

# **GENERAL ELECTION 2015**

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



**STATE ELECTION COMMISSION,  
KERALA**

**2015**

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

**1. General Conduct**

- (1) No party or candidate shall include 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 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 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 such as bribing of voters, intimidation of voters, impersonation of voters, canvassing within 100 meters of polling stations, holding public meetings during the period of 48 hours ending with the hour fixed for the close of the poll, and the transport and conveyance of voters to and from polling station.
- (5) 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.
- (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 meetings and processions organised by other parties. Workers or sympathisers of one political party shall not create disturbances at public meetings organised 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.

## **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) 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) 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.
- (4) Organisers 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. Organisers themselves shall not take action against such persons.

## **III 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 ordinary be no deviation from the programme.
- (2) The organisers shall give advance intimation to the local police authorities of the programme so as to enable the latter to make necessary arrangement.
- (3) The organisers 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 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.
- (5) The carrying of effigies purporting to represent member of other political parties or their leaders or candidates, burning such effigies in public and such other forms demonstration shall not be countenanced by any political party or candidate.

## **IV. Polling Day**

All Political parties and candidates shall –

- (i) 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.

- (ii) refrain from serving or distributing liquor on polling day and during the forty eight hours preceding it.
- (iii) 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.
- (iv) ensure that the candidate's camps shall be simple .They shall not display any posters, flags, symbols or any other propaganda material. No eatable shall be served or crowd allowed at the camps and
- (v) 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.

### **V. Polling Booth**

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

### **VI. 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.

### **VII. Party in Power**

The party in power whether in State or in the Local Self Government Institutions concerned, shall ensure that no cause is given for any complaint that it has used its official position for the purposes of its election campaign and in particular –

- (i) 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.
- (ii) Rest houses or other Government accommodation shall not be monopolized by the party in power or its candidates 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 for the purposes of election propaganda;
- (iii) 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.

- (iv) Ministers or other authorities or people's representatives shall not sanction grants/payments out of discretionary funds from the time elections are announced by the Commission; and
- (v) From the time elections are announced by Commission, Ministers and other authorities shall not –(a) announce any financial grants in any form or promises thereof; or (b) (except civil servants) lay foundation stones etc. of projects or schemes of any kind; or (c) make any promise of construction of roads, provision of drinking water facilities etc.; or (d) make any ad-hoc appointments in Government, Public Undertakings etc. which may have the effect of influencing the voters in favour of the party in power.
- (vi) Ministers shall not enter any polling station or place of counting except in their capacity as voter.

## **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 binds 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 is also ensured that official machinery for the electoral purposes is not misused. Further, it is also ensured that electoral offences, malpractices and corrupt practices such as impersonation, bribing and inducement of voters, threat and intimidation to the voters are prevented by all means. In case of violation, appropriate measures are taken.

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

**Ans.** The Model Code of Conduct is enforced from the date of announcement of election schedule 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 throughout the state.

b. During bye-election in the constituency of a Panchayat, the code is applicable in the entire district Panchayat and in the case of a Municipality or a Municipal Corporation, it is applicable in the ward concerned.

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

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

**ON OFFICIAL MACHINERY**

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

**Ans.** No.

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

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

**Ans.** No.

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

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

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

**Q. 9. 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. 10. 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. 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.

**Q. 12. 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. 13. Whether Governor/Chief Minister/Ministers can participate and address the Convocation function of University or Institute?**

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

**Q. 14. Is there any restriction on address of Governor in the Assembly Session ?**

**Ans.** No

### **ON WELFARE SCHEMES, GOVERNMENT WORKS ETC.**

**Q. 15. 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. 16. Whether hoardings/advertisements etc. depicting then achievements of the parties in power at Centre/State Governments at the cost of public exchequer can be continued?**

**Ans.** No.

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

**Q. 17. 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. 18. 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. 19. Whether fresh release of funds under MPs/MLAs/MLCs Local Area Development Fund of any scheme can be made?**

**Ans. No.**

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

**Q. 20. There are various rural development programmes/schemes of Central government like Indira Awas Yojana, Sampoorna Grameen Rozgar Yojana, Swarnajayanti Gram Swarozgar Yojana, National Food for Work programme, National Rural Employment Guarantee Act. Are there any guidelines for implementation of these schemes/programmes?**

**Ans. Yes.**

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

**(a) Indira Awas Yojana (IAY)**

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

**(b) Sampoorna Grameen Rozgar Yojana (SGRY)**

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

**(c) Swarnajayanti Gram Swarozgar Yojana (SGSY)**

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

**(d) National Food for Work Programme(NFWP)**

There is no objection for continuance of old works.

