

**MODEL CODE OF CONDUCT FOR THE GUIDANCE OF
POLITICAL PARTIES, FUNCTIONARIES AND CANDIDATES**

1. 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. Persons indulging in such activity shall have to undergo 3 years imprisonment or pay a fine of ₹.10,000/- or both. (Sec 121 of KPR Act 1994, Sec 145-KMA)
- (2) Criticism of other political parties and candidates , 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 candidates of other parties. Criticism of other parties or candidates based on unverified allegations or distorted facts 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) No Candidates or voters shall be threatened with ostracization or discriminated against on the basis of caste(Sec 120 of KPR Act 1994, Sec 144-KMA)
- (5) All parties and candidates shall avoid scrupulously all “corrupt practices” and offences such as bribing of voters, intimidation of voters, impersonation of voters, canvassing within 100 meters of polling stations in the case of Municipalities, and within 200 metres in the case of Panchayats holding public meetings during the period of 48 hours before the close of poll, and the transport and conveyance of voters to and from polling station. (Sections 120, 122, 127 of KPR Act 1994, Sections 145, 146,151-KMA)
- (6) The right of every individual for peaceful and undisturbed home-life shall be respected. Organising 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.
- (7) 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, displaying banners, affixing notices, writing slogans etc.
- (8) Posters shall not be posted on walls and cutouts shall not be erected in the compounds and the premises of Government Offices. If there is no ban against advertisements and other campaigning in such places equal opportunity shall be given to all candidates and Political parties. District Election Officers shall ensure that no public place shall be reserved for any particular political party or candidate. No publicity materials (Flags,

Banners, Posters and Cutout) shall erected causing inconvenience to the public. The expenses on advertisements should be included in the election expenses of the candidate.

- (9) If complaints regarding defacement of public and private spaces by erecting advertisements and slogans are received by the District Election Officers, the DEO shall serve written notice for removal of the same. Even after receipt of such notice if advertisements are not removed, the DEO shall take necessary action or removal of the same and the expenses in this regard shall be included in the candidates election expenses.

10 Grounds of Educational Institutions shall not be used for election campaigning

II. Meetings

- (1) The party or candidate shall inform the local police authorities of the venue and time 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) Candidates and political parties should ensure that their supporters do not create obstructions in or break up meetings and processions organised 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 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.
- (3) 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.
- (4) Those who disrupt meetings and indulge in unruly behaviour shall have to undergo two months Imprisonment or ₹1,000/- or both (Sec.123 of Kerala Panchayat Raj Act /147 of Kerala Municipality Act). This is applicable all meetings from the date of declaration of election to the date of polling.
- (5) If permission or license is to be obtained for the use of loudspeakers or any other facility in connection with any proposed meeting, the party or candidate shall apply to the authority concerned well in advance and obtain such permission or license.
- (6) If permission is granted to conduct meeting in Government Offices under the control of Local Self Government Institutions, equal opportunity shall be given to all political parties. All campaign materials shall be removed from the place as soon as the meeting come to an end.
- (7) Playgrounds of Educational Institutions shall not be used for meetings related to election

III Procession

Meetings and procession shall be conducted on the basis of existing rules and regulations and complying with the orders of the Hon'ble High Court and Hon'ble Supreme Court.

IV. Printing of Pamphlets and Posters

The conditions laid down in Section 124 of Kerala Panchayat Raj Act 1994 and Section 148 of Kerala Municipality Act 1994 shall be followed by political parties, candidates and printing presses, when printing and publishing pamphlets and posters. The name and address of the candidate and the publisher shall be printed on the top of pamphlets and posters. In order to identify the publisher before printing, the publisher shall give a declaration in prescribed form to the candidate after getting the same attested by two persons, and the candidate after printing such posters shall forward a copy of the poster along with the declaration to the DEO. Failure to do so will attract a jail term of 6 months or a fine of ₹2,000/- or both. Moreover, details of advertisements hoardings and banners erected shall be informed to the Returning Officer in the prescribed form.

