

Ref. No.F5(1329)/DoIT/Tech/2020/ML-1947/2023

Date: 09/10/2023

All Additional Chief Secretaries/ Principal Secretaries/ Secretaries
All Department Heads
Rajasthan, Jaipur.

Web Admin.
IT
11/10
B.S.D.

Subject: Regarding adherence to Model Code of Conduct for Assembly General Elections 2023.

Ref:

1. Letter ref. no. F5(1329)/DoIT/Tech/2020/ML-1947/2023 dated 6.10.23
2. Election Department letter no. 5844 dated 03.10.2023, 5613 dated 24.09.2023
3. Election Commission of India letter dated 20.03.2014 and 21.11.2007

Sir,

In reference to the above-cited subject, the program for the upcoming Rajasthan State Assembly General Elections 2023 has been announced by the Election Commission of India making Model Code of Conduct in force with immediate effect.

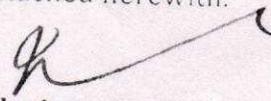
As per the above referred letter issued time to time, both the Election Commission of India and the State Election Department have provided instructions, detailing the actions to be taken as soon as the Model Code of Conduct is put into effect:

1. Advertising and dissemination of political content on electronic media websites, web portals, social media sites, mobile application or any other media platforms with the intention of promoting the ruling party using government funds should be strictly avoided.
2. In cases where references, photographs, or other content related to ministers, political figures, or parties are found on the websites/portals/mobile application of State/Public Undertakings, such content should be promptly removed. A compliance report should be expeditiously submitted to this department without delay for sending it to the Commission.

In light of the above, your immediate attention to this matter is requested. Kindly direct the concerned to take the required measures and ensure strict compliance with the instructions of the Election Commission of India and the Election Department, Government of Rajasthan, by all departments, local bodies, and public undertakings under your jurisdiction **within 24 hours** of the issuance of this letter. Additionally, please also send the compliance report to this department (email: oic.website@rajasthan.gov.in) in this regard.

For your reference, copies of the relevant letters from the Election Commission of India and the Election Department, Government of Rajasthan is being attached herewith.

Attached: As above.

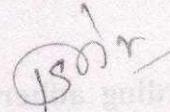

(Inderjeet Singh)
Commissioner and Special Secretary,
IT&C

Ref. No.F5(1329)/DoIT/Tech/2020/ML-1577/2023

Date: 05/10/2023

Copy to following for Information and necessary action:

1. PS to Chief Secretary, Rajasthan
2. PS to Chief Electoral Officer, Rajasthan
3. PS to ACS, IT&C
4. PS to Secretary, IT&C
5. Guard File

**(Dinesh Bhandari)**
ACP(Dy. Director), DoIT&C

Ref. No.F5(1329)/DoIT/Tech/2020/ML-1947/2023

Date: 06.10.2023

All Additional Chief Secretaries/ Principal Secretaries/ Secretaries
All Department Heads
Rajasthan, Jaipur.

Subject: Regarding adherence to Model Code of Conduct for Assembly General Elections 2023.

Ref: Election Department letter no. 5844 dated 03.10.2023, 5613 dated 24.09.2023 & Election Commission of India dated 20.03.2014 and 21.11.2007

Sir,

In reference to the above-cited subject and the relevant letters issued by the Election Commission of India regarding the Model Code of Conduct. It is requested that the program for the upcoming Assembly General Elections 2023 is likely to be announced soon. The Model Code of Conduct will be in effect, remaining in force until the conclusion of the election process.

Both the Election Commission of India and the State Election Department have provided instructions through letters, detailing the actions to be taken as soon as the Model Code of Conduct is put into effect:

1. Advertising and dissemination of political content on electronic media websites, web portals, social media sites, mobile application or any other media platforms with the intention of promoting the ruling party using government funds should be strictly avoided.
2. In cases where references, photographs, or other content related to ministers, political figures, or parties are found on the websites/portals/mobile application of State/Public Undertakings, such content should be promptly removed. A compliance report should be expeditiously submitted to this department without delay for sending it to the Commission.

