



icmr
INDIAN COUNCIL OF
MEDICAL RESEARCH
Serving the nation since 1911

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.-18/1/2020-Admn.II

Date : 20.10.2020

To

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

Sir/Madam

Please find enclosed herewith the following OM/ letters which have been
received from different Ministries for information and necessary action:

S. No.	Reference No. and date	Name of Ministry	Subject
1	F. No. A.50011/14/2020- HR dated 06.10.2020	Department of Health Research, Ministry of Health and Family Welfare, New Delhi	Enforcement of Model Code of Conduct.
2	15017/3/2020- MDS dated 01.10.2020	Department of Sports, Ministry of Youth Affairs and Sports, New Delhi	Age appropriate Fitness Protocols- regarding.
3.	19-1/2019-SU-I dated 12.10.2020	Department of Telecommunications, Ministry of Communications, New Delhi	Mandatory utilization of network of Bharat Sanchar Nigam Limited (BSNL) and Mahanagar Telephone Nigam Limited (MTNL) for internet/broadband, landline/leased line by all Ministries/Departments of Government of India/Central Public Sector Undertakings (CPSEs)/Autonomous Bodies etc. under Central Government-regarding.
4.	G-31012/01/2019- HR (Part-A) dated 12.10.2020	Department of Health Research, Ministry of Health and Family Welfare, New Delhi	Publicity of the new scheme-“Operation Greens” widely among the farmers-reg.

वी. रामलिंगस्वामी भवन, पोस्ट बॉक्स नं. 4911,
अंसारी नगर, नई दिल्ली - 110 029, भारत
V. Ramalingaswami Bhawan, P.O. Box No. 4911,
Ansari Nagar, New Delhi - 110 029, India

Tel: +91-11-26588895 / 26588980 / 26589794
+91-11-26589336 / 26588707
Fax: +91-11-26588662 | icmr.nic.in



icmr
INDIAN COUNCIL OF
MEDICAL RESEARCH
Serving the nation since 1911

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

5.	1/41/2/2020-Cab dated Sep 2020	Rashtrapati Bhawan, Cabinet Secretariat, New Delhi	Biennial Election to the Bihar Legislative Assembly Councils from Graduates & Teachers Constituencies- Enforcement of Model Code of Conduct-reg.
----	-----------------------------------	--	--

Yours faithfully,

(Jagdish Rajesh)
Asstt. Director General (Admn.)

Encl : As stated above

Copy to :-

- (1) PS to DG/PS to Addl. DG/PS to Sr. DDG (A)/PS to Sr. FA
- (2) All Divisional heads
- (3) ADG (A) I/II
- (4) Dr. L.K. Sharma, Scientist "E" – soft copy of the same has been mailed at your email ID (sharma.lk@icmr.gov.in) for website upload.

वी. रामलिंगस्वामी भवन, पोस्ट बॉक्स नं. 4911,
अंसारी नगर, नई दिल्ली - 110 029, भारत
V. Ramalingaswami Bhawan, P.O. Box No. 4911,
Ansari Nagar, New Delhi - 110 029, India

Tel: +91-11-26588895 / 26588980 / 26589794
+91-11-26589336 / 26588707
Fax: +91-11-26588662 | icmr.nic.in

Secretary (DHR) Office

FTS No. 1919275

Date: 06/10/2020

MOST IMMEDIATE

No.1/41/2/2020-Cab
GOVERNMENT OF INDIA (BHARAT SARKAR)
CABINET SECRETARIAT (MANTRIMANDAL SACHIVALAYA)
RASHTRAPATI BHAWAN

New Delhi, the September, 2020

OFFICE MEMORANDUM

Subject: Biennial Election to the Bihar Legislative Assembly Councils from Graduates' & Teachers' Constituencies – Enforcement of Model Code of Conduct - reg.

