



ELECTION COMMISSION OF INDIA

Nirvachan Sadan, Ashoka Road, New Delhi-110 001

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PRESS NOTE

Ahead of General Elections 2024, ECI warns political parties to maintain decorum in public campaigning; conveys stern action against direct or indirect MCC violations

ECI puts additional responsibility on star campaigners and candidates under MCC - regarding MCC violations

Advisory cites previous examples of such indirect violations using known methodologies to avoid MCC strictures

Taking note of the various trends and cases of plummeting levels of political campaign discourse in recently held elections, the Election Commission of India has issued further advisory to all political parties to maintain decorum and utmost restraint in public campaigning and raise the level of election campaigning to “issue” based debate.

The Commission has also put the Star Campaigners and candidates on a ‘notice’ in case of violations that followed the previously known methodologies during elections to avoid MCC. The Election Commission will assess any indirect MCC violations as per advisory as a fair basis to re-work the notices to be given in terms of time and content in issue in the forthcoming elections. For the General Election to Lok Sabha and General Election to four State Legislative Assemblies, all phases and geographical area of elections shall be the basis to determine “repeat” offences.

While acknowledging the need to keep a balance between the freedom of expression and level playing field, the advisory noted that the Commission has been following a self-restrained approach since the previous few rounds of elections, presuming that its notice would serve as a moral censure to the candidate or star campaigner. Orders issued by the Commission are carefully crafted to ensure minimal disruption to campaigning activities than outright prohibitions. However, the objective to check on the level of discourse, using MCC notices in a judicious way, akin to a moral censure, may not be misunderstood and repeated in the next election cycle. Additionally, advisory has acknowledged the evolving landscape of information technology and social media platforms has blurred the lines between pre-MCC and

the 48-hour silence period, leading to persistent circulation of content across multiple phases of campaigning and even unrelated elections.

Advisory to Political Parties, candidates, and Star Campaigners

- No appeal shall be made on the basis of caste/communal feelings of the electors. No activity, which may aggravate existing differences or create mutual hatred or cause tension between different castes/communities/religious/linguistic groups, shall be attempted.
- The political parties and leaders shall not make false statements, utterances without factual basis aimed at misleading the voters. Criticism of other parties or their workers on the basis of unverified allegations or on distortions shall be avoided.
- No aspect of the private life, not connected with the public activities, of the leaders or workers of other parties is to be criticised. Low level personal attacks to insult the rivals shall not be made.
- No temples/mosques/churches/gurudwaras or any places of worship are to be used for election propoganda or electioneering. References which ridicule the relations between devotee and deity or suggestions of divine censure shall not be made.
- The political parties and candidates to refrain from any deeds/action/utterances that may be construed as being repugnant to the honour and dignity of women.
- Unverified and misleading advertisements are not to be given in the media.
- Advertisements masquerading as news items are not to be given.
- Social media posts vilifying and insulting the rivals or posts which are in bad taste or which are below dignity are not to be posted or shared.

The Commission has urged all the political parties, their leaders, and the contesting candidates to remain within the confines of the Model Code of Conduct and the legal framework. It has been emphasised that any genres of surrogate or indirect violation of MCC and surrogate means to plumate level of election campaign will be dealt with stern action by the Commission.

Some genres of indirect/surrogate MCC violations as noticed during previous elections are enumerated for ready reference and record

Use of inappropriate, abusive at times, vocabulary against star campaigners of other political party(ies)

False, unquantifiable, unsubstantiated, incorrect, and unverified allegations,

Slangs conveying divine censure/personal vilification,

Use of vilifying and demeaning social media posts/ caricature crossing fine line of satire

Presenting social media posts out of the context, often to spread misinformation or disinformation.

Misleading advertisements in garb of news items potent with disturbing level playing field just before days of voting

Personal attack on political rivals and ridiculing the candidates of rival parties

State Government publishing their welfare schemes in the neighbouring poll going states at opportune time

Attempts to lure voters, by luring registration for delivery of promises under non-existent schemes which is often akin to bribery of voters through false promises

Use of name of the candidate to make generalised comments against a group of voters

Background:

Political party leaders designated as "star campaigners" under Section 77 of the Representation of the People Act, 1951, deliver speeches during significant political rallies. It is essential to interpret this within the framework of harmonious and purposive construction, as the Model Code of Conduct (MCC) and statutory provisions of the Act complement each other. Therefore, while enjoying the privileges granted by Section 77, star campaigners also bear the responsibility of upholding the highest ethical standards during election campaigns.



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