

GOVERNMENT OF TELANGANA

ABSTRACT

Elections – Bye-election to 41-Dubbak Assembly Constituency, Siddipet District – Scheduled to be held on 03.11.2020 - Measures to check " Paid News " during elections i.e. advertisement in garb of news in Media and related matters and to take up the additional task of keeping a check on the cases of Paid News published in Print Media and telecast in Electronic Media and also Social Media - Constitution of State Level Media Certification and Monitoring Committee (MCMC) – Orders - Issued.

GENERAL ADMINISTRATION (ELECTIONS.A) DEPARTMENT

G.O.Rt.No.1502

Dated:09.10.2020

Read the following:

1. Hon'ble Supreme Court of India, New Delhi Orders in S.L.P. (c) No. 6679/2004, dated. 13-04-2004.
2. Election Commission of India, New Delhi Order No.509/75/2004/JS-1, dated. 15-04-2004.
3. Election Commission of India, New Delhi Lr.No.491/Paid News/2012/ Media, dated. 27-08-2012.
4. Election Commission of India, New Delhi Lr.No. 491/Paid News/2019/ Communication, dated. 25-02-2019.
5. Election Commission of India, New Delhi Press Note No.ECI/PN/67/2020, dated. 29-09-2020.

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ORDER:

Pursuant to the directions of the Election Commission of India vide its orders second to fourth read above, State Level Media Certification and Monitoring Committee (MCMC) is constituted with the members mentioned below as measures to check " Paid News " during elections i.e. advertisement in garb of news in Media and related matters and to take up the additional task of keeping a check on the cases of Paid News telecast in Electronic Media i.e. on TV Channels, Cable Networks, Cinema Halls and Broadcast in Radio Stations including private FM channels; publication in Print Media and campaigning in Social Media in connection with the conduct of Bye-election to 41-Dubbak Assembly Constituency, Siddipet District, Telangana State Scheduled to be held on 03.11.2020.

- 1) Dr. Shashank Goel, I.A.S.,
Chief Electoral Officer ... Chairperson
- 2) Dr. Jyothi Budha Prakash, I.A.S.,
Addl. Chief Electoral Officer ... Member Secretary
- 3) Any Observer appointed by the ECI ... Member
- 4) Dr. K. Stevenson,
Professor & Head, Department of Journalism &
Mass Communication, Osmania University, Hyderabad-500007. ... Member
- 5) Sri I. Hari Babu
Assistant Director,
O/o The Director General, (South), Press Information Bureau,
M/o Information & Broadcasting, G.O.I.(For Telangana State)
2nd Floor, CGOs Towers, Kawadiguda, Secunderabad - 500 080. ... Member

(Conti...2.,)

- 6) Sri M.A. Majid, Senior Journalist & Member ... Member
Press Council of India, Hyderabad.
- 7) Sri M. Madhavacharya ... Member
Assistant Director, Digital Media,
O/o the Director, Digital Media,
5th Floor, T.S. Secretariat at BRK Bhavan, Hyderabad – 29.

2. The above State Level MCMC shall decide appeals received from both the District level MCMC, Siddipet district and Additional CEO's Committee on Certification of advertisement of political parties pertaining to the Bye-Election to 41-Dubbak Assembly Constituency Siddipet District as per the ECI Order No.509/75/2004/JS-1, dated:15/04/2004 besides examining all cases of Paid News on appeal against the decision of District MCMC or cases that may take up suo motu.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF TELANGANA)

Dr. SHASHANK GOEL
CHIEF ELECTORAL OFFICER &
E.O PRL. SECRETARY TO GOVT.

To

The Chairperson and Members of the State Level M C M C concerned. { Along with copy of the ECI Lr. No.491/Paid News/2019/Communication, dt. 27-08-2012 and 25.02.2019 and Press Note No.ECI/PN/67/2020 dt.29.09.2020. }

The Collector & District Election Officer, Siddipet District. { Along with copy of the ECI Lr.No.491/Paid News/2019/Communication, dt. 27-08-2012 and 25.02.2019 and Press Note No.ECI/PN/67/2020 dt.29.09.2020. }

The Returning Officer, 41 – Dubbak Assembly Constituency, Siddipet District. {Along with copy of the ECI Lr. No.491/Paid News/2019/Communication, dt. 27-08-2012 and 25.02.2019 and Press Note No.ECI/PN/67/2020 dt.29.09.2020.} **{ Through the Collector & D.E.O., Siddipet District }**

The Presidents of all Political Parties for the State of Telangana {Both Recognized National Parties and Un-Recognized State Political parties} { Along with copy of the ECI Lr. No.491/Paid News/2019/Communication, dt. 27-08-2012 and 25.02.2019 and Press Note No.ECI/PN/67/2020 dt.29.09.2020. }

The Commissioner, Information & Public Relations Department, Telangana State, Samachar Bhavan, A.C.Guards, Hyderabad – 500 004 (w.e.)

All the Television Channels / Cable Network Operators/ All India Radio and Private F.M. Channels. **{Through the Commissioner, Information & Public Relations Department, Telangana State, Hyderabad.}**

Copy to :

1. The Chairperson and Members of the Additional CEO's Committee on Certification of advertisements of political parties concerned. (w.e.)
2. The Principal Secretary to Govt, Information Technology and Electronics & Communication Dept., Telangana State, Secretariat at 5th floor, B.R.K.Bhavan, Hyderabad-500029.
3. The Director General (South), Press Information Bureau, M/o. Information & Broadcasting, GOI, Room No.203, 2nd Floor, CGO Towers, Kavadiguda, Sec'bad – 500080.

