

राजस्थान सरकार
निर्वाचन विभाग

एफ 3.(1)(9)प्रथम/निर्वा/2023/ 5612 जयपुर, दिनांक: 24.09.2023.

प्रेषक : मुख्य निर्वाचन अधिकारी
राजस्थान, जयपुर।

प्रेषिति :

मुख्य सचिव
राजस्थान सरकार
जयपुर।

समस्त अतिरिक्त मुख्य सचिव/प्रमुख शासन सचिव/
शासन सचिव
राजस्थान सरकार

: महानिदेशक, पुलिस
राजस्थान, जयपुर।

समस्त अध्यक्ष/प्रबन्ध निदेशक/निदेशक/सचिव
बोर्ड/आयोग/निगम राजस्थान

समस्त संभागीय आयुक्त,
राजस्थान।

समस्त जिला निर्वाचन अधिकारी
(कलक्टर्स) राजस्थान

विषय:- आगामी विधानसभा आम चुनाव, 2023 – आदर्श आचार संहिता एवं सरकारी
अधिकारी/कर्मचारीगणों के संबंध में।

प्रसंग:- भारत निर्वाचन आयोग के निर्देशों की पालना में 437/6/INST/2008-CC&BE
दिनांक 19.03.2009, 437/6/INST/2014/CC&BE दिनांक 18.03.2014,
437/6/2006-PLN-III(Vol.II) दिनांक 01.04.2006, 437/6/98-PLN-III दिनांक 23.01.
2098 एवं 437/6/INST-2009/CC&BE दिनांक 26.04.2009

महोदय,

विषयान्तर्गत निवेदन है कि राज्य में विधानसभा आम चुनाव, 2023 निकट भविष्य में
सम्पन्न होने है। आगामी विधानसभा आम चुनाव के कार्यक्रम की घोषणा के साथ ही आदर्श
आचार संहिता प्रभावी हो जायेगी, जो निर्वाचन प्रक्रिया की समाप्ति तक प्रभावी रहेगी। चुनाव
कार्यक्रम की घोषणा की सूचना भारत निर्वाचन आयोग की राजकीय वेबसाईट पर उपलब्ध रहेगी
साथ ही आपको विभाग द्वारा सूचना दे दी जायेगी तथा मीडिया के माध्यम से भी इसकी
सार्वजनिक जानकारी हो जायेगी।

भारत निर्वाचन आयोग ने अपने प्रासंगिक पत्रों के द्वारा आदर्श आचार संहिता के
प्रभावी रहने के दौरान राजकीय अधिकारी/कर्मचारीगणों के संबंध में निर्देश दिये गये है,
जिनकी प्रति संलग्न कर प्रेषित की जा रही है।

आदर्श आचार संहिता प्रभाव में रहने के दौरान आयोग के उक्त निर्देशों की पालना
सुनिश्चित करावे। साथ ही समस्त प्रशासनिक विभागों से भी यह अपेक्षा है कि वे अपने विभाग
के नियन्त्रणाधीन गठित समस्त बोर्ड, आयोग, निगम आदि निकायों में भी इन निर्देशों की
पालना हेतु समस्त संबंधित को तदनुसार निर्देशित करावे।

संलग्न:- उपरोक्तानुसार

भवदीय,

(प्रवीण गुप्ता)

मुख्य निर्वाचन अधिकारी,
राजस्थान, जयपुर

(5)

INSTRUCTION SI. No. 8

ECI letter No. 437/6/INST/2008-CC&BE dated: 19th March, 2009 addressed to the Cabinet Secretary, Govt. of India, Chief Secretaries and Chief Electoral Officers of all States and UTs.

Sub: Applicability of Model Code of Conduct to Commissions, Corporations, Committees, etc

I am directed to state that the Commission has decided to clarify that the provisions of Model Code of Conduct apply to all organizations/committees, corporations/commissions etc, funded wholly or partially by the Central Govt. or any State Govt. like the Commonwealth Games Organizing Committee, DDA, Electricity Regulatory Commissions, Jal Boards, Transport Corporations, any other development authority etc. Any action in contravention of the provisions contained in the Model Code of Conduct for the political parties and candidates including any publication of its advertisements by them highlighting their achievements or announcing new subsidies, tariffs or schemes would attract the provisions of the Model Code of Conduct and tantamount to violation of the same.

INSTRUCTION Sl.No.94

ECI letter No. 437/6/INST/2014/CC&BE, dated 18.03.2014 addressed to the Chief Secretaries and Chief Electoral Officers of all States and UTs.

Subject: Model Code of Conduct- Ban on Video Conferencing-reg.

I am directed to invite reference to the Commission's letter No. 437/6/2004- PLN III, dated 30-12-2004, on the above subject. In the said letter, it was directed that during the period of operation of MCC, no video-conferencing shall take place between the Chief Minister/ Ministers/ political functionaries of the Union and State Govts. with the officials.