The undersigned is directed to forward herewith a copy of Election Commission of India letter No.322/ECI/LET/INST/FUNC/BR-LC/BIEN/2020(G&T)/332 dated 25.09.2020 on the above subject for further necessary action.

Encl: A/a

JS(GN) / JS (AN) / L. 2020 (Adm)/LCM

✓
30.9.2020
(Ashutosh Jindal)
Joint Secretary
Tel: 23012697

All Secretaries to the Government of India

Adm. II

please circulate

Ray, 15/10/2020



भारत निर्वाचन आयोग
Election Commission of India

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

S-827/20
29/9/20

Dated: 25th September, 2020

No. 322/ECI/LET/FUNC/BR-LC/BIEN/2020(G&T)/392

To

✓ 1

The Cabinet Secretary,
Government of India,
Rashtrapati Bhawan,
New Delhi.

2. The Chief Secretary to the Government
Bihar, Patna.

3. The Chief Electoral Officer
Bihar, Patna.

AS (BS) - 20
29/9/20
AS (Cab)

Sub: - Biennial Election to the Bihar Legislative Councils from Graduates' & Teachers' Constituencies -reg.

AS (STCA) Ad 29/9/20

Sir,

I am directed to state that the Commission has announced biennial election to the Bihar Legislative Council from Graduates' and Teachers' Constituencies vide Press Note No. ECI/PN/65/2020 dated 25th September, 2020.

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.

??
Not
forwarded

Yours faithfully

(SUMAN KUMAR DAS)
SECRETARY

AS (STCA) 29/9/20
AS (KB) 29/9/20
29/9/20
30/9/20
30/9/20

Sh-V.
30-9-20



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: 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

- 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.

- 4
- 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

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.

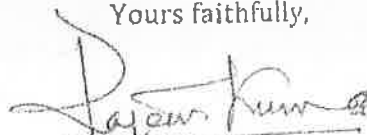
(b) The phrase 'the rest houses/dak bungalows or other Government accommodation' in paragraph (VII- (iii)) of MCC would also include *Guest Houses* of all institutions that are getting Government assistance in any form of grant-in-aid etc.

(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

F. No. G-31012/01/2019-HR(Part-A)
Ministry of Health & Family Welfare
Department of Health Research

2nd Floor, IRCS Building,
Red Cross Road, New Delhi-110001
Dated: 12th October, 2020

To,

1. Sr. DDG, ICMR, Ansari Nagar,
Dr. V. Ramalingaswami Bhawan, New Delhi-110029
2. Sr. FA, ICMR, Ansari Nagar,
Dr. V. Ramalingaswami Bhawan, New Delhi-110029

Sub: Publicity of the new scheme - "Operation Greens" widely among the farmers- reg.

Sir,

I am directed to refer to the D.O. letter No. M-15/1/2018-MFP Division/271 dated 17th September, 2020 received from Hon'ble Minister of Food Processing Ministries on the subject cited above and to forward herewith the same to you for further necessary action.

Yours faithfully,

Digitally signed by GOPAL
AADITYA RAGHUVANSHI
Date: Mon Oct 12 17:11:45 IST
2020

Reason: Approved

(G. A. Raghuvanshi)

Under Secretary to the Government of India

Tele: 23736902

Copy to:

1. DS (GRR)/ DS(ABS)/ DS(DRM)/ DS (VK) for similar action.

CC: PPS to JS (AN) / Sr PPS to JS (GN)

Adm. II

Rohy 15/10/2020

4(1)/2020/MIN- HFW
हरसिमरत कौर बादल
Harsimrat Kaur Badal



खाद्य प्रसंस्करण उद्योग मंत्री
भारत सरकार
MINISTER OF FOOD PROCESSING INDUSTRIES
GOVERNMENT OF INDIA

D.O No. M-15/1/2018-MFP Division/241

Dated : 17th September, 2020

Respected *Mantri ji,*

As part of Aatmanirbhar Bharat Abhiyan, Government of India has announced a new initiative to support farmers who are growers of seasonal fruits and vegetables sales. In order to prevent distress sales, Price stabilization interventions under Central Sector Scheme - "Operation Greens" has been extended from Tomato, Onion and Potato (TOP) to all notified fruits and vegetables (TOTAL) for a period of six months on a pilot basis with effect from 11.06.2020.