In light of the above, your immediate attention to this matter is requested. Kindly direct the concerned to ensure strict compliance with the instructions of the Election Commission of India and the Election Department, Government of Rajasthan, by all departments, local bodies, and public undertakings under your jurisdiction. Additionally, please ensure that the compliance report is sent to this department promptly following the announcement of the election program.

For your reference, copies of the relevant letters from the Election Commission of India and the Election Department, Government of Rajasthan is being attached herewith.

Attached: As above.



(Inderjeet Singh)
Commissioner and Special Secretary,
IT&C

राजस्थान सरकार
निर्वाचन विभाग

एफ 3(1)(9)प्रथम/निर्वा/2023/5844

जयपुर, दिनांक: 03-10-2023

प्रेषक : मुख्य निर्वाचन अधिकारी
राजस्थान, जयपुर।

प्रेषिणी : आयुक्त एवं विशिष्ट शासन सचिव,
सूचना प्रौद्योगिकी एवं संचार विभाग,
राजस्थान, जयपुर।

विषय : विधानसभा आम चुनाव, 2023 -- सरकारी वेबसाइटों से राजनेताओं/मंत्रियों के फोटो, संदेश एवं संकेत हटाने के संबंध में।

प्रसंग : भारत निर्वाचन आयोग का पत्रांक 437/6/INST/2014/CC&BE दिनांक 20.03.2014 एवं पत्रांक 437/6/2007(INST) PLN-III दिनांक 21.11.2007 एवं विभाग का पत्रांक 5613 दिनांक 24.09.2023

महोदय,

विषयान्तर्गत निवेदन है कि राज्य में विधानसभा आम चुनाव, 2023 निकट भविष्य में सम्पन्न होने हैं। आगामी विधानसभा आम चुनाव के कार्यक्रम की घोषणा के साथ ही आदर्श आचार संहिता प्रभावी हो जायेगी, जो निर्वाचन प्रक्रिया की समाप्ति तक प्रभावी रहेगी। चुनाव कार्यक्रम की घोषणा की सूचना भारत निर्वाचन आयोग की राजकीय वेबसाइट पर उपलब्ध रहेगी साथ ही आपको विभाग द्वारा सूचना दे दी जायेगी तथा मीडिया के माध्यम से भी इसकी सार्वजनिक जानकारी हो जायेगी।

आदर्श आचार संहिता के प्रभावी रहने के दौरान भारत निर्वाचन आयोग के भारत निर्वाचन आयोग ने अपने पत्रांक 437/6/INST/2014/CC&BE दिनांक 20.03.2014 एवं पत्रांक 437/6/2007(INST) PLN-III दिनांक 21.11.2007 के द्वारा सरकारी वेबसाइटों से राजनेताओं/मंत्रियों के सभी संदर्भों को हटाने से संबंधित अनुदेश प्रदान किये गये हैं।

अतः आदर्श आचार संहिता लागू होते ही तत्काल प्रभाव से सरकारी वेबसाइटों से राजनेताओं/मंत्रियों के सभी संदर्भों को हटाते हुए पालना रिपोर्ट से विभाग को अवगत करवाना सुनिश्चित करावें।

संलग्न : उपरोक्तानुसार

भवदीय,

(प्रवीण गुप्ता)

मुख्य निर्वाचन अधिकारी,
राजस्थान, जयपुर।

17/10/23
05/10/2023

राजस्थान सरकार
निर्वाचन विभाग

एफ 3.(1)(9)प्रथम/निर्वा/2023/ 5613 जयपुर, दिनांक: 24.09.2023

प्रेषक : मुख्य निर्वाचन अधिकारी
राजस्थान, जयपुर।

प्रेषिती : मुख्य सचिव
राजस्थान सरकार
जयपुर।

समस्त अतिरिक्त मुख्य सचिव/प्रमुख शासन सचिव/
शासन सचिव
राजस्थान सरकार

राज्य सूचना विज्ञान अधिकारी,
(NIC) सचिवालय, जयपुर।

समस्त अध्यक्ष/प्रबन्ध निदेशक/निदेशक/सचिव
बोर्ड/आयोग/नियम, राजस्थान

विषय : विधानसभा आम चुनाव, 2023 - सरकारी वेबसाइट/सरकारी भवनों/विज्ञापनों
पर फोटो एवं संदेश प्रदर्शन के संबंध में।

