

No. 2-39/2023-EXN-H-Estt- 7534-52

**Department of State Taxes and Excise
Himachal Pradesh.**

From

The Commissioner of State Taxes and Excise,
Himachal Pradesh.

To

1. The Addl. Commissioner of State Taxes and Excise (SZ) , 3rd floor, MC Parking Building Near ISBT Crossing, Tutikandi, Shimla-5, H.P.
2. The Joint Commissioner of State Taxes and Excise , (NZ)(CZ) Palampur and Mandi.
3. The Joint Commissioner of State Taxes and Excise, (FS)(SZ)(NZ)(CZ) Parwanoo/ Palampur and Una.
4. The Dy. Commissioner of State Taxes and Excise, Shimla/Solan/BBN Baddi/Sirmour at Nahan/ Bilaspur/ Hamirpur/ Nurpur/ Kangra/ Chamba/Kullu/Mandi and Una.
5. The Asstt. Commissioner State Taxes and Excise, Kinnuar at Peo.

Dated: Shimla-171009

dated the

20/3/ 2024

Subject:-

Immediate action to be undertaken for enforcement of Model Code of Conduct after announcement of General Election to Lok Sabha-2024.

Sir,

Find enclosed herewith the copy of letter No. SML-4-13/2023-ELN-305 dated 7th March, 2024 received from District Election Officer(DC), Shimla, District Shimla, Himachal Pradesh along with Election Department Government of Himachal Pradesh letter No. 3-19/2023-ELN dated 6th March, 2024(copy enclosed) vide which Election Commission has desired that there should be effective enforcement of provisions of MCC after the announcement of elections to Lok Sabha -2024.

You are, therefore, directed to ensure strict compliance of the instructions and to take time bound action as prescribed in the letter enclosed.

Encls:- As Above

Yours faithfully,



(Dr. Yunus) IAS

**Commissioner of State Taxes and Excise,
Himachal Pradesh Shimla -09**

Phone No.2621835.

20/3/ 2024

Endst:No. 2-39/2023-EXN-H-Estt- 7553-58

Copy forwarded to:-

1. The District Election Officer (DC) Shimla, District Shimla w.r.t. their letter No. 4-13/2023-ELN-305 dated 7th March, 2024 for information please.
2. All Heads of the branches at Headquarter of this department are also strictly directed to comply the instructions made by the District Election Officer (DC) Shimla, regarding implementation of provisions of MCC after announcement of General Election to Lok Sabha-2024.

✓ 8. IT Cell for uploading on official website of department.

**Commissioner of State Taxes and Excise,
Himachal Pradesh Shimla -09.**

"GREATER PARTICIPATION FOR A STRONGER DEMOCRACY"

Office of the District Election Officer (DC)

District Shimla (H.P.)

No. SML-4-13/2023-ELN- 305

Dated: Shimla-1, the 7th March, 2024

From

**District Election Officer (DC)
Shimla District Shimla**

To

1. All Heads of Departments
District Shimla
2. All ARO's of Shimla Distt. Shimla
3. Municipal Commissioner Shimla
4. All Sector Officers Distt. Shimla

Asst. CST & E (Admin/HQ/ITR/CST)
Asst. CST & E (G-II) (Admin/HQ/ITR/TAU/A. Tax)
Asst. CST & E (HQ/IT/EIU/LTPU/Legal)
Asst. Controller (F&A)
Asst. CST & E (Tax/A. Tax/Excise/EIU/LTPU/TAU)
Asst. CST & E (HQ/Tax/EIU/TAU/Helpdesk & CRU)
Asst. Grade-1
PS/PA/Reader

Commissioner of State Tax & Excise
Shimla

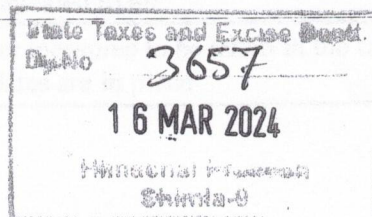
13-03-24

Subject: - Immediate action to be undertaken for enforcement of Model Code of Conduct after announcement of General Election to Lok Sabha-2024.