V. Advertisements in Print & Audio Visual Media

Advertisements in Television, Print, Radio and Social Media shall be given as per Rules and defamatory campaigning should be avoided.

VI. Vehicles

If Loud Speakers have to be fitted to campaign vehicles, it should be done in compliance of Motor Vehicle Act and relevant rules. Modifications to campaign vehicles and video campaign vehicles shall be done only after getting clearances from the Motor Vehicle Department.

VII Polling day

1. All Political parties and candidates shall 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. Political parties shall distribute badges and identity cards to all authorised party workers.
3. The slips distributed to voters shall be in white color and shall not contain the candidates and political party name of symbol.
4. Use of masks having the name of political party and symbol within 200 meters of the polling station in the case of Panchayat and within 100 meters of the polling station in the case of Municipalities is prohibited.
5. Refrain from serving or distributing liquor on polling day and during the forty eight hours preceding it.

6. 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.
7. Ensure that the candidate's camps shall be simple. Food items shall not be distributed in camps.
8. Co-operate with the authorities in complying with the 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.

VIII. Polling Booth

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

IX. 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 Observer.

X. Party in Power

1. The party in power whether in State or in the Local Self Government Institutions concerned, shall ensure 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, MLAs and Mayors 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 vehicles shall not be used exclusively for the party in power.
2. Public places, play grounds and helipads shall not be monopolized by the party in power or its candidates and such it shall be allowed to be used by other parties and candidates in a fair manner.
3. Rest Houses and Guest Houses shall not be used as a campaign office or a meeting place
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, MPs, MLAs, Mayors, Deputy Mayors, Chairpersons Deputy Chairpersons, Panchayat Presidents, Standing Committee Chairman and other authorities shall not sanction grants/payments out of discretionary funds from the time elections are announced by the Commission; and
6. From the time elections are announced by Commission, Ministers, MPs, MLAs, Mayors, Deputy Mayors, Chairpersons Deputy Chairpersons, Panchayat Presidents, Standing Committee Chairman and other authorities shall not –
 - a. announce any financial grants in any form or promises thereof; or select any beneficiaries
 - b. lay foundation stones etc. of projects or schemes of any kind or make any promise of construction of roads, provision of drinking water facilities etc.; or
 - c. 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.

XI. Employees of State and Central Government Departments and employees of Local Self Government Institutions shall not participate in campaigning. Working as candidates agents or polling agent or counting agent is a punishable offence.

XII Printing of dummy ballots

The candidates or political parties can print dummy ballot paper. But the dummy ballot shall not have the size and cover as that of the original ballot paper. For Grama Panchayats/Municipalities the ballot papers are white, for Block Panchayat ballot papers are printed in Pink and for District Panchayat ballot papers are printed in Blue. Therefore dummy ballots can be printed in any other colors except white, Pink and Blue..

XIII. Date in which MCC comes into force

The Model Code of Conduct shall come into force with effect from the date of declaration of election.

FREQUENTLY ASKED QUESTIONS (FAQs)

MODEL CODE OF CONDUCT

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

Ans. The Model Code of Conduct for guidance of political parties and candidates is a set of norms which has been evolved with the consensus of political parties who have consented to abide by the principles embodied in the said code and also bind them to respect and observe it in its letter and spirit.

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

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

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

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

Q. 4. What is applicability of code during general elections and bye-elections?

Ans. a. During general elections to the Local Self Government Institutions the code is applicable to all Local Self Government Institutions throughout the state.

b. During bye-election

- i) In a constituency of a Grama Panchayat, the code is applicable in the entire Grama Panchayat.
- ii) In a constituency of Block Panchayat or District Panchayat it is applicable to the whole of Grama Panchayat which comprises the constituency of Block Panchayat or District Panchayat even if only one constituency of Grama Panchayat is comprised within the constituency of Block or District Panchayat where bye-election is to be held.
- iii) In award of a Municipality or a Municipal Corporation, it is applicable in the ward concerned.

ON OFFICIAL MACHINERY**Q. 5. Whether a Minister or an officer bearer of Local Self Government Institutions can combine his official visit with electioneering work?**

Ans. No.

