

**CHIEF ELECTORAL OFFICER, ODISHA  
HOME (ELECTIONS) DEPARTMENT  
Behind Lok Seva Bhawan, Unit-V, Bhubaneswar, PIN-751001  
Email: ceorissa@gmail.com**

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No.EC-CON-COE-0002-2023 *2629* /Elec. Dated BBSR the *29<sup>th</sup>* March, 2023

From

**Nikunja Bihari Dhal, IAS,**  
Chief Electoral Officer, Odisha &  
Additional Chief Secretary to Government

To

**The DEO & Collector, Jharsuguda**  
**Returning Officer, 07-Jharsuguda Assembly Constituency**

Sub: **Schedule of Bye-Election to fill vacancy in 07-Jharsuguda Assembly Constituency in the State of Odisha-reg.**

Sir,

The Election Commission of India in its **Press Note No. ECI/PN/25/2023 Dated 29<sup>th</sup> March, 2023** has announced the schedule for Bye-Election to fill vacancy in **07-Jharsuguda Assembly Constituency** in the State of Odisha. A copy of the Press Note in this regard containing the schedule for election is enclosed herewith.

It has also been directed by the Commission that, the Model Code of Conduct shall come into force with immediate effect in the district(s) in which the whole or any part of the Assembly constituency going for election is included, subject to partial modification as issued vide Commission's instruction No.437/6/INST/2016-CCS, dated.29<sup>th</sup> June, 2017 (available on the Commission's website <https://eci.gov.in>).The Model Code of Conduct shall be applicable to all candidates, political parties and the state government concerned. The Model Code of Conduct shall be applicable to the Union Government also.

This may be brought to the notice of all concerned of your district for information and immediate necessary action.

Yours faithfully,

*D 29/3/2023*

**Chief Electoral Officer, Odisha &  
Additional Chief Secretary to Government**

# ELECTION COMMISSION OF INDIA

Nirvachan Sadan, Ashoka Road, New Delhi-110001

No.ECI/PN/25/2023

Dated: 29<sup>th</sup> March, 2023

## PRESS NOTE

**Subject: Schedule for Bye-election to clear vacancies of 1(one) Parliamentary Constituency of Punjab and 3 (three) Legislative Assemblies of Odisha and Uttar Pradesh and 1 adjourned poll in Meghalaya- reg.**

The Commission has decided to hold bye-election to fill vacancies in 1(one) Parliamentary Constituency of Punjab and 4(Four) in the following Assembly Constituencies of Odisha, Uttar Pradesh and Meghalaya -

Sl. No.	Name of State/UT	Parliamentary /Assembly Constituency No. & Name	Reason for vacancy
1.	Punjab	04-Jalandhar (SC) PC	Death of Sh. Santokh Singh Chaudhary
2.	Odisha	07-Jharsuguda AC	Death of Sh. Naba Kisore Das
3.	Uttar Pradesh	395- Chhanbey (SC) AC	Death of Sh. Rahul Prakash Kol
4.	Uttar Pradesh	34-Suar AC	Disqualification of Sh. Mohammad Abdullah Azam Khan
5.	Meghalaya	23-Sohiong(ST) AC	Poll Adjourned due to death of contesting candidate of United Democratic Party (UDP)

Schedule for the bye election and adjourned poll in Meghalaya is as follows:

<b>Schedule for Bye-election for Parliamentary/Assembly Constituencies and adjourned poll in Meghalaya</b>	
<b>Poll Events</b>	<b>Schedule</b>
Date of Issue of Gazette Notification	13.04.2023 (Thursday)

Last Date of Nominations	20.04.2023 (Thursday)
Date for Scrutiny of Nominations	21.04.2023 (Friday)
Last Date for Withdrawal of candidatures	24.04.2023 (Monday)
<b>Date of Poll</b>	<b>10.05.2023</b> <b>(Wednesday)</b>
Date of Counting	13.05.2023 (Saturday)
Date before which election shall be completed	15.05.2023 (Monday)

### **1. ELECTORAL ROLLS**

The Electoral Rolls for the aforesaid Assembly Constituencies finally published on 5<sup>th</sup> January, 2023 with qualifying dates as 01.01.2023 and updated till last date of making nominations will be used for these elections.

