

Director
Agriculture

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22/9/14 2065
18/9/14

**General Election Vidhan Sabha
Most Immediate Date Bound**

No. 4/69/2009-1 Election
Government of Haryana
Chief Secretary Office
(Election Branch)

473
26/9/2014

Dated, Chandigarh the 16th September, 2014.

D.F.
19/9-14
To
22/9/14
JD (CA)
AD (CA)
21/9/14
DS (III)

1. All the Administrative Secretaries to Government Haryana.
2. All Heads of Department.
3. All the MD's / CAs of Boards/Corporations in Haryana.
4. All the Divisional Commissioner in Haryana.
5. All the Deputy Commissioner-cum- District Elections Officer in Haryana.
6. All the Vice Chancellor of Universities in Haryana State.

18/9/14 Subject: - 1-Application of Model Code of Conduct- General elctions to the State Legislative Assembly of Haryana and Maharashtra,2014 and Bye-eleictons to the Lok Sabha and Certain Legillative Asemblies- regarding
 2. Release of funds under MPs/MLAs Local Area Development Scheme.

A-12 Sir/Madam,

I am directed to refer to the subject noted above and to say that the election scheduled for the General Vidhan Sabha Elections 2014 has been announced by the Election Commission of India. In this regard, the instructions issued by the Election Commission of India, are also available at Commission's website www.eci.gov.in. It is therefore requested that instructions issued by the Election Commission of India vide letter No. 437/6/1/2014-CC&BE, dated 12.9.2014 (copy enclosed) may be complied with strictly.

Yours faithfully,

Mohinder Dada
Under Secretary Election.

Endst.No.4/69/2009-1Election

Dated, Chandigarh the 16th September, 2014.

A copy is forwarded to the Chief Electoral Officer, Haryana, Chandigarh w.r.t. their letter No. 185(Elec-Prog)HVS-Elec-2014/2AE-8792,dated12.9.2014 for information and necessary action.

Mohinder Dada
Under Secretary Election.

A copy is forwarded to the Senior Special Secretaries / Senior Secretaries / Secretaries/Private Secretaries to Chief Minister/Ministers/ State Ministers/ Chief Parliamentary Secretaries for bringing these instructions to the notice of Hon'ble Chief Minister/ Ministers/ State Ministers/ Chief Parliamentary Secretaries. It is also requested that all concerned may be apprised of the instructions for strict compliance.

Mohinder Dada
Under Secretary Election

To

The Senior Special Secretaries / Senior Secretaries / Secretaries / Private Secretaries to Chief Minister / Ministers / State Ministers / Chief Parliamentary Secretaries

Endst.No.4/69/2009-1Election

Dated, Chandigarh the 16th September, 2014.

CC: -
PS/CS
NIC

By Spl. Messenger/Speed Post

ELECTION COMMISSION OF INDIA

NIRVACHAN SADAN, ASHOKA ROAD, NEW DELHI-110001

No. 437/6/1/2014-CC&BE

Dated: 12th September, 2014

To

1. The Cabinet Secretary,
Government of India,
Rashtrapati Bhawan,
New Delhi.
2. The Chief Secretaries to the Government of

<ol style="list-style-type: none"> a. Haryana, Chandigarh. b. Maharashtra, Mumbai. c. Arunachal Pradesh, Itanagar. d. Odisha, Bhubaneshwar. 	<ol style="list-style-type: none"> e. Gujarat, Gandhi Nagar. f. Manipur, Imphal. g. Nagaland, Kohima. h. Uttar Pradesh, Lucknow.
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3. The Chief Electoral Officer of

<ol style="list-style-type: none"> a. Haryana, Chandigarh. b. Maharashtra, Mumbai. c. Arunachal Pradesh, Itanagar. d. Odisha, Bhubaneshwar. 	<ol style="list-style-type: none"> e. Gujarat, Gandhi Nagar. f. Manipur, Imphal. g. Nagaland, Kohima. h. Uttar Pradesh, Lucknow.
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Sub: Application of Model Code of Conduct - General Elections to the State Legislative Assemblies of Haryana and Maharashtra, 2014 and bye-elections to the Lok Sabha and certain Legislative Assemblies- reg.

