



वैज्ञानिक तथा औद्योगिक अनुसंधान परिषद्
COUNCIL OF SCIENTIFIC & INDUSTRIAL RESEARCH
अनुसंधान भवन, 2, रफी मार्ग, नई दिल्ली-110 001
Anusandhan Bhawan, 2, Rafi Marg, New Delhi- 110 001



सा०/No. : 5-1(638)/2019-PD

दिनांक/Dated: 20.02.2023

प्रेषक / From : संयुक्त सचिव (प्रशासन)
Joint Secretary (Admn.)

सेवा में / To : सी.एस.आई.आर. की सभी राष्ट्रीय प्रयोगशालाओं/संस्थानों/मुख्यालय/एककों के निदेशक/प्रधान
The Directors/Heads of all CSIR National Labs./Instts./Hqrs./Units

विषय/ Sub : Biennial elections to the Legislative Councils of various states – Applicability of Model Code of Conduct - reg.

महोदया/Madam / महोदय/Sir,

मुझे, उपरोक्त विषय पर भारत सरकार, मंत्रिमंडल सचिवालय, राष्ट्रपति भवन के दिनांक 14.02.2023 के कार्यालय ज्ञापन सं 1/41/1/2022-Cab को आपकी जानकारी, मार्गदर्शन और अनुपालन के लिए अग्रेषित करने का निदेश हुआ है।

I am directed to forward herewith the Government of India, Cabinet Secretariat, Rashtrapati Bhawan, Office Memorandum No. 1/41/1/2022-Cab dated 14.02.2023 on the above mentioned subject for your information, guidance and compliance.

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

**No.1/41/1/2022-Cab
GOVERNMENT OF INDIA (BHARAT SARKAR)
CABINET SECRETARIAT (MANTRIMANDAL SACHIVALAYA)
RASHTRAPATI BHAWAN**

New Delhi, the 14th February, 2023

OFFICE MEMORANDUM

**Subject: Biennial elections to the Legislative Councils of various states -
Applicability of Model Code of Conduct - reg.**

The undersigned is directed to enclose copies of following letters received from Election Commission of India on the above-mentioned subject for information and further necessary action:

- (i) Letter No. 322/LET/FUNC/AP-LC-LAC/BIEN/2023/743 dated 09.02.2023 (Biennial election to the Andhra Pradesh Legislative Council from 08 Local Authorities' Constituencies).
- (ii) Letter No. 322/LET/FUNC/TL-LC-LAC/BIEN/2023/747 dated 09.02.2023 (Biennial election to the Telangana Legislative Council from 01 Local Authorities' Constituency).
- (iii) Letter No. 322/ECI/LET/FUNC/TL-LC-G&T/BIEN/2023/753 dated 09.02.2023 (Biennial election to the Telangana Legislative Council from Mahabubnagar-Ranga Reddy-Hyderabad Teachers' Constituency).
- (iv) Letter No. 322/ECI/LET/FUNC/AP-LC-G&T/BIEN/2023/761 dated 09.02.2023 (Biennial election to the Andhra Pradesh Legislative Council from 03 Graduates' and 02 Teachers' Constituencies).

Encl: As above.


(Anita Tripathi)
Director
Tel.: 2379 2204

All Secretaries to the Government of India



भारत निर्वाचन आयोग
Election Commission of India

195
निर्वाचन सदन
NIRVACHAN SADAN
अशोक रोड, नई दिल्ली- 110001
ASHOKA ROAD, NEW DELHI-110001

No. 322/LET/FUNC/AP-LC-LAC/BIEN/2023/743

Dated : 09th February, 2023

To

✓ 1.

The Cabinet Secretary,
Government of India,
Rashtrapati Bhawan,
New Delhi.

2. The Chief Secretary to the Government of
Andhra Pradesh, Amaravati-522238.

3. The Chief Electoral Officer,
Andhra Pradesh, Amaravati-522238.

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भारत निर्वाचन आयोग
Election Commission of India

निर्वाचन सदन
 NIRVACHAN SADAN
 अशोक रोड, नई दिल्ली - 110 001
 ASHOKA ROAD, NEW DELHI - 110 001

No. 322/ECI/INST/FUNC/BIEN-LC/2016

Dated: 26th December, 2016

To

The Chief Electoral Officers

1. Maharashtra, Mumbai,
2. Uttar Pradesh, Lucknow,
3. Bihar, Patna,
4. Karnataka, Bangalore,
5. Andhra Pradesh, Hyderabad.
6. Telangana, Hyderabad.

