

ELECTION COMMISSION OF INDIA

MODEL CODE OF CONDUCT FOR THE GUIDANCE OF POLITICAL
PARTIES AND CANDIDATES

The Commission has issued various instructions on observance of code of conduct from time to time. General Election 2009 for Lok Sabha have been announced by the Election Commission of India on 02.03.2009 and as such the code of conducts is effective with immediate effect. Important aspects of the code of conduct as lastly circulated by Election Commission of India vide their letter No.464/INST/2007-PLN-I dated 07.01.2007 are reiterated below for information of general public as well as Candidates and Political Parties.

**'DO'S AND DON'T'S FOR THE GUIDANCE OF THE CANDIDATES AND
POLITICAL PARTIES TO BE OBSERVED FROM THE ANNOUNCEMENT
OF AN ELECTION AND UNTIL THE COMPLETION OF THE PROCESS
OF ELECTION.**

It is clearly brought to the notice of candidates and political parties that the list of Dos' and Don'ts' is only illustrative and not exhaustive and is not intended to substitute or modify other detailed directions/instructions on the above subjects, which must be strictly observed and followed.

DO'S'

1. Ongoing programmes, which actually started in the field before the announcement of elections may continue.
2. Relief and rehabilitation measures to the people in areas affected by floods, drought, pestilence, and other natural calamities, can commence and continue.
3. Grant of cash or medical facilities to terminally or critically ill persons can continue with appropriate approvals.
4. Public places like maidans must be available impartially to all parties/contesting candidates for holding election meetings. So also use of helipads must be available impartially to all parties/contesting candidates, to ensure a level playing field.
5. Criticism of other political parties and candidates should relate to their policies, programme, past record and work.
6. The right of every individual for peaceful and undisturbed home life should be fully safeguarded.
7. The local police authorities should be fully informed of the venue and time of the proposed meetings well in time and all necessary permissions taken.
8. If there are any restrictive or prohibitory orders in force in the place of the proposed meeting, they shall be fully respected. Exemption, if necessary, must be applied for and obtained well in time.
9. Permission must be obtained for the use of loudspeakers or any other such facilities for the proposed meetings.
10. The assistance of the police should be obtained in dealing with persons disturbing meetings or otherwise creating disorder.
11. The time and place of the starting of any procession, the route to be followed and the time and place at which the procession will terminate should be settled in advance and advance permissions obtained from the police authorities.
12. The existence of any restrictive orders in force in the localities through which the procession has to pass should be ascertained and fully complied with. So also all traffic regulations and other restrictions.
13. The passage of the procession must be without hindrance to traffic.
14. Co-operation should be extended to all election officials at all times to ensure peaceful and orderly poll.

15. All Workers must display badges or identity cards.
16. Unofficial identity slips issued to voters shall be on plain (white) paper and not contain any symbol, name of the candidate or name of the party.
17. Restrictions on plying of vehicles during the campaign period and on poll day shall be fully obeyed.
18. (Except voters, candidates and their election/polling agents), only persons with a specific valid authority letter from the Election Commission can enter any polling booth. No functionary however highly placed (e.g. Chief Minister, Minister, MP or MLA etc.) is exempt from this condition.
19. Any complaint or problem regarding the conduct of elections shall be brought to the notice of the Observer appointed by the Commission/Returning Officer/Zonal/Sector Magistrate/Election Commission of India.
20. Directions/orders/instructions of the Election Commission, the Returning Officer, and the District Election Officer shall be obeyed in all matters related to various aspects of election.
21. Do not leave the constituency after the campaign period is over if you are not a voter or a candidate or candidate's election agent from that constituency.

