

**OFFICE OF THE CHIEF ELECTORAL OFFICER & SPL. C.S. TO GOVT.,  
ANDHRA PRADESH AND TELANGANA STATES  
South 'H' Block, Secretariat, Hyderabad – 500 022**

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**Memo No.705/Elecs.B/A1/2017-1**

**Dated:06.02.2017**

Sub: Elections – Biennial elections to Andhra Pradesh Legislative Council from 3 Graduates' and 2 Teachers' Constituencies and to Telangana Legislative Council from 1 Teachers' Constituency scheduled to be held on 09.03.2017 – Model Code of Conduct – Instructions – Reg.

- Ref: 1. From the ECI Lr.No.322/ECI/INST/FUNC/BIEN-LC/2016, Dt.26.12.2016.(enclosed herewith).  
2. This office Memo No.4095/Elec.B/A1/2016-1, Dt.28.12.2016.  
3. ECI Press Note No.ECI/PN/14/2017, Dt.06.02.2017.  
4. ECI Lr.No.322/LET/ECI//FUNC/LC-G&T/BIEN/2017, Dt: 06.02.2017.

-:-

The attention of the Collectors & District Election Officers of Srikakulam, Vizianagaram, Visakhapatnam, Prakasam, Nellore, Chittoor, Kadapa, Anantapur and Kurnool districts of Andhra Pradesh State and the Collectors & District Election Officers of erstwhile Mahabubnagar, Ranga Reddy districts of Telangana State and the Commissioner, Greater Hyderabad Municipal Corporation & District Election Officer, Hyderabad and also the Collectors & District Magistrates of newly created Wanaparthy, Nagarkurnool, Jogulamba Gadwal, Medchal and Vikarabad districts of Telangana State is invited to the references cited (copies enclosed). They are informed that the ECI have issued a Press Note, vide reference third cited, for conduct of Biennial Elections to the following Legislative Council Constituencies of Andhra Pradesh (3 Graduates' and Two Teachers') and Telangana (one Teachers') States, and also directed that the Model Code of Conduct will come into force with immediate effect i.e., from 06.02.2017 in the district(s) in which these Constituencies are comprised in:

**Andhra Pradesh State:**

1. Srikakulam-Vizianagaram-Visakhapatnam Graduates' Constituency;
2. Prakasam-Nellore-Chittoor Graduates' Constituency;
3. Kadapa-Anantapur-Kurnool Graduates' Constituency;
4. Prakasam-Nellore-Chittoor Teachers' Constituency;
5. Kadapa-Anantapur-Kurnool Teachers' Constituency;

**Telangana State:**

Mahabubnagar-Rangareddy-Hyderabad Teachers' Constituency.

2. They are further informed that the Commission, vide its letter 4<sup>th</sup> cited has directed that with the announcement of biennial elections all the provision of Model Code of Conduct as mentioned in its letter dt.26.12.2016 have come into force with immediate effect i.e., from

(P.T.O)

06.02.2017. As per the directions of ECI dt.26.12.2016 all provisions of Model Code of Conduct for the political parties and candidates' shall apply mutatis mutandis in the present Biennial Elections to the State Legislative Councils from Graduates' & Teachers' Constituencies as well as Local Authorities' Constituencies; that various instructions issued by the Commission from time to time in clarification of the MCC provisions would also apply for such elections.

3. The Commission have further stated that the instructions of the Commission which have been issued from time to time to ensure level playing field and also to ensure that a party in power doesn't misuse its position for electoral gains, shall also be applicable in connection with Biennial/ Bye Elections to the State Legislative Councils from Graduates' & Teachers' Constituencies as well as Local Authorities' Constituencies (from the date of announcement of election till the date of completion of election).

4. The Instructions of the Commission, vide reference 1<sup>st</sup> cited, are once again reiterated hereunder:

- I. Ministers, whether Central or State (including Chief Minister) may make official visit to any district(s) in which any Biennial/ Bye-election from a Council Constituency is being held subject to the following conditions:-
  - a. They shall not do any inauguration/laying of foundation stones of any educational institution, which are constituents of Graduates' and Teachers' Constituencies.
  - b. Official visit shall not be combined with the election related work/tours.
  - c. There shall be no announcement of new policy programme/policy likely to influence the graduates, the teachers and members of Local Authorities who form the electorate of the Constituencies going to poll.
- II. No official of any rank of the district(s) dealing with election related work where the biennial / bye-elections are being held shall be called to attend any meeting by any Minister at any place, even in another district, where election is not being held. Any official who meets the Minister on his private visit to the constituency where elections are being held shall be deemed to be guilty of misconduct under the relevant service rules; and if he/she happens to be an officer mentioned in Section 129 (1) of the Representation of People Act, 1951, he/she shall also be additionally considered to have violated the statutory provisions of that section and liable to penal action provided there under.

(Contd..3)

- III. No member of any Local Authority which forms part of the electorate of a Local Authorities' Constituency shall be called for any meeting/video conference by any Minister (in his capacity as Minister). Routine meetings of the Local Bodies, when essential, may be held with the prior permission of the District Election Officer of the District concerned.
- IV. No pilot car(s) or other car(s) with beacon lights of any colour or car(s) affixed with sirens of any kind making his presence conspicuous shall be used by any Minister during his private visit to the constituency, even if the State administration has granted him a security cover requiring presence of armed guards accompanying him on tour.
- V. No policy announcement or programme, which influences the electorate either directly or indirectly, shall be initiated in the Government Departments till the completion of elections.
- VI. On need basis and in consultation with CEO of the state/ECI Observer, the DEO/RO should put in place for every tehsil a special video team to videograph political meeting at public places and to record visits of the Ministers and other important political functionaries. The ECI observer shall see the video recording in the evening of the same day so that he can report any violation to the Commission in prescribed format.
- VII. In case of elections from Local Authorities' Constituencies, the restrictions on "Official Tours" by Central & State Ministers will also be applicable to the use of any "Official Cars" by "Office Bearers" of Local Authorities, like, Mayors of Municipal Corporations, Presidents of Municipal Councils & Zilla Parishads. The use of official cars by them shall only be allowed for travel to & from Office to Residence.
- VIII. Public places such as maidans etc., for holding election meetings, and use of helipads for air-flights in connection with elections shall not be monopolized by the party in power. Other parties and candidates shall also be allowed to use them on first-cum-first served basis.
- IX. No fresh Sanction of work using the IT Platform to be used depending upon the MP/MLA/MLC schemes for work that would amount to influencing the electorate.
- X. There shall be a total ban on the transfer of Returning Officers and Assistant Returning Officers appointed for Biennial elections/bye-elections to State Legislative Councils after the announcement of elections and this ban will be in force till the completion of elections. The transfer orders in respect of the above officers issued prior to the date of announcement but not implemented should not be given effect to without obtaining the specific permission of the Commission. In those cases,

where transfer of an officer is necessary on account of administrative exigencies, the State Govt. may with full justification approach the Commission for prior clearance.

- XI. In order to conduct free and fair elections and to keep a check on adverse role of money power and to check the movement of black money during biennial elections/bye-elections to Legislative Council, the Standard Operating Procedure (SOP) issued on 29.05.2015, excepting deployment of Static Surveillance Teams, should be made applicable.
- XII. State and District Media Certification and Monitoring Committee (MCMC) shall be appointed, as prescribed in the Compendium of Instructions on Election Expenditure Monitoring, immediately on announcement of biennial/ bye elections for pre-certification of election advertisements as in case of TV Channels / Cable Network, Radio including private FM Channels, Cinema Halls, Audio-Visual displays in public place and social media and also monitoring the general conduct of political functionaries during campaign.
- XIII. The bulk SMSs/Voice messages on phone in election campaigning shall also be in the purview of pre-certification of election advertisements as in case of TV Channels / Cable Network, Radio including private FM Channels, Cinema Halls, Audio-Visual displays in public place and social media. The legal provisions, as applicable to other modes of electronic media shall also be applicable to bulk SMSs/ Voice messages.
- XIV. Under Section 29 of the Representation of the People Act, 1951 read with Rule 69 of the Conduct of the Election Rules, 1961, a place of poll is fixed for conducting poll in respect of election to the Council of States and the State Legislative Councils by MLAs. As per Section 135C, "dry day" is to be declared in Polling Areas and polling area is defined in Section 25 of the Representation of the People Act, 1951, which is applicable to elections from Constituencies i.e. for elections to Lok Sabha, Legislative Assemblies and elections to Legislative Councils from Graduates', Teachers' and Local Authorities' Constituencies.
- XV. The provision regarding prevention of misuse of vehicles and regulation of convoys during campaign period as in the case of elections to House of People / Legislative Assemblies shall be made applicable for Council elections also.
- XVI. Restriction on the presence of political functionaries in a constituency after the campaign period is over i.e., 48 hours before the closure of the poll as in the case of elections to House of People / Legislative Assemblies shall be made applicable for Council elections from Council Constituencies also.

5. The Commission, in the context of certain queries that have been raised in this connection, have also clarified that: -

- (a) The practice of keeping the electors in hotels/resorts and other similar places during election period would amount to bribing of electors. It is clarified that such practice shall be construed as violation of sub Para (4) of Para I-General Conduct of MCC apart from being violation of Section 171 B of IPC.
- (b) The phrase 'the rest houses/ dak bungalows or other Government accommodation' in paragraph (VII- (iii)) of MCC would also include *Guest Houses* of all institutions that are getting Government assistance in any form of grant-in-aid etc.
- (c) With regard to paragraph (VII-(v) & (vi)) of MCC, it is clarified that these would be made applicable only with regard to the Graduates'/Teachers'/ Local Authorities' Constituencies where the election is being held.

6. In the light of the above, the District Election Officers and District Collectors noted in the address entry are, therefore, requested to adhere to the above directions of the Commission from today itself ie., 06.02.2017. These will be in force in the entire district till the completion of election process.

7. They are further requested to take immediate action on the following issues so as to implement the Model Code of Conduct scrupulously and to conduct the elections in a free, fair and peaceful manner:

- i) Appointment of Videography teams, Flying Squads, MCC Teams with the composition of members as enumerated in the compendium of Election Expenditure Monitoring at the rate of 1 team each for each Mandal, (1 Videography Team, 1 Flying Squad Team, 1 Model Code of Conduct Team).
- ii) Appointment of District Level Media Certification and Monitoring Committee (MCMC) with the composition of officials as enumerated in the compendium of Election Expenditure Monitoring, for pre-certification of election advertisements and SMS messages
- iii) Establishment of Single Window set up for issue of various permissions to the contesting candidates and political parties;
- iv) Appointment of Nodal Officers for taking up various pre-poll and during the poll activities;
- v) Setting up of responsible mechanism for sending daily MCC reports from the day of commencement of MCC / replies to complaints.

- vi) Initiation of action for issue of Magisterial Powers by the Home Department to the Officers appointed under various teams, under a copy to this office.

8. Soft copy of Compendium of Instructions on Model Code of Conduct (August-2015) for HOP/LA together with the hard & soft copies of the following further instructions on MCC, which were already communicated to all the DEOs, are once again sent herewith for ready reference. Hard copies of Compendium of Instructions on Model Code of Conduct will be supplied together with the election material. They are requested to communicate the same to all concerned ie., Returning Officers, Assistant Returning Officers, Nodal Officers, Election Observers, Members of various teams for information and strict compliance:

- i) ECI Lr.No.322/ECI/INST/FUNC/BIEN-LC/2016, Dt.26.12.2016 (Instructions on MCC during elections to Legislative Council Constituencies – Reference 1<sup>st</sup> cited);
- ii) ECI Lr.No.437/6/2017 (policy), Dt.10.01.2017 .. Desisting from making statements on the basis of religion;
- iii) ECI Lr.No.56/LET/FUNC/PP/PPS.II/2017, Dt.24.01.2017 .. Restrictions on appeal of votes in the name of religion, caste etc.
- iv) ECI Lr.No.437/6/Campaign/ECI/INST/FUNCT/MCC-2016, Dt.04.01.2017 .. Instructions/clarifications on various of MCC
- v) ECI Lr.No.437/GOA-LA/2017, Dt.14.01.2017 .. Hearing by the CM/Ministers during MCC period;
- vi) ECI Lr.No.464/INST/2014-EPS, Dt.03.04.2014 .. Clarification on Single Window System;
- vii) ECI Lr.No.4/LET/ECI/FUNC/JUD/SDR/2016, Dt.25.07.2016 .. clarification on printing on pamphlets, posters etc., and defacement of property
- viii) Formats of Daily Reports. (Daily MCC reports in 5 (five) formats ie., MCC-I, MCC-II, LOR-I, LOR-II and Flying Squads (Annexures – A,B,& C) for the period from 6.00 AM of previous day to 6.00 AM of reporting day shall reach this office every day by 12.00 Noon from the 1<sup>st</sup> day of MCC onwards till the ceasure of MCC. Any delay will be viewed seriously.

9. This may be treated as Most Immediate and requested to furnish the action taken report with the name, designation, mobile number of the officers so appointed under various teams.

