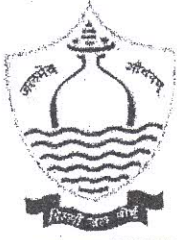


OUT TODAY/ LOK SABHA ELECTION MATTER



DELHI JAL BOARD
GOVERNMENT OF N.C.T. OF DELHI
OFFICE OF THE ASSISTANT COMMISSIONER (W)
VARUNALAYA PHASE-II, KAROL BAGH, NEW DELHI - 110 005
Phone No. 011-23544796
Email : ac.water22@yahoo.co.in

F.No.50(2014)/AC(W)/2014/

46767

Dated : 31.03.2014

01 APR 2014

The following letter(s) / Circular(s) as mentioned hereunder are hereby endorsed for information and strict compliance by all the concerned.

Sl. No.	Name of Department	Reference No. of Letter/Circular	Subject
1	Dy. Secretary (GAD), Govt. of NCT of Delhi, General Administration Department (Co-ordinaton Branch) Delhi Secretariat, I.P. Estate, N.D. - 02.	No.F.51/1/2014/GAD/C N/dsgadiii/1196 dated 24.03.2014 addressed to Head of Department, Issued by Dy. Secretary (GAD).	Code of Conduct of Government Servants and restrictions regarding their participation in the politics and elections.
2	Dy. Secretary (GAD), Govt. of NCT of Delhi, General Administration Department (Co-ordinaton Branch) Delhi Secretariat, I.P. Estate, N.D. - 02.	No.F.51/1/2014/GAD/C N/dsgadiii/1195 dated 24.03.2014 addressed to Head of Department, Issued by Dy. Secretary (GAD).	Adherence of Model Code of Conduct by Departments which submitting proposals - Reg.
3	Dy. Secretary (GAD/CN), Govt. of NCT of Delhi, General Administration Department (Co-ordinaton Branch) Delhi Secretariat, I.P. Estate, N.D. - 02.	No.F.51/1/2014/GAD/C N/dsgadiii/1186 - 87 dated 21.03.2014 addressed to Head of Department, Issued by Dy. Secretary (GAD).	Application of Model Code of Conduct-General election to Lok Sabha - 2014 and simultaneous elections to State Legislative Assemblies in the States of Andhra Pradesh, Odisha and Sikkim and certain bye elections.

Encl. : 06, 01 & 04 Pages.

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(PRAKASH CHANDER)
A.C.(G)-I/NODAL OFFICER

EXECUTIVE ENGINEER (PROP)

DIARY No. 1117

DATE 02/4/14

[Handwritten signature]
2/4/14

P.T.O.

Copy to :

All C.E.s/System Administrator
All Directors.
All S.Es/Jt.Dir(Rev.)/(Vig.)/(F&A).
All ACs/All EEs
All Dy.Dir.(Rev.)/(F&A)/Consultant(PR)
All AOs/ZROs
All Accounts Officers/AAOs.

Copy for kind information to:-

1. Chief Executive officer.
2. Member(A)/(F)/(W)/(Dr)/Secretary/C.V.O. /Addl. C.E.O.
3. E.E.(EDP) – for n.a. under intimation to this office please.

lll 31/3/14
A.C.(G)-I/NODAL OFFICER

GOVERNMENT OF NATIONAL CAPITAL TERRITORY OF DELHI
GENERAL ADMINISTRATION DEPARTMENT
(CO-ORDINATION BRANCH)
DELHI SECRETARIAT, I.P. ESTATE, NEW DELHI-110002

165/c
167/e

No.F. 51/1/2014/GAD/CN/dsgadiii/ 1196

Dated: 24/3/14

To

- 1 Pr. Secretaries/Secretaries/HODs,
Govt. of NCT of Delhi, New Delhi/Delhi.
- 2 Heads of all Local /Autonomous /Public Sector Undertakings,
Govt. of NCT of Delhi, New Delhi/Delhi.

Sub: - Code of Conduct of Government Servants and restrictions regarding their participation in the politics and elections.