The Ministers shall not combine their official visit with electioneering work and shall not also make use of official machinery or personnel during the electioneering work.

Q. 6. Whether Govt. transport can be used for electioneering work?

Ans. No.

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

Q. 7. Whether Govt. can make transfers and postings of officials who are related to electionwork?

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

Q. 8. Whether a Minister of Union or State, can summon any election related officer of the constituency or the State for any official discussion during the period of elections?

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

Q.9. Can an official meet a Minister or minister on his private visit to the Constituency where elections are being held?

Ans. No. Any official who meets the Minister on his private visit to the constituency shall be guilty of misconduct under the relevant service rules.

Q. 10. Whether Ministers or any other political functionaries can use pilot car with beacon lights affixed with siren?

Ans. Minister or any other political functionary is not allowed during election period, to use pilot car or car with beacon lights (of any colour or car affixed with sirens of any kind whether) on private or official visit

Q. 11. Whether Ministers are entitled for official vehicle during the election?

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

ON WELFARE SCHEMES, GOVERNMENT WORKS ETC.

Q. 12. Is there any restriction on issue of advertisement at the cost of public exchequer regarding achievements with a view to furthering the prospects of the party in power?

Ans. Yes.

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

Q. 13. Whether hoardings/advertisements etc. depicting then achievements of the parties in power at Centre/State Governments at the cost of public exchequer have to be remarked?

Ans. Yes.

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

Q. 14. Whether a Minister or any other authority can sanction grants/ payments out of discretionary funds?

Ans. No.

Ministers and other authorities shall not sanction grants/payments out of discretionary funds from the time elections are announced.

Q. 15. Suppose work order has been issued in respect of a scheme or a programme. Can it be started after announcement of election programme?

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

Q. 16. Whether fresh release of funds under MPs/MLAs Fund of any scheme can be made?

Ans. No.

Fresh release of funds under MPs/MLAs/MLCs Local Area Development Fund of any scheme shall not be made in any area where election is in progress, till the completion of the election process.

Q. 17. There are various rural development programmes/schemes of Central government (like Indira AwasYojana, SampoornaGrameenRozgarYojana, Swarnjayanti Gram SwarozgarYojana, National Food for Work programme, National Rural Employment Guarantee Act). Are there any guidelines for implementation of these schemes/programmes?

Ans. Yes.

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

(a) Indira AwasYojana (IAY)others BSUP, PMAY, LIFE, RAY

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

(b) Road Development Projects(SampoornaGrameenRozgarYojana (SGRY) Atal Mission for rejuvenation and urban transformation and AMRUT/Smart City

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

(c) Self Employment Scheme/Pradhanamandri Street Vendor Aadmanirbhar Nidhi (PMSVAN Scheme)

Only those groups which have received part of their subsidy/grant will be provided the balance installments. No fresh individual beneficiaries or Self Help Groups will be given financial assistance till the elections are over.

(d) Mahatma Gandhi National Employment Rural Guarantee Scheme (MGNREGS)/Ayyankali Employment Gurantee Scheme (AUEGS)

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

Q. 18. Whether a Minister or any other authority can announce any financial grants in any form or promises thereof or lay foundation stones etc. of projects or schemes of any kinds etc.?

Ans. No.

Ministers and other authorities shall not announce any financial grants in any form or promises thereof; or (except civil servants) lay foundation stones etc. of projects or schemes of any kind; or make any promise of construction of roads, provision of drinking water facilities etc. or make any ad-hoc appointments in Government, Local Self Government Institutions etc.

Q. 19. A budget provision has been made for a particular scheme or the scheme has been sanctioned earlier. Can such scheme be announced or inaugurated?

Ans. No.

Inauguration/announcement of such scheme is prohibited during election period.

Q.20. Suppose work order has been issued in respect of a scheme or a programme. Can it be started after announcement of election programme?

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

Q. 21. Is there any bar to release of payments for completed work?

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

Q.22. Whether relief can be granted to those affected by natural calamities

Ans. Relief can be granted to those affected by natural calamities with the concurrence of the State Election Commission. However programmes which gives political mileage to the ruling party shall not be conducted.