BHANWAR LAL  
CHIEF ELECTORAL OFFICER &  
E.O SPL. CHIEF SECRETARY TO GOVT.

To

The Collectors & District Election Officers of Srikakulam, Vizianagaram, Visakhapatnam, Prakasam, Nellore, Chittoor, Kadapa, Anantapur and Kurnool districts of Andhra Pradesh State (w.e)

The Collectors & District Election Officers of erstwhile Mahabubnagar, Ranga Reddy districts of Telangana State (w.e)

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The Commissioner, Greater Hyderabad Municipal Corporation & District Election Officer,  
Hyderabad (w.e)

The Collectors & District Magistrates of newly created Wanaparthi, Nagarkurnool,  
Jogulamba Gajwel, Medchal and Vikarabad districts of Telangana State. (w.e)

**Copy to:**

The Director General of Police, Andhra Pradesh, Vijayawada, Krishna District. (w.e)

The Director General of Police, Telangana, Hyderabad. (w.e)

All Officers in the O/o CEO

All Sections on the O/o CEO

SF/SCs

//FORWARDED:: BY ORDER//

  
SECTION OFFICER



**भारत निर्वाचन आयोग**  
**Election Commission of India**

निर्वाचन सदन  
NIRVACHAN SADAN  
अशोक रोड, नई दिल्ली - 110 001  
ASHOKA ROAD, NEW DELHI - 110 001

No. 322/ECI/INST/FUNC/BIEN-LC /2016

Dated: 26<sup>th</sup> December, 2016

To

The Chief Electoral Officers

1. Maharashtra, Mumbai,
2. Uttar Pradesh, Lucknow,
3. Bihar, Patna,
4. Karnataka, Bangalore,
5. Andhra Pradesh, Hyderabad.
6. Telangana, Hyderabad.

Subject: Biennial/Bye-Elections to the Legislative Councils from Council Constituencies - by Graduates' and Teachers' and Local Authorities' Constituencies- MCC-instructions - regarding.

Sir,

I am directed to state that some experience during conduct of elections to Legislative Councils shows that there is lack of clarity with regard to applicability of provisions of Model Code of Conduct in such elections.

2 The Commission constituted a Working Group to examine the matter. The Commission, having considered the report of the Working Group and the matter in its entirety, has directed that all provisions of Model Code of Conduct for the political parties and candidates' shall apply *mutatis mutandis* in Biennial including Bye Elections to the State Legislative Councils from Graduates' & Teachers' Constituencies as well as Local Authorities' Constituencies. Consequently, various instructions issued by the Commission from time to time in clarification of the MCC provisions would also apply for such elections.

3. I am further to say that the following instructions of the Commission which have been issued from time to time to ensure level playing field and also to ensure that a party in power doesn't misuse its position for electoral gains, shall also be applicable in connection with Biennial/Bye Elections to the State Legislative Councils from Graduates' & Teachers' Constituencies as well as Local Authorities' Constituencies (from the date of announcement of election till the date of completion of election).

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Tel : 011-23717391-98, Fax: 011-23713412, Website : www.eci.nic.in

“मजबूत लोकतंत्र - सबकी भागीदारी”

*Greater participation for a stronger democracy*



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  - b. Official visit shall not be combined with the election related work/tours.
  - c. There shall be no announcement of new policy programme/ policy likely to influence the graduates, the teachers and members of Local Authorities who form the electorate of the Constituencies going to poll.
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- VI. On need basis and in consultation with CEO of the state/ECI Observer, the DEO/RO should put in place for every tehsil a special video team to videograph political meeting at public places and to record visits of the Ministers and other important political functionaries. The ECI observer shall see the video recording in the evening of the same day so that he can report any violation to the Commission in prescribed format.
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- XVI. Restriction on the presence of political functionaries in a constituency after the campaign period is over i.e., 48 hours before the closure of the poll as in the case of elections to House of People / Legislative Assemblies shall be made applicable for Council elections from Council Constituencies also.
4. In the context of certain queries that have been raised in this connection, it is clarified that: -
- (a) The practice of keeping the electors in hotels/resorts and other similar places during election period would amount to bribing of electors. It is clarified that

such practice shall be construed as violation of sub Para (4) of Para I-General Conduct of MCC apart from being violation of Section 171 B of IPC.

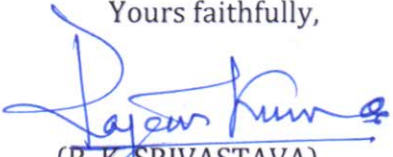
(b) The phrase 'the rest houses/dak bungalows or other Government accommodation' in paragraph (VII- (iii)) of MCC would also include *Guest Houses* of all institutions that are getting Government assistance in any form of grant-in-aid etc.

(c) With regard to paragraph (VII-(v) & (vi)) of MCC, it is clarified that these would be made applicable only with regard to the Graduates'/Teachers'/Local Authorities' Constituencies where the election is being held.

Kindly inform all concerned including all registered and recognized parties based in your state.

Please ensure compliance.

Yours faithfully,



(R. K. SRIVASTAVA)  
SR. PRINCIPAL SECRETARY

## **A.MODEL CODE OF CONDUCT FOR THE GUIDANCE OF POLITICAL PARTIES AND CANDIDATES**

### **I. General Conduct**

(1) No party or candidate shall include in any activity which may aggravate existing differences or create mutual hatred or cause tension between different castes and communities, religious or linguistic.

(2) Criticism of other political parties, when made, shall be confined to their policies and programme, past record and work. Parties and Candidates shall refrain from criticism of all aspects of private life, not connected with the public activities of the leaders or workers of other parties. Criticism of other parties or their workers based on unverified allegations or distortion shall be avoided.

(3) There shall be no appeal to caste or communal feelings for securing votes. Mosques, Churches, Temples or other places of worship shall not be used as forum for election propaganda.

(4) All parties and candidates shall avoid scrupulously all activities which are "corrupt practices" and offences under the election law, such as bribing of voters, intimidation of voters, impersonation of voters, canvassing within 100 meters of polling stations, holding public meetings during the period of 48 hours ending with the hour fixed for the close of the poll, and the transport and conveyance of voters to and from polling station.

(5) The right of every individual for peaceful and undisturbed home-life shall be respected, however much the political parties or candidates may resent his political opinions or activities. Organising demonstrations or picketing before the houses of individuals by way of protesting against their opinions or activities shall not be resorted to under any circumstances.

(6) No political party or candidate shall permit its or his followers to make use of - 3 - any individual's land, building, compound wall etc., without his permission for erecting flag-staffs, suspending banners, pasting notices, writing slogans etc.

(7) Political parties and candidates shall ensure that their supporters do not create obstructions in or break up meetings and processions organised by other parties. Workers or sympathisers of one political party shall not create

disturbances at public meetings organised by another political party by putting questions orally or in writing or by distributing leaflets of their own party. Processions shall not be taken out by one party along places at which meetings are held by another party. Posters issued by one party shall not be removed by workers of another party.

## **II. Meetings.**

(1) The party or candidate shall inform the local police authorities of the venue and time any proposed meeting well in time so as to enable the police to make necessary arrangements for controlling traffic and maintaining peace and order.

(2) A Party or candidate shall ascertain in advance if there is any restrictive or prohibitory order in force in the place proposed for the meeting if such orders exist, they shall be followed strictly. If any exemption is required from such orders, it shall be applied for and obtained well in time.

(3) If permission or license is to be obtained for the use of loudspeakers or any other facility in connection with any proposed meeting, the party or candidate shall apply to the authority concerned well in advance and obtain such permission or license.

(4) Organisers of a meeting shall invariably seek the assistance of the police on duty for dealing with persons disturbing a meeting or otherwise attempting to create disorder. Organisers themselves shall not take action against such persons.

## **III. Procession**

(1) A Party or candidate organizing a procession shall decide before hand the time and place of the starting of the procession, the route to be followed and the time and place at which the procession will terminate. There shall ordinary be on deviation from the programme.

(2) The organisers shall give advance intimation to the local police authorities of the programme so as to enable the letter to make necessary arrangement.

(3) The organisers shall ascertain if any restrictive orders are in force in the localities through which the procession has to pass, and shall comply with the restrictions unless exempted specially by the competent authority. Any traffic regulations or restrictions shall also be carefully adhered to.

(4) The organisers shall take steps in advance to arrange for passage of the procession so that there is no block or hindrance to traffic. If the procession is very long, it shall be organised in segments of suitable lengths, so that at convenient intervals, especially at points where the procession has to pass road junctions, the passage of held up traffic could be allowed by stages thus avoiding heavy traffic congestion.

(5) Processions shall be so regulated as to keep as much to the right of the road as possible and the direction and advice of the police on duty shall be strictly complied with.

6) If two or more political parties or candidates propose to take processions over the same route or parts thereof at about the same time, the organisers shall establish contact well in advance and decide upon the measures to be taken to see that the processions do not clash or cause hindrance to traffic. The assistance of the local police shall be availed of for arriving at a satisfactory arrangement. For this purpose the parties shall contact the police at the earliest opportunity.

(7) The political parties or candidates shall exercise control to the maximum extent possible in the matter of processionists carrying articles which may be put to misuse by undesirable elements especially in moments of excitement.

(8) The carrying of effigies purporting to represent member of other political parties or their leaders, burning such effigies in public and such other forms demonstration shall not be countenanced by any political party or candidate.

#### **IV. Polling Day**

All Political parties and candidates shall –

(i) co-operate with the officers on election duty to ensure peaceful and orderly polling and complete freedom to the voters to exercise their franchise without being subjected to any annoyance or obstruction.

(ii) supply to their authorized workers suitable badges or identity cards.

(iii) agree that the identity slip supplied by them to voters shall be on plain (white) paper and shall not contain any symbol, name of the candidate or the name of the party;

(iv) refrain from serving or distributing liquor on polling day and during

the forty eight hours preceding it.

(v) not allow unnecessary crowd to be collected near the camps set up by the political parties and candidates near the polling booths so as to avoid Confrontation and tension among workers and sympathizers of the parties and the candidate.

(vi) ensure that the candidate's camps shall be simple .The shall not display any posters, flags, symbols or any other propaganda material. No eatable shall be served or crowd allowed at the camps and

(vii) co-operate with the authorities in complying with the restrictions to be imposed on the plying of vehicles on the polling day and obtain permits for them which should be displayed prominently on those vehicles.

### **V. Polling Booth**

Excepting the voters, no one without a valid pass from the Election Commission shall enter the polling booths.

### **VI. Observers**

The Election Commission is appointing Observers. If the candidates or their agents have any specific complaint or problem regarding the conduct of elections they may bring the same to the notice of the Observer.

### **VII. Party in Power**

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 maidens etc., for holding election meetings, and use of helipads for air-flights in connection with elections shall not be monopolized 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, dark bungalows or other Government accommodation



shall not be monopolized by the party in power or its candidates and such accommodation shall be allowed to be used by other parties and candidates in a fair manner but no party or candidate shall use or be allowed to use such accommodation (including premises appertaining thereto) as a campaign office or for holding any public meeting for the purposes of election propaganda;

(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 favor of the party in power.

**Note :** The Commission shall announce the date of any election which shall be a date ordinarily not more than three weeks prior to the date on which the notification is likely to be issued in respect of such elections.

(vii) Ministers of Central or State Government shall not enter any polling station or place of counting except in their capacity as a candidate or voter or authorized agent.

### **VIII. Guidelines on Election Manifesto**

1. The Supreme Court in its judgment dated 5th July 2013 in SLP(C) No. 21455 of 2008 (S. Subramanian Balaji Vs Govt. of Tamil Nadu and others) has directed the Election Commission to frame guidelines with regard to the contents of election manifesto in consultation with all the recognized political parties. The guiding

principles which will lead to framing of such guidelines are quoted below from judgment:-

- (i) "Although, the law is obvious that the promises in the election manifesto cannot be construed as 'corrupt practice' under Section 123 of RP Act, the reality cannot be ruled out that distribution of freebies on any kind, undoubtedly, influences all people. It shakes the root of free and fair elections to a large degree".
- (ii) "The Election Commission, in order to ensure level playing field between the contesting parties and candidates in elections and also in order to see that the party of the election process does not get vitiated, as in past been issuing instructions under the Model Code of Conduct. The fountainhead of the powers under which the Commission issues these orders is Article 324 of the Constitution which mandates the Commission to hold free and fair elections."
- (iii) "We are mindful of the fact that generally political parties release their election manifesto before the announcement of election date, in that scenario, strictly speaking, the Election Commission will not have the authority to regulate any act which is done before the announcement of the date. Nevertheless, an exception can be made in this regard as the purpose of election manifesto is directly associated with the election process".

1. Upon receiving the above direction of the Hon'ble Supreme Court, the Election Commission held a meeting with the recognized National and State Political Parties for consultation with them in the matter and took note of their conflicting views in the matter.

