

**MODEL CODE OF CONDUCT
GENERAL ELECTIONS TO 186
VILLAGE PANCHAYATS**

2017

GOA

GOA STATE ELECTION COMMISSION

ALTINHO, PANAJI-GOA

**MODEL CODE OF CONDUCT FOR GENERAL ELECTIONS
TO VILLAGE PACHAYATS-2017**

I. FOR GOVERNMENT DEPARTMENTS

A. On transfers, posting and recruitment:-

- a) There shall be a total ban on transfer of all officers/officials connected with the conduct of the election till the completion of the election process.
- b) In case where transfer of an officer is considered necessary on account of administrative exigencies, the State Government may, with full justification, approach the Goa State Election Commission for prior clearance.
- c) No appointments or promotions in Government/Public Undertakings/Local Bodies shall be made during this period, without prior clearance of the Goa State Election Commission.
- d) Regular recruitment/appointment or promotion through State Public Service Commission can continue. Recruitments through non-statutory bodies in the State will require prior clearance of the Goa State Election Commission.

B. On Advertisements at the cost of public exchequer:-

- a) Any and all advertisements at the cost of the public exchequer regarding achievements of the party / Government in power is prohibited.

C . On schemes and works in Village Panchayat Areas:-

1. Announcement of 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 prohibited.

- a. These restrictions apply equally to new schemes and also ongoing schemes.
 - b. No fresh sanctions for governmental schemes should be made.
 - c. New works(state/Centre) and project cannot be taken up from discretionary funds of whatever nature. Discretionary fund, in this context, includes funds which are provided for in the budget in a generic manner and for which no identified and sanctioned project exists prior to the Model Code of Conduct coming into force.
 - d. Simply because a scheme has been sanctioned earlier or a reference was made in the address of the Governor/Budget speech of the Minister, it does not mean that such schemes can be taken up when the Model Code of conduct is in operation.
 - e. No fresh release of funds on welfare schemes and works should be made or contract for works awarded in any part of the state where election is in progress. This includes works under Member of Parliament (including Rajya Sabha members) Local Area Development (LAD) fund or Zilla Panchayat Fund.
2. However, in case of schemes, which have already been brought up to the stage of completion, their functioning in public interest need not be stopped or delayed. The commissioning of such schemes can be done by civil authority and without associating political functionaries and without any fanfare or ceremonies whatever, so that no impression is given or created that such commissioning has been done with a view to influencing the electorate in favour of ruling party.
 3. Review by political executive (Ministers etc.) and processing of beneficiary oriented schemes, even if ongoing, should be stopped till completion of election process.
 4. No work shall start in respect of works in Panchayat areas for which even if work orders have been issued earlier, if the work has actually not started in the field. These works can start only after the completion of election process.

The following types of existing works can be continued by the governmental agencies.

- (a) Work-projects that have actually started on the ground after obtaining all necessary sanctions can be continued.
 - (b) Beneficiary projects where specific beneficiaries by name have been identified before coming into force of the Model Code.
 - (c) Registered beneficiaries of NREGA may be covered under the existing projects. New projects under NREGA that may be mandated under the provisions of the Act may be taken up only if it for the already registered beneficiaries and the project is listed in the approved and sanctioned shelf of projects for which funds are also already earmarked.
- 5. There shall be no bar to the release of funds for the completed portion of any work subject to observance of laid down procedures and concurrence of Finance Department.
 - 6. Global/National tenders already floated can be evaluated and finalized where any time limits are specified for such purpose.
 - 7. Tenders other than Global/National tenders, that are already floated may be evaluated but not finalized without prior approval of the Goa State Election Commission. If they are not already floated, they shall not be floated without prior approval of the Goa State Election Commission.
 - 8. While starting any relief work due to natural calamities no formal function shall be held involving any political functionary and the work can be carried out.
 - 9. Area of operation of any existing project/ scheme/ programme cannot be extended or expanded.
 - 10. No land allocation shall be made by the government to any entity, whether individual or an enterprise.
 - 11. Signing a MOU or an agreement where the government is a party will also require prior clearance by the Goa State Election Commission.

12. Where works are to be undertaken or functions are to be held in fulfillment of international commitments, prior concurrence of the Commission shall be taken.

II. FOR FUNCTIONARIES OF THE GOVERNMENT AND ELECTED REPRESENTATIVES

- i) Official vehicles belonging to the Government, public sector undertakings, local bodies, co-operative societies or any other body where public funds have been invested shall not be allowed to be used for election work by candidates or for any candidates.
- ii) It will be open for official functionaries of Government including Ministers, MLAs, MPs to make private visits/visits to Panchayat areas for election purposes using their own private vehicles, however for such visits, the functionaries should avoid taking their personal staff alongwith them. The Minister of the Government may use their official vehicle for official purposes including their to and fro movement between the residence and office.
- iii) No functionary of the Government including Ministers will summon any election related officer for any election work for discussing any matter pertaining to elections.
- iv) Ministers of the State Government/MLAs/MPs shall not enter any Polling Station or place of counting except in their capacity as a voter.

III. FOR CANDIDATES

A. Prevention of misuse of Vehicles and Other facilities by the Candidates

- a) There are restrictions on use and plying of vehicles during the campaign period and on poll day which should be fully obeyed.

B. Unauthorised use of Vehicles

- a) Any vehicle that has not been registered for campaigning with the District Administration if found being used for campaigning, shall be deemed to be unauthorised campaigning for the candidate and may attract penal provisions of Chapter IX A of the IPC and under relevant Acts shall therefore be immediately taken out of the campaigning exercise.

C. Prevention of misuse of Vehicles- during Poll

- (i) The hiring or procuring or use of vehicles by a candidate or his/her agent or by any other person with the consent of the candidate or his/her election agent for the free conveyance of the voters to and fro from the polling station shall be a corrupt practice for the purposes of the relevant Acts. Such a corrupt practice attracts penalty and is punishable with fine.
- (ii) For an election to the Local Body, each contesting candidate, on the day of Poll, will be entitled to use only one vehicle for his own use in respect of the entire Local Body.
 - a) Permits for the said vehicle will be issued by the Returning Officer.
 - b) Candidates have to register their vehicles with the Returning Officer concerned and display the permits issued by the authorities on the wind-screen of the vehicles.
 - c) No other vehicles shall be allowed to be used by the leaders of the political parties including ministers, workers, agents and sympathizers of any candidate.
 - d) No exception shall be made, irrespective of the status of the candidate. No other person will be allowed on the day of the poll to use the vehicle allotted for candidate.

- e) Instructions on plying of vehicles shall be made applicable for a period of 24 hours before the time fixed for closure of poll and till its completion.
- f) Restrictions would not apply to any Government servant on duty or for transport of patient or old/ infirm persons.
- g) Penal action, under the relevant provisions of the Acts and Chapter IX A of IPC, shall be taken against anyone offending the above directions, in addition to action under the Motor Vehicles Act.
- h) All vehicles being used in violation of these directions shall be confiscated.
- i) Public places such as maidans, etc shall not be monopolized by the party in power at any level for holding election meetings. Other candidates shall be allowed the use of such places on the same terms and conditions on which they are used by the party in power.
- j) Rest houses, dak bungalows or other Zilla Parishad or Municipal accommodation shall be allowed to be used by other parties or candidates in a fair manner.
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- l) The maximum expenditure limits for the contesting candidate for the Village Panchayat Election is Rs. 40,000/- only.
- m) At the time of filing nomination papers, candidate or her/her seconder is allowed . No vehicle is allow within 100 mts. area of the Returning Officer Office where nomination will be filed.