



MODEL CODE OF CONDUCT FOR GENERAL ELECTION

For Three Municipal Corporations Of Delhi-2022



STATE ELECTION COMMISSION
Delhi and U.T Chandigarh
NIGAM BHAWAN, KASHMERE GATE
DELHI-110006



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MODEL CODE OF CONDUCT

PART -I

CONDUCT OF GENERAL ELECTIONS TO THREE MUNICIPAL CORPORATIONS OF DELHI-2022 DURING COVID

BROAD GUIDELINES, 2022

The Election Commission of India had issued “Broad guidelines for conduct of General Elections/Bye-elections during COVID-19”. The Commission had also issued further instructions, from time to time, in view of the emerging COVID circumstances and advisories issued by Ministry of Home Affairs and MoHFW.

The State Election Commission, Delhi has decided to adopt the guidelines issued by ECI for conduct of Municipal General Elections-2022.

Commission held consultations with all National and State Political parties of the states who suggested that elections should be held in time while enforcing the Covid appropriate behavior. Commission also held consultations with the Chief Secretary ,Health Secretary of Delhi state & Medical experts regarding prevailing covid situation and measures being taken/ planned by them.

The safety of vote and voters, both are equally and critically important in the democracy. Therefore, it is duty of the Commission to fulfil its constitutional mandate and those of Authorities/ Committee(s) under the Disaster Management Act, 2005 (DM Act) to extend support as per legal and institutional framework to steer elections even during unprecedented pandemic for putting elected Government in place within due time.

The Disaster Management Act, 2005 (DM Act) provides for the effective management of disaster(s) and for matters connected therewith or incidental thereto. A comprehensive institutional regime has been set up under the DM Act with National Disaster Management Authority(*NDMA*) at the Apex level u/s 3(1), National Executive Committee (*NEC*) u/s8(1), State Disaster Management Authority (SDMA) u/s 14(1), State Executive Committee (*SEC*) headed by the Chief Secretary of the

State u/s 20(1) and the District Disaster Management Authority headed by District Magistrate u/s 25(2a). The DM Act mandates and makes such designated Authorities/ Committee(s) responsible to prepare plan; prescribe regulatory/ mitigation regime and enforcement thereof; seek community/ inter agency coordination and to monitor implementation of the prescribed directions to contain, mitigate, control damage and providing assistance to the effected persons. The DM Act also empowers the designated authorities/ Committee(s) to take appropriate legal/ punitive action against violators of its directions u/s 51-60 of the Act. The Commission directs that during electoral process Chief Secretary at State level and District Magistrate at District level, shall be primarily responsible for monitoring, supervision and strict enforcement of these COVID guidelines and the guidelines issued by DDMA.

Details of the broad guidelines are as follows:

A. Campaign by the political parties/contesting candidates/Others

1. It is expected that all stakeholders namely political parties, candidates, campaigners, voters and authorities engaged in the election process shall always be conscious of their prime duty towards public health / safety and therefore shall abide by these general instructions and other norms of Covid appropriate behavior as mandated by the respective authorities prescribed under the law.
2. For Road show, **physical rally** Pad-yatra, cycle/bike/vehicle rally and procession Commission shall keep on reviewing the situation and issue further instructions accordingly.
3. **However, physical rallies during the campaign period, as and when permitted after the decision of the Commission** shall be conducted subject to adherence to extant COVID-19 guidelines. **The maximum limit of persons allowed for Indoor and outdoor** rally/meeting shall be as per existing direction of DDMA. For these meetings political parties shall distribute masks and sanitizers to persons attending and maintain COVID protocol at entry and exit point.
4. District Election Officer should take following steps for this purpose:
 - I. District Election Officer should, in advance, identify dedicated grounds for public gathering with clearly marked Entry/Exit points.

- II. In all such identified grounds, the District Election Officer should ensure that markers for social distancing norms are put in place in advance by organisers of the meeting/rally.
 - III. District Election Officer and Deputy Commissioner of Police should ensure that the number of attendees do not exceed the limit prescribed by State Disaster Management Authority for public gatherings. DEO should depute Nodal Health officers to oversee that COVID-19 instructions/guidelines are followed during these meetings.
 - IV. The political parties and candidates concerned shall ensure that all COVID-19 related requirement like face masks, sanitizers, thermal scanning etc. are fulfilled during each of election related activities.
5. Further, rallies and meeting shall be allowed ***only in earmarked places*** and with prior permissions of district administration.
 6. Each political party/candidate shall furnish an undertaking **in the prescribed** application form (nigam app) that it shall abide by all the extant instructions/ guidelines in this regard.
 7. Between 8 pm and 8 am no rallies and public meetings (akin to campaign curfew) **shall be allowed on any campaign day.**
 8. ***Nukkad Sabhas (meeting) will not be allowed*** on public roads, roundabouts or public streets or corners.
 9. Further, Political parties and candidates are advised to conduct their campaign as much as possible through digital/virtual/ media platforms /mobile based mode **instead of physical mode ensuring strict compliance of Covid safety norms.**
 10. ***Door to Door Campaign-*** A maximum of 5 (five) persons including candidate, excluding security personnel, if any, shall be allowed to do door to door campaigning.
 11. ***The convoy of vehicles shall be broken after every 5*** (five) vehicles and interval between two sets of convoys of vehicles should be half an hour instead of gap of 100 meters. During the permitted campaign period, convoy of vehicles will be allowed only for movement of vehicle from one point to another point for campaigning.

12. ***The maximum number of star campaigners*** for recognized National/State political parties has been fixed as 10 , for unrecognized political parties it is 5 . Request for permission for campaign by star campaigners may be given at least 48 hours before the start of campaign to make all necessary safety arrangements.
13. ***No victory procession*** after the counting shall be allowed and not more than two persons shall be allowed to accompany the winning candidate or his/her authorized representative to receive the certificate of election from Returning Officer.
14. ***If a candidate or political party violates any of the above guidelines***, no further permission shall be given to the concerned candidate/party for rallies, meetings etc.

B. General Guidelines to be followed during entire election processes for all persons

15. All persons involved with the electoral process shall ***wear face mask*** during the concerned election related activities.
16. ***Social distancing norms*** shall be strictly abided by all persons connected with election related activities as per the extant COVID guidelines of the State Govt. and Ministry of Home Affairs.
17. All Polling Personnel/Security Personnel/Counting Staff shall be doubly vaccinated before deploying/engaging in election related activities.
18. No Polling Agent/ Counting Agent etc. allowed to enter Counting hall/polling station without doubly vaccination.
19. No person shall be allowed to enter Counting hall without double vaccination and *if they are not vaccinated/single vaccinated, RT- PCR/RAT from authorized lab will be required within 48 hours from start of polling/counting.*
20. At the ***entry of hall/ room/ premises*** used for election purposes:
- ***Thermal Scanning*** of all persons shall be carried out;
 - ***Sanitizer*** shall be made available on all entry points.

21. As far as practicable, large halls should be identified and utilized to ensure social distancing norms.
22. Adequate number of vehicles shall be mobilized for movement of polling personnel, security personnel to ensure compliance of COVID- 19 guidelines.
23. Create awareness among the public for COVID appropriate behavior including self-monitoring.
24. ***Nodal Health Officer:*** *Nodal Health Officer shall be designated at District Level to oversee COVID related arrangements and, preventive measures during entire electoral process.*

25. **EVMs**

- i. Randomization and preparation of EVMs shall be done in large halls.
- ii. Sanitizers shall be provided in sufficient quantity for use during the process.
- iii. Gloves shall be made available to each official handling EVM.

26. ***Election Material:*** Election Material Kit will be prepared in a spacious and sufficiently large hall following all safety, sanitation and social distancing measures.

27. **Distribution and Collection of Election Material**

- i. Large halls/spaces should be identified for distribution/collection of election material.
- ii. As far as practicable, it should be organized in decentralized manner.
- iii. Prior time should be allocated to the polling teams for distribution/ collection of election material

28. **Kit for Polling Officer**

The following items shall be provided to every polling official and security personnel (Other than those where PPEs are needed) in addition to other prescribed items:

- i. Mask
- ii. Sanitizer
- iii. Gloves

29. Training and capacity Building

- i. As far as practicable, training of election officials will be organized in decentralized manner at large halls.
- ii. Training for election officials may be organized through online mode.
- iii. All PPTs, training materials, relevant documents, topic wise video clips, question papers for self-assessment may be uploaded in app/portal so that any election official can access it as per requirement.
- iv. Sufficient number of Polling/Counting/Poll related staffs shall also be kept in reserve by DEO/RO, to replace in case any polling personnel displays COVID-19 symptoms.