During consultations, while upon some political parties supported the issuance of such guidelines, others were of the view that it is their right and duty towards voters to make such offers and promises in manifesto in a healthy democratic polity. While the Commission agrees in principle with the point of view that framing of manifestos is the right of the political parties, it cannot overlook the undesirable impact of some of

the promises and offers on the conduct of free and fair elections and maintaining level playing field for all political parties and candidates.

2. The Constitution under Article 324 mandates the Election Commission, to conduct elections inter alia to the Parliament and the State Legislatures. Having due regard to the above direction of the Supreme Court and after consultation with the Political Parties, the Commission, in the interest of free and fair elections, hereby directs that Political parties and candidates while releasing election manifesto for any election to the Parliament or State Legislatures, shall adhere to the guidelines :-

- (i) The election manifesto shall not contain anything repugnant to the ideals and principles enshrined in the Constitution and further that it shall be consistent with the letter and spirit of other provisions of Model Code of Conduct.
- (ii) The Directive Principles of State Policy enshrined in the Constitution enjoin upon the State to frame various welfare measures for the citizens and therefore there can be no objection to the promise of such welfare in election manifesto. However, political parties should avoid making those promises which are likely to vitiate the purity of the election process or exert undue influence on the voters in exercising their franchise.
- (iii) In the interest of transparency, level playing field and credibility of promises, it is expected that manifesto also reflect the rationale for the promises and broadly indicate the ways and means to meet the financial requirement for it. Trust of voters should be sought only on those promises which are possible to be fulfilled.

ED. 17 86636231N

(16/1/17)

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भारत निर्वाचन आयोग  
Election Commission of India

निर्वाचन सदन

NIRVACHAN SADAN

अशोक रोड, नई दिल्ली - 110 001  
ASHOKA ROAD, NEW DELHI - 110 001

No. 437/6/2017( policy)

Dated: 10<sup>th</sup> January, 2017

GI To,

President/Secretary/General Secretary,  
all recognized National and State political parties

No. 276

Date: 16/1/17

Section

Subject: General Election to Legislative Assemblies 2017 - MCC - regarding.  
Sir,

As you are kindly aware the MCC and various provisions of IPC, inter alia, provide that political parties and their leaders should desist from making statements to the effect of creating disharmony between different sections of society on the basis of religion as the same disturb peace and tranquilly of the society which is absolutely essential for free and peaceful conduct of elections. Even the Hon'ble Apex Court of the country has expressed its deep concerns in the matter vide its judgement and order dated 02.01.2017 in Civil Appeal No. 37 of 1992 (*Abhiram Singh Vs C.D. Commachen*) and with Civil Appeal no. 8339 of 1995.

The Commission will not remain a silent spectator if the provisions of law or MCC are violated and no one can do it with impunity. The Commission will take stern actions for any violation under all powers available.

All may please note it and issue suitable advisory to all concerned.

Yours faithfully,

(R.K. Srivastava)  
Sr. Principal Secretary

Copy to CEOs of all States/UTs for information and necessary follow up actions. They are also requested to bring this into notice of all registered parties of the State/UTs.



So/B.  
pl. put up as  
endorsed by CEO

16/1/17

ED, 178664836 SW  
20/1/17

**ELECTION COMMISSION OF INDIA**  
Nirvachan Sadan, Ashoka Road, New Delhi-110001

No. 56/LET/FUNC/PP/PPS-II/2017

Dated : 24<sup>th</sup> Jan., 2017

GI	To
No. 548	The Chief Electoral Officers of
Date : 30/1/17	All States and Union Territories.
Section	

Sub: Judgement dated 02-01-17 of the Hon'ble Supreme Court in C A Nos 37 of 1992 and C A No. 8339 of 1995 (Abhiram Singh Vs C D Commachen & ors)- Seeking votes in the name of religion, caste, etc.

Sir/Madam,

Attention is invited to the judgement pronounced on 02-01-17 by the Constitution Bench of Seven Judges of the Hon'ble Supreme Court in C A Nos 37 of 1992 and CA No. 8339 of 1995 (Abhiram Singh Vs C D Commachen & Ors), on the issue of use of religion, caste, etc. in election campaign. By the majority judgement, the Apex Court has held that any appeal to vote or to refrain from voting for a candidate on the ground of religion, caste, race, community or language of the candidate, election agent, any person making the appeal with the consent of the candidate or on the ground of the religion, caste etc. of the electors would amount to corrupt practice.

2. The relevant extracts from the judgment are quoted below for the information and reference of your party:-

*"23. The upshot of the above discussion clearly is that under the constitutional scheme mixing religion with State power is not permissible while freedom to practice profess and propagate religion of one's choice is guaranteed. The State being secular in character will not identify itself with any one of the religions or religious denominations. This necessarily implies that religion will not play any role in the governance of the country which must at all times be secular in nature. The elections to the State legislature or to the Parliament or for that matter or any other body in the State is a secular exercise just as the functions of the elected representatives must be secular in both outlook and practice. Suffice it to say that the Constitutional ethos forbids mixing of religions or religious considerations with the secular functions of the State. ...."*

28. There is thus ample authority for the proposition that while interpreting a legislative provision, the Courts must remain alive to the constitutional provisions and ethos and that interpretations that are in tune with such provisions and ethos ought to be preferred over others. Applying that principle to the case at hand, an interpretation that will have the effect of removing the religion or religious considerations from the secular character of the State or state activity ought to be preferred over an interpretation which may allow such considerations to enter, effect or influence such activities. Electoral processes are doubtless secular activities of the State. Religion can have no place in such activities for religion is a matter personal to the individual with which neither the State nor any other individual has anything to do. The relationship between man and God and the means which humans adopt to connect with the almighty are matters of individual preferences and choices. The State is under an obligation to allow complete freedom for practicing, professing and propagating religious faith to which a citizen belongs in terms of Article 25 of the Constitution of India but the freedom so guaranteed has nothing to do with secular activities which the State undertakes. The State can and indeed has in terms of Section 123(3) forbidden interference of religions and religious beliefs with secular activity of elections to legislative bodies. To sum up: [Emphasis supplied]

29. An appeal in the name of religion, race, caste, community or language is impermissible under the Representation of the People Act, 1951 and would constitute a corrupt practice sufficient to annul the election in which such an appeal was made regardless whether the appeal was in the name of the candidate's religion or the religion of the election agent or that of the opponent or that of the voter's. The sum total of Section 123 (3) even after amendment is that an appeal in the name of religion, race, caste, community or language is forbidden even when the appeal may not be in the name of the religion, race, caste, community or language of the candidate for whom it has been made. So interpreted religion, race, caste, community or language would not be allowed to play any role in the electoral process and should an appeal be made on any of those considerations, the same would constitute a corrupt practice. With these few lines I answer the reference in terms of the order proposed by Lokur, J."

.....

"49. On a consideration of the entire material placed before us by learned counsels, we record our conclusions as follows:

(1) The provisions of sub-section (3) of Section 123 of the Representation of the People Act, 1951 are required to be read and appreciated in the context of simultaneous and contemporaneous amendments inserting sub-section (3A) in Section 123 of the Act and inserting Section 153A in the Indian Penal Code.

(2) So read together, and for maintaining the purity of the electoral process and not vitiating it, sub-section (3) of Section 123 of the Representation of the People Act, 1951 must be given a broad and purposive interpretation thereby bringing within the sweep of a corrupt practice any appeal made to an elector by a candidate or his agent or by any other person with the consent of a candidate or his election agent to vote or refrain from voting for the furtherance of the prospects of the election of that candidate or for prejudicially affecting the election of any candidate on the ground of the religion, race, caste, community or language of (i) any candidate or (ii) his agent or (iii) any other person making the appeal with the consent of the candidate or (iv) the elector.

3. The Commission has separately instructed all recognized National and State political parties that they shall take due note of the directions in the judgment for strict compliance. They have been asked to suitably brief and inform their lower formations and party cadres and all their candidates about the ruling of the Supreme Court and ask them to desist from any activities that would amount to soliciting votes in the name of religion, caste, etc. in any manner.
4. The Chief Electoral Officers are requested to take note of this judgment for guidance and reference. Any activity of seeking votes in the name of religion, caste etc. by or on behalf of any candidate or political party would now amount to violation of the provisions of sub- paras (3) and (4) of Part-I of the Model Code of Conduct. This letter may be communicated to all DEOs and ROs, and also may be brought to the notice of election observers at the time of elections. This may also be communicated to all political parties based in the State/UT including the registered un-recognized parties.
5. Please acknowledge receipt of this letter.

Yours faithfully,



(K.F. WILFRED)  
PRINCIPAL SECRETARY



भारत निर्वाचन आयोग  
Election Commission of India

ED, 1706 54564 10

9/1/17

निर्वाचन सदन  
NIRVACHAN SADAN

अशोक रोड, नई दिल्ली - 110 001  
ASHOKA ROAD, NEW DELHI - 110 001

No.437/6/Campaign/ECI/INST/FUNCT/MCC-2016

Dated: 4<sup>th</sup> January, 2017

To, 175

9/1/17

The Chief Electoral Officers  
of All States/Union Territories.

Subject: General/Bye Elections to the Lok Sabha/Legislative Assemblies- instructions on election campaigns - Regarding.



With a view to maintain the election campaign in line with statutory provisions and to avoid clashes and conflicts between stakeholders i.e. political parties or their supporters and also to ensure peace and order during the campaign period, the Commission has issued, in the past, a number of instructions. The Commission has decided to issue the following instructions\* -

1. Video-vans

The Commission's instructions, contained in letter No.464/INST/2014/ÉPS dated 10<sup>th</sup> April 2014, provide that the permission for video-vans etc. to be used by a political party for campaign across the State would be given by the CEO taking in view the provisions of the Motor Vehicle Act and also the judgments dated 23.06.2006 and 14.02.2007 of the Allahabad High Court in Writ Petition No. 3648 (MB) of 2006.

The Commission reiterates the above and directs further that-

- I. *The permission to use Video-Vans for campaign purpose can be granted at Chief Electoral Officer level only. Transport Nodal Officer must submit certificate to the Chief Electoral Officer that the video van is in conformity with the Motor Vehicle Act*
- II. *The contents of material for election publicity on the video-van shall be pre-certified from MCMCs. The video van of the political party should be used to propagate its programme and policies to seek votes. Votes or support for of any particular candidate should not be solicited. However, if it is used for seeking votes/support for a candidate/candidates then expenditure of video van shall be accounted for by such candidate/candidates appropriately. Expenditure observers to closely monitor this.*

\*Additional/New instructions are shown in italics

Tel : 011-23052205-18 Fax: 011-23052223-25, Website : www.eci.nic.in

“मजबूत लोकतंत्र - सबकी भागीदारी”  
Greater participation for a stronger democracy



III. Any party/candidate seeking permission to use video vans from Chief Electoral Officer should first obtain necessary permission/no objection certificate from the Competent Authority under the Motor Vehicle Act. This certification is required to ensure the conformity with the Motor Vehicle Act/relevant provisions of law and Court orders, if any on this subject for plying of video-vans on the road.

IV. Though there is no restriction on the number of video vans which can be used in a campaign, but the expenditure for it shall be duly included in the Election Expenditure Account of the party, to be submitted to ECI after election.

V. Route of video vans to be used for publicity/campaigning should be informed to local administration/District Election Officer in advance. In case of violation, the permissions for video van may be withdrawn, after due notice, by CEO.

2. Use of Bike - The Commission, having considered inputs that there is a need to regulate the use of bikes for electioneering purposes, issues the following instructions.

(i) Bike is a two wheeler and its use shall be restricted only for campaign purpose. Number of bikes may be restricted as per convoy rules of vehicles (as provided in ECI's instructions in letter No.464/INST/2014/EPS dated 10<sup>th</sup> April 2014), which inter-alia provides that cars/vehicles shall, under no circumstances, be allowed to move in convoy of more than ten vehicles, excluding the security vehicles. All bigger convoys exceeding ten vehicles shall be broken up, even if they are carrying any Minister of Central or State Government or any other person. This shall, however, be subject to any security instructions issued in respect of any such individual. If any person moves in a convoy of vehicles exceeding the limits prescribed above, in spite of the convoy having been broken, it shall be the duty of the local administration to ensure that such vehicles are not allowed to be used by flouting the Commission's directions, till the process of election is completed.

(ii) Use of Bikes, other than those permitted to campaign purpose, would be regulated under the prohibitory order, viz. Sec 144 Cr PC.

(iii) Only one flag (of maximum dimension of 2x1 ft.) shall be permitted on one bike.

(iv) Length of Pole/stick for carrying flag shall not be more than 3 feet.

3. Road Shows -The ECI's instruction in letter No.464/INST/2014/EPS, dated 10<sup>th</sup> April 2014, inter alia, provides for a total and absolute ban on the use of official vehicle for campaigning, electioneering or election related travel during elections. It also provides that car/vehicles shall not

be allowed to move in convoys of more than ten vehicles (excluding security vehicles) and all bigger convoys shall be broken even if they are carrying any Minister of Centre/State Government or any other person, subject to any security instructions issued in respect of any such individual.

