

**STATE ELECTION COMMISSION,  
TRIPURA**

**MODEL CODE OF CONDUCT**

With a view to ensure holding of free, fair and peaceful elections to all the Gram Panchayat, Panchayat Samity and Zilla Parishad Constituencies in the State of Tripura and in exercise of the powers conferred under Article 243K of the Constitution of India, The State Election Commissioner of Tripura State hereby issues the Model Code of Conduct for the guidance and adherence by all concerned.

It shall apply to Political Parties, Contesting Candidates, MPs/Ministers/MLAs, Employees of the State/ Central Government, Central and State Governments Public Undertakings, Government approved private projects, Local bodies' functionaries and other public servants. This Code shall come into force from the date of announcement of elections.

## **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) Places of worship such as Temples, Mosques, Churches, etc., shall not be used as forum for election propaganda.
- 3) All political parties and candidates shall avoid scrupulously all activities which are "corrupt practices" and offences under the election laws such as :
  - ❖ To appeal for vote or not to vote on the basis of religion, caste or community and to use any religious symbol for soliciting votes.
  - ❖ To print or publish any poster, pamphlet, leaf-let, circular or advertisement without mentioning the name and address of the printer and the publisher.
  - ❖ To publish a statement or news item which is false or not believed to be true with respect to a candidate's personal conduct or character with a view to adversely affect the prospect of his or herelection.

- ❖ To obstruct or disturb any election meeting organized by another political party or candidate.
  - ❖ To behave in an unruly manner within or near about the polling station or to obstruct a polling officer in the discharge of his duty.
  - ❖ To take out processions or hold public meetings during the period of 48 (forty eight) hours ending with the hours fixed for the close of the poll. Suppose, poll day is 15th of a month and hours of poll are from 7.00 A.M. to 4 P.M., then the public meetings and processions shall be closed at 4 P.M. on 13th of that month.
  - ❖ To canvas or to appeal for votes within hundred meters of a polling station.
  - ❖ To use any conveyance or means of transport for the voters to and/or from the polling station.
  - ❖ To behave in an unruly manner within or near about the polling station or to obstruct a polling officer in the discharge of his/her duty.
  - ❖ To impersonate a voter or attempt to cast vote under the false name of voter
- 4) 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.
- 5) The right of every individual for peaceful and undisturbed home-life shall be respected, however much the political parties or candidates may resent his political opinions or activities. Organizing 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 use or permit the use of huge/extra-large cutouts, hoarding, banners, etc. and shall generally refrain from all ostentatious display of money power.
- 7) No political party or candidate shall permit its or his followers to make use of any individual's land, building, compound wall etc. without the permission of the owner for erecting flag-staffs, suspending banners, pasting notices, writing slogans etc.
- 8) Political parties and candidates shall ensure that their supporters do not create obstructions in or break up meetings and processions organized by other parties. Workers or sympathisers of one political party shall not create disturbances at public meetings organized by another political party by putting questions orally or in writing or by distributing leaflets of their own party.
- 9) 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.
- 10) No political party or candidate shall make use of loudspeakers except between 6:00 A.M to 10:00 PM. Even in making such restricted use they shall abide by the extant orders of the courts and shall take permission, as required under the law. Maximum possible consideration shall be shown for the sick, the aged and the infirm.

## **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) Organizers 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. Organizers themselves shall not take action against such persons.

## **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 in consultation with the Police Authorities. There shall ordinarily be no deviation from the programme.
- 2) The organizers shall give advance intimation to the local police authorities of the programme so as to enable the letter to make necessary arrangement.
- 3) The organizers 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 organizers shall take steps in advance to arrange for passage of the procession so that there is no block or hindrance to traffic. If the procession is very long, it shall be organized in segments of suitable lengths, so that at convenient intervals, especially at points where the procession has to pass road

junctions, the passage of held up traffic could be allowed by stages thus avoiding heavy traffic congestion.