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3. I am further to say that the following instructions of the Commission which have been issued from time to time to ensure level playing field and also to ensure that a party in power doesn't misuse its position for electoral gains, shall also be applicable in connection with Biennial/Bye Elections to the State Legislative Councils from Graduates' & Teachers' Constituencies as well as Local Authorities' Constituencies (from the date of announcement of election till the date of completion of election).

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- 197
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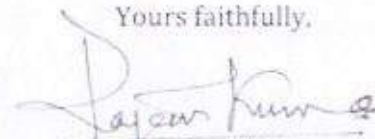
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Kindly inform all concerned including all registered and recognized parties based in your state.

Please ensure compliance.

Yours faithfully,


(R. K. SRIVASTAVA)
SR. 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. 322/ECI/INST/FUNC/BIEN-LC/2016

Dated: 26th December, 2016

To

The Chief Electoral Officers

1. Maharashtra, Mumbai,
2. Uttar Pradesh, Lucknow,
3. Bihar, Patna,
4. Karnataka, Bangalore,
5. Andhra Pradesh, Hyderabad.
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1 of 5

Tel: 011-23717391-98, Fax: 011-23713412, Website: www.eci.nic.in

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Greater participation for a stronger democracy

- 703
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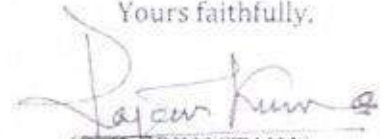
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Election Commission of India

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अशोक रोड, नई दिल्ली-110001
ASHOKA ROAD, NEW DELHI-110001

207

No. 322/ECI/LET/FUNC/TL-LC-G&T/BIEN/2023/753

Dated: 09th February, 2023

To

1. The Cabinet Secretary,
Government of India,
Rashtrapati Bhawan,
New Delhi.
2. The Chief Secretary,
Government of Telangana,
Hyderabad-500003.
3. The Chief Electoral Officer,
Telangana, Hyderabad-500003.

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Sub: - Biennial Election to the Telangana Legislative Councils from Mahabubnagar-Ranga Reddy-Hyderabad Teachers' Constituency-reg.

Sir/Madam,

I am directed to state that the Commission has announced biennial election to the Telangana Legislative Council from Mahabubnagar-Ranga Reddy-Hyderabad Teachers' Constituency vide Press Note No. ECI/PN/15/2023, dated 09th February, 2023.

2. With this announcement, the provisions of the Model Code of Conduct contained in Commission's instruction No. 322/ECI/INST/FUNC/BIEN-LC/2016, dated 26th December, 2016, for the guidance of the Political Parties and Candidates have come into force with immediate effect for this election in the concerned Constituencies.

3. A copy of instruction No. 322/ECI/INST/FUNC/BIEN-LC/2016, dated 26th December, 2016 is enclosed. This may be brought to the notice of all concerned Departments of State/Central Government.

4. The receipt of this letter may kindly be acknowledged.

Yours faithfully,

(SUMAN KUMAR DAS)
SECRETARY



भारत निर्वाचन आयोग
Election Commission of India

निर्वाचन सदन
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- XII. State and District Media Certification and Monitoring Committee (MCMC) shall be appointed, as prescribed in the Compendium of Instructions on Election Expenditure Monitoring, immediately on announcement of biennial/ bye elections for pre-certification of election advertisements as in case of TV Channels / Cable Network, Radio including private FM Channels, Cinema Halls, Audio-Visual displays in public place and social media and also monitoring the general conduct of political functionaries during campaign.
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4. In the context of certain queries that have been raised in this connection, it is clarified that:-
- (a) The practice of keeping the electors in hotels/resorts and other similar places during election period would amount to bribing of electors. It is clarified that

such practice shall be construed as violation of sub Para (4) of Para I-General Conduct of MCC apart from being violation of Section 171 B of IPC.

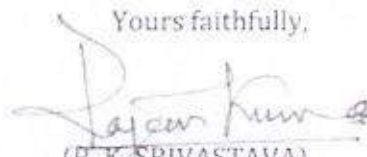
(b) The phrase 'the rest houses/dak bungalows or other Government accommodation' in paragraph (VII- (iii)) of MCC would also include *Guest Houses* of all institutions that are getting Government assistance in any form of grant-in-aid etc.

