

Bye Election-2020 Baroda
Most Immediate Date Bound

No. 4/3/2020-1 Election
Government of Haryana
Chief Secretary Office
(Election Branch)

Dated, Chandigarh the 6th October, 2020.

To

1. All the Administrative Secretaries to Govt., Haryana.
2. All Heads of Department.
3. All the MD/CA of Boards/Corporations/ Public Sector Undertaking of Haryana.
4. The Divisional Commissioner Rohtak.
5. The Deputy Commissioner-cum- District Electoral Officer Sonapat.

Subject: -

1. Bye- Election to fill casual vacancies in Parliamentary Constituencies of Bihar and State Legislative Assembly of various States- Instruction on enforcement of Model Code of Conduct- regarding.
2. Bye-Election-Release of Funds under MPs'/MLAs' Local Area Development Scheme.

Sir/Madam,

I am directed to refer to the subject cited above and to say that the election schedule for the Bye-election 33-Baroda has been announced by the Election Commission of India. In this regard, the instructions issued by the Election Commission of India are also available at Commission's website www.eci.gov.in. It is therefore requested that instruction issued by the Election Commission of India vide letter No. 437/6/1/ECI/ INST / FUNCT/MCC/2020, dated 29.9.2020 may be complied with strictly, which can be download from website csharyana.gov.in in under election branch alongwith this letter.

Yours faithfully,


Under Secretary Election.


Endst.No.4/3/2020-1Election

Dated, Chandigarh the 6th October, 2020.

A copy is forwarded to the Chief Electoral Officer, Haryana, 30-Bays Building Sector-17, Chandigarh w.r.t. their No. 320(6)/Press Note/ Bye-Elec.-2020/2AE-4270, Dated 29.9.2020 for information.


Under Secretary Election.

A copy is forwarded to the Senior Special Secretaries / Senior Secretaries / Secretaries/Private Secretaries to Chief Minister/Dy. Chief Minister/ Ministers/ State Ministers for bringing these instructions to the notice of Hon'ble Chief Minister/ Dy. Chief Minister/ Ministers/ State Ministers. It is also requested that all concerned may be apprised of the instructions contained in the enclosed letter for strict compliance.


Under Secretary Election

To

The Senior Special Secretaries / Senior Secretaries / Secretaries / Private Secretaries to Chief Minister / Dy. Chief Minister/ Ministers / State Ministers.

Endst.No.4/3/2020-1Election

Dated, Chandigarh the 6th October, 2020.

CC: -
PS/CS
NIC

By Fax/Spl. Messenger/Speed Post
ELECTION COMMISSION OF INDIA
NIRVACHAN SADAN, ASHOKA ROAD, NEW DELHI-110001

No.437/6/1/ECI/INST/FUNCT/MCC/2020

Dated: 29th September, 2020

To

1. The Cabinet Secretary,
Government of India,
Rashtrapati Bhawan,
New Delhi.
2. The Chief Secretaries to the Government of:-
 - a) Bihar, Patna;;
 - b) Chhattisgarh, Raipur;
 - c) Gujarat, Gandhinagar;
 - d) Haryana, Chandigarh;;
 - e) Jharkhand, Ranchi;
 - f) Karnataka, Bengaluru;
 - g) Madhya Pradesh, Bhopal;
 - h) Manipur, Imphal;
 - i) Nagaland, Kohima;
 - j) Odisha, Bhubaneswar;
 - k) Telangana, Hyderabad;
 - l) Uttar Pradesh, Lucknow;
3. The Chief Electoral Officers of:-
 - a) Bihar, Patna;;
 - b) Chhattisgarh, Raipur;
 - c) Gujarat, Gandhinagar;
 - d) Haryana, Chandigarh;;
 - e) Jharkhand, Ranchi;
 - f) Karnataka, Bengaluru;
 - g) Madhya Pradesh, Bhopal;
 - h) Manipur, Imphal;
 - i) Nagaland, Kohima;
 - j) Odisha, Bhubaneswar;
 - k) Telangana, Hyderabad;
 - l) Uttar Pradesh, Lucknow;

Subject:- Bye-election to fill casual vacancies in Parliamentary Constituency of Bihar, and State Legislative Assemblies of various States- instructions on enforcement of Model Code of Conduct- regarding.

