

Most Immediate  
Election Matter

No. 22-1/2015-O&M  
Government of India  
Ministry of Communications and IT  
Department of Telecommunications  
(O&M Section)

20, Ashoka Road, Sanchar Bhawan,  
New Delhi-110001,  
Dated 29<sup>th</sup> September, 2015

**OFFICE MEMORANDUM**

**Subject:- General Election to the Legislative Assembly of Bihar, 2015 –**  
**(i) Application of Model of Conduct etc.**  
**(ii) Release of funds under MPs/MLAs Local Area Development Scheme – reg.**

The undersigned is directed to forward herewith a copy of O.M. No. IV/16011/44/2015-CSR-II, dated 17/21.09.2015 received from MHA alongwith enclosure on the subject mentioned above for appropriate action.

Encl: As above

  
(Jasmine)

Section Officer (O&M)

Copy for information and necessary action to –

1. Member (T)/Member(F)/Member(S)/Administrator, USOF/AS(T)
2. Advisor (F)/Advisor (O)/Advisor (T)

Copy also for information to :-

1. PS to Hon'ble MOC&IT
2. PPS to Secretary (T)

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MOST IMMEDIATE/ELECTION MATTER

No. IV/16011/44/2015-CSR-II  
Government of India  
Ministry of Home Affairs  
(CS Division)

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5<sup>th</sup> Floor, NDCC-II Building,  
Jai Singh Road, New Delhi.  
Dated: 17.09.2015

To

S.No. 8(R)

21 SEP 2015

All the Ministries/Departments of Government of India.

Subject: General Election to the Legislative Assembly of Bihar, 2015 -  
(i) Application of Model Code of Conduct etc.  
(ii) Release of funds under MPs'/MLAs' Local Area Development Scheme - reg.

Sir/Madam,

I am directed to refer to the subject mentioned above and to say that the Election Commission of India vide their communication dated 09.09.2015 (copy enclosed) have announced the schedule for holding General election to the Legislative Assembly of Bihar on 9<sup>th</sup> September, 2015. As such the provisions of the Model Code of Conduct for the guidance of the Political parties and Candidates have come into force with immediate effect in the entire Bihar and will be in force till the completion of the General Election.

2. At the same time the Commission has also instructed that the release of funds under the MPs'/MLAs' Local Area Development Scheme will also have restrictions during the enforcement of Model Code of Conduct. The copies of the communications received from the Election Commission are enclosed herewith for information.

Yours faithfully,

Encl: As above

Mani Ram

(Mani Ram)

Under Secretary to the Govt. of India

Tel: 23438180

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MOST IMMEDIATE

403/1/1/2014-TS(Vol.II)/CA-V  
GOVERNMENT OF INDIA/ भारत सरकार  
CABINET SECRETARIAT/ मंत्रिमंडल सचिवालय  
RASHTRAPATI BHAVAN/ राष्ट्रपति भवन

New Delhi dated the 10<sup>th</sup> September, 2015

OFFICE MEMORANDUM

Subject: i) Application of Model Code of Conduct-General Election to the Legislative Assembly of Bihar, 2015-reg.

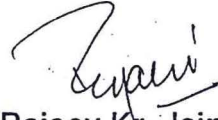
ii) General Election to the Legislative Assembly of Bihar, 2015-Release of funds under MPs'/MLAs' Local Area Development Scheme.

The undersigned is directed to forward herewith a copy each of the following letters received from Election Commission of India for further necessary action.

Sl. No.	Letter No. and date	Subject
1	437/6/1/2015-CC&BE/467 dated 09.09.2015	Application of Model Code of Conduct-General Election to the Legislative Assembly of Bihar, 2015.
2	437/6/1/2015-CC&BE/468 dated 09.09.2015	General Election to the Legislative Assembly of Bihar, 2015-Release of funds under MPs'/MLAs' Local Area Development Scheme.

2. This may be brought to the notice of all Ministries/Departments and all other offices of the Union Government and the concerned State Government ..

Encls: As above.

  
(Rajeev Kr. Jain)  
Under Secretary  
Tele: 2301 4378

  
  
  
  
Ministry of Home Affairs  
(Kind attn.: Shri Rajiv Mehrishi, Home Secretary),  
New Delhi.

Copy to:

Ministry of Statistics and Programme Implementation,  
(Kind attn.: Dr. T.C.A. Anant, Secretary),  
New Delhi.