2. The Commission has re-considered the matter in the light of certain requests to permit video-conferencing to assess/monitor situation in the event of natural calamity. The Commission has decided that in the immediate aftermath of any calamity of significant scale/magnitude, if video-conferencing is considered essential, then Chief Minister or Minister concerned may hold one video-conferencing with the officials concerned subject to the following conditions:-
 - (i) The CEO of the State shall be approached by the Department concerned and approval of the CEO should be obtained before holding the VC. For any subsequent VC, permission from the Commission shall be obtained;
 - (ii) Only the Collector/District Magistrate and senior officials in charge of the relief in connection with the natural calamity of the area concerned alone shall be called to attend the video-conferencing;
 - (iii) No issue other than rescue/relief and other aspects connected to the calamity shall be discussed in the VC;
 - (iv) No publicity whatsoever shall be given for the VC, either before or after the VC,
 - (v) The VC should not be open to media;
 - (vi) An Audio/Video recording of the proceedings of the VC shall be maintained by the Department concerned and a copy of the same given to the CEO;
 - (vii) No announcement or promise of any grant, assistance in cash or kind, and no statement of political nature or announcement capable of influencing the electors shall be made through the VC.
 - (viii) A representative of the CEO will be present during the VC.
3. It may be noted that the above exception is only in the immediate aftermath of a calamity of significant scale/magnitude, and the ban on video-conferencing by Ministers and political functionaries with the officials during the period of operation of MCC will continue to apply as generic principle.
4. These instructions may be brought to the notice of the State Govt. and all election officials in the State.

INSTRUCTION Sl. No. 97

Election Commission's letter No. 437/6/2006-PLN-III (Vol. II) Dated: 1st April 2006 addressed to The Cabinet Secretary Government of India, the Chief Secretaries and the Chief Electoral Officers of all States and Union Territories.

Sub: Allotment of Govt. Guest House - reg.

Kindly refer to the instructions of the Commission issued as per letter no. 437/6/2006-PLN-III (Vol. II) dated 14th March 2006 stating that no accommodation will be provided to any Minister of the Central or State Government, Members of Parliament or Members of Legislative Assemblies or political functionaries in any Government Guest House / Rest House / Guest House of any Public Sector Undertaking of the Central or State Government in the States where elections have been announced or are taking place as these are required to accommodate election related officials and observers.

The Commission has now received representations from various States Governments and political functionaries requesting that these restrictions may be relaxed keeping in view the security concerns of various political leaders.

The Commission has further considered the issue in the light of the requests received and decided that henceforth accommodation in Government Guest houses / Rest houses or Guest Houses of Public Sector Undertakings of the Centre or State Government in the States (or the districts) 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 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 observers. Some political functionaries shall not carry out any political activity while staying in the Government Guest Houses / Rest Houses or Guest Houses of Public Sector Undertakings as mentioned above.

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INSTRUCTION Sl. No. 123

Election Commission's letter No.437/6/98-PLN-III dated 23.01.1998 addressed to CEOs of all States and UTs.

Subject: Restrictions on tours /leave of the officers whose spouses are active in political arena

It has come to the notice of the Commission that there are several instances of officers belonging to the Indian Administrative Service, Indian Police Service and other State Government Senior officials whose spouses are active in the political arena either as candidates in elections or as active members of political parties.

The Commission in the interest of free and fair poll, directs that in all such cases the concerned officers should not leave their Headquarters either on leave or on tour till the elections are complete in all respects.

If for some reason they are required to leave their Headquarters then specific written permission of the Chief Secretary has to be obtained before they leave their Headquarters during the election period who should ensure that such officers do not get involved in any way with the political activities of their spouses.

Receipt of this letter may kindly be acknowledged.

INSTRUCTION SL.No.130

ECI letter No. 437/6/INST-2009/CC&BE, dated 26.04.2009 addressed to the Chief Secretaries and Chief Electoral Officers of all States and Union Territories.

Subject: General Election, 2009-Model Code of Conduct-briefing of CM/HM by police officers-reg.

I am directed to state that the Commission has issued instructions to the effect that security briefings of Chief Minister or the Home Ministers when considered essential should be undertaken by the Home Secretary or the Chief Secretary, who in turn should be briefed by the police agencies. The instruction further state that in case where police agency's/official's presence is considered essential, the Chief Secretary/Home Secretary may require the police agency/official to be present in such briefings.

2. The spirit behind the Commission's instruction is to safeguard a free, fair and transparent election and provide a level playing field to all political parties as also to ensure that there is no scope for public complaints that the political executive/government of the day is misusing the government machinery for political purpose. It is reiterated that these instructions should, however, not be construed as any restriction to any security related activity of the law and order enforcing agencies. Therefore, in situations where it is so warranted, the law and order enforcing agencies should not take the plea of ECI instructions for any inaction or delay in action to be taken by them. Whatever is required under the circumstances, including informing the political executives by the DGP and taking directions from them, should be undertaken by the police agencies in the bonafide performance of their duty or exercise of their authority.

This may be brought to the notice of all concerned.