Q. 23. Whether tenders, auctions etc. relating to matters such as liquor vends, Tobacco leaves and other such cases can be processed?

Ans. No.

Processing of such cases should be deferred till the completion of election process in the concerned areas and the Govt. may make interim arrangements where unavoidably necessary.

Q. 24. Whether financial institutions funded, partially or wholly by the Governments can write off loans advanced to any individual, company, firm, etc.?

Ans. No.

The financial institutions funded, partially or wholly by the Governments shall not take recourse to writing off loans advanced to any individual, company, firm, etc. Also, financial limits of such institutions, while granting or extending loans, should not be enhanced by issuing of loans indiscriminately to beneficiaries.

Q. 25. Whether meeting of Municipal Corporation, Nagar Panchayat, Town Area Committee, etc. can be convened to review the revenue collection and preparing draft annual budget etc?

Ans. Yes.

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

Q. 26. Can Central/State Government Ministers, office bearers of Local Self Government Institutions attend programmes related to Martyrs day, Sadbhavana Din and Birthday celebrations of important leaders?

Ans. Yes.

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

Q.27 . Whether film or documentaries related to the birth and death of important political leaders can be telecast

Ans.No

Q. 28. Whether media campaign made for effective implementation of statutory warnings against cigarettes and tobacco products have to be stopped.

Ans.No

However photos/messages of political personalities shall not be associated with the campaign.

Q. 29. Can Governor, Chief Minister, and Ministers attend for convocation function of Universities and Institutions?

Ans.Governor can attend, but Chief Minister and Ministers shall not attend.

Q. 30. Can parole be granted to jailed convicts?

Ans.If Government feels that granting parole to a convict is unavoidable, it may do so in consultation with the State Election Commission.

Q.31. Whether minimum support price of agricultural products can be determined?

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

Q. 32. Whether the Government can proceed and act upon the following indicative illustrative list of items, which is not exhaustive, without obtaining clearance/approval from the Election Commission?

- 1.Extension of term of employees who are not engaged in election duties
- 2.Issuing advertisement regarding pulse polio immunization programme,
3. Making appointments under compassionate employment rules on the basis of Court Orders
- 4.Providing additional charge of office of one officer to another one
- 5.Seeking funds from National Disaster fund for dealing with emergencies like droughtflood Covid Pandemic etc., Appointment of high level officers committee for supervision of associated works.
6. Promotion of officials by convening DPC and filling regular posts falling due to retirement, deputation, etc.,

7. Maintenance of buildings and offices under the control of Government and LSGIs.
8. Replacement/repair or damaged water supply distribution pipes,
9. To issue work order of construction of public facilities and public toilets on BOT basis in pursuance of Court's directions,
10. Conducting elections to College Union
11. Clearance of unauthorized structure/land as per orders of Court,
12. Giving awareness to labour laws
13. Release of advertisement for activities relating to control of HIV/AIDS,
14. Removal of sand from waste water drains and ponds
15. Implementing schemes for sanitation and mosquito eradication
16. Transfer/posting of doctors,
17. To shift criminals from one jail to other jail in pursuance of Court's orders,
18. To purchase medicine and equipment's for hospitals for which grants have already been sanctioned and tenders for which were already called for.

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

Q. 33. Whether the Government can proceed and act upon the following indicative illustrative list of items, which is not exhaustive, without obtaining clearance from the Commission?

- (i) Issue of appointment order to a person as a part time non-official Director on the board of PSU after Cabinet's approval.
- (ii) Sanctioning of grants From Consumer Welfare fund to eligible voluntary consumer organizations as per guidelines.
- (iii) Publication of a booklet titled "Year of Achievement of the Department" highlighting the salient achievement of the Department,
- (iv) Anganwadi Karyakartri Bima Yojana, an insurance scheme under the LIC's social security group scheme for anganwadi workers and helpers,

Ans. No.

The processing of aforesaid items may be deferred till the completion of elections.