2. Under the scheme, my Ministry will provide subsidy @ 50% of the cost of transportation of notified crops from production clusters to consumption centres and/or the cost of hiring of appropriate storage facilities for a period of upto 3 months for notified crops, if the price of that product falls below the average price for the last three years of 15% below the last year's price.

3. The detailed operational guidelines of the scheme and the lists of eligible crops, production clusters & trigger price are uploaded on Ministry's website: www.mofpi.nic.in. The online portal for registration and applying under the scheme is available at https://sampada-mofpi.gov.in/OPGS_Subsidy/SubsidyReg.aspx.

4. I request you to publicize the new scheme widely among the farmers, so that they can benefit from the scheme and enhance their incomes.

With regards,

Yours Sincerely,

Harsimrat
(HARSIMRAT KAUR BADAL)

Dr. Harsh Vardhan
Minister of Earth Sciences , Science and Technology ,
Health & Family Welfare
Technology Bhavan, New Mehrauli Road,
New Delhi-110016

Office: Panchsheel Bhawan, August Kranti Marg, New Delhi-110 049
Tel. : +91 11 2649 3889, 2649 3890 Fax. : +91 11 2649 3298, E-mail : minister.fpi@gov.in

Resi: 12, Safdarjung Road, New Delhi-110 011
Tel. : +91 11 23010829, 23013562

Government of India
F.No. 19-1/2019-SU-I
Ministry of Communications
Department of Telecommunications

Secretary (DHR) Office
FTS No. 1929549
Date: 13/10/2020

Sanchar Bhawan, New Delhi,
The, 12th October, 2020

OFFICE MEMORANDUM

Subject: Mandatory utilization of network of Bharat Sanchar Nigam Limited (BSNL) and Mahanagar Telephone Nigam Limited (MTNL) for internet/broadband, landline/leased line by all Ministries/Departments of Government of India/Central Public Sector Undertakings (CPSEs)/Autonomous Bodies etc. under Central Government- regarding.

The Government of India has, inter-alia, approved the mandatory utilization of capacities of BSNL and MTNL by all Ministries/Departments of Government of India/CPSEs/Central Autonomous Bodies. All Ministries/Departments are accordingly requested to issue necessary instructions including to CPSEs/Central Autonomous Organizations under their control for mandatory utilization of BSNL/MTNL network for internet/ broadband, landline and leased line requirements.

2. This issues in consultation with the Department of Expenditure, Ministry of Finance and with the approval of the Competent Authority. (Copy enclosed)

JS(GN) / JS(AN) / L Doc (Adm.), ICMR


(Jitin Bansal)
Director (PSU Affairs)
Mob: 70150 66206

To,

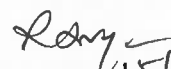
Secretaries of all Ministries/Departments of Government of India.

Copy to:

- I. Shri S.G.P. Verghese, Director, Cabinet Secretariat, Government of India, New Delhi.
- II. Secretary to the Government of India, Department of Expenditure (Ministry of Finance), North Block, New Delhi w.r.t. O.M. No. 24(3)/E.Coord/2018 dated 04th September, 2020.
- III. CMD, BSNL/CMD, MTNL

Adm. II

Already circulated through
email by me


15/10/2020

Government of India
No.24 (3)/E.Coord/ 2018
Ministry of Finance
Department of Expenditure

North Block, New Delhi
The 4th September, 2020

OFFICE MEMORANDUM

Subject: Issuance of directions for mandatory use of BSNL/MTNL telecom network as approved by Union Cabinet- Request from D/o Telecommunications.

