

**STATE ELECTION COMMISSION, ANDHRA PRADESH
MODEL CODE OF CONDUCT (MCC)
FREQUENTLY ASKED QUESTIONS (FAQs)**

Q. 1. What is the Model Code of Conduct?

Ans. The Model Code of Conduct for guidance of political parties and candidates is a set of norms evolved to provide a level playing field for all contesting candidates and political parties.

Q. 2. What is the role of State Election Commission in the matter?

Ans. The State Election Commission ensures its observance by political parties, including the party in power in the State and contesting candidates in the discharge of its constitutional duties for conducting free, fair and peaceful elections to the Local Bodies under Articles 243K and 243ZA of the Constitution of India. It is also ensured that official machinery for the electoral purposes is not misused. Further, it is also ensured that electoral offences, malpractices and corrupt practices such as impersonation, bribing and inducement of voters, threat and intimidation to the voters are prevented by all means. In case of violation, appropriate measures are taken.

Q. 3. From which date the Model Code of Conduct is enforced and operational upto which date?

Ans. The Model Code of Conduct is enforced from the date of announcement of election schedule or date of issue of election notification by the State Election Commission and is operational till the process of elections are completed.

Q. 4. What is applicability of code during ordinary elections and casual elections?

Ans. When ordinary elections are notified either for the Rural Local Bodies or for the Urban Local Bodies located in the entire State, the Model Code of Conduct is applicable for the entire State.

When elections are notified to a limited number of casual or ordinary vacancies in the Local Bodies, otherwise than State-wide ordinary elections, the area of applicability or enforcement of Model Code of Conduct shall be as follows:-

ZPTC Member: When election is notified to a ZPTC, the Model Code of Conduct shall be applicable for the **entire area of the Revenue Division** in which the ZPTC is located.

MPTC Member: When election is notified for an MPTC, the Model Code of Conduct shall be applicable for the **entire area of the Mandal Parishad** in which the MPTC is located.

Sarpanch or Ward Member(s) of a Gram Panchayat or for both: When the election is notified for the office of Sarpanch or Ward Member(s) of a Gram Panchayat or for both, the Model Code of Conduct shall be applicable for the **entire area of that Gram Panchayat**.

Member of a Municipality / Nagar Panchayat: When election is notified to the office of Member of a Municipality / Nagar Panchayat, the Model Code of Conduct shall be applicable for the **entire area of that Municipality or Nagar Panchayat**.

Member of a Municipal Corporation: When election is notified to the office of Member of a Municipal Corporation, the Model Code of Conduct shall be applicable for the **entire area of that Municipal Corporation**.

Q. 5. What are the salient features of the Model Code of Conduct?

Ans. The salient features of the Model Code of Conduct lay down how political parties, contesting candidates and party in power should conduct themselves during the process of elections i.e. on their general conduct during electioneering, holding meetings and processions, poll day activities and functioning of the party in power etc.

ON OFFICIAL MACHINERY

Q. 6. Whether a Minister can combine his official visit with electioneering work?

Ans. No. 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.

Q. 7. Whether Govt. transport can be used for electioneering work?

Ans. No. No transport including official air-crafts, vehicles etc. shall be used for furtherance of the interest of any party or a candidate.

Q. 8. Whether Govt. can make transfers and postings of officials who are related to election work?

Ans. There shall be a total ban on the transfer and posting of all officers/officials directly or indirectly connected with the conduct of the election. If any transfer or posting of an officer is considered necessary, prior approval of the Commission shall be obtained.

Q. 9. Suppose an officer related to election work has been transferred by the Govt. before enforcement of model code of conduct and has not taken over charge at new place. Can such officer take over charge of office at new place after announcement of the code?

Ans. No. Status-quo-ante shall be maintained.

Q. 10. Whether a Minister of Union or State can summon any election related officer for any official discussion during the period of elections?

Ans. No Minister, whether of Union or State, can summon any election related officer for any official discussions anywhere.

Q. 11. Can an official meet the minister on his private visit to the Local body where elections are being held?

Ans. No. Any official who meets the Minister on his private visit to the Local body shall be guilty of misconduct under the relevant service rules; and if he happens to be an official mentioned in Section 343-G(1) of A.P. Municipalities Act, 1965 and Section 603(1) of GHMC Act, 1955, he shall also be additionally considered to have violated the statutory provisions of that Section and liable to penal action provided thereunder.

Q. 12. Whether Ministers are entitled for official vehicle during the election?

Ans. Ministers are entitled to use their official vehicles only for commuting from their official residence to their office for official work provided that such commuting is not combined with any electioneering or any political activity.