Sir/Madam,

I am directed to enclose herewith letter No. F.1(87)DEO/NDD/832 dated 11/03/2014 of Deputy Chief Electoral Officer, O/o the Chief Electoral Officer, Delhi on the above mentioned subject, for information and necessary action.

Yours faithfully,

Encl: As above.

CEO ²⁶ ₂₀₁₄ *M(A)* *Pls circulate to all offices.* *27/3/14*
(AMITABH KUNDOO)
DY. SECRETARY (GAD)

Prin (GAD) e
AC (G) I
Hc *21/3/14*
cc AC (G)

Assit. Commissioner (W)
Delhi Jal Board
Diary No. 1553
Date 31-03-2014

Chief Electoral Officer
26/3/14

26/3/14

28.3.2014

77/c
164/c
184/c

2.
24.3.14
24.3.14
Smt. C. D.

MOST URGENT
ELECTION MATTER



OFFICE OF THE DISTRICT ELECTION OFFICER (NEW DELHI DISTRICT)
12/1, Jam Nagar House, Shahjahan Road, New Delhi - 110011 Ph. 23073031
email: dcnd@nic.in

Nc.F.1(87)DEO/NDD/

Dated :

CIRCULAR

SUB: Code of Conduct of Government Servants and restrictions regarding their participation in the politics and elections.

As you may be aware, the schedule for the General Election to the Lok Sabha, 2014 has been declared by the Election Commission of India on 10.04.2014.

2. In this connection, your kind attention is drawn to the provisions of Rule 5 of CCS (Conduct) Rules, 1964, relating to participation of the Government Servants in the Politics & Elections, which is reiterated below:

"No Government servant shall be a member of, or be otherwise associated with, any political party or any organization which takes part in politics nor shall he take part in, subscribe in aid of, or assist in any other manner, any political movement or activity.

It shall be the duty of every Government servant to endeavour to prevent any member of his family from taking part in, subscribing in aid of, or assisting in any other manner any movement or activity which is, or tends directly or indirectly to be subversive of the Government as by law established and where a Government servant is unable to prevent a member of his family from taking part in, or subscribing in aid of, or assisting in any other manner, any such movement or activity, he shall make a report to that effect to the Government."

103/4
761
3 Further attention is also drawn towards the Government of India Decisions on the subject matter, which are also reiterated below

"(1) Participation of Government servants in political activities

Doubts have been raised recently as to the scope of Rule 23 (1) of the Government Servants Conduct Rules (now Rule 5) which lays down that no Government servant shall take part in, subscribe in aid of, or assist in any way, any political movement in India or relating to Indian affairs. According to the Explanation (not in the new rule) to that clause, the expression "political movement" includes any movement or activities tending directly or indirectly to excite disaffection against, or to embarrass, the Government as by law established or to promote feelings of hatred of enmity between classes of His Majesty's subjects or disturb the public peace. This explanation is only illustrative and is not intended in any sense, to be an exhaustive definition of "political movement". Whether or not the aims and activities of any organization are political is a question of fact which has to be decided on the merits of each case. It is, in the opinion of Government, necessary, however, that the Government servants under the Ministry of Finance etc. should be warned that -

- (a) It is the duty of the Government servant who wishes to join, or take part in the activities of any association or organization positively to satisfy himself that its aim and activities are not of such a nature as are likely to be objectionable under Rule 23 of the Government Servants' Conduct Rules (now rule 5); and
- (b) The responsibility for the consequences of his decision and action must rest squarely on his shoulders and that a plea of ignorance or misconception as to Government's attitude towards the association or organization would not be tenable.

It should also be impressed on them that, in cases where the slightest doubt exists as to whether participation in the activities of an association or organization involves an infringement of Rule 23 (now Rule 5), the Government servant would be well advised to consult his official superiors.

