

GOVERNMENT OF TELANGANA
ABSTRACT

Elections - Biennial election to the Telangana State Legislative Council from Two Graduates' Constituencies, namely, (i) Mahabubnagar - Ranga Reddy - Hyderabad Graduates' and (ii) Warangal - Khammam - Nalgonda Graduates' Constituencies scheduled to be held on 14-03-2021 - Constitution of Addl.CEOs Committee on Certification of election advertisements of political parties and contesting candidates - Orders - Issued.

GENERAL ADMINISTRATION (ELECTIONS.A) DEPARTMENT

G.O.Rt.No.405

Dated:20-02-2021

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 Letter No.322/ECI/INST/FUNC/BIEN-LC/2016, dated. 26-12-2016.
5. Election Commission of India, New Delhi Lr.No. 491/Paid News/2019/Communication, dated. 25-02-2019.
6. Election Commission of India, New Delhi Press Note No.ECI/PN/10/2021, dated. 11-02-2021.

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ORDER:

Pursuant to the directions of the Election Commission of India vide its orders second to fifth read above, Additional CEOs Committee is constituted with the members mentioned below for Certification of election related advertisements to be issued by the political parties and contesting candidates for 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 for campaigning in Social Media in connection with the conduct of the Biennial election to the Telangana State Legislative Council from Two Graduates' Constituencies, namely, (i) Mahabubnagar-Ranga Reddy-Hyderabad Graduates' and (ii) Warangal-Khammam-Nalgonda Graduates' Constituencies scheduled to be held on 14-03-2021 .

- 1) Buddhaprakash Jyoti I.A.S. ... Chairperson
Additional Chief Electoral Officer, Telangana State.
- 2) Dr.P.Manas Krishnakant I.I.S. ... Member
Assistant Director, Regional Outreach Bureau
O/o the Director General, Press Information Bureau
M/o Information & Broadcasting, G.O.I. (for Telangana State)
Room No. 203, CGO Towers, Kavadi guda, Secunderabad - 500 080.
- 3) Sri M.Babu Rao, ... Member
Programme Executive, Prasara Bharathi, Door Dharshan Kendra,
Telangana State, Ramanthapur, Hyderabad - 500013.
- 4) Smt. M.S. Lakshmi ... Member
News Correspondent, Prasara Bharathi, All India Radio,
Telangana State, Saifabad, Hyderabad - 500 004.

(P.T.O)

- 5) Sri M. Madhavacharya ... Member
Assistant Director, Digital Media,
(Intermediary Expert / Social Media Expert)
O/o the Director, Digital Media, Telangana State Secretariat,
5th Floor, B.R.K.Bhavan, Hyderabad - 29.
- 6) Smt. M.G. Madhavi ... Member Convenor
Assistant Chief Electoral Officer, Telangana State.

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

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

To

The Chairperson and Members of the Addl.CEOs Committee constituted. {Along with copy of the ECI Letter No.491/Paid News/2019/Communication, dt. 27-08-2012 and 25.02.2019.}

The Collectors & District Election Officers of Mahabubnagar, Nagar Kurnool, Wanaparthy, Jogulamba Gadwal, Narayanpet, Ranga Reddy, Vikarabad, Medchal - Malkajgiri, Siddipet, Nalgonda, Suryapet, Yadadri -Bhuvanagiri, Warangal Urban, Warangal Rural, Mahabubabad, Jayashankar Bhupalapally, Jangaon, Mulugu, Khammam, Bhadradi Kothagudem districts. (w.e.)

The Commissioner, G.H.M.C. Hyderabad & DEO, Hyderabad (w.e.)

The Returning Officers of the Two Graduates' Constituencies. {Through the DEOs concerned}.

The Presidents of all Political Parties for the State of Telangana
{Both Registered National Parties and State Parties}

{Along with copy of the ECI Lr. No.491/Paid News/2019/Communication,
dt. 27-08-2012 and 25.02.2019.}

The Commissioner, Information & Public Relations Department, Telangana State, Samachar Bhavan, A.C.Guards, Hyderabad - 500 004.