Q. 13. Whether Ministers or any other political functionaries can use pilot car with beacon lights affixed with siren?

Ans. Minister or any other political functionary is not allowed during election period, to use pilot car or car with beacon lights of any colour or car affixed with sirens of any kind whether on private or official visit, even if the State administration has granted him a security cover requiring presence of armed guards to accompany him on such visit. This prohibition is applicable whether the vehicle is government owned or private owned.

Q. 14. Suppose there is a visit of President / Vice President at any place in the State. Is a Minister allowed to use VIP Car with other protocol?

Ans. Yes. The Minister may leave with VIP car and other protocol from his headquarters to the place of visit of President/ Vice President and return to his headquarters without attending any other function/meeting with any other political functionary. This restriction shall be applicable from the time he leaves the Headquarters and till he reaches back the headquarters.

Q. 15. Suppose a vehicle has been provided to Minister by the State and the Minister is given an allowance for maintenance of such vehicle. Can it be used by the Minister for election purposes?

Ans. Where a vehicle is provided by the State or the Minister is given an allowance for maintenance of the vehicle, he cannot use such vehicle for election.

Q. 16. Whether facility of official vehicles can be withdrawn from those ministers who violate the provisions of Model Code of conduct?

Ans. Yes. The cost of propulsion shall be recovered from the ministers who may misuse their official position.

Q. 17. Whether there is any restriction on visits of members of National Commission for Schedule Castes or any other similar National/State Commissions?

Ans. It is advised that all official visits of Members of such Commissions shall be deferred, unless any such visit becomes unavoidable in an emergent situation, till the completion of election exercise to avoid any misunderstanding that may arise in any quarters.

Q. 18. Whether Chief Minister and other Ministers can attend New Year Day function (of the State), which is a State function?

Ans. No. Only Chief Secretary and other officials may participate and no political person including Chief Minister or Minister may participate in such function where Govt. funds are used.

Q. 19. Whether a Chief Minister/Minister/Speaker can attend a "State Day" function of a State?

Ans. There is no objection provided that he does not make any political speech on the occasion and the function is to be conducted only by Govt. officials. No advertisement depicting the photograph of Chief Minister/Minister/Speaker shall be released.

Q. 20. Whether Governor/Chief Minister/Ministers can participate and address the Convocation function of University or Institute?

Ans. Governor may participate and address the Convocation. Chief Minister or Ministers may be advised not to participate and address the Convocation.

Q. 21. Whether "Iftar Party" or any other similar party can be hosted at the residence of political functionaries, the expenses of which will be borne by State exchequer?

Ans. No. However any individual is free to host any such party in his personal capacity and at his personal expense.

Q. 22. Is there any restriction on address of Governor in the Assembly Session (budget)?

Ans. No.

ON WELFARE SCHEMES, GOVERNMENT WORKS ETC.:

Q. 23. Is there any restriction on issue of advertisement at the cost of public exchequer regarding achievements with a view to furthering the prospects of the party in power?

Ans. Yes. The advertisement regarding achievements of the party at the cost of public exchequer in the print and electronic media and the misuse of official mass media during the period of election is prohibited.

Q. 24. Whether hoardings/advertisements etc. depicting the achievements of the party(s) in power at Centre/State Governments at the cost of public exchequer can be continued?

Ans. No. All such hoardings, advertisements etc. on display shall be removed forthwith by the concerned authorities. Further, no advertisements should be issued in the newspapers and other media including electronic media at the cost of public exchequer.

Q. 25. Whether a Minister or any other authority can sanction grants/ payments out of discretionary funds?

Ans. No. Ministers and other authorities shall not sanction grants/payments out of discretionary funds from the time elections are announced.

Q. 26. Whether money can be withdrawn from treasury against the sanctioned amount from the discretionary funds of Ministers to prepare draft in the names of beneficiaries which may be disbursed after process of election is completed?

Ans. The funds may either be kept in "Personal Ledger Account" of the concerned Department or the release may be deferred till the completion of elections.

Q. 27. Suppose work order has been issued in respect of a scheme or a programme. Can it be started after announcement of election programme?

Ans. Work shall not be started in respect of which work order has been issued before announcement of election but the work has actually not started in the field. If a work has actually started in the field, that can be continued.

Q. 28. Whether fresh release of funds under MPs/MLAs/MLCs Local Area Development Fund of any scheme can be made?

Ans. No. Fresh release of funds under MPs/MLAs/MLCs Local Area Development Fund of any scheme shall not be made till the completion of the election process.

