

MOST IMMEDIATE

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No. 1/41/2/2024-Cab  
GOVERNMENT OF INDIA (BHARAT SARKAR)  
CABINET SECRETARIAT (MANTRIMANDAL SACHIVALAYA)

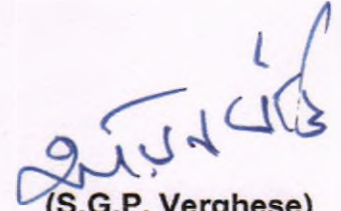
New Delhi, the 16<sup>th</sup> April, 2024

OFFICE MEMORANDUM

**Subject: ECI reference regarding photographs on the websites of the Central Government.**

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The undersigned is directed to enclose a copy of Letter No. 437/6/COMP/ECI/LET/FUNCT/MCC/2024/987 dated 15.04.2024 from Election Commission of India for information and necessary action.

Encl.: as above



(S.G.P. Verghese)

Joint Secretary

Tele No. 2301 1791

Email: verghese.sgp@nic.in

All Secretaries to the Government of India

JS(A)

Wg  
15/4





By Special Messenger

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/COMP/ECI/LET/FUNCT/MCC/2024

987

Dated: 15<sup>th</sup> April, 2024

To

Cabinet Secretary,  
Government of India,  
Cabinet Secretariat,  
Rashtrapati Bahwan,  
New Delhi-110004.

Subject: Complaints against photographs of Hon'ble Prime Minister and other Union Ministers on the websites of the Central Government - regarding.

Sir/Madam,

I am directed to state that Commission had announced the schedule for conduct of General Elections to House of the People, 2024 and State Legislative Assemblies of Andhra Pradesh, Arunachal Pradesh, Odisha and Sikkim and certain bye-elections on 16<sup>th</sup> March, 2024. Model Code of Conduct has come into force from the date of declaration of schedule of elections.

The provisions of MCC and various instructions issued by the Commission inter-alia provide that the party in power whether at the Centre or in the State(s) concerned shall ensure that no cause be given for any complaint that it has used its position to further its electoral prospects. Further, Para 4 of the Commission's letter No. 437/6/1/INST/ECI/FUNCT/MCC/2024 dated 16.03.2024 (copy enclosed) expressly provides that all references of Ministers, Politicians or political parties available on Central/State Government's website shall be removed.

The Commission has received complaints that some Government websites like those of Enforcement Directorate and Sahara India Refund Portal are still displaying photographs of Ministers.

The Commission has considered the issue and held that the depiction of photographs of Ministers and any political functionaries, as aforesaid, is in violation of Model Code of Conduct and hence, such photographs shall have to be immediately removed from the official Government websites.

In view of the above, the Commission has hereby directed to ensure the implementation of the above-mentioned instruction and to furnish a compliance report at the earliest.

Yours faithfully,

  
(NARENDRA N. BUTOLIA)  
SR. PRINCIPAL SECRETARY



By Spl. Messenger/mail

# ELECTION COMMISSION OF INDIA

NIRVACHAN SADAN, ASHOKA ROAD, NEW DELHI-110001

No. 437/6/1/INST/ECI/FUNCT/MCC/2024

Dated: 16<sup>th</sup> March, 2024

To

1. The Cabinet Secretary,  
Government of India,  
Rashtrapati Bhawan,  
New Delhi.
2. The Chief Secretaries of all States and  
Chief Secretaries/Administrators of Union Territories
3. The Chief Electoral Officers of  
all States and Union Territories.

**Subject: Immediate action to be taken for enforcement of Model Code of Conduct after announcement of General Elections to House of the People (Lok Sabha), 2024 and State Legislative Assemblies in the States of Andhra Pradesh, Arunachal Pradesh, Odisha and Sikkim and certain bye-elections-regarding.**

Sir,

I am directed to state that the Election Commission has announced the schedule for holding General Election to House of the People (Lok Sabha), 2024 and State Legislative Assemblies in the States of Andhra Pradesh, Arunachal Pradesh, Odisha and Sikkim and certain bye-elections, operation of 'MODEL CODE OF CONDUCT' comes into effect with the announcement of elections by the Commission. In view of the elections, the Commission has given following directions for effective enforcement of provisions of MCC:-

1. **Defacement of Property-** ECI instructions contained in letter No. 3/7/2023-SDR, dated 12<sup>th</sup> October, 2023, provide for prevention of defacement of property. The Commission has directed to ensure strict compliance of its instruction and to take time bound action as prescribed below-
  - (a) **Defacement of Government property-** For this purpose a Government premise would include any Government office and the campus wherein the office building, compound and establishment are situated. All wall- writing, posters/papers or defacement in any



other form, including cutout/hoardings, banners, flags etc, on Government property shall be removed **within 24 hours** from the announcement of elections by the Election Commission.

