To,

1. The President/ General Secretary/ Convener of All Recognized National Political Parties

2. The President/ General Secretary/ Convener of State Political Party (AAP) in Delhi.

Sub: Instructions regarding Election Manifestos-reg.

Ref: (i) ECI letter No. 437/6/Manifesto/2015/CCS dated 24-04-2015
   (ii) ECI letter No. 437/6/INST/2016-CCS dated 27-12-2016

Sir/Madam

I am directed to forward herewith a ECI letter No. 437/6/INST/2018-CCS dated 6th December, 2018 received from Sh. Ashwani Kumar Mohal, Under Secretary, Election Commission of India on the subject noted above wherein Commission has directed that all the recognized/registered National and State Political parties to send three copies of their Manifesto along with its Hindi/English version to the concerned Chief Electoral Officer within three days of its release along with a declaration that the program/policies and promises made therein are in consonance with Para – VIII of MCC.

You are requested to ensure the compliance of ECI instructions as stated in letters referred above.

Yours faithfully,

(CHARANJIT SINGH)
ELECTION OFFICER (COE)

Encl: As above.

Copy to:
1. PA to CEO
2. PA to Spl. CEO/ PA to Dy. CEO (AK)
3. The District Election Officers of all the 11 Districts in NCT of Delhi
4. Copy to All SDMs for information and compliance.
5. SSA with the request to upload the same on the link ‘latest instructions’.
To

The Chief Electoral Officers of all States and Union Territories.

Subject: Instruction regarding Election Manifestos - regarding.

Ref:- (i) ECI Letter No. 437/6/Manifesto/2015/CCS dated 24.04.2015

Sir/Madam,

I am directed to draw your attention to the Commission's letters cited in the reference whereby the Commission had requested all the recognized/registered National and State political parties to send three copies of their Manifesto along with its Hindi/English version to the concerned Chief Electoral Officer within three days of its release along with a declaration that the program/policies and promises made therein are in consonance with Para-VIII of MCC.

2. In pursuance of the Commission's decision on the discussion with political parties in meeting held on 27th August, 2018, the Chief Electoral Officers are requested to reiterate to all recognized political parties above instruction, while clarifying to them the guiding principles on framing of manifesto.

Yours faithfully,

(ASHWANI KUMAR MOHAL)
UNDER SECRETARY
ELECTION COMMISSION OF INDIA
NIRVACHAN SADAN, ASHOKA ROAD, NEW DELHI-110001
No.437/6/Manifesto/2015/CC/128-698 Dated 24th April, 2015

To

The President/General Secretary/Chairperson/Convener of
All recognized National and State political Parties.
(List attached)

Subject: Model Code of Conduct - Guidelines on manifestos-instructions-reg

Sir/Madam,

As you are aware that on the directions of the Hon’ble Supreme Court, the Commission had after consultation with you, framed guidelines for election manifestos and incorporated the same in the "Model Code of Conduct for the Guidance of the Political Parties and Candidates". A copy of the said Guidelines is enclosed herewith for your ready reference.

2. The Commission has desired that, whenever a political party releases its manifesto for whichever election conducted by the Commission, a (hard) copy of the same along with a soft copy may be sent to the Commission for its record. This may be done for the elections conducted henceforth.

3. I am to request that you may give suitable instructions to your Party functionaries in this regard.

Yours faithfully,

(K. AJAYA KUMAR)
PRINCIPAL SECRETARY

25 APR 2015

[Stamp: Election Commission of India]
facilities etc.; or

(d) make any ad-hoc appointments in Government, Public Undertakings etc. which may have the effect of influencing the voters in favor of the party in power.

Note: The Commission shall announce the date of any election which shall be a date ordinarily not more than three weeks prior to the date on which the notification is likely to be issued in respect of such elections.

(vii) Ministers of Central or State Government shall not enter any polling station or place of counting except in their capacity as a candidate or voter or authorized agent.

VIII Guidelines on Election Manifestos

1. The Supreme Court in its judgment dated 5th July 2013 in SLP(C) No. 21455 of 2008 (S. Subramaniam Balaji Vs Govt. of Tamil Nadu and Others) has directed the Election Commission to frame guidelines with regard to the contents of election manifestos in consultation with all the recognized political parties. The guiding principles which will lead to framing of such guidelines are quoted below from the judgment:

(i) “Although, the law is obvious that the promises in the election manifesto cannot be construed as ‘corrupt practice’ under Section 123 of RP Act, the reality cannot be ruled out that distribution of freebies of any kind, undoubtedly, influences all people. It shakes the root of free and fair elections to a large degree.”