(P.T.O)

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4. The Deputy Director General,(Programme), Prasar Bharathi,
Door Darshan Kendra,Telangana State,Ramanthapur,Hyyderabad-500 013.
5. The Deputy Director(News), Prasar Bharathi,All India Radio,Saifabad,
Hyderabad – 500004.
6. The P.M. I.T O/o the CEO, T.S. for uploading the G.O.Rt. in the CEOs official website.
7. The S.L.A. O/o the CEO, T.S. for uploading the G.O.Rt. in the CEOs official website.
8. All the Officers, in the G.A (Elections) Dept., and P.S/ PA to the CEO/ Addl. CEO/ Joint
CEO/ Dy. CEO.
9. The Secretary, Press Council of India, Soochana Bhavan, 8-C, CGOs Complex, Lodhi
Road, New Delhi - 110003.
10. Sri Pawan Diwan, Under Secretary, Election Commission of India, Nirvachan Sadan,
Ashoka Road, New Delhi – 110001.
11. Spare - 1

//FORWARDED :: BY ORDER //


SECTION OFFICER

ELECTION COMMISSION OF INDIA

Nirvachan Sadan, Ashoka Road, New Delhi-110001

No. 491/Paid News/2012/Media

Dated: 27th August, 2012

To

Chief Electoral Officer of all the States/UTs

Subject: Measures to check 'Paid News' during elections i.e. advertisement in garb of news in Media and related matters – revised guidelines – regarding.

Sir/Madam,

I am directed to invite your attention to the subject cited and to state that the Commission has issued order No. 509/75/2004/JS-1 dated 15th April, 2004 consequent upon order of the Hon'ble Supreme Court of India in SLP © No. 6679/2004. (Ministry of Information and Broadcasting vs. M/s Gemini TV Pvt. Ltd and Others) requiring the constitution of a committee for previewing, scrutinizing and verifying all advertisements by individual contesting candidates or political parties, before it is inserted in the electronic media. The Commission issued further guidelines vide its letters of even no. dated 8th June 2010, 23rd September 2010, 18th March 2011 and 16th August 2011, to constitute Media Certification and Monitoring Committee (MCMC) in each district during election period to take up the additional task of keeping a check on the cases of Paid News.

In modification of orders on 'Paid News' dated 8th June 2010 and thereafter, I am directed to state the following:

1. District Level Media certification and Monitoring Committee (MCMC)

1.1 The District level MCMC shall be formed in each district with the following members:

- (a) DEO/RO (of Parliamentary Constituency)
- (b) ARO (not below SDM)
- (c) Central Govt. I & B Ministry official (if any in the district)
- (d) Independent Citizen/Journalist as may be recommended by PCI

(e) DPRO/District Information Officer/equivalent – Member Secretary

1.1.1 For the purpose of the certification of advertisements as per aforesaid Supreme Court order, Returning Officer of the parliamentary constituency/District Election Officer and an ARO (not below SDM) shall be the members of the MCMC. However, for the scrutiny of the cases of 'Paid News' etc, District MCMC shall have three additional members as given at 'c', 'd' and 'e'.

1.1.2 If Central govt. I &B Ministry Official is not posted in the district, District Election Officer can appoint preferably a Central Govt. Officer or a senior State Govt. Officer posted in the district.

1.1.2 If PCI is not providing names to be included in the MCMC, DEO may himself appoint either an independent senior citizen or journalist, who is willing and as who, in the opinion of the DEO, is eligible in terms of background and record of neutrality.

1.1.3 The Member Secretary (DPRO/DIO or equivalent) should be from the Provincial State Civil Services.

1.2 The committee shall have two distinct sets of functions:

(i) **Certification of Advertisements** for which two specific members of MCMC i.e. RO & ARO shall have to consider and decide on such advertisements for certification.

(ii) **Examining complaints/issues of Paid News** etc by all members through a monitoring arrangement.

1.3 The MCMC shall, besides discharging the functions of Certification of Advertisement and checking of Paid News, would also assist in enforcement of media related regulations under the RP Act. Hence the Committee's functions shall include:

1.3.1 MCMC shall scan all media (e.g. newspapers, print media, electronic media, cable network, internet, mobile network etc) for:

a. suspected cases of paid news (it shall also actively consider paid news cases referred to it by the Expenditure Observers. It shall intimate the Returning Officer for issue of notices to candidates for inclusion of actual expenditure on the published matter or notional expenditure based on DIPR rates in their election

expenses account (in absence of DIPR rates, DAVP rates may be used), either based on or irrespective of whether the candidate actually has paid or not paid any amount to the channel/newspaper. A copy of the notice shall also be marked to Expenditure Observer)

- b. monitoring of political advertisements in electronic media (for checking if the telecast/broadcast has been done only after certification by the Committee).
- c. monitoring political advertisements in other media, in relation to candidates, either overt or covert, from Expenditure monitoring angle (this will also include publicity or advertisement or appeal by, or on behalf of candidate, or by Star Campaigner(s) or others, to impact candidate's electoral prospects)
- d. advertisements in print media (MCMC shall check if the advertisement is with the consent or knowledge of candidate: in which case it will be accounted for in the election expenses of the candidate(s); however, if the advertisement is not with the authority from the candidate, then action may be taken for prosecution of the publisher for violation of Section 171H of IPC).
- e. checking if the name and address of the publisher and printer is carried on any election pamphlet, poster, hand bill and other document as required under Section 127A of R.P.A 1951 (If any printed material does not bear on its face the names and addresses of the printer or the publisher, MCMC shall bring it to the notice of the RO for further necessary action; For the purpose of section 127 of R.P.A. 1951, **'Paid News' would also fall in the category of other document'**).