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By Spl. Messenger/Speed Post

# ELECTION COMMISSION OF INDIA

NIRVACHAN SADAN, ASHOKA ROAD, NEW DELHI-110001

No. 437/6/1/2015-CC&BE/467

Dated: 9<sup>th</sup> September, 2015

To

1. ✓ The Cabinet Secretary,  
Government of India,  
Rashtrapati Bhawan,  
New Delhi.
2. The Chief Secretary to the Government of  
Bihar,  
Patna.
3. The Chief Electoral Officer,  
Bihar,  
Patna.

**Sub: Application of Model Code of Conduct - General Election to the Legislative Assembly of Bihar, 2015- reg.**

Sir,

I am directed to state that the Commission has announced the schedule for holding General Election to the Legislative Assembly of Bihar (Press Note No. ECI/PN/53/2015, dated 9<sup>th</sup> September, 2015 available at Commission's web-site - [www.eci.gov.in](http://www.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 in the entire Bihar and will be in force till the completion of the General Election. This may be brought to the notice of the Central/State Government, all Ministries/Departments and all other offices of the Union Government and the State Government of the States.

3. Your particular attention is drawn to the provisions of Model Code of Conduct for the guidance of Political Parties and Candidates and various instructions issued by the Commission, which, inter-alia, state that the party in power whether at the Centre or in the State or 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 shall not also make use of official machinery or personnel during the electioneering work;

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- (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 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.

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5. The instruction of the Commission contained in its letter No.437/6/2009-CCBE dated 5<sup>th</sup> March, 2009 is available on the Commission's web-site "<http://eci.nic.in/> under the heading 'Election Laws and ECI - 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 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.

  
(K. AJAYA KUMAR)  
PRINCIPAL SECRETARY

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By Fax/Spl. Messenger/Speed Post

# ELECTION COMMISSION OF INDIA

NIRVACHAN SADAN, ASHOKA ROAD, NEW DELHI-110001

No. 437/6/1/2015-CC&BE | 468

Dated: 9<sup>th</sup> September, 2015

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 Secretary to the Government of  
Bihar,  
Patna.
4. The Chief Electoral Officer,  
Bihar,  
Patna..

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(3PS)  
on file  
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**Subject: General Election to the Legislative Assembly of Bihar, 2015-  
Release of funds under MPs'/MLAs' Local Area Development  
Scheme.**

Sir,

I am directed to refer to the Commission's Press Note No. ECI/PN/53/2015, dated 9<sup>th</sup> September, 2015 (Press Note available at Commission's web-site - [www.eci.gov.in](http://www.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 Election to the Legislative Assembly of Bihar.

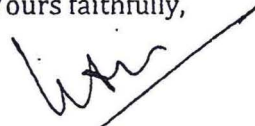
2. The Commission has instructed that the release of funds under the Member of Parliament Local Area Development Schemes will be subject to the following restrictions:-

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- 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) Further, where schemes have been cleared and funds are provided or released and materials procured and reached the site such schemes may be executed as per programme.
- d) There shall be no bar to the release of payments for completed work(s) subject to the full satisfaction of the concerned officials.