- 5) Processions shall be so regulated as to keep as much to the right of the road as possible and the direction and advice of the police on duty shall be strictly complied with.
- 6) If two or more political parties or candidates propose to take processions over the same route or parts thereof at about the same time, the organizers shall establish contact well in advance and decide upon the measures to be taken to see that the processions do not clash or cause hindrance to traffic. The assistance of the local police shall be availed of for arriving at a satisfactory arrangement. For this purpose the parties shall contact the police at the earliest opportunity.
- 7) 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.
- 8) The carrying of effigies purporting to represent member of other political parties or their leaders, burning such effigies in public and such other forms demonstration shall not be countenanced by any political party or candidate.
- 9) No party or candidate shall use loudspeakers without obtaining necessary permission from the Competent Authority and shall not use the loudspeaker for purposes other than transmitting speeches, live or recorded. The loud speakers shall be used only between 6.00 AM and 10.00 PM. The Police/Magistrates are authorized to seize the offending equipment if anybody violates the same.
- 10) The political parties and candidates shall endeavor to see that no disturbances caused in the vicinity of hospitals/School due to electioneering to avoid inconvenience to the patients/students.
- 11) No contesting candidate, who is in-charge of, or is in any manner connected with, the management of an aided educational institution, or any other

institution receiving aid from the State or Central Government, shall, misuse the buildings, infrastructure, staff, funds or vehicles belonging to such institution for furthering his/her electoral prospects.

## **POLLING DAY**

All Political parties and candidates shall –

- ❖ 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.
- ❖ Agree that the identity slip supplied by them to voter shall be on plain (white) paper and shall not contain any symbol, name of the candidate or the name of the party.
- ❖ Refrain from serving or distributing liquor on polling day and during the forty eight hours preceding it.
- ❖ Not allow unnecessary crowd near the polling booths so as to avoid confrontation and tension among workers and sympathizers of the parties and the candidate.
- ❖ 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.

## **POLLING BOOTH**

Other than voters, only persons with a specific valid authority letter from the State Election Commission /DEO/RO can enter in polling booth at any time on the polling day. No functionary, however highly placed (e.g. Chief Minister, MP, MLA etc.) is exempted from this code of conduct.

## **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 Observers.

## **GOVERNMENT SERVANTS**

- 1) A Public Servant shall remain absolutely impartial during the elections and he shall not indulge in any campaigning activity for or against any contesting candidate or political party.
- 2) No Government servant shall take part in, subscribe in aid of, or assist in any way, any candidate.
- 3) If any MP /Minister /MLA/Chairpersons of ZP/Panchayat Samity undertakes a tour of any area of a District where elections are taking place, such tour shall be deemed to be an election tour and no Government servant, except those who are deployed for security purposes, shall accompany an MP/ Minister /MLA /Chairperson of ZP/ Panchayat Samity.
- 4) Attendance at public meetings organized by any political party or any candidate would always be contrary to the Government servant.



- : 5) No government servant should act as an election agent or polling agent or counting agent of a candidate. If found so he/she shall be punishable with imprisonment for a term or with fine or both.
- 6) A Public Servant shall not participate or accompany an MP/Minister/MLA in any programme, organized at an individual's house for which an MP/Minister/MLA has accepted the invitation during his election tour.

## **PARTY IN POWER**

The party in power whether at the Centre or in the State or States 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 –

- ❖ a) An MP/Minister/MLA/Chairperson of ZP/PS/GP shall not combine their official visit with electioneering work and shall not also make use of official machinery or personnel during the electioneering work.
- b) Government transport including official air-crafts, vehicles, machinery and personnel shall not be used for furtherance of the interest of the party in power.
- ❖ Public places such as maidens etc., for holding election meetings, and use of helipads for air-flights in connection with elections shall not be monopolized by itself. Other parties and candidates shall be allowed the use of such places and facilities on the same terms and conditions on which they are used by the party in power.
- ❖ Rest houses, Circuit Houses, Dak-bunglows 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.