75/c 108/c
(MHA OM No. 25/44/49-Ests (A) dated 17.09.1949)

(2) Attendance by Government servants at political meetings

a) Attention is invited to the Ministry of Home Affairs Office Memorandum No. 25/44/49-Ests (A), dated the 17th September (Decision No. 1 above), dealing with the scope of Rule 23 (i) of the Government Servants' Conduct Rules (now Rule 5) which lays down that no Government servant shall take part in, subscribe in aid of, or assist in any way, any political movement in India.

b) Enquiries have been received as to whether attendance by a Government servant at public meetings organized by political parties would amount to participation in a political movement within the meaning of the rule referred to. Even in regard to this narrower question the position must necessarily remain as stated in the Office Memorandum referred to in paragraph 1, viz:-

- (i) that whether or not the conduct of any particular nature amounts to participation in a political movement is a question of fact to be decided on merits and in the circumstances of each particular case; and
- (ii) that the responsibility for the Government Servant's conduct must rest squarely on his shoulders and that a plea of ignorance or misconception as to Government's attitude would not be tenable

(3) The following observations may, however, be of assistance to Government servants in deciding their own course of action :-

(i) Attendance at meetings organized by a political party would always be contrary to Rule 23 (i) of the Government Servants' Conduct Rules (now Rule 5) unless all the following conditions are satisfied:-

(a) that the meeting is a public meeting and not in any sense a private or restricted meeting

161/C
(b) that the meeting is not held contrary to any prohibitory order or without permission where permission is needed; and

(c) that the Government servant in question does not himself speak at, or take active or prominent part in organizing or conducting, the meeting

(ii) Even where the said conditions are satisfied, while occasional attendance at such meetings may not be construed as participation a political movement, frequent or regular attendance by a Government Servant at meetings of any particular political party is bound to create the impression that he is a sympathizer of the aims and objects of that party and that in his official capacity he may favour or support the members of that particular party. Conduct which gives cause for such an impression may well be construed as assisting a political movement.

(iii) Government servants have ample facilities through the medium of the press to keep themselves informed regarding the aims, objects and activities of the different political parties and to equip themselves to exercise intelligently their civic rights e.g. the right to vote at elections to Legislature or Local Self Government institutions.

(MHA OM No.25/44/49-Ests.(A), dated 10.10.1949)

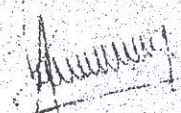
4. As you are aware any contravention of the above rules by any Government Servant amounts to Grave Misconduct and Misbehaviour which is liable for action under CCS (CCA) Rules, 1965. Therefore, any activity within the purview of the above provisions are detrimental to the cause of the Government Servant themselves.

5. Since the area under New Delhi Parliamentary Constituency which consists of 10 Assembly Constituencies is mostly dominated by the Government Colonies inhabited by the Central Government Servants, it has become necessary to bring the above provisions of the CCS (Conduct) Rules to the notice of all the Government employees, keeping in view the ensuring General Election to the Lok Sabha, 2014. Further, there are so many Residential Welfare Associations (RWAs) in these areas and some of

73/c
16/c

the Government Servants by virtue of being a member of the Executive Committees of such RWAs may inadvertently involve themselves in such activities, which may eventually be constituted as contravention of the above Conduct Rules.

5. In view of the foregoing, you are requested to bring the above provisions to the notice of all the Government employees working under your administrative control, so that they may desist themselves from any such activity which may be a contravention of the Rule-5 of CCS (Conduct Rules, 1965).


(AMEYA ABHYANKAR)
D.M./DISTT. ELECTION OFFICER
NEW DELHI DISTT.

To

The Secretary
All Central Government Ministry/Department
Government of India/State Government

166/c

IMMEDIATE ATTENTION

**GOVERNMENT OF NATIONAL CAPITAL TERRITORY OF DELHI
GENERAL ADMINISTRATION DEPARTMENT
(CO-ORDINATION BRANCH)
DELHI SECRETARIAT, I.P. ESTATE, NEW DELHI-110002**

No.F. 51/1/2014/GAD/CN/dsgadiii/1195

Dated: 24/03/14

To

- 1 Pr. Secretaries/Secretaries/HODs,
Govt. of NCT of Delhi, New Delhi/Delhi.
- 2 Heads of all Local /Autonomous /Public Sector Undertakings,
Govt. of NCT of Delhi, New Delhi/Delhi.

