

ELECTION COMMISSION OF INDIA

NIRVACHAN SADAN, ASHOKA ROAD, NEW DELHI-110001

No.437/6/1/ECI/INST/FUNCT/MCC/2019

Dated: 21st September, 2019

To

1. The Cabinet Secretary,
Government of India,
Rashtrapati Bhawan,
New Delhi.
2. The Chief Secretaries to the Government of:-
 - a) Arunachal Pradesh, Itanagar;
 - b) Assam, Dispur;
 - c) Bihar, Patna;
 - d) Chhattisgarh, Raipur;
 - e) Gujarat, Gandhinagar;
 - f) Himachal Pradesh, Shimla;
 - g) Karnataka, Bengaluru;
 - h) Kerala, Thiruvananthapuram
 - i) Madhya Pradesh, Bhopal;
 - j) Meghalaya, Shillong;
 - k) Odisha, Bhubaneswar;
 - l) Puducherry;
 - m) Punjab, Chandigarh;
 - n) Rajasthan, Jaipur;
 - o) Sikkim, Gangtok;
 - p) Tamil Nadu, Chennai;
 - q) Telangana, Hyderabad; and
 - r) Uttar Pradesh, Lucknow;
3. The Chief Electoral Officers of:-
 - a) Arunachal Pradesh, Itanagar;
 - b) Assam, Dispur;
 - c) Bihar, Patna;
 - d) Chhattisgarh, Raipur;
 - e) Gujarat, Gandhinagar;
 - f) Himachal Pradesh, Shimla;
 - g) Karnataka, Bengaluru;
 - h) Kerala, Thiruvananthapuram
 - i) Madhya Pradesh, Bhopal;
 - j) Meghalaya, Shillong;
 - k) Odisha, Bhubaneswar;
 - l) Puducherry;
 - m) Punjab, Chandigarh;
 - n) Rajasthan, Jaipur;
 - o) Sikkim, Gangtok;
 - p) Tamil Nadu, Chennai;
 - q) Telangana, Hyderabad; and
 - r) Uttar Pradesh, Lucknow;

Subject:- Bye-election to fill casual vacancies in the Lok Sabha from Parliamentary Constituency of Bihar and State Legislative Assemblies of Arunachal Pradesh, Assam, Bihar, Chhattisgarh, Gujarat, Himachal Pradesh, Karnataka, Kerala, Madhya Pradesh, Meghalaya, Odisha, Puducherry, Punjab, Rajasthan, Sikkim, Tamil Nadu, Telangana and Uttar Pradesh- Instructions on enforcement of Model Code of Conduct- regarding.

Sir/Madam,

I am directed to state that the Commission has announced, vide Press Note No. ECI/PN/84/2019, dated 21st September, 2019, schedule for bye-election to fill casual vacancies from the following Parliamentary/Assembly Constituencies in the various States :-