ELECTION CAMPAIGN

Q. 34. What are the main guidelines for political parties/candidates while making election campaign?

Ans. During the election campaign, no party or candidate shall indulge in any activity which may aggravate existing differences or create mutual hatred or cause tension between different castes and communities, religious or linguistic. Further, criticism of other political parties, when made, shall be confined to their policies and programme, past record and work. Parties and candidates shall refrain from criticism of all aspects of private life, not connected with the public activities of the leaders or workers of other parties. Criticism of other parties or their workers based on unverified allegations or distortion shall be avoided.

Q. 35. Are there any restrictions in using religious places for election propaganda?

Ans. Yes.

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

Q. 36. Can a candidate go to the office of Returning Officer for filing a nomination with a procession?

Ans. No.

The maximum number of vehicles that will be allowed to come within the periphery of 100 mtrs. of Returning Officer's office has been restricted to 3 and maximum number of persons that will be allowed to enter the office of Returning Officer has been limited to 5 (including the candidate).

Q. 37. How many persons are allowed at the time of scrutiny of nominations by the Returning Officer?

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

Q. 38. Whether there is any restriction for plying of vehicles for electioneering purposes?

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

Q.39. Whether a vehicle for which permit has been taken for one candidate can be used for the campaign of another candidate?

Ans: No

A vehicle for which permit has been taken for one candidate cannot be used for the campaign of another candidate.

Q. 40. Are there any guidelines regarding use of vehicles by ministers/political functionaries/ candidates, who have been provided security cover by the State?

Ans. Yes.

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

Q.41. Whether a vehicle for which permit has not been taken from the District Election Officer and Returning Officer be used for campaigning?

Ans: No

Such vehicles shall be treated as unauthorised vehicles and action taken. Such vehicles shall not be used for further campaigning.

Q. 42. Whether there is any restriction on use of educational institutions including their grounds (whether Govt. aided, Private or Govt.) for political campaigns and rallies?

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

Q. 43. Is there any restriction on displaying poster, placard, banner, flag etc of the party concerned or the candidate on a public property?

Ans. Candidate may display poster, placard, banner, flag etc of the party concerned or the candidate on a public property subject to provisions of local law.

Q. 44. If local law/bye-laws permit wall writings and pasting of posters, putting up hoardings, banners etc. on private premises/properties, is it necessary to obtain prior written permission from the owner of the premises/properties?

Ans. Yes.

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

Q.45. Can advertisements and flags of candidates of political parties be displayed in campaign vehicles?

Ans: They can be displayed subject to the provision of Motor Vehicle Act

Q. 46. Is there any restriction or use of rest houses or other Govt. accommodation for campaign office or for holding any public meeting for the purpose of election propaganda?

Ans. Yes.

Rest houses or other Govt. accommodation shall not be monopolized by the party in power or its candidates and such accommodation shall be allowed to use by other parties and candidates but no party or candidate shall be allowed to use as campaign office. Further, it shall be ensured that –

- (i) even casual meeting by Members of political parties inside the premises of the Government owned guesthouse etc. are not permitted and any violation of this shall be deemed to be a violation of the Model Code of Conduct,
- (ii) rooms should not be made available for more than 48 hours to any single individual, and
- (iii) 48 hours before the close of poll in any particular area, there will be freeze on such allocations till completion of poll or re-poll.

Q. 47. Whether dummy ballot units of EVM can be prepared by the candidate for the purpose of educating the voters?

Ans. Yes.

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

Q. 48. Whether a candidate can print and distribute the diary/calendar/sticker depicting his image or image of Gods/ deities etc.

Ans. No.

This will amount to bribery under section 171E of Indian Penal Code.

Q.49. Is there any restriction in the use of plastic/flex in election campaign?

Ans: Yes,

Due to issues related to environmental pollution, political parties shall prepare campaign materials by avoiding plastic and flex

Q. 50. Is there any restriction on the printing of pamphlets, posters etc?

Ans. Yes. Candidate shall not print or publish, or cause to be printed or published any election pamphlet or poster which does not bear on its face names and addresses of the printer and the publisher thereof. A copy of this shall be submitted to the concerned District Election Officer

Q. 51. Is wearing of special accessories like cap, mask, scarf etc. of a candidate permitted during the campaigning?

Ans. Yes.