महोदय,

विषयान्तर्गत निवेदन है कि राज्य में विधानसभा आम चुनाव, 2023 निकट भविष्य में सम्पन्न होने हैं। आगामी विधानसभा आम चुनाव के कार्यक्रम की घोषणा के साथ ही आदर्श आचार संहिता प्रभावी हो जायेगी, जो निर्वाचन प्रक्रिया की समाप्ति तक प्रभावी रहेगी। चुनाव कार्यक्रम की घोषणा की सूचना भारत निर्वाचन आयोग की राजकीय वेबसाइट पर उपलब्ध रहेगी साथ ही आपको विभाग द्वारा सूचना दे दी जायेगी तथा मीडिया के माध्यम से भी इसकी सार्वजनिक जानकारी हो जायेगी।

आदर्श आचार संहिता के प्रभावी रहने के दौरान भारत निर्वाचन आयोग के भारत निर्वाचन आयोग ने अपने पत्रांक 437/6/INST/2014/CC&BE दिनांक 20.03.2014 एवं पत्रांक 437/6/2007(INST) PLN-III दिनांक 21.11.2007 के द्वारा सरकारी वेबसाइटों से राजनेताओं/मंत्रियों के सभी संदर्भों को हटाने से संबंधित अनुदेश प्रदान किये गये हैं। साथ ही भारत निर्वाचन आयोग की Manual on Model Code of Conduct, March 2019 पुस्तिका अध्याय 9, जिसमें सरकारी वेबसाइट/सरकारी भवनों/विज्ञापनों पर फोटो एवं संदेश प्रदर्शन, पानी के टैंकर, एम्बुलेंस, वाहनों आदि पर नाम, फोटो एवं संदेश तथा MP LAD /MLA LAD योजनान्तर्गत प्रदत्त विभिन्न कार्ड, बिजली व अन्य बिल, किसी योजनान्तर्गत वितरित किये जाने वाले खाद्य पैकेट एवं इसी प्रकार की अन्य सामग्रियों/वस्तुओं पर विभिन्न राजनेताओं के फोटो या नाम हटाये जाने के संबंध में विस्तृत दिशा-निर्देश दिये गये हैं, जिनकी प्रति संलग्न कर प्रेषित की जा रही है। साथ ही यह भी आवश्यक रूप से सुनिश्चित किया जाना आवश्यक है कि राजकोष या लोक निधि से व्यय करके अखबारों अथवा मीडिया माध्यमों पर कोई विज्ञापन प्रकाशित नहीं किया जायेगा, जिससे किसी सत्ताधारी राजनैतिक दल का प्रचार हो।

५

आदर्श आचार संहिता प्रभाव में रहने के दौरान आयोग के उक्त निर्देशों की पालना सुनिश्चित करावें। साथ ही समस्त प्रशासनिक विभागों से भी यह अपेक्षा है कि वे अपने विभाग के नियंत्रणाधीन गठित समस्त बोर्ड, आयोग, निगम आदि निकायों में भी इन निर्देशों की पालना हेतु समस्त संबंधित को तदनुसार निर्देशित करावें।

संलग्न उपरोक्तानुसार

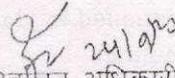
भवदीय,

(प्रवीण गुप्ता)
मुख्य निर्वाचन अधिकारी,
राजस्थान, जयपुर।

एफ 3.1(9)प्रथम/निर्वा/2023/

जयपुर, दिनांक:

प्रतिलिपि समस्त जिला निर्वाचन अधिकारी (कलक्टर्स), राजस्थान को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित हैं।


उप मुख्य निर्वाचन अधिकारी
राजस्थान, जयपुर।

3

INSTRUCTION SI.No.19

ECI letter No. 437/6/INST/2014/CC&BE, dated 20.03.2014 addressed to the Cabinet Secretary, Chief Secretaries and Chief Electoral Officers of all States and UTs.