30. Nomination Process *Following additional options to facilitate online mode are hereby provided:*

- i. Nomination form will also be available online. An intending candidate may fill in it online and its print may be taken for submitting before the Returning Officer.
- ii. Affidavit in Form-21 & 22 may also be filled in online and its print can be taken and after notarization it should be submitted along with the nomination form before the Returning Officer.
- iii. Candidate may deposit security money on line or in the office of the Returning Officer.
- iv. Candidate may have the option to seek his/her elector certification for the purpose of nomination online from the ERO concerned.
- v. Number of persons to accompany candidate for submission of Nomination is restricted to two (2) in the R.O. Office. (This is in supersession of 5 (five) as per the existing Para 5.8.1 of Returning Officer's Handbook 2019).
- vi. Maximum number of vehicles for the purposes of nomination is restricted to two (2) (This is in supersession of the existing **Para 5.8.1 of Returning Officer's Handbook 2019**)
- vii. Returning Officer's chamber should have sufficient space to perform the functions of nomination, scrutiny and symbol allocation following social distancing norms.

- viii. Returning Officer should allot staggered time in advance to prospective candidates.
- ix. Large space for waiting for candidate(s) should be arranged.
- x. All steps required to be taken for the submission of nomination form and affidavit shall continue to operate as per the provisions contained in the DMC(Election of Councillors) Rules,2012.

31. No. of electors in Polling Station

There shall be maximum 1350 electors instead of 1500 electors in a polling station.

32. Polling Station Arrangements

Commission has issued detailed instructions for assured minimum facilities (AMF) at each polling station. Now, in view of COVID situation, following additional facilities/ steps should be taken:

- i. Mandatory sanitization of Polling Station, preferably, a day before the poll.
- ii. Thermal Scanner at the entry point of every polling station location.
- iii. If temperature is above the set norms of MoH&FW at first reading, then it will be checked twice and if it remains, then the elector shall be provided with token/certificate and will be asked to come for voting at the last hour of poll. At the last hour of poll, such electors shall be facilitated voting, strictly following COVID-19 related preventive measures.
- iv. Help Desk for distribution of token to the voters of first come first basis so that they do not wait in the queue.
- v. Marker to demonstrate social distancing for queue.
- vi. Earmarking circle for 15-20 persons of 2 yards (6 feet) distance for voters standing in the queue depending on the availability of space. There shall be three queues each, for male, female, and PwD/ Senior citizen voters.

- vii. The services of BLOs, volunteers etc may be engaged to monitor and regulate social distancing norms strictly.
- viii. One shaded waiting areas with chairs, dari etc. will be provided, for male and female separately, within the polling station premises so that voters can participate in voting without safety concerns.
- ix. **Sanitizer** should be provided at the entry/exit point of every polling station.
- x. **Face Masks** in reserves for those electors who are not carrying the mask will be kept.
- xi. Awareness posters on COVID should be displayed at visible locations.
- xii. Sitting arrangement in polling station for the polling personnel and polling agents shall be made as per the norms of social distancing.
- xiii. If polling agent or counting agent is having temperature above the prescribed limit, then their reliever shall be allowed by Presiding Officer, who will keep a record accordingly.
- xiv. During the process of identification of voter, the voters will require to lower the facemask for identification, when required.
- xv. At any given time, only 1(one) voter shall be allowed to stand in front of each polling official maintaining social distance.
- xvi. Hand gloves shall be provided to the voter, for signing on the voter register and pressing button of EVM for voting.
- xvii. Sanitizers shall be kept inside the booth at appropriate locations with clear direction for the use by voters.
- xviii. COVID patients and all other who may be under quarantine will be allowed to cast their vote **at the last hour of the poll day** at their respective Polling Stations, under the supervision of health authorities, strictly following COVID-19 related preventive measures. Sector Magistrates shall coordinate this activity in their allocated polling stations with the help of para-medics deployed there.
- xix. Ambulance to be provided by the Health Nodal Officer if required.

33. Strong-room Arrangement

- i. Strong Room should be sanitized before the storage of polled EVMs.
- ii. Social Distancing and other safety norms shall be followed for each activity.

34. Counting of votes

- i. At entry of Counting Hall there must be facility of Thermal Scanning and Sanitizer.
- ii. Counting Centers shall be disinfected before and after the counting.
- iii. Counting Hall be sufficiently big to maintain social distancing, proper ventilation, windows, exhaust fan etc.
- iv. Anyone, even after double vaccinated, having any symptom of COVID like fever, Cold etc. will not be allowed in Counting hall.
- v. Every Counting Official and Security personnel be provided with Mask, Sanitizer, Face-Shield and Hand Gloves.
- vi. Not more than 7 counting tables should be allowed in a counting hall. Hence, counting of votes of a ward may be considered at 3-4 halls by appointing additional Assistant Returning Officers.
- vii. The counting centers shall be disinfected before, during and after the counting.
- viii. For counting of Postal Ballots, additional number of AROs may be required. If required, Postal Ballots may also be counted in a separate hall under the supervision of the Returning Officer/Assistant Returning officer.
- ix. DEO shall appoint a Nodal Officer at each Counting Centre to ensure compliance of COVID guidelines with assistance of Nodal Health Officer and Compliance Certificate in r/o Counting Centre arrangement as per COVID guidelines from Health Authorities be taken.
- x. List of counting agents be made available by candidates to RO by 1700 hours on day three days prior to counting.

- xi. No public gathering outside the counting venue during process of counting be allowed.
- xii. Candidate may appoint/replace counting agents in case COVID report is positive.

Needless to add that anybody violating instructions on COVID-19 measures will be liable to be proceeded against as per the provisions of Section 51 to 60 of the Disaster Management Act, 2005, besides legal action under Section 188 of the IPC, and other legal provisions as applicable, as specified in Order No. 40-3/2020-DM-I(A) dated 29th July, 2020 of Ministry of Home Affairs. District Election Officer should bring this to the notice of all concerned.

Further, the Chief Secretary cum Ex officio chairperson of the State Executive Committee under section 20 of the DM Act, 2005 shall ,as and when required and as per the evolving/ contextual needs of the State, at once bring to the notice of the Commission any new trend, development / situation that is not covered by these *broad guidelines for General Elections* and warrants Commission's intervention during the electoral process in the state so as to enable Commission to issue further appropriate instructions with respect to electoral process and thereby complementing the mandate/ efforts of the State Executive Committee in containing/ managing the spread of pandemic.

PART-II

MODEL CODE OF CONDUCT FOR GUIDANCE OF POLITICAL PARTIES AND CANDIDATES

I. GENERAL CONDUCT

1. 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.
2. 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.
3. There shall be no appeal to caste or communal feelings for securing votes. Mosques, Churches, Temples or other places of worship shall not be used as forum for election propaganda.
4. All parties and candidates shall avoid scrupulously all activities which are “corrupt practices” and offences under the election law, such as bribing of voters, intimidation of voters, impersonation of voters, canvassing within 100 meters of of polling stations, holding public meetings during the period 48 HOURS before the time set for close of poll and the transport and conveyance of voters to and from polling station by parties/candidates or their agents.
5. The right of every individual for peaceful and undisturbed home-life shall be respected, however much the political parties or candidates may resent his political opinions or activities. Organizing demonstrations or picketing before the houses of individuals by way of protesting against their opinions or activities shall not be resorted to under any circumstances.

