



भारतीय आयुर्विज्ञान अनुसंधान परिषद
INDIAN COUNCIL OF MEDICAL RESEARCH
स्वास्थ्य अनुसंधान विभाग (स्वास्थ्य एवं परिवार कल्याण मंत्रालय)
DEPARTMENT OF HEALTH RESEARCH (MINISTRY OF HEALTH & FAMILY WELFARE)

वी. रामलिंगस्वामी भवन, अन्सारी नगर, पोस्ट बॉक्स 4911, नई दिल्ली-110 029
V.RAMALINGASWAMI BHAWAN, ANSARI NAGAR, POST BOX-4911, NEW DELHI-110029

संख्या 18/2/2018-प्रशासन-2

दिनांक 14.11.2018.

सेवा में,

निदेशक/प्रभारी निदेशक
परिषद के सभी स्थाई केन्द्र/संस्थान

Subject : ECI directions regarding applicability of Model Code of Conduct in cases premature dissolution of Legislative Assembly followed by the caretaker Government in position till the formation of new Government after fresh election-reg.

मुझे उपरोक्त विषय पर पत्र संख्या एफ नं-A.11020/5/2014-HR/FTS:3052490 (P) दिनांक अक्टूबर 2018 अनुलग्नक सहित जो स्वास्थ्य अनुसंधान विभाग, नई दिल्ली से प्राप्त हुआ है को सूचनार्थ एवं अनुपालन करने हेतु भेजने का निदेश हुआ है।

भवदीय,

भारत भूषण

(भारत भूषण)

वरिष्ठ प्रशासन अधिकारी
कृते महानिदेशक

अनुलग्नक: उपरोक्त

प्रतिलिपि:-

1. निजी सचिव, महानिदेशक/ अपर महानिदेशक/वरिष्ठ उपमहानिदेशक/वरिष्ठ वित्त सलाहकार
2. तकनीकी प्रभागों के प्रमुख
3. निजी सचिव, उपमहानिदेशक
4. सहा. महानिदेशक (प्रशासन) (अ.ख.) / (आर.आर.)
5. डॉ चंचल गोयल, वैज्ञानिक-डी वेबसाइट अपलोड के लिए आपकी ईमेल आईडी (drcgicmr@gmail.com) पर इसकी सॉफ्ट कॉपी को मेल किया गया है।

860
F.No.A.11020/5/2014-HR/FTS:3052490 (P)

Government of India
Ministry of Health & Family Welfare
(Department of Health Research)

2nd Floor, IRCS Building
Red Cross Road, New Delhi-01

Dated October, 2018

To

- I Sr. DDG & Sr. FA,
Indian Council of Medical Research,
Ansari Nagar,
New Delhi-110029
- II Director,
Bhopal Memorial Hospital Research Centre,
Raisen Bypass Road,
Karond Bhopal,
Madya Pradesh-462038

Sr. DDG (A) Office
Dy. No. : 54 8370
Dated : 26/10/18

Sub:- ECI directions regarding applicability of Model Code of Conduct in cases of premature dissolution of Legislative Assembly followed by the caretaker Government in position till the formation of new Government after fresh election – reg.

I am directed to enclose a copy of O.M No. 1/41/1/2018-Cab dated 04/10/2018, with its enclosures, from Cabinet Secretariat, on the above noted subject for information and compliance.

Encl.: A/A

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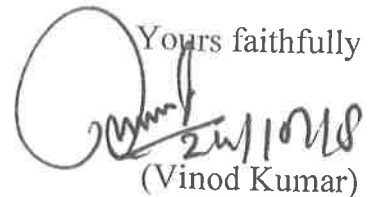
ADG (A7)

Ad
31/10/18

SrAO Adhetti

Kan. Shukla

Dy. No. 407
04/11/2018

Yours faithfully

(Vinod Kumar)

Under Secretary to the Govt. of India
Tele:- 23736089

MOST IMMEDIATE

219

No. 1/41/1/2018-Cab
GOVERNMENT OF INDIA (BHARAT SARKAR)
CABINET SECRETARIAT (MANTRIMANDAL SACHIVALAYA)
RASHTRAPATI BHAWAN

New Delhi, the 4th October, 2018

OFFICE MEMORANDUM

Subject: ECI directions regarding applicability of Model Code of Conduct in cases of premature dissolution of Legislative Assembly followed by the caretaker Government in position till the formation of new Government after fresh election.

The undersigned is directed to enclose herewith a copy each of Election Commission of India letter No. 437/6/ECI/INST/FUNCT/MCC/2018/720 and No. 437/6/ECI/INST/FUNCT/MCC/2018/759 dated 27.09.2018 on the above subject, for information and necessary action.