- ❖ 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.
- ❖ Ordinarily, all meetings organized during election should be treated as election meetings and no Government money should be spent on them. No Government servant should attend any such meeting except those who are incharge of maintenance of law and order.
- ❖ An MP/Minister/MLA/Chairperson of ZP/PS/GP shall not sanction grants/payments out of discretionary funds from the time when election is announced by the Commission.
- ❖ No payment shall be released by the State or Central Government or any Public Undertakings to any individual or contractors until the election process is completed.
- ❖ An MP/Minister/MLA/Chairperson of ZP/PS/GP shall not combine their official visit with electioneering work and shall not make use of official machinery and personnel or other Government resources including Government vehicle for furtherance of interests of any candidate.
- ❖ From the time elections are announced by Commission, 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 appointments in Government, Public Undertakings etc. which may have the effect of influencing the voters in favor of the party in power.
- Ministers of Central or State Government shall not enter any polling station or place of counting except in their capacity as a candidate or voter or authorized agent.

## **WELFARE SCHEMES AND GOVERNMENTAL WORKS (AFTER ANNOUNCEMENT)**

- 1) New projects or programme or concessions or financial grants in any form or promises thereof or laying of foundation stones, etc., which have the effect of influencing the voters in favour of the party in power is strictly prohibited where election is in progress.
- 2) No fresh release of funds for the local area development is prohibited where election is in progress.
- 3) No new work shall start where election is in progress in respect of which work orders may have been issued before declaration of election but the work has not started actually in the field. These works can start only after the completion of election process. However, On-going programmes, which actually started in the field before the announcement of election may continue.

- 4) Gram Sabha, Gram Sansad, Village Sabha and Village Sansad will not be conducted respectively where election is in progress.
- 5) No fresh sanctions for governmental schemes should be made. Review by political member/person and processing of beneficiary oriented schemes, even if ongoing, should be stopped till completion of elections.
- 6) No new welfare schemes and works should be made or contract for works awarded in any part of the state where election is in progress without prior permission of the Commission.
- 7) Any and all advertisements at the cost of the public exchequer regarding achievements of the party/Government in power is prohibited.
- 8) There shall be no bar to release of payment for completed works subject to the full satisfaction of the concerned officials.
- 9) There shall be no bar for approval of schemes undertaken for tackling emergencies or unforeseen calamities like providing relief to people suffering from drought, floods, pestilences, other natural calamities or welfare measures for the aged, infirm etc. during election process.

## **GUIDELINES ON ELECTION MANIFESTO**

- 1) The Election manifesto shall not contain anything repugnant to the ideals and principals enshrined in the constitution and further that it shall be consistent with the letter and spirit of other provision of Model Code of Conduct.
- 2) The Directive Principles of state policy enshrined in the Constitution enjoin upon the state to frame various welfare measures for the citizens and therefore there can be no objection to the promise of such welfare measures in the election manifestos. However, political parties should avoid making those



promises which are likely to vitiate the purity of the election processor exert undue influence on the voters in exercising their franchise.

- 3) In the interest of transparency, level playing field and credibility of promises, it is expected that manifestos also reflect the rationale for the promises and broadly indicate the ways and means to meet the financial requirements for it. Trust of voters should be sought only on those promises which are possible to be fulfilled.

## **ELECTION ADVERTISEMENT ON TV CHANNEL BY CABLE OPERATORS, RADIO STATION ETC.**

- 1) No advertisement shall be permitted, the object whereof, are wholly or mainly of religious or political nature. Advertisement must not be directed towards any religious or political end.
- 2) No cable operator or TV channel shall telecast any advertisement, which does not conform to the law of the country and which offends the morality, decency and susceptibility or views or which is shocking, disgusting and revolting.
- 3) Every political party/contesting candidate or any other person, shall seek prior certification from the District Election Officer(DEO) concerned or State Election Commission (SEC) at least three days prior to the proposed exhibition of the advertisement on TV channel or on cable network or on any Radio Station by making an application. No such advertisement shall be relayed on a Radio Station or on TV channel or published in any newspaper during the period 48 hours earlier to the end of poll.

## **CAMPAIGN PERIOD FOR ELECTION**

Canvassing in or near a polling station or holding public meetings in a ward shall end before 48 hours earlier to the hour fixed for close of poll for election to a ward/wards of the Gram Panchayat/ Panchayat Samity / Zilla Parisad. All parties and candidates are requested to strictly observe the campaign period as well as follow the Model Code of Conduct.



**SHRI SARADINDU CHAUDHURI,**  
State Election Commissioner