6. No political party or candidate shall permit its or his followers to make use of any individual's land, building, compound wall etc., without his permission for erecting flag-staffs, suspending banners, pasting notices, writing slogans etc.
7. Political parties and candidates shall ensure that their supporters do not create obstructions in or break up of meetings and processions organized by other parties. Workers or sympathizers of one political party shall not create disturbances at public meetings organized by another political party by putting questions orally or in writing or by distributing leaflets of their own party. Processions shall not be taken out by one party along places at which meetings are held by another party. Posters issued by one party shall not be removed by workers of another party.
8. That the following types of canvassing, propaganda and expenditure by the political parties, contesting candidates, their workers, supporters and sympathizers is banned and prohibited.
 - (a) Defacement and spoiling of public or private property including buildings by pasting of posters, writing of slogans, paintings of symbols, erecting flagstaffs, suspending banners, etc. , whether private or public.
 - (b) Use and movement on roads of vehicles fitted with loudspeakers/ sound system for propaganda without permission are prohibited. Loudspeakers for public meetings or corner meetings are also allowed if valid permissions are obtained from the concerned authorities;
9. Election pamphlets, posters, handbills, leaflets should bear the name and address of the Printer/Xeroxing firm/Computer firm and the publishers should also mention the number of copies printed.
10. No contesting candidate shall incur election expenditure exceeding the maximum amount prescribed in the Rules.
11. The contesting candidate shall maintain day-to-day expenditure record in the proforma and instructions, which will be supplied to him/her, free of cost on the date of filing of nomination.

12. Every candidate shall, within TEN days from declaration of result of election, submit to Returning Officer an account of his election expenditure account in the prescribed proforma.
13. No Vehicles belonging to Government or local bodies or public undertakings or co-operative institutions or any other institutions receiving Government grants shall be provided to any Minister, Member of the Parliament or an elected Member of a Local body or a candidate or anybody on his behalf for canvassing in election in any manner from the date of notification of elections to the date of announcement of the results.
14. COVID-19 APPROPRIATE BEHAVIOR GUIDELINES AS MENTIONED IN PART -I OR EXISTING GUIDELINES ISSUED BY DDMA TO BE FOLLOWED STRICTLY.

II. GUIDELINES ON ELECTION MANIFESTO

1. The election manifesto shall not contain anything repugnant to the ideals and principles enshrined in the Constitution and further that it shall be consistent with the letter and spirit of other provisions of Modal Code of Conduct.
2. The Directive Principles of State Policy enshrined in the Constitution enjoin upon the State to frame various welfare measures for the citizens and therefore there can be no objection to the promise of such welfares measures in election manifestos. However, political parties should avoid making those promises which are likely to vitiate the purity of the election process or exert undue influence on voters in exercising their franchise.
3. In the interest of transparency, level playing field and credibility of promises, it is expected that manifestos also reflect the rationale for the promises and broadly indicate the ways and means to meet the financial requirements for it. Trust of voters should be sought only on those promises which are possible to be fulfilled.

III. NOMINATION FILING

1. Number of persons to accompany candidate for submission of Nomination is restricted to two (2).

2. Nomination:-During Pre and post nomination procession only two Vehicles permitted within a periphery of 100 meters of RO's office. No procession for nomination shall be permitted.
3. Online Nomination:-

To avoid rush at Returning officers office, filing of online Nomination facility has been provided. Nomination Form will also be available online on the website of SEC. An intending candidate may fill it online and its print may be taken for submitting before the RO. Affidavit in Form 21 & 22 may also be uploaded on the website of SEC. Candidates should submit before RO a original copy of Nomination form duly signed in ink before the last date and hour fixed for receiving nomination and its print can be taken. Thereafter, two affidavits in Form 21 & 22 regarding Criminal background of candidate, if any, be filled up, Notarized & Submitted to R.O. along with Nomination Form, before the last date and hour fixed for receiving nominations.

IV. MEETINGS

1. The party or candidate shall inform the local police authorities of the venue and time and seek permission including loudspeaker for any proposed meeting well in time so as to enable the police to make necessary arrangements for controlling traffic and maintaining peace and order.
2. A Party or candidate shall ascertain in advance if there is any restrictive or prohibitory order in force in the place proposed for the meeting, if such orders exist, they shall be followed strictly. If any exemption is required from such orders, it shall be applied for and obtained well in time.
3. Organizers of a meeting shall invariably seek the assistance of the Police on duty for dealing with persons disturbing a meeting or otherwise attempting to create disorder. Organizers themselves shall not take action against such persons.
4. Public places like open grounds must be available impartially to all parties/contesting candidates for holding election meetings.

5. Government/Municipal authorities should be fully informed of the venue and time of the proposed meetings well in time and all necessary permissions taken.
6. INDOOR gatherings shall be restricted as per the DDMA directions prevailing at that time , whichever is less. A register will be maintained to count the number of people attending the meeting.
7. OUTDOOR gatherings shall be restricted as per the DDMA directions prevailing at that time . The entire area will be cordoned off and will be guarded by the police. The count of people entering the ground will be monitored. Expenditure for the cordoning/ barricading will be borne by the candidate/party. Only those grounds which are cordoned/ barricaded completely will be used for rallies.
8. COVID-19 APPROPRIATE BEHAVIOR GUIDELINES AS MENTIONED IN PART -I OR EXISTING GUIDELINES ISSUED BY DDMA TO BE FOLLOWED STRICTLY.

V. CAMPAIGN

1. Campaign period :- Election campaigns are conducted by candidates to inform the voters of their program and to enable the voters to make informed choice while exercising their franchise. In order to ensure free & fair poll and to ensure proper arrangements for polling, the campaigns can commence from the time the election is announced
2. Star Campaigners :-Number of Star Campaigners restricted to 10 for these elections for National /State recognized parties and 5 for un-recognized registered parties in the wake of the Covid-19 pandemic.
3. The Period of submission of the list of star Campaigners shall be 10 days from the date of notification of election schedule.
4. Permission for the campaigning by star campaigners shall be submitted to the District Magistrate at least 48 hours before the start of campaign
5. Road show : No Road show shall be allowed and no Motorbike/ Cycle rallies will be allowed without valid permission and subject to existing DDMA guidelines.

6. Street corner meeting:-Maximum 50 persons shall be allowed (Subject to availability of space and compliance to COVID-19 guidelines.).
7. Door to door campaign:-Door to door campaign with 5 persons including candidates/ their representatives.
8. Campaign through video van:-Not more than 50 audiences shall be allowed in one cluster point subject to availability of space and compliance to covid guidelines.
9. Use of Vehicles for campaign :- Maximum 5 Vehicles allowed for a candidate/ political party (including Star Campaigner).
10. Silence period:-- Election campaign will end 48 hours before the time set on for close of poll. Such a reasonable restriction is necessary to ensure that proper police arrangements can be made to ensure free and fair poll.
11. Canvassing in or near a polling station or holding public meetings in a ward shall end before 48 hours earlier to the hours fixed for close of poll for election to ward/wards of a Municipal Corporation. All parties and candidates are requested to strictly observe the campaign period as well as follow the Model Code of Conduct.
12. The candidates set up and operate temporary office for the purpose of local campaign. The Commission, after taking into consideration all relevant factors, prescribes the following guidelines to be followed in this regard:-
 - i) No such office will be opened by way of any encroachment either on public or private property.
 - ii) No such offices will be opened in any religious places or campus of such religious places.
 - iii) No such offices will be opened contiguous to any educational institution/hospital.
 - iv) No such offices will be opened within 100 meters of a polling station.
 - v) Such offices can display only one flag and banner with candidate's symbol/photograph.

vi) The size of the banner used in such offices should not exceed '4 feet x 8 feet' subject to 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 upon.

