



## DISTRICT ELECTION OFFICE, NAYAGARH

(e-Mail ID- deonayagarh@gmail.com)

Order No. ୧୭୨ /Elec Dated ୧୭/03/2024


### OFFICE ORDER

In view of announcement of Simultaneous general Election -2024 in the state of Odisha, the Guideline for dealing with financial matters (Annexure-1) and CODE OF CONDUCT Do's and 'DON'T's (Annexure-2) is hereby enclosed for strict adherence by all offices.

  
District Election Officer  
& Collector, Nayagarh

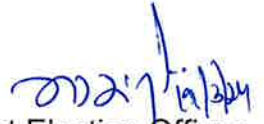
Memo No. ୧୭୩ /Elec Dated ୧୭/03/2024

Copy forwarded to the S.P, Nayagarh/ ADM(Rev), Nayagarh/ ADM(Gen), Nayagarh/ C.D.O.-cum-E.O.,Z.P., Nayagarh / Sub- Collector, Nayagarh/CDM & PHO, Nayagarh / DFO, Territorial & Wild Life , Nayagarh / Dy. Director, Horticulture, Nayagarh / Dy. Director, Planning & Statistics, Nayagarh / DRCS, Puri / All Tahasildars of Nayagarh District / All BDOs of Nayagarh District / Executive Engineer, PHD, Nayagarh/ Executive Engineer, R& B, Nayagarh / Executive Engineer , Irrigation Divn.,Nayagarh / Superintending Engineer, M.I. Divn, Nayagarh / Executive Engineer , OLIC, Divn. , BBSR / Executive Engineer , TPCODL, Nayagarh / Executive Engineer, RWS&S Divn., Nayagarh / Executive Engineer, RW Divn, Nayagarh / Executive Engineer, NH Divn. BBSR / Dist. Education Officer, Nayagarh /SDO, Telephone, Nayagarh / Supdt. of Excise, Nayagarh/ CDAO, Nayagarh/ CDVO, Nayagarh/ Dist. Agriculture Officer, Daspalla / CSO, Nayagarh / ADT, Nayagarh / Dist. Employment Officer, Nayagarh / DPC, SSA , Nayagarh / Dist. Labour Officer, Nayagarh / ARCS, Nayagarh / P.D. , Water shed , Nayagarh / Dist. Fishery Officer, Nayagarh / All CDPOs of Nayagarh District / RTO, Nayagarh / Executive Officer , Municipality , Nayagarh/Executive Officer, Khandapada, Daspalla, Ranpur, Odagaon NAC / General Manager, DIC, Nayagarh / Dist. Manager, OAIC, Nayagarh / All Fire Officer of Nayagarh District. / All Supdt. of Sub-Jails of Nayagarh District. / DSWO, Nayagarh/ DWO, Nayagarh/ DPO, Nayagarh/ Dist. Sports Officer, Nayagarh / DSSO, Nayagarh / Dist. Cultural Officer, Nayagarh / Project Officer, Sugar Cane, Nayagarh / Special Land Acquisition Officer, Khurda-Bolangir Railway Link / Secy., RMC, Bahadajhola. Dist. Sub-Registrar, Nayagarh for information and necessary action.

  
District Election Officer  
& Collector, Nayagarh

Memo No. 974 /Elec. Dated 19 /03/2024

Copy forwarded to DIO, NIC, Nayagarh for information and necessary action. She is requested to upload the Guidelines for dealing with financial matters (Annexure-1) and CODE OF CONDUCT -Do's and 'DON'T's (Annexure-2) in the district NIC portal.

  
District Election Officer  
& Collector, Nayagarh

CHECKLIST OF DISTRICT ELECTION OFFICER

13.1 ANNOUNCEMENT OF NEW SCHEMES

13.1.1 FINANCIAL MATTERS

Following types of existing works can be continued by the government agencies without reference to the Election Commission

Work-projects that have actually started on the ground after obtaining all necessary sanctions.

Beneficiary-projects where specific beneficiaries have been identified, by name, before coming of Model Code into force.

Registered beneficiaries of MNREGA may be covered under existing projects. New projects under MNREGA that may be mandated under the provisions of the Act may be taken up only if it is for the already registered beneficiaries and the project is already listed in the approved and sanctioned shelf of projects for which funds are also already earmarked.