Q. 29. There are various rural development programmes/ schemes of Central government like Indira Awas Yojana, Sampoorna Grameen Rozgar Yojana, Swarnajayanti Gram Swarozgar Yojana, National Food for Work programme, National Rural Employment Guarantee Act. Are there any guidelines for implementation of these schemes/programmes?

Ans. Yes. Following guidelines shall be followed in respect of each scheme/programme as enumerated below:-

(a) Indira Awas Yojana (IAY) Beneficiaries, who have been sanctioned housing scheme under IAY and have started work, will be assisted as per norms. No new constructions will be taken up or fresh beneficiaries sanctioned assistance till the elections are over.

(b) Sampoorna Grameen Rozgar Yojana (SGRY) Continuing works in progress may be continued and funds earmarked for such works can be released. In case of any Panchayat where all ongoing works have been completed and there is a requirement for taking up new wage employment works and where funds released directly to the Panchayats from the Ministry of Rural Development are available, new works can be started from approved annual action plan for the current year with the prior consent of the District Election Authority. From other funds, no new works shall be started.

(c) Swarnajayanti Gram Swarozgar Yojana (SGSY). Only those help groups which have received part of their subsidy/grant will be provided the balance installments. No fresh individual beneficiaries or SHGs will be given financial assistance till the elections are over.

(d) National Food for Work Programme (NFWP) There is no objection for continuance of old works and sanction of new works in those districts where no elections have been announced. In those districts where elections have been announced and are in progress, only those works may be undertaken that have already started physically on ground, provided outstanding advance given for implementation of such works at a given time shall not exceed the amount equivalent to work for 45 days.

(e) National Employment Rural Guarantee Act (NERGA) The job card holders will be provided employment in the ongoing work, if they demand work, after announcement of elections. In case no employment can be provided in ongoing works, the competent authority may start new work(s) from the shelf of projects that has been approved and inform the fact to concerned District Election Authority. No new work shall be started by the competent authority till such time employment can be given in ongoing works. In case no shelf of project is available or all works available on shelf have been exhausted, then the concerned competent authority shall make a reference to the Commission for approval through the concerned DEA. The competent authority shall also furnish a certificate to DEA to the effect that the new work has been sanctioned as no employment can be given to the job card holder in the ongoing work.

Q. 30. Whether a Minister or any other authority can announce any financial grants in any form or promises thereof or lay foundation stones etc. of projects or schemes of any kinds etc.?

Ans. No. Ministers and other authorities shall not announce any financial grants of new schemes or projects in any form or promises thereof; or lay foundation stones etc. of projects or schemes of any kind; or make any promise of construction of roads, provision of drinking water facilities etc. or make any ad-hoc appointments in Government, Public Undertakings etc. However, assets completed may be put to use without involving any political functionary.

Q. 31. A budget provision has been made for a particular scheme or the scheme has been sanctioned earlier. Can such scheme be announced or inaugurated?

Ans. No. Inauguration/announcement of such scheme is prohibited during election period.

Q. 32. Whether ongoing beneficiary scheme can be continued?

Ans. No. The processing of beneficiary oriented scheme, even if ongoing, shall be suspended during election period. Further, no fresh release of funds on welfare schemes and works should be made.

Q. 33. Suppose work order has already been issued for a scheme. Can work be started in respect of such scheme?

Ans. No work shall be started in respect of which even if work orders have already been issued, if the work has actually not started in the field. Work can start only after the completion of election process. However, if a work has actually started, that can be continued.

Q. 34. Is there any bar to release of payments for completed work?

Ans. There shall be no bar to the release of payments for completed work subject to the full satisfaction of the concerned officials.

Q. 35. How the Govt. may meet the emergency situation or unforeseen calamities, when there are restrictions for announcing welfare measures?

Ans. For tackling emergencies or unforeseen calamities like providing relief to people suffering from drought, floods, pestilences, other natural calamities or welfare measures for the aged, infirm etc., Govt. may do so after obtaining prior approval of the Commission and all ostentatious functions shall be strictly avoided and no impression shall be given or allowed to be created that such welfare measures or relief and rehabilitation works are being undertaken by the Government in office with any ulterior motive.

Q. 36. Whether financial institutions funded, partially or wholly by the Governments can write off loans advanced to any individual, company, firm, etc.?

Ans. No. The financial institutions funded, partially or wholly by the Governments shall not take recourse to writing off loans advanced to any individual, company, firm, etc. Also, financial limits of such institutions, while granting or extending loans, should not be enhanced by issuing of loans indiscriminately to beneficiaries.

Q. 37. Whether tenders, auctions etc. relating to matters such as liquor vends, Tendu leaves and other such cases can be processed?

