

INDRAPRASTHA POWER GENERATION COMPANY LIMITED &
PRAGATI POWER CORPORATION LIMITED
(HR DEPARTMENT)

(Regd. Office: Himadri, Rajghat Power House Office Complex, New Delhi - 110 002)
Corporate Identity Number (CIN) - U40103DL2001SGC111530
Website: www.ipgcl-ppcl.gov.in

No.DM(HR)Policy/2019-20/ 02

Dated: 09 April, 2019

C I R C U L A R

Enclosed please find herewith instructions / guidelines issued by Election Commission of India with regard to application of Model Code of Conduct - General Elections to House of the People (Lok Sabha), 2019; for information and strict compliance on Top Priority.

This issues with the approval of Competent Authority.

Encl: As above


(Anil Taneja)
Dy. Manager (HR)
Policy

Copy for information to:

1. Sr. PS to MD
2. Sr. PS to Director (HR) / Director (Tech.) / Director (Finance)
3. Sr. PS to GM(HR) / All GM(T) / CMO / Dy. GM(Vigilance)
4. ✓ Sr. Manager (IT) : For uploading in the Company's website

By Speed post/camp bag

ELECTION COMMISSION OF INDIA

NIRVACHAN SADAN, ASHOKA ROAD, NEW DELHI-110001.

No.78/ 2019/EPS

Dated: 22nd March 2019

To

26 MAR 2019

COMPLIANCE
Govt. of INDIA
26 MAR 2019
DY. No. SA/2019/1534 S

26/3/19
ees
Secy (GAD)
Secy (Lab)

1. The Chief Secretaries of All States and Union Territories.
2. The Chief Electoral Officers of All States and Union Territories
3. The Secretary to the Govt. of India, M/o Personnel Public Grivances & Pensions, Department of Personnel and Training, North Block, New Delhi.

Sub: General Elections to Lok Sabha, 2019 and General Election to the Legislative Assemblies of Andhra Pradesh, Arunachal Pradesh, Odisha & Sikkim and Bye-elections to fill the clear vacancies in Assembly Constituencies of various States-Grant of Paid Holiday-regarding

Sir/Madam,

I am directed to invite your attention to Section 135 B of the Representation of the People Act, 1951 which provides for the grant of paid holiday to the employees on the day of poll. The Section 135B is reproduced below:-

135B

"135B. Grant of paid holiday to employees on the day of poll

Sd/AA

- (i) Every person employed in any business, trade, industrial undertaking or any other establishment and entitled to vote at election to the House of the People or the Legislative Assembly of a State shall, on the day of poll, be granted a holiday.
- (ii) No deduction or abatement of the wages of any such person shall be made on account of a holiday having been granted in accordance with sub-section (1) and if such person is employed on the basis that he would not ordinarily receive wages for such a day, he shall nonetheless be paid for such day the wages he would have drawn had not a holiday been granted to him on that day.

- (iii) If an employer contravenes the provisions of sub-section (1) or sub-section (2), then such employer shall be punishable with fine, which may extend to five hundred rupees.
- (iv) This section shall not apply to any elector whose absence may cause danger or substantial loss in respect of the employment in which he is engaged."

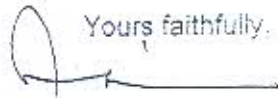
2. The above provisions require that all establishments and shops including those which work on shift basis shall be closed on the day of poll in the Constituency where a General/bye-election is to be held. However, there may be cases where a person is ordinarily resident of the Constituency and registered as an elector, may be serving/employed in an industrial undertaking or an establishment located outside the constituency having a general/bye-election. It is clarified that in such a situation, even those electors including casual workers working outside the constituency concerned would be entitled to the benefit of a paid holiday extended under Section 135B(1) of the Representation of the People Act, 1951.

3. The daily wage/casual workers are also entitled for a holiday and wages on poll day as provided in Section 135B of the R.P. Act, 1951.

4. The Commission desires that suitable instructions should be issued to all concerned for the phase-wise election schedules, as mentioned in the Commission's Notifications under endorsement to the Commission for information and record.

5. The receipt of this letter may please be acknowledged.

Yours faithfully,


(SANJEEV KUMAR PRASAD)
UNDER SECRETARY

Copy to all concerned Zonal Sections



कार्यालय मुख्य चुनाव अधिकारी, दिल्ली

OFFICE OF THE CHIEF ELECTORAL OFFICER, DELHI

पुराना सेंट स्टीफेंस कॉलेज भवन,
कश्मीरी गेट, दिल्ली- 110006

Old St. Stephen's College Building,
Kashmere Gate, Delhi-110006.