DON'Ts

1. Any and all advertisements at the cost of the public exchequer regarding achievements of the party/Government in power are prohibited.
2. No Minister shall enter any polling station or the place of counting, unless he or she is a candidate or as a voter only for voting.
3. Official work should not at all be mixed with campaigning/electioneering.
4. No inducement, financial or otherwise, shall be offered to the voter.
5. Caste/ communal feelings of the electors shall not be appealed to.
6. No activity, which may aggravate existing differences or create mutual hatred or cause tension between different castes, communities or religious or linguistic groups shall be attempted.
7. No aspect of the private life, not connected with the public activities, of the leaders or workers of other parties shall be permitted to be criticized.
8. Other parties or their workers shall not be criticized based on unverified allegations or on distortions.
9. Temples, mosques, churches, gurudwaras or any place of worship shall not be used as places for election propaganda, including speeches, posters, music etc., on electioneering.
10. Activities which are corrupt practices or electoral offences such as bribery, undue influence, intimidation of voters, personation, canvassing within 100 meters of a polling station, holding of public meetings during the period of 48 hours ending with the hour fixed for the close of the poll and conveyance of voters to and from polling stations are prohibited.
11. Demonstrations or picketing before the houses of individuals by way of protesting against their opinion or activities shall not be resorted to.
12. Subject to the local laws, no one can make use of any individual's land, building, compound wall, vehicles etc. for erecting flag staffs, putting up banners, pasting notices or writing slogans etc. without specific permission of the owner (to be shown to and deposited with the District Election Officer).

Here it is to mention that the Andaman and Nicobar Islands Prevention of Defacement of Property Regulation, 1987 is applicable in this Constituency. The relevant contents of the same are reproduced below:

"3. (1) Whoever defaces any property in public view by writing or marking with ink, chalk, paint or any other materials except for the purpose of indicating the name and address of the owner or occupier of such property and for such other purposes as may be specified by the Administrator, shall be punishable with imprisonment for a term which may extend to six months or with fine which may extend to one thousand rupees or with both.

(2) Where any offence committed under sub-section (1) is for the benefit of some other person or a company or other body corporate or an association of persons (whether incorporated or not), then, such other person and every President, Chairman, Director, Partner, Manager, Secretary, agent or any other officer or person concerned with the management thereof, as the case may be, shall, unless he proves that the offence was committed without his knowledge or consent, be deemed to be guilty of such offence

4. An offence punishable under Regulation shall be cognizable.
5. Without prejudice to the provisions of section 3, it shall be competent of the Administrator to take such steps as may be necessary for erasing any; writing freeing any defacement or removing any mark from any property.
6. The provisions of this Regulation shall have effect notwithstanding anything to the contrary contained in any other law for the time being in force".
13. No disturbances shall be created in public meetings or processions organized by other political parties or candidates.
14. Processions along places at which another party is holding meetings shall not be undertaken.
15. Processionists shall not carry any articles, which are capable of being misused as missiles or weapons.
16. Posters issued by other parties and candidates shall not be removed or defaced.
17. Poster, flags, symbols or any other propaganda material shall not be displayed in the place being used on the day of poll for distribution of identity slips or near polling booths.
18. Loudspeakers whether static or mounted on moving vehicles shall not be used either before 6.00 am or after 10.00 am and without the prior written permission of the authorities concerned.
19. Loudspeakers shall also not be used at public meetings and processions without the prior written permission of the authorities concerned. Normally, such meetings/processions will not be allowed to continue beyond 10.00 PM in the night and will be further subject to the local laws, local perceptions of the security arrangements of the area and other relevant considerations like weather conditions, festival season, examination period, etc.
20. No liquor should be distributed during elections.

21. On the day of the poll, no person who has been assessed to be having a security threat and therefore given official security shall enter the vicinity of a polling station premise (within 100 meters) with his security personnel. Further, on the day of the poll no such person shall move around in a constituency with his security personnel. If the person provided with official security happens to be a voter also, then he or she shall restrict his/her movement-accompanied by security personnel, to voting only.
22. No person who has been assessed to be having a security threat and therefore provided official security or who has private security guards for himself, shall be appointed as an election agent or polling agent or counting agent.

By:

Election Commission of India.