


File No.9-ITPO (4)/EI/2020
India Trade Promotion Organisation
(Administration Division, EI Section)

03.04.2024

Circular No. Admin. / 22 /2024

Sub: Application of Model Code of Conduct- General Elections to the House of the people (Lok Sabha), 2024 and State Legislative Assemblies in the States of Andhra Pradesh, Arunachal Pradesh, Odisha and Sikkim, and certain bye-elections-reg.

All ITPO officials are advised to take note and comply with the instructions (as/ if applicable) issued vide D.O. letter No. 1/41/2/2024-Cab dated 19.03.2024 (enclosed) on the above mentioned subject.


Col. Pushpam Kumar, SM(Retd.)
Senior General Manger

To:

All ITPO officials

Copy to:

1. Regional Offices (Kolkata, Mumbai, Chennai)
2. IT Services Division: to upload on ITPO website
3. Notice Board
4. Circular Register

For information:

1. PSO to CMD
2. PA to ED

आशुतोष जिंदल

अपर सचिव

ASHUTOSH JINDAL
ADDITIONAL SECRETARY

Tel : 011-23012697
Fax : 011-23018470
Email : js.cabinet@nic.in



सत्यमेव जयते



मंत्रिमण्डल सचिवालय
राष्ट्रपति भवन, नई दिल्ली-110004

CABINET SECRETARIAT
RASHTRAPATI BHAVAN
NEW DELHI - 110004

पश्चिम वाणिज्य मंत्रालय
Secretary Ministry of Commerce

आवरी सं./Dy. Cab- 127275
दिनांक / Date 20/03/2024

D.O. No. 1/41/2/2024-Cab.

March 19, 2024

Dear Secretary

Please find enclosed a copy of letter no. 437/6/1/INST/ECI/FUNCT/MCC/2024/449 dated 16.03.2024 received from the Election Commission of India (ECI) regarding General Elections to the Lok Sabha – 2024 and State Legislative Assemblies in the States of Andhra Pradesh, Arunachal Pradesh, Odisha and Sikkim and certain bye-elections.

2. As you are aware, with the announcement of the schedule for holding the General Elections, the provisions of the Model Code of Conduct for guidance of the Political Parties and Candidates have come into force. In the light of this, I am to inform you that while disposing of the business allocated to your Ministry/Department or placing proposals for approval of the competent authorities, or announcing their decisions, etc., it may be ensured that the Model Code and the related instructions are not violated. I wish to add that the Model Code, related instructions and updates thereon are available on the website of the Election Commission of India.

3. In this regard, instructions issued by this office vide OM No. 1/41/1/2016-Cab. dated 31.01.2017 regarding routing of references to ECI (copy enclosed), and DO no. 1/41/2/2017-Cab. dated 27.12.2018 regarding forms of communications with ECI (copy enclosed) are also reiterated.

4. May I request you that all concerned in your Ministry/ Department/ Attached/ Subordinate offices/ other bodies, etc. may be advised to ensure compliance with the Model Code/related instructions.

With regards

Yours sincerely,

19.3.2024

(Ashutosh Jindal)

Shri Sunil Barthwal
Secretary,
Deptt. of Commerce
New Delhi

JS (Aelmm)

on leave

Shri

relief

22/03/24

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By Spl. Messenger/Speed Post

ELECTION COMMISSION OF INDIA

NIRVACHAN SADAN, ASHOKA ROAD, NEW DELHI-110001

No. 437/6/1/INST/ECI/FUNCT/MCC/2024/449

Dated: 16th March, 2024

To

1. The Cabinet Secretary,
Government of India,
Rashtrapati Bhawan,
New Delhi.
2. The Chief Secretaries to the Governments of all States and
Chief Secretaries/Administrators of all Union Territories.
3. The Chief Electoral Officers of
all States and Union Territories.

Sub: Application of Model Code of Conduct – General Elections to House of the People (Lok Sabha), 2024 and State Legislative Assemblies in the States of Andhra Pradesh, Arunachal Pradesh, Odisha and Sikkim, and certain bye-elections - reg.

Sir,

I am directed to state that the Election Commission has announced the schedule for holding General Elections to Lok Sabha and to the Legislative Assemblies of the States of Andhra Pradesh, Arunachal Pradesh, Orissa and Sikkim and certain bye-elections (Press Notes No. ECI/PN/23/2024, and No. ECI/PN/24/2024 both dated 16th March, 2024, available at the Commission's website – www.eci.gov.in).