13. COVID-19 APPROPRIATE BEHAVIOR GUIDELINES AS MENTIONED IN PART -I OR EXISTING GUIDELINES ISSUED BY DDMA TO BE FOLLOWED STRICTLY

VI PROCESSION

1. A Party or candidate organizing a procession shall decide before hand the time and place of the starting of the procession, the route to be followed and the time and place at which the procession will terminate. There shall Ordinarily be no deviation from the programme.
2. The organizers shall give advance intimation to the local police authorities of the programme so as to enable the later to make necessary arrangement.
3. The organizers shall ascertain if any restrictive orders are in force in the localities through which the procession has to pass, and shall comply with the restrictions unless exempted specially by the competent authority. Any traffic regulations or restrictions shall also be carefully adhered to.
4. The organizers shall take steps in advance to arrange for passage of the procession so that there is no block or hindrance to traffic. If the procession is very long, it shall be organized in segments of suitable lengths, so that at convenient intervals especially at points where the procession has to pass road junctions, the passage of held up traffic could be allowed by stages thus avoiding heavy traffic congestion.
5. Processions shall be so regulated as to keep as much to the right of the road as possible and the direction and advice of the police on duty shall be strictly complied with.
6. If two or more political parties or candidates propose to take processions over the same route or parts thereof at about the same time, the organizers shall establish contact well in advance and decide

- upon the measures to be taken to see that the processions do not clash or cause hindrance to traffic. The assistance of the local police shall be availed of for arriving at a satisfactory arrangement. For this purpose the parties shall contact the police at the earliest opportunity.
7. The political parties or candidates shall exercise control to the maximum extent possible in the matter of processionists carrying articles which may be put to misuse by undesirable elements especially in moments of excitement.
 8. The time and place of the starting of any procession, the route to be followed and the time and place at which the procession will terminate should be settled in advance and advance permissions obtained from the police authorities.
 9. If there are any restrictive or prohibitory orders in force in the place of the proposed meeting, they shall be fully respected; exemption, if necessary, must be applied for and obtained well in time.
 10. So also all traffic regulations and other restrictions should be fully respected and abided by.
 11. The passage of the procession must be without hindrance to traffic.
 12. Normally, such meetings/processions will not be allowed to continue beyond 8.00 p.m. and will be further subject to the local laws, local perceptions of the security arrangements of the area and other relevant considerations like weather conditions, festival season, examination period, etc.,
 13. The assistance of the police should be obtained in dealing with persons disturbing meetings or otherwise creating disorder.
 14. Permission must be obtained for the use of loudspeakers or any other such facilities for the proposed meetings.
 15. Posters issued by other parties and candidates shall not be removed or defaced.
 16. While taking out procession/padyatra during the campaigning for the election, a candidate and his workers can hold flags upto maximum five (5) in number for one procession. The size of the flag will be 3 ft. by 2 ft.

17. The candidates shall use only the symbol as allotted by the Returning Officer.
18. Rickshaw will also be treated as one of the Vehicles allowed by the Commission during the processions.
19. The banners would normally be party banners in the case of a recognized National Political party or a State Political Part. In the case of Unrecognized but registered party, the party could use the symbol of the candidate allotted by the Returning Officer.
20. The carrying of effigies purporting to represent member of other political parties or their leaders, burning such effigies in public and such other forms demonstration shall not be countenanced by any political party or candidate.
21. COVID-19 APPROPRIATE BEHAVIOR GUIDELINES AS MENTIONED IN PART -I OR EXISTING GUIDELINES ISSUED BY DDMA TO BE FOLLOWED STRICTLY

VII POLLING DAY

All Political parties and candidate shall -

1. Co-operate with the officers on election duty to ensure peaceful and orderly polling and complete freedom to the voters to exercise their franchise without being subjected to any annoyance or obstruction.
2. Supply to their authorized workers suitable badges or identity cards.
3. Agree that the identity slip supplied by them to voters shall be on plain (white) paper and shall not contain any symbol, name of the candidate or the name of the party;
4. Refrain from serving or distributing liquor on polling day and during the *48 Hours* preceding to the hour fixed for end of Poll and on the day of Counting of Votes.
5. Not allow unnecessary crowd to be collected near the camps set up by the political parties and candidates near the polling booths so as to avoid confrontation and tension among workers and sympathizers of the parties and the candidate,

6. Co-operate with the authorities in complying with restrictions to be imposed on the plying of Vehicles on the polling day and obtain permits for them which should be displayed prominently on those vehicles.
7. COVID-19 APPROPRIATE BEHAVIOR GUIDELINES AS MENTIONED IN PART -I OR EXISTING GUIDELINES ISSUED BY DDMA TO BE FOLLOWED STRICTLY

VIII PREVENTIVE MEASURES NEAR POLLING BOOTHS ON POLL DAYS- SETTING UP OF ELECTION BOOTHS BY CANDIDATES:-

1. No candidate booth shall be set up within a distance of 100 meters from the Polling Station. Even where more than one polling station has been set up in the same Polling Station location or premises, there shall be only one booth permitted to a candidate for such polling station or group of polling stations beyond a distance of 100 meters from such polling station.
2. Only one table and two chairs shall be allowed at each such booth with an umbrella or a piece of tarpaulin or cloth to protect the two occupants of those chairs at the booth from odd weather conditions. Such booth shall not be enclosed by Kanats or tentage, etc.
3. Each candidate wishing to set up such booths shall intimate, in writing, in advance, to the Returning Officer, the names and SI. Nos. of the Polling Station or stations where such booths are proposed to be set up by him. He/she shall also obtain a written permission of the concerned Govt. authorities or local authorities under the relevant local laws before setting up of such booths. Such a written permission must be available with the persons manning the booth for production before the police/election authorities concerned on demand.
4. Such booths shall be used only for the sole purpose of issuing unofficial identity slips to electors. These unofficial identity slips shall be printed strictly on plain white paper only having particular of voters place of polling without the name or Symbol of the candidate.
5. Only one banner to display the name of the candidate, and the election symbol allotted to him shall be allowed at each such booth, provided

that such banner shall not be more than 3 feet by 4 feet in length and breadth. Any banner set up in violation of this restriction will be removed by authorities concerned.

6. No crowds shall be allowed to collect at such booths in any circumstances, nor shall any person who has already cast his vote at the polling station be allowed to come to the booth. This would be evident from the indelible ink mark on his left forefinger or any other finger as specifically prescribed for that election for the ward in which the polling station is located.
7. The persons manning the booths shall not cause any obstructions whatsoever in the way of electors proceeding to the polling stations or prevent them from going to the booths of other candidates or create any other sort of hurdles whatsoever in the right of voters to exercise their franchise according to their own free will. More specifically, no elector shall be influenced in any way whatsoever to either come and collect the unofficial identify slip for the particular booth or if he comes to such booth of his own accord to vote in favour of or against any party/candidate contesting the election i.e. to say that no canvassing for voting shall be allowed of such candidate's booth(s).
8. The Commission hereby warns all concerned that any violation of the above directions will be viewed by the Commission with the utmost gravity and most stringent action possible under the law, including but not restricted to the removal of such booths forthwith, will be taken against the candidates and/or their agents/workers responsible for any such violations.
9. If any officer is found to have failed to take prompt and expeditious action to ensure the strict compliance of the above mentioned directions, he will render himself liable to strict disciplinary action apart from any penal action as may be called for against him for failure to discharge the official duty.
10. In order to maintain peace and calm in the polling stations during polling period on the date of poll and to maintain law and order, the Commission hereby directs that use of cell phones shall not be permitted and people should not use them inside. If there any violation

is noticed, the Presiding Officer of the polling station can seize the instrument till the completion of poll.

11. The polling agents may be allowed to carry their copy of electoral rolls inside the polling station and make tick marks whenever voters cast their vote. However, it is clarified that under no circumstances, the polling agents can be allowed to carry the electoral roll copy available with him outside the polling station during the course of the polling and till the polling is closed either by himself or through a relieving agent. It is also clarified that under no circumstances, the polling agents are allowed to note down or to send slips outside indicating the Serial Numbers of the voters, who have voted or not voted.
12. It has been found in the past that some anti-social and Goonda elements are used by political parties/candidates to man the candidate's booth office (beyond 100 meters, one table and two chairs). Such elements' presence in the vicinity of the polling station may intimidate and vitiate the atmosphere for a free and fair poll. Having considered this, the Commission directs as under:-
 - (i) The persons who are nominated by the candidates to man such booths shall be a voter in the same polling station area. He shall also have an EPIC and whenever any Sector Officer/Sector Police Officer/Election Observer/RO/ARO asks the person to disclose his identity, he will show the EPIC.
 - (ii) The candidates shall take care to ensure that they do not put any person with criminal antecedents on the job to man such booths.
13. In case these instructions are not followed by any political party/candidate, immediate action shall be taken by the Returning Officer. Besides, the local police shall also keep a close watch over the movement of such persons so that they do not create any disturbance in the polling area or in the vicinity.
14. These restrictions, however, will not apply to the officers-in-charge of law and order and security personnel put on duty as well as Observer/Returning Officer appointed by the State Election Commission and the officers appointed for the counting centre.

15. COVID-19 APPROPRIATE BEHAVIOR GUIDELINES AS MENTIONED IN PART -I OR EXISTING GUIDELINES ISSUED BY DDMA TO BE FOLLOWED STRICTLY

IX. POLLING BOOTH

Except the voters, no one without a valid pass from the State Election Commission shall enter the polling booths.

