable in the Constituencies concerned except the instructions on tours of Ministers, movement of vehicles advertisement use of Govt. guest houses etc which would be applicable in the District in which the constituency falls.

No. 437/6/INST/2012-CC&BE Dt. 06th April, 2012

Read with No.- 437/6/INST/ 2013-CC&BE Dt. 21-10-2013

12/4. FAQ on MCC

What are the salient features of the Model Code of Conduct?

The salient features of the Model Code of Conduct lay down how political parties, contesting candidates and party(s) in power should conduct themselves during the process of elections i.e. on their general conduct during electioneering, holding meetings and processions, poll day activities and functioning of the party in power etc.



THANKS