The undersigned is directed to refer to Ministry of Communications, D/o Telecommunications' [DoT] Vide OM No. 19-1/2019-SUI dated 05/05/2020 on the subject cited above.

2. In this connection it is stated that D/o Telecommunication may issue necessary instructions to all concerned, being a decision of the Cabinet and also citing that the matter has been issued in consultation with Department of Expenditure, Ministry of Finance.

3. This issues with approval of the competent authority.

Sunita Saxena

(Sunita Saxena)
US (E.Coord.)
Tel.: 2309 5304

E.mail: sunitasaxena@nic.in

Ministry of Communications,
D/o Telecommunications
[Dr. Mandeep Singh, Director (PSU Affairs)]
[E Mail: drmandeep.singh@gov.in]
Shastri Bhavan, New Delhi

F. No. G-31012/01/2019-HR(Part-A)
Ministry of Health & Family Welfare
Department of Health Research

2nd Floor, IRCS Building,
Red Cross Road, New Delhi-110001
Dated: 12th October, 2020

To,

1. Sr. DDG, ICMR, Ansari Nagar,
Dr. V. Ramalingaswami Bhawan, New Delhi-110029
2. Sr. FA, ICMR, Ansari Nagar,
Dr. V. Ramalingaswami Bhawan, New Delhi-110029

Sub: Publicity of the new scheme - "Operation Greens" widely among the farmers- reg.

Sir,

I am directed to refer to the D.O. letter No. M-15/1/2018-MFP Division/271 dated 17th September, 2020 received from Hon'ble Minister of Food Processing Ministries on the subject cited above and to forward herewith the same to you for further necessary action.

Yours faithfully,

Digitally signed by GOPAL
AADITYA RAGHUVANSHI
Date: Mon Oct 12 17:11:45 IST
2020

Reason: Approved

(G. A. Raghuvanshi)

Under Secretary to the Government of India

Tele: 23736902

Copy to:

1. DS (GRR)/ DS(ABS)/ DS(DRM)/ DS (VK) for similar action.

CC: PPS to JS (AN) / Sr PPS to JS (GN)

Adm. II

Rohy 15/10/2020

4(1)/2020/MIN- HFW
हरसिमरत कौर बादल
Harsimrat Kaur Badal



खाद्य प्रसंस्करण उद्योग मंत्री
भारत सरकार
MINISTER OF FOOD PROCESSING INDUSTRIES
GOVERNMENT OF INDIA

D.O No. M-15/1/2018-MFP Division/241

Dated : 17th September, 2020

Respected *Mantri ji,*

As part of Aatmanirbhar Bharat Abhiyan, Government of India has announced a new initiative to support farmers who are growers of seasonal fruits and vegetables sales. In order to prevent distress sales, Price stabilization interventions under Central Sector Scheme - "Operation Greens" has been extended from Tomato, Onion and Potato (TOP) to all notified fruits and vegetables (TOTAL) for a period of six months on a pilot basis with effect from 11.06.2020.

2. Under the scheme, my Ministry will provide subsidy @ 50% of the cost of transportation of notified crops from production clusters to consumption centres and/or the cost of hiring of appropriate storage facilities for a period of upto 3 months for notified crops, if the price of that product falls below the average price for the last three years of 15% below the last year's price.

3. The detailed operational guidelines of the scheme and the lists of eligible crops, production clusters & trigger price are uploaded on Ministry's website: www.mofpi.nic.in. The online portal for registration and applying under the scheme is available at https://sampada-mofpi.gov.in/OPGS_Subsidy/SubsidyReg.aspx.

4. I request you to publicize the new scheme widely among the farmers, so that they can benefit from the scheme and enhance their incomes.