(b) **Defacement of public property and misuse of public space-** All unauthorized political advertisement, in the form of wall writing/posters/papers or defacement in any other form, cutout/hoardings, banners flags etc. at public property and in public space like railway station, Bus stands, Airports, railway Bridges; Roadways, government. buses, Electric/Telephone poles , municipal/local bodies' buildings etc., shall be removed **within 48 hours** from the announcement of elections.

(c) **Defacement of private property-** Subject to any local law and Court's direction, all unauthorized political advertisement displayed at private property shall be removed **within 72 hours** from the announcement of elections by the Election Commission.

2. **Misuse of official vehicle-** The ECI's Consolidated instructions contained in letter No. 464/L&O/2023/EPS(Use of Veh.), dated 26<sup>th</sup> June, 2023, among other things, provides that **there shall be a total ban on use of official vehicle by any political party, candidate or any other person connected with election (except officials performing any election related official duty) for campaigning, electioneering or election related travel during elections (subject to certain exception mentioned therein).** The expression 'official vehicle' means and shall include, any vehicle used or capable of being used for the purpose of transport, whether propelled by mechanical power or otherwise and will include trucks, lorries, tempos, jeeps, cars, auto rickshaws, e-rickshaws, buses, belonging to Central Government, State Government/UT Administrations, public undertakings of Central/State Government, Joint sector undertakings of Central/State Government, local bodies, municipal corporations, marketing boards, cooperative societies or any other body in which public funds, however small a portion of the total, are invested. **The CEOs/DEOs shall take necessary action for compliance of ECI instructions within 24 hours of the announcement of the elections.**

3. **Advertisement at the cost of public exchequer-** ECI instructions contained in letter No. 437/6/INST/ECI/FUNCT/MCC/2024(ADVERTISEMENTS), dated 2<sup>nd</sup> January, 2024 provides that 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. No advertisements shall be issued in



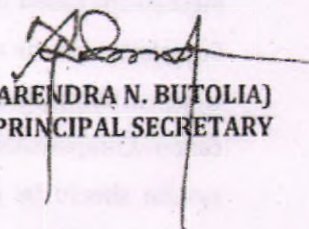
electronic and print media highlighting the achievements of the Govt. at the cost of public exchequer. If any advertisement has already been released for telecast/broadcast or publication in the print media, it must be ensured that the telecast/broadcast of such ads on electronic media is stopped forthwith and that no such ad is published in any newspapers, magazines, etc., i.e. in print media, from the date of announcement and it should be immediately withdrawn. **The CEOs/DEOs have to take immediate action to remove/stop any advertisement, in the print/electronic media, showing the achievements of the Government soon after the announcement of elections.**

4. **Photograph of political functionary at official website-** ECI instruction contained in letter No. 437/6/INST/ECI/FUNCT/MCC/2024(MCC ENFORCEMENT) dated 2<sup>nd</sup> January, 2024 provides that all references of Ministers, Politicians or political parties available on central/state Government's official website shall be removed. The CEOs have to take **immediate action** to remove/hide the photographs of any political functionary from official websites of state department.
5. **Development/construction related activities- within 72 hours** of announcement of elections, the CEO/DEO shall obtain the following list of works for reference in case of validating any complaint on violation of MCC:
  - (i) List of work which has already been started on ground.
  - (ii) List of fresh work which has not started on ground.
6. **Activities for Expenditure Monitoring and enforcement of MCC-** Flying squad, FST, video team, intensive checking for liquor/Cash/Contra banned drugs, flying squads of excise department to check illicit trafficking of Drug/Narcotics to be **immediately activated** after announcement.
7. **Complaint Monitoring System-** The poll going states shall have a complaint redressal mechanism based on website and call center. The toll free number of call center is 1950. Complaints can be registered by making calls to the toll free call center numbers or on the website. Complainants will also be informed of the action taken by SMS and by the call center. Complainants can also see the details of the action taken on their complaints. This system should be **operational within 24 hours** of the announcement. All complaints should be dealt promptly and properly. The 24x7 control Room at the district level must be activated and sufficient deployment of manpower and other logistics be ensured in particular, round the clock personnel should be deployed in the control room and their duty roster must be issued to avoid any evasion or confusion.



