

ELECTION COMMISSION OF INDIA

Nirvachan Sadan, Ashoka Road, New Delhi-110001

No.437/6/INST/2012/CC&BE

Dated: 26th April, 2012

To

1. The Cabinet Secretary, Govt. of India
Cabinet Secretariat,
Rashtrapati Bhawan, New Delhi.
2. The Chief Secretaries of
 - a) Andhra Pradesh, Hyderabad
 - b) Goa, Panaji
 - c) Jharkhand, Ranchi
 - d) Kerala, Thiruvananthapuram
 - e) Madhya Pradesh, Bhopal
 - f) Maharashtra, Mumbai
 - g) Tamilnadu, Chennai
 - h) Tripura, Agartala
 - i) Uttar Pradesh, Lucknow
 - j) West Bengal, Kolkata
3. The Chief Electoral Officers of
 - a) Andhra Pradesh, Hyderabad
 - b) Goa, Panaji
 - c) Jharkhand, Ranchi
 - d) Kerala, Thiruvananthapuram
 - e) Madhya Pradesh, Bhopal
 - f) Maharashtra, Mumbai
 - g) Tamilnadu, Chennai
 - h) Tripura, Agartala
 - i) Uttar Pradesh, Lucknow
 - j) West Bengal, Kolkata

Subject:- Bye-elections to the Lok Sabha/State Legislative Assemblies - instructions on enforcement of Model Code of Conduct- - regarding.

Sir,

I am directed to state that the Commission has announced, vide Press Note dated 24th April, 2012, bye-elections from certain Parliamentary and Assembly Constituencies in various States. The Commission in that Press Note has issued instructions for enforcement of various provisions of the Model Code of Conduct in its entirety with the stipulation that such provisions of Model Code of Conduct will be enforceable in the district (s) in which the Assembly/Parliamentary Constituency is situated.

Many State Administrations have requested the Commission to reconsider the issue of enforcement of Model Code of Conduct in the entire district during bye-election as it

affects the developmental works in entire district, whereas only a part of the district may be involved in the election process.

The Commission, after taking into consideration all relevant factors in this regard, has decided, on experimental basis, that for the bye-elections announced vide Press Note, dated 24/4/2012, following instructions, in partial modification of the earlier instructions, shall be followed with regard to Model Code of Conduct: -

- (1) All instructions of the Commission issued regulating the implementation of the schemes of MNREGA, extending relief and starting works in case of Natural Calamities, Drought, Flood, Drinking Water, Digging of Bore-wells, Fodder, Agricultural inputs & input subsidies to farmers, New Developmental Work (whether beneficiary or work oriented) including work under MPLAD, MLA and MLC LAD Scheme, Announcement and commencement of New Projects, Programme, Concessions, Financial Grants, Defacement of Property, Use of Govt. Property for campaign purpose, etc. shall now be applicable only in respect of the areas falling in the Assembly constituency (s)/Parliamentary constituency going for bye-election and NOT TO the entire district (s) in which such constituency is situated.
- (2) However, all other existing instructions of the Commission on Model Code of Conduct on matters like Tours of Ministers, Vehicles, Advertisements, use of Govt. Guest Houses, and all prevailing Commission's instructions other than those mentioned in Para (1), transfers of officers etc. shall continue to remain applicable to the entire district (s) in which the constituency having the bye-election is situated.

This may be brought to the notice of all concerned.

Yours faithfully,

(K. N. BHAR)
SECRETARY

Copy to the President/General Secretaries of all recognised political parties.