With regards,

Yours Sincerely,

Harsimrat Kaur Badal

(HARSIMRAT KAUR BADAL)

Dr. Harsh Vardhan
Minister of Earth Sciences , Science and Technology ,
Health & Family Welfare
Technology Bhavan, New Mehrauli Road,
New Delhi-110016

Office: Panchsheel Bhawan, August Kranti Marg, New Delhi-110 049
Tel. : +91 11 2649 3889, 2649 3890 Fax. : +91 11 2649 3298, E-mail : minister.fpi@gov.in

Resi: 12, Safdarjung Road, New Delhi-110 011
Tel. : +91 11 23010829, 23013562

S1 No-21

F.No.A.50011/14/2020-HR
Government of India
Ministry of Health and Family Welfare
(Department of Health Research)

2nd Floor, IRCS building,
Red Cross Road, New Delhi-110001.
Dated: 6th October, 2020

To,

Secretary DHR/ Director General
Indian Council of Medical Research (ICMR)
Ramalingaswami Bhawan,
Ansari Nagar,
New Delhi-110029

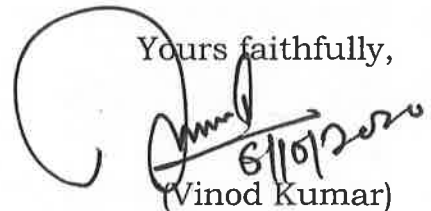
(Kind attention: Shri G.S.G. Ayyangar, Sr. DDG, Admin)

Subject: Enforcement of Model Code of Conduct

Madam/Sir,

I am directed to forward herewith a copy of O.M. No. 1/41/2/2020-Cab dated 28.09.2020 from the Cabinet Secretariat, Government of India and two letters with No.437/6/1/ECI/INST/FUNCT/MCC/2020/87 and No.437/6/1/ECI/INST/FUNCT/MCC/2020/90, both dated 25.09.2020 from the Election Commission of India, on the above noted subject for information and compliance.

Yours faithfully,


(Vinod Kumar)

Deputy Secretary to the Government of India
Tel: 23736087

Encl: As above

Adm in
6/10/2020

Secretary (DHR) Office
FTS No. 1913055
Date : 29.9.20

MOST IMMEDIATE

No.1/41/2/2020-Cab
GOVERNMENT OF INDIA (BHARAT SARKAR)
CABINET SECRETARIAT (MĀNTRIMANDAL SACHIVALAYA)
RASHTRAPATI BHAWAN

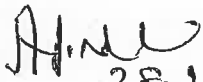
New Delhi, the 28th September, 2020

OFFICE MEMORANDUM

Subject: Immediate action to be taken for enforcement of Model Code of Conduct and Application of Model code of Conduct after announcement of General Election to the Legislative Assembly of Bihar, 2020 - reg.

The undersigned is directed to forward herewith a copy each of Election Commission of India letter No.437/6/1/ECI/INST/FUNCT/MCC/2020/87 dated 25.09.2020 and letter No. 437/6/1/ECI/INST/FUNCT/MCC/2020/90 dated 25.09.2020 on the above subject for further necessary action.


Encl: A/a


28.9.2020
(Ashutosh Jindal)
Joint Secretary
Tel: 23012697


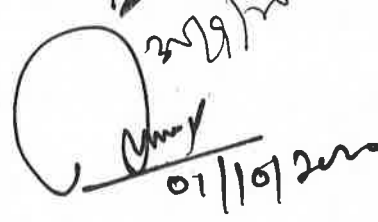
All Secretaries to the Government of India

JS(CN) / JS(AN) / L. 209 (Ann).ICMR

Pl circulate
urgently.


30/9

DS(VK)



01/10/2020

A.SD / G

4-8257/20
28/9/20

By Spl. Messenger/mail

ELECTION COMMISSION OF INDIA

NIRVACHAN SADAN, ASHOKA ROAD, NEW DELHI-110001

No. 437/6/1/ECI/INST/FUNCT/MCC/2020

87

Dated: 25th September, 2020

To

1. ✓ The Cabinet Secretary,
Government of India,
Rashtrapati Bhawan,
New Delhi.
2. The Chief Secretary
to the Government of Bihar,
Patna, and
3. The Chief Electoral Officer,
Bihar,
Patna.