Sir,

Kindly refer to the Election Commission's letter No. 437/6/1/ECI/INST /FUNCT/MCC/2017 dated 25.10.2017 in which Election Commission has desired that there should be the effective enforcement of provisions of MCC after the announcement of Elections to Lok Sabha-2024. The following provisions of MCC be enforced immediately after the announcement. The Election Commission has directed to ensure strict compliance of its instructions and to take time bound action as prescribed below:

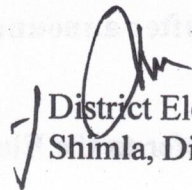
- (a) **Defacement of Government property:-** For this purpose a government premise would include any government office and the campus wherein the office building is situated. All wall writings, posters/papers or defacement in any other form, cutout/hoardings, banners, flags etc. on Govt. property shall be removed within 24 hours from the announcement of Elections.
- (b) **Defacement of Public Property and misuse of public space:-** All unauthorized political advertisements, in the form of wall writing/posters/papers of defacement in any other form, cutout/hoardings, banners, flags etc. at public property and in public space like railway station, bus stands, airports, railway bridges, roadways, govt. buses, electric telephone poles, municipal /local bodies buildings etc shall be removed within 48 hours from the announcement of elections by commission.



(c) **Defacement of private property:-** All unauthorized political advertisement displayed at private property and subject to "Local Law" and courts directions, if any, shall be removed within 72 hours from the announcement of elections by the commission to General Lok Sabha.

Therefore, all heads of departments and ARO's are requested to take immediate action to implement Model Code of Conduct at the announcement of General Election to Lok Sabha-2024. Municipal Commissioner, Shimla is requested to share the list of Municipal places where hoardings, cutouts, banners and flags etc. are permitted by MC Shimla on rent basis. This list must also reach to the undersigned on or before 5th March, 2024 positively through special messenger.

Yours faithfully,


District Election Officer (DC),
Shimla, District Shimla, HP.

13. MODEL CODE OF CONDUCT

Table 15: Checklist: Model Code of Conduct

S.No	Subject	Timeline	Status Yes/ No	Remarks of DEO
13.1	Whether a meeting has been conducted with political parties and press explaining the implementation of Model Code of Conduct from the day of announcement or not?	40 days before poll		
13.2	Whether MCC implementation teams have been formed or not and properly trained?	50 days before poll		
13.3	Whether 24x7 Call Centre and Control room has been established or not?	On the day of announcement		
13.4	Whether DOs & DON'Ts of MCC has been published or not?	On the day of announcement		
13.5	Whether order on ban on transfer of election related officials has been issued or not?	Day of announcement of poll		
13.6	Whether instructions on tours of Ministers, Security cover to Ministers, Conduct of Government Servant, misuse of official vehicles have been issued or not?	On the day of announcement		
13.7	Whether a committee headed by the Chief Secretary has been constitute to send proposals to ECI through CEO regarding clarifications on issues related to works, appointments, tenders, auctions etc., has been constituted or not?	40 days before poll		
13.8	Whether the logos of Political persons from website of Government, Photos from offices, banners, posters have been removed or not?	On the day of announcement		
13.9	Whether single window clearance system has been established for giving permission by Police / RO on vehicles, meetings, loud speakers, processions etc., has been put in to place or not?	40 days before poll		
13.10	Whether strict compliance is maintained with respect to defacement of public and private places as per law or not?	From the day of announcement		
13.11	Whether it is ensured that religious institutions are not misused for political gains.	From the day of announcement		
13.12	Whether restrictions on printing of pamphlets and posters as per Act are being implemented or not?	From the day of announcement		
13.13	Whether advertisement of political nature on TV, Radio, Cable, print media is being monitored or not?	From the day of announcement		
13.14	Whether State / District level MCMC committee has been formed or not?	From the day of announcement		
13.15	Whether arrangements have been made for operationalization of cVIGIL App	From the day of announcement		
13.16	Whether instructions on Road Shows have been communicated to all	From the day of announcement		
13.17	Whether measures to be taken in the case of Dummy Candidates are in place	From the day of announcement		

E-mail/By Post/Urgent
Lok Sabha-Election-2024

Election Department, Government of Himachal Pradesh
38-SDA Complex, Kasumpti, Shimla-9

No: 3-19/2023-ELN

Dated: 6th March, 2024.

From:

Chief Electoral Officer-cum-
Principal Secretary, Election
Himachal Pradesh.

To

All the District Election Officers (DCs)
in Himachal Pradesh.


Subject: - Forthcoming General Election to the House of People (Lok
Sabha-2024-SOP for 72 hours from announcement of
elections)

Sir,

With reference to the subject cited above, I am directed to enclose
herewith a copy of SOP for 72 hours from announcement of elections for
information and necessary action.

You are, therefore, requested to adhere to each points of SOP and
take action on each activity immediate after announcement of election.

Yours faithfully,


Addl. Chief Electoral Officer- cum-
Special Secretary, Election
Himachal Pradesh.