Ans. No. Processing of such cases should be deferred till the completion of election process in the concerned areas and the Govt. may make interim arrangements where unavoidably necessary.

Q. 38. Suppose contract for Toll Tax is expiring at the end of financial year (31st March of the year), for which auction date has already been proposed/advertised. Whether auction can be held for awarding the contract?

Ans. Yes. Provided the contract is supervised by the Collector/Joint Collector or some other senior District Officer directly answerable to the Collector / Joint Collector and there is no change in the earlier policy or auction procedure.

Q. 39. Whether meeting of Municipal Corporation, Nagar Panchayat, Town Area Committee, etc. can be convened to review the revenue collection and preparing draft annual budget etc?

Ans. Yes. Provided that at such meetings only the matters of routine nature relating to day-to-day administration may be taken up and not the matters relating to its policies and programmes.

Q. 40. Whether function regarding "Stop TB" programme can be held which may be inaugurated by a political functionary and whether an advertisement on "World TB Day" can be released and published?

Ans. There is no objection provided –

- i) during the inauguration ceremony, no political speeches are made,
- ii) no advertisement with photographs of CM and / or any Minister is issued, and
- iii) advertisements and speeches are confined to the subject of combating and eradication of TB only.

Q. 41. Whether State-level functions can be held for observance of Martyrdom of Martyrs which may be presided/attended to by Chief Minister / Minister?

Ans. Yes. Provided that the speeches of the Chief Minister and other Ministers should restrict to the Martyrdom of the Martyrs and praising them. No political speech or speech enumerating or referring to the achievements of the Government or party in power should be made.

Q. 42. Whether birthday celebration of Shri Babu Jagjivan Ram and Dr. B.R. Ambedkar which falls on 5th April and 14th April respectively as a State function may be conducted?

Ans. Yes. Provided it is not used as an occasion for political campaign or highlighting public achievements of the Govt. and also there is no ostentation and no political functionary addresses such meetings. The above restriction shall be equally applicable in all such other functions.

Q. 43. Whether Kavi Sammelan, Mushiaras or other cultural functions can be organized in connection with the Independence Day/Republic Day celebration and whether political functionaries can attend the same?

Ans. Yes. The Central Ministers / Chief Minister / State Ministers and other political functionaries can attend the programme. However, it will be ensured that no political speeches highlighting the achievements of the party in power are made on the occasions.

Q. 44. Whether films can be telecast on the occasions of birth and death anniversaries / ceremony anniversaries of prominent leaders in which VVIPs/VIPs may likely to feature?

Ans. May not be telecast, in case the coverage involves VVIPs/VIPs.

Q. 45. Whether media campaign can be made for effective implementation of statutory warnings, etc. on sale of cigarettes and other tobacco products?

Ans. Yes. Provided that photos/messages of political personalities etc. shall not be associated with the campaign.

Q. 46. Whether political advertisements can be printed on back side of the bus-ticket of Govt. owned buses?

Ans. No.

Q. 47. Whether Govt. can release convicted criminals on parole after following due procedures?

Ans. If the Govt. feels that the release of any convict on parole is absolutely essential for certain compelling reasons, in that case Govt. shall consult the State Election Commission before granting parole.

Q. 48. Whether minimum support price of rice and other agricultural products can be determined?

Ans. A reference in the matter shall be made to the State Election Commission.

Q 49. Whether the Government can proceed and act upon the following indicative illustrative list of items, which is not exhaustive, without obtaining clearance/approval from the State Election Commission?

- (i) Extension of term of an official for further period except officials related to conduct of elections,
- (ii) Enhancement of minimum penalty in case of ticket less travel,
- (iii) Sanctioning of grants to consumer co-ordination council from consumer welfare fund to organize a conference on world consumer rights day,
- (iv) Issuing advertisement regarding pulse polio immunization programme,
- (v) Seeking financial assistance from National Calamity Contingency Fund for drought relief measure-deputing of Inter-Ministerial team of officers to visit the State,
- (vi) Request of the State Govt. for transportation of water and fodder by Rail in areas declared drought affected,
- (vii) Promotion of officials by convening DPC and filling regular posts falling due to retirement, deputation, etc.,
- (viii) Appointment of persons on compassionate grounds in pursuance of Court's orders,
- (ix) Celebration of "May-Day",
- (x) Providing additional charge of office of one officer to another one,
- (xi) To call and finalize tenders of routine, repair maintenance, strengthening and upgradation public utilities being run by the local authorities,

