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MEDICAL RESEARCH
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भारतीय आयुर्विज्ञान अनुसंधान परिषद
स्वास्थ्य अनुसंधान विभाग, स्वास्थ्य एवं परिवार
कल्याण मंत्रालय, भारत सरकार

Indian Council of Medical Research
Department of Health Research, Ministry of Health
and Family Welfare, Government of India

No.18/1/2019-Admn-II

Dated: 8.5.2019.

To

The Directors/Directors-in-Charge of
Permanent Institutes/Centres of ICMR.

Sir/Madam,

Please find enclosed herewith the following circulars received from various ministries for information and necessary action:

S.No.	Name of the Ministry	Reference no. & date	Subject
1	Cabinet Secretariat, New Delhi	NO. 1/41/1/2019-Cab dated 1.3.2019	Biennial Elections to the Andhra Pradesh and Telangana Legislative Councils from Graduates, Teachers and Local Authorities Constituencies and a bye-election to Andhra Pradesh Legislative Council from Visakhapatnam Local Authorities Constituency -- Enforcement of Model Code of Conduct-reg.
2.	Ministry of Health & Family Welfare, Deptt. of Health Research, New Delhi	Q-11022/15/2019- HR/Eoffice:3208879 dated 23.4.2019	Appraisal and Transfer of Non-current Public Records of more than 25 years Vintage of Ministries /Departments /Offices/Public Sector Undertakings-reg.

Yours faithfully,

(Bharat Bhushan)
Sr. Administrative Officer
for Director General

Copy to:-

1. PS to DG/PS to Addl. DG/Sr. DDG (A)/Sr. FA
2. All Divisional Heads
3. Asstt. Director-General (Admn.) (AX)/(RR)
4. Dr. Chanchal Goyal, Scientist'D' – soft copy of the same has been mailed at your email ID(drcgicmr@gmail.com) for website upload.

MOST IMMEDIATE

No. 1/41/1/2019-Cab
GOVERNMENT OF INDIA (BHARAT SARKAR)
CABINET SECRETARIAT (MANTRIMANDAL SACHIVALAYA)
RASHTRAPATI BHAWAN

New Delhi, the 1st March, 2019

OFFICE MEMORANDUM

Subject: Biennial Elections to the Andhra Pradesh and Telangana Legislative Councils from Graduates', Teachers' and Local Authorities' Constituencies and a bye- election to Andhra Pradesh Legislative Council from Visakhapatnam Local Authorities' Constituency – Enforcement of Model Code of Conduct – reg.

The undersigned is directed to enclose herewith a copy of letter No. 322/ECI/LET/FUNC/AP-TL-LC/BIEN/2019(G&T-LAC)/300 dated 24th February, 2019 received from Election Commission of India for further necessary action:

JDG (A) Office
No. 56/12/19
Dated: 25/4/19

Encl: A/a

Rachna
(Rachna Shah)
Joint Secretary
Tel. 23016576

All Secretaries to the Government of India

21/1/19
Prasad
01/5/19
By No. 784
03/05/19

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4/3/19
D.S. (VK/1)

[Handwritten signature]
17/3/19

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6/3/19

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13/03/19

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Sr. Secretary

So (A-II)
[Handwritten signature]
27/3

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CS-2266/11
26/2/19



भारत निर्वाचन आयोग
Election Commission of India

निर्वाचन सदन
NIRVACHAN SADAN
अशोक रोड, नई दिल्ली-110001
ASHOKA ROAD, NEW DELHI-110001

No. 322/ECI/LET/FUNC/AP-TL-LC/BIEN/2019(G&T-LAC) | 360 Dated: 24th February, 2019

To

1. ✓ The Cabinet Secretary,
Government of India,
Rashtrapati Bhawan,
New Delhi.
2. The Chief Secretaries to the Government of
 - (a) Andhra Pradesh, Hyderabad
 - (b) Telangana, Hyderabad
3. The Chief Electoral Officers of
 - (a) Andhra Pradesh, Hyderabad
 - (b) Telangana, Hyderabad

Sub: Biennial Elections to the Andhra Pradesh and Telangana Legislative Councils from Graduates', Teachers' and Local Authorities' Constituencies and a bye-election to Andhra Pradesh Legislative Council from Visakhapatnam Local Authorities' Constituency -reg.

Sir,

I am directed to state that the Commission has announced biennial elections to the Andhra Pradesh and Telangana Legislative Council from Graduates', Teachers' and Local Authorities' Constituencies and a bye election to Andhra Pradesh Legislative Council from Visakhapatnam Local Authorities' Constituency vide Press Note No. ECI/PN/21/2019 dated 24th February, 2019/

2. With this announcement, the provisions of the Model Code of Conduct contained in Commission's instruction No. 322/ECI/INST/FUNC/BIEN-LC/2016 dated 26th December, 2016, for the guidance of the Political Parties and Candidates have come into force with immediate effect for these elections in the concerned Constituencies.