X. COUNTING DAY

No cellular phones, cordless phones, wireless sets etc. in any case, be allowed inside the halls for counting of votes for the said election.

XI. ELECTION ADVERTISEMENTS ON TV CHANNEL/BY CABLE OPERATORS-REGULATION OF

1. No advertisement shall be permitted, the objects whereof, are wholly or mainly of a religious or political nature; advertisements must not be directed towards any religious or political end.
2. No cable operator or TV channel shall telecast any advertisement, which does not conform to the law of the country and which offends the morality, decency and susceptibility of views or which is shocking, disgusting and revolting.
3. Every political party/contesting candidate or any other person, shall seek prior certification from the District Election Officer(D.E.O.) concerned OR State Election Commission (S.E.C) at least three days prior to the proposed exhibition of the advertisement on TV channel or on cable network or on any Radio Station by making an application. No such advertisement shall be relayed on a Radio Station or on T.V. Channel or published in any newspaper during the period 48 hours earlier to the end of poll.

XII. RESTRICTIONS ON THE PRINTING OF PAMPHLETS, POSTERS ETC.

Section 22 (7) of the Delhi Municipal Corporation Act 1957, as amended declares it a corrupt practice.

7) The issuing of any circular, placard or poster having a reference to the election which does not bear the name and address of the printer and publisher thereof.

1. The following instructions on the subject are issued for strict compliances by all concerned.

i) The publication by a candidate or his agent or by any other person of any statement of fact which is false and which he either believes to be false or does not believe to be true, in relation to the personal character or conduct of any candidate, or in relation to the candidature, or withdrawal from contest of any candidate being a statement reasonably calculated to prejudice the prospects of that candidate's election shall be corrupt practice.

ii) No person shall 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 publisher thereof

iii) No person shall print or cause to be printed any election pamphlet or poster -

a) unless a declaration as to be identity of the publisher thereof, signed by him and attested by two persons to whom he is personally known, is delivered by him to the printer in duplicate; and

b) unless, within a reasonable time after the printing of the document, one copy of the declaration is sent by the printer, together with one copy of the document to the concern Police authorities.

2. For the purposes of these instructions-
 - i) any process for multiplying copies of a document, other than copying it by hand, shall be deemed to be printing and the expression “printer” shall be construed accordingly; and
 - ii) “election pamphlet or poster” means any printed pamphlet, handbill or other document distributed for the purpose of promoting or prejudicing the election of a candidate or group of candidates or any placard or poster having reference to an election, but does not include any hand bill, placard or poster merely announcing the date, time, place and other particulars of an election meeting or routine instructions to election agents or workers.
3. It has been observed that surrogate advertisements appear in print media, especially newspapers, for and against particular political parties and candidates during election period. In many cases such advertisements are for the prospects of election of particular candidates. Expenditure involved in such advertisements in connection with the election of any candidate has to be added to the account of election expenses of the candidate, required to be maintained under that Rules. Further, Section 171H of IPC prohibits incurring of expenditure, on inter-alia, advertisement, circular or publication, for the purpose of promoting or procuring the election material for a candidate without authority from the candidate. The surrogate advertisements defeat the purposes of the aforesaid provisions of law.
4. In order to subserve the requirements of the provisions of law as mentioned above, the Commission directs that in the case of any advertisements/election matter for or against any political party or candidate in print media, during the election period, the name and address of the publisher should be given along with the matter/ advertisement.
5. The following points may be noted in respect of the advertisements that appear in the print media, especially newspapers, for and against particular political parties and candidates during election period:

- i) In the case of advertisements, the source of which is traceable, the following action may be taken:-
 - a) *if the advertisement is with the consent or knowledge of the candidate, it will be treated to have been authorized by the candidate(s) concerned and will be accounted for in the election expenses account of the candidate(s).*
 - b) *If the advertisement is not with the authority from the candidate, then action may be taken for prosecution of the publisher for violation of Section 171 H of IPC-(incurring expenditure in advertisement without written authority from the candidate(s) concerned).*
6. If the identity of the publisher is not indicated in the advertisement, then the Police authorities, Election Expenditure observer may contact and get the information from the Newspaper concerned, and consider appropriate action, as above.

XIII. USE OF LOUDSPEAKER FOR ELECTION CAMPAIGNS:

1. All political parties, candidates and their workers, supporters and sympathizers are using loudspeakers for their electioneering campaigns. These loudspeakers are not only used from fixed rostrums but are also used mounted/fitted on Vehicles like trucks, tempos, cars, taxis, vans, three wheeler scooters, cycle rickshaws, etc. these Vehicles move on all roads, streets and lanes and also around villages, basties, Mohallas, colonies and localities with loudspeakers broadcasting at very loud volume. This results in serious 'noise pollution' and causes great disturbance to the peace and tranquility of the general public. The student community, in particular, gets seriously disturbed as their studies are badly hampered because the loudspeakers start blaring from very early hours in the morning and continue to do so throughout the day and till extremely late hours in the night. The aged, the infirm and the sick whether in institutions, hospitals, etc. or at home are also put to severe discomfort.
2. The use of loudspeakers cannot be stopped altogether during the election period as the loudspeakers are one of the means of election

propaganda and imparting information to public. But at the same time, indiscriminate and unfettered use of at odd hours i.e, between 8:00 pm to 8:00 am and at odd places at very high volumes which have the effect of disturbing peace and tranquility and causing annoyance to the general public, the sick, and the student community in particular cannot be permitted. Some reasonable restrictions are essential.

3. After considering all aspects of the matter, the Commission, in exercise of its powers conferred upon it under the Election Law directs that the use of loudspeakers shall strictly be regulated as follows:-
- i) The use of loudspeakers, whether fitted on Vehicles of any kind whatsoever, or in static position used for public meetings for electioneering purposes, during the entire election period starting from the date of announcement of election and ending with the date of declaration of results shall be permitted only between 8.00 AM to 8:00PM.
 - ii) All loudspeakers whether used for general propaganda or for public meetings or procession, and whether used on moving Vehicles or otherwise, shall be used with low voice during the restricted hours only mentioned above and never beyond.
 - iii) All loudspeaker being used beyond the hours as prescribed above, shall be confiscated along with all apparatus and accessories connected with the use of these loudspeakers.
 - iv) All candidates and any other persons using any loudspeakers on moving Vehicles including but not restricted to trucks, tempos, cars, taxis, vans, three wheeler scooters, cycle rickshaws, etc. shall intimate the registration identification number of those Vehicles to the authorities granting permission to use the loudspeakers and such registration identification numbers of the Vehicles shall be indicated on the permits granted by the authorities concerned.
 - v) Any vehicle on which a loudspeaker is used without the said written permission shall be confiscated forthwith along with the loudspeakers and all the apparatus used along with it.

- vi) All candidates and even other persons using loudspeakers either on a moving vehicle or at a fixed place shall intimate, the Police authorities, in writing, the full details of the permits obtained by them before using any of those loudspeakers.
- vii) It shall be the responsibility of the Police authorities granting permits for use of loudspeakers and the Police authorities to strictly enforce that no loudspeaker is used by anyone in violation of any of the above directions
- viii) No loudspeakers fitted on Vehicles of any kind or in any other manner whatsoever shall be permitted to be used for a period of 48 hours earlier till close of poll.
- ix) Use of loudspeakers is generally regarded as source of public nuisance and can often give rise to tension in a politically surcharged atmosphere. The Police authorities should, therefore, consider any application for permission to use loudspeaker on merit of each application and keeping in view the need to maintain proper law and order till the completion of election.

XIV. DEFAACEMENT OF PROPERTY

The provisions of Delhi Prevention of Defacement of Property Act,2007 should strictly be enforced.

1. Whoever defaces any property in public view by writing with ink, chalk, paint or any other material except for the purpose of indicating the name and address of the owner or occupier of such property, shall be punishable with imprisonment for a term which may extend to one year, or with fine which may extend to fifty thousand rupees, or with both.
2. When any offence is committed under sub-section (1) is for the benefit of some other person or a company or other body corporate or an association of persons (whether incorporated or not) then, such other person and every president, chairman, director, partner, manager, secretary, agent or any other officer or persons connected with the management thereof, as the case may be, shall, unless he proves the offence was committed without his knowledge or consent, be deemed to be guilty of such offence.