Sir,

I am directed to state that the Commission has announced the schedule for holding General Elections to the State Legislative Assemblies of Haryana and Maharashtra (Press Note No. ECI/PN/43/2014, dated 12th September, 2014 available at 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 until the completion of the General Elections. In the case of the States of Maharashtra and Haryana where General elections to the State Assemblies are being held, the Model Code will be applicable in the entire State. In the States where only bye-elections to the Lok Sabha and State Legislative Assembly are being held the provisions of the Model Code will come into immediate effect in the district(s) in which the whole or part of the Assembly/Parliamentary

Constituency (ies) going for the bye-election is comprised, subject to partial modification as issued by the Commission vide its letter No.437/INST/2012/CC&BE, dated 26th April, 2012 and No.437/INST/2013/CC&BE, dated 21st October, 2013 (copies enclosed). This may be brought to the notice of the Central/State Government, all Ministries/Departments and all other offices of the Union Government and the State Government of the States.

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 itself. 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 accommodation 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 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 advertisements 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 instructions of the Commission contained in its letter No. 437/6/2009-CC&BE dated 5th March, 2009 is available on the Commission's web-site for your guidance and necessary action.

6. The Commission 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;

By speed post / for

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:- By-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.

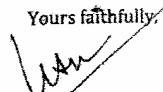
Many State Administrations have requested the Commission to reconsider the issue of enforcement of Model Code of Conduct in the entire district during bye-election as it

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- 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,


(K. AJAYA KUMAR)
PRINCIPAL SECRETARY

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ELECTION COMMISSION OF INDIA

NIRVACHAN SADAN, AS. IOKA ROAD, NEW DELHI-110001

Dated: 21st October, 2013

No. 437/6/INST/2013-CC&BE

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


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

Sir/Madam,

In partial modification of the Commission's existing instructions No. 437/6/INST/2012/CC&BE dated 26th April, 2012 on enforcement of various provisions of the Model Code of Conduct for the Bye-elections to the Lok Sabha/State Legislative Assemblies, the Commission has directed that (i) restrictions, in respect of all developmental works, including relief works and (ii) ban on transfer of officers (except the District Election Officer, Returning Officer, Assistant Returning Officer and District Superintendent of Police and other officers directly concerned with the conduct of election) under the Model Code of Conduct shall be applicable only in the areas falling in the Assembly Constituency(s)/Parliamentary Constituency(s) going for bye-election and NOT in the entire district(s) in which such constituency is situated.

This may be brought to the notice of all concerned.

Yours faithfully,


(K. Ajaya Kumar)
Principal Secretary

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By Fax/Spl. Messenger/Speed Post

ELECTION COMMISSION OF INDIA

NIYACHAN SADAN, ASHOKA ROAD, NEW DELHI-110001

No. 437/6/1/2014-CC&BE

Dated: 12th September, 2014

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 Government of
 - a. Haryana, Chandigarh.
 - b. Maharashtra, Mumbai.
 - c. Arunachal Pradesh, Itanagar.
 - d. Odisha, Bhubaneswar.
 - e. Gujarat, Gandhi Nagar.
 - f. Manipur, Imphal.
 - g. Nagaland, Kohima.
 - h. Uttar Pradesh, Lucknow.
4. The Chief Electoral Officer of
 - a. Haryana, Chandigarh.
 - b. Maharashtra, Mumbai.
 - c. Arunachal Pradesh, Itanagar.
 - d. Odisha, Bhubaneswar.
 - e. Gujarat, Gandhi Nagar.
 - f. Manipur, Imphal.
 - g. Nagaland, Kohima.
 - h. Uttar Pradesh, Lucknow.

Subject: General Elections to the State Legislative Assemblies of Haryana and Maharashtra, 2014 and bye-elections to the Lok Sabha and certain Legislative Assemblies- Release of funds under MPs'/MLAs' Local Area Development Scheme.

Sir,

I am directed to refer to the Commission's Press Note No. ECI/PN/43/2014, dated September, 2014 (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 Elections to the State Legislative

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Assemblies of Haryana and Maharashtra and bye-elections to Lok Sabha and Legislative Assemblies of some States.

2. The Commission has considered the release of funds under the Member of Parliament Local Area Development Schemes and has stipulated that-

- 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 have been procured and have reached the site, such schemes may be executed as per the approved programme.

Yours faithfully,


(K. AJAYA KUMAR)
PRINCIPAL SECRETARY

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S.K.