

# The Model Code of Conduct



Election Commission of India

# Model Code of Conduct (MCC)

1  
Objective of MCC

2  
Why MCC

3  
Broad Areas of  
Application

4  
MCC applicable to  
officials

5  
MCC & Ban on  
transfer of  
officials

6  
MCC for  
Ministers/Chairmen/  
Members of  
Commissions

7  
MCC for political  
parties/candidate  
s

8  
MCC - Dos & Don'ts for  
Political  
Parties/Candidates

9  
MCC for Use of Official  
Vehicles

10  
MCC for  
State/Central Govt

11  
FAQ on MCC

# 1: Objective of MCC

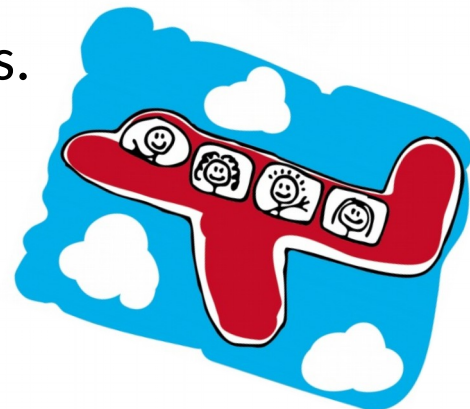
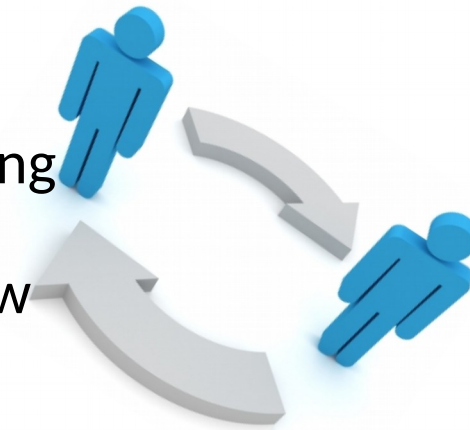
- MCC comes into operation from the day ECI announces the program for election in your constituency- **Press Note**
- Developed for maintaining a **healthy and peaceful atmosphere** conducive to the conduct of smooth elections
- Also, provides **level playing field** for all parties.

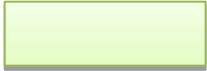
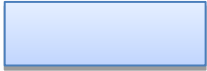

## 2: Rationale behind MCC

- 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 and posting of Government officials.
4. Use of Rest House, Dak Bungalow and other Government accommodation.
5. Provisions regarding tour of Ministers / Political functionaries.
6. Use of official aircrafts/vehicles.
7. Use of loudspeaker.
8. Printing of pamphlet, posters & other media activities.



- All subsequent slides are prepared in three different colors
  - Green 
  - Blue 
  - Purple 
- Green indicates pre-poll tasks/instructions
- Blue indicates poll-day task/instructions
- Purple indicates post-poll task/instructions

# 4/1: Model Code of 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.

## 4/2: 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.29 of compendium Vol.-3.ECI letter No.437/6/ 2004-P LN dt.30.12.2004)



# 4/3: Model Code of Conduct for Officials

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

# 5/1: Model Code of Conduct 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;

# 5/2: Model Code of Conduct for Ban on Transfer

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;

# 5/4: Model Code of Conduct for Ban on Transfer

Vide Letter No. 437/6/1/INST/ECI/FUNCT/MCC/2019 dated 16.01.2019, Election Commission of India directed that no officer connected directly with elections shall be allowed to continue in the present district of posting:-

- (i) if she/he is posted in her/his home district.
- (ii) if she/he has completed three years in that district during last four (4) years or would be completing 3 years on or before 31<sup>st</sup> May, 2019.

While implementing the above said instructions/transferring officers, the concerned departments of the State Govt. should take care that they are not posted in their home districts. It shall also be ensured that no DEO/RO/ARO/Police inspectors/Sub-inspector or above is posted back or allowed to continue in the AC /district where he/she was posted during the General/Bye elections held in the Assembly prior to 31<sup>st</sup> May, 2017.

