

put Rs. 10 lakhs, how do you expect the Planning Commission or anybody to clear the project? Even for foreign assistance, the basic requirements are to be fulfilled. This is the main question.

Code of Conduct for Political Parties

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*125. SHRI ZAINAL ABEDIN :
SHRI BASUDEB ACHARIA :

Will the Minister of LAW AND JUSTICE be pleased to state :

(a) whether the Election Commission has evolved a model code of conduct for the guidance of political parties and candidates participating in elections;

(b) if so, the details thereof; and

(c) the reaction of Government thereon?

THE MINISTER OF LAW AND JUSTICE (SHRI A. K. SEN) : (a) Yes, Sir. The Election Commission has evolved a 'Model Code of Conduct for the Guidance of Political Parties and Candidates' on the basis of a consensus reached with all the political parties.

(b) A statement showing the Code is given below.

(c) The Government welcome the code and feel that it will have a great impact on elections and, the electoral process in the country.

Statement

Model Code of Conduct for the Guidance of Political Parties and Candidates

ELECTION COMMISSION OF INDIA, 1984

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, religious or linguistic.

(2) Criticism of other political parties, when made, shall be confined to their policies and programme, past record and work. Parties and candidates shall refrain from criticism of all aspects of private life, not connected with the public activities of the leaders or workers of other parties. Criticism of other parties or their workers based on unverified allegations or on distortion shall be avoided.

(3) There shall be no appeal to caste or communal, feelings for securing votes. Mosques, Churches, Temples or other places of worship shall not be used as forum for election propaganda.

(4) All parties and candidates shall avoid scrupulously all activities which are "corrupt practices" and offences under the election law, such as the bribing of voters, intimidation of voters, personation of voters, canvassing within 100 metres of a polling station, holding public meetings during the period of 48 hours ending with the hour fixed for the close of the poll, and the transport and conveyance of voters to and from polling station.

(5) The right of every individual for peaceful and undisturbed home life shall be respected, however much the political parties or candidates may resent his political opinions or activities. Organising demonstrations or picketing before the houses of individuals by way of protesting against their opinions or activities shall not be resorted to under any circumstances.

(6) No political party or candidate shall permit its or his followers to make use of any individual's land, building, compound wall etc, without his permission for erecting flag-staffs, suspending banners, pasting notices, writing slogans etc.

(7) Political parties and candidates shall ensure that their supporters do not create obstructions in or break up meetings and processions organised by the other parties. Workers or sympathisers of one political party shall not create disturbances at public meetings organised by another political party by putting questions orally or in writing or by distributing leaflets of their own party. Processions shall not be taken

out by one party along places at which meetings are being held by another party. Posters issued by one party shall not be removed by workers of another party.

II. Meetings

(1) The party or candidate shall inform the local police authorities of the venue and time of any proposed meeting well in time so as enable the police to make necessary arrangements for controlling traffic and maintaining peace and order.

(2) A party or candidate shall ascertain in advance if there are any restrictive or prohibitory orders in force in the place proposed for the meeting. If such orders exist, they shall be followed strictly. If any exemption is required from such orders it shall be applied for and obtained well in time.

(3) If permission of licence is to be obtained for the use of loudspeakers or any other facility in connection with any proposed meeting, the party or candidate shall apply to the authority concerned well in advance and obtain such permission or licence.

(4) Organisers of a meeting shall invariably seek the assistance of the police on duty for dealing with persons disturbing a meeting or otherwise attempting to create disorder. Organisers themselves shall not take action against such persons.

III. Processions

(1) A party or candidate organising a procession shall decide before hand the time and place of the starting of the procession, the route to be followed and the time and place at which the procession will terminate. There shall ordinarily be no deviation from the programme.

(2) The organisers shall give advance intimation to the local police authorities of the programme so as to enable the latter to make necessary arrangements.

(3) The 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 specially by competent authority. Any traffic regulations or restrictions shall also be carefully adhered to.

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

(5) Processions shall be so regulated as to keep as much to the right of the road as 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 organisers shall establish contact well in advance and decide upon the measures to be taken to see that the processions do not clash or cause hindrance to traffic. The assistance of the local police shall be availed of for arriving at a satisfactory arrangement. For this purpose the parties shall contact the police at the earliest opportunity.

