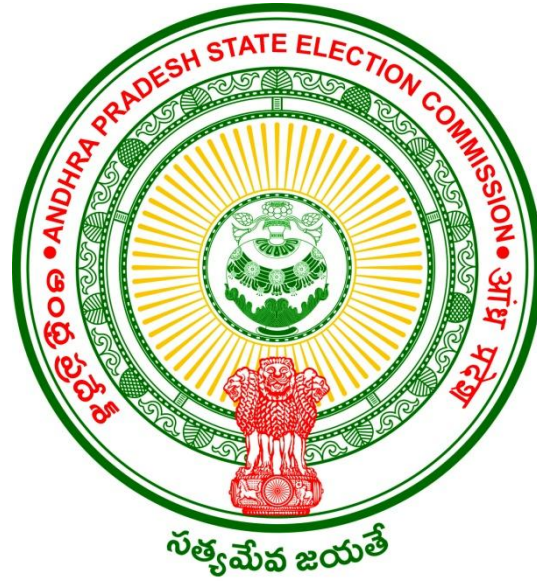


**MODEL CODE OF CONDUCT
FOR LOCAL BODY ELECTIONS
2021**



**A.P. STATE ELECTION COMMISSION
1ST FLOOR, NEW HODs BUILDING,
OPP: INDIRA GANDHI MUNICIPAL STADIUM,
M.G. ROAD, VIJAYAWADA - 520010**

ANDHRA PRADESH STATE ELECTION COMMISSION

MODEL CODE OF CONDUCT FOR LOCAL BODY ELECTIONS

Under Articles 243-K and 243-ZA of the Constitution of India and all other powers hereunto enabling, the State Election Commission, hereby, issues the following Code of Conduct to be followed in order to ensure free, fair and peaceful elections to Gram Panchayats, Mandal Praja Parishads, Zilla Praja Parishads, Nagar Panchayats, Municipalities and Municipal Corporations in the State of Andhra Pradesh.

APPLICABILITY AND AREA OF ENFORCEMENT

1. (a) The Code shall be known as the Code of Conduct for Local Body Elections.
(b) It shall apply to Political Parties, Contesting Candidates, Ministers, Employees of the State Government and Local Bodies and other Public Servants connected with Local Body elections.
2. This Code shall come into force from the time elections are announced by the State Election Commission and shall remain in force till the completion of the election process.
3. The words and expressions used in this Code shall have the same meaning as assigned to them under A.P. Panchayat Raj Act, 1994; A.P. Municipalities Act, 1965; and Municipal Corporations Act, 1955 and the Rules framed thereunder.
- 3 (A) When the ordinary elections are notified to the Rural Local Bodies in the entire State, the Model Code of Conduct is applicable to rural areas only and not applicable to the urban areas in the State. Similarly, when the ordinary elections are notified to the Urban Local Bodies in the entire State, the Model Code of Conduct is applicable to urban areas only and not applicable to the rural areas in the State.
- 3 (B) When elections are notified to a limited number of casual or ordinary vacancies in the Local Bodies, otherwise than State-wide ordinary elections, the area of applicability or enforcement of Model Code of Conduct shall be as follows:-

ZPTC Member: When election is notified to a ZPTC, the Model Code of Conduct shall be applicable for the **entire area of the Revenue Division** in which the ZPTC is located.

MPTC Member: When election is notified for an MPTC, the Model Code of Conduct shall be applicable for the **entire area of the Mandal Praja Parishad** in which the MPTC is located.

Sarpanch or Ward Member(s) of a Gram Panchayat or for both: When the election is notified for the office of Sarpanch or Ward Member(s) of a Gram Panchayat or for both, the Model Code of Conduct shall be applicable for the **entire area of that Gram Panchayat**.

Member of a Municipal Corporation: When election is notified to the office of Member of a Municipal Corporation, the Model Code of Conduct shall be applicable for the **entire area of that Municipal Corporation**.

Member of a Municipality / Nagar Panchayat: When election is notified to the office of Member of a Municipality / Nagar Panchayat, the Model Code of Conduct shall be applicable for the **entire area of that Municipality or Nagar Panchayat**.