# 5/4: Model Code of Conduct for Ban on Transfer

These instructions shall cover not only officers appointed for specific election duties like DEOs, Dy. DEOs, RO/AROs, EROs/AEROs, officers appointed as nodal officers of any specific election works but also district officers like ADMs, SDMs, Dy. Collector/Joint Collector, Tehsildar, Block Development Officers or any other officer of equal rank directly deployed for election works

These instructions shall also be applicable to the police department officers such as Range IGs, DIGs, Commandants of State Armed Police, SSPs, SPs, Addl. SPs, Sub-Divisional Head of Police, SHOs, Inspectors, Sub-Inspector, RIs / Sergeant Majors or equivalent ranks, who are responsible for security arrangement or deployment of police forces in the district at election time.

# 5/4: Model Code of Conduct for Ban on Transfer

The police officials who are posted in functional departments like computerization, special branch, training, etc. are not covered under these instructions. The Police Sub-Inspectors and above should not be posted in their home district.

If a police sub-Inspector has completed or would be completing a tenure of 3 years out of four years on or before the cutoff date in a police sub-division, then he should be transferred out to a police sub-division which does not fall in the same AC. If that is not possible due to small size of district, then he/she should be transferred out of the district. The aforesaid transfer policy is normally not applicable to officers/officials who are not directly connected with elections like doctors, engineers, teachers/principals etc.

# 5/4: Model Code of Conduct for Ban on Transfer

The officers appointed as Sector Officer/Zonal Magistrate involved in election duties are not covered under these instructions. However, the observers, CEO/DEOs and ROs should keep a close watch on their conduct to ensure that they are fair and non-partisan in the performance of their duties.

While calculating the period of three years, promotion to a post within the district is to be counted. These instructions do not apply to the officers posted in the State headquarters of the department concerned.

# 5/4: Model Code of Conduct for Ban on Transfer

Any officer, who is due to retire within the coming six months will be exempted from the purview of the Commission's directions mentioned in para-3. Further, officer falling in the category (home/3+ criteria and due to retire within 6 months) if holding an election related post shall be relieved of that charge and not be associated with any election related duty. It is however, reiterated that such retiring officer need not be transferred out of the district.



# 5/4: Model Code of Conduct 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.

# 6/1: Model Code of Conduct for Ministers/Chairmen/Member of Commission

**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.**

## 6/2: Model Code of Conduct for Ministers/Chairmen/Member of Commission

**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.**

## 6/3: Model Code of Conduct for Ministers/Chairmen/Member of Commission

**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 process.**

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

## 6/4: Model Code of Conduct for Ministers/Chairmen/Member of Commission

**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**

**[\(Instruction SL. No. 57, EC Letter No. 437/6/7/2004/PLN-III, Dated 28/12/2004\)](#)**

**[\(Instruction SL. No. 75, Col-2011, EC Letter No. 437/6/7/2004/PLN-III, Dated 23/11/2007\)](#)**

## 6/5: Model Code of Conduct for Ministers/Chairmen/Member of Commission

**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.**

**Central Minister / State Minister can participate in celebration of “Sadbhavna Divas” but their speeches should be confined only to promotion of harmony.**

**[\(Instruction Sl. No.7, ECI letter No.437/6/99-PLN-III, dated 16.08.1999\)](#)**

# 6/6: Model Code of Conduct for Ministers/Chairmen/Member of Commission

**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**

[\(Instruction Sl. No. 75, Col-2011, EC Letter- 437/6/2007-PLN-III, Dated 23/11/2007\)](#)

# 6/7: Model Code of Conduct for Ministers/Chairmen/Member of Commission

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



# 6/8: Model Code of Conduct for Ministers/Chairmen/ Member of Commission

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.

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.

# 6/9: Model Code of Conduct for Ministers/Chairmen/ Member of Commission

**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.**

# 6/10: Model Code of Conduct for Ministers/Chairmen/Member of Commission

**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.

# 6/11: Model Code of Conduct for Ministers/Chairmen/Member of Commission

**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.**

## 6/12: Model Code of Conduct for Ministers/Chairmen/Member of Commission

**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 )**

# 6/13: Model Code of Conduct for Ministers/Chairmen/Member of Commission

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.

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

## 6/14: Model Code of Conduct for Ministers/Chairmen/ Member of Commission

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

[\(Instruction No. 52, Election Commissioner's Letter No. 576/17/84 dated 9/11/1984\)](#)

# 6/15: Model Code of Conduct for Ministers/Chairmen/ Member of Commission

**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**



# 7/1: MCC for Political Parties and Candidates

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.

## 7/2: MCC for Political Parties and Candidates

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. Organising 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.

