OFFICE MEMORANDUM

Sub: General Elections to the Legislative Assemblies of Haryana and Maharashtra, 2019
- Details of the Nodal Officer designated for Model Code of Conduct – reg.


(R.K.Khatri)
Under Secretary to the Government of India

Encl: As above

To

1. CEO (NMPB)/Adv.Ay. (MN)/ (DCK)/(HOMEO)/(UNANI)
2. Dir. (SRKV)/(SKA)/(VS)/ Jt. Adv. (Raghu)/ (Dr. Qasmi)/(Dr.Ravi)
3. DS (RM)/DS (YVS)/(VB)/ Dy. Adv. (I MG)/ (Chinta)/Sr.Con(SS)/Sr.Con(VS)
4. US (AB)/ US (BN)/ US(KBS)/ US(S)/US(K)/DD(P&E)
5. All Directors General of Research Councils/ Secretary, CCIM/CCH/ Directors of National Institutes/ HPL/PLIM/PCI&M&H/ Managing Director, IMPCL
6. Director, NIC Cell, Ministry of AYUSH with a request to upload the communication with its enclosure on the Website of the Ministry of AYUSH and on e Office.

Copy to:
1. PPS to Secretary (AYUSH)
2. PPS to AS
3. PS to JS (RJ)/PPS to JS (PNRK)/PS to DDG
ELECTION COMMISSION OF INDIA
NIRVACHAN SADAN, ASHOKA ROAD, NEW DELHI-110001

No. 437/6/1/ECI/INST/FUNCT/MCC/2019

To

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

Subject: General Elections to the Legislative Assemblies of Haryana and Maharashtra, 2019- Details of the Nodal Officer designated for Model Code of Conduct-reg.

Sirs,

I am directed to refer to the Commission’s letter No. 437/6/CG/ECI/LET/FUNCT/MCC/2019 dated 10.04.2019 (copy enclosed) and to request that the instructions contained therein may be reiterated and brought to the notice of all ministries/departments/officers of Govt. of India for strict compliance.

2. I am further to refer to the Commission’s letter No. 437/6/CG/ECI/LET/FUNCT/MCC/2019 dated 15.04.2019 (copy enclosed) whereby it was directed that each ministry/department shall designate one nodal officer, who will be an officer not below the rank of Joint Secretary who would be responsible for sending Model Code of Conduct references to the Commission. The Commission sought details of the officers for creating their login accounts for the MCC online portal.

3. The Commission has directed that ministries/departments/officers may be instructed to intimate changes, if any, in the details of the Nodal Officers. It is requested that following details in respect of the officer (not below the rank of Joint Secretary) who is designated as nodal officer, may be furnished to the Election Commission latest by 24.04.2019 at the email-id narendranb@eci.gov.in.

(i) Name
(ii) Designation
(iii) Ministry
(iv) Mobile Number
(v) Email id

Yours faithfully,

(NARENDRA N. BUTOLIA)
PRINCIPAL SECRETARY

Copy to:- Secretaries to the Government of India (as per the list)
ELECTION COMMISSION OF INDIA
NIRVACHAN SADAN, ASHOKA ROAD, NEW DELHI-110001

No: 437/6/ECI/LET/FUNCT/MCC/2019

Dated: 10th April, 2019

To
Cabinet Secretary,
Cabinet Secretariat,
Rashtrapati Bhawan,
New Delhi- 110003

Subject: – Form and Procedure of communication with Election Commission of India -regarding.

Sir,

Central Secretariat Manual of Office Procedure provides that communications to Constitutional Authorities like Election Commission are to be made normally in the letter form addressed to Deputy Election Commissioner/Principal Secretary/Secretary or any other officer of appropriate level and not to the Hon’ble Chief Election Commissioner or Election Commissioner.

2. In pursuance to above provision, Office Memorandum dated 11th October, 2004 was issued by the Department of Administrative Reforms and Public Grievances, addressed to all Ministries/departments stating that all correspondence with the Election Commission of India should be addressed to the Deputy Election Commissioner/Principal Secretary/Secretary of the division in the Election Commission and certainly not to the Chief Election Commissioner or Election Commissioner except in the rarest of the rare case where the Secretary/Head of Department feels that something has to be brought to the personal notice of the Chief Election Commissioner or the Election Commissioner.

