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No.1/41/1/2016-Cab  
Government of India (Bharat Sarkar)  
Cabinet Secretariat (Mantrimandal Sachivalaya)  
Rashtrapati Bhawan

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Dated January 31<sup>st</sup>, 2017

OFFICE MEMORANDUM

**Subject:-** Reference received from Election Commission of India.

The undersigned is directed to enclose herewith a copy of Election Commission of India (ECI) letter No. 437/6/ECI/INST/FUNCT/MCC/2017-MCC&BE/618 dated 27.1.2017 regarding "General Elections to State Legislative Assemblies of Goa, Manipur, Punjab, Uttar Pradesh & Uttarakhand – Model Code of Conduct", enclosing therewith a copy of instructions of the ECI contained in letter No. 437/6/INST/2014-CC&BE dated 23.4.2014.

2. It is requested that the contents of above letters may be disseminated to all concerned for strict compliance.

Encl: as above

*Deepti*  
(Deepti Umashankar)  
Joint Secretary  
Tel: 23019170

All Secretaries to the Government of India



**भारत निर्वाचन आयोग**  
**Election Commission of India**

CS-1353/17  
30/1/17

By e-mail / Evt. Manager

निर्वाचन सदन  
NIRVACHAN SADAN  
अशोक रोड, नई दिल्ली - 110 001  
ASHOKA ROAD, NEW DELHI - 110 001

No.437/6/ECI/INST/FUNCT/MCC/2017-MCC&BE

618

Dated: 27<sup>th</sup> January, 2017

To

The Cabinet Secretary  
Cabinet Secretariat,  
Rashtrapati Bhawan,  
New Delhi.

Subject:- General Elections to State Legislative Assemblies of Goa, Manipur, Punjab, Uttar Pradesh & Uttarakhand - Model Code of Conduct - Regarding

Sir,

I am directed to state , with the announcement of schedule for elections of above referred five poll bound States on 4<sup>th</sup> January, 2017, the provisions of the Model Code of Conduct have come in force and this was intimated to you vide ECI letter dated 4<sup>th</sup> January, 2017. The provisions of MCC and various instructions issued by the Commission, inter alia, provides that the party in power whether at the Central or in the State or States concerned, shall ensure that no cause be given for any complaint that it uses its position to further its prospects in any election.

2. Further, in ECI's letter No. 437/6/INST/2014-CC&BE dated 23-04-2014 (copy enclosed), addressed to you it was directed that all references of cabinet/committee of cabinet should be routed through your good office and the matters of Ministries/Departments are to be referred by the Ministry concerned. The Commission has noted that in certain cases, the Ministries /Departments took decisions, which have effect of disturbing level playing fields of poll bound states, without referring the matter to Commission, particularly by NITI Aayog, Ministry of Defence and Ministry of Finance.

3. The Commission has expressed its concerns in this matter and has directed the undersigned to request you to issue necessary instructions to all Ministries/Departments of GOI to strictly adhere to the Commission's guidelines issued vide ECI letter 23<sup>rd</sup> April, 2014 and also to ensure that ECI concurrence is taken well in time wherever it is needed.

A copy of instructions issued to all Ministries/Departments in Government of India may kindly be endorsed to Election Commission of India for information and record.

Immediately  
R. K. Srivastava  
30.01.17  
AS(AT)  
JS(DV)

supd  
30/1

Dir (CA-17)  
on file in  
21/1/17  
US(MB)

Yours faithfully  
  
(R. K. SRIVASTAVA)  
SR. PR. SECRETARY

Tel : 011-23052205-18, Fax : 011-23052223-25, Website : www.eci.nic.in

"मजबूत लोकतंत्र - सबकी भागीदारी"

27/1/17

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By Fax/Speed post/Camp Bag

# ELECTION COMMISSION OF INDIA

Nirvachan Sadan, Ashoka Road, New Delhi-110001

No.437/6/INST/2014-CC&BE

Dated: 23<sup>rd</sup> April, 2014

To

The Cabinet Secretary  
Cabinet Secretariat,  
Rashtrapati Bhawan, New Delhi.

**Subject: General Elections - Enforcement of Model Code of Conduct - Regarding.**

Sir,

I am directed to refer to the Commission's instructions of even number, dated 20<sup>th</sup> March, 2014. Whereby the Commission has directed that:-

- (i) All the references of Government of India which are proposed to be placed before the Cabinet or any Committee of the Cabinet should be routed through the Cabinet Secretariat i.e. no such references should be made directly to the Election Commission by the Ministries.
- (ii) Departments, Sub-ordinate Offices, Public Sector Undertakings, Autonomous Bodies of the Ministry/Department will make references to the Election Commission through the concerned Ministry.

Inspite of this many references are still being received in the Commission without following the above guidelines. The Commission has now again directed that

- (i) the above guidelines should be strictly followed while sending the references to the Commission.
- (ii) a Nodal Officer may be designated in the Cabinet Secretariat with whom the Commission may contact for any clarification on such references.
- (iii) atleast 48 hours should be given to the Commission to process the references on MCC matters.

The above instructions of the Commission may kindly be brought to the notice of all concerned for strict compliance.

Yours faithfully

  
(K.AJAYA KUMAR)  
PRINCIPAL SECRETARY