*The Commission, after considering the fact that there is a need to regulate road shows to avoid any inconvenience to the general public/commuters during road shows, issues the following instructions-*

- a. *Prior permission for road shows shall be taken from the Competent Authority.*
  - b. *In order to avoid inconvenience to general public, as far as possible, road shows, subject to court orders and local laws, should be permitted only on holidays and during non-peak hours on routes other than that having big hospitals, trauma centers, blood banks and heavily crowded markets.*
  - c. *Number of vehicles and persons joining for road show shall be intimated in advance.*
  - d. *The road show shall not cover more than half the road width to ensure safety of the general public.*
  - e. *The convoy of vehicles being used in road show shall be broken after every 10 vehicles and a gap of 200 meters would be maintained.*
  - f. *Safety of public and persons in the road show shall be ensured. Bursting of fire crackers and carrying of fire arms shall not be permitted at all.*
  - g. *The maximum size of banner that may be used would be 6x4 feet.*
  - h. *Loudspeakers can be used as per existing ECI's instruction and subject to Local Laws and Court orders on this subject.*
  - i. *Display of animals in road shows is totally banned. Children, particularly school children in uniform, should not take part in road shows*
  - j. *Only one flag with prior permission can be used by the party supporters in road shows. The maximum dimension of the flag would be 3x2 feet.*
4. **Movement of vehicle during nomination-** The ECI's instructions in letter No.464/INST/2014 /EPS dated 10.4.14, inter alia, provides that only three vehicles will be allowed, within the periphery of 100 meters of RO's office at the time of nomination. It is now directed that this periphery of 100 meters should be clearly demarcated by RO/DEO. It is also directed that only one door shall be kept open for entry of candidate+ 4 other authorized persons and all other doors should be closed. A CCTV camera should be placed at the entry door to record actual time of entry.

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5. Use of vehicle on poll day-The ECI's instructions in letter No.464/INST/2014 /EPS dated 10.4.14, inter alia, provide for restrain on unlawful use of vehicles on poll day by candidates/his agent or by any other person with the consent of the candidate or his election agent. For the purpose of restrictions imposed by said instructions it is clarified that the vehicle *would mean all vehicles propelled by mechanical power or otherwise.*

6. Use of Loudspeakers in processions and election meetings- The Commission's instructions contained in its letter number 3/8/2000/JS-II dated 26.12.2000, inter alia, provides for written, prior approval of the competent authority. A public address system or loudspeaker or any sound amplifier, whether flitted on vehicles of any kind whatsoever, or in static position, used for public meetings for electioneering purpose, shall not be used at night between 10.00 p.m. and 6.00 a.m., subject to the local laws/court orders/any order of state Pollution Control Boards. Local perceptions of the security arrangements of the area and other relevant considerations like weather conditions, festival season, examination period, etc should also be considered. Provisions of the Motor Vehicles Act/Rules shall be made applicable to any vehicle in which loud speaker is mounted. The driver of the vehicle must carry the permission letter to show checking squads/observers or any other officer. All loudspeaker being used beyond the hours as prescribed above, shall be confiscated along with all the apparatus connected with the use of these loudspeakers. All steps should be taken to check noise pollution and disturbance of public peace and tranquility.

The Commission has further directed that it should be ensured by the concerned authorities of State pollution Control Boards that decibels of the sound generated by loud speakers/amplifiers doesn't exceed the permissible limit as fixed under relevant law/guidelines. DEO shall monitor this by putting in place suitable mechanism.

7. Use of flags -

The ECI's instructions contained in letter No.3/7/2008-JSII dated 7.10.2008, inter alia provides that subject to any restrictions under any local law or any court orders in force, the political parties, candidates, their agents, workers and supporters may put up banners, buntings, flags, cut-outs, on their own property, provided they do so on their own volition, voluntarily and without any pressure from any party, organization or person, and provided further that these do not cause any inconvenience in any manner to anyone else. Also, if such display of banners, flags etc. aims to solicit vote for any particular candidate, then, under section 171 H of IPC, general or special authority in writing of candidate is necessary.

9-

*The Commission has now clarified that there should be only three number of flags of a party /candidate to be used at party workers'/supporters' residence and at party offices. In case, some person wants to display flags of more than one party or candidate, then it shall be restricted to only one flag of each party/candidate. Display of flags would be subject to Local Law and court orders, if any.*

*As far as the use of banners, flags etc on vehicles, it shall be regulated as below-*

- a. No spot/focus/flashing/search lights and hooters shall be put on any campaign vehicle.*
- b. Chief Electoral Officer shall ensure that all the provisions of local law, Court's directions and Motor Vehicle Act are uniformly applied throughout the State.*
- c. No person shall put any flag or banner or sticker of big size on any vehicle except with prior permission of the Competent Authority subject to the relevant provisions of law and Court direction/orders if any on the subject.*
- d. The maximum number and size of flags/banners by a party or candidate will be as follows-*
  - i. Two wheelers - one flag of maximum size 2x1 ft. No sticker or banners will be allowed.*
  - ii. Three wheelers, four wheelers, e-Rickshaws - No sticker or banners will be allowed. Only one flag of maximum size 3x2 ft.*
  - iii. It is clarified that if a political party is having a pre-poll alliance/seat sharing arrangement with another party then campaign vehicle of a candidate/political party may display one flag each of such parties.*
- e. Simultaneous plying of number of vehicles on road including e-Rickshaws to be limited to 10 and if it exceeds the limit of 10 vehicles then the convoy shall be broken after every 10 vehicles.*

8. Temporary Campaign Offices- The ECI's existing instructions in letter No.437/6/2007(INST) - PLNIII, dated 12<sup>th</sup> November 2007, inter alia, provide that no such office will be opened by way of any encroachment either of public or private property. or in any religious places or campus of such religious places or contiguous to any educational institution/hospital or within 200 meters of an existing polling station. Such offices can display only one party flag and banner with party symbols/ photographs. The size of banner used in such offices should not exceed '4 feet X 8 feet' subject to the further condition that if the local laws prescribe a lower size for banner/ hoarding etc.; then the lower size prescribed by local law shall prevail. The Expenditure Observer should closely monitor to ensure that expenditure on it is properly booked in the account of candidate.

- 11-
9. Single window system - In this connection attention is drawn to ECI's instructions in letter No.464/INST/2014-EPS, dated 20<sup>th</sup> March 2014. The Commission has now directed that all application seeking permissions under under IT platform 'Suvidha' shall have to be disposed off within 24 hours.
10. Use of space in Railway Stations, Bus Stands, Airports, Bridges-Railway and Roadways, Govt. Buses, Govt. and Public buildings, Electric and Telephone Poles, Municipal / local bodies' buildings, space and assets for political advertisement.

ECI's instructions No.437/6/INST/2015-CCS, dated 29<sup>th</sup> December 2015 forbids any display of election posters, hoardings, banners, etc., in any Government/PSU premises even if it is a commercial space. The commercial spaces of Govt. and Public Sector Undertakings (PSUs) during election periods cannot be used for displaying political advertisements. The above instruction further clarifies that In case there is no specific provision in the by-laws of PSUs or in their agreements with the advertisement agencies to whom they let out space for advertisement for prohibiting display of political advertisement, the PSUs may be instructed to add a Para in their commercial agreements with commercial agencies/companies while providing space on lease to the advertisement agency for placing commercial advertisements that *"No political advertisement shall be displayed/pasted at the space provided on lease for commercial advertisement like airports, railway stations, Inter State/Local Bus Stands, Govt. transportation post offices, Government hospitals/dispensaries etc. (except on main highways, main roads etc.) during the period of Model Code of Conduct. If there is any political advertisement in the provided space, the same shall be removed immediately on enforcement of the Model Code of Conduct."*

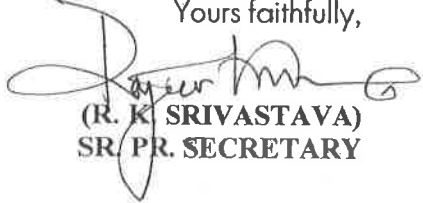
In the case of Halls/Auditoriums/Meeting venues owned/controlled by the Government/ local authorities/PSUs/Cooperatives, ECI instruction number 3/7/2008 dated 7.10.2008, inter alia, provides that if the law/guidelines governing their use do not preclude political meetings therein, there is no objection to it but, it shall be ensured that the allocation is done on equitable basis and that there is no monopolization by any political party or candidates. In such venues, displaying of banners, buntings, flags, cut-outs, may be permitted during the period of meetings subject to any restrictions under the law/guidelines in force. Such banners, flags, etc. shall be got removed by the party/individual who used the premises immediately after conclusion of the meeting, and in any case within a reasonable period after the meeting is over. Permanent/semi-permanent defacement such as wall writing/pasting of posters etc. shall not be permitted in such premises. *The Commission*

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*reiterates the aforesaid instructions. The ECI Observers shall closely monitor compliance and will specifically mention it in their reports to ECI.*

Kindly inform all concerned and give due publicity and ensure compliance in letter and spirit.

Yours faithfully,



(R. K. SRIVASTAVA)  
SR. PR. SECRETARY

# ELECTION COMMISSION OF INDIA

NIRVACHAN SADAN, ASHOKA ROAD, NEW DELHI-110001

No. 437/GOA-LA/2017

Dated:- 14<sup>th</sup> January, 2017

To

1. The Chief Secretaries of  
Goa, Manipur, Punjab, Uttarakhand and Uttar Pradesh.
2. The Chief Electoral Officers of  
Goa, Manipur, Punjab, Uttarakhand and Uttar Pradesh.

**Sub: Hearings by the Chief Minister / Ministers during Model Code period - reg.**

Sir,

It has been brought to the notice of the Commission that the Chief Minister and Ministers or Politically appointed office bearers of statutory bodies continue to hear appeals filed by persons under various prevailing Acts and laws in the State even when the Model Code of Conduct comes into force in connection with general elections in the States.

Since the Model Code of Conduct has come into force after announcement of General Elections to Legislative Assembly of your State on 4<sup>th</sup> January, 2017, any such hearings by Chief Minister or Ministers or Politically appointed office bearers of statutory bodies may have direct or indirect influence on voters and also may disturb the level playing field.

Considering the facts and circumstances, the Commission has directed that all such hearings by Chief Minister and Minister or Politically appointed office bearers of statutory bodies should be deferred till the conclusion of poll in all constituencies in your State. If any such hearing is required to be held in compliance with the mandatory provisions of law/any court order, such hearing in lieu of Chief Minister / Ministers or Politically appointed office bearers of statutory bodies, should be held by a Secretary Level Officer nominated by the Chief Secretary of the State, where the law provides for delegation of the power to such officer.


The Commission has further directed that action taken in this matter may please be intimated latest by 17<sup>th</sup> January, 2017.

Yours faithfully,

  
(SUMIT MUKHERJEE)  
SECRETARY

Copy to the

1. Chief Secretaries of all States and UTs for information and necessary action at the State election.
2. Chief Electoral Officers of all States and UTs for information and necessary action at the State election.

  
(SUMIT MUKHERJEE)  
SECRETARY

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-31-

GE-2014

## ELECTION COMMISSION OF INDIA

NIRVACHAN SADAN, ASHOKA ROAD, NEW DELHI-110001

No. 464/INST/2014-EPS

Dated:- 3<sup>rd</sup> April, 2014

To

The Chief Electoral Officers,  
of all States/UTs.

**Sub: General Election to the Lok Sabha, 2014 - Instructions regarding SINGLE WINDOW SYSTEM for Public Meetings/Rallies/Processions, use of Loudspeakers and use of vehicles for election campaigning as well as use of non-commercial/remote/ uncontrolled airports/helipads.**

Sir/Madam,

I am directed to refer to the Commission's instructions issued vide its letter of even number dated 20<sup>th</sup> March, 2014 on the subject cited wherein it was directed that a "Single Window System" may be set up in the offices of concerned District Magistrate/District Election Officer/Returning Officer (RO) of the Parliamentary Constituencies in all the States/UTs during the election period, to grant permissions to the political parties and candidates.

2. The Commission has received a request from the CEO, Tamil Nadu that the above said "Single Window System" may be set up at each level of Assistant Returning Officers, as that will be more convenient and accessible at the local level. The Commission has considered the matter and decided that in addition to District Magistrate/District Election Officer/Returning Officer (RO), the Assistant Returning Officers (AROs) may also be authorized to grant permissions under the Single Window System.

3. All concerned may be informed accordingly.

Yours faithfully,

  
(SUMIT MUKHERJEE)  
SECRETARY



# ELECTION COMMISSION OF INDIA

NIRVACHAN SADAN, ASHOKA ROAD, NEW DELHI-110001

No. 464/INST/2014-EPS

Dated:- 20<sup>th</sup> March, 2014

To

The Chief Electoral Officers,  
of all States/UTs.