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

3. Your particular attention is drawn to the provisions of Model Code of Conduct for the guidance of Political Parties and Candidates and various instructions issued by the Commission, which, inter-alia, state that the party in power whether at the Centre or in the

State or States concerned, shall ensure that no cause is given for any complaint that it has used its official position for the purpose of its election campaign and in particular:-

- (i) (a) The Ministers shall not combine their official visit with electioneering work and shall not also make use of official machinery or personnel during the electioneering work;
- (b) Government transport including official air-crafts, vehicles, machinery and personnel shall not be used for furtherance of the interest of the party in power;
- (ii) Public places such as maidans etc., for holding election meetings, and use of helipads for air-flights in connection with elections shall not be monopolised by the party in power. Other parties and candidates shall be allowed the use of such places and facilities, on the same terms and conditions, on which they are used by the party in power;
- (iii) Rest houses, dak bungalows or other Government accommodations in the States/Union Territories where elections have been announced or are taking place can be given to the political functionaries who are provided security by the State in 'Z' scale or above or equivalent by various State Governments or the Central Government under provisions of their laws, on equitable basis. This shall be subject to condition that such accommodation is not already allotted or occupied by election related officials or the Commission's Observers. Such political functionaries shall not carry out any political activity while staying in the Government Guest Houses/Rest Houses or other Government accommodation etc.;
- (iv) Issue of advertisement at the cost of public exchequer in the newspapers and other media and the misuse of official mass media during the election period for partisan coverage of political news and publicity regarding achievements with a view to furthering the prospects of the party in power shall be scrupulously avoided;
- (v) Ministers and other authorities shall not sanction grants/payments out of discretionary funds from the time, elections are announced by the Commission; and
- (vi) From the time, elections are announced by Commission, Ministers and other authorities shall not –
 - (a) announce any financial grants, in any form or promises thereof; or
 - (b) (except civil servants) lay foundation stones etc. of projects or schemes of any kind; or
 - (c) make any promise of construction of roads, provision of drinking water facilities etc.; or

(d) make any ad-hoc appointments in Government, Public Undertakings etc. which may have the effect of influencing the voters in favour of the party in power.

4. As will be observed from Para 3{Clause iv} above, no advertisement shall be issued in electronic and print media highlighting the achievements of the Govt. at the cost of public exchequer. If any advertisement has already been released for telecast/broadcast or publication in the print media, it must be ensured that the telecast/broadcast of such ads on electronic media is stopped forthwith and that no such ad is published in any newspapers, magazines, etc., i.e. in print media, from today itself and it should be immediately withdrawn.

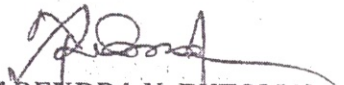
5. The instruction of the Commission contained in its letter No.437/6/INST/ECI/FUNCT/MCC/2024(MCC ENFORCEMENT) dated 2nd January, 2024 is available on the Commission's website at path -"<https://www.eci.gov.in/issue-details-page/instructions>" for your information and necessary action. The Commission's all other relevant instructions, 'Manual on Model Code of Conduct' and 'Compendium of Instructions on Model Code of Conduct' are also available on the Commission's website for your guidance.

6. The Commission further directs that 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: -

- i) The Chief Electoral Officer and Additional/Joint/Deputy Chief Electoral Officers;
- ii) Divisional Commissioners;
- iii) The District Election Officers, Returning Officers, Assistant Returning Officers and other Revenue Officers connected with the conduct of election;
- iv) Officers of the Police Department connected with the management of election, like range IGs and DIGs, Senior Superintendents of Police and Superintendents of Police, Sub-Divisional Police Officers like Deputy Superintendents of Police and other Police officers who are deputed to the Commission under section 28A of the Representation of the People Act, 1951;
- v) The transfer orders issued in respect of the above categories of officers prior to the date of announcement but not implemented till date should not be given effect to without obtaining specific permission from the Commission in this regard;

- vi) This ban shall be effective till the completion of the election. The Commission further directs that the State Governments should refrain from making transfers of senior officers who have a role in the management of election in the State;
 - vii) In those cases where transfer of an officer is necessary on account of administrative exigencies, the concerned State Government may with full justification approach the Commission for prior clearance.
7. The receipt of the letter may kindly be acknowledged.

Yours faithfully,


(NARENDRA N. BUTOLIA)
SR. PRINCIPAL SECRETARY

Sl No 26 (1)

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No.1/41/1/2016-Cab
Government of India (Bharat Sarkar)
Cabinet Secretariat (Mantrimandal Sachivalaya)
Rashtrapati Bhawan

Dated January 31st, 2017

OFFICE MEMORANDUM

Subject:- Reference received from Election Commission of India.

The undersigned is directed to enclose herewith a copy of Election Commission of India (ECI) letter No. 437/6/ECI/INST/FUNCT/MCC/2017-MCC&BE/618 dated 27.1.2017 regarding "General Elections to State Legislative Assemblies of Goa, Manipur, Punjab, Uttar Pradesh & Uttarakhand – Model Code of Conduct", enclosing therewith a copy of instructions of the ECI contained in letter No. 437/6/INST/2014-CC&BE dated 23.4.2014. — Pg 158k

2. It is requested that the contents of above letters may be disseminated to all concerned for strict compliance. — Pg 159l

Encl: as above

Deepti
(Deepti Umashankar)
Joint Secretary
Tel: 23019170

All Secretaries to the Government of India



भारत निर्वाचन आयोग
Election Commission of India

CS-1353/17
30/1/17

By email / Opt. Manager
निर्वाचन सदन
NIRVACHAN SADAN
अशोक रोड, नई दिल्ली - 110 001
ASHOKA ROAD, NEW DELHI - 110 001

No. 437/6/ECl/INST/FUNCT/MCC/2017-MCC&BE

618

Dated: 27th January, 2017

To

The Cabinet Secretary
Cabinet Secretariat,
Rashtrapati Bhawan,
New Delhi.