Subject: Instructions relating to deletion of all references on politicians/Ministers on the official website during election period of General/Bye-election to the Lok Sabha and State Legislative Assemblies -reg.

I am directed to state that the Commission vide its letter No. 437/6/2007 (INST)-PLN-III, dated 21st November, 2007, issued instructions to deletion of all references on politicians/Ministers on the official website during election period of General/Bye-elections to the Lok Sabha and State Legislative Assemblies.

It has come to the notice of the Commission that the aforesaid instructions of the Commission are not being followed by Central and State Governments during election period. It is clearly mentioned in clause VII (iv) of Model Code of Conduct for guidance of Political parties and candidate:-

"VII. 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 purpose of its election campaign and in particular

(iv) Issues 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."

The Commission has considered the question of various references currently available in the Ministerial office website and in the State Government websites pertaining to several Department and Government Organization highlighting their achievements but eulogizing the same as personal achievements of Politicians/Ministers.

The Commission has decided that during the period when Model Code of Conduct is in force in connection with General Election to the Lok Sabha/State Legislative Assemblies currently going on, all references of Ministers, Politicians or Political Parties available on such Central/State Government's official website, shall be removed.

The above instruction of the Commission may kindly be communicated to all concerned for strict compliance.

INSTRUCTION Sl. No. 42

Election Commission's letter No.437/6/2007(INST)-PLN-III Dated : 21st November, 2007 addressed to The Cabinet Secretary Government of India, the Chief Secretaries and the Chief Electoral Officers of all States and Union Territories.

Subject: Instructions relating to deletion of all references on politicians/Ministers on the official website during election period of General / Bye-Elections to the Lok Sabha and State Legislative Assemblies - regarding.

I am directed to state that the Commission has considered the question of various references currently available in the State Government websites/Ministerial official websites pertaining to several Department and Govt. Organization highlighting their achievements but eulogizing the same as personal achievements of Politicians / Ministers. The Commission has decided that during the period when model code of conduct is in force in connection with general election to the Lok Sabha /State Legislative Assemblies, all references to Ministers, Politicians or Political Parties available on such State Government /Central Government 's official websites, shall be taken off/ purged of. During bye-elections, these instructions may be confined to only those Politicians/Ministers, etc. who themselves become candidates at such bye- elections.

This may kindly be brought to the notice of all concerned for strict compliance.

Kindly acknowledge receipt.

CHAPTER 9 DISPLAY OF PHOTO/MESSAGE ON OFFICIAL WEBSITE/GOVT. BUILDINGS/ ADVERTISEMENTS

- Main topics discussed in the Chapter:-**
- Display of Photo/Message on Official Website
 - Display of Photo/Message in Government Buildings
 - Display of Photo/Message on Govt. Advt./Hoardings
 - Whether Names/Photos can be Displayed on Mobile Objects Funded under MP/MLA LAD
 - Display of Photos on Beneficiary Cards/Electric bills/Construction Site Plaques etc-
 - Whether Images of National Leaders/Poets/Prominent Personalities of the Past can be Displayed
 - Restriction on Use of Photographs of Defence Personnel

9.1 Introduction

The Election Commission has observed that official websites of Ministers and their offices/ organizations, which carry material on personal achievements of the Ministers in their political/ public life, continue to display the same during election period. It amounts to violation of Model Code provisions. The Election Commission has issued directives to regulate this type of political advertisements.

9.2 Display of Photo/Message on Official Website

9.2.1 The Election Commission has instructed that partisan coverage of ministers highlighting and eulogizing their personal achievements on various official websites of Govt. Departments and social media, in order to furthering the prospects of party in power should be scrupulously avoided during the period Model Code is in force.