Sir,

I am directed to state that the Commission has announced, vide Press Note No. ECI/PN/67/2020, dated 29th September, 2020, schedule for bye-election to fill casual vacancies from the following Parliamentary/Assembly Constituencies in the various States :-


Name of the State	Name & No. of Constituency
Bihar	1-Valmiki Nagar Parliamentary Constituency
Chhattisgarh	24-Marwahi (ST) Assembly Constituency
Gujarat	01-Abdasa Assembly Constituency
	61-Limbdi Assembly Constituency
	65-Morbi Assembly Constituency
	94-Dhari Assembly Constituency
	106- Gadhada (SC) Assembly Constituency
	147-Karjan Assembly Constituency
	173- Dang (ST) Assembly Constituency
Haryana	181-Kaprada (ST) Assembly Constituency
	33-Baroda Assembly Constituency

Jharkhand	10-Dumka (ST) Assembly Constituency 35- Bermo Assembly Constituency
Karnataka	136-Sira Assembly Constituency 154- Rajarajeshwarinagar Assembly Constituency
Madhya Pradesh	04-Joura Assembly Constituency 5-Sumawali Assembly Constituency 6-Morena Assembly Constituency 7-Dimani Assembly Constituency 8-Ambah (SC) Assembly Constituency 12-Mehgaon Assembly Constituency 13-Gohad (SC) Assembly Constituency 15-Gwalior Assembly Constituency 16-Gwalior (East) Assembly Constituency 19-Dabra (SC) Assembly Constituency 21-Bhander (SC) Assembly Constituency 23-Karera (SC) Assembly Constituency 24-Pohari Assembly Constituency 28-Bamori Assembly Constituency 32-Ashok Nagar (SC) Assembly Constituency 34-Mungaoli Assembly Constituency 37-Surkhi Assembly Constituency 53- Malhara Assembly Constituency 87-Anuppur (ST) Assembly Constituency 142-Sanchi (SC) Assembly Constituency 161-Biaora Assembly Constituency 166-Agar (SC) Assembly Constituency 172-Hatpipliya Assembly Constituency 175-Mandhata Assembly Constituency 179-Nepanagar (ST) Assembly Constituency 202-Badnawar Assembly Constituency 211-Sanwer (SC) Assembly Constituency 226-Suwasra Assembly Constituency
Manipur	30-Lilong Assembly Constituency 34-Wangjing Tentha Assembly Constituency
Nagaland	14-Southern Angami-I (ST) Assembly Constituency 60-Pungro-Kiphire (ST) Assembly Constituency
Odisha	38-Balasore Assembly Constituency 102-Tirtol (SC) Assembly Constituency
Telangana	41-Dubbak Assembly Constituency
Uttar Pradesh	40- Naugawan Sadat Assembly Constituency 65-Bulandshahr Assembly Constituency 95-Tundla (SC) Assembly Constituency 162- Bangermau Assembly Constituency 218-Ghatampur (SC) Assembly Constituency 337- Deoria Assembly Constituency 367-Malhani Assembly Constituency

2. The provisions of the Model Code of Conduct have come into force with immediate effect in the district(s) in which the whole or any part of the Parliamentary/Assembly Constituency going for bye-election is comprised, subject to partial modification as issued by Commission vide its letters No. 437/6/INST/2016-CCS dated 29th June, 2017 and No. 437/6/MISC/ECI/LET/FUNCT/MCC/2017 dated 18th January, 2018 (copies enclosed).

3. This may be brought to the notice of all concerned.

Yours faithfully,


(NARENDRA N. BUTOLIA)
SR. PRINCIPAL SECRETARY



भारत निर्वाचन आयोग
Election Commission of India

निर्वाचन सदन
NIRVACHAN SADAN

अशोक रोड, नई दिल्ली - 110 001
ASHOKA ROAD, NEW DELHI - 110 001

No. 437/6/INST/2016-CCS

Dated: 29th June, 2017

To,

1. The Chief Electoral Officers of all States and Union Territories.
2. The Chief Secretaries of all States and Union Territories.
3. Recognized political parties of all States/UTs

Subject:- Model Code of Conduct- instructions- bye-election of Parliamentary/Assembly Constituency -regarding.

Sir,

On the above cited subject, I am directed to state that the Commission has reviewed the issue and has issued the following modifications of its earlier instructions:-

1. Enforcement of MCC

The Commission's instructions, contained in letters No. 437/6/INST/2012/CC&BE dated 26.04.2012 and No. 437/6/INST/2012/CC&BE dated 21.10.2013, list various provisions of applicability of MCC to the concerned district or the AC/PC concerned. These instructions are modified to the extent that in case the constituency is comprised in State Capital/Metropolitan Cities/Municipal Corporations, then aforesaid instructions would be applicable in the area of concerned Constituency only. In all other cases the MCC would be enforced in the entire district(s) covering the Constituency going for bye-election(s).

2. Publishing of Advertisements

The Commission on 25th June, 2013, directed that the release /publishing of advertisements during the period of operation of Model Code of Conduct in connection with bye-elections would be regulated as follows:-

- (i) Advertisement of general nature in connection with specific occasions of importance may be published. However, such publishing shall be restricted to the dates coinciding with the special occasion only, and it shall not be published on other days. The advertisement shall not bear photographs of any Minister and other political functionaries.
- (ii) No advertisement having any specific/pointed reference or connotation to the areas covered by the bye-election constituencies shall be released/published on any date during the period.