- (xii) Replacement/repair of damaged water supply distribution pipes,
- (xiii) To issue work order of construction of public facilities and public toilets on BOT basis in pursuance of Court's directions,
- (xiv) To conduct the election of college students union,
- (xv) Clearance of unauthorized structure/land as per orders of Court,
- (xvi) Release of advertisement for activities relating to control of HIV/AIDS,
- (xvii) Release of advertisement to create awareness about important provisions of labour laws,
- (xviii) Purchase of uniform clothes and equipments for Police and awarding of Tender thereof,
- (xix) Commencement of desilting of drain/cattle ponds
- (xx) Grant of financial upgradation under assured career progression scheme to employees,
- (xxi) Calling of tenders for work to control mosquitoes
- (xxii) Transfer/posting of doctors,
- (xxiii) To shift criminals from one jail to other jail in pursuance of Court's orders,
- (xxiv) To form Committee for stock of chemical fertilizer for Kharif and Rabi crops,
- (xxv) To purchase medicine and equipments for hospitals for which grants have already been sanctioned and tenders for which were already called for.
- (xxvi) Recruitment rally to enroll youth into the Army,

Ans. Yes. Provided that no impression is given or created that the same has been done with a view to influencing the electorate in favour of ruling party. Further, in the case of advertisements, photo of Minister/political functionary should not be contained therein.

Q. 50. Whether the Government can proceed and act upon the following indicative illustrative list of items, which is not exhaustive, without obtaining clearance from the Commission?

- (i) Issue of appointment order to a person as a part time non-official Director on the board of PSU after Cabinet's approval.
- (ii) Sanctioning of grants From Consumer Welfare fund to eligible voluntary consumer organizations as per guidelines.
- (iii) Publication of a booklet titled "Year of Achievement of the Department" highlighting the salient achievement of the Department,
- (iv) Anganwadi Karyakartri Bima Yojana, an insurance scheme under the LIC's social security group scheme for anganwadi workers and helpers,
- (v) Recruitment drive only for wards of serving/retired service personnel as a welfare measures for troops.
- (vi) Issue of advertisements in newspapers and video & audio spots on generic advertisement of processed food,
- (vii) Appointment of a person as a Sr. Consultant from a Private Company as Head of the internal system group to review the ongoing projects or E-governance initiations.

Ans. No. The processing of aforesaid items may be deferred till the completion of elections.

ELECTION CAMPAIGN

Q. 51. What are the main guidelines for political parties/candidates while making election campaign?

Ans. During the election campaign, 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. Further, 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.

Q. 52. Are there any restrictions in using religious places for election propaganda?

Ans. Yes. Religious places like Temple, Mosque, Church, Gurudwara or other places of worship shall not be used as forum for election propaganda. Further, there shall be no appeal to caste or communal feelings for securing votes.

Q. 53. Can a candidate go to the office of Returning Officer for filing a nomination with a procession?

Ans. No. The maximum number of vehicles that will be allowed to come within the periphery of 100 mtrs. of Returning Officer / Election Officer's office has been restricted to **two** and maximum number of persons that will be allowed to enter the office of Returning Officer / Election Officer has been limited to **three** (including the candidate).

Q. 54. How many persons are allowed at the time of scrutiny of nominations by the Returning Officer / Election Officer?

Ans. The candidate, his election agent, one Proposer and one other person (who can be an advocate) duly authorized in writing by the candidate, but no other person, may attend at the time fixed for scrutiny of nominations by Returning Officer / Election Officer.

[Section 39 of the GHMC Act, 1955 and Rule 12(1) of A.P. Municipalities (Conduct of Election of Members) Rules, 2005]

Q.55. Are there any guidelines regarding use of vehicles by ministers/political functionaries/candidates, who have been provided security cover by the State?

Ans. Yes. In respect of persons covered by security, the use of State owned one bullet proof vehicle for the particular person (PP) will be permitted in all cases where the security agencies, including the intelligence authorities, have prescribed such use. The use of multiple cars in the name of stand-by should not be permitted unless so specifically prescribed by security authorities. The cost of propulsion of such bullet proof vehicles where such use of bullet proof vehicles is specified will be borne by the particular person. The number of vehicles to accompany the carcade including pilots, escorts etc. will be strictly in accordance with the instructions laid down by the security authorities and shall not exceed them under any circumstances. The cost of propulsion of all such vehicles, whether owned by Government or hired vehicles, will be met by the State Government. The restrictions do not apply to the Prime Minister whose security requirements are governed by the Government's Blue Book.

Q.56. Whether there is any restriction for plying of vehicles for electioneering purposes in Municipal elections?

Ans. Candidate can ply any number of vehicles (all mechanized/motorized vehicles including two-wheelers) for the purpose of election campaign but he has to seek prior approval of the Municipal Commissioner concerned for plying such vehicles and must display permit issued by the Municipal Commissioner in original (not photocopy) prominently on the windscreen of the Vehicle. The permit must bear the number of the vehicle and name of the candidate in whose favour it is issued.