Encl: A/a

on leave Rachna
Rachna
(Rachna Shah)
Joint Secretary
Tel: 23016576

All Secretaries to the Government of India

DSCRIC

28/10/18
JS (YK)
Q
27/10/18

SUTANT
1/11/18
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FW record on 2

ASO(RG)

Secretary to Govt. of India
HTS No. 1080401
Date: 05/10/18

CS-12241/18
27/9/18

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By Spl. Messenger/Speed Post

ELECTION COMMISSION OF INDIA

NIRVACHAN SADAN, ASHOKA ROAD, NEW DELHI-110001

No. 437/6/ECI/INST/FUNCT/MCC/2018 / 720

Dated: 27th September, 2018

To

1. The Cabinet Secretary,
Government of India,
Rashtrapati Bhawan,
New Delhi.

2. The Chief Secretaries to the Government of
All States/UTs.

Subject: Applicability of Model Code of Conduct in cases of premature dissolution of Legislative Assembly followed by the caretaker Government in position till the formation of new Government after fresh election - regarding.

Sir/Madam,

I am directed to state that the Commission has considered the matter of application of the Model Code of Conduct in the cases of premature dissolution of Legislative Assembly where a caretaker government has been asked to carry on the administration of that State/UT for the purposes of free, fair, transparent, and robust electoral process. On careful consideration of the matter, keeping the observation of Hon'ble Supreme Court in S.R.Bommai and Ors Vs. Union of India & Ors. (1994), that *the caretaker Government should merely carry on the day-to-day Government and desist from taking any major policy situation decision* in view, Commission has directed the following:-

- 27.09/18
AS/RB
28/09/18
JLPS
- (i) In such an eventuality as described above, the provisions of Part-VII (Party in Power) of the Model Code of Conduct shall come into operation with immediate effect in the State concerned and shall continue to be in force till the completion of the election to constitute the new Legislative Assembly;
- (ii) The provisions of the aforesaid Part-VII of Model Code of Conduct shall apply on the caretaker State Government as well as on the Central Government in so far as matters relating to that State are concerned;

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- (iii) Consequently, neither the caretaker State Government nor the Central Government shall announce any new schemes, projects, etc. in respect of that State or undertake any of the activities prohibited under the aforesaid Part-VII of the Model Code of Conduct;
- (iv) All other prohibitions under Part-VII, such as use of official resources for any non-official purposes, combining of official visit with electioneering work, etc. shall apply on all Ministers and other authorities of the caretaker State Government, the Central Government as well as Governments of other States.

2. This may be brought to the notice of all concerned and the receipt of this letter may please be acknowledged.

Yours faithfully,


(Narendra N. Butolia)
Principal Secretary

12242/18
28/9/18

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By Spl. Messenger/Speed Post

ELECTION COMMISSION OF INDIA

NIRVACHAN SADAN, ASHOKA ROAD, NEW DELHI-110001

No. 437/6/ECI/INST/FUNCT/MCC/2018 / 759

Dated: 27th September, 2018

To

1. The Cabinet Secretary,
Government of India,
Rashtrapati Bhawan,
New Delhi.
2. The Chief Secretaries to the Government of
All States/UTs.

Subject: Applicability of Model Code of Conduct in cases of premature dissolution of Legislative Assembly followed by the caretaker Government in position till the formation of new Government after fresh election - regarding.

Sir/Madam,

I am directed to state that the Commission has considered the matter of application of the Model Code of Conduct in the cases of premature dissolution of Legislative Assembly where a caretaker government has been asked to carry on the administration of that State/UT for the purposes of free, fair, transparent, and robust electoral process. On careful consideration of the matter, keeping the observation of Hon'ble Supreme Court in S.R.Bommai and Ors Vs. Union of India & Ors. (1994), that **the caretaker Government should merely carry on the day-to-day Government and desist from taking any major policy situation decision** in view, Commission has directed the following:-

- (i) In such an eventuality as described above, the provisions of Part-VII (Party in Power) of the Model Code of Conduct shall come into operation with immediate effect in the State concerned and shall continue to be in force till the completion of the election to constitute the new Legislative Assembly;
- (ii) The provisions of the aforesaid Part-VII of Model Code of Conduct shall apply on the caretaker State Government as well as on the Central Government in so far as matters relating to that State are concerned;

27-09-18
A.S.(A.B.)
J.S.L.(P.B.)

28/9/18

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27/9/18


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28/9/18

- (iii) Consequently, neither the caretaker State Government nor the Central Government shall announce any new schemes, projects, etc. in respect of that State or undertake any of the activities prohibited under the aforesaid Part-VII of the Model Code of Conduct;
- (iv) All other prohibitions under Part-VII, such as use of official resources for any non-official purposes, combining of official visit with electioneering work, etc. shall apply on all Ministers and other authorities of the caretaker State Government, the Central Government as well as Governments of other States.

2. This may be brought to the notice of all concerned and the receipt of this letter may please be acknowledged.

Yours faithfully,


(Narendra N. Butolia)
Principal Secretary

Copy to:- The Chief Electoral Officers of all States and UTs with the request to inform the recognized political parties in their respective States about the Commission's directions.