Yours faithfully,



**(K. AJAYA KUMAR)**  
**PRINCIPAL SECRETARY**



Sl.No.	Name of the Government of India's Ministries/Departments
1	Department of Space, New BEL, Bangalore-560094
2	Department of Ayush, Indian Racecourse Building, New Delhi-110001 <del>INDIA</del>
3	Department of Economic Affairs, North Block, New Delhi-110001
4	Ministry of Housing & Urban Poverty Affairs, Nirman Bhawan, New Delhi
5	Department of Secondary and Higher Education, Shastri Bhawan, New Delhi
6	Department of Consumer Affairs, Krishi Bhawan, New Delhi
7	Department of Fertilizer, Shastri Bhawan, New Delhi
8	Ministry of Corporate Affairs, Shastri Bhawan, New Delhi
9	Department of Personnel & Training, North Block, New Delhi
10	Ministry of Agricultural Research and Education, Krishi Bhawan, New Delhi
11	Department of Agriculture and Cooperation, Krishi Bhawan, New Delhi
12	Ministry of Coal, Shastri Bhawan, New Delhi
13	Department of Food & Public Distribution, Krishi Bhawan, New Delhi
14	Food Processing, <del>Ministry of</del> , Panchsheel Bhawan, August Kranti Marg, New Delhi
15	Ministry of Mines, Shastri Bhawan, New Delhi
16	Ministry of Home Affairs, North Block, New Delhi
17	Department of Rural Development, Krishi Bhawan, New Delhi
18	Ministry of Tribal Affairs, Shastri Bhawan, New Delhi
19	Ministry of Water Resources, Sharam Shakti Bhawan, New Delhi <del>EGO</del>
20	Department of Post, Dak Bhawan, Sansad Marg, New Delhi
21	Department of Telecommunication, 347-D, Dak Bhawan, Sansad Marg, New Delhi
22	Ministry of New & Renewable Sources of Energy, CGO Complex, Block-14, New Delhi-3
23	Ministry of Civil Aviation, Rajiv Gandhi Bhawan, Safdurjung Airport, New Delhi-3
24	Department of Atomic Energy, Anu Shakti Bhawan, Chhatrapati Shivaji Maharaj Marg, Mumbai-400039
25	Ministry of Tourism, Transport Bhawan, New Delhi
26	Ministry of Environment & Forests, Paryavaran Bhawan, CGO Complex, New Delhi-3
27	Department of Animal Husbandry, Dairying and Fisheries, Krishi Bhawan, New Delhi
28	Department of Supply, 'C' Wing, Nirman Bhawan, New Delhi
29	Ministry of Petroleum & Natural Gas, Shastri Bhawan, New Delhi
30	Department of Shipping Transport, Parivahan Bhawan, New Delhi
31	Ministry Earth Science, CGO Complex, Block No.12, New Delhi
32	Department of Administration Reforms & Public Grievances, Sardar Patel Bhawan, New Delhi
33	Department of Bio-Technology, CGO Complex, Block No.2, New Delhi
34	Department of Financial Services, Jeevan Deep Building, Sansad Marg, New Delhi
35	Election Commission Of India, Nirvachan Sadan, Ashok Road, New Delhi
36	O/O the Comptroller & Auditor General of India, 10, Bahadur Shah Marg, New Delhi
37	Department of Heavy Industry, Udyog Bhawan, New Delhi
38	Department of Lard Processing, NBO Building, 'G' Wing, Nirman Bhawan, New Delhi
39	Cabinet Secretariat, Rashtrapati Bhawan, New Delhi
40	Department of Women & Child Development, Shastri Bhawan, New Delhi
41	Ministry of Youth Affairs & Sports, Shastri Bhawan, New Delhi
42	Planning Commission, Yojna Bhawan, New Delhi <del>Ministry</del> Nitya Nyog
43	Ministry of Defence, South-Block, New Delhi Room-33 A-Wing Sans Bhawan
44	Department of Chemical & Petro Chemical, Shastri Bhawan, New Delhi
45	Department of Revenue, North Block, New Delhi
46	Railway Board, Rail Bhawan, New Delhi
47	Ministry of Small Scale Industries, Udyog Bhawan, New Delhi MSME, Udyog Bhawan, New Delhi
48	Department of Public Enterprises, Block-14, CGO Complex, New Delhi
49	Ministry of Textiles, Ministry of Industry, Udyog Bhawan, New Delhi
50	Ministry of Commerce, Udyog Bhawan, New Delhi

51	Department of Scientific and Industrial Research, Technology Bhawan, New Mahrauli Road, N. Delhi-16
52	Ministry of External Affairs, South Block, New Delhi
53	Ministry of Power, Sharam Shakti Bhawan, New Delhi
54	Department of Legal Affairs, Shastri Bhawan, New Delhi
55	Department of Legislative, Shastri Bhawan, New Delhi
56	Ministry of Development of North Eastern Region, Vigyan Bhawan, New Delhi
57	Department of Expenditure, North Block, New Delhi
58	Ministry of Urban Development, Nirman Bhawan, New Delhi
59	Ministry of Labour & Employment, Sharam Shakti Bhawan, New Delhi
60	Union Public Service Commission, Dholpur House, Shanjhan Road, New Delhi
61	Ministry of Parliamentary Affairs, 87 Sansad Marg, New Delhi
62	Ministry of Cultural, Shastri Bhawan, New Delhi
63	Ministry of Statistics & Programme Implementation, Sardar Patel Marg, New Delhi <i>Bhawan</i>
64	Ministry of Social Justice & Empowerment, Shastri Bhawan, New Delhi
65	Ministry of Information & Broadcasting, Shastri Bhawan, New Delhi
66	Ministry of Health & Family Welfare, Nirman Bhawan, New Delhi
67	Department of Road Transport & Highways, Privahan Bhawan, New Delhi
68	Department of Disinvestment, Block-II & 14-A, CGO Complex, Lodi Road, New Delhi
69	Ministry of Panchayati Raj, Sardar Patel Bhawan, New Delhi
70	Ministry of Minority Affairs, Shastri Bhawan, New Delhi <i>Parvatham Bhawan</i>
71	Minority Commission, Prayagan Bhawan, New Delhi <i>Lok Nayak Bhawan</i>
72	Ministry of Steel, Udyog Bhawan, New Delhi
73	Department of Space, Lok Nayak Bhawan, New Delhi
74	Department of Atomic Energy, South Block, New Delhi
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