

General Election Vidhan Sabha
Most Immediate Date Bound

No. 4/14/2019-1 Election
Government of Haryana
Chief Secretary Office
(Election Branch)

Dated, Chandigarh the 21st September, 2019.

To

1. All the Administrative Secretaries to Govt., Haryana.
2. All Heads of Department.
3. All the MD/CA of Boards/Corporations/ Public Sector Undertaking of Haryana.
4. All the Divisional Commissioner in Haryana.
5. All the Deputy Commissioner-cum- District Elections Officer in Haryana.
6. All the Vice Chancellor of the Universities in Haryana State.
7. The Director General of Police Haryana.

Subject: -

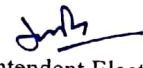
1. General Elections to State Legislative Assemblies of Haryana & Maharashtra and certain bye-election- Release of funds under MPs/MLAs Local Area Development Scheme.
2. Application of Model Code of Conduct- General Elections to the Legislative Assemblies of Haryana & Maharashtra, 2019 - regarding.

Sir/Madam,

The Model Code of Conduct has come into force from the date of announcement of the polls by the Election Commission of India i.e. 21.9.2019. Therefore, I am directed to refer to the subject noted above and to send herewith a copy of Application of Model Code of Conduct and instruction regarding Release of funds under MPs/MLAs Local Area Development Scheme received from the Principal Secretary, Election Commission of India vide letter No. 437/6/1/ECI/INST/FUNCT/MCC/ 2019 , Dated 21.9.2019 for immediate compliance. Copy of this letter along-with enclosures is uploaded on website csharyana.gov. in and the same may be downloaded from there.

2. It may be ensured that directions of the Election Commission of India are complied with strictly.

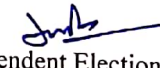
Yours faithfully,


Superintendent Election.

Endst.No.4/14/2019-1Election

Dated, Chandigarh the 21st September, 2019.

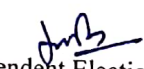
A copy is forwarded to Principal Secretary, Election Commission of India, Nirvachan Sadan, Ashoka Road, New Delhi with reference to his letter No. 437/6/ECI/INST/FUNCT/MCC/2019, dated 21st September, 2019 for information.


Superintendent Election.

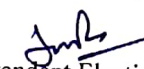
Endst.No.4/14/2019-1Election

Dated, Chandigarh the 21st September, 2019.

A copy is forwarded to the Chief Electoral Officer, Haryana, 30-Bays Building Sector-17, Chandigarh for information.


Superintendent Election.

A copy is forwarded to the Senior Special Secretaries / Senior Secretaries / Secretaries/Private Secretaries to Chief Minister/Ministers/ State Ministers for bringing these instructions to the notice of Hon'ble Chief Minister/ Ministers/ State Ministers. It is also requested that all concerned may be apprised of the instructions contained in the enclosed letter for compliance.


Superintendent Election

To

The Senior Special Secretaries / Senior Secretaries / Secretaries / Private Secretaries to Chief Minister / Ministers / State Ministers.

Endst.No.4/14 /2019-1Election

Dated, Chandigarh the 21st September, 2019.

CC: -
PS/CS
NIC

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 Secretary to the Government of India,
Department of Programme Implementation,
Sardar Patel Bhawan,
New Delhi.
3. The Chief Secretaries to the Government of:-
(i) Haryana, Chandigarh; and
(ii) Maharashtra, Mumbai.
4. The Chief Electoral Officers of :-
(i) Haryana, Chandigarh; and
(ii) Maharashtra, Mumbai.

Subject: General Elections to the Legislative Assemblies of Haryana and Maharashtra, 2019- Release of funds under MPs'/MLAs' Local Area Development Scheme.

Sir/Madam,

I am directed to refer to the Election Commission's Press Note No. ECI/PN/83 /2019, dated 21st September, 2019 (Press Note available at Commission's web-site - <https://eci.gov.in/>) as per which the Commission has announced the enforcement of the Model Code of Conduct for the guidance of the Political Parties and Candidates, consequent on the announcement of General Elections to the Legislative Assemblies of Haryana and Maharashtra.

2. The Commission has instructed that the release of funds under the Member of Parliament Local Area Development Schemes will be subject to the following restrictions:-

h
21/9/19
12

ELECTION COMMISSION OF INDIA

NIRVACHAN SADAN ASHOKA ROAD NEW DELHI-110001

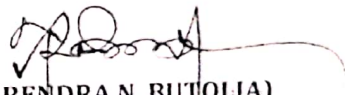
By Spl. Messenger/Speed Post

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

2

- a) No fresh release of funds under the Member of Parliament (including Rajya Sabha members) Local Area Development fund shall be made in any part of the country where election is in progress. Similarly no fresh release of funds under the MLAs'/ MLCS' Local Area Development Fund shall be made, if any such scheme is in operation, till the completion of election process.
- b) No work shall start in respect of which work orders have been issued before the issue of this letter but the work has actually not started in the field. These works can start only after the completion of election process. However, if a work has actually started, that can continue.
- c) There shall be no bar to the release of payments for completed work(s) subject to the full satisfaction of the concerned officials.
- d) Where schemes have been cleared and funds are provided or released and materials procured and reached the site such scheme may be executed as per programme.

Yours faithfully,


(NARENDRA N. BUTOLIA)
PRINCIPAL SECRETARY

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:-
(i) Haryana, Chandigarh; and
(ii) Maharashtra, Mumbai.
3. The Chief Electoral Officers of :-
(i) Haryana, Chandigarh; and
(ii) Maharashtra, Mumbai.

Sub: Application of Model Code of Conduct – General Elections to the Legislative Assemblies of Haryana & Maharashtra, 2019- reg.

Sir/Madam,

I am directed to state that the Election Commission has announced the schedule for holding General Elections to the Legislative Assemblies of Haryana & Maharashtra (Press Note No. ECI/PN/83/2019, dated 21st September, 2019 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 Elections in the above States. 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.

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 accommodation where elections have been announced or are taking place 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 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.

4. As will be observed from Para 3{Clause 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;
- v) 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;
- vi) This ban 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;

vii) 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.

7. The receipt of the letter may kindly be acknowledged.

Yours faithfully,


(NARENDRA N. BUTOLIA)
PRINCIPAL SECRETARY