9.2.2 Similarly, all references of Ministers, politicians or political parties available on Central/ State Government's official website, shall be taken off/purged off/covered/hidden/removed. The Chief Electoral Officers shall take immediate action to remove/hide photographs of any political functionary from official websites of state department (Annexure- XII).

During bye-elections, these instructions may be confined to only those politicians/ministers, etc. who themselves become candidates at such bye- elections.

9.2.3 In 2017, the Election Commission received a complaint that images of the Prime Minister and Minister of Housing & Urban Poverty Allevation were being displayed on website of Pradhan Mantri Awas Yojana, being completed in Uttar Pradesh. The Election Commission having considered the issue held that depiction of photographs of the Prime Minister and Ministers, as aforesaid, is in violation of Model Code and hence asked to remove such photographs immediately from the official website 'pmaymis.gov.in'.

9.3 Display of Photo/Message in Government Buildings

The Election Commission has also instructed that during Model Code period photographs of Prime Minister, Chief Ministers, ministers and other political functionaries many of whom are still active in public life and may be contesting elections should not be displayed in government buildings/premises as that would have the effect of disturbing the level playing field vis-à-vis the political functionaries of other parties and candidates.

9.4 Display of Photo/Message on Government Advertisements/Hoardings

The Election Commission has directed that "hoardings, advertisements, etc., put up by the Government which purport to give general information or convey general messages to the masses on family planning, social welfare schemes etc. may be allowed to be displayed. However, all those hoardings, advertisements, etc. which seek or purport to project achievements of any living political functionaries or political party and which carry their photos or name or party symbol should be removed forthwith as no political functionary or political party can use public resources and incur or authorize expenditure from public exchequer to eulogize himself or itself or enhance his/its own or any other political leader's personal image. Such hoardings, etc. undoubtedly amount to their individual/party election campaign at public cost.

9.5 Whether Names/Photographs can be Displayed on Mobile Objects Funded under MP/MLA LAD

The Election Commission has been receiving complaints that names of MPs/MLAs painted on mobile objects like water tanks, ambulances etc. funded under MPLAD/MLALAD schemes are moving on various places in election going States. The Election Commission has considered the matter and directed that the names of MPs/MLAs etc. appearing on such moving vehicles etc. should be covered suitably during the election period as such vehicles moving from one place to another may be considered as a form of election campaign in favour of the MP/MLA etc. concerned.

9.6 Display of Photos on Beneficiary Cards/Electric Bills/Construction Site Plaques etc-

9.6.1 The Election Commission has issued clarification in the matter as follows:-

- (i) Beneficiary cards distributed to beneficiaries, construction site plaques etc. erected during the enforcement of Model Code shall not contain photographs/messages of Chief Ministers, Ministers and other political functionaries. However, no interference is called for in respect of photos of political functionaries on beneficiary cards, construction site plaques etc. that are distributed/erected prior to the announcement of election.
- (ii) Similarly, electricity bills, water bills etc. to be generated after the enforcement of Model Code should not contain any photographs or messages/symbols of political functionaries/parties.

9.6.2 During 2017 general election to Goa State Assembly, the Election Commission received a complaint that hoardings with photographs of Prime Minister were displayed at petrol-pumps. The Election Commission issued necessary direction to remove the photographs. Likewise, on the basis of a news item appeared in print media, the Election Commission ordered to stop distribution of certificates displaying photograph of Prime Minister by oil companies to LPG gas consumers who had surrendered gas subsidy, in Uttarakhand during 2017 general election to the State Assembly.

9.7 Whether Images of National Leaders/Poets/Prominent Personalities of the Past can be Displayed

The Election Commission has clarified that while photographs of Prime Minister, Chief Ministers, Ministers and other political functionaries should not be displayed, this instruction, however, is not applicable with regard to the images of national leaders, poets, and prominent historical personalities of the past, or images of the President of India and the Governors and these may continue to be so displayed. A reference was received from DAVP in 2013-- whether on the occasion of the death anniversary of former Prime Minister Smt. Indira Gandhi and the birth anniversary of Sardar Valabhbhai Patel, their photograph and messages could be published in the advertisements. The Election Commission decided that there may be no objection to the publication of photographs and message related to the departed political leaders except those leaders who have passed away in the recent past.