### **2. ELECTRONIC VOTING MACHINES (EVMs) & VVPATs**

The Commission has decided to use EVMs and VVPATs in the bye-elections in all the polling stations. Adequate numbers of EVMs and VVPATs have been made available and all steps have been taken to ensure that the polls are conducted smoothly with the help of these machines.

### **3. IDENTIFICATION OF VOTERS**

Electoral Photo Identity Card (EPIC) shall be the main document of identification of a voter. However, any of the below mentioned identification documents can also be shown at the polling station:

- i. Aadhar Card,
- ii. MNREGA Job Card,
- iii. Passbooks with photograph issued by Bank/Post Office,
- iv. Health Insurance Smart Card issued under the scheme of Ministry of Labour,

- v. Driving License,
- vi. PAN Card,
- vii. Smart Card issued by RGI under NPR,
- viii. Indian Passport,
- ix. Pension document with photograph,
- x. Service Identity Cards with photograph issued to employees by Central/State Govt./PSUs/Public Limited Companies, and
- xi. Official identity cards issued to MPs/MLAs/MLCs.
- xii. Unique Disability ID (UDID) Card, M/o Social Justice & Empowerment, Government of India

#### **4. MODEL CODE OF CONDUCT**

The Model Code of Conduct shall come into force with immediate effect in the district(s) in which the whole or any part of the Assembly constituency going for election is included, subject to partial modification as issued vide Commission's instruction No. 437/6/1NST/2016-CCS, dated 29<sup>th</sup> June, 2017 (available on the commission's website).

#### **5. INFORMATION REGARDING CRIMINAL ANTECEDENTS**

Candidates with criminal antecedents are required to publish information in this regard in newspapers and through Television channels on three occasions during the campaign period. A political party that sets up candidates with criminal antecedents is also required to publish information about criminal background of its candidates, both on its website and also in newspapers and Television channels **on three occasions.**

Commission vide its letter No. 3/4/2019/SDR/Vol. IV dated 16<sup>th</sup> September, 2020 has directed that the period specified will be decided with three blocks in the following manner, so that electors have sufficient time to know about the background of such candidates:

- a. Within first 4 days of withdrawal.
- b. Between next 5<sup>th</sup> - 8<sup>th</sup> days.
- c. From 9<sup>th</sup> day till the last day of campaign (the second day prior to date of poll)

*(Illustration: If the last date for withdrawal is 10<sup>th</sup> of the month and poll is on 24<sup>th</sup> of the Month, the first block for publishing of declaration shall be done between 11<sup>th</sup> and 14<sup>th</sup> of the Month, second and third blocks shall be between 15<sup>th</sup> and 18<sup>th</sup> and 19<sup>th</sup> and 22<sup>nd</sup> of that Month, respectively.)*

This requirement is in pursuance of the judgment of the Hon'ble Supreme Court in Writ Petition (C) No. 784 of 2015 (Lok Prahari Vs. Union of India & Others) and Writ Petition (Civil) No. 536 of 2011 (Public Interest Foundation & Ors. Vs. Union of India & Anr.).

This information will also be available on an App titled, '**know your candidates**'.

## **6. COVID RELATED ARRANGEMENT DURING BYE-ELECTION**

In view of overall improvement in the situation of COVID country wide and in view of withdrawal of restrictive measure under D M Act by NDMA/SDMA, it has been decided to follow the advisories issued by Ministry of Health and Family Welfare Government of India from time to time. During the process of bye election, there should be continued focus on the five-fold strategy, i.e. Test-Track-Treat-Vaccination and adherence to COVID Appropriate Behaviour. The District machinery should effectively monitor COVID situation and enforce the norms of COVID Appropriate Behaviour by prescribing requisite legal/administrative norms.

The Commission has issued COVID guidelines, October, 2022 on 14.10.2022 which are available on the Commission's website <https://eci.gov.in/files/file/14492-covid-guidelines-for-general-electionbye-elections-to-legislative-assemblies-reg/> to be followed during conduct of elections.