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 State level MCMC Constituted. (w.e.)
2. The Principal Secretary to Govt, Information Technology Electronics and Communications Department, Telangana State, Secretariat, 5th Floor, B.R.K. Bhavan, Hyderabad-29 .
3. The Director General, Press Information Bureau, M/o. Information & Broadcasting, GOI, Room No.203, 2nd Floor, CGO Towers, Kavadiyuda, Sec'bad - 80
4. The Deputy Director General, Prasara Bharathi, Door Darshan Kendra, Telangana State, Ramanthapur, Hyderabad- 500 013.
5. The Station Director, Prasara 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 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 Prafull Awasthi, Under Secretary, Election Commission of India, Nirvachan Sadan, Ashoka Road, New Delhi - 110001.
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// FORWARDED :: BY ORDER //


SECTION OFFICER

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 –

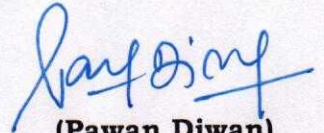
- i. Have a Masters' degree in the field of IT
- ii. Have at least 10 years' experience of working in IT department/cell/social media cell of the government at central or state level with good understanding of Social media platforms and how they work.
- iii. Be also eligible in terms of background and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



भारत निर्वाचन आयोग
Election Commission of India

निर्वाचन सदन
NIRVACHAN SADAN
अशोक रोड, नई दिल्ली - 110 001
ASHOKA ROAD, NEW DELHI - 110 001

No. 322/ECI/INST/FUNC/BIEN-LC /2016

Dated: 26th December, 2016

To

- The Chief Electoral Officers
1. Maharashtra, Mumbai,
 2. Uttar Pradesh, Lucknow,
 3. Bihar, Patna,
 4. Karnataka, Bangalore,
 5. Andhra Pradesh, Hyderabad.
 6. Telangana, Hyderabad.

Subject: Biennial/Bye-Elections to the Legislative Councils from Council Constituencies - by Graduates' and Teachers' and Local Authorities' Constituencies- MCC-instructions - regarding.

Sir,

I am directed to state that some experience during conduct of elections to Legislative Councils shows that there is lack of clarity with regard to applicability of provisions of Model Code of Conduct in such elections.

2 The Commission constituted a Working Group to examine the matter. The Commission, having considered the report of the Working Group and the matter in its entirety, has directed that all provisions of Model Code of Conduct for the political parties and candidates' shall apply *mutatis mutandis* in Biennial including Bye Elections to the State Legislative Councils from Graduates' & Teachers' Constituencies as well as Local Authorities' Constituencies. Consequently, various instructions issued by the Commission from time to time in clarification of the MCC provisions would also apply for such elections.

3. I am further to say that the following instructions of the Commission which have been issued from time to time to ensure level playing field and also to ensure that a party in power doesn't misuse its position for electoral gains, shall also be applicable in connection with Biennial/Bye Elections to the State Legislative Councils from Graduates' & Teachers' Constituencies as well as Local Authorities' Constituencies (from the date of announcement of election till the date of completion of election).

1 of 5

- I. Ministers, whether Central or State (including Chief Minister) may make official visit to any district(s) in which any Biennial/Bye-election from a Council Constituency is being held subject to the following conditions: -
 - a. They shall not do any inauguration/laying of foundation stones of any educational institution, which are constituents of Graduates' and Teachers' Constituencies.
 - b. Official visit shall not be combined with the election related work/tours.
 - c. There shall be no announcement of new policy programme/ policy likely to influence the graduates, the teachers and members of Local Authorities who form the electorate of the Constituencies going to poll.
- II. No official of any rank of the district(s) dealing with election related work where the biennial/bye-elections are being held shall be called to attend any meeting by any Minister at any place, even in another district, where election is not being held. Any official who meets the Minister on his private visit to the constituency where elections are being held shall be deemed to be guilty of misconduct under the relevant service rules; and if he happens to be an officer 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 there under.
- III. No member of any Local Authority which forms part of the electorate of a Local Authorities' Constituency shall be called for any meeting/video conference by any Minister (in his capacity as Minister). Routine meetings of the Local Bodies, when essential, may be held with the prior permission of the District Election Officer of the District concerned.
- IV. No pilot car(s) or other car(s) with beacon lights of any colour or car(s) affixed with sirens of any kind making his presence conspicuous shall be used by any Minister during his private visit to the constituency, even if the State administration has granted him a security cover requiring presence of armed guards accompanying him on tour.
- V. No policy announcement or programme, which influences the electorate either directly or indirectly, shall be initiated in the Government Departments till the completion of elections.

