

Model Code of Conduct for Elections

What is the issue?

With general elections approaching, here is a look on the Model Code of Conduct (MCC) that the Election Commission of India enforces

What is a Model Code of Conduct?

- The Model Code of Conduct (MCC) is a document from the Election Commission of India.
- It lays down the minimum standards of behaviour for political parties and their candidates contesting elections.
- The MCC comes into effect as soon as the EC announces the election schedule.

When did it come about?

- The MCC was first proposed by Kerala in its 1960 assembly elections.
- It was later adopted by the Election Commission of India (EC) during mid-term elections in 1968 and 1969.
- It has since been updated many times based on cases fought in courts.
- The Code has evolved over the years to include behaviour norms for the party in power and the public servants who report to it.

What are the key features?

- The MCC lays down good behaviour norms covering 8 areas of electioneering including, among many, -
 - i. general conduct of candidates
 - ii. candidates' meetings/processions
 - iii. appointment of observers
 - iv. maintenance of polling booths on D-Day
 - v. contents in election manifestos
- **Under 'general conduct'**, the Code mainly regulates the candidates who -
 - i. incite communal tensions
 - ii. use caste or religion to appeal for votes
 - iii. canvass within 100 metres of polling stations and in the 48 hours preceding the polls

- For meetings and processions, parties are required to obtain advance permissions from local authorities and seek police help to contain unruly elements.
- Effigy burning is expressly prohibited.
- **On the day of election**, political parties are expected to -
 - i. identify their party workers with badges
 - ii. stay off the polling booths
 - iii. keep their camps near the booths free of propaganda material
 - iv. refrain from distributing goodies or liquor to voters
- **Election manifestos** of political parties should not contain any unreasonable and impractical promises.
- EC directs parties to stick only to those promises that are financially feasible.
- **Ruling party** - There are elaborate rules to ensure that the party in power plays fair and the Code has the longest list of don'ts for the ruling party.
- The Code ensures that the -
 - i. party in power does not gain an unfair advantage in campaigning
 - ii. ministers are barred from mixing their official visits with political rallies
 - iii. ruling party does not use government vehicles, aircraft or machinery
 - iv. ruling party does not issue public advertisements promoting the party or its leaders at the cost of the exchequer
- The party in power is also directed not to 'monopolise' public places or government rest houses and bungalows for political rallies.
- Once elections are announced, ministers cannot announce financial grants or large projects or make ad-hoc government appointments in a way that could influence voter behaviour.

Is it legally binding?

- The Model Code of Conduct does not have any statutory backing.
- But the Code has come to acquire significance in the past decade, because of its strict enforcement by the EC.
- Some of the more serious offences listed in the Code have also found their way into the statute books.
- So for some of the offences mentioned, candidates can be tried under the Indian Penal Code or the Representation of the People Act 1951.

Source: BusinessLine



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