SOP FOR 72 Hrs FROM ANNOUNCEMENT



3.1. DCs

1. Hold press meet on the day of Press Release for announcement of schedule of election and explain provisions of Sec. 77(1) and 127A of RP Act, 1951 and Sec. 171 H of IPC.
2. Inform all the printing presses within 3 days of announcement of election in writing by the District Magistrate to furnish information and printed material as required U/S 127A of RP Act 1951.
3. Hold a meeting with all the recognized National and State Level political parties within 3 days of announcement of elections by the Commission. In this meeting, explain all the legal provisions and instructions.
4. After the announcement of elections, make an appeal in print and electronic media for the benefit of general public about the monitoring mechanism of election expenditure (with a mention of Sec 171 B & 171 C of IPC) which has been put in place during election process.
5. Ban on carrying of Licensed Arms: Prohibitory orders under Section 144 of the Criminal Procedure Code, 1973 shall be issued banning the carrying of licensed arms as soon as an election is announced and should be effective till the declaration of results.
6. Ban on issue of License of Arms: Issue of license for arms should be prohibited during the period commencing with the date of announcement of elections till the completion of the election as notified.
7. Immediately after the announcement of elections, make a detailed and individual review and assessment of all license holders so that licensed arms in those cases where considered essential are impounded in order to ensure maintenance of law and order for conducting free and fair elections. Screening Committee for review and assessment of all license holders shall consist of the District Magistrate and the Superintendent of Police. In the Commissionerate area, it shall consist of the Commissioner of Police and Joint/Additional Commissioner of Police (Admin.). The decision taken by the Screening Committee shall be final.
8. Arrange meeting with banks
 - a. for facilitation in opening bank account by candidates and issuing cheque books.
 - b. for sending suspicious transaction report exceeding Rs.10 Lakh.
 - c. for explaining the procedure to be followed for ATM Vans as per guideline of Ministry of Finance.
9. Ensure compliance of provisions related to Defacement of Property:
 - a. All wall writings, posters/papers or defacement in any other form, cutouts /hoardings, banners, flags etc., on Government property shall be removed within 24 hours from the announcement of elections.
 - b. All unauthorized political advertisement, in the form of wall writing/posters/papers or defacement in any other form, cutouts/hoardings,

10. Prevent misuse of official vehicles - There shall be a total ban on use of official vehicle by any political party, candidate or any other person connected with election (except officials performing any election related official duty) for campaigning, electioneering or election related travel during elections (subject to certain exceptions mentioned in the relevant instructions).
11. Take immediate action to remove/stop any advertisement, in the print/electronic media, showing the achievements of the Government soon after the announcement of elections.
12. Ensure removal of all references of Ministers, Politicians or political parties available on central/state government's official website.
13. Within 72 hours of announcement of elections, obtain the following list of works for reference in case of validating any complaint on violation of MCC:
 - a. List of works which have already been started on ground.
 - b. List of fresh works which have not started on ground.
14. Ensure immediate action for Expenditure Monitoring and enforcement of MCC through Flying squads, VST, video viewing team, intensive checking for liquor/Cash/contrabanned drugs, flying squads of excise department to check illicit trafficking of Drug/Narcotics etc.
15. Ensure that the toll-free number of contact center i.e. 1950 is functional.
16. Ensure that all IT applications including official website are updated and operational with the announcement.
17. Ensure dissemination of information for Awareness of Voters and political parties- Publicity of major election activities would be given through DEO/RO through radio, TV, cinema, social media etc.
18. Make efforts for creating awareness among the voters, political parties and other stakeholder through media center about election system including use of EVM/VVPAT.
19. Ensure that Media Certification and Monitoring Committee (MCMC) should start functioning immediately on announcement for pre-certification of political advertisements proposed to be issued on electronic media.
20. Activate the 24x7 control room at district level immediately with sufficient deployment of manpower and other logistics.
21. Ensure ban on issue of fresh liquor license after announcement of elections.
22. Ensure finalization of first list of vulnerability and criticality within 03 days from the announcement of election.
23. Ensure that SUVIDHA facility should be functional with mapping of various facilities. Immediately after announcement of election for granting of permission to the Political Parties and contesting candidates.

24. Ensure training on different IT applications to the various stakeholders.
25. Ensure notification of rate chart of various expenditure items in consultation with political parties within three days of announcement of elections.

9-2 DON'TS

1. Don't forget to prepare draft of various letters to be issued immediately after announcement in advance.
2. Don't forget to brief the political parties regarding various issues concerned with them to avoid future confusion.
3. Don't forget to instruct all officials concerned to take adequate action immediately after announcement.
4. Don't forget to have frequent meetings with various authorities like police, excise, bank, Income Tax, Postal deptt. etc. and brief them about their duties.