Sub: - Adherence of Model Code of Conduct by Departments which submitting proposals - Reg.

Sir/Madam,

Pr. Secretary to Lt. Governor, Delhi vide U.O. No. RN/2014/5677 dated 18.03.2014 has desired that any proposal submitted for the approval of Hon'ble Lt. Governor should have an explicit certification at the end, to the effect that the same does not violate the Model Code of Conduct or the necessary clearance has been obtained from Election Commission of India / or will be obtained from Election Commission of India, after the approval of Hon'ble of Lt. Governor.

Yours faithfully,

[Signature]
(AMITABH KUNDOO)
DY. SECRETARY (GAD)

CEP vs
 MCA
 Pse note
 27.3.14
 An (GAD)
 ACCG
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 40 Ac (W)
 31/3/14

26/3/14
 26/3/14

Asstt. Commissioner (W)
 Delhi Jal Board
 Diary No. 1551
 Date 31-03-2014

28.3.2014

170/c
17/e

**GOVERNMENT OF NATIONAL CAPITAL TERRITORY OF DELHI
GENERAL ADMINISTRATION DEPARTMENT
(CO-ORDINATION BRANCH)
DELHI SECRETARIAT, I.P. ESTATE, NEW DELHI-110002**

No.F.51/1/2014/GAD/CN/dsgadiii/118687

Dated: 21/3/14

To

1. Pr. Secretaries/Secretaries/HODs,
Govt. of NCT of Delhi, New Delhi / Delhi.
2. Heads of all Local / Autonomous / Public Sector Undertakings
Govt. of NCT of Delhi, New Delhi/Delhi.

Sub: Application of Model Code of Conduct-General election to Lok Sabha-2014 and simultaneous elections to State Legislative Assemblies in the States of Andhra Pradesh, Odisha and Sikkim and certain bye-elections.

Sir/Madam,

I am directed to enclose herewith letter No. 437/6/1/2014-CC&BE dated 05/03/2014 of Election Commission of India, received from the Deputy Chief Electoral Officer, O/o the Chief Electoral Officer, Delhi on the above mentioned subject, for information and necessary action.

Yours faithfully,

hkh
(AMITABH KUNDOO)
Dy. Secretary (GAD/CN.)

Encls. : As above.

No.F.51/1/2014/GAD/CN/dsgadiii/118687

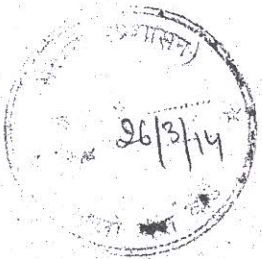
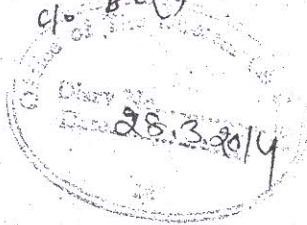
Dated: 21/3/14

Copy for information to: - The Deputy Chief Electoral Officer, O/o the Chief Electoral Officer, Delhi in reference to your letter No. CEO/COE/102(20)/2014/12223 dated 11/03/2014.

hkh
(AMITABH KUNDOO)
Dy. Secretary (GAD/CN.)



CEO v/c
m(A)
27.3.14
AC (GAD) I
h.c
21/3/14



Asstt. Commissioner (W)
Delhi Jal Board
Diary No... 1552
Date... 31-03-2014

ELECTION COMMISSION OF INDIA

NIRVACHAN SADAN, ASHOKA ROAD, NEW DELHI-110001

Dated: 5th March 2014

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

To

1. **The Cabinet Secretary,**
Government of India,
Rashtrapati Bhawan,
New Delhi.
2. **The Chief Secretaries to the Governments of**
all States and Union Territories
3. **The Chief Electoral Officers of :-**
all States and Union Territories

Sub: Application of Model Code of Conduct - General Election to Lok Sabha - 2014 and simultaneous elections to State Legislative Assemblies in the States of Andhra Pradesh, Odisha and Sikkim and certain bye-elections- reg.