Q. 57. Whether a vehicle for which permission has been taken for election campaign in the name of a candidate, can be used for election campaign by another candidate?

Ans. No. Use of such vehicle for election campaign by another candidate shall invite action under section 171H of Indian Penal Code.

Q. 58. Can a vehicle be used for electioneering purposes without getting permit from the Municipal Commissioner?

Ans. No. Such vehicle shall be deemed to be unauthorized for campaigning by the candidate and may attract penal provisions of Chapter IX A of the Indian Penal Code and shall therefore be immediately out of the campaigning exercise and shall not be used for further campaign.

Q. 59. Whether there is any restriction on use of educational institutions including their grounds (whether Govt. aided, Private or Govt.) for political campaigns and rallies?

Ans. Use of educational institutions including their grounds (whether Govt. aided, Private or Govt.) for political campaigns and rallies is not allowed.

Q. 60. Is external fitting/modification allowed in the vehicles used for campaigning?

Ans. External modification of vehicles including fitting of loudspeaker thereon, would be subject to the provisions of the Motor Vehicles Act/Rules as well as other Local Act/Rules. Vehicles with modifications and special campaign vehicles like Video Rath etc. can be used only after obtaining the requisite permission from the competent authorities under the Motor Vehicles Act.

Q. 61. Is there any restriction or use of rest houses, dak bungalows or other Govt. accommodation for campaign office or for holding any public meeting for the purpose of election propaganda?

Ans. Yes. Rest houses, dak bungalows or other Govt. accommodation shall not be monopolized by the party in power or its candidates and such accommodation shall be allowed to use by other parties and candidates but no party or candidate shall be allowed to use as campaign office.

Further, it shall be ensured that –

(i) no functionary can use the Circuit House, Dak bungalow to set up campaign office as the Circuit Houses/Dak bungalows are only for temporary stay (boarding and lodging) during transit of such functionaries,

(ii) even casual meeting by Members of political parties inside the premises of the Government owned guesthouse etc. are not permitted and any violation of this shall be deemed to be a violation of the Model Code of Conduct,

(iii) only the vehicle carrying the person allotted accommodation in the guest house and not more than two other vehicles, if used by the person, will be permitted inside the compound of the Guest House,

(iv) rooms should not be made available for more than 48 hours to any single individual, and

(v) 48 hours before the close of poll in any particular area, there will be freeze on such allocations till completion of poll or re-poll.

Q. 62. Are there any conditions for getting Govt. aircraft/helicopters (including Public Sector Undertakings) by political parties/candidates?

Ans. Yes. While allowing the chartering of Govt. aircrafts/helicopters to political parties/candidates or private companies etc., the following conditions should be followed:-

i) There should be no discrimination between the ruling party on the one hand and the other parties and contesting candidates on the other.

ii) The payment will be made by the political parties or the contesting candidates and proper record maintained.

iii) The rates and terms and conditions should be uniform for all.

iv) The actual allotment should be made on the first-come first-served basis. For this purpose, the date and time of receipt of the application should be noted down by the authorized receiving authority.

v) In the rare case when both the date and time of two or more applicants is the same, the allotment will be decided by draw of lots.

vi) No individual, firm, party or candidate will be allowed to charter the aircraft/helicopter for more than three days at a time.

Q. 63. Is there any restriction on displaying poster, placard, banner, flag etc of the party concerned or the candidate on a public property?

Ans. Candidate may display poster, placard, banner, flag etc of the party concerned or the candidate on a public property subject to provisions of local law and prohibitory orders in force. For details, refer to Commission's Circular Instructions No.528/SEC-F1/2011-2, dated 01.7.2011.

Q. 64. If local law/bye-laws permit wall writings and pasting of posters, putting up hoardings, banners etc. on private premises/properties, is it necessary to obtain prior written permission from the owner of the premises/properties?

Ans. Yes. Candidate is required to obtain prior written permission from the owner of the properties/premises and photocopies of such permission should be submitted within 3 days to the Returning Officer/Election Officer or an officer designated by him for the purpose.

Q. 65. Is there any restriction on displaying/carrying poster/ placard/ banner/flag of the party concerned or of the candidate on the vehicle during the procession?

Ans. Candidate may display /carry one poster/placard/banner/flag of Candidate's party/or his own on vehicle during the procession subject to conformity with the provisions of Motor Vehicle Act and any other local laws/bye-laws.