1.3.2 It shall submit a daily report to Accounting team with copy to RO and Expenditure Observer in respect of each candidate in the prescribed format (as per annexure 12 of the prescribed Expenditure Guidelines) w.r.t. expenditure incurred by the candidate on election advertising or actual expenditure incurred for publishing the 'News' that is substantiated by necessary documents furnished by the candidate or notional expenditure as computed by the Committee in the assessed cases of Paid News.

1.3.3 The MCMC shall create a suitable mechanism for monitoring media and shall be equipped with adequate manpower and infrastructure for the same.

2. State level MCMC

2.1 The State level MCMC shall comprise of the following officers:

- (a) The Chief Electoral Officer, Chairman
- (b) Any Observer appointed by the Election Commission of India
- (c) One expert to be co-opted by the Committee.
- (d) Officer of Indian Information Service (IIS), (at the level of US/ DS) posted in the State/UT, representing a media Department of Government of India as separate from the expert at (c) above.
- (e) Independent citizen or journalist as nominated by PCI (if any)
- (f) Addl/Jt CEO in charge of Media (Member Secretary)

2.1.1 If PCI is not providing names to be included in the Committee, CEO may himself appoint either an independent senior citizen or journalist, who is willing and who, in the opinion of the CEO, is eligible in terms of background and record of neutrality.

2.2 The State level MCMC shall perform two sets of functions:

- (i) Deciding appeal from both District and Addl/Jt CEO Committees on Certification of advertisement as per the aforesaid Commission order dated 15th April 2004.
- (ii) Examining all cases of Paid News on appeal against the decision of District MCMC or cases that they may take up suo motu, in which case it shall direct the concerned ROs to issue notices to the candidates.

2.2.1 **The appeal on certification** of advertisements need to be handled by members at (a), (b) and (c) in the manner specified in the aforesaid order dated 15th April 2004, while the members at (d), (e) & (f) are added to deal with Paid News cases.

2.2.2 It is clarified that as regards the certification, the appeal both from District and Addl/Jt CEO Committee will lie only with and will be disposed of by the State Level MCMC headed by CEO as per Commission's order dated 15th April, 2004 and no reference in this regard needs to be made to the Commission.

3. **Addl/Joint CEO's Committee on Certification :** The Committee chaired by Addl/Jt CEO for Certification of advertisement, constituted as per the Commission's 15th April 2004 order shall continue to function as stated in the aforesaid order and shall have no jurisdiction over cases of 'Paid News'.

4. **Appeal against decision of State level MCMC on Paid News**

4.1 Any appeal against the decision of the State level MCMC in matter of Paid News will be made to the Election Commission of India. The State level MCMC can also make a reference to the Commission for advice, if it deems it necessary. Wherever complaints on Paid News cases are made to the Commission directly, the Commission shall forward cases to the State level MCMC for initial consideration.

5. **Paid News Guidelines:** With regard to Paid News, following guidelines may be followed:

5.1 Six months before the due date of normal expiry of Lok Sabha or the State/UT Legislative Assembly, as the case may be, a list of television channels/radio channels/newspapers, broadcast/ circulated in the State/UT and their standard rate cards shall be obtained by the CEOs and provided to all District level MCMCs for fixing the rates of advertisements.

5.2 In case of bye-election to Parliamentary or Assembly constituency, the standard rate card shall be obtained by the District Election Officer concerned immediately on announcement of the bye-election.

5.3 In case of any doubt relating to the application of the standard rate card arising, the matter shall be referred to the DIPR or DAVP, Ministry of I&B, Gov. of India for advice.

5.4 The CEO and DEOs will brief Political Parties and Media Houses about the above guidelines before the commencement of the election campaign. Media shall be asked to exercise self-regulation in

this regard. Wide publicity may be given to this order to make the general public also aware about these guidelines. The thrust of the briefing will be on the need for self-regulation.

5.5 The cases of suspected Paid News or advertisement or appeal shall have to be considered within strict timelines as follows:

5.5.1 On reference from District MCMC, RO shall give notice to the candidates within 96 hrs of publication/ broadcast/ telecast/ receipt of complaint to explain/disclose the expenditure incurred for publishing the 'news' or similar matter, or state why expenditure should not be computed as per standard rate and added to the candidate's expenditure. The same timeline will apply when State level MCMC takes up cases suo motu or on the basis of complaints.

5.5.2 District/State level MCMC shall decide on the reply expeditiously and convey to the Candidate/Party its final decision. In case no reply is received by District MCMC from the candidate within 48 hrs of serving of notice, the decision of MCMC will be final.