3. The aforesaid penalties will be without prejudice to the provisions of Section 425 and Section 434 of the Indian Penal Code, 1860 (45 of 1860) and the provisions of relevant Municipal Acts.

XV. PREVENTION OF MISUSE OF VEHICLES DURING ELECTIONS.

1. During Polls:- Corrupt practices are listed in Section 22 of the Delhi Municipal Corporation Act 1957, as amended include use & hiring Vehicles not permitted by instructions, consumption of liquor in meetings etc.
2. For an election to a ward of a Municipal Corporation of Delhi on the date of poll in that ward each contesting candidate is entitled to:
3. One vehicle for his own use and One vehicle for use of his election agent/ party workers.
4. The permits for the Vehicles indicated above will be issued by the Returning Officer.
5. The candidates are required to register their Vehicles with the Returning Officer concerned and display the permits issued by the Returning Officer on the windscreen of the vehicle.
6. No other vehicle shall be allowed to be used by the leaders of the political parties including ministers, workers, agents and sympathizers of any candidate.
7. No exception shall be made, irrespective of the status of the candidate. No other person will be allowed on the day of the poll to use the vehicle allotted for candidates use.
8. The candidate or his agent or party worker or workers will be allowed to use only four/three/two wheeler Vehicles i.e. cars (of all types) taxis, auto rickshaws, rickshaws and two wheelers. In these four wheel Vehicles not more than 5 persons including driver will be allowed to move on the day of poll.
9. On the day of poll no other person will be allowed to use the vehicle allotted for candidates or his election agent's use.

10. These restrictions would not, however, apply to any Govt. servant on duty or in case where such vehicle is being used to transport a patient or old/infirm person.
11. Penal action, under the provisions of Chapter IXA of the Indian Panel Code shall be taken against anyone offending the above directions, in addition to action under the Motor Vehicles Act.
12. All Vehicles being used in violation of these directions shall be confiscated.
13. During Filling of Nominations;
The maximum number of Vehicles that will be allowed to come within the periphery of *100 meters* of Returning Officers shall be two.
14. During Period of Electioneering:
It has been experienced that during the period of electioneering private Vehicles are used by the candidates, their agents and party leaders and supporters for carting the supporters of a candidate within the ward and on many occasions anti-social elements with muscle power are openly paraded to in still a sense of fear in the minds of the electorate, so that they either vote in favour of particular party/candidate or abstain from voting altogether.
 - i) These Vehicles are also used sometimes to smuggle illicit arms and ammunition with a view to creating disturbances during elections.
 - ii) In order to curb such undesirable/illegal activities, the Commission further directs that the District Administration and Police shall keep a close watch on the Vehicles used by persons accompanying the contesting candidate and their party's leaders for any possible mischief, including criminal activities like carrying of illegal arms and weapons.
 - iii) If any of these vehicles, either of a party or a private owner, is found to be involved in any such act or for carting anti-social elements with a view to intimidating or creating terror in the mind of the electorate, it shall be the duty of the local

- administration / Police to impound such Vehicles and not to release them till the process of elections is completed.
- iv) In addition, criminal action against the owner, the occupant(s) and the candidate/political party which is involved in such illegal activities shall also be taken as per law.
 - v) So as to ensure free, fair and peaceful elections, the Police/ District Administration shall launch such drive for checking the Vehicles immediately upon the announcement of the General elections and shall continue the drive till the completion of the process of elections.
 - vi) Cars/Vehicles being used for electioneering purposes shall, under no circumstances, be allowed to move in convoys of more than five Vehicles (including security vehicle, if any allowed) from the date of notification till the completion of election process in any ward.
 - vii) All bigger convoys shall be broken up, even if they are carrying any minister of Central or State Govt. This shall, however, be subject to any security instructions issued in respect on any such individual.
 - viii) In other words the convoy shall not in any case exceed five Vehicles of any person plus the security Vehicles_ allowed in view of the security gradation of that particular person.
 - ix) Such broken up convoys must have a distance of at least *100 meter* between them.
 - x) If any person moves in a convoy of Vehicles exceeding the limits prescribed above, in spite of the convoy having been broken, it shall be the duty of the local Police /Administration to ensure that such Vehicles are not allowed to be used by flouting the Commission's directions till the process of election is completed.
 - xi) From the date of notification of the election till the completion of election process in any ward, the district administration and Police shall keep a close watch on the Vehicles used by contesting

candidate, persons accompanying the contesting candidate and other party leader and ensure that the Commission's instructions are followed meticulously.

XVI. DETAILS OF VEHICLES

1. The contesting candidate be asked to get the detail of all the Vehicles that they are using in the election campaign lodged with the Returning Officer concerned before the campaigning commences.
2. Any further deployment of any additional Vehicles can take place only after notice to this effect is given by the candidate or his agent well before the actual deployment of the vehicles.
3. The details so obtained should be conveyed by Returning officer to the Election Expenditure Observers. The Vehicles employed for election campaign as per intimation given by the candidates or their election agents to the Police/ Administration should not be requisitioned by the Administration.
4. Any vehicle that has not been registered for campaigning with the Police/ Administration if found being used for campaigning, shall be deemed to be unauthorized campaigning for the candidate and may attract penal provisions of chapter IX A of the Indian Penal Code and shall therefore be immediately taken out of the campaigning exercise.
5. A cycle rickshaw is also a vehicle as defined in Section 160 of Representation of People Act, 1951, which may be used for election campaign. If it is being used, then a candidate has to account for its expenditure in his account of election expenses. To ensure this, the candidate should give details of such rickshaws being used for his election campaign and, if the rickshaw does not have any municipal registration/ permit for its identification, the rickshaw driver/ Puller may be given a permit in his personal name by the Returning Officer which the rickshaw driver should carry on his person while using that rickshaw for campaign purpose. However, rickshaws being used for normal purposes of carrying passengers in ordinary course etc. may be exempted, if they are displaying only one poster showing the name or party symbol of a candidate, presuming they are doing so on their own free will.

XVII. INSTRUCTIONSTOCANDIDATESREGARDINGMAINTENANCE OF ACCOUNTS OF ELECTION EXPENSES.

1. The attention of each candidate at an election of ward of a Municipal Corporation of Delhi is invited to Rules 103 to 110 of the Delhi Municipal Corporation (Election of Councilor, 2012) , wherein the manner of keeping the record of election expenses is laid down in detail. Besides, Section 171-H & 171-I of Indian Penal Code are also relevant wherein punishment for not maintaining the election expenses account during an election to a ward of a Municipal Corporation of Delhi has been prescribed.
2. The election expenses shall include all day-to-day expenses incurred or authorized by the candidate or his election agent on publishing posters, hand bills, organizing rallies, public meetings, making advertisement or by all such other means etc. with a view to promote and procure a seat for candidate. Thus all the expenditure incurred on the election by a candidate shall be termed as election expenses.
3. Every candidate has to lodge the election expenses record of all expenditures incurred by him or by his election agent in accordance with content of above said paragraph, between the date of his nomination to the date of declaration of the result of election. The candidate, who had withdrawn from contest subsequently for any of the reason shall also have to keep & submit the account of the election expenses to the Returning Officer concerned in the manner so prescribed above.
4. While submitting the election expenditure account, the candidate has to submit all the vouchers/ obtained from the Suppliers arranged according to the date of payment, serially numbered as has been entered in the account register.
5. The account may be maintained either in English or in Hindi containing the particulars mentioned in Rules 103 to 110 of the said rules.
6. A model proforma and a register for the maintenance of the account of expenditure showing the particulars in which the account of election expenses should contain will be provided by the Returning officer at the time of filling of nomination..

7. Incurring or authorizing election expenses in connection with an election to a ward exceeding the maximum limit prescribed by the Commission **i.e. Rs.8,00,000 /- (Rupees Eight Lakhs Only)** shall amount to corrupt practice.
8. Each candidate while lodging the return of his election expenses in the prescribed proforma shall also file an affidavit (on oath) in form-20 stating that all the election expenditure has been completely & unexceptionally included in the return.
9. The Returning Officer of a Ward shall check & sign the authenticity of the return filed through the above procedure and the candidate shall be personally responsible for any lapse or misrepresentation.
10. The candidates are required to produce the register of account of election expenses to the Returning Officer or the Election Expenditure Observer or any other authorized officer of the Commission on demand during the process of the election. Failure to produce the record of election expenses on demand will be considered as a major default and action under relevant provision of laws and rules will be taken against such candidates.
11. Every candidate at an election to a ward shall within ten days from the date of election of the returned candidate shall have to lodge with the concerned Returning Officer an account of his election expenses, which shall be true copy of the account kept by him or by his election agent.
12. On failure to lodge the return of election expenses within the prescribed time and manner with the concerned Returning Officer, a candidate is liable to face such penal action as is provided in I.P.C. including disqualification for a period of 6 years as provided in Rule 110 of the aforesaid Rules.
13. The Returning Officer of a ward and the Election Expenditure Observer shall ensure that these accounts of candidates are being maintained properly and as provided in Rules 103 to 109 and actions prescribed for them in the above Law complied with.