## 7/3: MCC for Political Parties and Candidates

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 organised by other parties. Workers or sympathisers of one political party shall not create disturbances at public meetings organised 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

# 7/3: MCC for Political Parties and Candidates

## Meetings and Procession-

1. Venue and time of Meetings and Procession – Inform the local police authorities and obtain permission.
2. If two or more political parties and candidates propose to take meeting and processions over the same route or part – parties shall contact the police at the earliest opportunity.

# 7/3: MCC for Political Parties and Candidates

## Road Show

1. Total an absolute ban on the use of official Vehicle
2. Vehicle to move in convoys of more than ten vehicle excluding security vehicle.
3. Prior permission for road shows .
4. Road show – subject to court orders and local laws, should be permitted only on holidays and during non-peak hours on routes.
5. Fire arms shall not be permitted.
6. Every 10 vehicle gap of 200 meters maintained.
7. Maximum size of banner 6 X 4 ft.
8. The play of animal total ban
9. Only one flag with prior permission can be used by party supporter .
10. Maximum dimension of flag- 3x2 ft.

[ECI Letter No. 437/6/Campaign/ECI/INST/FUNCT/MCC-2016](#)

## 7/3: MCC for Political Parties and Candidates

### Guidelines on Election Manifestos

The Supreme Court in its Judgment date 5<sup>th</sup> July 2013 in SLP (C) No. 21455 of 2008 ( S. Subramaniam Balaji Vs Govt. of Tamil Nadu and other)

1. The election manifesto 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 Model Code of Conduct.
2. 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 promises which are likely to vitiate the purity of the election process or exert undue influence on the voters in exercising their franchise.
3. 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.

## 7/4: MCC for Political Parties and Candidates

**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.**

[\(Instruction SL. No. 55, EC letter No 437/6/ES0025/94/MCS dated 21/10/1994\)](#)

# 7/5 : 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 also required to constitute committee at his level to attend complaints on certification of advertisement

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



# 7/6 : 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.

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

## 7/7 : MCC for Political Parties and Candidates

**No part of State Guest Houses, Bhawans and Sadans should be utilized for any political activities like holding of party meeting press conference and consultations**

**[\(Instruction SL. No. 4, Election Commission's letter No.437/6/9 8-PLN-III dated 08.01.1998\)](#)**

**(Relevant to police officers also)**

## 7/8 : 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](#)

# 7/9 : 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 \( Vol.II\)](#)**

## 7/10 : 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.**

# 7/10 : MCC for Political Parties and Candidates

## THE BIHAR PREVENTION OF DEFACEMENT OF PROPERTY (AMENDMENT), 2010

This Act may be called the Bihar Prevention of Defacement of Property (Amendment) Act, 2010.

(2) It shall extend to the whole of the State of Bihar.

(3) It shall come into force at once.

2. Amendment in section-3 of the Act, Bihar Act 5, 1987 – The following new sub-section (3) shall be added to sub-section (2) of section 3 of the said Act, with effect from the date of commencement of this Act, to read as follows:—“(3) The owner or the occupier of a private property, after giving written consent, may permit, any person or persons, contesting an election, to which The Representation of The People Act 1951 is applicable, whether as an independent candidate or on the symbol of a recognized political party, to use his private property for the purpose of election campaign during the period notified by the Election Commission for the completion of the process of that election.

For the purpose of this sub-section private property means property which is owned or in lawful possession of a person or persons and is not used for any public purposes what so ever.”

# Sub Learning Objective 10. Dos & Don'ts

The Commission has drawn this principle and don'ts to assist followed by indicated and political parties for the detailed directions/instructions and all the complete 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