9.8 Restriction on Use of Photographs of Defence Personnel

9.8.1 Ministry of Defence brought to the notice of the Election Commission that photographs of Defence personnel were being used by some political parties, their leaders and candidates in advertisements as part of their election propaganda and requested the Election Commission to issue suitable instruction in this regard.

9.8.2 The Election Commission maintained that photographs of Chief of Army Staff or any other Defence personnel or photographs of functions of Defence forces should not be associated with or used in advertisement/propaganda/campaigning or in any other manner in connection with elections by political parties and candidates. The Election Commission, accordingly, called upon all the political parties to advise their candidates/leaders to desist from displaying photographs of Defence personnel or functions involving them in advertisements, or otherwise, as part of their election propaganda/campaigning.

कार्यालय भारतीय निर्वाचन आयोग
 आधिकारिक पत्रिका
 संख्या 1282
 दिनांक 26/3/14

By Spl. Messenger/Speed Post

ELECTION COMMISSION OF INDIA

NIRVACHAN SADAN, ASHOKA ROAD, NEW DELHI-110001

No. 437/6/INST/2014-CC&BE Dated: 20th March 2014

To

1. The Cabinet Secretary to the Govt. of India,
Rashtrapati Bhawan,
New Delhi. मुख्य सचिव कार्यालय
राजस्थान, जयपुर
2. The Chief Secretaries to the Governments of
all States and Union Territories आंध्र प्रदेश 72461
राजस्थान 31232
3. The Chief Electoral Officers of
all States and Union Territories

Sub: Instructions relating to deletion of all references on politicians/Ministers on the official website during election period of General/Bye elections to the Lok Sabha and State Legislative Assemblies- reg.

Handwritten notes:
 26/3
 Sir,
 Rajiv Mehrotra
 Chief Secretary
 (INST)
 26/3

I am directed to state that the Commission vide its letter No. 437/6/2007 (INST)-114-III, dated 21st November, 2007, issued instructions to deletion of all references on politicians/Ministers on the official website during election period of General/Bye-election to Lok Sabha and State Legislative Assemblies.

It has come to the notice of the Commission that the aforesaid instructions of the Commission are not being followed by Central and State Governments during election period. It is clearly mentioned in clause VII (iv) of Model Code of Conduct for guidance of Political parties and candidate:-

"VII. 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 purpose of its election campaign and in particular

(iv) Issues 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."

The Commission has considered the question of various references currently available in the Ministerial office website and in the State Government websites pertaining to several

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 10/3/14

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INSTRUCTION SI. No.100

ELECTION COMMISSION OF INDIA

Nirvachan Sadan, Ashoka Road, New Delhi-110001

No.437/6/2007(INST)-PLN-III

Dated : 21st November, 2007

To

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

Subject: Instructions relating to deletion of all references on politicians/Ministers on the official website during election period of General / Bye-Elections to the Lok Sabha and State Legislative Assemblies – regarding.

Sir,

I am directed to state that the Commission has considered the question of various references currently available in the State Government websites/Ministerial official websites pertaining to several Department and Govt. Organization highlighting their achievements but eulogizing the same as personal achievements of Politicians / Ministers. The Commission has decided that during the period when model code of conduct is in force in connection with general election to the Lok Sabha /State Legislative Assemblies, all references to Ministers, Politicians or Political Parties available on such State Government /Central Government 's official websites, shall be taken off/ purged of. During bye-elections, these instructions may be confined to only those Politicians/Ministers, etc. who themselves become candidates at such bye- elections.

This may kindly be brought to the notice of all concerned for strict compliance.

Kindly acknowledge receipt.

Yours faithfully,

(K. N. BHAR)
UNDER SECRETARY

Copy to:

The Principal Secretary /Secretaries/Under Secretaries for follow up action.