**Sub: General Election to the Lok Sabha, 2014 – Instructions regarding SINGLE WINDOW SYSTEM for Public Meetings/Rallies/Processions, use of Loudspeakers and use of vehicles for election campaigning as well as use of non-commercial/remote/ uncontrolled airports/helipads.**

**Sir/Madam,**

I am directed to refer to the subject cited above and to state that the Commission has directed that a “**Single Window System**” may be set up in the offices of concerned District Magistrate/District Election Officer/Returning Officer (RO) of the Parliamentary Constituencies in all the States/UTs during the election period, to grant permissions to the political parties and candidates for –

- a) usage of non-commercial/remote/uncontrolled airports/helipads;
- b) organizing public meetings/rallies/ processions, use of loudspeakers; and
- c) use of vehicles for election campaigning.

2. In view of the above, DMs/DEOs/ROs of all Parliamentary Constituencies may be directed to follow the instructions/directions during the ensuing General Election to Lok Sabha, 2014, as given below :

- 1) All DMs/DEOs/ROs (PC) shall set up and operationalize “**Single Window/Permission Cell**” in their offices, which will be equipped with necessary infrastructure such as, photocopier machine, scanner, computer, telephone, etc. and dedicated staff who will provide photocopies of applications received by Permission Cell Incharge, to various Nodal Officers of other departments present in the office of Returning Officer for prompt action at their end with regard to obtaining specific clearances from their respective department.

- 2) SSP/SP or equivalent level officer of different designations of the district shall designate one officer of the rank of DSP as **Permission Cell Incharge** for each R.O. Office who shall camp in the office premises of DM/RO. He/She will collect and process the applications and issue permission/decision to the applicant after obtaining necessary approval from the competent authority of State Police as well as other local authorities, land owning agencies etc. as per laws.
- 3) (a) The political party/candidate seeking permission has to apply to the Permission Cell Incharge in the office of the Returning Officer concerned at least **48 hours** before the event along with details of Expenditure Plan in the prescribed format given in **Annexure-16** of *Compendium of Instructions on Election Expenditure Monitoring (January 2014)* (copy enclosed) in accordance with the instructions of the Commission.  
(b) A political party/candidate may apply through an application for permission in respect of those events/rallies/processions etc. scheduled to be organized within **07 days** of making the application (excluding the day of application).  
(c) Separate application has to be filed for more than one event on a particular day.  
(d) In case an event/rally/procession etc. is to be held in the area covering jurisdiction of more than one District(s) for any Parliamentary Constituency, then separate applications have to be filed with the Permission Cell Incharge in the office of the concerned DM/RO.
- 4) The Permission Cell Incharge shall also keep a separate register (Log-Book) for keeping the record of applications received, their transmission to Nodal Officers of various departments and final grant of permission/decision indicating date and time of each stage.
- 5) The Traffic Police related permission shall be obtained by the Permission Cell Incharge and the applicant will not be asked to obtain the same from the Traffic Police separately.
- 6) (a) **Permission Cell Incharge after obtaining necessary clearance, if any, from other department such as fire, local authorities, land owning agencies etc. will issue the permission to the political parties/candidates within 36 hours of the receipt of application.**  
(b) The State Nodal Officer of Police shall send Daily Report of cases of all RO offices where any **permission** is pending for more than **36 hours**, with reasons, in format SWS-1 (Copy annexed).

- 7) The permission shall be given to the applicant(s) on "First Come First Served" basis from the Single Window only.
- 8) A copy of permission/decision along with a copy of Expenditure Plan (Annexure-16) shall be submitted by the Permission Cell Incharge to Returning Officer immediately, who in turn will forward it within **one hour** to the concerned Asstt. Expenditure Observer of Assembly Constituency for making necessary arrangements for videography of the event for the purpose of enforcement of Model Code of Conduct and Election Expenditure Monitoring etc. and to the Asst. Expenditure Observer of Parliamentary Constituency for keeping the record in Folder of Evidence of concerned political party/candidate.
- 9) For usage of non-commercial/remote/uncontrolled airports/helipads by a political party/candidate, the application will have to be made to the **concerned District Magistrate** at least **24 hours** before landing, mentioning the details of travel plan, place of landing in the district and names of passengers in the aircraft/helicopter. A separate register for keeping record of applications received and their disposal shall be maintained for the purpose. Permission Cell Incharge shall ensure that NOC of Police authorities, if required, is made available to the DM/DEO well within time.
- 10) The following officers of various departments shall be part of "**Single Window System**" set up at the office of DM/RO concerned, to coordinate, process and assist in obtaining issuance of No Objection Certificate (NOC)/Permission/Decision from their department as per rules of the department.:-
  - (i) A Officer of the level of Executive Engineer or above of concerned Municipal Corporations, Cantonment Boards, etc. as the case may be, for use of land, building, premises, ground etc.
  - (ii) Assistant Divisional Fire Officer or equivalent of the concerned district.
  - (iii) An Officer of the level of Executive Engineer or above from Electricity Department/Board of the concerned district, for any requirement for temporary electricity connection at meeting site.
- 11) The above mentioned officers shall follow the following procedure for issuance of NOC/Permission/Decision at Single Window System:-
  - a) These officers shall camp in the office premises of DM/RO concerned.

- b) They will collect photocopy of application for permission submitted by a party/candidate at Single Window System from Permission Cell Incharge who is also camping in DM/RO office.
- c) They will process the applications in their respective departments on urgent basis and issue permission/NOC/decision as per departmental rules on the **same day** of making application on "First Come First Served" basis and deliver to the Permission Cell Incharge for issuance of further permission/decision to the applicants.
- d) DM/RO shall ensure necessary sitting arrangements for these officers.

12) An officer of the rank of Assistant Director or above from Transport Department, shall camp in the CEO's Office (Model Code of Conduct Branch) to facilitate obtaining permission/decision in respect of modified vehicles to be used for rally and election campaigning.

3. These instructions shall be displayed on the Notice Board in the office of all DMs/DEOs/ROs as well as other suitable places for public awareness.

4. The General Observers, Expenditure Observers, Asstt. Expenditure Observers, political parties/candidates and all concerned may be informed accordingly.

Yours faithfully,



(SUMIT MUKHERJEE)  
SECRETARY

**Details of Expenditure on Public Meetings/Rallies etc.**

(To be given by the candidate/his election agent at the time for applying for permission to hold the  
Public Meeting/Rally etc.)

Name of District : No. and Name of Constituency :

Name of Candidate : Political Party if any :

Date, time and duration of Public Meeting/Rally etc :

[Location] Venue of Public Meeting/Rally etc :

S.No.	Item of Expenditure	Proposed to be used by the Candidate/his Election Agent		Proposed to be used by the Political Party		Proposed to be used by any other Association		According to the Report of the Officer In-Charge	
		Number of Units	Cost	Number of Units	Cost	Number of Units	Cost	Number of Units	Cost
1.	Pandal and fixture								
2.	Barricading & Arches								
3.	Tables								
4.	Chairs								
5.	Other furniture								
6.	Loudspeaker & Microphone								
7.	Posters								
8.	Banners								
9.	Cut Outs								
10.	Digital Boards								
11.	Illumination items like Serial lights etc.								
12.	Power connection charges paid/payable to EB etc.								
13.	Other items								
14.	.....								
	<b>Total</b>								

Name and Signature of Candidate/Election Agent/Name and Signature of authorised representative of  
Political Party/any other Association Officer in-charge

Date :



# ELECTION COMMISSION OF INDIA

NIRVACHAN SADAN, ASHOKA ROAD, NEW DELHI-110001.

No.464/INST/ 2014/EPS

Dated: 10<sup>th</sup> April, 2014

To

The Chief Electoral Officers  
of all States / Union Territories.

**Sub: General Election to the Lok Sabha, 2014 – Consolidated Instructions on use of vehicles during elections - regarding.**

Sir/Madam,

With a view to ensuring level playing field for all candidates and other stake holders and further to check the vitiating role of money and misuse of official machinery, the Commission has issued in the past a number of instructions on the above cited subject. For sake of clarity and easy reference, the same have been consolidated and are being re-issued for compliance and guidance during all General/Bye elections to the Lok Sabha/State Legislative Assemblies and all Biennial/Bye elections from Graduates' and Teachers' constituencies of Legislative Councils.

## **Period of applicability-**

2. These instructions shall come into effect from the date of announcement of elections till the completion of elections.

## **Meaning of 'official vehicle'**

3. The expression 'official vehicle' means, and shall include, any vehicles used or capable of being used for the purpose of transport, whether propelled by mechanical power or otherwise and will include trucks, lorries, tempos, jeeps, cars, auto rickshaws, e-rickshaws, buses, belonging to the (i) Central Government, (ii) State Governments/UT Administrations, (iii) Public Undertakings of the Central and State Governments, (iv) Joint Sector Undertakings of Central and State Governments, (v) Local Bodies, (vi) Municipal Corporations, (vii) Municipalities, (viii) Marketing Boards (by whatever name known), (ix) Cooperative Societies, (x) Autonomous District Councils or any other body in which public funds, howsoever small a portion of the total, are invested and also include those belonging to the Ministry of Defence and the Central Public Organisations under the Ministry of Home Affairs and State Governments.

## **Directions of ECI**

4. **The Commission directs that, subject to exceptions mentioned herein, there shall be a total and absolute ban on the use of official vehicles for campaigning, electioneering or election related travel during elections.** There shall be a total prohibition on the use of any vehicles such as helicopters, aircrafts, (except as regulated by the Commission's order on the subject) cars, jeeps, automobiles, boats, hovercrafts, etc., belonging to the (i) Central Government, (ii) State Government/UT Administration (iii) Public undertakings of the Central and State Governments, (iv) Joint sector undertakings of the Central and State Governments, (v) Local bodies, (vi) Marketing Boards, (vii) Co-operative Societies, (viii)

Autonomous District Councils or any other body in which public funds, howsoever small portion of the total, are invested for any purpose connected with the elections, by any political party, candidate or any other person connected with election (except officials performing any election related official duty).

5. The Commission further directs that the District Administration shall keep a close watch to find out if any official vehicle belonging to any authority specified in the preceding Para is being used for electioneering purposes. In case it is so, the District Magistrate shall, forthwith, requisition or cause to be requisitioned such vehicles, after following due procedure, for election work, under Section 160 of the Representation of the People Act, 1951 and such requisitioned vehicles shall not be released until after the completion of the process of elections.

#### **Clarifications**

6. It is clarified that the ban on the use of vehicles will equally apply to the vehicles in or from any States not going to the polls but whose vehicles are attempted to be used for campaign either openly or clandestinely in any other State going to poll. The Chief Secretary of each State/Union Territory/the Secretary to the Government of India in the concerned Department, as the case may be, will be personally responsible for any misuse of any vehicle under Ministry/Department or of any of the public sector or joint sector undertakings or Autonomous Bodies or attached offices under that Ministry/Department. The officers under whose charge such vehicles are entrusted will also be equally responsible for any violation.

7. It is further clarified that the use of such vehicles belonging to any of these authorities by anyone, including Ministers of the Central or a State Government, even on payment basis, for campaigning or on tours connected with elections but with the alleged and bogusly certified purpose of official work in their capacity as Ministers is totally prohibited.

#### **Exception**

8. The only exception from the prohibition will be the Prime Minister and other political personalities, who might, in view of extremist and terrorist activities and threat to their lives, require security of a high order and whose security requirements are governed by any statutory provisions made by the Parliament or the State Legislature in this behalf.

9. The above restrictions shall also not apply in the case of the President and Vice-President of India, Speaker and Deputy Speaker of Lok Sabha and Deputy Chairman of Rajya Sabha and such other dignitaries visiting the State from other States. However, it is further clarified that in the case of Speaker and Deputy Speaker of Lok Sabha and Deputy Chairman of Rajya Sabha these restrictions will be applicable at the time of General Elections to the Lok Sabha but not during LA election. It is also clarified again that such exceptions shall not be made in respect of any Ministers of the Union or any State Government.

10.(a) The Commission would like to make it clear that if it has any material to doubt that the assessment of security requirements made by the authorities under Special Protection Group Act, 1988 or any other special enactment/instruction of the Government have been



manifestly or unduly excessive with the intention of promoting indirectly the electoral interests of a particular party or candidate, the Commission will bring the matter to the notice of the concerned Government for immediate and appropriate corrective steps.

10.(b) For this purpose, the Commission may call for any information from the Central Government or the State Government concerned with regard to the assessment of the security requirements made in respect of any such personality. Such information shall be furnished to the Commission by the concerned Government forthwith.

#### **Restriction on convoy of vehicles**

11. The Commission further directs that cars/vehicles shall, under no circumstances, be allowed to move in convoys of more than ten vehicles, excluding the security vehicles. All bigger convoys exceeding 10 (ten) vehicles shall be broken up, even if they are carrying any Minister of Central or State Government or any other person. This shall, however, be subject to any security instructions issued in respect of any such individual.

12. If any person moves in a convoy of vehicles exceeding the limits prescribed above, in spite of the convoy having been broken, it shall be the duty of the local administration to ensure that such vehicles are not allowed to be used by flouting the Commission's directions, till the process of election is completed

#### **During Filing of Nominations:**

13. The maximum number of vehicles that will be allowed to come within the periphery of 100 meters of Returning Officers/Assistant Returning Officers office shall be three.