- VI. On need basis and in consultation with CEO of the state/ECI Observer, the DEO/RO should put in place for every tehsil a special video team to videograph political meeting at public places and to record visits of the Ministers and other important political functionaries. The ECI observer shall see the video recording in the evening of the same day so that he can report any violation to the Commission in prescribed format.
- VII. In case of elections from Local Authorities' Constituencies, the restrictions on "Official Tours" by Central & State Ministers will also be applicable to the use of any "Official Cars" by "Office Bearers" of Local Authorities, like, Mayors of Municipal Corporations, Presidents of Municipal Councils & Zilla Parishads. The use of official cars by them shall only be allowed for travel to & from Office to Residence.
- VIII. Public places such as maidans etc., for holding election meetings, and use of helipads for air-flights in connection with elections shall not be monopolized by the party in power. Other parties and candidates shall also be allowed to use them on first-cum-first served basis.
- IX. No fresh Sanction of work using the IT Platform to be used depending upon the MP/MLA/MLC schemes for work that would amount to influencing the electorate.
- X. There shall be a total ban on the transfer of Returning Officers and Assistant Returning Officers appointed for Biennial elections/bye-elections to State Legislative Councils after the announcement of elections and this ban will be in force till the completion of elections. The transfer orders in respect of the above officers issued prior to the date of announcement but not implemented should not be given effect to without obtaining the specific permission of the Commission. In those cases, where transfer of an officer is necessary on account of administrative exigencies, the State Govt. may with full justification approach the Commission for prior clearance.
- XI. In order to conduct free and fair elections to keep a check on adverse role of money power and to check the movement of black money during biennial elections/bye-elections to Legislative Council, the Standard Operating Procedure (SOP) issued on 29.05.2015, excepting deployment of Static Surveillance Teams, should be made applicable.

- XII. State and District Media Certification and Monitoring Committee (MCMC) shall be appointed, as prescribed in the Compendium of Instructions on Election Expenditure Monitoring, immediately on announcement of biennial/ bye elections for pre-certification of election advertisements as in case of TV Channels / Cable Network, Radio including private FM Channels, Cinema Halls, Audio-Visual displays in public place and social media and also monitoring the general conduct of political functionaries during campaign.
- XIII. The bulk SMSs/Voice messages on phone in election campaigning shall also be in the purview of pre-certification of election advertisements as in case of TV Channels / Cable Network, Radio including private FM Channels, Cinema Halls, Audio-Visual displays in public place and social media. The legal provisions, as applicable to other modes of electronic media shall also be applicable to bulk SMSs/ Voice messages.
- XIV. Under Section 29 of the Representation of the People Act, 1951 read with Rule 69 of the Conduct of the Election Rules, 1961, a place of poll is fixed for conducting poll in respect of election to the Council of States and the State Legislative Councils by MLAs. As per Section 135C, "dry day" is to be declared in Polling Areas and polling area is defined in Section 25 of the Representation of the People Act, 1951, which is applicable to elections from Constituencies i.e. for elections to Lok Sabha, Legislative Assemblies and elections to Legislative Councils from Graduates', Teachers' and Local Authorities' Constituencies.
- XV. The provision regarding prevention of misuse of vehicles and regulation of convoys during campaign period as in the case of elections to House of People / Legislative Assemblies shall be made applicable for Council elections also.
- XVI. Restriction on the presence of political functionaries in a constituency after the campaign period is over i.e., 48 hours before the closure of the poll as in the case of elections to House of People / Legislative Assemblies shall be made applicable for Council elections from Council Constituencies also.
4. In the context of certain queries that have been raised in this connection, it is clarified that: -
- (a) The practice of keeping the electors in hotels/resorts and other similar places during election period would amount to bribing of electors. It is clarified that

such practice shall be construed as violation of sub Para (4) of Para I-General Conduct of MCC apart from being violation of Section 171 B of IPC.