Further, it is clarified that no new schemes should be advertised in the districts where the bye-election is being conducted. [Subpara (ii) above] stands modified].

3. Tours of Ministers

During bye elections from any constituencies, either Parliamentary or Assemblies, the following restrictions are applicable as per instruction issued by the Commission on 23rd November, 2007 with regard to the tours of Ministers which inter alia provides that:-

- (i) All Ministers, whether Central or State, shall not combine in any manner their official tours with election work after the announcement of the bye elections. All and any visits to the district(s) where bye-election is being held and where Model Code of Conduct is, therefore, in force, have to be completely private in nature.
- (ii) In case where a Minister travelling on official work transits through the district(s) where the bye-election is being held en route to any other district on official visit, he shall not attend to any political work.

Further, it is clarified that the Ministers or persons holding equivalent rank/status cannot combine their official visit with campaign by en routing their journey for official purposes to a place where MCC is not in force and then proceeding from that place to the area where MCC is in force for election campaign. In case it is done, the entire journey expense shall be treated as election expense. [subpara (ii) above stands modified].

4. Regarding Transfer/Posting of Officers

For all officers, who are connected with the conduct of bye-election in the State, the existing ECI's instructions on implementation of transfer policy be applied within the area falling under the concerned AC/PC. While implementing this policy the DEO/RO should take care that in case of deployment of any officer from outside the constituency for any election related duty, shall also conform to the transfer policy of the Commission.

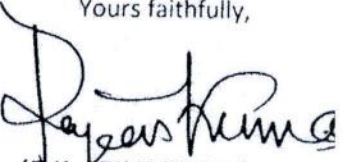
5. Regarding Announcement of D.A.

There is no ECI's instruction in the context of bye-election prohibiting State Governments to take decisions which have State wide effect and consequently in the Constituency concerned.

The Commission, after taking into consideration all relevant factors in this regards, has decided that announcement of D.A. by the state government may be done as a routine affair but it should not be publicized as the Government's achievement.

Kindly inform all concerned and give due publicity and ensure compliance in letter and spirit.

Yours faithfully,


(R.K. SRIVASTAVA)
SR. PB. SECRETARY

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P. 95800
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ELECTION COMMISSION OF INDIA

NIRVACHAN SADAN, ASHOKA ROAD, NEW DELHI-110001

No.437/6/MISC/ECI/LET/FUNCT/MCC/2017

235-270

Dated: 18 January 2018

To

The Chief Electoral Officers of
All States and Union Territories.

Subject: -Clarification regarding enforcement of MCC during bye-election - regarding.

Sir,

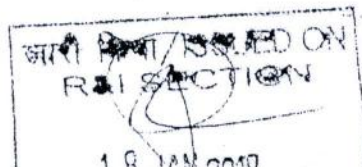
I am directed to refer to the Commission's letter No. 437/6/INST/2016-CCS dated 29th June, 2017 regarding application of Model Code of Conduct wherein it has been stated that in case the constituency is comprised in State Capital/Metropolitan Cities/Municipal Corporations, then MCC instructions would be applicable in the area of concerned Constituency only. In all other cases aforesaid instructions would be enforced in the entire district(s) covering the Constituency going for bye-election(s). (Copy enclosed for ready reference)

In this connection, a clarification was sought for by Returning Officer, Ajmer Parliamentary Constituency in Rajasthan, whether the MCC was to be enforced in the entire district of Jaipur or only in the Dudu Assembly segment of Jaipur District during the ensuing bye-election to Ajmer Parliamentary Constituency. Since Jaipur district has in it state capital, municipal corporation, metropolitan city as well as rural area. The Commission considered the matter and clarified that in order to avoid dislocation/disturbance of normal administrative work in Jaipur District, MCC would be enforced only in Dudu Assembly segment of Jaipur district.

Now, the Commission has decided that above direction shall be applied in all future bye-elections in the Country involving State Capital/Metropolitan Cities/Municipal Corporations. Accordingly, any district in which Corporation/ Metro/Municipal Corporation is located, MCC would be enforced in the particular Assembly Constituency Segment only and not in the whole of the district.

o/c

Yours faithfully,



(NARENDRA N. BUTOLIA)
PRINCIPAL SECRETARY



भारत निर्वाचन आयोग सचिवालय
SECRETARIAT OF THE ELECTION COMMISSION OF INDIA

निर्वाचन सदन, अशोक रोड, नई दिल्ली-110001
Nirvachan Sadan, Ashoka Road, New Delhi-110001.