I. GENERAL CONDUCT

1. No party or candidate shall indulge in any activity which may aggravate existing differences or create mutual hatred or cause tension between different castes and communities, religions or languages.
2. There shall be no appeal to religion, communal or caste feelings for securing votes.
3. Places of worship such as temples, mosques, churches, etc., shall not be used as forum for election propaganda.
4. No criticism of any aspect of candidates private life, which is not connected with his public life, shall be made nor any allegation be made, which are based on unverified facts or incidents.
5. Criticism of a political party, when made, shall be confined to its policies and programmes, past record and works and shall not be based on unverified allegations.
6. Organising demonstration or picketings before the houses of individuals by way of protesting against their opinion or activity shall not be resorted to under any circumstances.
7. No party or candidate shall permit their followers for using any private property / public property for erecting flag staffs, pasting notices, posters or slogans etc., or suspending banners without written permission from the owner / competent authority of the property concerned. Further, a copy of such written permission shall forthwith be sent to the Election Officer / District Election Authority.
8. No candidate or his workers shall remove or deface the flag erected or posters pasted by another candidate or political party.
9. All parties and candidates shall scrupulously avoid all activities which are corrupt practices and offences under the Election Law such as:
 - (i) To appeal for vote or not to vote on the basis of religion, caste or community and to use any religious symbol for soliciting votes.
 - (ii) To print or publish any poster, pamphlet, leaflet, circular or advertisement without mentioning the name and address of the printer and the publisher.
 - (iii) To publish a statement or news item which is false or not believed to be true with respect to a candidate's personal conduct or character with a view to adversely affect the prospect of his or her election.
 - (iv) To obstruct or disturb any election meeting organised by another political party or candidate.
 - (v) To take out processions or hold public meetings during the period of:-
 - (a) Forty-eight hours ending with the hour fixed for the close of poll in the case of Municipal Corporations, Municipalities and Nagar Panchayats.
 - (b) Forty-eight hours prior to the hour fixed for the conclusion of poll in the case of elections to Zilla Praja Parishads and Mandal Praja Parishads.
 - (c) Forty-four hours prior to the hour fixed for the conclusion of poll in the case of elections to Gram Panchayats.
 - (vi) To bribe or offer reward in any form to voters.
 - (vii) To canvas or to appeal for votes within hundred meters of a polling station.
 - (viii) To use any conveyance or means of transport for the voters to or from the polling station.

- (ix) To behave in an unruly manner within or near about the polling station or to obstruct a polling officer in the discharge of his duty.
 - (x) To impersonate a voter or attempt to cast vote under the false name of voter.
10. The carrying of effigies purporting to represent members of other political parties or their leaders, burning such effigies in public and such other forms of demonstration shall not be countenanced by any political party or candidate.

II. MEETINGS

1. No party or candidate shall hold public meetings or processions without obtaining necessary permission from the competent Local Authorities.
2. No party or candidate shall use loud speakers without obtaining necessary permission from the Competent Authority and shall not use the loud speakers for the purposes other than transmitting speeches, live or recorded. Loud speakers shall not be used to transmit music or songs. Loud speakers shall be used only between 6.00 AM and 10.00 PM. The Police are authorised to seize the offending equipment, if anybody violates the same. The political parties and candidates shall endeavor to see that no disturbance is caused in the vicinity of hospitals due to electioneering to avoid inconvenience to the patients.
3. While granting permission for organising an election meeting at a public place, no distinction should be made between the candidates or the political parties. In case more than one candidate or party requests for holding meeting at the same place and on the same date and time, permission should be granted to such candidate or party who applies first.

III. PROCESSIONS

1. A party or candidate organizing a procession shall decide before hand the time and place of the starting of the procession, the route to be followed and the time and place at which the procession will terminate. There shall ordinarily be no deviation from the programme.
2. The organizers of the procession shall give advance intimation to the local police authorities of the programme so as to enable the latter to make necessary arrangements.
3. The organisers shall ascertain if any restrictive orders are in force in the localities through which the procession has to pass and shall comply with the restrictions unless exempted specialty by competent authority. Any traffic regulations or restrictions shall also be carefully adhered to.
4. The organizers shall take steps in advance to arrange for passage of the procession so that there is no block or hindrance to traffic. If the procession is very long, it shall be organized in segments of suitable lengths, so that at convenient intervals, especially at points where the procession has to pass road junctions, the passage of held up traffic could be allowed by stages thus avoiding heavy traffic congestion.
5. Processions shall be so regulated as to keep as much to the right of the road as possible and the direction and advice of the police on duty shall be strictly complied with.
6. If two or more political parties or candidates propose to take processions over the same route or parts thereof at about the same time, the organizers shall establish contact well in advance and decide upon the measures to be taken to see that the processions do not clash or cause hindrance to traffic. The assistance of the local police shall be availed of for arriving at a satisfactory arrangement. For this purpose, the parties shall contact the police at the earliest opportunity.