  
25/03/2023  
**(SANJEEV KUMAR PRASAD)**  
**SECRETARY**

**By Spl. Messenger/Speed Post**

# **ELECTION COMMISSION OF INDIA**

NIRVACHAN SADAN, ASHOKA ROAD, NEW DELHI-110001

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**No. 437/6/1/ECI/INST/FUNCT/MCC/2023**

**Dated: 29<sup>th</sup> March, 2023**

To

1. The Cabinet Secretary,  
Government of India,  
Rashtrapati Bhawan,  
New Delhi.
2. The Chief Secretaries to the Government of :-  
(i) Karnataka, Bengaluru.  
(ii) Meghalaya, Shillong;  
(iii) Odisha, Bhubaneswar;  
(iv) Punjab, Chandigarh; and  
(v) Uttar Pradesh, Lucknow.
3. The Chief Electoral Officers of :-  
(i) Karnataka, Bengaluru;  
(ii) Meghalaya, Shillong;  
(iii) Odisha, Bhubaneswar;  
(iv) Punjab, Chandigarh; and  
(v) Uttar Pradesh, Lucknow.

**Sub: Application of Model Code of Conduct - General Election to State Legislative Assembly of Karnataka, 2023 and Bye-elections in Parliamentary/ Assembly Constituencies of various States - reg.**

Sir/Madam,

I am directed to state that the Commission has announced the schedule for holding General Election to State Legislative Assembly of **Karnataka** and **Bye-elections in Parliamentary/ Assembly Constituencies of various States** (Press Note No. ECI/PN/24/2023 & Press Note No. ECI/PN/25/2023 both dated 29<sup>th</sup> March, 2023 available at the Commission's web-site - <https://eci.gov.in/>).

2. With this announcement, the provisions of the Model Code of Conduct for the guidance of the Political Parties and Candidates have come into force with immediate effect and which will be in force till the completion of the General Elections and Bye-Elections in the States mentioned above. This may be brought to the notice of the Central and State

Government, all Ministries/Departments/offices of the Union Government/the State Government. A copy of instructions issued by you to this effect, may be sent to the Commission for its information and record.

3. Your attention is drawn to the particular provisions of Model Code of Conduct relating to the 'party in power' which inter alia says that the party in power whether at the Centre or in the States concerned, shall ensure that no cause is given for any complaint that it has used its official position for the purposes of its election campaign and in particular: -

- (i) (a) The Ministers shall not combine their official visit with electioneering work and also shall not make use of official machinery or personnel during the electioneering work;
- (b) Government transport including official air-crafts, vehicles, machinery and personnel shall not be used for furtherance of the interest of the party in power;
- (ii) Public places such as maidans etc., for holding election meetings, and use of helipads for air-flights in connection with elections shall not be monopolized by itself. Other parties and candidates shall be allowed the use of such places and facilities on the same terms and conditions on which they are used by the party in power;
- (iii) Rest houses, dak bungalows or other Government accommodation where elections have been announced or are taking place can be given to the political functionaries who are provided security by the State in Z scale or above or equivalent by various State Governments or the Central Government under provisions of their laws, on equitable basis. This shall be subject to condition that such accommodation is not already allotted or occupied by election related officials or Observers. Such political functionaries shall not carry out any political activity while staying in the Government Guest Houses/Rest Houses or other Government accommodation etc.;
- (iv) Issue of advertisement at the cost of public exchequer in the newspapers and other media and the misuse of official mass media during the election period for partisan coverage of political news and publicity regarding achievements with a view to furthering the prospects of the party in power shall be scrupulously avoided;
- (v) Ministers and other authorities shall not sanction grants/payments out of discretionary funds from the time elections are announced by the Commission; and
- (vi) From the time elections are announced by the Commission, Ministers and other authorities shall not -

- (a) announce any financial grants in any form or promises thereof; or
- (b) (except civil servants) lay foundation stones etc. of projects or schemes of any kind; or
- (c) make any promise of construction of roads, provision of drinking water facilities etc.; or
- (d) make any ad-hoc appointments in Government, Public Undertakings etc. which may have the effect of influencing the voters in favour of the party in power.

4. As will be observed from Para 3{Clause IV} above, no advertisements shall be issued in electronic and print media highlighting the achievements of the Govt. at the cost of public exchequer. If any advertisement has already been released for telecast/broadcast or publication in the print media, it must be ensured that the telecast/broadcast of such ads on electronic media is stopped forthwith and that no such ad is published in any newspapers, magazines, etc., i.e. in print media, from today itself and it should be immediately withdrawn.