**(e) National Employment Rural Guarantee Act (NERGA)**

The job card holders will be provided employment in the ongoing work, if they demand work, after announcement of elections. In case no employment can be provided in ongoing works, the competent authority may start new work(s) from the shelf of projects that has been approved and inform the fact to concerned District Election 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. 21. 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, Public Undertakings etc. In such case, senior Govt. Officers officers of Local Self Government Institutions may lay foundation stone etc. without involving any political functionary.

**Q. 22. 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. 23. 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. 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 tenders, auctions etc. relating to matters such as liquor vends, Tendu leaves and other such cases can be processed?**

**Ans.** No.

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

**Q. 26. 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. 27. Whether Kavi Sammelan or other cultural functions can be organized and whether political functionaries can attend the same?**

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

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

**Q. 29. Whether media campaign can be made for effective implementation of statutory warnings, etc. on sale of cigarettes and other tobacco products?**

**Ans.** Yes.

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

**Q. 30. Whether minimum support price of wheat and other agricultural products can be determined?**

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

**Q. 31. 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?**

- (i) Issuing advertisement regarding pulse polio immunization programme,
- (ii) Promotion of officials by convening DPC and filling regular posts falling due to retirement, deputation, etc.,
- (iii) Appointment of persons on compassionate grounds in pursuance of Court's orders,
- (iv) Celebration of "May-Day",
- (v) Providing additional charge of office of one officer to another one,
- (vi) Replacement/repair or damaged water supply distribution pipes,
- (vii) To issue work order of construction of public facilities and public toilets on BOT basis in pursuance of Court's directions,
- (viii) To conduct the election of college students union,
- (ix) Clearance of unauthorized structure/land as per orders of Court,
- (x) Release of advertisement for activities relating to control of HIV/AIDS,
- (xi) Transfer/posting of doctors,

- (xii) To shift criminals from one jail to other jail in pursuance of Court's orders,
- (xiii) To purchase medicine and equipments 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. 32. Whether the Government can proceed and act upon the following indicative illustrative list of items, which is not exhaustive, without obtaining clearance from the Commission?**

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

**Ans.** No.

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

### **ELECTION CAMPAIGN**

**Q. 33. 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. 34. 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. 35. 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. 36. 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. 37. 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. 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 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. 40. 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. 41. 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. 42. 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. 43. 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.

**Q. 44. 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. 45. 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. 46. Whether there is restriction to display to the public any election matter by means of cinematograph, television or other similar apparatus?**

**Ans.** Yes.

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

**Q. 47. 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. 48. Whether distribution of printed “Stepney Covers” or other similar material containing symbol of party/candidate or without depicting it, is a violation?**

**Ans.** Yes.

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

**Q. 49. 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. 50. 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. 51. Whether loudspeakers can be used for public meetings or for processions or for general propaganda without obtaining permission from Police authorities?**

**Ans.** No.

Prior written permission should be obtained from the concerned police authorities for using loudspeakers.

**Q. 52. Whether there is any time limit for using loudspeakers?**

**Ans.** Yes.

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

**Q. 53. 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. 54. 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. 55. 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. 56. 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. 57. 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.

**Q. 58. Is it necessary to obtain written permission of the concerned Government authorities or local authorities for setting up of election booth?**

**Ans.** Yes.

Written permission must be available with the persons manning the booth for production before the Police /election authorities concerned on demand.

**Q.59. 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. 60. Whether the use of mobile phone is allowed in the polling station?**

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

**Q. 61. 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. 62 . Whether there are restrictions on plying of Govt./private vehicles on the poll day?**

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

*This Model Code of Conduct and F.A.Q in English is addition to or supplementing the Model Code of Conduct published in Malayalam.*

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