

राजस्थान सरकार
निर्वाचन विभाग

क्रमांक: एफ.3(1)(7)प्रथम/निर्वा/2019/2248

जयपुर, दिनांक: 11-03-19

प्रेषक: मुख्य निर्वाचन अधिकारी,
राजस्थान, जयपुर।

प्रेषित: मुख्य सचिव,
राजस्थान सरकार, जयपुर।

समस्त अति० मुख्य सचिव/प्रमुख शासन
सचिव/शासन सचिव,
राजस्थान जयपुर।

समस्त जिला निर्वाचन अधिकारी
(कलकटर्स) राजस्थान

महानिदेशक, पुलिस
राजस्थान, जयपुर।

समस्त संभागीय आयुक्त
राजस्थान

विषय: लोक सभा आम चुनाव, 2019 – आदर्श आचार संहिता की पालना
बाबत।

प्रसंग: भारत निर्वाचन आयोग के पत्र सं. 437/6/1/ECI/INST/FUNCT/
MCC/2019 दिनांक 10.03.2019

महोदय,

भारत निर्वाचन आयोग द्वारा आगामी लोक सभा आम चुनाव 2019 के चुनाव कार्यक्रम की घोषणा के साथ ही राज्य में आदर्श आचार संहिता प्रभावी हो गई है।

भारत निर्वाचन आयोग के प्रासंगिक पत्रों के द्वारा आदर्श आचार संहिता प्रभाव में रहने के दौरान राज्य सरकार, मंत्रीगण एवं राजनैतिक व्यक्तियों के द्वारा पालना हेतु आदर्श आचार संहिता के प्रावधानों की ओर ध्यान आकर्षित किया गया है। साथ ही सांसदों एवं विधायकों के द्वारा उनके स्थानीय विकास कोष से राशि स्वीकृत करने को भी प्रतिबन्धित किया गया है।

आयोग के प्रासंगिक पत्रों की प्रति आदर्श आचार संहिता के पालना हेतु संलग्न कर प्रेषित की जा रही है। कृपया अपने अधीनस्थ विभागों/सार्वजनिक उपक्रमों को भी आयोग के निर्देशों की पालना हेतु निर्देशित करें।

संलग्न:- उपरोक्तानुसार।

भवदीया,



(डॉ० रेखा गुप्ता)

अति० मुख्य निर्वाचन अधिकारी
राजस्थान, जयपुर।

P.T.O.

By Spl. Messenger/Speed Post

ELECTION COMMISSION OF INDIA

NIRVACHAN SADAN, ASHOKA ROAD, NEW DELHI-110001

No. 437/6/1/ECI/INST/FUNCT/MCC/2019

Dated: 10th March, 2019

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 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), 2019 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 Note No. ECI/PN/23/2019, dated 10th March, 2019, available at the Commission's web-site - 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 purposes 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

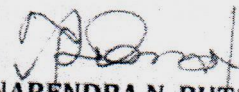
electronic media is stopped forthwith and that no such ad is published in any newspapers, magazines, etc., i.e. in print media, from today itself and it should be immediately withdrawn.

5. The instruction of the Commission contained in its letter No.437/6/2009-CCBE dated 5th March, 2009 is available on the Commission's web-site at path - "<https://eci.gov.in/important-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)
PRINCIPAL SECRETARY

By Speed Post/E-mail

ELECTION COMMISSION OF INDIA

NIRVACHAN SADAN, ASHOKA ROAD, NEW DELHI-110001

No.437/6/1/ECI/INST/FUNCT/MCC/2019

Dated: 10th March, 2019

To

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

Subject: General Elections to House of the People (Lok Sabha), 2019 and State Legislative Assemblies of Andhra Pradesh, Arunachal Pradesh, Odisha and Sikkim and certain bye-elections - Release of funds under MPs'/MLAs' Local Area Development Scheme - regarding.

Sir/Madam,


I am directed to refer to the Commission's Press Note No. ECI/PN/23/2019, dated 10th March, 2019 (Press Note available at Commission's web-site - www.eci.gov.in) as per which the Commission has announced the enforcement of the Model Code of Conduct for the guidance of the Political Parties and Candidates, consequent on the announcement of General Election to Lok Sabha and to the Legislative Assemblies of the States of Andhra Pradesh, Arunachal Pradesh, Odisha and Sikkim and certain bye-elections.

2. The Commission has instructed that the release of funds under the Member of Parliament Local Area Development Schemes will be subject to the following restrictions:-

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- a) No fresh release of funds under the Member of Parliament (including Rajya Sabha members) Local Area Development fund shall be made in any part of the country where election is in progress. Similarly no fresh release of funds under the MLAs'/ MLCs' Local Area Development Fund shall be made, if any such scheme is in operation, till the completion of election process.
- b) No work shall start in respect of which work orders have been issued before the issue of this letter but 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.
- c) There shall be no bar to the release of payments for completed work(s) subject to the full satisfaction of the concerned officials.
- d) Where schemes have been cleared and funds are provided or released and materials procured and reached the site such scheme may be executed as per programme.

Yours faithfully,


(NARENDRA N. BUTOLIA)
PRINCIPAL SECRETARY