(c) With regard to paragraph (VII-(v) & (vi)) of MCC, it is clarified that these would be made applicable only with regard to the Graduates'/Teachers'/Local Authorities' Constituencies where the election is being held.

Kindly inform all concerned including all registered and recognized parties based in your state.

Please ensure compliance.

Yours faithfully,



(R. K. SRIVASTAVA)

SR. PRINCIPAL SECRETARY



भारत निर्वाचन आयोग
Election Commission of India

निर्वाचन सदन
NIRVACHAN SADAN
अशोक रोड, नई दिल्ली-110001
ASHOKA ROAD, NEW DELHI-110001

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No. 322/ECI/LET/FUNC/AP-LC-G&T/BIEN/2023/761

Dated: 09th February, 2023

To

- ✓ 1. The Cabinet Secretary,
Government of India,
Rashtrapati Bhawan,
New Delhi.
2. The Chief Secretary,
Government of Andhra Pradesh,
Amaravati-522238.
3. The Chief Electoral Officer,
Andhra Pradesh, Amaravati-522238.

902/23
10/2/23

10-2-23
Add Secy (ATJ)

13/2/23
Sh. Ramesh

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Sub: - Biennial Election to the Andhra Pradesh Legislative Councils from 03 Graduates' and 02 Teachers' Constituencies -reg.

Sir/Madam,

a kind (ATJ)
after discussion
13/2/23

I am directed to state that the Commission has announced biennial election to the Andhra Pradesh Legislative Council from 03 Graduates' and 02 Teachers' Constituencies vide Press Note No. ECI/PN/15/2023, dated 09th February, 2023.

2. With this announcement, the provisions of the Model Code of Conduct contained in Commission's instruction No. 322/ECI/INST/FUNC/BIEN-LC/2016, dated 26th December, 2016, for the guidance of the Political Parties and Candidates have come into force with immediate effect for this election in the concerned Constituencies.

3. A copy of instruction No. 322/ECI/INST/FUNC/BIEN-LC/2016, dated 26th December, 2016 is enclosed. This may be brought to the notice of all concerned Departments of State/Central Government.

4. The receipt of this letter may kindly be acknowledged.

Yours faithfully,

(SUMAN KUMAR DAS)
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. 322/ECI/INST/FUNC/BIEN-LC/2016

Dated: 26th December, 2016

To

- The Chief Electoral Officers
1. Maharashtra, Mumbai,
2. Uttar Pradesh, Lucknow,
3. Bihar, Patna,
4. Karnataka, Bangalore,
5. Andhra Pradesh, Hyderabad.
6. Telangana, Hyderabad.

Subject: Biennial/Bye-Elections to the Legislative Councils from Council Constituencies - by Graduates' and Teachers' and Local Authorities' Constituencies- MCC- instructions - regarding.

Sir,

I am directed to state that some experience during conduct of elections to Legislative Councils shows that there is lack of clarity with regard to applicability of provisions of Model Code of Conduct in such elections.

2 The Commission constituted a Working Group to examine the matter. The Commission, having considered the report of the Working Group and the matter in its entirety, has directed that all provisions of Model Code of Conduct for the political parties and candidates' shall apply mutatis mutandis in Biennial including Bye Elections to the State Legislative Councils from Graduates' & Teachers' Constituencies as well as Local Authorities' Constituencies. Consequently, various instructions issued by the Commission from time to time in clarification of the MCC provisions would also apply for such elections.

3. I am further to say that the following instructions of the Commission which have been issued from time to time to ensure level playing field and also to ensure that a party in power doesn't misuse its position for electoral gains, shall also be applicable in connection with Biennial/Bye Elections to the State Legislative Councils from Graduates' & Teachers' Constituencies as well as Local Authorities' Constituencies (from the date of announcement of election till the date of completion of election).

1 of 5

Tel: 011-23717391-98, Fax: 011-23713412, Website: www.eci.nic.in

“मजबूत लोकतंत्र - सबकी भागीदारी”
Greater participation for a stronger democracy

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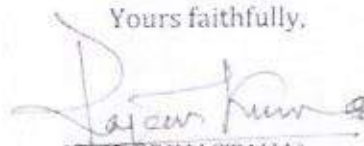
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