

सां/No. : 5-1(638)/2019-PD

दिनांक/Dated: 25.08.2023

**प्रेषक :** संयुक्त सचिव (प्रशासन)

**From :** Joint Secretary (Admn.)

**सेवा में :** सी.एस.आई.आर. की सभी राष्ट्रीय प्रयोगशालाओं/संस्थानों/मुख्यालय/एककों के निदेशक/प्रधान

**To :** The Directors/Heads of all CSIR National Labs./Instts./Hqrs./Units

**महोदय/Sir / महोदया/Madam,**

मुझे भारत सरकार द्वारा जारी किए गए निम्नलिखित कार्यालय ज्ञापनों को आपकी जानकारी, मार्गदर्शन और अनुपालन के लिए अग्रेषित करने का निदेश हुआ है:

I am directed to forward herewith the following Office Memoranda issued by the Government of India for your information, guidance and compliance:

क्रम सं. Sl. No.	कार्यालय ज्ञापन सं. / Office Memorandum No.	विषय/ Subject
1.	मंत्रिमंडल सचिवालय कार्यालय ज्ञापन सं. 1/41/1/2022-Cab दिनांक 18.08.2023  Cabinet Secretariat Office Memorandum No. 1/41/1/2022-Cab dated 18.08.2023	Bye-elections to 7 (seven) Legislative Assemblies of Jharkhand, Tripura, Kerala, West Bengal, Uttar Pradesh and Uttarakhand – Instructions on enforcement of Model Code of Conduct.
2.	कार्मिक, लोक शिकायत और पेंशन मंत्रालय, कार्मिक और प्रशिक्षण विभाग कार्यालय ज्ञापन सं. 12/1/2022-JCA दिनांक 21.08.2023  Ministry of Personnel, Public Grievances and Pensions, Department of Personnel & Training Office Memorandum No. 12/1/2022-JCA dated 21.08.2023	Bye-Election to 7 (Seven) Assembly Constituencies of Jharkhand, Kerala, Uttar Pradesh, Uttarakhand, Tripura and West Bengal – Grant of paid Holiday to the employees on the day of the Poll.

भवदीय/Yours faithfully,

अवर सचिव (नीति प्रभाग) / Under Secretary (PD)

संलग्न/Encl. : यथोपरि/As above

प्रतिलिपि/Copy to:

1) सी.एस.आई.आर. वेबसाइट/ CSIR Website

2) कार्यालय प्रति/Office copy.

MOST IMMEDIATE

Copy No. \_\_\_\_\_

No. 1/41/1/2022-Cab

GOVERNMENT OF INDIA (BHARAT SARKAR)  
CABINET SECRETARIAT (MANTRIMANDAL SACHIVALAYA)

New Delhi, the 18<sup>th</sup> August, 2023

OFFICE MEMORANDUM

**Subject: Bye-elections to 7 (seven) Legislative Assemblies of Jharkhand, Tripura, Kerala, West Bengal, Uttar Pradesh and Uttarakhand- Instructions on enforcement of Model Code of Conduct.**

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The undersigned is directed to enclose herewith a copy of the Election Commission of India letter No. 437/6/1/ECI/INST/FUNCT/MCC/2023/1735 dated 08.08.2023 on the above subject, for information and necessary action.

Encl.: as above



(S.G.P. Verghese)

Joint Secretary

Tele No. 2301 1791

Email: verghese.sgp@nic.in

All Secretaries to the Government of India

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248

By Fax/Spl. Messenger/Speed Post

# ELECTION COMMISSION OF INDIA

NIRVACHAN SADAN, ASHOKA ROAD, NEW DELHI-110001

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

1735

Dated: 8<sup>th</sup> August, 2023

To

1. ✓ The Cabinet Secretary,  
Government of India,  
Rashtrapati Bhawan,  
New Delhi.
2. The Chief Secretaries to the Government of :-  
1.) Jharkhand, Ranchi;  
2.) Kerala, Thiruvananthapuram;  
3.) Tripura, Agartala;  
4.) West Bengal, Kolkata;  
5.) Uttar Pradesh, Lucknow;  
6.) Uttarakhand, Dehradun.
3. The Chief Electoral Officers of:-  
1.) Jharkhand, Ranchi;  
2.) Kerala, Thiruvananthapuram;  
3.) Tripura, Agartala;  
4.) West Bengal, Kolkata;  
5.) Uttar Pradesh, Lucknow;  
6.) Uttarakhand, Dehradun.

