

ELECTION COMMISSION OF INDIA

Nirvachan Sadan, Ashoka Road, New Delhi-110001

File no 437/ 6/2009/CC&BE/

Dated: 25th March, 2009.

To

Chief Electoral Officers of all States and
Union Territories.

Subject:- General election to Lok-Sabha, 2009-Application of model code of
conduct- clarification regarding.

Sir,

It has been noticed that there is growing trend of Chief Electoral Officers simply passing on to the Commission whatever references they received from various departments in their States for clarification on the application of model code of conduct without examining the same in the light of various standard instructions/guidelines of the Commission already available with them in the matter. For further guidance, FAQs on MCC is also available in the Commission's website.

As a result innumerable references are pouring in, creating a situation whereby the officers and staff of Election Commission of India are fully engaged in dealing with such references without practically having no time to handle other important issues of the conduct of elections, making the Commission practically involving in day to day business of the State Government's departments of even the smallest taluka (unit) of the district administration.

The Commission, after careful consideration of the above growing tendency on the part of Chief Electoral Officers of simply passing on the references to the Commission for directions without application of mind and without examining the cases with all available instructions of the Commission, has directed that " henceforth Chief Electoral Officers should not send any references to the Commission in cases where there are clear-cut instructions of the Commission to deal with such cases. The Chief Electoral Officers should send to the Commission only such references where there is doubt and the issues not covered by the existing instructions of the Commission **along with their specific views and recommendations.**

Kindly acknowledge receipt and ensure compliance.

Yours faithfully,

(K. AJAYA KUMAR)
SECRETARY