AA 28/9
JS(AJ)
Dir(SKA)

Subject: Immediate action to be taken for enforcement of Model Code of Conduct after announcement of General Election to the State Legislative Assembly of Bihar, 2020- regarding.

Sir,

I am directed to state that the Election Commission has announced the schedule for holding General Election to the State Legislative Assembly of Bihar. Operation of 'MODEL CODE OF CONDUCT' comes into effect with the announcement of elections by the Commission. In view of the above, the Commission has given following directions for effective enforcement of provisions of MCC:-

1. **Defacement of Property-** The Commission's instructions contained in letters, No. 437/6/INST/2015-CCS, dated 29th December, 2015, No. 437/6/INST/2012- CC&BE dated 18th January, 2012 and No. 3/7/2008 JS-II dated 7th October, 2008 , provide for prevention of defacement of property. The Commission has directed to ensure strict compliance of its instructions and to take time bound action as prescribed below-

(a) **Defacement of Government property-** For this purpose a Government premise would include any Government office and the campus wherein the office building is situated. All wall writing, posters/papers or defacement in any other form, cutout/hoardings, banners, flags etc, on Government property shall be removed **within 24 hours** from the announcement of elections

(b) **Defacement of public property and misuse of public space-** All unauthorized political advertisement, in the form of wall writing/posters/papers of defacement in any other

Accept
28/9/20
JS(AJ)
28/9/20
CAI

form, cutout/hoardings, banners flags etc. at public property and in public space like railway station, Bus stands, Airports, railway Bridges, Roadways, Govt. Buses, Electric/Telephone poles , municipal/local bodies' buildings etc., shall be removed **within 48 hours** from the announcement of elections by the Commission.

(c) **Defacement of private property**- All unauthorized political advertisement displayed at private property and subject to local law and court's directions, if any, shall be removed **within 72 hours** from the announcement of elections by the Commission.

2. **Misuse of official vehicle**- The Commission's consolidated instructions contained in letter No. 464/INST/2014/EPS, dated 10th April 2014, among other things, provide that **there shall be a total ban on use of official vehicle by any political party, candidate or any other person connected with election (except officials performing any election related official duty) for campaigning, electioneering or election related travel during elections (subject to certain exception mentioned therein)**. The expression 'official vehicle' means and shall include , any vehicle 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 Central Government, State Government/UT Administrations, public undertakings of Central/State Government, Joint sector undertakings of Central/State Government, local bodies, municipal corporations, marketing boards, cooperative societies or any other body in which public funds , however small a portion of the total, are invested. **The CEO and DEOs shall take necessary action for compliance of the above instructions within 24 hrs of the announcement of the elections.**

3. **Advertisement at the cost of public exchequer**- The Commission's instructions contained in letters, No. 437/6/1/2014-CC&BE, dated 5th March, 2014 provide that 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. No advertisements shall be issued in electronic and print media highlighting the achievements of the Govt. at the cost of public exchequer. If any advertisement has already been released for telecast/broadcast or publication in the print media, it must be ensured that the telecast/broadcast of such ads on electronic media is stopped forthwith and that no such ad is published in any newspapers, magazines, etc., i.e. in print media, from the date of announcement and it should be immediately withdrawn. **The CEO and DEOs has to take immediate action to remove/stop any advertisement, in the print/electronic media, showing the achievements of the Government soon after the announcement of elections.**