5.5.3 If decision of District level MCMC is not acceptable to the candidate, he/she may appeal to State level MCMC within 48 hrs of receipt of decision, with information to the District MCMC.

5.5.4 The State level MCMC shall dispose of the case within 96 hrs of receipt of appeal and convey the decision to the Candidate with a copy to District level MCMC.

5.5.5 The Candidate may appeal against the decision of State level MCMC to ECI within 48 hrs of receiving of order from this Committee. The decision of ECI shall be final.

5.6 The entire process shall ordinarily be completed within Election period.

6. It has been observed that in certain cases, notices on paid news has been issued in large numbers while further action on the same remain pending. MCMCs may ensure that due deliberation takes place on each case and only cases that appear to be suspected cases of 'Paid News' are referred to the RO for issue of notice to the candidate. While seeing that frivolous cases are not taken up, MCMC should ensure that there is no laxity on checking actual 'Paid News'.

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7. Where the suspected cases of Paid News are decided as a “Paid News” either at District level/CEO level/Commission level, as the case may be, the actual/notional expenditure shall be treated as part of election expenses of the Candidate concerned, with due intimation to him/ her or his/her agent.
 8. Where the District/State level Committee or ECI decides that it is a Paid News case, such cases shall be conveyed to Press Council of India for further action in relation to the media concerned.

Yours faithfully,

(Rahul Sharma)
Under Secretary

ELECTION COMMISSION OF INDIA

Nirvachan Sadan, Ashoka Road, New Delhi-110001

No. 491/Paid News/2019/Communication

Dated: 25th February, 2019

To

Chief Electoral Officer of all the States/UTs

Subject: Reconstitution of Media Certification & Monitoring Committee – regarding.

Sir/Madam,

I am directed to invite your attention to the subject cited and to state that in partial modification of Commission's guidelines dated 27th August, 2012, the Media Certification & Monitoring Committees at District and State level are hereby reconstituted with the inclusion of an Intermediary expert (intermediary as defined in section 2(w) of IT Act, 2000)/social media expert. The reconstituted MCMC shall be as under:

1. District Level Media certification and Monitoring Committee(MCMC)

1.1 The District level MCMC shall be formed in each district with the following members:

- (a) DEO/RO (of Parliamentary Constituency)
- (b) ARO (not below SDM)
- (c) An intermediary expert/Social media expert (to be chosen by the RO subject to the eligibility criteria)
- (d) Central Govt. I & B Ministry official (if any in the district)
- (e) Independent Citizen/Journalist as may be recommended by PCI
- (f) DPRO/District Information Officer/equivalent – Member Secretary

1.2 For the purpose of the certification of advertisements as per the Supreme Court order dated 13.04.2004, Returning Officer of the parliamentary constituency/District Election Officer, an ARO (not below SDM) and An Intermediary Expert/Social Media Expert shall be the members of the MCMC.

2. State level MCMC

2.1 The State level MCMC shall comprise of the following officers:

- (a) The Chief Electoral Officer, Chairman
- (b) Any Observer appointed by the Election Commission of India
- (c) One expert to be co-opted by the Committee.
- (d) Officer of Indian Information Service (IIS), (at the level of US/ DS) posted in the State/UT, representing a media Department of Government of India as separate from the expert at (c) above.
- (e) Independent citizen or journalist as nominated by PCI (if any)
- (f) Addl/Jt CEO in charge of Media (Member Secretary)
- (g) An intermediary expert/Social media expert (to be chosen by the CEO subject to the eligibility criteria)

2.2 The State level MCMC shall perform two sets of functions:

(i) Deciding appeal from both District and Addl/Jt CEO Committees on Certification of advertisement as per the aforesaid Commission order dated 15th April 2004.

(ii) Examining all cases of Paid News on appeal against the decision of District MCMC or cases that they may take up suo motu, in which case it shall direct the concerned ROs to issue notices to the candidates.

3. Addl/Joint CEO's Committee on Certification:

The Committee chaired by Addl/Jt. CEO for Certification of advertisement shall also have one intermediary expert/social media expert as chosen by the chairperson of the committee subject to the eligibility criteria.

4. It is further stated that the duties performed by the Media certification & Monitoring Committees at District and State Level will remain as it is mentioned in the Commission's guidelines dated 27th August, 2012.

5. It is also to state that the intermediary expert/Social Media expert to be included in the MCMCs should preferably be a government officer subject to following eligibility criteria:

A. If he/she is a Government Officer, he/she should be –

- i. Not below the rank of SDM
- ii. Has at least 5 years' experience of working in IT department/cell/social media cell of the government.

B. If he/she is not a Government Officer (means private individual), he/she should –

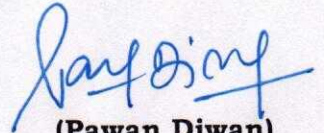
- i. Have a Masters' degree in the field of IT
- ii. Have at least 10 years' experience of working in IT department/cell/social media cell of the government at central or state level with good understanding of Social media platforms and how they work.
- iii. Be also eligible in terms of background and neutrality.