There shall be no bar to release of funds for the completed portion of any work subject to observance of laid down procedures and concurrence of Finance Department.

Payments directly to the hospitals from Chief Minister's Relief Fund/Prime Minister's Relief Fund, in lieu of direct cash payment to individual patients (beneficiaries), will be permissible without reference to the Election Commission.

Following types of new works (whether beneficiary or work oriented) can be taken up under intimation to the Election Commission only if they fulfill the given conditions before Model Code comes into effect (in case of any of the conditions not being met, prior approval of the Election Commission shall be obtained).

Full funding has been tied up.

Administrative, technical and financial sanctions have been obtained.

Tender has been floated, evaluated and awarded.

In case there is contractual obligation to start and end the work within a given time frame and failing which there is an obligation to impose penalty on the contractor.

Emergency relief works and measures that are aimed at mitigating the hardships, directly and solely, of the persons affected in a disaster may be taken up under intimation to the Election Commission.

## CHECKLIST OF DISTRICT ELECTION OFFICER

The following types of activities will require prior permission of the Election Commission

New works and projects 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 Model Code coming into effect).

Proposals for revival of sick public sector undertakings, governmental takeover of enterprises, etc. (or any policy decision on similar lines) cannot be taken up.

Fresh auctions of liquor vends, etc., cannot be held even if the annual auction time falls within Model Code period. Where necessary, the government should make interim arrangements as provided in its respective laws.

Area of operation of any existing project or scheme or programme cannot be extended or expanded.

No land allocation shall be made by the government to any entity, whether individual or an enterprise.

Signing an MOU or an agreement where the government is a party will also require prior clearance by the Election Commission.

Tenders other than global tenders, if already floated may be evaluated but not finalized. If these are not floated, shall not be floated without prior permission of the Election Commission.

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

Ex-gratia payments and gratuitous relief in the aftermath of a disaster can be given directly to the persons affected at the current rates or scales of assistance presently in force, under intimation to the Election Commission. No change in the extant and prescribed scales of payments, however, shall be made in the existing rates or scales without prior permission of the Election Commission.

However, new works that may be necessitated by way of preventive measures to mitigate the likely effects of natural disasters, like repair of embankments, water channels etc. can be taken up only with prior permission of the Election Commission.

Also, an area shall not be declared drought or flood affected or any such calamity affected without prior approval of the Election Commission. The extent of area already declared to be calamity-affected cannot be expanded without prior approval of the Election Commission.

Similarly, any selective assistance to a group of persons from the Chief Minister's Relief Fund/ Prime Minister's Relief Fund will require prior approval of the Election Commission.

Global tenders already floated, can be evaluated and finalized where any time limits are specified for such purpose. Tenders other than global tenders, that are already floated may be evaluated but not finalized without prior approval of the Election Commission. If they are not already floated, they shall not be floated without prior approval of the Election Commission.

While starting any work (including any relief work) or development activity, no formal function shall be held involving any political functionary. As a matter of good practice, normal functions and publicity even with the presence of official functionaries should be kept to the minimum.

Regular recruitment or appointment or promotion through the UPSC, State Public Service Commissions or Staff Selection Commission or any other statutory authority can continue. Recruitments through non-statutory bodies will require prior clearance of the Election Commission.

Fax/Speed post/Special Messenger

## **ELECTION COMMISSION OF INDIA**

**Nirvachan Sadan, Ashoka Road, New Delhi-110001**

464/INST/2007-PLN-I

Dated: 07.01.07

To,

**Chief Secretary, of States and UTs**

**Chief Electoral Officer of States and UTs**

**SUB: - CODE OF CONDUCT – DO's & 'DONT's**

The Commission has issued various instructions on observance of code of conduct from time to time. Important aspects of the code of conduct are reiterated below:

### **On Welfare schemes and governmental works:**

- 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.**
- 2. These restrictions apply equally to new schemes and also ongoing schemes. But it does not mean that in the case of national, regional and State utility schemes, which have already been brought up to the stage of completion, their utilization or functioning in public interest should be stopped or delayed. The coming into force of the Model Code of Conduct cannot be given as an excuse for not commissioning such schemes or allowing them to remain idle. At the same time, it should be ensured that the commissioning of such schemes is 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 the ruling party. If in doubt, a clarification should be obtained from Chief Electoral Officer/Election Commission of India.**
- 3. It is further clarified that simply because a budget provision has been made for any particular scheme or the scheme has been sanctioned earlier or a reference to the scheme was made in the address of the Governor or the budget speech of the Minister it does not automatically mean that such schemes can be announced or inaugurated or otherwise taken up after the announcement of elections while the**

Model Code of conduct is in operation, since they will clearly be intended to influence the voters. Such actions if undertaken will be considered a violation of the model code of conduct.