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

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

IV. Polling Day

All political parties and candidates shall :

- (i) co-operate with the officers on election duty to ensure peaceful and orderly polling and complete

freedom to the voters to exercise their franchise without being subjected to any annoyance or obstruction;

- (ii) supply to their authorised workers suitable badges or identity cards;
- (iii) agree that the identity slips supplied by them to voters shall be on plain (white) papers and shall not contain any symbol, name of the candidate or the name of the party;
- (iv) refrain from serving or distributing liquor on polling day and during the twenty-four hours preceding it;
- (v) not allow unnecessary crowds to be collected near the camps set up by the political parties and candidates near the polling booths so as to avoid confrontation and tension among workers and sympathisers of the parties and candidates;
- (vi) ensure that the candidate's camps shall be simple. They shall not display any posters, flags, symbols or any other propaganda material. No eatables shall be served or crowds allowed that the camps; and
- (vii) co-operate with the authorities in complying with the restrictions to be imposed on the plying of vehicles on the polling day and obtain permits for them which should be displayed prominently on these vehicles.

V. Polling Booth

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

VI. Observers

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

VII. Party in power whether at the Centre or in the State or States concerned, shall ensure that no cause is given for any complaint that it has used its official position for the purposes of its election campaign, and in particular—

- (i) (a) The Ministers shall not combine their official visit with electioneering work and shall not also make use of official machinery or personnel during electioneering work;
- (b) government transport including official aircrafts, vehicles, machinery and personnel shall not be used for furtherance of the interest of the party in power;
- (ii) public places such as maidans etc. for holding election meetings, and use of helipads for airflights in connection with elections, shall not be monopolised by itself. Other parties and candidates shall be allowed the use of such places and facilities on the same terms and conditions on which they are used by the party in power;
- (iii) rest houses, dak bungalows or other Government accommodation shall be allowed to be used by other parties or candidates in a fair manner;
- (iv) issue of advertisement at the cost of public exchequer in the news papers and other media and the misuse of official mass media during the election period for partisan coverage of political news and publicity regarding achievements with a view to furthering the prospects of the party in Power shall be scrupulously avoided;
- (v) ministers and other authorities shall not sanction grants/payments out of discretionary funds from the time elections are announced by the Commission;
- (vi) from the time the elections are announced by the Commission,

Ministers and other authorities shall not—

- (a) announce any financial grants in any form or promises thereof; or
 - (b) lay foundation stones etc. of projects or schemes of any kind; or
 - (c) make any promise of construction of roads, provision of drinking water facilities etc; which may have the effect of influencing the voters in favour of the party in power; and
- (vii) ministers of Central or State Government shall not enter any polling station or place of counting except in their capacity as a candidate or voter or authorised agent.

Sd/-

(R. K. TRIVEDI)

Chief Election Commissioner of India

NEW DELHI

November 12, 1984

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SHRI ZAINAL ABEDIN : Sir, the necessity of comprehensive legislation on electoral reforms has arisen out of the code of conduct prepared by the Election Commission. It has also been mentioned in the President's Addresses delivered in the joint session of both Houses of Parliament in the year 1985 as well as this year that steps will be taken to reform our present electoral system. In view of this, I want to know what are the positive steps that Government have already taken or propose to take to bring a comprehensive Bill on electoral reforms.

SHRI A. K. SEN : Once the various items of the Code of Conduct are read, it will be realised that it is not possible to make them the subject of legislation for every purpose. But, it is true that some of them may form the subject matter of legislation and that matter is under consideration

in consultation with the Election Commission and as and when the views of the Government are formulated, the political parties will be consulted and the agreed legislation will certainly be brought forward.

SHRI ZAINAL ABEDIN : I would like to know whether it is a fact that the Election Commission has stated that during the last parliamentary election this Code of Conduct has been widely violated in Bihar and other parts of the country also when large-scale rigging and booth capturing took place there. If so, what action Government is going to take to root out this rigging ?