6. With respect to the profile of work which the intermediary expert/social media expert will be handling, it is to state that he/she shall:

- i. Assist the MCMC in the matter of certification of political advertisements proposed to be published on social media platforms
- ii. Assist MCMC in scanning social media platforms for suspected cases of Paid News
- iii. Assist MCMC in submitting a daily report to Accounting team with copy to RO and Expenditure Observer w.r.t. expenditure incurred by the candidate on election advertising on social media platforms
- iv. Assist the MCMC in the matters of queries/complaints related to advertisements on social media platforms
- v. Look after the overall coordination between MCMC and the intermediaries/social media platforms

- vi. Make sure that the Election Laws are strictly adhered to with matters related to advertisements on social media platforms
- vii. Assist MCMC in handling the violation cases on Social media
- viii. Being part of State level MCMC, he/she will assist in deciding appeal from District and Addl. /Jt. CEO Committee on certification of advt. on social media and also examining all cases of Paid News on appeal against the decision of District MCMC or cases that they may take up suo motu.

Yours faithfully,



(Pawan Diwan)

Under Secretary

Ph.011-23052133

Email: diwaneci@yahoo.co.in

ELECTION COMMISSION OF INDIA

Nirvachan Sadan, Ashoka Road, New Delhi-110001

No. ECI/PN/67/2020

Dated:29th September 2020

PRESS NOTE

Subject: Schedule for bye-elections to fill casual vacancy in the Parliamentary Constituency of Bihar and Legislative Assemblies of various States- Regarding.

The Commission has decided to hold following bye-elections to fill vacancies in one (1) Parliamentary Constituency of Bihar and fifty six Assembly Constituencies in Legislative Assemblies of various States as per details below:

Sl. No.	State	Number & Name of Parliamentary Constituency
1.	Bihar	1-Valmiki Nagar

Sl. No.	State	Number & Name of Assembly Constituency
1.	Chhattisgarh	24-Marwahi(ST)
2.	Gujarat	01-Abdasa
3.	Gujarat	61-Limbdi
4.	Gujarat	65-Morbi
5.	Gujarat	94-Dhari
6.	Gujarat	106- Gadhada (SC)
7.	Gujarat	147-Karjan
8.	Gujarat	173- Dangs (ST)
9.	Gujarat	181-Kaprada(ST)
10.	Haryana	33-Baroda
11.	Jharkhand	10-Dumka (ST)
12.	Jharkhand	35- Bermo
13.	Karnataka	136-Sira
14.	Karnataka	154-Rajarajeshwarinagar
15.	Madhya Pradesh	04-Joura
16.	Madhya Pradesh	5-Sumawali
17.	Madhya Pradesh	6-Morena
18.	Madhya Pradesh	7-Dimani
19.	Madhya Pradesh	8-Ambah (SC)

20.	Madhya Pradesh	12-Mehgaon
21.	Madhya Pradesh	13-Gohad (SC)
22.	Madhya Pradesh	15-Gwalior
23.	Madhya Pradesh	16-Gwalior East
24.	Madhya Pradesh	19-Dabra (SC)
25.	Madhya Pradesh	21-Bhander (SC)
26.	Madhya Pradesh	23-Karera (SC)
27.	Madhya Pradesh	24-Pohari
28.	Madhya Pradesh	28-Bamori
29.	Madhya Pradesh	32-Ashok Nagar (SC)
30.	Madhya Pradesh	34-Mungaoli
31.	Madhya Pradesh	37-Surkhi
32.	Madhya Pradesh	53- Malhara
33.	Madhya Pradesh	87-Anuppur (ST)
34.	Madhya Pradesh	142-Sanchi (SC)
35.	Madhya Pradesh	161-Biaora
36.	Madhya Pradesh	166-Agar (SC)
37.	Madhya Pradesh	172-Hatpipliya
38.	Madhya Pradesh	175-Mandhata
39.	Madhya Pradesh	179-Nepanagar (ST)
40.	Madhya Pradesh	202-Badnawar
41.	Madhya Pradesh	211-Sanwer (SC)
42.	Madhya Pradesh	226-Suwasra
43.	Manipur	30-Lilong
44.	Manipur	34-Wangjing Tentha
45.	Nagaland	14-Southern Angami-I (ST)
46.	Nagaland	60-Pungro-Kiphire (ST)
47.	Odisha	38-Balasore
48.	Odisha	102-Tirtol (SC)
49.	Telangana	41-Dubbak
50.	Uttar Pradesh	40- Naugawan Sadat
51.	Uttar Pradesh	65-Bulandshahr
52.	Uttar Pradesh	95-Tundla (SC)
53.	Uttar Pradesh	162- Bangermau
54.	Uttar Pradesh	218-Ghatampur (SC)
55.	Uttar Pradesh	337- Deoria
56.	Uttar Pradesh	367-Malhani

After taking into consideration various factors like local festivals, weather conditions, movement of forces, pandemic etc., the Commission has decided to hold bye-elections to fill these vacancies as per the

programme mentioned as under:

Poll Events	Schedule for bye-elections in 54 ACs of various States (except Manipur)	Schedule for bye-elections in one PC of Bihar and two ACs of Manipur
Date of Issue of Gazette Notification	09.10.2020 (Friday)	13.10.2020 (Tuesday)
Last Date of Nominations	16.10.2020 (Friday)	20.10.2020 (Tuesday)
Date for Scrutiny of Nominations	17.10.2020 (Saturday)	21.10.2020 (Wednesday)
Last Date for Withdrawal of candidatures	19.10.2020 (Monday)	23.10.2020 (Friday)
Date of Poll	03.11.2020 (Tuesday)	07.11.2020 (Saturday)
Date of Counting	10.11.2020 (Tuesday)	10.11.2020 (Tuesday)
Date before which election shall be completed	12.11.2020 (Thursday)	12.11.2020 (Thursday)

1. ELECTORAL ROLL

The Electoral Rolls for the aforesaid Parliamentary and Assembly Constituencies w.r.t 01.01.2020 as the qualifying date has been finally published.