4. **No fresh sanctions for governmental schemes should be made. Review by political executive (Ministers etc.) and processing of beneficiary oriented schemes, even if ongoing, should be stopped till completion of elections. 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 without prior permission of the Commission. This includes works under the Member of Parliament (including Rajya Sabha members) Local Area Development fund or MLAs / MLCs Local Area Development Fund, if any such scheme is in operation in the state.**
5. **No work shall start in respect of which even if work orders have been issued before the model code came into effect, if the work has actually not started in the field. These works can start only after the completion of election process. However, if a work has actually started, that can continue.**
6. There shall be no bar to the release of payments for completed work(s) subject to the full satisfaction of the concerned officials.
7. Commission does not refuse approval for schemes undertaken for tackling emergencies or unforeseen calamities like providing relief to people suffering from drought, floods, pestilences, other natural calamities or welfare measures for the aged, infirm etc. In these matters, however, prior approval of the Commission should be taken and all ostentatious functions should be strictly avoided and no impression should be given or allowed to be created that such welfare measures or relief and rehabilitation works are being undertaken by the Government in office so as to influence the electors in favour of the party in power which at the same time will adversely affect the prospects of the other parties.

#### **On Transfers and posting of officials:**

**The Commission directs that there shall be a total ban on the transfer of all officers/officials connected with the conduct of the election. These include but are not restricted to: -**

- (i) The Chief Electoral Officer and Additional/Joint/Deputy Chief Electoral Officers;
- (ii) Divisional Commissioners;

- (iii) The District Election Officers, Returning Officers, Assistant Returning Officers and other Revenue Officers connected with the Conduct of Elections;
- (iv) Officers of the Police Department connected with the management of elections like range IGs and DIGs, Senior Superintendents of Police and Superintendents of Police, Sub-divisional level Police Officers like Deputy Superintendents of Police and other Police officers who are deputed to the Commission under section 28A of the Representation of the People Act, 1951;
- (v) Other officers drafted for election works like sector and zonal officers, Transport cell, EVM cell, Poll material procurement & distribution cell, Training cell, Printing Cell etc. Senior officers, who have a role in the management of election in the State, are also covered by this direction.
- (vi) The transfer orders issued in respect of the above categories of officers prior to the date of announcement but not implemented till the time when model code came into effect should not be given effect to without obtaining specific permission from the Commission.
- (vii) This ban shall be effective till the completion of the election process.
- (viii) In those cases where transfer of an officer is considered necessary on account of administrative exigencies, the State Government may, with full justification, approach the Commission for prior clearance.
- (ix) **No appointments or promotions in Government / Public Undertakings shall be made during this period, without prior clearance of the Commission.**

**On Misuse of Official Machinery:**

**1. Official vehicles cannot be used for electioneering work. 'Official Vehicles' include all vehicles belonging to the -**

- Central Government,
- State Government,
- Public Undertakings of the Central and State Government,
- Joint Sector Undertakings of Central and State Government,
- Local Bodies, Municipal Corporations, Municipalities,
- Marketing Boards (by whatever name known),
- Cooperative Societies,
- Autonomous District Councils, or
- Any other body in which public funds, howsoever small a portion of the total, are invested, and also
- Vehicles belonging to the Ministry of Defense and the Central Police Organizations under the Ministry of Home Affairs and State Governments.