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

IV. POLLING DAY

1. On the polling day, all political parties and candidates shall :-
 - (a) Supply to their authorized workers suitable badges or Identity cards
 - (b) Refrain from serving or distributing liquor within the polling area during the period of:-
 - (i) forty-eight hours prior to the hour fixed for conclusion of the poll and also on the counting day in the case of elections to Zilla Praja Parishads and Mandal Praja Parishads;
 - (ii) forty-four hours prior to the hour fixed for conclusion of the poll and also on the counting day in the case of elections to Gram Panchayats; and
 - (iii) forty-eight hours prior to the hour fixed for conclusion of the poll and also on the counting day in the case of elections to Municipal Corporations and Municipalities/ Nagar Panchayats.
 - (c) Not allow unnecessary crowds to be collected near the camps set by the political parties and candidates near the polling stations so as to avoid confrontation and tension among workers and sympathizers of the parties and candidates.
 - (d) Cooperate with the authorities in complying with the restrictions to be imposed on the plying of vehicles on the polling day and obtained permits for them which should be displayed prominently on those vehicles.
2. The identity slips given to voters shall be on plain (white) papers and shall not contain any symbol or name of the candidate. The name of the voter, his father's/husband's name, ward number, polling booth number and the serial number of the voter in the electoral roll shall only be written on the identity slip.
3. Every candidate and the political party shall co-operate with the Officers on Election Duty to ensure peaceful and orderly polling.

V. POLLING BOOTH

Excepting the voters, no one without a valid pass from the State Election Commission shall enter the polling booths.

VI. OBSERVERS

The State Election Commission is appointing Observers. If the candidates or their agents have any specific complaint or problem regarding the conduct of elections they may bring the same to the notice of the Observer.

VII. EXPENDITURE

1. No contesting candidate shall incur the election expenditure in excess of the expenditure fixed by the State Election Commission, by notification.
2. The contesting candidate shall maintain day-to-day expenditure record in the prescribed proforma which will be supplied to him free of cost on the date of acceptance of his candidature.

3. Every contesting candidate shall, within 45 days of announcement of results, submit the election expenditure account in the prescribed proforma to the District Election Authority.

VIII. PARTY IN POWER

1. A Public Servant shall remain absolutely impartial during the elections and he shall not indulge in any campaigning activity for or against any contesting candidate or political party.
2. A Public Servant shall not participate or accompany the Minister in any programme, organised at an individual's house for which the Minister has accepted the invitation during his election tour.
3. 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 party in power. Other parties and candidates shall be allowed to use such places and facilities on the same terms and conditions on which they are used by the party in power.
4. Use of rest houses, circuit houses and other Government accommodation should be permitted to all the candidates and the political parties on the same terms and conditions on which it is permissible for party in power. However, no candidate or party should be allowed to use such building or its campus for the purpose of election propaganda.
5. No contesting candidate, who is in-charge of, or is in any manner connected with, the management of an aided educational institution, or any other institution receiving aid from the State or Central Government, shall, misuse the buildings, infrastructure, staff, funds or vehicles belonging to such institution for furthering his/her electoral prospects.
6. Ordinarily, all meetings organised during election should be treated as election meetings and no Government money should be spent on them. No Government servant should attend any such meeting except those who are incharge of maintenance of law and order or those deployed for security duties.
 - (i) If a Minister undertakes a tour of any area of a District where elections are taking place, such tour shall be deemed to be an election tour and no Government servant, except those who are deployed for security purposes, shall accompany the Minister. No Government vehicles or any other facility shall be made available for such tour.
 - (ii) No vehicles belonging to Government or local bodies or public undertakings or co-operative institutions or any other institutions receiving Government grants shall be provided to any Minister, Member of the Parliament or the Legislative Assembly or a candidate for canvassing in election in any manner from the date of notification of election to the date of announcement of the results.
7. The Ministers shall not combine their official visit with electioneering work and shall not make use of official machinery and personnel or other Government resources including Government vehicle for furtherance of interests of any candidate.
8. From the time elections are announced by the Commission, Ministers and other authorities:-
 - (a) shall not sanction grants/payments out of State funds or discretionary funds;
 - (b) shall not announce any financial grants or new schemes or projects in any form or promises thereof;
 - (c) shall not sanction any new scheme or project or works.
 - (d) shall not lay foundation stones etc., of projects or schemes of any kind;

9. From the time the elections are announced by the State Election Commission Ministers and other authorities shall not :-
 - (a) Make any ad-hoc appointments in Government, Public undertakings etc. which may have the effect of influencing voters in favour of the party in power.
 - (b) Make any promise of construction of roads, provision of drinking water facilities etc.
10. Ministers of Central or State Governments shall not enter any polling station or place of counting except in their capacity as a candidate or voter or authorised agent. A Minister, who is a recipient of any form of security cover by the State, shall not be appointed as election agent or polling agent or counting agent as his personal security cannot be jeopardized with such appointment because his security personnel will not be permitted to accompany him into the polling station or counting hall.
11. Issue of advertisement at the cost of public exchequer in the news paper and other media during the election period for partisan coverage intended to furthering the prospects of the party in power shall be scrupulously avoided.

IX. PROSECUTION

1. The violation of these provisions is punishable under various laws.
2. The District Election Authority, Deputy District Election Authority, Additional District Election Authority and the Police are authorized to initiate prosecution against violators of this Code before the Competent Criminal Courts under intimation to the State Election Commissioner.

**STATE ELECTION COMMISSIONER
ANDHRA PRADESH**