No.437/6/MISC/ECI/LET/FUNCT/MCC/2019

Dated: 14th October, 2019

To

1. The Chief Secretaries of all States and Union Territories.
2. The Chief Electoral Officers of all States and Union Territories.


Subject: - Clarification regarding enforcement of MCC during bye-election - regarding.

Sir/Madam,

I am directed to refer to the Commission's Instructions issued vide letter No. 437/6/INST/2016-CCS dated 29.06.2017 and to state that the Commission has been receiving various requests seeking clarifications regarding enforcement of MCC during bye-elections where a small number of polling stations of the Constituency fall under jurisdiction of other district(s).

The Commission has considered the matter and directed that the instructions contained in the para-1 of the aforesaid letter shall cover the district in which all or maximum number of polling stations of constituency going to bye-election are located. For the district(s) with number of polling stations less than 10% of the total polling stations of the constituency concerned, the instructions contained in the para-1 of the aforesaid letter would be applicable only in the area under jurisdiction of those polling stations. However, it must be ensured that the other instructions regarding deployment of staff, etc., are strictly observed in all districts irrespective of number of polling stations situated therein.

Yours faithfully,


(NARENDRA N. BUTOLIA)
PRINCIPAL SECRETARY

ELECTION COMMISSION OF INDIA

NIRVACHAN SADAN, ASHOKA ROAD, NEW DELHI-110001

No.437/6/1/ECI/INST/FUNCT/MCC/2020

Dated: 29th September, 2020

To

1. The Cabinet Secretary,
Government of India,
Rashtrapati Bhawan,
New Delhi.
2. The Secretary to the Government of India,
Department of Programme Implementation,
Sardar Patel Bhawan,
New Delhi.
3. The Chief Secretary to the Government of :-
 - a) Bihar, Patna;;
 - b) Chhattisgarh, Raipur;
 - c) Gujarat, Gandhinagar;
 - d) Haryana, Chandigarh;;
 - e) Jharkhand, Ranchi;
 - f) Karnataka, Bengaluru;
 - g) Madhya Pradesh, Bhopal;
 - h) Manipur, Imphal;
 - i) Nagaland, Kohima;
 - j) Odisha, Bhubaneswar;
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4. The Chief Electoral Officer of
 - a) Bihar, Patna;;
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 - i) Nagaland, Kohima;
 - j) Odisha, Bhubaneswar;
 - k) Telangana, Hyderabad;
 - l) Uttar Pradesh, Lucknow;

Subject: - Bye-Election-Release of funds under MPs'/MLAs' Local Area Development Scheme.

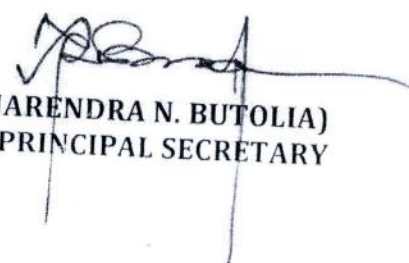
Sir,

I am directed to refer to the Commission's Press Note, dated 29th September, 2020 (available at ECI's web-site:- "<https://eci.nic.in/>"), announcing schedule for bye-elections to fill casual vacancies in Parliamentary Constituency of Bihar, and State Legislative Assemblies of various States and to state that with this announcement of bye-election, the provisions of Model Code of Conduct for the guidance of the Political Parties and Candidates have come into force with immediate effect.

2. The matters relating to the release of funds under the Member of Parliament Local Area Development Schemes shall be dealt with in pursuance of the Commission's letter No. 437/6/INST/2016-CCS dated 29th June, 2017, regarding enforcement of Model Code of Conduct during bye-election, which inter-alia provides that-

- a) No fresh release of funds under the Member of Parliament (including Rajya Sabha members) Local Area Development fund shall be made in any part of the district(s) in which the Assembly/Parliamentary Constituency is situated where election is in progress, till the completion of election process. In case the constituency is comprised in the State Capital/Metropolitan Cities/Municipal Corporations, the aforesaid instructions shall be applicable in the area of concerned Constituency only. Similarly no fresh release of funds under the MLAs'/MLCs' Local Area Development Fund shall be made, if any such scheme is in operation, till the completion of election process.
- b) No work shall start, in respect of which, work orders may have been issued before the issue of this letter but the work has actually not started in the field. These works can start only after the completion of election process. However, if a work has actually started, that can continue.
- c) There shall be no bar to the release of payments for completed work(s) subject to the full satisfaction of the concerned officials.
- d) Where schemes have been cleared and funds are provided or released and materials procured and reached the site such scheme may be executed as per programme.

Yours faithfully,


(NARENDRA N. BUTOLIA)
SR. PRINCIPAL SECRETARY