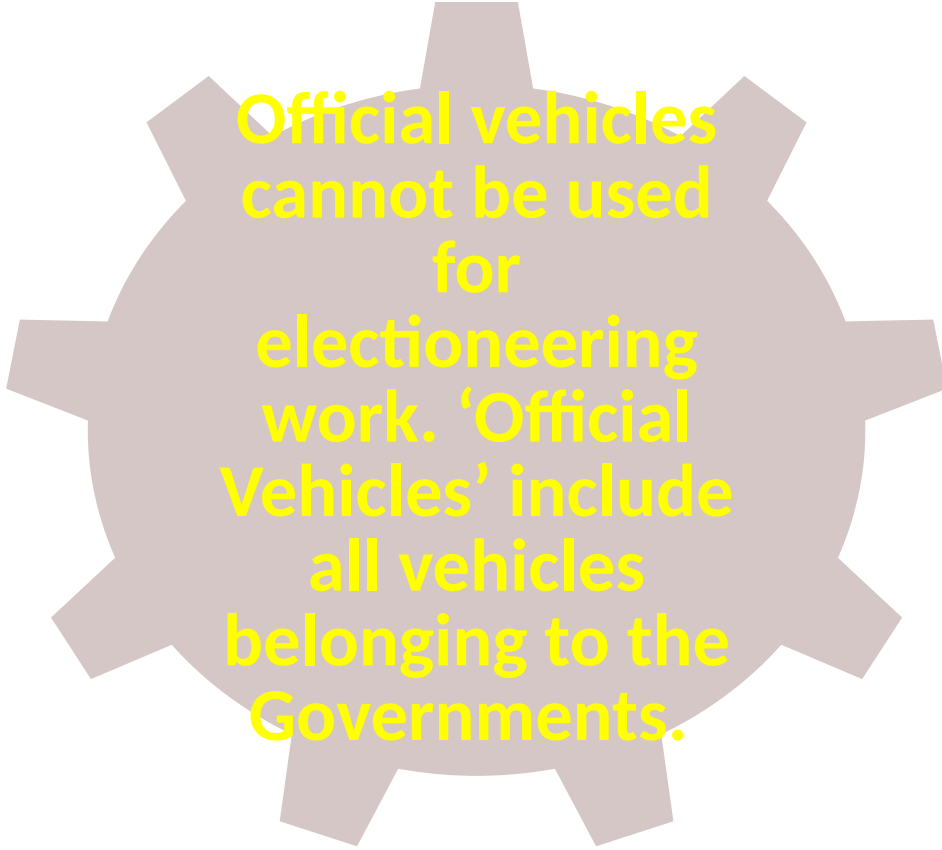

**Distribution of liquor or bribery in any form is prohibited during elections.**

**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.**



# 9/1: Model Code of Conduct for Use of Official Vehicles



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

# 9/2: Model Code of Conduct for Use of Official Vehicles

**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 or his party whether he is in office or out, and whether he is a candidate or not**

# 9/3: Model Code of Conduct for Use of Official Vehicles

**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 .**

**(Instruction Sl. No. 92, Col-2011EC Letter No. 437/6/2007/PLN.III, Dated 24<sup>th</sup> October 2007)**



# 9/4: Model Code of Conduct for Use of Official Vehicles

**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 10 excluding security vehicles 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.**

**(EC letter No, 437/6/INST/2010-CC&BE, Dated 05/10/2010)**

# 9/5: Model Code of Conduct for Use of Official Vehicles

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

**(Instruction SL. No. 62, EC Letter, No. 437/6/98-PLN-III, Dated 18/08/1999)**

**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**

**(Instruction SL. No. 63, EC Letter No. 4/2001/J.S.II dated 30/03/2001)**

# 9/6: Model Code of Conduct for Use of 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**

**The restriction will apply even if the State administration has granted him a security cover. Also whether the vehicle is government owned or private .**

# 9/7: Model Code of Conduct for Use of Official Vehicles

Only three vehicles will be allowed to park within a perimeter of 100 meters of RO/ARO office.



# 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)**

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

**(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

(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.**

# 9/15: Model Code of Conduct for Use of Official Vehicles

All above instructions are for two wheelers also. There is no ban on vehicle for genuine bonafide use for purpose other than election