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

Q. 52. Whether there is restriction to display to the public any election matter by means of cinematograph, television or other similar apparatus?

Ans. Yes.

Candidate cannot display to the public any election matter by means of cinematograph, television or other similar apparatus during the period of 48 hours ending with the hour fixed for the conclusion of poll.

Q. 53. Are there any restriction for a candidate/political party from setting up temporary offices during election?

Ans. Such temporary offices shall not be opened in public places and private properties, hospitals, place of worship etc., , In the case of Panchayats, offices shall not be opened within 200 meters of the polling station and in the case of Municipalities such offices shall not be opened within 100 meters of a polling station.

Q. 54. Is there any restriction on the presence of political functionaries in a constituency after campaign period is over?

Ans. Yes.

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

Q. 55. Whether there is any restriction for holding public meeting or taking out processions?

Ans. Yes.

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

Q. 56. Whether loudspeakers can be used for public meetings or for processions or for general propaganda without obtaining permission from Police authorities?

Ans. No.

Prior written permission should be obtained from the concerned police authorities for using loudspeakers. Loudspeaker cannot be used at night between 10.00 P.M. and 6.00 A.M.

Q. 57. What is the deadline after which no public meetings and processions can be taken out?

Ans. Public meetings cannot be held after 10 PM and before 6.00 AM. Further, Candidate can not hold public meetings and processions during the period of 48 hours ending with the hour fixed for the conclusion of poll.

Q. 58. Whether there are any guidelines for political parties/candidates for issue of unofficial identity slips to voters?

Ans. Yes.

The unofficial identity slip, on white paper, shall contain only the particulars of the voter i.e. name, Serial number of voter, part No. in the electoral roll, Sl.no. and name of Polling Station and date of Poll. It should not contain the name of candidate, his photograph and symbol.

Q.59. Who can be appointed as polling agents by candidates?

Ans: Those who are ordinary residents of the constituency and voters in that ward can be appointed as polling agents. They shall also be given a photo affixed ID card.

Q. 60. Whether Opinion poll or Exit poll can be conducted, published, publicized or disseminated at any time?

Ans. No.

The result of any opinion poll or exit poll conducted shall not be published, publicized or disseminated in any manner by print, electronic or any other media, at any time- (a) during the period of 48 hours ending with the hour fixed for closing of poll in an election held in a single phase; and (b) in a multi- phased election at any time during the period starting from 48 hours before the hour fixed for closing of poll in the first phase of the election and till the poll is concluded in all the phases.

Q. 61. Whether there is any restriction for transmitting Short Messages Service (SMSs)?

Ans. Yes.

Transmitting objectionable messages on SMSs during election is prohibited. For objectionable SMSs which may violate the law. The police authorities shall take action under the law.

POLL DAY

Q. 62. Are there any guidelines for setting up of election booth by candidate/political parties near polling station on the day of poll?

Ans. Election booth can be set up beyond a distance of 100 meters in respect of election to municipalities and Municipal Corporations and 200 meters in respect of Panchayats from the polling stations. Written permission must be available with the persons manning the booth for production before the Police/election authorities concerned on demand.

Q.63. Is there any restriction of canvassing in or near polling station?

Ans. Yes.

Canvassing for votes etc. within a distance of 100 meters in respect of Municipalities and 200 meters in respect of Panchayats from the polling station is prohibited on the day of poll.

Q. 64. Whether the use of mobile phone is allowed in the polling station?

Ans. Only Observer/Micro Observer, Presiding Officer and security personnel are allowed to carry mobile phone but they will keep their mobile phones in silent mode.

Q. 65. Whether Political Party/Candidate can make arrangements for transporting voter to and from Polling Station?

Ans. No.

Any arrangement, direct or indirect, to carry any voter to or from polling station by any kind of vehicle used for transport is a criminal offence.

Q.66. Is there any restriction in Governor's speech in the Legislative Assembly

Ans. No