3. In this connection, I am to enclose a copy of letter no. 403/1/7/2010-TS dated 25th August, 2010 from Joint Secretary, Cabinet Secretariat issuing instructions to all Secretaries of Govt. of India.

4. However, the Commission is still receiving references from some ministries/departments of Government of India in the form of O.M. or D.O. letters addressed to Hon’ble Chief Election Commissioner or Election Commissioner. During the current general elections, the Commission has returned around 70 such references without processing the same.

5. The Commission has reviewed the matter and directed me to bring the following existing instructions to your kind notice—

   1. All the communications with the Election Commission should be addressed only to Deputy Election Commissioner/Principal Secretary/Secretary in the Commission and not to the Chief Election Commissioner or Election Commissioner except in those cases, where the Secretary/Head of Department feels that something has to be
brought to the personal notice of the Chief Election Commissioner or Election Commissioner.

II. Each ministry/department should designate one or more than one nodal officers, who will be an officer not below the rank of Joint Secretary and who will be responsible to send Model Code references to the Commission. The details of such nodal officers will be sent to the Election Commission for information and record.

III. All Model Code of Conduct references shall be sent to Commission only through formal letters addressed to Deputy Election Commissioner/Principal Secretary/Secretary in the Commission and signed by the nodal Joint Secretary or an officer of equivalent rank of the ministry.

IV. Departments/Subordinate offices/PSUs/Boards under the ministries/departments should make reference to the Commission through the concerned ministry.

V. The Statutory/Constitutional Bodies like Finance Commission, SC/ST Commission, UPSC and other such independent authorities/bodies can make reference to the Commission independently, under the signature of Secretary/Additional Secretary/Officer of equivalent rank of the said Commission.

VI. Election Commission will require atleast 72 hours to process the references received from ministries. Only in case of references of top-most urgency, the processing time will be 48 hours. Therefore, the ministries/departments should send references well in time, alongwith all requisite details/information, etc, for clearance.

VII. All communications, received not in a proper form or not signed by the nodal Joint Secretary or an officer of equivalent rank shall be returned to the ministry/department concerned without processing the same in the Commission.

6. The Commission has directed me to request that these instructions may be reiterated and brought to the notice of all ministries/départments/offices of Govt. of India for strict compliance.

7. I am further to inform that for streamlining the processing of MCC references and to facilitate the ministries/departments to know the status and to download copy of the decision, the Commission has proposed to start an online portal whereon, the Nodal officer of the ministry/department can upload the reference alongwith the supporting documents. The Nodal officer will be able to see the status of the reference and the Commission’s decision on the same.

Yours faithfully,

[Signature]

(DR. SANDEEP SAXENA)
DEPUTY ELECTION COMMISSIONER
To

Secretary to the Government of India
(As per the list)

Subject: General Election to the House of People (Lok Sabha), 2019 – Details of the Nodal Officer designated for Model Code of Conduct - regarding.

Sir/Madam,

I am directed to refer to refer to the subject cited and to state that the Election Commission has vide its letter of even number dated 10.04.2019 (copy enclosed for ready reference), addressed to the Cabinet Secretary, has directed that each ministry/department shall designate one nodal officer, who will be an officer not below the rank of Joint Secretary, who will be responsible to create accounts for other divisions/departments; each division/department will send Model Code references to the Election Commission through the MCC Portal. For streamlining the process of MCC references and to facilitate the ministries/departments to know the status of their references and to download copy of the decision, the Election Commission has proposed to start an online portal wherein, the nodal officer of the ministry/department can upload the reference along with the supporting documents, know the status and download the decisions.

2. In this regard it is requested that following details in respect of an officer not below the rank of Joint Secretary who is designated as nodal officer may be furnished to the Election Commission latest by 16.04.2019 at the email-id narendranb@eci.gov.in.

(i) Name
(ii) Designation
(iii) Ministry
(iv) Mobile Number
(v) Email id

3. Further, a video conference to give the inputs on the proposed portal has been convened by Dr. Sandeep Saxena, Deputy Election Commissioner incharge of MCC in the Election Commission, tomorrow at 04:00 PM, in which the Demo versions of MCC online portal shall be made available to the MCC Nodal officer for having hands on experience on the demo version. I request you to direct the Nodal Officers of your ministry nominated at para-2, to attend the video conference with technical person of ministry.

Yours faithfully,

(AJOY KUMAR)
SECRETARY