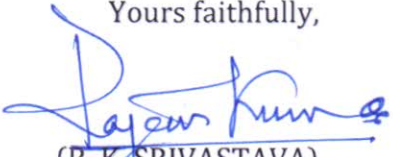
(b) The phrase 'the rest houses/dak bungalows or other Government accommodation' in paragraph (VII- (iii)) of MCC would also include *Guest Houses* of all institutions that are getting Government assistance in any form of grant-in-aid etc.

(c) With regard to paragraph (VII-(v) & (vi)) of MCC, it is clarified that these would be made applicable only with regard to the Graduates'/Teachers'/Local Authorities' Constituencies where the election is being held.

Kindly inform all concerned including all registered and recognized parties based in your state.

Please ensure compliance.

Yours faithfully,



(R. K. SRIVASTAVA)
SR. PRINCIPAL SECRETARY



भारत निर्वाचन आयोग
Election Commission of India

निर्वाचन सदन
NIRVACHAN SADAN
अशोक रोड, नई दिल्ली 110001-
ASHOKA ROAD, NEW DELHI-110001

No. ECI/PN/10/2021

Dated: 11th February, 2021

PRESS NOTE

Subject: Biennial election to the Legislative Councils of Andhra Pradesh and Telangana from Graduates' and Teachers' Constituencies-reg.

The term of office of 02 members of the Andhra Pradesh Legislative Council from Teachers' Constituencies and 02 members of the Telangana Legislative Council from Graduates' Constituencies is expiring on 29th March, 2021 due to the retirement of the sitting members as detailed below: -

Andhra Pradesh			
Sl. No.	Name of Constituency	Name of the Member	Date of retirement
i.	East-West Godavari Teachers'	Ramu Surya Rao (R.S.R. Master)	29.03.2021
ii.	Krishna-Guntur Teachers'	A. S. Ramakrishna	
Telangana			
i.	Mahabubnagar-Ranga Reddy-Hyderabad Graduates'	Ramachandra Rao N	29.03.2021
ii.	Warangal-Khammam-Nalgonda Graduates'	Dr. Palla Rajeshwar Reddy	

2. The Commission has now decided that above mentioned biennial election to the Andhra Pradesh State Legislative Council from Teachers' Constituencies and Telangana State Legislative Council from Graduates' Constituencies, be held in accordance with the following programme: -

Issue of Notification	16 th February, 2021 (Tuesday)
Last date of making nominations	23 rd February, 2021 (Tuesday)
Scrutiny of nominations	24 th February, 2021 (Wednesday)
Last date for withdrawal of candidature	26 th February, 2021 (Friday)
Date of Poll	14th March, 2021 (Sunday)
Hours of Poll	08:00 am to 04:00 pm
Counting of votes	17 th March, 2021 (Wednesday)
Date before which election shall be completed	22 nd March, 2021 (Monday)

3. The Model Code of Conduct concerning these elections will come into force with immediate effect in the concerned Constituencies. Please see the details on Commission's website under the link: <https://eci.gov.in/files/file/4070-biennial-bye-elections-to-the-legislative-councils-from-council-constituencies-by-graduates%E2%80%99-and-teachers%E2%80%99-and-local-authorities%E2%80%99-constituencies-%E2%80%93-mcc-instructions-%E2%80%93-regarding/>

4. Broad Guidelines to be followed during entire election processes for all persons: -

I. Every person shall wear face mask during every election related activity

II. At the entry of hall/ room/ premises used for election purposes:

(a) Thermal Scanning of all persons shall be carried out:

(b) Sanitizer shall be made available at all locations

III. Social distancing shall be maintained as per the extant COVID-19 guidelines of the

State Govt. and Ministry of Home Affairs.

IV. As far as practicable, large halls shall be identified and utilized to ensure social distancing norms.

V. Adequate number of vehicles shall be mobilized for movement of polling personnel, security personnel to ensure compliance of COVID-19 guidelines.

5. For broad guidelines to be followed strictly in conduct of election during COVID-19, please refer to the guidelines available on Commission's website under link:- <https://eci.gov.in/files/file/12167-broad-guidelines-for-conduct-of-general-electionbye-election-during-covid-19/>.



(PRAFULL AWASTHI)
UNDER SECRETARY