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Sh. Kaur  
Sh. Naveen

**Subject:-** Bye-elections to 7(seven) Legislative Assemblies of Jharkhand, Tripura, Kerala, West Bengal, Uttar Pradesh and Uttarakhand - 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/47/2023 dated 8<sup>th</sup> August, 2023, schedule for Bye-elections in Assembly Constituencies of following States :-

Name of the State	Name & No. of Constituency
Jharkhand	33-Dumri Assembly Constituency
Kerala	98-Puthuppally Assembly Constituency
Tripura	20-Boxanagar Assembly Constituency 23-Dhanpur Assembly Constituency
West Bengal	15-Dhupguri (SC) Assembly Constituency
Uttar Pradesh	354-Ghosi Assembly Constituencies
Uttarakhand	47-Bageshwar(SC) Assembly Constituencies

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 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 29<sup>th</sup> June, 2017, No. 437/6/MISC/ECI/LET/FUNCT/MCC/2017 dated 18<sup>th</sup> January, 2018 and No. 437/6/MISC/ECI/LET/FUNCT/MCC/2019 dated 14<sup>th</sup> October, 2019 (copies enclosed).

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

Yours faithfully,

  
(NARENDRA N. BUTOLIA)  
SR. PRINCIPAL SECRETARY



## INSTRUCTION Sl. No. 25

Election Commission's letter No. 437/6/INST/2016-CCS dated 29.06.2017 addressed to the Chief Secretaries and CEOs of all the States/UTs and recognized Political parties of States/UT.

### **Subject: Model Code of Conduct – Instruction- bye-election of Parliamentary/Assembly Constituency – Regarding.**

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

252

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.



**INSTRUCTION Sl. No. 28**

Election Commission's letter No. 437/6/1/ECI/INST/FUNCT/MCC/2017, dated 18.01.2018 addressed to the Chief Electoral Officers of all States/UTs

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

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) (Instruction Sl. No. 25).

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.



भारत निर्वाचन आयोग मन्त्रालय  
SECRETARIAT OF THE ELECTION COMMISSION OF INDIA  
निर्वाचन सदन, अशोक रोड, नई दिल्ली-110001  
Nirvachan Sadan, Ashoka Road, New Delhi-110001.

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192

No.437/6/MISC/ECI/LET/FUNCT/MCC/2019

Dated: 14<sup>th</sup> October 2019

To

1. The Chief Secretaries of all States and Union Territories.
2. The Chief Electoral Officers of all States and Union Territories.

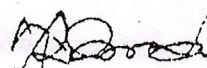
**Subject:** - Clarification regarding enforcement of MCC during bye-election - regarding.

Sir/Madam,

I am directed to refer to the Commission's Instructions issued vide letter No. 437/6/INST/2016-CCS dated 29.06.2017 and to state that the Commission has been receiving various requests seeking clarifications regarding enforcement of MCC during bye-elections where a small number of polling stations of the Constituency fall under jurisdiction of other district(s).

The Commission has considered the matter and directed that the instructions contained in the para-1 of the aforesaid letter shall cover the district in which all or maximum number of polling stations of constituency going to bye-election are located. For the district(s) with number of polling stations less than 10% of the total polling stations of the constituency concerned, the instructions contained in the para-1 of the aforesaid letter would be applicable only in the area under jurisdiction of those polling stations. However, it must be ensured that the other instructions regarding deployment of staff, etc., are ~~strictly~~ observed in all districts irrespective of number of polling stations situated therein.

Yours faithfully,

  
(NARENDRA N. BUTOLIA)  
PRINCIPAL SECRETARY



F. No. 12/1/2022-JCA  
Government of India  
Ministry of Personnel, Public Grievances and Pensions  
(Department of Personnel & Training)  
Establishment (JCA) Section  
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North Block, New Delhi  
Dated: 21<sup>st</sup> August, 2023

**OFFICE MEMORANDUM**

**Subject: Bye-Election to 7 (Seven) Assembly Constituencies of Jharkhand, Kerala, Uttar Pradesh, Uttarakhand, Tripura and West Bengal – Grant of paid Holiday to the employees on the day of the Poll – regarding**

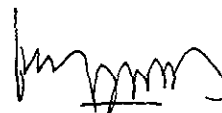
The undersigned is directed to state that the Election Commission of India has informed, vide Press Note No. ECI/PN/47/2023 dated 08.08.2023 and letter No. 78/EPS/2023/1767 dated 10.08.2023, that Bye – Election to Seven (7) Assembly Constituencies of Jharkhand, Kerala, Uttar Pradesh, Uttarakhand, Tripura, and West Bengal, are scheduled to be held as under :-

S. No.	Name of State	Assembly Constituency No. & Name	Date of Poll	Day
1.	Jharkhand	33-Dumri	05.09.2023	Tuesday
2.	Kerala	98-Puthuppally	05.09.2023	Tuesday
3.	Uttar Pradesh	354-Ghosi	05.09.2023	Tuesday
4.	Uttarakhand	47-Bageshwar (SC)	05.09.2023	Tuesday
5.	Tripura	20- Boxanagar	05.09.2023	Tuesday
6.	Tripura	23-Dhanpur	05.09.2023	Tuesday
7.	West Bengal	15-Dhupguri (SC)	05.09.2023	Tuesday

2. Under Section 135B of the Representation of the People Act, 1951, employees entitled to vote at the general/bye election are entitled to grant of paid holiday.