2. ELECTRONIC VOTING MACHINES (EVMs) and VVPATs

Adequate numbers of EVMs and VVPATs have been made available for the aforementioned bye-elections.

3. IDENTIFICATION OF VOTERS

In continuance of the existing practice, the voter's identification shall be mandatory in the aforementioned elections at the time of poll. Electoral Photo Identity cards (EPIC) shall be the main document of identification of a voter. However, in order to ensure that no voter is deprived of his/her franchise, if his/her name figures in the electoral rolls, following alternate identity documents are also prescribed:

1. Aadhar Card
2. MNREGA Job Card
3. PAN Card
4. Passbooks with photograph issued by Bank/Post Office.

5. Health Insurance Smart Card issued under the scheme of Ministry of Labour
6. Driving License
7. Passport
8. Service Identity Cards with photograph issued to employees by
9. Smart Card issued by RGI under NPR
10. Pension document with photograph
11. Official identity cards issued to MPs/MLAs/MLCs and

4. MODEL CODE OF CONDUCT

Model code of conduct shall come into force with immediate effect in the district(s) in which the whole or any part of the Assembly constituency going for election is included, subject to partial modification as issued vide Commission' s instruction No. 437/6/1NST/2016-CCS, dated 29th June, 2017 (available on the commission's website). The Model code of conduct shall be applicable to all candidates, political parties and the state Government concerned. Model code of conduct shall be applicable to the Union Government also.

All instructions concerning publicity of criminal antecedents by the concerned candidates and the related political parties, who select them, as directed vide letter no. 3/4/2020/SDR/Vol.III dated 6 March 2020 and letter no. 3/4/2019/SDR/Vol.IV dated 16 September 2020 shall be followed in these elections.

Other instructions including postal ballot facilities to senior citizen(above 80 years of age) and PwD electors; election expenditure management etc. shall be applicable to the aforementioned Bye-elections.

5. BROAD GUIDELINES TO BE FOLLOWED DURING THE CONDUCT OF BYE-ELECTIONS DURING COVID-19

In view of spread of COVID-19, the Commission on 21st August, 2020 has issued broad guidelines, which is to be followed strictly during the conduct of election, which is annexed here with as **Annexure-1** which is also available on Commission's website.



(SUMIT MUKHERJEE)
Sr. PRINCIPAL SECRETARY

Broad Guidelines for Conduct of General Elections/Bye-elections during COVID-19

After onset of COVID-19 pandemic in India, Ministry of Home Affairs and Ministry of Health and Family Welfare (MoHFW) have been issuing guidelines from time to time. In their latest circular dated 29th July, 2020, Ministry of Home Affairs has issued comprehensive guidelines/directives to be followed countrywide. Similarly, Ministry of Health & Family Welfare has also issued SOP on disinfection, sanitization, and prevention for containing COVID-19.

The Commission on 17th July, 2020, sought views/suggestions of National/State Political Parties till 31st July, 2020, which on request, Commission further extended the period till 11th August, 2020. The Commission has considered the views/suggestions received from various Political Parties and Chief Electoral Officers of States/UTs on election campaign and public meetings.

Keeping in view the above, following broad guidelines have been framed with respect to key activities of the conduct of elections, considering the upcoming General Elections and bye-elections in various States/UTs during the period of COVID-19:

Sl.No.	
1.	<p data-bbox="240 1375 1406 1473"><u>General Guidelines to be followed during entire election processes for all persons</u></p> <ol style="list-style-type: none"><li data-bbox="280 1496 1394 1536">1) Every person shall wear face mask during every election related activity.<li data-bbox="280 1559 1270 1720">2) At the entry of hall/ room/ premises used for election purposes:<ol style="list-style-type: none"><li data-bbox="320 1621 1209 1662">(a) Thermal Scanning of all persons shall be carried out;<li data-bbox="320 1682 1166 1720">(b) Sanitizer, soap and water shall be made available.<li data-bbox="280 1742 1501 1841">3) Social distancing shall be maintained as per the extant COVID-19 guidelines of the State Govt. and Ministry of Home Affairs.<li data-bbox="280 1863 1497 1962">4) As far as practicable, large halls should be identified and utilized to ensure social distancing norms.