4. **Photograph of political functionary at official website-** The Commission's instruction contained in letter No. 437/6/INST/2014-CC&BE dated 20th March, 2014 provides that all references of Ministers, politicians or political parties available on central/state Government's official website, shall be removed. The CEO has to take **immediate action** to remove/hide the photographs of any political functionary from official websites of state department.
5. **Development/construction related activities- Within 72 hours** of announcement of elections, the CEO/DEO shall obtain lists of following works for reference in case of validating any complaint on violation of MCC:
 - (i) Work which has already been started on ground.
 - (ii) Fresh work which has not started on ground.
6. **Activities for Expenditure Monitoring and enforcement of MCC-** Flying squad, FST, video team, intensive checking for liquor/cash/contra banned drugs, flying squads of excise department to check illicit trafficking of Drug/Narcotics shall be **immediately activated** after announcement.
7. **Complaint Monitoring System-** The poll going state shall have a complaint redressal mechanism based on website and call center. The toll free number of call center is 1950. Complaints can be registered by making calls to the toll free call center numbers or on the web site. Complainants will also be informed of the action taken by SMS and by the call center. Complainants can also see the details of the action taken on their complaints. This system should be **operational within 24 hours** of the announcement . All complaint should be dealt with promptly and properly. ~~The 24x7 control Room at the district level must be~~ activated and sufficient deployment of manpower and other logistics be ensured in particular, round the clock personnel should be deployed in the control room and their duty roster must be issued to avoid any evasion or confusion.
8. **IT Application-** All IT applications including official website and social media shall be **operational with the announcement**.
9. **Dissemination of information for Awareness of Voters and political parties.** Publicity of major election activities would be given through CEO/DEO/RO. For this purpose, all necessary information shall be disseminated through radio, tv, cinema. Government channel to display voter education material.
10. **Active cooperation from educational institutions and Civil Societies-** Cooperation should be sought from educational institutions and civil societies for giving wide publicity to the election related information to the general public and other stakeholders.

11. **Media Centre-** Effort should be made for awareness among the voters, political parties and other stakeholder through media center about election system including use of EVM/VVPAT.
12. **MCMC/DEMC-** The Commission's instruction contained in letter no. 491/MCMC/2014/Communication dated 24th March, 2014 provides that all registered political parties will approach the Media Certification and Monitoring Committees (MCMC) at District and State level, as the case may be, for pre-certification of their political advertisements proposed to be issued on electronic media. The Commission has directed to ensure strict compliance of its instructions contained in above said letter.
13. **Control Room-** The 24x7 control room at district level must be activated immediately and sufficient deployment of manpower and other logistics be ensured by the DEO/CEO. A control room with complaint Monitoring Centre would also be set up at Secretariat of the Commission during the entire election process.

Yours faithfully,


(NARENDRA N. BUTOLIA)
SR. PRINCIPAL SECRETARY

4-8259/20
28/9/20

By Spl. Messenger/Speed Post

ELECTION COMMISSION OF INDIA

NIRVACHAN SADAN, ASHOKA ROAD, NEW DELHI-110001

No. 437/6/1/ECI/INST/FUNCT/MCC/2020

90

Dated: 25th September, 2020

To

1. The Cabinet Secretary,
Government of India,
Rashtrapati Bhawan,
New Delhi.
2. The Chief Secretary
to the Government of
Bihar,
Patna, and
3. The Chief Electoral Officer,
Bihar,
Patna.

25-9-20
J/S(AI)
Dir(SKA)

Sub: Application of Model Code of Conduct - General Election to the State Legislative Assembly of Bihar, 2020- reg.

Sir,

I am directed to state that the Election Commission has announced the schedule for holding General Election to the State Legislative Assembly of Bihar (Press Note No. ECI/PN/64/2020, dated 25th September, 2020 available at the Commission's web-site - <https://eci.gov.in/>).

2. With this announcement, the provisions of the Model Code of Conduct for the guidance of the Political Parties and Candidates have come into force with immediate effect and which will be in force till the completion of the General Election to the State Legislative Assembly of Bihar. This may be brought to the notice of the Central and State Government, all Ministries/Departments/offices of the Union Government/the State Government. A copy of instructions issued by you to this effect may be sent to the Commission for its information and record.

