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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