MR. SPEAKER : It is irrelevant.

SHRI BASUDEB ACHARIA : It appeared in the press.

MR. SPEAKER : If anything comes in the press, is it a gospel truth ?

SHRI BASUDEB ACHARIA : The Hon. Minister has given a long list of model Code of Conduct which is often violated by the political party, particularly, ruling party in the Centre. After announcement of elections in Assam, our Prime Minister announced in Japan that an oil refinery would be set up in Assam in collaboration with Japan....(Interruptions).

I want to know from the Hon. Minister how many complaints he has received during the last bye-election and Assam election regarding violation of Code of Conduct and what action Government have taken thereon.

THE MINISTER OF STATE IN THE MINISTRY OF LAW AND JUSTICE (SHRI H R. BHARDWAJ) : So far as complaints were concerned, they were received in the Election Commission, we will need a notice for this because it is not part of the question. But, there were complaints from West Bengal and Bihar. So, they were investigated and steps were taken and we had made a statement earlier on this. But most of the complaints were from West Bengal where the other party is in power.

SHRI BASUDEB ACHARIA : It is your Party which has violated the Code of Conduct,

SHRI SURESH KURUP : Please specify how many complaints were received.

SHRI G. G. SWELL : Apart from the Code of Conduct by the Election Commission, I would like to know whether the Minister is aware that some political parties themselves are evolving their own Code of Conduct and among the things being considered there is alcoholism with all its attendant vices of corruption, fornication and the like which will be ruled out for any respectable Member of the Party or a member holding respectable position ?

SHRI A. K. SEN : It is true that the Congress Party has a Code of Conduct. I am not aware about the Code of Conduct of other parties. But I shall welcome the Code of Conduct of other Parties equal to ours.

SHRI G. G. SWELL : Alcoholism is an anathema for the Members of the Congress.

SHRI A. K. SEN : It is.

PROF. K. K. TEWARY : A word has been unfortunately used by the Hon. Member which is unparliamentary.

MR. SPEAKER : I will see it.

PROF. K. K. TEWARY : Fornication is unparliamentary.

SHRI G. G. SWELL : It is a clinical medical language.

Thermal power plant at Kanti, Bihar

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*127. **DR. G. S. RAJHANS :**
SHRIMATI KISHORI SINHA :

Will the Minister of ENERGY be pleased to state :

(a) whether the thermal power plant at Kanti, Muzaffarpur (Bihar), which was to be commissioned in April, 1985 has since been started;

(b) if so, the details thereof;

(c) if not, the reasons for delay in the generation of power; and

(d) whether districts of Madhubani, Darbhanga and Samastipur are to get power from this thermal power station ?

THE MINISTER OF ENERGY (SHRI VASANT SATHE) : (a) to (c). Muzaffarpur Thermal Power Station, near Kanti, envisaged installation of two Units of 110 MW each. The first unit was synchronised on 31.3.1985 and the second unit is expected to be synchronised in March, 1986. There has been delay in achieving full load generation from Unit-1 on account of various reasons such as delay in completion of coal and ash handling systems, problems relating to flow of coal; lack of adequately trained personnel, etc. This unit has generated 89 million units till 26.2.1986.

(d) The power generated from this station will be fed into the State Power Grid and is not allocated to any particular area.

DR. G. S. RAJHANS : Is the Hon. Minister aware of the fact that there were major breakdowns in the Muzaffarpur thermal power station in November and December 1985 and if so the reasons thereof ?

SHRI VASANT SATHE : As I said, the reasons for these breakdowns have been on account of technical reasons such as that the plant system has not yet been brought into proper tune, then the coal-handling system, problems relating to flow of coal within the plant system, failure of control cables, lack of adequately trained personnel, etc. These are the reasons for the breakdowns.

DR. G. S. RAJHANS : There were other reasons also.

SHRI VASANT SATHE : You know the other reasons.

DR. G. S. RAJHANS : Yes, I know the reasons. There were cases of sabotage.

There is no dearth of coal in Bihar. I would like to know from the Hon. Minister as to what are the reasons for the delay in the flow of coal in this thermal power station.