#### **Use of vehicles for electioneering purpose**

14. There is no limit on vehicles, which a candidate may use for electioneering purposes.

15. But before the campaigning commences, he/shall have to furnish the details of such vehicles and the areas in which they would be used for campaign purposes, to the District Election Officer or such other officer(s) as may be specifically authorised by the District Election Officer in this behalf, who after necessary scrutiny would issue a permit. The original copy (not the photo copy) of permit should be displayed on the wind screen of the vehicle. Needless to mention that the permit should be of such dimension, that it can easily be seen from a distance. Permit must contain the number of the vehicle, date of issue of permit, name of candidate and the area (where it shall be used for campaigning).

16. Any further deployment of any additional vehicles can take place only after notice to this effect is given by the candidate or his/her agent and permits obtained for the same, before the actual deployment of the vehicles.

17. The details so obtained should be conveyed by District Election Officer to the Election Expenditure Observers so that they can check that the expenditure in this regard is correctly included in the expenditure account of the candidate.

18. Any vehicle used for campaigning without due authorization/permit by the aforesaid officers, shall be deemed to be unauthorisedly campaigning for the candidate and may attract penal provisions of Chapter IX A of the Indian Penal Code and shall therefore be immediately taken out of the campaigning exercise.

19. The vehicles employed for election campaign as per intimation given by the candidates or their election agents to the District Administration should not be requisitioned by the administration.

20. For availing the benefit of clause (a) of explanation (1) given under Sec. 77 (1) of R. P. Act, 1951 by the leaders of the political parties, i.e., star campaigners, the permission for the mode of road transport will be issued centrally by the Chief Electoral Officer, irrespective of whether the same vehicle is to be used by any leader for election campaigning throughout the State or different vehicles are to be used by such party leaders in different areas. The permit will be issued against the name of the star campaigner concerned and shall need to be displayed prominently on the windscreen of the vehicle being used by him/her in any area. The permits so issued by the CEO will be of distinctly different colour from the permits to be issued by the DEOs/ROs for other campaign vehicles of candidates.

21. On receipt of a request from a recognized political party, the DEO would issue permit for one vehicle to be used by the district level office bearer of a recognized party (other than the star campaigner) for their visit to multiple ACs within the district for electioneering purposes. The permit should be issued indicating the number of the vehicle, the name of political leader and the period for which issued and should be of different colour so that it can easily be identified. An attested copy shall be pasted on wind screen and original be kept with the driver for checking by police or other authorities. The expenditure in this regard shall be booked against the political party and not the candidates.

22. The CEO may issue permits for vehicles that can move throughout the State for use of officer bearers of recognized political parties for electioneering purposes only. For the States having more than 100 Assembly Constituencies, the CEO may issue permits for a maximum of five vehicles and for remaining States/UTs, for a maximum of three vehicles to a recognised political party. The expenditure on these vehicles shall be incurred by the political party and not by the candidate.

23. If any political party makes a request to the Chief Electoral Officer for grant of vehicle permission for distribution of publicity material to their various party offices in the State, the Chief Electoral Officer may grant permission for one vehicle for a recognized political party (National/State). However, the concerned political party (the applicant) will have to specify the names of the Districts, the route map and the dates for which the vehicle will be required for the above purpose. For such vehicles, the CEO may issue permission, but ensure that such vehicles will also be subjected to normal checks and they will not be used for election campaigning. The expenditure on account of such vehicle shall be incurred by the political party and not by the candidate.

24. In case of Video – Vans etc. to be used by a political party for campaign across the States, before any permission to use Video-Vans for campaign is given, it should be ensured by Chief Electoral Officer that such use of vehicle is in accordance with the Motor Vehicle Act. Attention in this context is invited to the judgments dated 23.06.2006 and 14.02.2007 of the Allahabad High Court in Writ Petition No. 3648 (MB) of 2006 (copies enclosed).

#### **Clarification**

25. A cycle rickshaw is also a vehicle as defined in Section 160 of Representation of People Act, 1951, which may be used for election campaign. If it is being used, then a candidate has to account for its expenditure in his account of election expenses. To ensure this, the candidate should give details of such rickshaws being used for his election campaign and, if the rickshaw does not have any Municipal registration/permit for its identification, the rickshaw driver may be given a permit in his personal name by the Returning Officer which the rickshaw driver should carry on his person while using that rickshaw for campaign purposes. However, rickshaws being used for normal purposes of carrying passengers in ordinary course etc. may be exempted, if they are displaying only one poster showing the name or party symbol of a candidate, presuming they are doing so on their own free will.

#### **Use of vehicles on poll day**

26. Section 123(5) of the Representation of the People Act, 1951 provides that the hiring or procuring or use of vehicles by a candidate/his agent or by any other person with the consent of the candidate or his election agent for the free conveyance of the voters to and fro from the polling station shall be a 'corrupt practice' and it is also an electoral offence punishable under section 133, with fine which may extend to five hundred rupees.

27. With a view to placing effective curbs on this practice, the Commission issues the following directions:

(A) For an election to the House of the People, each contesting candidate, on the day of poll, will be entitled to:

- (a) One vehicle for his own use in respect of the entire constituency;
- (b) In addition, one vehicle for use of his election agent in the Parliamentary Constituency;
- (c) In addition, one vehicle for use of his election agent or workers or party workers, as the case may be, in each of the assembly segments comprised in the Parliamentary Constituency.

(B) For an election to the State Legislative Assembly, on the date of poll in that Constituency each contesting candidate is entitled to:

- (a) One vehicle for his own use;
- (b) One vehicle for the use of his election agent;
- (c) In addition, one vehicle for use of his workers or party workers.

### **Clarification**

28. It is clarified that, henceforth, the candidate or his agent or party workers or workers will be allowed to use only four/three/two wheeler vehicles i.e. cars (of all types) taxies, auto rickshaws, rickshaws and two wheelers. In these four wheel vehicles not more than 5 persons including driver will be allowed to move on the day of poll. It is further clarified that on the day of poll no other person will be allowed to use the Vehicle allotted for candidate's or his election agent's use. However, the candidate or his election agent may be accompanied in his car by other persons subject to 5 including driver.

29. The permits for the vehicles indicated above will be issued by the District Magistrate/ Returning Officer. The candidates must furnish particulars of their vehicle to be used on poll day to DEO/RO concerned and shall display the permits issued on the wind-screen of the vehicles. No other vehicles shall be allowed to be used by the leaders of the political parties including Ministers, workers, agents and sympathizers of any candidate. No exception shall be made, irrespective of the status of the candidate.

### **Meaning of vehicle**

30. The aforementioned restrictions shall apply to all vehicles propelled by mechanical power or otherwise, including but not restricted to taxies, private cars, trucks, tractors with or without trailers, auto-rickshaws, e-rickshaws, scooters, mini buses, station wagons etc., also, and shall be made applicable for a period of 24 hours before the time fixed for closure of poll and till the completion of poll.

31. Penal action, both under the provisions of the R.P. Act, 1951 and Chapter IX A of the Indian Penal Code shall be taken against anyone offending the above directions, in addition to action under the Motor Vehicles Act. All vehicles being used in violation of these directions shall be confiscated.

### **Exception**

32. There is no intention on the part of the Commission to put a complete ban on all vehicular traffic on the polling day and thereby create difficulties or cause harassment to the public. For genuine bonafide use for purposes other than election, the following types of vehicles shall also be allowed to be plied on the day of poll and there will be no exception:

- (a) Private vehicles being used by the owners for their private use, not connected with elections;
- (b) Private vehicles being used by owners either for themselves or for members of their own family for going to the polling booth to exercise their franchise, but not going anywhere within a radius of 200 meters of a polling station;
- (c) Vehicles used for essential services namely hospital vans, ambulance, milk vans, water tankers, electricity emergency duty vans, police on duty, officers on election duty;
- (d) Public transport carriages like buses plying between fixed termini and on fixed routes;

- (e) Taxis, three wheeler scooters, rickshaws etc. for going to airports, railway stations, inter state bus stands, hospitals for journeys which cannot be avoided;
- (f) Private vehicles used by sick or disabled persons for their own use;
- (g) Vehicles being used by the Govt. officers on duty to reach their duty point.

33. During the period of electioneering , with a view to checking misuse of private vehicles by the candidates/ their agents and party leaders and/or party supporters for carting anti-social elements so as to instill a sense of fear in the minds of the electorate and/or to smuggle illicit arms and ammunition etc. with a view to creating disturbances during elections, the Commission further directs that the District Administration shall keep a close watch on the vehicles used by persons accompanying the contesting candidates and their party's leaders for any possible mischief, including criminal activities like carrying of illegal arms and weapons. If any of these vehicles, either of a party or a private owner, is found to be involved in any such act or for carting anti-social elements with a view to intimidating or creating terror in the mind of the electorate, it shall be the duty of the local administration to impound such vehicles and not to release them till the process of elections is completed. In addition, criminal action against the owner, the occupant(s) and the candidate/political party which is involved in such illegal activities shall also be taken as per law.

Please inform all concerned and ensure compliance.

Yours faithfully,



(SUMIT MUKHERJEE)  
SECRETARY

E-mail :- [smukherjee@eci.gov.in](mailto:smukherjee@eci.gov.in)

# **ELECTION COMMISSION OF INDIA**

**NIRVACHAN SADAN, ASHOKA ROAD, NEW DELHI-110001.**

**SUMIT MUKHERJEE**  
**UNDER SECRETARY**

Tel No. 23717590

Fax No.23717590

No.464/INST/2008/EPS

Date: 7<sup>th</sup> January, 2009

To

The Chief Electoral Officers  
Of all States/UTs.

**Sub.-** Feedback about “Dummy Candidates”-measures to be taken in this regard.

Sir/Madam,

I am directed to say that the Election Commission has received feedback during recent elections that ‘Dummy Candidates’ are being set up by various political parties and candidates in order to hoodwink the ceiling on election expenditure and to further the interest of the party candidate.

There is no mention about “dummy candidate” in the electoral law. Any candidate who is validly nominated and chooses to remain in fray is a candidate and there can not be any distinction between “serious candidate” and “dummy candidate”. But the fact remains that the practice of setting up of dummy candidates exists here and there. As per the feedbacks, the dummy candidates are normally set up for the following reasons:

1. The vehicle permission taken in the name of dummy candidate is actually used for the campaign of some other candidate in order to hoodwink the expenditure ceiling.
2. On the poll day, the vehicles permitted for the dummy candidate and his election agent and others are actually used for some other candidate.
3. The polling agents and counting agents of the dummy candidate actually function as the agents of the another candidate and thereby disturb the level playing field at the polling station on the poll day and in the counting center on the day of counting.

All the above amount to abuse of the legal provision of electoral law and the Commission's instructions and directions aimed at providing additional facilities to candidates to carry out their electoral campaign more effectively and affect the level playing field. A vigilant election machinery can always come to know about the so called "dummy candidate" within the first few days of the election/campaign process.

Whenever such information is received, the electoral administration should alert all the field functionaries, and a video recording of campaigning by such suspected dummy candidates should be done.

During a recent election, election officials while checking the campaign vehicles of a candidate found the campaign material of another candidate being carried in the vehicle. This gave a clear indication of the fact that the candidate actually was working as a dummy of other candidate. In such cases, evidence should be clearly collected by using video camera, recording of statements of witnesses, etc. After that a notice shall be issued to the candidate and simultaneously vehicles permitted for the campaign of such 'dummy candidate' and their actual use should be reviewed. In this process, the observer should also play a definite role. Once the misuse of vehicles is established, the review by RO may result in withdrawal of the campaign vehicles permitted for the campaigning of concerned candidate for he may not be requiring those vehicles as he is not serious about his own candidature. Whenever such action is taken that should be given wide publicity so that the fact that the particular candidate was canvassing for another candidate is put on public domain. The RO shall keep this also in mind while giving permission of vehicles to be used by such dummy candidates on the poll day.

The law permits each candidate to have one polling agent and two relieving agents on the poll day. Appointment of polling agents by the dummy candidates should also be tracked, extra precautions should be taken by deploying micro observer and installing video camera etc., at the polling stations concerned. Likewise, a close watch should be kept on the activities of counting agents of such dummy candidates in the counting centers.

Apart from keeping an eye on the plying of vehicles given for the campaign purpose and on the poll day, immediate action under Section 171 H of Indian Penal Code shall also be initiated against those dummy candidates by filing cases under that Section. Increasing of expenditure in

any manner without the authorization of the candidate is an offence under Section 171 H.

The RO/observer should issue notice to the candidate in whose favour the dummy candidate was found to be operating asking him to include the expenditure incurred by dummy candidate into his election expenditure. All these correspondences, notices etc. should be put in public domain so that the aggrieved persons, can make use of these documents in case of election petition to prove the point of electoral offence/corrupt practice.

This instruction should be brought to the notice of all concerned. The DEOs/ROs should also make it clear in the meetings of political parties/candidates about this misuse and inform them about the follow up action which would be taken in this regard. This matter should be given wide publicity so that the public will become aware of this and feel encouraged to provide information in case of any candidate campaigning for another candidate.

