

राजस्थान सरकार
निर्वाचन विभाग

जयपुर, दिनांक: 09-10-2023

एफ 3.(1)(9)प्रथम/निर्वा/2023/ 61195

प्रेषक : मुख्य निर्वाचन अधिकारी
राजस्थान, जयपुर।

प्रेषिति : मुख्य सचिव
राजस्थान सरकार
जयपुर।

समस्त अतिरिक्त मुख्य सचिव/प्रमुख शासन सचिव/
शासन सचिव
राजस्थान सरकार

: राज्य सूचना विज्ञान अधिकारी,
(NIC) सचिवालय, जयपुर।

समस्त अध्यक्ष/प्रबन्ध निदेशक/निदेशक/सचिव
बोर्ड/आयोग/निगम राजस्थान

: सूचना प्रौद्योगिकी एवं संचार
विभाग राजस्थान, जयपुर।

समस्त संभागीय आयुक्त,
राजस्थान।

विषय: विधानसभा आम चुनाव, 2023 – आदर्श आचार संहिता की पालना
बाबत।

प्रसंग: भारत निर्वाचन आयोग के पत्र सं. 437/6/1/ECI/INST/FUNCT/
MCC/2023 दिनांक 09.10.2023

महोदय,

उपरोक्त विषयान्तर्गत भारत निर्वाचन आयोग द्वारा विधानसभा आम चुनाव 2023 के कार्यक्रम की घोषणा दिनांक 09 अक्टूबर, 2023 को की जा चुकी है। कार्यक्रम की घोषणा के साथ ही सम्पूर्ण राज्य में आदर्श आचार संहिता प्रभाव में आ चुकी है।

भारत निर्वाचन आयोग द्वारा सभी अधिकारियों/कर्मचारियों के स्थानान्तरण/पदस्थापन पर प्रतिबन्ध के निर्देश दिये गये हैं। इसके अतिरिक्त आदर्श आचार संहिता के संबंध में मंत्रियों द्वारा वाहनों के उपयोग, सर्वजनिक स्थानों के उपयोग, डॉक बंगलो के उपयोग के संबंध में भी दिशा-निर्देश दिये गये हैं, जिसकी प्रति संलग्न कर प्रेषित हैं।

कृपया आदर्श आचार संहिता प्रभाव में रहने के दौरान आयोग के निर्देशों की पालना सुनिश्चित करें एवं राज्य के माननीय केबिनेट मंत्रीगण/राज्य मंत्रीगण/संसदीय सचिवों को भी आयोग के निर्देशों की पालना हेतु सूचित करावें।

संलग्न:- उपरोक्तानुसार।

भवदीय,

(प्रवीण गुप्ता)


मुख्य निर्वाचन अधिकारी
राजस्थान, जयपुर।

एफ़ 3:(1)(9)प्रथम/निर्वा/2023/

जयपुर, दिनांक :

प्रतिलिपि निम्न को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित है।

1. समस्त जिला निर्वाचन अधिकारी (कलक्टर्स) राजस्थान को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित हैं।
2. आई.टी. सेल, निर्वाचन विभाग को भेजकर निवेदन हैं कि उक्त आदेश को विभाग की वेबसाईट पर तत्काल अपलोड कराया जाना सुनिश्चित करें।


29/10/23
उप मुख्य निर्वाचन अधिकारी,
राजस्थान, जयपुर।

By E-Mail/Speed Post

ELECTION COMMISSION OF INDIA

NIRVACHAN SADAN, ASHOKA ROAD, NEW DELHI-110001

No. 437/6/1/ECI/INST/FUNCT/MCC/2023

Dated: 9th October, 2023

To

1. The Cabinet Secretary,
Government of India,
Rashtrapati Bhawan,
New Delhi.
2. The Chief Secretaries to the Government of:-
 - (i) Chhattisgarh, Raipur ;
 - (ii) Madhya Pradesh, Bhopal ;
 - (iii) Mizoram, Aizawl ;
 - (iv) Nagaland, Kohima;
 - (v) Rajasthan, Jaipur ; and
 - (vi) Telangana, Hyderabad.
3. The Chief Electoral Officers of:-
 - (i) Chhattisgarh, Raipur ;
 - (ii) Madhya Pradesh, Bhopal ;
 - (iii) Mizoram, Aizawl ;
 - (iv) Nagaland, Kohima;
 - (v) Rajasthan, Jaipur ; and
 - (vi) Telangana, Hyderabad.

Sub: Application of Model Code of Conduct – General Elections to State Legislative Assemblies of Chhattisgarh, Madhya Pradesh, Mizoram, Rajasthan & Telangana, 2023 and Bye-election in 43-Tapi (ST) Assembly Constituency of Nagaland – reg.

Sir/Madam,

I am directed to state that the Commission has announced the schedule for holding General Elections to State Legislative Assemblies of **Chhattisgarh, Madhya Pradesh, Mizoram, Rajasthan & Telangana** and **Bye-election in 43-Tapi (ST) Assembly Constituency of Nagaland** (Press Note No. ECI/PN/57/2023 & Press Note No. ECI/PN/58/2023 both dated 9th October, 2023 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 and Bye-Elections in the States mentioned above. 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 monopolized 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.
 8. Hindi version will follow.

Yours faithfully,


(ASHWANI KUMAR MOHAL)
SECRETARY