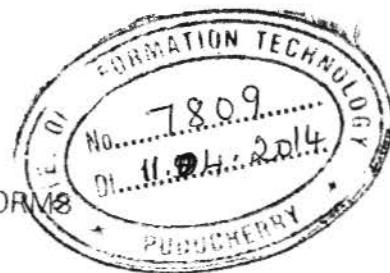


GOVERNMENT OF PUDUCHERRY
DEPARTMENT OF PERSONNEL & ADMINISTRATIVE REFORMS
(PERSONNEL WING)



No.A.51011/1/2014/DPAR/SS-I(1)

Puducherry, dt: 08.04.2014

CIRCULAR

Sub: General Elections 2014 - Enforcement of Model Code of Conduct -
Commission's Instructions on Protocol of correspondences and
Financial matters - Communicated.

Ref: i) Letter No.437/6/INST/2014-CC&BE dated: 20.03.2014 of the
Election Commission of India, New Delhi.
ii) Letter No. 437/6/1/2014-CC&BE dated 29.03.2014 of the Election
Commission of India, New Delhi.

A copy of the instructions received from the Election Commission of India, New Delhi
vide references cited on the subject mentioned above which are self-explanatory, is
forwarded herewith for information and compliance.

/By Order/


(M. KANNAN)

UNDER SECRETARY TO GOVERNMENT

Encl: as stated.

To

1. The Development Commissioner / Commissioner-cum-Secretary / Secretaries/ Special
Secretaries to Government/ Secretary to Lt. Governor, Puducherry.

2. All Heads of Departments/ Secretariat Departments

3. All Public Sector Undertakings/ Autonomous Bodies funded by Government

Information Technology

Copy to:

1. The Chief Electoral Officer, Puducherry.
2. The Returning Officer, Puducherry Parliamentary Constituency.
3. The Secretary to Chief Minister, Puducherry.
4. The Private Secretary to Chief Minister/ Speaker, Puducherry.
5. The Private Secretary to all Ministers/ Sr. P.A. to Dy. Speaker, Puducherry.
6. The Private Secretary to Chief Secretary, Puducherry.
7. Stock file.

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: 20th March, 2014

To

- 1) The Cabinet Secretary
Cabinet Secretariat,
Rashtrapati Bhawan, New Delhi.
- 2) The Chief Secretaries of
All States and Union Territories
- 3) The Chief Electoral Officers of
All States and Union Territories

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

Sir/Madam,

I am directed to state that the Commission has been receiving references seeking clarification of the applicability of Model Code of Conduct from various Ministries/Departments/PSUs etc. The Commission vides its letter No. 437/6/2009-CC&BE, dated 5th March, 2009 issued guidelines regarding implementation/processing of the various projects, schemes, rural development programmes etc. by the Central/State Governments. In item No. 14 of the said guidelines, it was clearly mentioned that "All Government of India references to the Election Commission of India shall be made preferably through the Cabinet Secretariat. In so far as reference from State Governments is concerned, the same shall be made to the Election Commission of India through the Chief Electoral Officer (CEO) of the state concerned.

In spite of the above guidelines, the references from Central Governments are being directly received in the Commission without routing through the Cabinet Secretariat. Further, Departments, Sub-Departments, Public Sector Undertakings, Autonomous Bodies of the Ministry/Department are also forwarding references to the Election Commission directly. As a result innumerable references are pouring in, including those cases which have no urgency and which can wait till elections are over.

Further various Ministries/Departments keep forwarding references without examining the matter in the light of various standard instructions/guidelines/FAQs of the Commission already available in the Commission's website.

Considering the above, the Commission has directed that henceforth:-

- (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-Departments, Public Sector Undertakings, Autonomous Bodies of the Ministry/Department will make references to the Election Commission through the concerned Ministry/Department.
- (iii) All the references of the State Governments should be routed through the Chief Electoral Officer concerned i.e. no direct references should be made to the Election Commission by the State Governments.
- (iv) The Chief Electoral Officers should not send those references to the Commission in cases where there are clear-cut instructions of the Commission to deal with such case.
- (v) Only such references shall be made to the Election Commission where there is doubt whether the issues are covered under the existing instructions of the Commission or not.

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

Yours faithfully

(K.AJAYA KUMAR)
PRINCIPAL SECRETARY

Copy to the DECs/DGs/Principal Secretaries/Secretaries/Under Secretaries/Zonal Sections of the Election Commission of India.

ELECTION COMMISSION OF INDIA

Nirvachan Sadan, Ashoka Road, New Delhi - 110001.

No.437/6/1/2014-CC&BE

Dated :29th March, 2014

To

The Cabinet Secretary to the Govt. of India

Cabinet Secretariat

Rashtrapati Bhavan

New Delhi

Subject:- Model Code of Conduct-References from the Ministries and Department of Govt. of India on financial matters_ clarification regarding

Sir,

As you are aware various Ministries and Departments of Government of India are making references to the Commission seeking clearance from model code angle or seeking clarification from the model code angle on various matters pertaining to the individual Ministries including those relating to financial matters. The Commission is aware that the financial year is ending and there would be a lot of work for which financial approval is to be accorded and for which budget provision has been already provided. Taking into account this aspect, the Commission has decided that :-

- (i) if the references already sent by the Ministries and Departments are pertaining to such matters which are ongoing works/schemes for which budget provision is already provided and waiting for Commission's no objection for the release of funds or the Ministry/Department is contemplating to send such a reference to the Commission, it has no objection if the amounts earmarked for such works are parked in the suspense account of the Ministry/Department or parked in a Govt. Bank/Treasury as the case may be without waiting for Commission's formal no objection subject to the condition that the implementation of the same is taken up after the election is over.

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To CS/PS/Secretary
for u. apl.
Be issued
[Signature]

- (ii) In case the budget allocation in such matters is to be distributed to State Govts., the Ministry /Department may transfer the funds to the State Govts without waiting for Commission's formal no objection subject to the condition that the amount shall be utilized for actual implementation after the elections. It is clarified that this procedure will apply only to those references made to the Commission for which the Commission's no objection is awaited or are being referred for clearance.

You are requested to inform /direct the Ministries and Departments accordingly.

Yours faithfully,



(K. AJAYA KUMAR)

PRINCIPAL SECRETARY