Yours faithfully,

**(SUMIT MUKHERJEE)**



CD, 965750087 1W  
30/07/16

# ELECTION COMMISSION OF INDIA

Nirvachan Sadan, Ashok Road, New Delhi-110 001

No. 4/LET/ECI/FUNC/JUD/SDR/2016

Dated: 25<sup>th</sup> July, 2016

To,

The Chief Electoral Officers  
of all States & Union Territories.

Sub: - Restriction on the printing on pamphlets posters etc.-clarification.

16 Sir/Madam,

I am directed to invite your attention to the Commission's letters No. 3/9/2004/JS.II dated 24<sup>th</sup> August, 2004 and no. 3/9/2007/J.S.II dated 16-10-2007 (Copies enclosed) regarding the provisions of section 127A of Representation of the People Act, 1951 in the matter of printing and publication of election pamphlets, posters, etc.

2. Sub-Section (1) of Section 127A provides that no person shall print or publish or cause to be printed or published, any election pamphlet or poster which does not bear on its face the names and addresses of the printer and publisher. The other requirements to be fulfilled in this connection have been given in sub-section (2) thereof.

3. Clarification has been sought as to whether hoardings, Flex board, etc, on election matter would be covered under Section 127A. It is clarified that hoardings, flex board, etc. containing any election related advertisement have to be treated as coming within the meaning of 'poster' mentioned in Section 127A. The requirement for giving the name and address of the publisher should be followed in the case of hoarding, flex board, etc., including on hoardings of photos of party leaders,

4. As regards the provisions of sub-section (2) of Section 127A, attention is invited to the directions in the Commission letter no 3/7/2008/J.S.II dated 7<sup>th</sup> October, 2008. As per the said directions, in the case of hoardings, flex board, etc. prior permission is required to be obtained from the owner of the property before displaying them. In the case of such materials whether in public place or in private premises, the party/candidate concerned has to give information to the Returning Officer as per the format attached with the said letter dated 7<sup>th</sup> October, 2008 along with two photographs of such hoarding/flex boards (copy of format enclosed herewith for ready reference).

The above clarification may be conveyed to all DEOs/ROs and others concerned.

This may also be brought to the notice of all political parties in the State/UT.

Yours faithfully,

  
(ANUJ JAIPURIA)  
SECRETARY

# ELECTION COMMISSION OF INDIA

Nirvachan Sadan, Ashoka Road, New Dehi-110 001.

No. 3/9/2007/JS II

Dated : 16<sup>th</sup> October, 2007

To

1. The Chief Secretaries of all States/Union Territories.
2. The Chief Electoral Officers of all States/Union Territories.

Subject:- Restrictions on the Printing of pamphlets, posters etc.

Sir,

I am directed to invite a reference to the Commission's letter No. 3/9/2004/JS-II, dated 24<sup>th</sup> August, 2004 regarding the provisions of section 127A of the Representation of the People Act, 1951.

2. It has been brought to the notice of the Commission that advertisement are brought out in print media, some surrogate and some under the name of some organizations.

3. The following points may be noted in respect of the advertisements that appear in the print media, especially newspapers, for and against particular political parties and candidates during election period:

(a) In the case of advertisements, the source of which is traceable, the following action may be taken: -

- (i) if the advertisement is with the consent or knowledge of the candidate, it will be treated to have been authorized by the candidate(s) concerned and will be accounted for in the election expenses account of the candidate(s);
- (ii) if the advertisement is not with the authority from the candidate, then action may be taken for prosecution of the publisher for violation of Section 171 H of IPC-(incurring expenditure in advertisement without written authority from the candidate(s) concerned).

(b) If the identity of the publisher is not indicated in the advertisement, then you may contact and get the information from the Newspaper concerned, and consider appropriate action, as above.

4. The District Election Officers, Returning Officers alongwith other election authorities may be informed of the Commission's abovementioned instructions for their compliance. Action taken in this regard may please be confirmed by endorsing to the Commission, a copy of the instructions issued to the District Election Officers, Returning Officers etc.

5. Please acknowledge receipt of this letter.

Yours faithfully,

*sd/r*

(K.F.WILFRED)  
SECRETARY

# ELECTION COMMISSION OF INDIA

Nirvachan Sadan, Ashoka Road, New Delhi-110 001.

No. 3/9/2004/JS-II  
To

Dated: 24<sup>th</sup> August, 2004.

The Chief Electoral Officers,  
of all States and Union Territories.

Subject:- Restrictions on the Printing of pamphlets, posters etc.

Sir,

I am directed to invite your attention to the Commission's Order No. 3/9/(ES008)/94-JS-II dated 2.9.94 on the above subject wherein Commission issued guidelines in pursuance of the provisions of section 127A of the Representation of the People Act, 1951 regarding printing and publication of election pamphlets, posters etc. These provisions are reproduced below:-

“127A. Restrictions on the printing of pamphlets, posters etc.

- (1) No person shall print or publish, or cause to be printed or published, any election pamphlet or poster which does not bear on its face the names and addresses of the printer and the publisher thereof.
- (2) No person shall print or cause to be printed any election pamphlet or poster -
  - (a) unless a declaration as to the identity of the publisher thereof, signed by him and attested by two persons to whom he is personally known, is delivered by him to the printer in duplicate; and
  - (b) unless, within a reasonable time after the printing of the document, one copy of the declaration is sent by the printer, together with one copy of the document;
    - (i) where it is printed in the capital of the State, to the Chief Electoral Officer; and
    - (ii) in any other case, to the district magistrate of the district in which it is printed.
- (3) For the purpose of this section:-
  - (a) any process for multiplying copies of a document, other than copying it by hand, shall be deemed to be printing and the expression “printer” shall be construed accordingly; and
  - (b) “election pamphlet or poster” means any printed pamphlet, hand-bill or other document distributed for the purpose of promoting or prejudicing the election of a candidate or group of candidates or any placard or poster having reference to an election,

but does not include any hand bill, placard or poster merely announcing the date, time, place and other particulars of an election meeting or routine instructions to election agents or workers.

(4) Any person who contravenes any of the provisions of sub-section (1) or sub-section (2) shall be punishable with imprisonment for a term which may extend to six months, or with fine which may extend to two thousand rupees, or with both”.

2. It has been observed that surrogate advertisements appear in print media, especially newspapers, for and against particular political parties and candidates during election period. In many cases such advertisements are for the prospects of election of particular candidates. As per Section 77(1) of the Representation of the People Act, 1951, expenditure involved in such advertisements in connection with the election of any candidate has to be added to the account of election expenses of the candidate, required to be maintained under that Section. Further, Section 171H of IPC prohibits incurring of expenditure, on inter alia, advertisement, circular or publication, for the purpose of promoting or procuring the election of a candidate, without authority from the candidate. The surrogate advertisements defeat the purposes of the aforesaid provisions of law.

(3) In order to sub serve the requirements of the provisions of law as mentioned above, the Commission has directed that in the case of any advertisements/election matter for or against any political party or candidate in print media, during the election period, the name and address of the publisher should be given alongwith the matter/advertisement.

(4) This may be brought to the notice of all concerned including District Election Officers and the print media in your State for information and compliance.

(5) Kindly acknowledge receipt.

Yours faithfully,



(S.R. KAR)

UNDER SECRETARY



Returning Officer within 3 days of putting up the flags and banners in such cases in the manner prescribed in sub-para(c) below.

(b) If the local law does not expressly permit wall writing, pasting of posters, and similar other permanent/semi-permanent defacement which is not easily removable, the same shall not be resorted to under any circumstances, even on the pretext of having obtained the consent of the owner of the property. This will also apply in the states where there is no local law on the subject of prevention of defacement of property.

(c) Where the local law expressly permits wall writings and pasting of posters, putting up hoardings, banners, etc. on private premises with the owner's permission, the contesting candidates or the political parties concerned shall obtain prior written permission from the owner of the property and submit photocopies of the same within 3 days to the Returning Officer or an officer designated by him for the purpose, together with a statement in the **enclosed proforma** (marked as Annexure-2). The statement in such cases and in the cases mentioned in sub-para (a) above should clearly mention therein the name and address of the owner of the property from whom such permission has been obtained together with expenditure incurred or likely to be incurred for the purpose. Nothing inflammatory or likely to incite disaffection amongst communities shall be permissible in such writings/display. The expenditure incurred in this mode on specific campaign of candidate(s) shall be added to the election expenditure made by the candidate. Expenditure incurred on exclusive campaign for a party without indicating any candidate shall not be added to candidates expenditure. The contesting candidate shall furnish such information village/locality/town-wise, to the Returning Officer, or the authorized officer within 3 days of obtaining the requisite permission, for easy checking by the Returning Officer or the Election Observer or any officer connected with the conduct of elections.

(d) Subject to any restrictions under any local law or any court orders in force, the political parties, candidates, their agents, workers and supporters may put up banners, buntings, flags, cut-outs, on their own property, provided they do so on their own volition, voluntarily and without any pressure from any party, organization or person, and provided further that these do not cause any inconvenience in any manner to anyone else. If such display of banners, flags etc. aims to solicit vote for any particular candidate, then the provisions of Section 171H of the IPC would be attracted and would have to be followed. Section 171H of

Annexure-2

Statement showing the details of wall-writings / posters / hoardings / banners, etc. displayed by Shri / Smt. / Ms. \_\_\_\_\_, contesting candidate in \_\_\_\_\_ Parliamentary Constituency / Assembly Constituency

Name of the Village / Town / Locality \_\_\_\_\_

S.No.	Name and address of the owner of the private property from whom written permission has been obtained	Details of Wall – Writing or Hoardings or Banners or Poster (Size of wall writing/ hoarding / banner / poster shall be indicated)	Expenditure incurred or likely to be incurred on the wall-writing / hoarding / banner / posters, etc. (Rs.)
			<b>Total</b>



ED. 711476846 IN

18/1/16

59

**ELECTION COMMISSION OF INDIA**  
Nirvachan Sadan, Ashoka Road, New Delhi - 110 001

No. 491/MM/2015/Communication

Dated: 8<sup>th</sup> January, 2016

To

The Chief Electoral Officer of all States/UTs,  
(As per list attached)

**Sub:-Media Monitoring in General/Bye-Election/Biennial Elections - Furnishing Action Taken report on Media Report.**

Sir/Madam
No. 248
Date: 18/1/16
Section

As you may be aware that in all General Election (starting from year 2012), Media monitoring of all election management related news, on national news channels (English & Hindi) and regional language news channel are done at ECI & CEO office levels. Electronic Media Monitoring Centre (EMMC) monitors all English & Hindi news channels at New Delhi for ECI Headquarter.

2. In order to take prompt action on reports submitted by monitoring teams during elections, a flow chart showing the role and responsibilities of ECI/CEOs/DEOs have been evolved. The same is attached herewith for future reference and action.

3. You are, therefore, requested that this plan be complied in all future elections in State for effective monitoring and prompt action.

Yours' faithfully,

(S. K. Das)

Under Secretary

☎011-23052082

E mail: [sumands34@gmail.com](mailto:sumands34@gmail.com)

By CTO  
Per Director

Encl: as above

26  
18.1.16

Discussed.

26  
19.1.16



TMD

Mr. Saikumar, pl. give copy to our 24x7 recording  
incharge to pt. ensure reports are obtained from the  
districts on poll day & before poll day.

18/1

## During Election: Media Monitoring

### Role of EMMC

The Commission has entrusted the Electronic Media Monitoring Centre (EMMC), New Delhi with the task of media monitoring of all election management related news (important events/MCC violation/search and seizure etc.) The monitoring is to be done by EMMC on the day of polling and a day prior to that and submission of reports by EMMC to the Commission on each phase of elections is to be done on two hourly basis. EMMC will also send the reports to CEO office simultaneously.

### Role of CEO

CEO office will ascertain status on the items on the report and file ATR/Status report within two hours/before the generation of next report to the Commission.

### Submitting to the Commission

The ATR report received from CEO office will be presented/sent to the Commission for perusal.

### Analysis of Media Monitoring

Analysis of Media Monitoring will be done by ECI after each phase of poll. The final analysis will be done after the elections are over.

Post Elections, a consolidated analytical report to be submitted to the Commission in a comparative chart format.