	<p>5) Adequate number of vehicles shall be mobilized for movement of polling personnel, security personnel to ensure compliance of COVID-19 guidelines.</p>
2.	<p><u>Nodal Health Officer</u></p> <p>Nodal Health Officer shall be designated for the State, the District and the Assembly Constituency to oversee COVID-19 related arrangements and, preventive measures during entire electoral process.</p>
3.	<p><u>EVMs/VVPATs</u></p> <ol style="list-style-type: none"> 1) First & Second randomization and preparation of EVMs/VVPATs shall be done in large halls. 2) Sanitizers shall be provided in sufficient quantity for use during the process. 3) Gloves shall be made available to each official handling EVM/VVPAT.
4.	<p><u>Training and capacity Building</u></p> <ol style="list-style-type: none"> 1) As far as practicable, training of election officials will be organized in decentralized manner at large halls. 2) Training for election officials may be organized through online mode. 3) All PPTs, training materials, relevant documents, topic wise video clips, question papers for self-assessment may be uploaded in app/ portal so that any election official can access it as per requirement. 4) Sufficient number of Polling/Counting/Poll related staffs shall also be kept in reserve by DEO/RO, to replace in case any polling personnel displays COVID-19 symptoms.
5.	<p><u>Nomination Process</u></p> <p>I. Following additional options to facilitate online mode are hereby provided:</p> <ol style="list-style-type: none"> 1) Nomination form will also be available online on the website of CEO/DEO. An intending candidate may fill in it online and its print may be taken for submitting before the Returning Officer as specified in Form-1 (Rule-3 of Conduct of Election Rules 1961). 2) Affidavit may also be filled in online on the website of CEO/DEO and its print can be taken and after notarization it may be submitted along with the nomination form before the Returning Officer.

	<p>3) Candidate may deposit security money through online mode at the designated platform. However, a candidate will continue to have the option of deposit in cash in the treasury.</p> <p>4) Candidate may have the option to seek his/her elector certification for the purpose of nomination online.</p> <p>II. Further, Commission has directed:</p> <p>1) Number of persons to accompany candidate for submission of Nomination is restricted to two (2). (This is in supersession of existing Para 5.8.1 of Returning Officer’s Handbook 2019)</p> <p>2) Number of vehicles for the purposes of nomination is restricted to two (2). (This is in supersession of existing Para 5.8.1 of Returning Officer’s Handbook 2019)</p> <p>3) Returning Officer’s chamber should have sufficient space to perform the functions of nomination, scrutiny and symbol allocation following social distancing norms.</p> <p>4) Returning Officer should allot staggered time in advance to prospective candidates.</p> <p>5) Large space for waiting for candidate(s) should be arranged.</p> <p>6) All steps required to be taken for the submission of nomination form and affidavit shall continue to operate as per the provisions contained in the Representation of the People Act, 1951.</p>
<p>6.</p>	<p><u>Election Material</u></p> <p>Election Material Kit will be prepared in a spacious and sufficiently large hall following all safety, sanitation and social distancing measures.</p>
<p>7.</p>	<p><u>Distribution and Collection of Election Material</u></p> <p>1) Large halls/spaces should be identified for distribution/collection of election material.</p> <p>2) As far as practicable, it should be organized in decentralized manner.</p> <p>3) Prior staggered time should be allocated to the polling teams for distribution/collection of election material.</p>

8.	<u>Timing of 3rd randomization:</u> Timing for 3 rd randomization of polling staff be increased from 24 hrs to 72 hrs in order to avoid large gathering of polling staff at dispatch centres. (This is in supersession of ECI No. 464/Inst/2008/EPS dated 19 th September, 2008)
9.	<u>No. of electors in Polling Station</u> There shall be maximum 1000 electors instead of 1500 electors in a polling station. (Commission's Instruction No.23/SEC/2020-ERS, dated 23rd July, 2020)
10.	<u>Polling Station Arrangements</u> Commission has issued detailed instructions for assured minimum facilities at each polling station. Now, in view of COVID-19 situation, following additional facilities/steps should be taken: <ol style="list-style-type: none">1) Mandatory sanitization of Polling Station, preferably, a day before the poll.2) Thermal Scanner at the entry point of every polling station location.3) Thermal Checking of voters at entry point of polling station location/Polling station, either by polling staff or Para Medical staff or Asha worker.4) If temperature is above the set norms of MoHFW at first reading, then it will be checked twice and if it remains, then the elector shall be provided with token/certificate and will be asked to come for voting <u>at the last hour of poll</u>. At the last hour of poll, such electors shall be facilitated voting, strictly following COVID-19 related preventive measures.5) Help Desk for distribution of token to the voters of first come first basis so that they do not wait in the queue.6) Marker to demonstrate social distancing for queue.7) Earmarking circle for 15-20 persons of 2 yards (6 feet) distance for voters standing in the queue depending on the availability of space. There shall be three queues each, for male, female, and PwD/ Senior citizen voters.8) The services of BLOs, volunteers etc may be engaged to monitor and regulate social distancing norms strictly.

- 9) One shaded waiting areas with chairs, dari etc. will be provided, for male and female separately, within the polling station premises so that voters can participate in voting without safety concerns.
- 10) Wherever possible, Booth App shall be used at the polling station.
- 11) Soap and Water shall be provided at the entry/exit point of every polling station.
- 12) Sanitizer should be provided at the entry/exit point of every polling station.
- 13) Face Masks in reserves for those electors who are not carrying the mask will be kept.
- 14) Awareness posters on COVID-19 should be displayed at visible locations.
- 15) Sitting arrangement in polling station for the polling personnel and polling agents shall be made as per the norms of social distancing.
- 16) If polling agent or counting agent is having temperature above the prescribed limit, then their reliever shall be allowed by Presiding Officer, who will keep a record accordingly.
- 17) During the process of identification of voter, the voters will require to lower the facemask for identification, when required.
- 18) At any given time, only 1(one) voter shall be allowed to stand in front of each polling official maintaining social distance.
- 19) Hand gloves shall be provided to the voter, for signing on the voter register and pressing button of EVM for voting.
- 20) Sanitizers shall be kept inside the booth at appropriate locations with clear direction for the use by voters.
- 21) COVID-19 patients who are quarantined will be allowed to cast their vote **at the last hour of the poll day** at their respective Polling Stations, under the supervision of health authorities, strictly following COVID-19 related preventive measures. Sector Magistrates shall coordinate this in their allocated polling stations.
- 22) In case of those voters who are residing in the area notified as containment zone, guidelines shall be issued separately.