Q. 66. Whether there is any ban on use of plastic sheets for making use of posters/banners during the election campaign?

Ans. The political parties and candidates should try to avoid the use of plastic/polythene for preparation of posters, banners etc. in the interest of environmental protection.

Q. 67. Is there any restriction on the printing of pamphlets, posters etc?

Ans. Yes. Candidate shall not print or publish, or cause to be printed or published any election pamphlet or poster which does not bear on its face names and addresses of the printer and the publisher thereof. (Refer: Section 343-E of APM Act, 1965 and Section 601-A of GHMC Act, 1955).

Q. 68. Whether there is any restriction on air dropping of leaflets/pamphlets by the Political parties/candidates?

Ans. No. Provided that all the expenses in this regard have been booked against the election expenses of the candidate, on whose behalf the leaflets/pamphlets are being dropped.

Q. 69. Is wearing of special accessories like cap, mask, scarf etc. of a candidate permitted during the campaigning?

Ans. Yes, provided they are accounted for in the election expenses of the candidate concerned. However supply and distribution of main apparels like saree, shirt, etc. by party/candidate is not permitted as it may amount to bribery of voters.

Q.70. Whether dummy ballot units of EVM can be prepared by the candidate for the purpose of educating the voters?

Ans. Yes. The dummy ballot units may be made of wooden, plastic or ply board boxes, half the size of the official ballot units and may be painted brown, yellow or grey.

Q. 71. Whether there is restriction to display to the public any election matter by means of cinematograph, television or other similar apparatus?

Ans. Yes. Candidate can not display to the public any election matter by means of cinematograph, television or other similar apparatus during the period of 48 hours ending with

the hour fixed for the conclusion of poll. (Refer: Section 343-C of APM Act, 1965 and Section 600 of GHMC Act, 1955).

Q. 72. Whether a candidate can print and distribute the diary/calendar/sticker depicting his image or image of Gods/ deities etc.

Ans. No. This will amount to bribery under section 171E of Indian Penal Code.

Q. 73. Whether distribution of printed "Stepney Covers" or other similar material containing symbol of party/candidate or without depicting it, is a violation?

Ans. Yes. In case, it is established that such material have been distributed, a complaint may be filed before the area Magistrate by District Administration against the distribution of the said material under section 171 B of the IPC.

Q. 74. Are there conditions/guidelines for setting up and operating of Temporary Offices by Party or candidate?

Ans. Yes. Such offices can not be opened by way of any encroachment either on public or private property/ in any religious places or campus of such religious places/ contiguous to any educational institution / hospital / within 200 meters of an existing polling station. Further, such offices can display only one party flag and banner with party symbol/photographs and the size of the banner used in such offices should not exceed '4 feet X 8 feet' subject to the further condition that if the local laws prescribe a lower size for banner / hoarding etc., then the lower size prescribed by local law shall prevail.

Q. 75. Is there any restriction on the presence of political functionaries in an Urban Local Body after campaign period is over?

Ans. Yes. After the closure of campaign period (starting from 48 Hrs. before closure of poll), political functionaries etc. who have come from outside the Urban Local Body and who are not voters of the Urban Local Body should not continue to remain present in the Urban Local Body. Such functionaries should leave the Urban Local Body immediately after campaign period is over. This will not apply in the case of candidate or his election agent even if they are not voters in the Urban Local Bodies.

Q. 76. Whether there is any restriction for holding public meeting or taking out processions?

Ans. Yes. Prior written permission should be obtained from the concerned police authorities for holding of a meeting at any public or private place and for taking out processions.

Q. 77. Whether loudspeakers can be used for public meetings or for processions or for general propaganda without obtaining permission from Police authorities?

Ans. No. Prior written permission should be obtained from the concerned police authorities for using loudspeakers.

Q. 78. Whether there is any time limit for using loudspeakers?

Ans. Yes. Loudspeaker can not be used at night between 10.00 P.M. and 6.00 A.M.

Q. 79. What is the deadline after which no public meetings and processions can be taken out?

Ans. Public meetings cannot be held after 10 PM and before 6.00 AM. Further, Candidate can not hold public meetings and processions during the period of 48 hours ending with the hour fixed for the conclusion of poll. (Refer: Section 343-C of APM Act, 1965 and Section 600 of GHMC Act, 1955).

Q. 80. Whether there are any guidelines for political parties/candidates for issue of unofficial identity slips to voters?

Ans. Yes. As official photo identity slips are to be issued by the official machinery, candidates are advised not to give unofficial identity slips.

Q.81. Is there any restriction on appointment of a Minister/M.P./M.L.A/ M.L.C or any other person who is under security cover as an Election Agent/Polling Agent/Counting Agent?