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

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

Yours faithfully

Varinder Kumar
(VARINDER KUMAR)
PRINCIPAL SECRETARY

25.02.19
AS (RB)

JS (cap) 26/2/19
26/2/19

SKN
26-2-19
27/2/19



भारत निर्वाचन आयोग
Election Commission of India

112
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: 26th 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).

1 of 5

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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- 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 happens to be an officer mentioned in Section 129 (1) of the Representation of People Act, 1951, he shall also be additionally considered to have violated the statutory provisions of that section and liable to penal action provided there under.
 - 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 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.

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

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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.

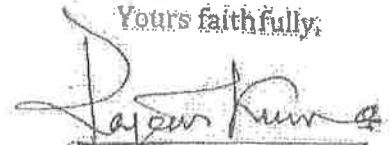
(b) The phrase 'the rest houses/dak bungalows of other Government accommodation' in paragraph (VII- (iii)) of MCC would also include *Guest Houses* of all institutions that are getting Government assistance in any form of grant-in-aid etc.

(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

2/2

Q-11022/15/2019-HR/Eoffice:3208879
Government of India
Ministry of Health and Family Welfare
Department of Health Research

2nd Floor, IRCS Building,
1, Red Cross Road,
New Delhi-110001
Dated: 23rd April, 2019

To,

Smt. Agnes Xalxo,
Assistant Director General (Administration),
Indian Council of Medical Research (ICMR),
V. Ramalingaswami Bhawan,
Ansari Nagar,
New Delhi-110029

Subject: Appraisal and Transfer of Non-current Public Records of more than 25 years Vintage of Ministries/ Departments/ Offices/ Public Sector Undertakings- Regarding.

Madam,

I am directed to forward herewith a D.O. letter No.18-01/2019 R.A dated 27/03/2019 (copy enclosed) on the subject mentioned above, received from National Archives of India for your information and necessary action.

Encl. As above.

Yours faithfully

Signature valid
Digitally signed by G.A. RAGHUVANSHI
DN: cn=G.A. RAGHUVANSHI, o=GOVERNMENT OF INDIA, ou=Ministry of Health and Family Welfare, email=G.A. RAGHUVANSHI@MHA.GOV.IN, c=IN

(G.A. Raghuvanshi)

Under Secretary to the Government of India

Tel No: 23736902

2/2
R.A. 18-01/2019
01/5/19
No. 787
03/05/2019

So(A-II)
29/4/19

Smt. Agnes Xalxo
29/4/19



भारत सरकार
राष्ट्रीय अभिलेखागार
जनपथ, नई दिल्ली 110001
GOVERNMENT OF INDIA
NATIONAL ARCHIVES OF INDIA
JANPATH, NEW DELHI - 110001



125
YEARS
1947-2022

राष्ट्रीय अभिलेखागार
NATIONAL ARCHIVES
OF INDIA

D.O. No 18-01/2019 R.A. dated 27 March 2019

Dear Sir,

Subject:- Appraisal and Transfer of Non-current Public Records of more than 25 years vintage of Ministries/ Departments/Offices/Public Sector Undertakings - Regarding.

1302857
12/04/2019

You are aware that effective management of the Records has always been and continues to be an important component of good governance. In this context I would like to draw your kind attention to the clause (c) of the Sub-section (1) of Section 6 of Public Records Act, 1993, to be read with Rule 5 of Public Records Rules, 1997 which envisages the "appraisal of Public Records which are more than Twenty Five years old in consultation with the National Archives of India, ...with a view to retaining public records of permanent value and transfer of these records to National Archives of India". Further, Sub Rule (2) of Rule 9 of the said Rules, also states that "no public record which is more than twenty five years old shall be destroyed by any records creating agency unless it is appraised".

In this background, I request you to kindly undertake a review of all Records of more than 25 years old pertaining to your Ministry, Departments, subordinate offices, PSUs, Autonomous bodies, Public Sector undertakings etc. functioning under your administrative control and identify the records to be transferred to the National Archives of India. Based on your advice, we will depute a team to assist you with appraisal of the Records and subsequent transfer to National Archives for scientific preservation and management. I shall be grateful for your prompt action and early response in this regard.

With Regards,

Send a copy to ICMR
18/4/19
So(BPN)

AS(SM)
15/4/19

Yours sincerely,
P. V. Ramesh

Shri Prof. Balram Bhargava
Secretary
M/o Health & Family Welfare
D/o Health Research
Room No. 3-18, 'A' Wing, Niiman Bhavan, New Delhi - 110011

15/4/19
DS(GK)
DS(AES)
DS(DAM)
DS(GPP)