# 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

**Announcement of following is prohibited**

**New  
projects**

**Program  
me**

**Concessio  
ns**

**Financial  
grants in  
any form**

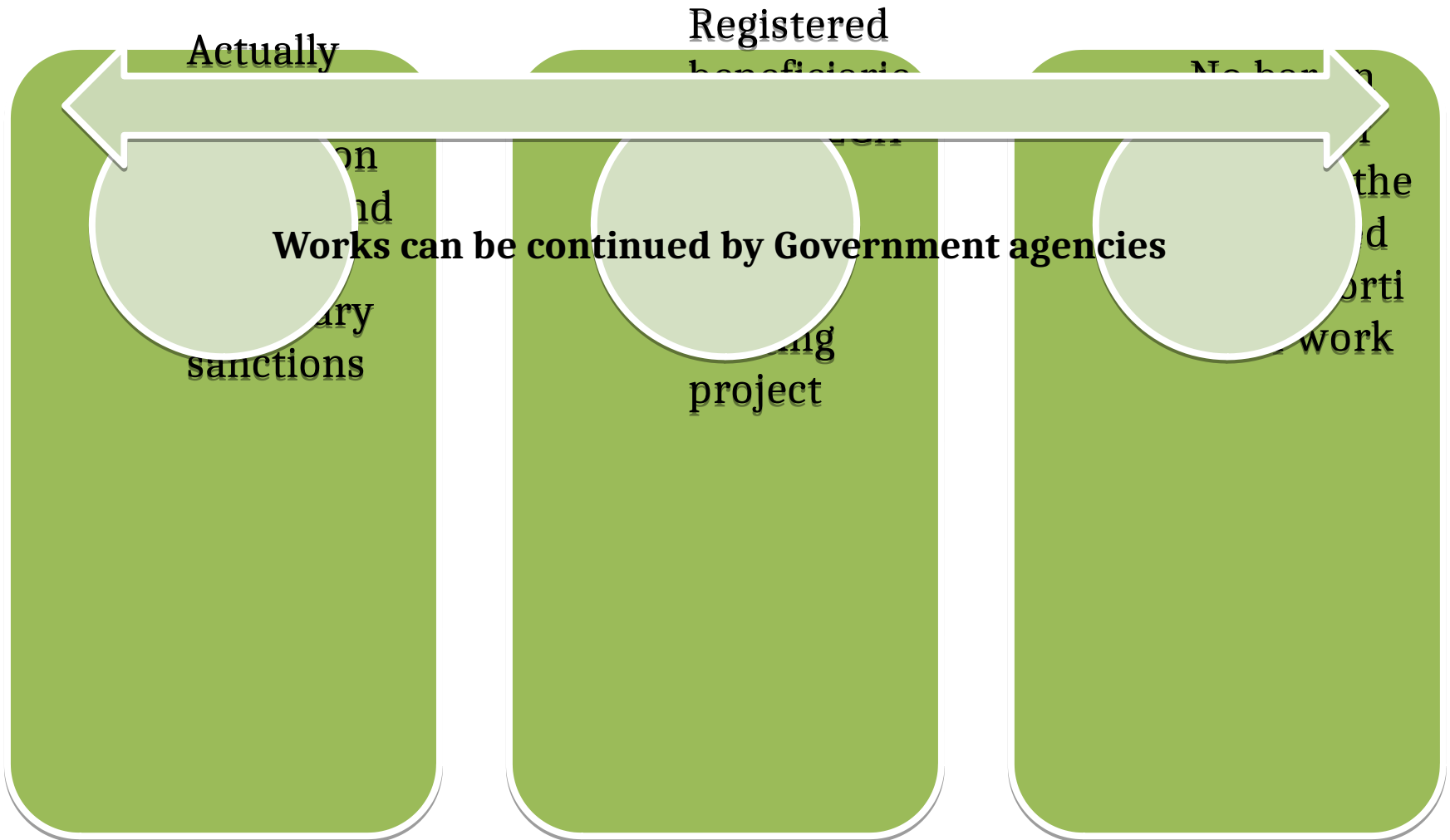
**Promises  
which  
have the  
effect of  
influencin  
g the  
voters**