8. **IT Application-** All IT applications including official website and social media shall be operational with the announcement.
9. **Dissemination of information for Awareness of Voters and political parties.** Publicity of major election activity would be given through CEO/DEO/RO. For this purpose, all necessary information shall be disseminated through radio, tv, cinema, government channel to display voter education material.
10. **Active cooperation from Educational Institutions and Civil Societies-** Cooperation can be sought from educational institutions and civil societies for giving wide publicity to the election related information to the general public and other stakeholders.
11. **Media Centre-** Efforts should be made for awareness among the voters, political parties and other stakeholder through media center about election system including use of EVM/VVPAT.
12. **MCMC/DEMC-** ECI instruction contained in letter no. 491/MCMC/5/2023/Communication dated 24<sup>th</sup> August, 2023 provides that all registered political parties will approach the Media Certification and Monitoring Committees (MCMC) at District and State level, as the case may be, for pre-certification of their political advertisements proposed to be issued on electronic media. The Commission has directed to ensure strict compliance of its instructions contained in above said letter.
13. **Control Room-** The 24x7 control room at district level must be activated immediately and sufficient deployment of manpower and other logistics be ensured by the DEO/CEO. A control room with complaint Monitoring Centre would also be set up at ECI Secretariat during the entire election process.

Yours faithfully

  
(NARENDRA N. BUTOLIA)  
SR. PRINCIPAL SECRETARY



No. 46013/5/2004-O&M  
Government of India  
Ministry of Personnel, Public Grievances & Pensions  
Department of Administrative Reforms & Public Grievances

6th Floor, Jawahar Vyapaar Bhawan,  
Tolstoy Marg, New Delhi -110001

Dated; 16<sup>th</sup> April, 2024

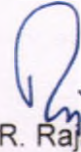
OFFICE MEMORANDUM

Subject: Forms and Procedures for communication – Correspondence with the Election Commission of India - regarding.

The undersigned is directed to refer to this Department's O.M. of even no. dated 11.10.2004 (copy enclosed) on the above subject and to say that the Election Commission of India has drawn attention of the Government of India to the practice of endorsement of copies of the communications to it by the Ministries/Departments in a routine manner.

2. Para 8.4 of Central Secretariat Manual of Office Procedure (CSMOP, 2022, the 16th Edition) inter-alia prescribes that 'Letter' form is used for corresponding with Constitutional bodies and statutory authorities. Election Commission being a Constitutional Body, all communications sent to it should be in letter form and addressed to the Deputy Election Commissioner or Principal Secretary or Secretary and not to the Chief Election Commissioner or Election Commissioners. In no case, Office Memorandum will be sent to the Election Commission

3. It is requested that strict compliance with these instructions may be ensured.



(R. Rajasekharan)

Under Secretary to the Govt. of India

JSC(A)

Enclosed: as above

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Secretaries to Government of India of All Ministries / Departments



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No. 46013/5/2004-O&M  
Government of India

Department of Administrative Reforms and Public Grievances

5th Floor, Sardar Patel Bhawan,  
Sansad Marg, New Delhi-110001  
October 11, 2004

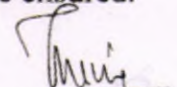
Office Memorandum

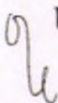
Subject: Forms and Procedures for communication- Correspondence with the Election Commission of India.

The Election Commission of India has drawn the attention of the Government to the practice of endorsement of copies of the communications to it by the Ministries/Departments in a routine manner, against the relevant provisions contained in Para- 57 of the Central Secretariat Manual of Office Procedure (CSMOP, the 12<sup>th</sup> edition). This Para lays down that references to constitutional and statutory authorities such as Election Commission of India will normally be made in the letter form addressed to Principal Secretary/Secretary and that in no case, office memorandum will be sent to such authorities.

2. The Commission has further stated that all the correspondence with it should be addressed to the Deputy Election Commissioner or Principal Secretary or Secretary or any other officer of appropriate level and not to the Chief Election Commissioner or Election Commissioners except in important cases where the Secretary/Head of the Department feels that something has to be brought to the personal notice of the Chief Election Commissioner or the Election Commissioners.

3. It is requested that strict compliance with these instructions may be ensured.

  
(T. R. Gill)

 Under Secretary to the Government of India  
Tel: 23367060

To

DS/Dir of all Ministries/Departments  
As per list attached

५/११/०४ जारी किया  
ISSUED