- 2. It is open for a minister of the Union or State to make private visits using his or her private vehicle(s). For such private visits, the official personal staff of the ministers shall not accompany them. However, if a Minister is traveling in some emergent situation, out of his HQ on purely official business, which cannot be avoided in public interest, then a letter certifying to this effect should be sent from the Secretary concerned of the Department to the Chief Secretary of the state where the Minister intends to visit, with a copy to the Commission. During such tour, the Chief Secretary may provide the Minister with Government vehicle and accommodation and other usual courtesies for his official trip. However, immediately preceding or during or in continuation of such an official tour, no minister can carry out or combine any election campaign or political activity. The Commission will keep watch on such arrangements in due consultation with its Chief Electoral Officer.**
- 3. No Minister, whether of union or state, will summon any election related officer of the constituency or the State, for any official discussions during the period of elections commencing with the announcement of the elections. Only exception will be when a Minister, in his capacity as in charge of the department concerned, or a Chief Minister undertakes an official visit to a constituency, in connection with failure of law and order or a natural calamity or any such emergency which requires personal presence of such Ministers/Chief Ministers for the specific purpose of supervising review/salvage/relief and such like purpose.**
- 4. Ministers are entitled to use their official vehicles only for commuting from their official residence to their office for official work provided that such commuting is not combined with any electioneering or any political activity.**
- 5. Ministers, whether of the Union or State, shall not combine in any manner their official tours with election work.**
- 6. Whether on a private or official visit, no pilot car(s) or car(s) with beacon lights of any colour or car(s) affixed with sirens of any kind shall be used by any political functionary, even if the State administration has granted him a security cover requiring presence of armed guards to accompany him on such visit. This is applicable whether the vehicle is government owned or private owned.**
- 7. Any official who meets the Minister on his private visit to the constituency where elections are being held shall be guilty of misconduct under the relevant service rules; and if he happens to be an official mentioned in Section 129 (1) of the Representation of People Act, 1951, he shall also**



be additionally considered to have violated the statutory provisions of that Section and liable to penal action provided thereunder.

**OTHER 'DOS AND DON'TS' FOR THE GUIDANCE OF THE CANDIDATES AND POLITICAL PARTIES TO BE OBSERVED FROM THE ANNOUNCEMENT OF AN ELECTION AND UNTIL THE COMPLETION OF THE PROCESS OF ELECTION.**

The Commission has drawn up a list of 'dos' and 'don'ts' to be followed by candidates and political parties after the announcement of elections and till the completion of the process of elections. The Commission has directed that this be given the widest possible publicity and its contents brought to the knowledge of all candidates and political parties including in the official language of the State.

**It must be clearly brought to the notice of candidates and political parties that the list of 'Dos' and 'Donts' is only illustrative and not exhaustive and is not intended to substitute or modify other detailed directions/instructions on the above subjects, which must be strictly observed and followed.**

**DO'S'**

- (1) **Ongoing programmes, which actually started in the field before the announcement of elections may continue.**
- (2) Relief and rehabilitation measures to the people in areas affected by floods, drought, pestilence, and other natural calamities, can commence and continue.
- (3) Grant of cash or medical facilities to terminally or critically ill persons can continue with appropriate approvals.
- (4) Public places like maidans must be available impartially to all parties/contesting candidates for holding election meetings. So also use of helipads must be available impartially to all parties/contesting candidates, to ensure a level playing field.
- (5) Criticism of other political parties and candidates should relate to their policies, programme, past record and work.
- (6) The right of every individual for peaceful and undisturbed home life should be fully safeguarded.
- (7) **The local police authorities should be fully informed of the venue and time of the proposed meetings well in time and all necessary permissions taken.**
- (8) If there are any restrictive or prohibitory orders in force in the place of the proposed meeting, they shall be fully respected. Exemption, if necessary, must be applied for and obtained well in time.
- (9) **Permission must be obtained for the use of loudspeakers or any other such facilities for the proposed meetings.**

- (10) The assistance of the police should be obtained in dealing with persons disturbing meetings or otherwise creating disorder.
- (11) **The time and place of the starting of any procession, the route to be followed and the time and place at which the procession will terminate should be settled in advance and advance permissions obtained from the police authorities.**
- (12) The existence of any restrictive orders in force in the localities through which the procession has to pass should be ascertained and fully complied with. So also all traffic regulations and other restrictions.
- (13) The passage of the procession must be without hindrance to traffic.
- (14) Cooperation should be extended to all election officials at all times to ensure peaceful and orderly poll.
- (15) All Workers must display badges or identity cards.
- (16) Unofficial identity slips issued to voters shall be on plain (white) paper and not contain any symbol, name of the candidate or name of the party.
- (17) Restrictions on plying of vehicles during the campaign period and on poll day shall be fully obeyed.
- (18) (Except voters, candidates and their election/polling agents), only persons with a specific valid authority letter from the Election Commission can enter any polling booth. No functionary however highly placed (e.g. Chief Minister, Minister, MP or MLA etc) is exempt from this condition.
- (19) Any complaint or problem regarding the conduct of elections shall be brought to the notice of the observer appointed by the Commission/Returning Officer/Zonal/Sector Magistrate/Election Commission of India.
- (20) Directions/orders/instructions of the Election Commission, the Returning Officer, and the District Election Officer shall be obeyed in all matters related to various aspects of election.
- (21) Do leave the constituency after the campaign period is over if you are not a voter or a candidate or candidate's election agent from that constituency.