Name of the State	Number and Name of the Constituency
Arunachal Pradesh	56-Khonsa (West)(ST) Assembly Constituency
Assam	1-Ratabari (SC) Assembly Constituency
	44-Jania Assembly Constituency
	74-Rangapara Assembly Constituency
	106-Sonari Assembly Constituency
Bihar	23- Samastipur (SC) Parliamentary Constituency
	54-Kishanganj Assembly Constituency
	76-Simri Bakhtiarpur Assembly Constituency
	109-Daraunda Assembly Constituency
	158-Nathnagar Assembly Constituency
163-Belhar Assembly Constituency	
Chhattisgarh	87-Chitrakot (ST) Assembly Constituency
Gujarat	8-Tharad Assembly Constituency
	20-Kheralu Assembly Constituency
	50-Amraiwadi Assembly Constituency
	122-Lunawada Assembly Constituency
Himachal Pradesh	18-Dharamshala Assembly Constituency
	55-Pachhad (SC) Assembly Constituency
Karnataka	03- Athani Assembly Constituency
	04-Kagwad Assembly Constituency
	09- Gokak Assembly Constituency
	81-Yellapur Assembly Constituency
	86- Hirekerur Assembly Constituency
	87-Ranibennur Assembly Constituency
	90-Vijayanagara Assembly Constituency
	141- Chikkaballapur Assembly Constituency
	151- K.R. Pura Assembly Constituency
	153-Yeshvanthapura Assembly Constituency
	156-Mahalakshmi Layout Assembly Constituency
	162-Shivajinagar Assembly Constituency
	178-Hosakote Assembly Constituency
	192-Krishnarajpet Assembly Constituency
212-Hunsur Assembly Constituency	
Kerala	01-Manjeshwar Assembly Constituency
	82-Ernakulam Assembly Constituency
	102-Aroor Assembly Constituency
	114-Konni Assembly Constituency
133- Vattiyoorkavu Assembly Constituency	
Madhya Pradesh	193 - Jhabua (ST) Assembly Constituency
Meghalaya	26-Shella (ST) Assembly Constituency
Odisha	2- Bijepur Assembly Constituency
Puducherry	10 - Kamraj Nagar Assembly Constituency
Punjab	29-Phagwara (SC) Assembly Constituency
	39-Mukerian Assembly Constituency
	68 - Dakha Assembly Constituency
	79 - Jalalabad Assembly Constituency
Rajasthan	28-Mandawa Assembly Constituency
	110-Khinwsar Assembly Constituency
Sikkim	10 - Poklok-Kamrang Assembly Constituency
	24 - Martam-Rumtek (BL) Assembly Constituency
	27 - Gangtok (BL) Assembly Constituency

Tamil Nadu	75- Vikravandi Assembly Constituency
	227-Nanguneri Assembly Constituency
Telangana	89-Huzurnagar Assembly Constituency
Uttar Pradesh	7-Gangoh Assembly Constituency
	37-Rampur Assembly Constituency
	77-Iglas (SC) Assembly Constituency
	175 -Lucknow Cantt. Assembly Constituency
	212-Govindnagar Assembly Constituency
	237-Manikpur Assembly Constituency
	248-Pratapgarh Assembly Constituency
	269-Zaidpur (SC) Assembly Constituency
	280-Jalalpur Assembly Constituency
	282-Balha (SC) Assembly Constituency
	354-Ghosi Assembly Constituency

2. The provisions of the Model Code of Conduct have come into force with immediate effect in the district(s) in which the whole or any part of the Parliamentary/Assembly Constituency going for bye-election is comprised, subject to partial modification as issued by Commission vide its letters **No. 437/6/INST/2016-CCS dated 29th June, 2017** and **No. 437/6/MISC/ECI/LET/FUNCT/MCC/2017 dated 18th January, 2018** (copies enclosed).

3. This may be brought to the notice of all concerned.

Yours faithfully,


(NARENDRA N. BUTOLIA)
PRINCIPAL SECRETARY



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/INST/2016-CCS

Dated: 29th June, 2017

To,

1. The Chief Electoral Officers of all States and Union Territories.
2. The Chief Secretaries of all States and Union Territories.
3. Recognized political parties of all States/UTs

Subject:- Model Code of Conduct- instructions- bye-election of Parliamentary/Assembly Constituency -regarding.

Sir,

On the above cited subject, I am directed to state that the Commission has reviewed the issue and has issued the following modifications of its earlier instructions-

1. Enforcement of MCC

The Commission's instructions, contained in letters No. 437/6/INST/2012/CC&BE dated 26.04.2012 and No. 437/6/INST/2012/CC&BE dated 21.10.2013, list various provisions of applicability of MCC to the concerned district or the AC/PC concerned. These instructions are modified to the extent that *in case the constituency is comprised in State Capital/Metropolitan Cities/Municipal Corporations, then aforesaid instructions would be applicable in the area of concerned Constituency only. In all other cases the MCC would be enforced in the entire district(s) covering the Constituency going for bye-election(s).*

2. Publishing of Advertisements

The Commission on 25th June, 2013, directed that the release /publishing of advertisements during the period of operation of Model Code of Conduct in connection with bye-elections would be regulated as follows:-

- (i) Advertisement of general nature in connection with specific occasions of importance may be published. However, such publishing shall be restricted to the dates coinciding with the special occasion only, and it shall not be published on other days. The advertisement shall not bear photographs of any Minister and other political functionaries.
- (ii) No advertisement having any specific/pointed reference or connotation to the areas covered by the bye-election constituencies shall be released/published on any date during the period.