**BIENNIAL ELECTIONS TO A.P / T.S. LEGISLATIVE COUNCIL-2017  
REPORT OF FLYING SQUAD**

**ANNEXURE - A**

Sl. No	Description	Figure on date of report	Progressive figure including the date of report
1	Total amount of cash/other items seized by Flying Squad		
2	Total amount of cash/other items seized by other		
3	Total number of complaints of cash / other items, received		
4	Total number of complaints ,verified		
5	Total No.of Complaints Pending		
6	Total number of FIRs filed upto the end of the day		

**COMPILATION OF DISTRICTS OF DAILY ACTIVITY REPORT BY FLYING SQUAD ON  
MCC RELATED COMPLAINT ON THE DATE**

**ANNEXURE - B**

Sl. No	Description	Figure on date of report	Progressive figure including the date of report
1	Total number of complaints		
2	Total number of complaints on which Action taken		
3	Total number of complaints, pending		

**ANNEXURE - C**

**COMPILATION OF DISTRICTS OF DAILY ACTIVITY REPORT BY SST**

Sl. No	Description	Figure on date of report	Progressive figure including the date of report
1	Total amount of cash seized by SST		
2	Total amount of other items seized by SST		
3	No. of FIRs lodged		

LAW & ORDER - I

ELECTION COMMISSION OF INDIA																																											
DAILY LAW & ORDER REPORT FOR DISTRICT _____ FOR ELECTORAL EVENTS																																											
BIENNIAL ELECTIONS TO A.P / T.S. LEGISLATIVE COUNCIL-2017																																											
NAME OF STATE - ANDHRA PRADESH/TELANGANA STATE																																											
DATE OF REPORT:																																											
SI. No	1	2	District	3	4	Arms and Weapons	5	Explosives	6	Cartridge	7	Bombs	8	No. of illicit arms manufacturing centres raided and seizures made	9	Deposited	10	Impounded	11	Cancelled	No. of cases put up under Cr. PC	13	No. of persons bound over under Preventive Section of Cr.P.C.	14	No. of persons bound down under Preventive Section of Cr. PC	15	No. of Nakas Operational	16	Executed	17	Pending	18	No. of incidents occurred under atrocities Act 1989 during election	19	No. of incidents	20	Total Killed	21	Total injured	22	Property Damaged (in Rs. Lakhs)	23	No. of incidents of violence related to poll campaign policies, rivalry etc.

LAW & ORDER REPORT -II										
ELECTION COMMISSION OF INDIA										
DAILY LAW & ORDER REPORT FOR STATE FOR ELECTORAL EVENTS										
BIENNIAL ELECTIONS TO A.P / T.S. LEGISLATIVE COUNCIL-2017										
NAME OF THE STATE ANDHRA PRADESH/TELANGANA STATE					DATE OF REPORT:					
(Report for a day should cover a period of 24 hours from 6.00 AM of that day to 6.00 AM next day)										
		Start Date for These Reports(1)			Date		Month		Year	2017
		Reports for			Date		Month		Year	2017
Sr. No	Item								Reporting Day	Cumulative from Start Date upto and including Reporting Day
1	No. of Unlicensed Arms/Explosive seized									
	(a)	Arms/Weapons								
	(b)	Cartridges/Explosives/Bombs (Quantity/Numbers)				Cartridges				
						Explosives				
					Bombs					
2	No. of illicit arms manufacturing centres raided and seizures made									
3	Licensed Arms				Deposited					
					Impounded					
					Cancelled					
4	No. of Cases put up under preventive sections of CrPC									
	(a)	Of which no. of persons bound over under preventive sections of CrPC								
	(b)	Of which no. of persons bound down under preventive sections of CrPC								
5	Execution of non-bailable warrants				a) Executed					
					b) Pending					
6	No. of incidents of violence related to poll campaign, political rivalry etc.									
	a)	No. of incidents								
	b)	Total Killed								
	c)	Total injured								
	d)	Damaged to property (in Rs.Lakh)								
7	No. of incidents occurred under atrocities Act 1989 during election									
8	Information regarding Vulnerable Hamlets									
	a)	No. of Hamlets identified as Vulnerable								
	b)	Number of persons identified as probable source of trouble								
	c)	of which preventive action taken against								
NIL	d)	Remarks ( Type of threats e.g. Caste domination, Communal tension,criminal gangs etc.)								
9	No. of Nakas Operational									





MCC - II

BIENNIAL ELECTIONS TO ANDHRA PRADESH / TELANGANA STATE LEGISLATIVE COUNCIL-2017

		DISCUPTION AND ACTION TAKEN REPORT OF MAJOR MCC VIOLATION				NAME OF THE STATE - A.P. / T.S. DATE OF REPORT:		
Sl. No	Name of the District	Date of Complaint /Event	Complaint		Complaint Against		Brief description of MCC violation issue	Action Taken Report
			Name	Party affiliation, if any	Name	Party affiliation, if any		
1	2	3	4	5	6	7	8	9
Today								
Cumulative Total till date								





DAILY REPORT - 4 IN DISTRICT						AS ON	
BIENNIAL ELECTIONS TO A.P & T.S. LEGISLATIVE COUNCIL-2017							
DAILY REPORT OF IMFL/ BEER/COUNTRY LIQUOR BY THE DISTRICT LEVEL NODAL OFFICER							
Start date for these reports : Date							
Report for the Date							
Sl.No.	Description	During the day (This year)		During the day (Last Year)		Remarks on excess, if any (Cummulative Total)	
		IML	Beer	IML	Beer		
1	Opening stock with manufactures in bulk litres	There is no manufacture unit in Khammam District				0	
2	Production / Bottling in bulk litres						
3	Total despatch of stock from the manufacture's godown in bulk litres						
4	Closing stock in bulk litres with Manufactures 1+2-3)						
5	Despatch of stock from manufacture's godown to whole sellers/ stockiest in bulk litres						
6	Opening stock with M/s APBCL District Depot						
7	Dispatch of stock by M/s APBCL District Depot to Retail as						
8	Closing stock of M/s. APBCL Distict Depot						
9	Opening stock with Retailers in bulk litres(IML/Beer)						
10	Purchase by Retailers in bulk litres (IML/Beer)						
11	Sale by Retailers in bulk litres (IML/BEER)						
12	Closing stock with Retailers in Bulk litres ( 7+8-9)						
13	sale by others in bulk litres						
14	Number of check posts						
15	Volume of illicit liquor seized by check posts in bulk litres						
16	Number of raids conducted						
17	Volume of illicit liquor seized in bulk litres during raids						
18	No. of prohibition cases						
19	No. of persons arrested						
20	Amount of fine imposed						
21	No of IMFL Cases Registred						
22	No.of IMFL Bottle seized and details( Bulk Liters)						
23	No of other article seized.( Alam,Jaggry seized in Kgs)						

**District Election Officer &  
Collector & District Magistrate,  
Khammam.**

Annexure -2

BIENNIAL ELECTIONS TO A.P & T.S. LEGISLATIVE COUNCIL-2017

Daily Report from Collector and DEO to CEO for Liquor Monitoring

Name of the District:				
Date of Report:				
1	No. of IMFL shops in the district:			
2	No of Country Liquor shops in the district: nil			
3	Brand-wise stock register maintained in all shops: (Please mention action taken against those shops where a violation is found and mention if the proper brand-wise stock registers is maintained since) YES	(Yes/No)		
4	List of sensitive liquor retail shops in the Districts (Please enclose the list with complete address and licensee name and reason for classifying it as sensitive)			
S.no	Name and address of the shop	Licensee Name	Reason for classifying it as sensitive	Step taken for close monitoring
1				



## Annexure- B

Daily Activity Report by Flying Squad (FS) on MCC related Complaints on the date:

Reference No:

Name of the District:

State: Andhra Pradesh/Telangana

Sl. No.	2	3	4	5	6		
	Name of the Constituency /District	Name of the Complainant	Party affiliation if any	Complaint against (Name)	Party affiliation, if any	Brief description of MCC violation issue	Action Taken Report.
1							

District Election Officer &  
Collector & District Magistrate,  
Name of the District

**Annexure- C**

**Daily Activity Report by Static Surveillance Teams (SST) on seizure of Cash / Other items**

Name of the District:

State: Andhra Pradesh/ Telangana.

1	2	3	4	5	6	7	8	
Sl. No.	Number and Name of Constituency /District	Name and address of persons searched at the Check Post	Cash/ Other items	FIR filed	Name of candidate or party having links	Name and designation of Authority to whom cash, goods seized goods are handed over after seizure	Remarks	
	Khammam							
<b>Description</b>								
A.	Total amount of cash seized by SST						0	0
B.	Total amount of other items seized by SST						0	0
C.	No. of FIRs lodged						0	0
						<b>Figure on date of report</b>	<b>Progressive figure including the date</b>	

District Election Officer &  
Collector & District Magistrate,  
Name of the District

# ELECTION COMMISSION OF INDIA

Nirvachan Sadan, Ashoka Road, New Delhi-110001

No. ECI/PN/14/2017

Dated: 6<sup>th</sup> February, 2017

## PRESS NOTE

**Subject: Biennial Election to Andhra Pradesh, Telangana and Bihar Legislative Council from Graduates' and Teachers' Constituencies.**

The term of office of 10 members of Andhra Pradesh, Telangana and Bihar Legislative Council from Graduates' and Teachers' constituencies is due to expire on the retirement of the sitting members as per details given below:

### ANDHRA PRADESH

Name of Retiring Members	Name of the Constituencies	Date of Retirement
M. V. S. Sarma	Srikakulam-Vizianagaram-Visakhapatnam Graduates' Constituency	29.03.2017
Yandapalli Srinivasulu Reddy	Prakasam- Nellore- Chittoor Graduates' Constituency	29.03.2017
Dr. Geyanand. M	Kadapa- Anantapur- Kurnool Graduates' Constituency	29.03.2017
Balasubramanyam Vitapu	Prakasam- Nellore- Chittoor Teachers' Constituency	29.03.2017
Bachala Pullaiah	Kadapa- Anantapur- Kurnool Teachers' Constituency	29.03.2017

### TELANGANA

Name of Retiring Member	Name of the Constituency	Date of Retirement
Katepally Janardhan Reddy	Mahabubnagar-Ranga Reddy- Hyderabad Teachers' Constituency	29.03.2017

### BIHAR

Name of Retiring Members	Name of the Constituencies	Date of Retirement
Mahachandra Prasad Singh ( <i>Disqualified on 02.12.2015</i> )	Saran Graduates' Constituency	08.05.2017
Awadhesh Narayan Singh	Gaya Graduates' Constituency	08.05.2017
Sanjeeva Shyam Singh	Gaya Teachers' Constituency	08.05.2017
Sanjeev Kumar Singh	Koshi Teachers' Constituency	08.05.2017

4. Now, the Commission has decided to hold Biennial Elections to Andhra Pradesh, Telangana and Bihar Legislative Councils from said Graduates' and Teachers' Constituencies, in accordance with the following schedule: -

<b>Sl. No.</b>	<b>Subject of Program</b>	<b>:</b>	<b>Days and Dates</b>
1.	Issue of Notifications	:	13 <sup>th</sup> February, 2017 (Monday)
2.	Last date of making nominations	:	20 <sup>th</sup> February, 2017 (Monday)
3.	Scrutiny of nominations	:	21 <sup>st</sup> February, 2017 (Tuesday)
4.	Last date for withdrawal of candidatures	:	23 <sup>rd</sup> February, 2017 (Thursday)
5.	Date of poll	:	9 <sup>th</sup> March, 2017 (Thursday)
6.	Hours of poll	:	8.00 A.M. to 4.00 P.M
7.	Counting of Votes	:	15 <sup>th</sup> March, 2017 (Wednesday)
8.	Date before which election shall be completed	:	18 <sup>th</sup> March, 2017 (Saturday)

5. The Model Code of Conduct will come into force with immediate effect in the district(s) in which the above Constituencies are comprised in.

**(DHIRENDRA OJHA)**  
**DIRECTOR**



# ELECTION COMMISSION OF INDIA

Nirvachan Sadan, Ashoka Road, New Delhi – 110001.

No.322/LET/ECI/FUNC/LC-G&T/BIEN/2017

Dated : 6<sup>th</sup> February, 2017

To

1. The Cabinet Secretary,  
Government of India,  
Rashtrapati Bhawan,  
New Delhi.
2. The Chief Secretaries to the Government of  
i) Andhra Pradesh, Hyderabad  
ii) Telangana, Hyderabad and  
iii) Bihar, Patna.
3. The Chief Electoral Officers  
i) Andhra Pradesh, Hyderabad  
ii) Telangana, Hyderabad and  
iii) Bihar, Patna

Subject: Biennial election to the Andhra Pradesh, Telangana and Bihar Legislative Council from Graduates' & Teachers' Constituencies – Applicability of Model Code of Conduct - regarding.

Sir,

I am directed to state that the Commission has announced biennial election to the Andhra Pradesh, Telangana and Bihar Legislative Council from Graduates' and Teachers' Constituencies vide Press Note No. ECI/PN/14/2017 dated 6<sup>th</sup> February, 2017.

2. With this announcement, the following provisions of the Model Code of Conduct for the guidance of the Political Parties and Candidates have come into force with immediate effect in the district(s) comprised in the above mentioned Constituencies, which is going to poll.

3. A copy of instruction No. 322/ECI/INST/FUNC/BIEN-LC/2016 dated 26<sup>th</sup> December, 2016 is enclosed. This may be brought to the notice of all concerned Departments of State/Central Government.

3. The receipt of this letter may kindly be acknowledged.

Yours faithfully,



(VARINDER KUMAR)  
PRINCIPAL SECRETARY