28/9/20
28/9/20
28/9/20
CAF

3. Your attention is drawn to the particular provisions of Model Code of Conduct relating to the 'party in power' which inter alia says that the party in power whether at the Centre or in the 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 also shall not make use of official machinery or personnel during the electioneering work;

(b) Government transport including official air-crafts, vehicles, machinery and personnel shall not be used for furtherance of the interest of the party in power;

(ii) Public places such as maidans etc., for holding election meetings, and use of helipads for air-flights in connection with elections shall not be monopolised by itself. Other parties and candidates shall be allowed the use of such places and facilities on the same terms and conditions on which they are used by the party in power;

(iii) Rest houses, dak bungalows or other Government accommodations can be given to the political functionaries who are provided security by the State in Z scale or above or equivalent by various State Governments or the Central Government under provisions of their laws, on equitable basis. This shall be subject to condition that such accommodation is not already allotted or occupied by election related officials or Observers. Such political functionaries shall not carry out any political activity while staying in the Government Guest Houses/Rest Houses or other Government accommodation etc.;

(iv) Issue of advertisement at the cost of public exchequer in the newspapers and other media and the misuse of official mass media during the election period for partisan coverage of political news and publicity regarding achievements with a view to furthering the prospects of the party in power shall be scrupulously avoided;

(v) Ministers and other authorities shall not sanction grants/payments out of discretionary funds; and

(vi) Ministers and other authorities shall not -

(a) announce any financial grants in any form or promises thereof; or

(b) (except civil servants) lay foundation stones etc. of projects or schemes of any kind; or

(c) make any promise of construction of roads, provision of drinking water facilities etc.; or

(d) make any ad-hoc appointments in Government, Public Undertakings etc., which may have the effect of influencing the voters in favour of the party in power.

4. As will be observed from para 3(IV) above, no advertisements shall be issued in electronic and print media highlighting the achievements of the Govt. at the cost of public exchequer. If any advertisement has already been released for telecast/broadcast or publication in the print media, it must be ensured that the telecast/broadcast of such ads on electronic media is stopped forthwith and that no such ad is published in any newspapers, magazines, etc., i.e. in print media, from today itself and it should be immediately withdrawn.

5. The instruction of the Commission contained in its letter No.437/6/2009-CCBE dated 5th March, 2009 is available on the Commission's web-site "<https://eci.gov.in>"- under the heading 'Important instructions' for your information and necessary action. The Commission's all other instructions are also available in this link for your guidance.


6. The Commission further directs that there shall be a total ban on the transfer of all officers/officials connected with the conduct of the election. These include but are not restricted to: -

- i) The Chief Electoral Officer and Additional/Joint/Deputy Chief Electoral Officers;
- ii) Divisional Commissioners;
- iii) The District Election Officers, Returning Officers, Assistant Returning Officers and other Revenue Officers connected with the Conduct of Election;
- iv) Officers of the Police Department connected with the management of election like range IGs and DIGs, Senior Superintendents of Police and Superintendents of Police, Sub-Divisional Police Officers like Deputy Superintendents of Police and other Police officers who are deputed to the Commission under section 28A of the Representation of the People Act, 1951;

7. The transfer orders issued in respect of the above categories of officers, prior to the date of announcement but not implemented till date, should not be given effect to without obtaining specific permission from the Commission in this regard.

8. The ban on transfers shall be effective till the completion of the election. The Commission further directs that the State Governments should refrain from making transfers of senior officers who have a role in the management of election in the State.
9. In those cases where transfer of an officer is necessary on account of administrative exigencies, the concerned State Government may with full justification approach the Commission for prior clearance.
10. The receipt of the letter may kindly be acknowledged.

Yours faithfully,


(NARENDRA N. BUTOLIA)
SR. PRINCIPAL SECRETARY