XVIII. PARTY IN POWER

1. The party in power whether at the Centre or in the State/U.T. 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-
 - (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.
 - (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:
2. Public places such as maidens etc., for holding election meetings, and use of helipads for air- flights in connection with elections shall not be monopolized 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;
3. Rest houses, dak bungalows or other Government/ Municipal accommodation shall not be monopolized by the party in power or its candidate and such accommodation shall be allowed to be used by other parties and candidates in a fair manner but no party or candidate shall use or be allowed to use such accommodation (including premises appertaining thereto) as a campaign office or for holding any public meeting or for the purposes of election propaganda.
4. 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.
5. Ministers and other authorities shall not sanction grants/ payments out of discretionary funds from the time elections are announced by the Commission.
6. From the time elections are announced by Commission, Ministers and other authorities **shall not:-**

- i) announce any financial grants in any form or promises thereof;
or
 - ii) (except civil servants) lay foundation stones etc. of projects or schemes of any kind; or
 - iii) make any promise of construction of roads, provision of drinking water facilities etc.; or
 - iv) make any appointments in Government, Public Undertakings etc. which may have the effect of influencing the voters in favour of the party in power.
 - v) Issue Tender for development work in the municipalities from municipal funds.
7. Ministers of Central or State Government or MCC Mayor and a councillor/ ward Member of local bodies shall not enter any polling station or place of counting except in their capacity as a candidate or voter or authorized agent.

PART -III
MODEL CODE OF CONDUCT
FOR GOVERNMENT AND OTHER
INSTRUMENTALITIES OF THE STATE

XIX. TRANSFERS AND POSTING OF OFFICIALS

1. Transfers of Government officers and officials connected with or associated with the work of making preparations for and the conduct of the Municipal elections should not be transferred from the date of announcement of election programme until the date of completion of the election.
2. Police Officers should not be ordered to be transferred from the date of announcement of election programme until the date of completion of the election
3. There shall be a total ban on transfer of all officers/officials connected with the conduct of the election till the completion of the election process.
4. In those cases where transfer of an officer is considered necessary on account of administrative exigencies, the State Government may, with full justification, approach the State Election Commission, Delhi for prior clearance.
5. No appointments or promotions in Government/ Public Undertakings/ Local Bodies shall be made during this period, without prior clearance of the State Election Commission, Delhi

XX. NEW RECRUITMENT AND APPOINTMENTS:-

1. Once the Code of Conduct comes into force, no recruitments/ new appointments to any posts in State Government and local bodies, semi Government undertakings shall be made till the completion of the Municipal election process.
2. Regular recruitment/appointment or promotion through State Public Service Commission or the Staff Selection Commission or any

- other statutory authority can continue. Recruitments through non-statutory bodies in the State will require prior clearance of the State Election Commission, Delhi.
3. Recruitments already made before the Code of Conduct will not be covered under the Code. However, in such cases the appointments or even offers of appointment shall be withheld till the time code of conduct is in force.
 4. The posts which are essential where time bound recruitment is in public interest, will be allowed to be filled with prior approval of the Commission.

XXI. BAN THE SALE OF LIQUOR (EXCISE DEPARTMENT):

1. There shall be ban on sale, service and consumption of liquor and other intoxicating liquor & drinks as provided in Section 29C of Delhi Municipal Corporation Act, 1957, as amended in the areas of 272 wards of Municipal Corporation of Delhi and their surrounding areas shall be imposed on the day of Polling and 2 days preceding the poll to ensure free & peaceful poll. Such ban may also be imposed on the day of Counting of Votes. This evil opens up chances of unruly and riotous activities by undesirable elements at the time of poll. The restriction on the sale, service and consumption of liquor during the poll period and on the day of Counting of votes will also help the authorities in maintaining law and order.
2. Dry days shall be declared and notified under relevant Laws in the 272 wards of Municipal Corporation of Delhi on the date of poll and two days preceding to poll and on the day of counting of votes.
3. The prescribed norms for storage of liquor by individuals shall be got strictly enforced during the above period as provided in the Excise Law.
4. Excise Department, GNCTD shall strictly implement the above measures. They are required to issue detailed and comprehensive instructions to all concerned authorities to take appropriate, and legally effective measures to implement the above prohibitions and assist the election authorities in the peaceful and smooth conduct of free and fair poll.

XXII. NEW PROGRAMMES/SCHEMES/SANCTION OF GRANTS:

1. Govt. of National Capital Territory of Delhi / Municipal Corporations (North/South/East)/New Delhi Municipal Council /Delhi Cantonment Board should not declare new programme, new scheme, and new benefit or initiate new public works of any nature in the area where election process is announced. In case any decision taken, which induces the electors where election is going may be kept in abeyance without any press briefing till the election process is completed.
2. Announcement of new projects or programmes or concessions or financial grants in any form or promises thereof or laying of foundation stones, etc., which have the effect of influencing the voters in favor of the party or candidate in power is prohibited.
3. No fresh release of funds on welfare schemes and work should be made or contract for works awarded in any part, where the election is in progress. However, there shall be no bar to the release of funds for the completed portion of any work subject to observance of laid down procedures and concurrence of relevant competent authority.
4. Once the Code of Conduct comes into force, no fresh announcement of Government schemes for giving any benefit to the voters of the Municipal area where election is being held should be made.
5. No fresh release of funds on welfare schemes and works should be made or contract for works awarded in any part of the state where election is in progress. This includes works under Member of Parliament Local Area Development (LAD) fund or development funds of Mayor/Councillor/Dy. Mayor etc.
6. No land allocation shall be made by the Government to any entity, whether individual or an enterprise.
7. No work shall start even if work orders have been issued earlier, if the work has actually not started in the field. These works can start only after the completion of election process.
8. New works and project cannot be taken up from discretionary funds of whatever nature. Discretionary fund, in this context, includes funds

which are provided for in the budget in a generic manner and for which no identified & sanctioned project exists prior to the Model Code of Conduct coming into force.

9. Simply because a scheme has been sanctioned earlier or a reference was made in the address of the Governor/budget speech of the Minister, it does not mean that such schemes can be taken up when the Model Code of conduct is in operation.

XXIII. ON GOING SCHEMES/PROGRAMMES :

1. Restrictions apply equally to new schemes and also ongoing schemes. However, in case of schemes, which have already been brought up to the stage of completion, their functioning in public interest need not be stopped or delayed.
2. Review by political executive (Ministers etc.) and processing of beneficiary oriented schemes, even if ongoing, should be stopped till completion of elections.
3. Work-projects that have actually started on the ground after obtaining all necessary sanctions can be continued.
4. However, in case of schemes, which have already been brought up to the stage of completion, their functioning in public interest need not be stopped or delayed. The commissioning of such schemes can be done by civil authority and without associating political functionaries and without any fanfare or ceremonies whatever, so that no impression is given or created that such commissioning has been done with a view to influencing the electorate in favour of ruling party.
5. There shall be no bar to the release of funds for the completed portion of any work subject to observance of laid down procedures and concurrence of Competent Authority.
6. Area of operation of any existing project/ scheme/ programme cannot be extended or expanded.
7. Signing a MOU or an agreement where the Government is a party will also require prior clearance by the State Election Commission.

8. Beneficiary projects where specific beneficiaries by name have been identified before coming into force of the Model Code can be continued.