(ii) “The Election Commission, in order to ensure level playing field between the contesting parties and candidates in elections and also in order to see that the purity of the election process does not get vitiated, as in past been issuing instructions under the Model Code of Conduct. The fountainhead of the powers under which the Commission issues these orders is Article 324 of the Constitution which mandates the Commission to hold free and fair elections.”

(iii) “We are mindful of the fact that generally political parties release their election manifesto before the announcement of election date, in that scenario, strictly speaking, the Election Commission will not have the authority to regulate any act which is done before the announcement of the date. Nevertheless, an exception can be made in this regard as the purpose of election manifesto is directly associated with the election process”.
2. Upon receiving the above directions of the Hon'ble Supreme Court, the Election Commission held a meeting with the recognized National and State Political Parties for consultation with them in the matter and took note of their conflicting views in the matter.

During consultations, while some political parties supported the issuance of such guidelines, others were of the view that it is their right and duty towards voters to make such offers and promises in manifestos in a healthy democratic polity. While the Commission agrees in principle with the point of view that framing of manifestos is the right of the political parties, it cannot overlook the undesirable impact of some of the promises and offers on the conduct of free and fair elections and maintaining level playing field for all political parties and candidates.

3. The Constitution under Article 324 mandates the Election Commission, to conduct elections inter alia to the Parliament and the State Legislatures. Having due regard to the above directions of the Supreme Court and after consultation with the Political Parties, the Commission, in the interest of free and fair elections, hereby directs that Political Parties and Candidates while releasing election manifestos for any election to the Parliament or State Legislatures, shall adhere to the following guidelines:

(i) The election manifesto shall not contain anything repugnant to the ideals and principles enshrined in the Constitution and further that it shall be consistent with the letter and spirit of other provisions of Model Code of Conduct.

(ii) The Directive Principles of State Policy enshrined in the Constitution enjoin upon the State to frame various welfare measures for the citizens and therefore there can be no objection to the promise of such welfare measures in election manifestos. However, political parties should avoid making those promises which are likely to vitiate the purity of the election process or exert undue influence on the voters in exercising their franchise.

(iii) In the interest of transparency, level playing field and credibility of promises, it is expected that manifestos also reflect the rationale for the promises and broadly indicate the ways and means to meet the financial requirements for it. Trust of voters should be sought only on those promises which are possible to be fulfilled.
No. 437/6/INST/2016-CCS

To

1. The Chief Electoral Officers of
   All States and Union Territories

2. The Chief Secretaries of
   All States and Union Territories

Subject: - Instruction regarding Election Manifestos.


Sir,

I am directed to refer to the subject cited and to enclose a copy of Commission’s letter dated 27th December, 2016, on the subject cited, wherein the Commission has requested all the recognized/registered National and State political Parties to send three copy of their Manifesto along with its Hindi/English version (if the original version is in regional language) to the concerned Chief Electoral Officer within three days of its release. All the political parties have also been requested to submit a declaration along with its manifesto that the program/policies and promises made therein are in consonance with Para-VIII of MCC.

2. The Commission has instructed that the Chief Electoral Officers should obtain three copies of the manifesto as well as the declaration from the political parties as well as the candidates (if they issue any manifesto), within three days of its release.

3. These instructions will be applicable for the elections conducted henceforth.

Yours faithfully,

(R. K. SRIVASTAVA)
Sr. Pt. Secretary
No. 437/6/INST/2016-CCS

Dated: 27th December, 2016

To

1. President/General Secretary
   National Recognized Political Parties.

2. President/General Secretary
   State Political Parties of all states/UTs.

Subject: - Instruction regarding Election Manifestos.


Sir,

As you are aware that on the direction of the Hon’ble Supreme Court, the Commission had after consultation with recognized political parties, framed guidelines for Election Manifestos and incorporated the same in the “Model Code of Conduct for the Guidance of the Political Parties and Candidates”. The Commission, vide the referred letter, had requested all the political parties to submit their manifestos to the Commission after its release.

2. The Commission has further decided that, whenever a political party issues its manifesto, it must forward three copies of the Manifesto along with its Hindi/English version (if the original version is in regional language) to the concerned Chief electoral Officer within three days of its release. Along with it, the parties must also submit a declaration that the program/policies and promises made therein are in consonance with Para-VIII of MCC. This may be done for the elections to be conducted henceforth.

3. I am to request that you may give suitable instructions to your party functionaries in this regard.

Yours faithfully,

(R. K. SRIVASTAVA)
SR. PR. SECRETARY