

# ELECTION COMMISSION OF INDIA

NIRVACHAN SADAN, ASHOKA ROAD, NEW DELHI-110001

No. 437/INST/2015-CCS

Dated: 17<sup>th</sup> September, 2015

To

1. The President/ Chairperson/General Secretary of all National Political Parties
2. The President/ Chairperson/General Secretary of All State Political Parties of Bihar.

**Subject:- Model Code of Conduct for the Guidance of Political Parties and Candidates- maintenance of high standards of election campaign-regarding.**

Sir, Madam,

Pursuant to announcement of election schedule for Bihar State Assembly Elections, 2015 and the coming into force of the Model Code of Conduct, I am directed to draw your attention to Commission's letter No.437/6/INST/2013-CC&BE, dated 28<sup>th</sup> November 2013 ( copy enclosed), on the issue of maintenance of high standards during election campaign and putting all political parties on notice that any violation of model code of conduct and use of intemperate and abusive language may invite action.

2 Further, the Commission also advises political parties and candidates to refrain from any deeds/action/otherwise that may be construed as being repugnant to honour and dignity of women.

3. It is requested that you may suitably advise your leaders, workers and candidates in matter.

Yours faithfully



(K. Ajaya Kumar)  
Principal Secretary

# ELECTION COMMISSION OF INDIA

Nirvachan Sadan, Ashoka Road, New Delhi – 110001.

No.437/6/INST/2013-CC&BE

Dated : 28<sup>th</sup> November, 2013

To

The President / General Secretary,  
All recognized National / State political parties.

Subject:- Model Code of Conduct for guidance of political parties and candidates – maintenance of high standards of electoral campaigns— regarding.

Sir/Madam,

The progressively plummeting levels of political discourse witnessed during the ongoing election campaign for the 5 State Assembly elections, namely, Chhattisgarh, Madhya Pradesh, Mizoram, Rajasthan and Delhi is a matter of serious concern and deep anguish for the Commission.

2. The burgeoning tide of complaints and counter complaints received in the Commission are indicative of the fact that—

- (a) Mouthings of provocative and inflammatory statements' calculated to cause mutual hatred, disharmony or ill-will,
- (b) Use of intemperate and abusive language transgressing the limits of decency, and
- (c) Attacks on the personal character and conduct of political rivals, in utterances & through posters/hoardings, tend to incite mutual hatred, disharmony or ill-will and aggravate the differences between different political parties and classes of citizens on the grounds of religion, caste, community, etc., and which the Model Code of Conduct dissuades from being resorted to.

3. The Commission duly recognizes the fundamental right of freedom of speech and expression under Article 19(1) (a) of the Constitution guaranteed to citizens of India, but it also needs to be pointed out that such right to freedom



of speech and expression is not absolute and is to be exercised in such a manner that it does not transcend, *inter alia*, the boundaries of decency and morality or disturb public order or amount to defamation or give incitement to an offence as ordained in clause (2) of that Article 19. The Model Code of Conduct aims and seeks to achieve that very objective by its various provisions.

4. The gravity of the situation can be gauged by the fact that the Commission is seized of petitions from two National recognized Political Parties seeking each other's de-recognition for repeated violations of the Model Code of Conduct under Para 16A of the Election Symbols (Reservation and Allotment) Order, 1968.

5. While the Commission does not propose to take action on the lines prayed for, by the said two national recognized political parties at this stage, the Commission, however, desires to put all Political Parties on notice that any repeated violations of the Model Code of Conduct and use of intemperate and abusive language may invite action against the defaulting political parties.

Yours faithfully,



(K. AJAYA KUMAR )  
PRINCIPAL SECRETARY