XXIV. SCHEMES AND WORKS RELATED TO NATURAL/UNFORSEEN CALAMITIES AND NATIONAL IMPORTANCE

1. Work which forms a part of the larger State-wide scheme or National scheme even though passing through the concerned Municipal area which are going for polls will be permitted e.g. repair and laying of roads, highways, water pipelines, electricity lines, sewerage schemes, etc.
2. The Commission does not refuse approval for schemes/works undertaken for tackling emergencies or unforeseen calamities, natural calamities, etc. In these matters however, prior approval of the Commission should be taken and functions should be strictly avoided and no impression should be given or allowed to be created that such welfare measures or works are being undertaken by the Government and Municipal Corporations etc., as the case may be, to influence the voters.
3. The following types of existing works can be continued by the Governmental agencies.
 - i. Work-projects that have actually started on the ground after obtaining all necessary sanctions can be continued.
 - ii. Beneficiary projects where specific beneficiaries by name have been identified before coming into force of the Model Code of Conduct.
 - iii. Registered beneficiaries of NREGA may be covered under the existing projects. New projects under NREGA that may be mandated under the provisions of the Act may be taken up only if it for the already registered beneficiaries and the project is listed in the approved and sanctioned shelf of projects for which funds are also already earmarked.

4. While starting any work (including any relief work) or developmental activity no formal function shall be held involving any political functionary. As a matter of good practice, normal functions and publicity even with the presence of official functionaries should be kept to the minimum.
5. Where works are to be undertaken or functions are to be held in fulfillment of international commitments, prior concurrence of the Commission shall be taken.

XXV. RELIEF MEASURES

1. Ex-gratia payments and gratuitous relief in the aftermath of a calamity/ disaster can be given directly to the persons affected at the current rates / scales of assistance presently in force, under intimation to the State Election Commission, Delhi. No change in the extent and prescribed scales of payments, however, shall be made in the existing rates/ scales without prior permission of the Commission.
2. Payments directly to the hospitals from Prime Minister's Relief Fund, in lieu of direct cash payment to the individual patients (beneficiaries) will be permissible without reference to the Commission.
3. Emergent relief works and measures that are aimed to mitigate the hardships, directly and solely, of the persons affected in a disaster may be taken up under intimation to the State Election Commission, Delhi.
4. However, new works that may be necessitated by way of preventive measures to mitigate the likely effects of natural disasters can be taken up only with prior permission of the State Election Commission, Delhi.
5. Also, an area shall not be declared calamity affected without prior approval of the Commission. The extent of area already declared to be calamity affected cannot be expanded without prior approval of the State Election Commission, Delhi.
6. Similarly, any selective assistance to a group of persons from the Prime Minister's Relief Fund will require prior approval of the State Election Commission, Delhi.

XXVI. ADVERTISEMENTS AT THE COST OF PUBLIC EXCHEQUER

Any and all advertisements at the cost of the public exchequer regarding achievements of the party/Government in power is prohibited.

XXVII. OPENING OF TENDER:

1. Tenders other than global /national tenders, that are already floated may be evaluated but not finalized without prior approval of the State Election Commission, Delhi. If they are not already floated, they shall not be floated without prior approval of the State Election Commission.
2. Global/National tenders already floated can be evaluated and finalized where any time limits are specified for such purpose.

XXVIII. PREVENTION OF MISUSE OF OFFICIAL MACHINERY:-

1. Official Vehicles belonging to the Government, public sector undertakings, local bodies, co-operative societies or any other body where public funds have been invested, shall not be allowed to be used for election work by candidates or for any candidates.
2. It will be open for official functionaries of the Government including Ministers, M.L.As, to make private visits using their own private vehicles. However, for such visits, the functionaries should avoid taking their personal staff along with them.
3. No functionary of the Government including Ministers or M.L.A.s, or Councillors of Municipal Corporation will summon any election related Officer for any election work where elections are being held, for discussing any matters pertaining to elections. However, the Ministers may call such Officers for discussing official matters only in their capacity as in charge of the Department concerned.

XXIX. COOPERATION OF GOVERNMENT SPARE MACHINERY:

Heads of Departments/Heads of Offices must take a note that there should be no laxity on the part of, in relieving of the requisitioned Officer, staff, machinery and other incidentals. The requisitioned Officers/staff may also be clearly briefed that they need to engage in the work assigned by the

State Election Commission in right earnest with due diligence to avoid any disciplinary action. Attention is drawn to Article 243K and 243ZA of the Constitution of India read with section 7 of the Delhi Municipal Corporation Act 1957(as amended) & Rule 94 of DMC (Election of Councillors), Rules 2012.

XXX. ELECTED REPRESENTATIVES IN TENURE When the Model Code of Conduct is in force;

1. The elected representatives of local bodies, in tenure, shall ensure that no cause is given for any complaint that they have used their official position for the purpose of the election campaign.
2. 'No buildings/rooms/offices of any local body are used by any political personalities including the Chairperson/ Councillor or Member for Political activities.
3. No Council meetings of Local bodies to be held except the meetings to discuss only the urgent requirements like natural disaster.

XXXI. TOURS OF MINISTERS

1. Provided there will be an exception when a Minister, in his capacity as in charge of the department concerned, undertakes an official visit, in connection with failure of law and order or a natural calamity or any such emergency which requires personal presence of such Ministers for the specific purpose of supervising review/ salvage/ relief and such like purpose.
2. However, immediately proceeding or during or in continuation of such an official tour, no Minister can carry out or combine any election campaign or political activity. Official work should not at all be mixed with campaigning/electioneering.
3. The Commission will keep watch on such arrangements in due consultation through the District Magistrate/ Returning Officers.
4. No Minister will summon any election related officer of the Local Body for any official discussions during the period of elections commencing with the announcement of the elections.

5. Any official who meets the Minister on his private visit to the Local Body where elections are being held shall be guilty of misconduct under the relevant provisions of the acts and rules. He shall also be additionally considered to have violated the statutory provisions and liable to penal action.
6. It is open for a Minister of the Union or State to make private visits using his or her private vehicle(s).
7. For such private visits, the official personal staff of the Ministers shall not accompany them.
8. No accommodation will be provided to any Minister, Member of Parliament, Mayor/Chairman, Councillor/Ward Member or political functionary in any Government or Public Sector Undertaking Guest House as these are required to accommodate election related officials and Observers- only exception being those provided security by Govt. in 'Z' scale.
9. Official Vehicles cannot be used for electioneering work. ('Official Vehicles' include all Vehicles belonging to Government, Public Sector or Joint Sector Undertakings, Local Bodies, Marketing Boards/ Agencies, Coop. Societies, Autonomous District Councils, or any other body in which public funds, howsoever small, are invested).
10. During electioneering, no pilot car(s) or car(s) with beacon lights of any colors or car(s) affixed with sirens of any kind shall be used by any political functionary, even if State administration has granted him a security cover. (This is applicable whether the vehicle is Government owned or private owned).
11. Functionaries of autonomous organizations should not use official Vehicles for party purposes.
12. Any vehicle being misused can be confiscated.
13. It is clarified that Ministers and Public Officials, who are using official vehicles, may use their official Vehicles from their residences to their offices for official work. No Public official can combine official work with electioneering or any other political activity to justify use of official vehicle for political purposes till the Model Code of Conduct is in force.

PART -IV

COMPLAINTS /VOILATIONS/PENALTIES

XXXII.PENALTY FOR VIOLATION

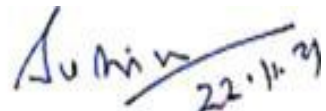
Violation of any of these provisions is punishable under laws in force. The State Election Officers, the District Magistrates, the Returning Officers and the Police are authorized to initiate prosecution against violators of any of the provisions of this code before the competent Criminal Court under the provisions of relevant Act under intimation to the State Election Commission, Delhi as per Sections 22 to 30 of Delhi Municipal Corporation Act 1957(as amended):

XXXIII.BREACHES OF OFFICIAL DUTY IN CONNECTION WITH ELECTIONS.

Breach of official Duty be dealt as per Sections 28 of Delhi Municipal Corporation Act 1957(as amended) and/or Rule 94 of Delhi Municipal Corporation (Election of Councillors), Rules 2012 (as amended):

XXXIV.OBSERVERS

The State Election Commission is appointing Observers. If the candidates or their agents have any specific complaint or problem regarding the conduct of elections they may bring the same to the notice of the Observers.



(S.K. SRIVASTAVA)
State Election Commissioner



STATE ELECTION COMMISSION
Delhi and U.T Chandigarh
NIGAM BHAWAN, KASHMERE GATE
DELHI-110006