Sir,

I am directed to state that the Commission has announced the schedule for holding General Elections to Lok Sabha and to the Legislative Assemblies of the States of Andhra Pradesh, Orissa and Sikkim including certain bye-elections to the Legislative Assemblies of some States (Press Note No. ECI/PN/10/2014, dated 5th March 2014 available at Commission's web-site - www.eci.gov.in).

2. With this announcement, the provisions of the Model Code of Conduct for the guidance of the Political Parties and Candidates have come into force with immediate effect and will be in force till the completion of the General Elections. This may be brought to the notice of the Central / State Governments, all Ministries/Departments and all other offices of the Union Government and the State Government of the State.

3. Your particular attention is drawn to the provisions of Model Code of Conduct for the guidance of Political Parties and Candidates and various instructions issued by the Commission, which, inter-alia, state that 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:-

64/C

(i) (a) The Ministers 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;

(ii) Public places such as maidans etc., for holding election meetings, and use of helipads for air-flights in connection with elections shall not be monopolised 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;

(iii) Rest houses, dak bungalows or other Government accommodation where elections have been announced or are taking place can be given to the political functionaries who are provided security by the State in Z scale or above or equivalent by various State Governments or the Central Government under provisions of their laws, on equitable basis. This shall be subject to condition that such accommodation is not already allotted or occupied by election related officials or Observers. Such political functionaries shall not carry out any political activity while staying in the Government Guest Houses/Rest Houses or other Government accommodation etc.;

(iv) 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;

(v) Ministers and other authorities shall not sanction grants/payments out of discretionary funds from the time elections are announced by the Commission; and

(vi) From the time elections are announced by Commission, Ministers and other authorities shall not -

(a) announce any financial grants in any form or promises thereof; or

(b) (except civil servants) lay foundation stones etc. of projects or schemes of any kind; or

(c) make any promise of construction of roads, provision of drinking water facilities etc.; or

(d) make any ad-hoc appointments in Government, Public Undertakings etc. which may have the effect of influencing the voters in favour of the party in power.

4. As will be observed from Para 3{Clause IV} above, 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

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[B]c
electronic media is stopped forthwith and that no such ad is published in any newspaper, magazines, etc., i.e. in print media, from today itself and it should be immediately withdrawn.

5. The instruction of the Commission contained in its letter No.437/6/2009-CCBE dated 5th March, 2009 is available on the Commission's web-site "http://eci.nic.in/" under the heading 'Election Laws and ECI - instructions' for your information and necessary action.

6. The Commission directs that there shall be a total ban on the transfer of all officers/officials connected with the conduct of the election. These include but are not restricted to: -

- i) The Chief Electoral Officer and Additional/Joint/Deputy Chief Electoral Officers;
- ii) Divisional Commissioners;
- iii) The District Election Officers, Returning Officers, Assistant Returning Officers and other Revenue Officers connected with the Conduct of Election;
- iv) Officers of the Police Department connected with the management of election like range IGs and DIGs, Senior Superintendents of Police and Superintendents of Police, Sub-Divisional Police Officers like Deputy Superintendents of Police and other Police officers who are deputed to the Commission under section 28A of the Representation of the People Act, 1951;
- v) The transfer orders issued in respect of the above categories of officers prior to the date of announcement but not implemented till date should not be given effect to without obtaining specific permission from the Commission in this regard;
- vi) This ban shall be effective till the completion of the election. The Commission further directs that the State Governments should refrain from making transfers of senior officers who have a role in the management of election in the State;
- vii) In those cases where transfer of an officer is necessary on account of administrative exigencies, the concerned State Government may with full justification approach the Commission for prior clearance..

7. The receipt of the letter may kindly be acknowledged.

Yours faithfully,

(K. AJAY KUMAR)
PRINCIPAL SECRETARY