

By Fax / Speed Post

ELECTION COMMISSION OF INDIA

Nirvachan Sadan, Ashoka Road, New Delhi – 110001.

No. 322/MT-LC/2016-BE

Dated : 4th May, 2016

To

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

Subject: **Biennial election to the Maharashtra Legislative Council from Thane Local Authorities' Constituency – Applicability of Model Code of Conduct - regarding.**

Sir,

I am directed to state that the Commission has announced biennial election to the Maharashtra Legislative Council from Thane Local Authorities' Constituency vide its Press Note No. ECI/PN/41/2016 dated 4th May, 2016.

2. With this announcement, the following 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 district(s) comprised in the above mentioned Local Authorities' Constituency, which is going to poll. This may be brought to the notice of the Government, all Ministries/Departments and all other offices of the Union Government and the concerned State Government:-

- i) Ministers, whether Central or State (including Chief Minister) can make official visit to any district(s) in which any Biennial/Bye-election from a Council Constituency is being held subject to the following conditions: -
 - i. They shall not do any inauguration/laying of foundation stones of any institutions, which are constituents of Local Authorities' Constituencies mentioned above.
 - ii. Official visit shall not be combined with the election related work/tours.
 - iii. There shall be no announcement of new policy programme/policy likely to influence the electors of above mentioned Local Authorities' Constituencies.
- ii) No official of any rank of the district(s) dealing with election related work where the elections are being held shall be called to attend any meeting by any Minister at any place;

if such meetings is called by Ministers are related to issues of the Local Authority mentioned above.

- iii) No member of any Local Authority which forms part of the electorate of a Local Authorities' Constituency shall be called for any official meeting by any Minister/Political functionary. Routine meetings of the Local Bodies, when essential, may be held with the prior permission of the District Election Officer of the District concerned.
 - iv) Any official who meets the Minister on his private visit to the constituency where elections are being held shall be deemed to be guilty of misconduct under the relevant service rules; and if he happens to be an officer mentioned in Section 129 (1) of the Representation of People Act, 1951, he shall also be additionally considered to have violated the statutory provisions of that section and liable to penal action provided there under.
 - v) No pilot car(s) or car(s) with beacon lights of any colour or car(s) affixed with sirens of any kind making his presence conspicuous shall be used by any Minister during his private visit to the constituency, even if the State administration has granted him a security cover requiring presence of armed guards accompanying him on tour.
 - vi) No new policy announcement or programme should be initiated by the concerned Government Departments pertaining to these Local Authorities' Constituencies, which may influence the electors of these Constituencies.
 - vii) The restrictions on "Official Tours" by Central & State Ministers will also be applicable to use of any "Official Cars" by "Office Bearers" of Local Authorities, like, Mayors of Municipal Corporations, Presidents of Municipal Councils & Zilla Parishads. The use of official cars by them shall be allowed for travel to & from, Office to Residence.
 - viii) If the statutory Meetings of Municipal Corporations, Municipal Councils, Zilla Committees, etc., are unavoidable, it shall be allowed, but no policy decision should be taken and release /sanctions of funds shall be subject to the same restrictions as they apply during Lok Sabha/Assembly elections.
 - ix) In addition, ECI instructions relating to defacement of public & private properties shall also be applicable.
3. The receipt of this letter may kindly be acknowledged.

Yours faithfully,



(K. AJAYA KUMAR)
SENIOR PRINCIPAL SECRETARY