Further, it is clarified that no new schemes should be advertised in the districts where the bye-election is being conducted. [Subpara (ii) above] stands modified.

3. Tours of Ministers

During bye elections from any constituencies, either Parliamentary or Assemblies, the following restrictions are applicable as per instruction issued by the Commission on 23rd November, 2007 with regard to the tours of Ministers which inter alia provides that:-

- (i) All Ministers, whether Central or State, shall not combine in any manner their official tours with election work after the announcement of the bye elections. All and any visits to the district(s) where bye-election is being held and where Model Code of Conduct is, therefore, in force, have to be completely private in nature.
- (ii) In case where a Minister travelling on official work transits through the district(s) where the bye-election is being held en route to any other district on official visit, he shall not attend to any political work.

Further, it is clarified that the Ministers or persons holding equivalent rank/status cannot combine their official visit with campaign by en routing their journey for official purposes to a place where MCC is not in force and then proceeding from that place to the area where MCC is in force for election campaign. In case it is done, the entire journey expense shall be treated as election expense. [subpara (ii) above stands modified].

4. Regarding Transfer/Posting of Officers

For all officers, who are connected with the conduct of bye-election in the State, the existing ECI's instructions on implementation of transfer policy be applied within the area falling under the concerned AC/PC. While implementing this policy the DEO/RO should take care that in case of deployment of any officer from outside the constituency for any election related duty, shall also conform to the transfer policy of the Commission.

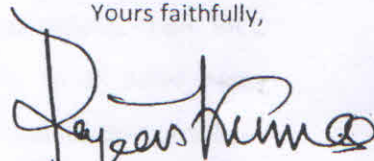
5. Regarding Announcement of D.A.

There is no ECI's instruction in the context of bye-election prohibiting State Governments to take decisions which have State wide effect and consequently in the Constituency concerned.

The Commission, after taking into consideration all relevant factors in this regards, has decided that announcement of D.A. by the state government may be done as a routine affair but it should not be publicized as the Government's achievement.

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

Yours faithfully,


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

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ELECTION COMMISSION OF INDIA

NIRVACHAN SADAN, ASHOKA ROAD, NEW DELHI-110001

No.437/6/MISC/ECI/LET/FUNCT/MCC/2017

235-270

Dated: 18 January 2018

To

The Chief Electoral Officers of
All States and Union Territories.

Subject: -Clarification regarding enforcement of MCC during bye-election - regarding.

Sir,

I am directed to refer to the Commission's letter No. 437/6/INST/2016-CCS dated 29th June, 2017 regarding application of Model Code of Conduct wherein it has been stated that in case the constituency is comprised in State Capital/Metropolitan Cities/Municipal Corporations, then MCC instructions would be applicable in the area of concerned Constituency only. In all other cases aforesaid instructions would be enforced in the entire district(s) covering the Constituency going for bye-election(s). (Copy enclosed for ready reference)

In this connection, a clarification was sought for by Returning Officer, Ajmer Parliamentary Constituency in Rajasthan, whether the MCC was to be enforced in the entire district of Jaipur or only in the Dudu Assembly segment of Jaipur District during the ensuing bye-election to Ajmer Parliamentary Constituency since Jaipur district has in it state capital, municipal corporation, metropolitan city as well as rural area. The Commission considered the matter and clarified that in order to avoid dislocation/disturbance of normal administrative work in Jaipur District, MCC would be enforced only in Dudu Assembly segment of Jaipur district.

Now, the Commission has decided that above direction shall be applied in all future bye-elections in the Country involving State Capital/Metropolitan Cities/Municipal Corporations. Accordingly, any district in which Corporation/ Metro/Municipal Corporation is located, MCC would be enforced in the particular Assembly Constituency Segment only and not in the whole of the district.

Yours faithfully,

o/c

भारी भिन्न/ISSUED ON
R&I SECTION
18 JAN 2018
भारत निर्वाचन आयोग
Election Commission of India

(NARENDRA N. BUTOLIA)
PRINCIPAL SECRETARY