F.No. OSD(MCC)/2019/234-297

Dated: 28/3/2019

To

All Pr. Secretaries/Secretaries/
Commissioners/HODs,
Govt. of NCT of Delhi

Sub: Non-compliance of Model Code of Conduct.

Sir,

The Office of the Chief Electoral Officer, Delhi, is in receipt of various complaints/references from the ECI, Public Representatives etc. regarding either approval of new schemes/works by local bodies/government departments or start of new works not yet started on the ground, after MCC has come into force, i.e., March 10, 2019. It is also mentioned in some cases that in order to avoid MCC compliance, the new works have been started before March 10, 2019, however, their formal approvals etc. have been taken subsequently after MCC has come into force.

In this regard, attention of all the Pr. Secretaries/Secretaries/Commissioners/HODs is invited to **Para 5.2** (Consolidated Guidelines) of Chapter 5 of Manual on MCC wherein it is, inter alia, stated that:

- (a) Only work projects that have actually started on the ground after obtaining all necessary permissions, before the MCC came into force, can be continued.
- (b) Other new works and projects (except projects of exigency/natural disasters etc) cannot be started without prior permission of the ECI.

I am directed to bring to the notice of all concerned that the above instructions of ECI with respect to the Model Code of Conduct be followed in letter and spirit.

Yours faithfully,

Nodal Officer, MCC

ANNEXURE- V

(CHAPTER – 4 SPECIAL MEASURES TAKEN BY THE ELECTION COMMISSION TO ENFORCE MODEL CODE)

Election Commission's letter No. 464/INST/2007-PLN-I Dated: 07.01.07 addressed to The Chief Secretaries and the Chief Electoral Officers of all States and Union Territories.

Subject: CODE OF CONDUCT – DOs & DONT's

The Commission has issued various instructions on observance of code of conduct from time to time. Important aspects of the code of conduct are reiterated below:

On Welfare schemes and governmental works:

1. Announcement of new projects or programme or concessions or financial grants in any form or promises thereof or laying of foundation stones, etc., which have the effect of influencing the voters in favour of the party in power is prohibited.
2. These restrictions apply equally to new schemes and also ongoing schemes. But it does not mean that in the case of national, regional and State utility schemes, which have already been brought up to the stage of completion, their utilization or functioning in public interest should be stopped or delayed. The coming into force of the Model Code of Conduct cannot be given as an excuse for not commissioning such schemes or allowing them to remain idle. At the same time, it should be ensured that the commissioning of such schemes is done by civil authority and without associating political functionaries and without any fanfare or ceremonies whatever, so that no impression is given or created that such commissioning has been done with a view to influencing the electorate in favour of the ruling party. If in doubt, a clarification should be obtained from Chief Electoral Officer/Election Commission of India.
3. It is further clarified that simply because a budget provision has been made for any particular scheme or the scheme has been sanctioned earlier or a reference to the scheme was made in the address of the Governor or the budget speech of the Minister it does not automatically mean that such schemes can be announced or inaugurated or otherwise taken up after the announcement of elections while the Model Code of conduct is in operation, since they will clearly be intended to

influence the voters. Such actions if undertaken will be considered a violation of the model code of conduct.

4. No fresh sanctions for governmental schemes should be made. Review by political executive (Ministers etc.) and processing of beneficiary oriented schemes, even if ongoing, should be stopped till completion of elections. No fresh release of funds on welfare schemes and works should be made or contract for works awarded in any part of the state where election is in progress without prior permission of the Commission. This includes works under the Member of Parliament (including Rajya Sabha members) Local Area Development fund or MLAs / MLCs Local Area Development Fund, if any such scheme is in operation in the state.
5. No work shall start in respect of which even if work orders have been issued before the model code came into effect, if the work has actually not started in the field. These works can start only after the completion of election process. However, if a work has actually started, that can continue.
6. There shall be no bar to the release of payments for completed work(s) subject to the full satisfaction of the concerned officials.
7. Commission does not refuse approval for schemes undertaken for tackling emergencies or unforeseen calamities like providing relief to people suffering from drought, floods, pestilences, other natural calamities or welfare measures for the aged, infirm etc. In these matters, however, prior approval of the Commission should be taken and all ostentatious functions should be strictly avoided and no impression should be given or allowed to be created that such welfare measures or relief and rehabilitation works are being undertaken by the Government in office so as to influence the electors in favour of the party in power which at the same time will adversely affect the prospects of the other parties.

On Transfers and posting of officials:

The Commission directs that there shall be a total ban on the transfer of all officers/officials connected with the conduct of the election. These include but are not restricted to: -

- (i) The Chief Electoral Officer and Additional/Joint/Deputy Chief Electoral Officers;
- (ii) Divisional Commissioners;