**Election Urgent**

# U.T. Administration of Daman & Diu

## Office of the Chief Electoral Officer, Secretariat, Daman

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No.17/01/Circular/GELS/CEO/DMN/2019/445 Dated 11 /03/2019

To,

1. The President, Bharatiya Janta Party, Daman & Diu, Daman
2. The President, Indian National Congress, Daman & Diu, Daman
3. The President, Nationalist Congress Party, Daman & Diu, Daman
4. The President, Samamjwadi Party, Daman & Diu , Daman
5. The President, Bahujan Samamjwadi Party, Daman & Diu, Daman
6. The Executive Member, Aam Aadmi Party, Daman & Diu, Daman

**Sub:** Model Code of Conduct for the General Election to Lok Sabha- 2019- regarding

With announcement of General Election to Lok Sabha - 2019 by the Election Commission of India, the Model Code of Conduct has come into force from 10/03/2019. A copy of the Model Code of Conduct for the guidance of Political Parties issued by the Election Commission of India is enclosed.

Your attention is specially invited to the Para 2 regarding meeting and Para 3 regarding Processions. In accordance with the Model Code of Conduct, the political parties shall inform the local police, the venue of the meeting well in time to ensure police to make necessary arrangements for controlling traffic and maintaining peace and order. Similarly, a party organizing procession will decide before hand the time and the place of starting the procession, route to be followed and time and place of the termination of the procession and inform the local police of all the details for making necessary arrangements.

The permission as required under rules shall be obtained from Competent Authorities before carrying out Meeting & Precessions.

Any violation of MCC shall result in action according to law.

Encl: As above

(Pooja Jain) 10/03/19
Chief Electoral Officer
Daman & Diu
Daman

Copy to:

1. The DIG, Daman and Diu, Daman
2. The Supdt. Of Police, Daman & Diu, Daman

## ELECTION COMMISSION OF INDIA

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

### 1. General Conduct

(1) No party or candidate shall indulge 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 metres 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 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 being 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 are any restrictive or prohibitory orders 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 licence 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 licence.

(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. **Processions**

(1) A Party or candidate organising a procession shall decide beforehand 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 ordinarily be no deviation from the programme.

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

(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 members 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 authorised workers suitable badges or identity cards;

(iii) agree that the identity slips 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 twenty-four 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 sympathisers of the parties and the candidate;

(vi) ensure that the candidate's camps shall be simple. They shall not display any posters, flags, symbols or any other propaganda material. No eatables 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 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 accommodation shall not be monopolised 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 candidates 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 the 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 favour 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 authorised agent.

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