

MODEL CODE OF CONDUCT FOR THE GUIDANCE OF POLITICAL PARTIES AND CANDIDATES IN CONNECTION WITH MUNICIPAL GENERAL ELECTIONS:

All parties and candidates shall refrain from:

- i) Activities that may create or aggravate tension or hatred or differences between castes and communities.
- ii) Criticism of rival candidates and parties on aspects of private life or on the basis of unverified allegations.
- iii) Appeals to caste, communal or religious feelings for securing votes.
- iv) Using any place of worship as forum of election propaganda.
- v) All 'corrupt practices' and offences under the Election Law, such as bribing/ intimidating/ impersonating/ transporting voters, canvassing within 100 metres of a polling station on poll day, holding election meeting within 48 hours of poll closing etc.
- vi) Demonstration or picketing in any form before the residence of any individual.
- vii) All activities likely to create disruption of or disturbances in any meeting, procession etc. organized by rival parties or candidates.
- viii) And inducement, financial or otherwise, to a voter.

I. CONDUCT OF PROPAGANDA:

1. No political party or candidate shall permit its or his followers to make use of any individual's land, building, compound wall etc. without the individual's permission for erecting flag staffs, suspending banners, pasting notices, writing slogans
2. No political party or candidate shall use or permit the use of huge/ extra-large cut-outs, hoarding, banners, etc. and shall generally refrain from all ostentatious display of money power.
3. No election pamphlet or poster shall be printed or published without the identity of the printer and the publisher so that responsibility can be fixed in case of publication of any documents containing illegal, offending or objectionable materials.

4. No political party or candidate shall make use of loudspeakers except between 6 a.m. to 10 p.m. and even in making such restricted use they shall abide by the extant orders of the Court and shall take permission, as required under the law shall be taken and the maximum possible consideration shall be shown for the sick, the aged and infirm and last but not the least, for the examinees appearing in major public examinations.

II. MEETINGS:

1. A party or candidate shall inform the local police authorities of the venue and time of any proposed meeting well in time so as to enable the police to make necessary arrangements for controlling traffic and maintaining peace and order.
2. A party or candidate shall ascertain in advance if there are any restrictive or prohibitory orders in force in the place proposed for the meeting. If such orders exist, they shall be followed strictly. If any exemption is required from such orders it shall be applied for and obtained well in time.
3. If permission or license is to be obtained for the use of loudspeakers and any other facility in connection with any proposed meeting, a party or candidate shall apply to the authority concerned well in advance and obtain such permission or license.
4. Organisers of a meeting shall invariably seek the assistance of police on duty for dealing with persons disturbing a meeting or otherwise attempting to create disorder. Organisers themselves shall not take action against persons.

III. PROCESSIONS:

1. A party or candidate organizing a procession shall decide before hand the time and place of the starting of the procession, the route to be followed and the time and place at which the procession will terminate. There shall ordinarily be no deviation from the programme.
2. The organisers shall give advance intimation to the local police authorities of the programme so as to enable the latter to make necessary arrangements.

3. The organizers shall ascertain if any restrictive orders are in force in the localities through which procession has to pass, and shall comply with the restrictions unless exempted specially by competent authority. Any traffic regulations or restrictions shall also be carefully adhered to.

4. The organisers shall take steps in advance to arrange for passage of the procession so that there is no block or hindrance to traffic. If the procession is very long, it shall be organised in segments of suitable lengths, so that at convenient intervals, especially at points where the procession has to pass road junctions, the passage of held-up traffic could be allowed by stages thus avoiding heavy traffic congestion.

5. Processions shall be so regulated as to keep as much to the right of the road as far as possible and the direction and advice of the police on duty shall be strictly complied with.

6. If two or more political parties or candidates propose to take procession over the same route or parts thereof at about the same time, the organisers shall establish contact well in advance and decide upon the measures to be taken to see that the processions do not clash or cause hindrance to traffic. The assistance of the local police shall be availed of for arriving at a satisfactory arrangement. For this purpose, the parties shall contact the police at the earliest opportunity.

7. Political parties or candidates shall exercise control to the maximum extent possible in the matter of processionists carrying articles which may be put to misuse by undesirable elements, especially in moments of excitement.

8. The carrying of effigies purporting to represent members of other political parties, of their leaders, burning such effigies in public and such other forms of demonstration shall not be countenanced by any political party or candidate.

IV. POLLING DAY:

All political parties and candidates shall:

1. Co-operate with the officers on election duty to ensure peaceful and orderly polling and complete freedom to the voters to exercise their franchise without being subjected to any annoyance or obstruction.
2. Simply to issue their authorized workers identity cards, or badges containing the name of the worker, name of the party and party symbol only.
3. Agree that the identity slips supplied by them to voters shall be on plain (white) paper and shall not contain any symbol, name of the candidate or the name of the party.
4. Refrain from serving or distributing liquor and other intoxicating items on polling day.
5. Disallow unnecessary crowds to be collected near the camps set up by the political parties and candidates near the polling booths so as to avoid confrontation and tension among workers and sympathisers of the parties
5. Ensure that the candidates' camps shall be simple and shall abide by all the statutory restrictions in the matter.
6. Co-operate with the authorities in complying with the restrictions to be imposed on the plying of vehicles on the polling day and obtain permits for them which should be displayed prominently on those vehicles.

V. POLLING STATION:

Only voters and persons authorised under Rule 23 of the West Bengal Municipalities (Conduct of Elections) Rules, 1995 shall have the right of entry to a polling station during voting, and only persons eligible under Rule 43 ibid shall have the right of entry to a place of counting.

To avoid influencing voters by their presence, the Mayor, Deputy Mayor, Chairman, Vice-Chairman or other Councillors shall not visit any polling booth except casting their votes.

VI. PARTY IN POWER:

The party in power at Central or State Government level or the Municipality 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-

- 1.(a) no Central or State Government authority or any Municipal body shall make use of official machinery or personnel during electioneering work;
- (b) any official vehicle on duty including Municipal vehicle, machinery and personnel shall not be used for furtherance of the interest of the party in power; this restriction will apply to Central Government or State Government Ministers also;
2. public places such as maidans etc. shall not be monopolised by the party in power at any level for holding election meetings. Other parties and 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;
3. rest houses, dak bungalows or other ZP / Municipal / Government accommodation shall be allowed to be used by other parties or candidates in a fair manner;
4. issue of advertisements at the cost of the public or Municipal exchequer in newspapers and other media during election period regarding achievements with a view to furthering the prospect of the party in power shall be scrupulously avoided.
5. no authority of the Central or State Government or a Municipal body shall sanction grants/ payments out of discretionary fund from the time of the elections are announced and till the elections are over; and
6. from the time the elections to a Municipal body are announced and till the elections are over, no authority of the Central or State Government or board of a councillors or Municipality shall, in the municipal or for the benefit of the Municipal area concerned,
 - a) announce or promise any financial grant,
 - b) allow laying of foundation stone etc. of projects of scheme of any kind,

- c) make any promise of construction of roads, provision of drinking water facilities, or
- d) announce or promise or commence any new scheme or project; and
- e) make any appointment for temporary post or jobs.

Provided that this restriction shall not affect continuing schemes, essential repair works, measures necessary for public health and sanitation and public utility interests and relief measures against calamities and disasters and any other emergency measures that may be necessary.

N.B- In respect of by-elections, the restrictions contained in the Model Code of Conduct will apply only to those wards where by-elections are being held and not to the entire Municipal Area, nor to Municipality-wise schemes / projects. Thus, there should be no declaration or starting of essentially new schemes meant for such wards only.