5. The instruction of the Commission contained in its letter No.437/6/2009-CCBE dated 5<sup>th</sup> March, 2009 is available on the Commission's web-site "<https://eci.gov.in>"- under the heading 'Important instructions' for your information and necessary action. The Commission's all other instructions are also available in this link for your guidance.

6. The Commission further 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;
- iii)** The District Election Officers, Returning Officers, Assistant Returning Officers and other Revenue Officers connected with the Conduct of Election;
- iv)** Officers of the Police Department connected with the management of election like range IGs and DIGs, Senior Superintendents of Police and Superintendents of Police, Sub-Divisional Police Officers like Deputy Superintendents of Police and other Police officers who are deputed to the Commission under section 28A of the Representation of the People Act, 1951;
- v)** The transfer orders issued in respect of the above categories of officers prior to the date of announcement but not implemented till date should not be given effect to without obtaining specific permission from the Commission in this regard;

- vi) This ban shall be effective till the completion of the election. The Commission further directs that the State Governments should refrain from making transfers of senior officers who have a role in the management of election in the State;
  - vii) In those cases where transfer of an officer is necessary on account of administrative exigencies, the concerned State Government may with full justification approach the Commission for prior clearance.
7. The receipt of the letter may kindly be acknowledged.

Yours faithfully,

  
(NARENDRA N. BUTOLIA)  
SR. PRINCIPAL SECRETARY

# ELECTION COMMISSION OF INDIA

NIRVACHAN SADAN, ASHOKA ROAD, NEW DELHI-110001

No. 437/6/1/ECI/INST/FUNCT/MCC/2023

Dated: 29<sup>th</sup> March, 2023

To

1. The Cabinet Secretary,  
Government of India,  
Rashtrapati Bhawan,  
New Delhi.
2. The Secretary to the Government of India,  
Department of Programme Implementation,  
Sardar Patel Bhawan,  
New Delhi.
3. The Chief Secretaries to the Government of :-  
(i) Karnataka, Bengaluru;  
(ii) Meghalaya, Shillong;  
(iii) Odisha, Bhubaneswar;  
(iv) Punjab, Chandigarh; and  
(v) Uttar Pradesh, Lucknow.
4. The Chief Electoral Officers of :-  
(i) Karnataka, Bengaluru;  
(ii) Meghalaya, Shillong;  
(iii) Odisha, Bhubaneswar;  
(iv) Punjab, Chandigarh; and  
(v) Uttar Pradesh, Lucknow.

**Subject: General Elections to State Legislative Assembly of Karnataka 2023 and Bye-elections in Parliamentary/ Assembly Constituencies of various States - Release of funds under MPs'/MLAs' Local Area Development Scheme.**

Sir/Madam,

I am directed to refer to the Election Commission's Press Note No. ECI/PN/24/2023 & Press Note No. ECI/PN/25/2023, both dated 29<sup>th</sup> March, 2023, (Press Note available at Commission's web-site - <https://eci.gov.in/>) as per which the Commission has announced the enforcement of the Model Code of Conduct for the guidance of the Political Parties and Candidates, consequent on the announcement of General Election to State Legislative Assembly of Karnataka and Bye-elections in Parliamentary/ Assembly Constituencies of various States.

2. The Commission has instructed that the release of funds under the Member of Parliament Local Area Development Schemes will be subject to the following restrictions:-

- a) No fresh release of funds under the Member of Parliament (including Rajya Sabha members) Local Area Development fund shall be made in any part of the country where election is in progress. Similarly no fresh release of funds under the MLAs'/MLCs' Local Area Development Fund shall be made, if any such scheme is in operation, till the completion of election process.
- b) No work shall start in respect of which work orders have been issued before the issue of this letter but 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.
- c) There shall be no bar to the release of payments for completed work(s) subject to the full satisfaction of the concerned officials.
- d) Where schemes have been cleared and funds are provided or released and materials procured and reached the site such scheme may be executed as per programme.

Yours faithfully,

  
**(NARENDRA N. BUTOLIA)**  
**SR. PRINCIPAL SECRETARY**