www.ck12.org

# 10/2: MCC for State/Central Government

---

# 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**

**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

New work from discretionary fund

Proposal for revival of PSUs

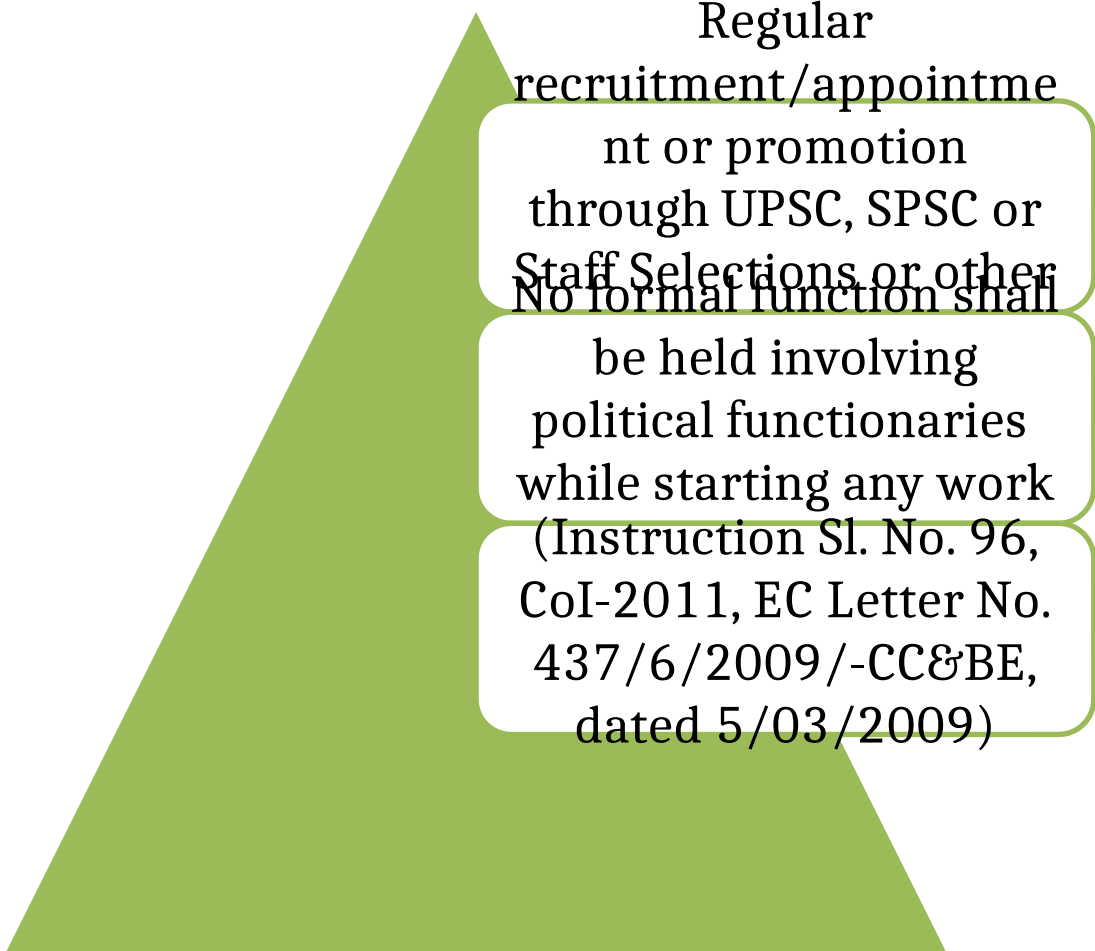
Extension in area of work of any existing project/scheme/progra

and allocation to individual or organization

Signing of MoU

Activities require prior permission of the commission

# 10/6: MCC for State/Central Government



Regular  
recruitment/appointme  
nt or promotion  
through UPSC, SPSC or  
Staff Selections or other  
No formal function shall  
be held involving  
political functionaries  
while starting any 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.



# 10/9: 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)

# 11/1. 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.

# 11/2. FAQ on MCC

## **What is the role of Election Commission in the matter?**

The Election Commission ensures its observance by political party(ies) in power, including ruling parties at the Centre and in the States and contesting candidates in the discharge of its constitutional duties for conducting the free, fair and peaceful elections to the Parliament and the State Legislatures under Article 324 of the Constitution of India. It is also ensured that official machinery for the electoral purposes is not misused. Further, it is also ensured that electoral offences, malpractices and corrupt practices such as impersonation, bribing and inducement of voters, threat and intimidation to the voters are prevented by all means. In case of violation, appropriate measures are taken.

# 11/3. 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 code is applicable in the entire district or districts in which the constituency falls, subject to certain relaxations.

# 11/4. 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.

# Representation of the people Act, 1951

**123.** Corrupt practices – Which can be agitated in Election Petitions before High Court. Corrupt practices are:-

- Bribery
- Undue influence
- Appeal on ground for religion, race, cast etc.,.
- Promoting hatred between different classes
- Propagating/glorification of Sati
- False statement in relation to personnel collector/conduct of any candidate
- Use of vehicles for conveyance of Elections.
- Incurring expenditure in contravention of Sec. 77
- Taking assistance of Govt. Servants.
- Booth Capturing.



# Criminal Procedure Code

- **41.** When police may arrest without warrant .
- **42.** Arrest on refusal to give name and residence.
- **107.** Security for keeping the peace in other cases.
- **110.** Security for good behaviour from habitual offenders.
- **116.** Inquiry as to truth of information.
- **151.** Arrest to prevent the commission of cognizable offences.
- **129.** Dispersal of assembly by use of civil force.

END