### **DON'Ts**

- (1) Any and all advertisements at the cost of the public exchequer regarding achievements of the party/Government in power as prohibited.
- (2) **No Minister shall enter any polling station or the place of counting, unless he or she is a candidate or as a voter only for voting.**
- (3) **Official work should not at all be mixed with campaigning/electioneering.**
- (4) No inducement, financial or otherwise, shall be offered to the voter.
- (5) Caste/communal feelings of the electors shall not be appealed to.

- (6) No activity, which may aggravate existing differences or create mutual hatred or cause tension between different castes, communities or religious or linguistic groups shall be attempted.
- (7) No aspect of the private life, not connected with the public activities, of the leaders or workers of other parties shall be permitted to be criticized.
- (8) Other parties or their workers shall not be criticized based on unverified allegations or on distortions.
- (9) Temples, mosques, churches, gurudwaras or any place of worship shall not be used as places for election propaganda, including speeches, posters, music etc., on electioneering.
- (10) Activities which are corrupt practices or electoral offences such as bribery, undue influence, intimidation of voters, personation, canvassing within 100 meters of a polling station, holding of public meetings during the period of 48 hours ending with the hour fixed for the close of the poll and conveyance of voters to and from polling stations are prohibited.
- (11) Demonstrations or picketing before the houses of individuals by way of protesting against their opinion or activities shall not be resorted to.
- (12) **Subject to the local laws, no one can make use of any individual's land, building, compound wall, vehicles etc. for erecting flag staffs, putting up banners, pasting notices or writing slogans etc. without specific permission of the owner (to be shown to and deposited with the District Election Officer).**
- (13) No disturbances shall be created in public meetings or processions organised by other political parties or candidates.
- (14) **Processions along places at which another party is holding meetings shall not be undertaken.**
- (15) Processionists shall not carry any articles, which are capable of being misused as missiles or weapons.
- (16) Posters issued by other parties and candidates shall not be removed or defaced.
- (17) Posters, flags, symbols or any other propaganda material shall not be displayed in the place being used on the day of poll for distribution of identity slips or near polling booths.
- (18) Loudspeakers whether static or mounted on moving vehicles shall not be used either before 6 a.m. or after 10a.m. and without the prior written permission of the authorities concerned.

- (19) Loudspeakers shall also not be used at public meetings and processions without the prior written permission of the authorities concerned. Normally, such meetings/processions will not be allowed to continue beyond 10.00 p.m. in the night and will be further subject to the local laws, local perceptions of the security arrangements of the area and other relevant considerations like weather conditions, festival season, examination period, etc.
- (20) No liquor should be distributed during elections.
- (21) **On the day of the poll, no person who has been assessed to be having a security threat and therefore given official security shall enter the vicinity of a polling station premise (within 100 meters) with his security personnel. Further, on the day of the poll no such person shall move around in a constituency with his security personnel. If the person provided with official security happens to be a voter also, then he or she shall restrict his / her movement - accompanied by security personnel, to voting only.**
- (22) **No person who has been assessed to be having a security threat and therefore provided official security or who has private security guards for himself, shall be appointed as an election agent or polling agent or counting agent.**

**NOTE: The above list of Do's' and Don'ts' is only illustrative and not exhaustive and is not intended to substitute any other detailed orders, directions/instructions on the above subjects, which must be strictly observed and followed.**

**The clarification/approval of the Election Commission of India/Chief Electoral Officer of your State should be obtained in cases of doubt.**

Please acknowledge the receipt of this letter.

**Your's faithfully,**

**Sd/-**  
**(Jai Priye Prakash)**  
**Deputy Election Commissioner**