3. The guidelines issued by this Department vide OM No. 12/14/99-JCA dated 10.10.2001 regarding closure of Government Offices and grant of paid holiday in connection with election are enclosed for necessary action and compliance.

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



(Parveen Jargar)

Deputy Secretary to the Government of India

To

1. All Ministries / Departments of Government of India.
2. UPSC/CVC/C&AG/Lok Sabha Secretariat/Rajya Sabha Secretariat/ President's Secretariat / Vice President's Secretariat / PM's Office/Supreme Court / High Court of

Jharkhand /High Court of Kerala/High Court of Uttar Pradesh / High Court of Uttarakhand / High Court of Tripura / High Court of West Bengal

3. All attached and subordinate offices of Ministry of Personnel, P.G. & Pensions / MHA
4. Secretary, Staff Side, National Council (JCM), 13-C, Ferozeshah Road, New Delhi
5. Chairmen / Secretaries, Central Government Employees Welfare Coordination Committee, in the State of Jharkhand, Kerala, Uttar Pradesh, Uttarakhand ,Tripura and West Bengal
6. National Commission for Scheduled Castes / National Commission for Scheduled Tribes/ National Commission for Backward Classes
7. The Chief Secretaries of the State Government Jharkhand, Kerala, Uttar Pradesh, Uttarakhand, Tripura and West Bengal
8. The Election Commission of India, New Delhi – w.r.t. Press Note No. ECI / PN/ 47/ 2023 dated 08.08.2023
9. Hindi Section, DoPT with the request to provide the Hindi Translation

NO.12/14/99-JCA  
GOVERNMENT OF INDIA  
MINISTRY OF PERSONNEL, P.G. & PENSIONS  
(DEPARTMENT OF PERSONNEL & TRAINING)  
NORTH BLOCK, NEW DELHI

NEW DELHI, THE 10<sup>th</sup> OCTOBER, 2001

OFFICE MEMORNDUM

Sub: Closing of Central Government Offices in connection with elections to Lok Sabha / State Assembly / Panchayat / Municipalities / Corporation or other Local Bodies - regarding

In modification of these instructions contained in this Department's O.M.No.12/4/86-JCA dated 9<sup>th</sup> March, 1987, the undersigned is directed to say that the following guidelines are prescribed for future for closing of Central Government Offices including industrial establishments in connection with the elections indicated above.

(i) The relevant organizations shall remain closed in the notified areas where general elections to Lok Sabha or State Legislative Assembly are scheduled to be conducted.

(ii) In connection with bye-election to Lok Sabha / State Assembly, only such of the employees who are bona-fide voters in the relevant constituency should be granted special casual leave on the day of polling. Special Casual leave may also be granted to an employee who is ordinarily a resident of a constituency and registered as a voter but employed in any Central Government Organization / Industrial Establishment located outside the constituency having a general / bye-election.

(iii) In connection with local body elections, viz., Panchayat/ Corporation / Municipality, the Government employees who are bona-fide voters and desire to exercise their franchise should be offered reasonable facility, subject to normal exigencies of services, either by coming late to office or being allowed to leave office early or a short absence on that day.



2. The employees detailed on election duty may also be permitted to remain away from their normal duties on polling day (s) as also on the days required for performing journeys which might be undertaken in order to perform such election duty.

The above instructions may be brought to the notice of all concerned.



(Ranbir Singh)

Under Secretary to the Govt. of India

Tel : 379 4678

To

1. All Ministries/ Departments of Government of India.
2. UPSC/CVC/C&AG/ PM's Office/ Lok Sabha Secretariat/Rajya Sabha Secretariat/President's secretariat/Vice President's Secretariat/Supreme Court/High Court/Central Administrative Tribunal.
3. All attached and subordinate offices of Ministry of Personnel, P.G. & Pensions/ MHA
4. Secretary, Staff Side, National Council (JCM), 13-C, Ferozeshah Road, New Delhi.
5. All Staff Members of the National Council (JCM).
6. All Staff Members of the Departmental Council (JCM), Ministry of Personnel, P.G. and Pensions.
7. Chairmen / Secretaries, Central Government Employees Welfare Coordination Committees.
8. National Commissioner for SCs / STs.
9. Deputy Secretary (Coordination), Delhi Govt. Secretariat, I.G. Stadium, I.T.O., New Delhi.
10. Chief Secretary, all the State Governments / UTs.
11. Election Commission of India, w.r.t. their letter No.78/2001-PLN-1/103, dated 19.9.2001.