Subject:- General Elections to State Legislative Assemblies of Goa, Manipur, Punjab, Uttar Pradesh & Uttarakhand - Model Code of Conduct - Regarding

Sir,

I am directed to state, with the announcement of schedule for elections of above referred five poll bound States on 4th January, 2017, the provisions of the Model Code of Conduct have come in force and this was intimated to you vide ECI letter dated 4th January, 2017. The provisions of MCC and various instructions issued by the Commission, inter alia, provides that the party in power whether at the Central or in the State or States concerned, shall ensure that no cause be given for any complaint that it uses its position to further its prospects in any election.

2. Further, in ECI's letter No. 437/6/INST/2014-CC&BE dated 23-04-2014 (copy enclosed), addressed to you it was directed that all references of cabinet/committee of cabinet should be routed through your good office and the matters of Ministries/Departments are to be referred by the Ministry concerned. The Commission has noted that in certain cases, the Ministries /Departments took decisions, which have effect of disturbing level playing fields of poll bound states, without referring the matter to Commission, particularly by NITI Aayog, Ministry of Defence and Ministry of Finance.

3. The Commission has expressed its concerns in this matter and has directed the undersigned to request you to issue necessary instructions to all Ministries/Departments of GOI to strictly adhere to the Commission's guidelines issued vide ECI letter 23rd April, 2014 and also to ensure that ECI concurrence is taken well in time wherever it is needed.

A copy of instructions issued to all Ministries/Departments in Government of India may kindly be endorsed to Election Commission of India for information and record.

Sum. attchly
R. S. J. C. J.
30.01.17
A.S./ATJ

30/1/17

(CA-17)

on file
30/1/17

Yours faithfully
Rajesh Kumar
(R. K. SRIVASTAVA)
SR. IPR SECRETARY

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By Fax/Speed post/Camp Bag

ELECTION COMMISSION OF INDIA

Nirvachan Sadan, Ashoka Road, New Delhi-110001

No.437/6/INST/2014-CC&BE

Dated: 23rd April, 2014

To

The Cabinet Secretary
Cabinet Secretariat,
Rashtrapati Bhawan, New Delhi.

Subject: General Elections - Enforcement of Model Code of Conduct - Regarding.

Sir,

I am directed to refer to the Commission's instructions of even number, dated 20th March, 2014. Whereby the Commission has directed that:-

- (i) All the references of Government of India which are proposed to be placed before the Cabinet or any Committee of the Cabinet should be routed through the Cabinet Secretariat i.e. no such references should be made directly to the Election Commission by the Ministries.
- (ii) Departments, Sub-ordinate Offices, Public Sector Undertakings, Autonomous Bodies of the Ministry/Department will make references to the Election Commission through the concerned Ministry.

In spite of this many references are still being received in the Commission without following the above guidelines. The Commission has now again directed that

- (i) the above guidelines should be strictly followed while sending the references to the Commission.
- (ii) a Nodal Officer may be designated in the Cabinet Secretariat with whom the Commission may contact for any clarification on such references.
- (iii) atleast 48 hours should be given to the Commission to process the references on MCC matters.

The above instructions of the Commission may kindly be brought to the notice of all concerned for strict compliance.

Yours faithfully

(K.AJAYA KUMAR)

PRINCIPAL SECRETARY

राजेश भूषण, आईएएस
अपर सचिव

RAJESH BHUSHAN, IAS
ADDITIONAL SECRETARY

Tel. : 23012697
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सत्यमेव जयते

13/12/18
मंत्रिमण्डल सचिवालय
राष्ट्रपति भवन, नई दिल्ली-110004
CABINET SECRETARIAT
RASHTRAPATI BHAWAN
NEW DELHI - 110004

D.O. No.1/41/2/2017-Cab

New Delhi, the 27th December, 2018


Dear Sir / Madam,

Please find enclosed the letter dated 18.12.2018 of Election Commission of India (ECI) expressing concern that in spite of clear instructions regarding the form and procedure in which the Constitutional Authorities such as Election Commission are to be addressed, Ministries/ Departments are not conforming to these instructions. The ECI has observed that some Ministries/ Departments are still writing to the Commission in a routine manner in the form of Office Memorandum or demi-official letters addressed to the Chief Election Commissioner or Election Commissioners.

2. It is requested that all concerned may be instructed to strictly adhere to the extant instructions regarding communication with the ECI and other Constitutional authorities.

With regards,

Enclosure: As above


(Rajesh Bhushan)

All Secretaries to the Government of India

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