Ans. Yes. A candidate cannot appoint a Minister/M.P./ MLA/MLC or any other person who is under security cover, as an election/polling agent/counting agent, as his personal security shall be jeopardized with such appointment, because his security personnel will not under any circumstances be permitted to accompany him into the 100 meter perimeter of polling stations described as the "Polling Station Neighbourhood" and within the polling booth and campus of counting centre and within the counting centre. Also any person having security cover will not be allowed to surrender his security cover to act as such agent of a candidate.

Q. 82. Is a candidate allowed to appoint persons as polling agents from anywhere?

Ans. No. Such person who is appointed by the candidate as a polling agent must be an ordinarily resident and elector of the concerned polling station area only and not from outside the concerned polling area. Such person must also have Elector's Photo Identity Card.

Q. 83. Whether there is any restriction for transmitting Short Messages Service (SMSs)?

Ans. Yes. Transmitting objectionable messages on SMSs during election is prohibited. For objectionable SMSs which may violate the law and SEC instructions issued in this behalf, the police authorities shall advertise special mobile numbers on which the receiver of such SMS can forward the said SMS with the mobile number of sender. The police authorities shall take action under the law.

POLL DAY

Q. 84. Are there any guidelines for setting up of election booth by candidate/political parties near polling station on the day of poll?

Ans. Election booth can be set up beyond a distance of 200 meters from the polling stations, only with 1 table and 2 chairs with an umbrella or a piece of tarpaulin or cloth to protect the two occupants. Only one banner (3 x 4 ½ feet) can be displayed showing the name of the candidate/ party / election symbol at the booth. However, two election booths can be set up, if more than two polling stations have been set up in a building

Q. 85. Is it necessary to obtain written permission of the concerned Government authorities or local authorities for setting up of election booth?

Ans. Yes. It is necessary to obtain the written permission of the concerned local authorities before setting up of such booths. Written permission must be available with the persons manning the booth for production before the police /election authorities concerned on demand.

Q. 86. Is there any restriction of canvassing in or near polling station?

Ans. Yes. Canvassing for votes etc. within a distance of one hundred meters of polling station is prohibited on the day of poll. (Refer: Section 343-H of APM Act, 1965 and section 604 of GHMC Act, 1955).

Q. 87. Whether the use of mobile phone is allowed in the polling station?

Ans. No person is allowed to either carry or use mobile phones, cordless phones, wireless sets etc. in 100 meter perimeter of the polling stations described as the "polling station neighborhood" and within the polling booth. Only Observer/Micro Observer, Presiding Officer and security personnel are allowed to carry mobile phone but they will keep their mobile phones in silent mode.

Q. 88. Is there any restriction of going armed to or near polling station?

Ans. Yes. No person is allowed to go armed with arms as defined in Arms Act 1959 of any kind within the neighborhood of a polling station on the day of poll. (Refer: Section 343-O of APM Act, 1965 and section 607-B of GHMC Act, 1955).

Q. 89. How many vehicles a candidate is entitled for on the day of poll?

Ans. One vehicle for candidate contesting for the office of Ward Member of an ULB. No separate vehicle will be allowed for the candidate's agent or other party leaders. (Refer to SEC Circular No. No.558/SEC-F1/2011, dated 19.07.2011)

Q. 90. If the candidate is absent from the ULB on the day of poll, can the vehicle allotted in his name be used by any other person?

Ans. No. Vehicle allotted for candidate's use is not allowed to be used by any other person.

Q. 91. Can any type of entitled vehicle be used on the day of poll?

Ans. No. The candidate is allowed to use only one vehicle. No separate vehicle is allowed for his agent or party workers or party leaders. The one vehicle allowed for the candidate can be a four/three/two wheeler vehicle (i.e. car, taxi, auto rickshaw, rickshaw or two wheeler).

Q. 92. Whether Political Party/Candidate can make arrangements for transporting voter to and from Polling Station?

Ans. No. Any arrangement, direct or indirect, to carry any voter to or from polling station by any kind of vehicle used for transport is a criminal offence.

Q. 93. Whether there are restrictions on plying of Govt./private vehicles on the poll day?

Ans. No. Public transport like buses, minibuses are allowed to ply but it should be ensured that they are not used clandestinely for the conveyance of voters. Further, private cars, taxies carrying passengers to places other than polling booths like hospitals, airports, railway stations, bus stands, friends and relations houses, clubs, and restaurants will be allowed on the road. But they should not be allowed to come clandestinely near the polling areas for the conveyance of voters.

Sd/- Navin Mittal
Secretary

// Attested //


Joint Secretary