<p>11.</p>	<p><u>Kit for Polling Officer</u></p> <p>The following items shall be provided to every polling official and security personnel (Other than those where PPEs are needed) in addition to other prescribed items:</p> <ol style="list-style-type: none"> 1) Mask 2) Sanitizer 3) Face-Shield 4) Gloves
<p>12.</p>	<p><u>Postal Ballot</u></p> <ol style="list-style-type: none"> 1) Option of Postal Ballot facility has been extended to the electors of following categories: <ol style="list-style-type: none"> a. Electors, who are marked as Persons with Disabilities (PwD) b. Electors above the age of 80 years c. Electors employed in notified Essential services d. Electors who are COVID- 19 positive/suspect and in quarantine (home/institutional) 2) Guidelines for each of these categories are being issued separately.
<p>13.</p>	<p><u>Campaign by the political parties/contesting candidates</u></p> <ol style="list-style-type: none"> 1) Door to Door Campaign- Subject to any other restriction(s) including extant COVID-19 guidelines, a group of 5 (five) persons including candidates, excluding security personnel, if any, is allowed to do door to door campaigning. 2) Road Shows - The convoy of vehicles should be broken after every 5 (five) vehicles instead of 10 vehicles (excluding the security vehicles, if any). The interval between two sets of convoy of vehicles should be half an hour instead of gap of 100 meters. (In supersession of Para 5.8.1 of Returning Officer's Handbook 2019) 3) Election Meetings - Public gatherings/ rallies may be conducted subject to adherence to extant COVID-19 guidelines. District Election Officer should take following steps for this purpose: <ol style="list-style-type: none"> (a) District Election Officer should, in advance, identify dedicated grounds for public gathering with clearly marked Entry/Exit points.

	<p>(b) In all such identified grounds, the District Election Officer should, in advance, put markers to ensure social distancing norms by the attendees.</p> <p>(c) Nodal District Health Officer should be involved in the process to ensure that all COVID-19 related guidelines are adhered to by all concerned in the district.</p> <p>(d) District Election Officer and District Superintendent of Police should ensure that the number of attendees does not exceed the limit prescribed by State Disaster Management Authority for public gatherings.</p> <p>(e) DEO should depute Sector Health Regulators to oversee that COVID-19 instructions/guidelines are being followed during these meetings.</p> <p>(f) The political parties and candidates concerned should ensure that all COVID-19 related requirement like face masks, sanitizers, thermal scanning etc. are fulfilled during each of these activities.</p> <p>(g) Non-compliance of Instructions – <i>Anybody violating instructions on COVID-19 measures will be liable to proceeded against as per the provisions of Section 51 to 60 of the Disaster Management Act, 2005, besides legal action under Section 188 of the IPC, and other legal provisions as applicable, as specified in Order No. 40-3/2020-DM-I(A) dated 29th July, 2020 of Ministry of Home Affairs.</i> District Election Officer should bring this to the notice of all concerned.</p> <p style="text-align: center;">4) Allocation of public spaces must be done using Suvidha app in the manner already prescribed by Commission.</p>
<p>14.</p>	<p><u>Strong-room Arrangement</u></p> <p>1) Strong Room should be sanitized before the storage of polled EVMs.</p> <p>2) Social Distancing and other safety norms shall be followed for each activity.</p>
<p>15.</p>	<p><u>Counting of votes</u></p> <p>1) Not more than 7 counting tables should be allowed in a counting hall. Hence, counting of votes of a constituency may be considered at 3-4 halls by appointing additional Assistant Returning Officers. (In supersession of instructions dated 30th April, 2014)</p> <p>2) Carrying cases of CUs/VVPATs should be sanitized before placing over counting tables.</p>

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| <p>3) Display of result from the Control Units may be displayed on a large screen to avoid accommodation of large number of counting agents.</p> <p>4) The counting centers shall be disinfected before, during and after the counting.</p> <p>5) For counting of Postal Ballots, additional number of AROs may be required. If required, Postal Ballots may also be counted in a separate hall under the supervision of the Returning Officer/Assistant Returning officer.</p> |
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Based on these broad guidelines, a detailed COVID-19 related comprehensive plan will be prepared at the State level, taking local conditions into account. In case of General Elections, three-layer plan will be prepared in consultation with the concerned Nodal Health Officers: of AC, District, and State levels. In case of bye-elections, the plans will be prepared at the District and AC levels in consultation with respective Nodal Health Officers of district and AC. In case more than one district is involved, such plans will be prepared by the Returning Officer of the Constituency in coordination with the concerned DEOs.