

**GOVERNMENT OF NATIONAL CAPITAL TERRITORY OF DELHI**

**Extracts  
of  
Delhi Agricultural Produce Marketing (Election) Rules, 2000  
for  
Model Code of Conduct.**

**DIRECTORATE OF AGRICULTURAL MARKETING**

**(ELECTION CELL)**

**49, SHAM NATH MARG, DELHI – 110054**

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- 70. Electoral offences promoting enmity among public in connection with election. -**  
 Any person who in connection with an election under these rules promotes or attempts to promote on grounds of caste and community, feelings of enmity or hatred among electors of a market area shall be punishable with a fine which may extend to five hundred rupees.
- 71. Prohibition of public meeting on the day preceding the election day and on the election day. –**
- (1) No person shall convene, hold or attend any public meeting in any polling area during the period of forty-eight hours ending with the hour fixed for the conclusion of the poll for election in that polling area.
  - (2) Any person who contravenes the provisions of sub-rule (1) shall be punishable with fine which may extend to two hundred and fifty rupees.
- 72. Restriction on the printing of pamphlets, posters etc. –** (1) No person shall print or publish, or cause to be printed or published, any election pamphlet – poster which does not bear on its face the names and address of the printer and the publisher thereof.
- (2) For the purpose of this rule:-
- (a) Any process for multiplying copies of a document, other than copying it by hand shall be deemed to be printing and the expression ‘Printer’ shall be construed accordingly and
  - (b) election pamphlet or poster means any printed pamphlet, hand bill or other document distributed for the purpose of promoting or prejudicing the election of candidate or group of candidates or any placard or poster having reference to an election but does not include any hand bill, placard or poster merely announcing the date, time place and other particulars of an election meeting or routine instructions to election agents or workers.
- (3) Any person who contravenes provision of sub-rule (1) shall be punishable with fine which may extend to two hundred and fifty rupees.

- 73. Maintenance of secrecy of voting.** – (1) Every officer, clerk, agent or other person who performs any duty in connection with the recording or counting of votes at an election shall maintain the secrecy of voting and shall not (except for some purpose authorized by or under any law) communicate to any person any information calculated to violate such secrecy.
- (2) Any person who contravenes the provisions of sub-rule (1) shall be punishable with fine which may extend to two hundred and fifty rupees.
- 74. Officers etc., at election not to act for candidates or to influence voting.** – (1) No person who is returning officer or a presiding or polling officer at an election or an officer or clerk appointed by the returning officer, or the presiding officer to perform any duty in connection with elections shall in the conduct of arrangement of the election do any act (other than the giving of vote) for the furtherance of the prospects of the election of a candidate.
- (2) No such person as aforesaid, and no member of a police force, shall endeavour:
- (a) To persuade any person to give his vote at an election; or
  - (b) To dissuade any person from giving his vote at an election; or
  - (c) To influence the voting of any person at an election in any manner.
- (3) Any person who contravenes the provisions of sub-rule (1) or sub-rule (2) shall be punishable with fine which may extend to two hundred and fifty rupees.
- 75. Prohibition of canvassing in or near polling station.** – (1) No person shall on the date or dates on which a poll is taken at any polling station commit any of the following acts within the polling station or in any public or private place within a distance of one hundred meter of the polling station namely:-
- (a) canvassing for vote; or
  - (b) canvassing for vote on any elector; or
  - (c) soliciting any elector not to vote for any particular candidate; or
  - (d) persuading any elector not to vote at the elections; or
  - (e) exhibiting any notice or sign (other than an official notice) relating to election.
- (2) Any person who contravenes the provisions of sub-rule (1) shall be punishable with fine which may extend to two hundred and fifty rupees.
- 76. Penalty for disorderly conduct in or near polling station.** – (1) No person shall, on the date or dates on which a poll is taken at any polling station:
- (a) use or operate within or at the entrance of the polling station or in any public or private place in the neighbourhood thereof, any apparatus for amplifying or reproducing the human voice such as megaphone or a loudspeaker;

- (b) shout or otherwise act in a disorderly manner, within or at the entrance of the polling station or in any public or private place in the neighbourhood thereof, so as to cause annoyance to any person visiting the polling station for the poll or as to interfere with the work of the officers & other persons on duty at the polling station.
- (2) Any person who contravenes, or willfully aids or abets the contravention, or the provisions of sub-rule (1) shall be punishable with fine which may extend to two hundred and fifty rupees.
- (3) If the presiding officer of a polling station has reason to believe that any person in committing or has committed an offence punishable under this rule, he may direct any police officer to arrest such person and thereupon the police officer shall arrest him.
- (4) Any police officer may take such steps and may use such force, as may be reasonably necessary for preventing and contravention of the provisions of sub-rule (1) and may seize any apparatus used for such contravention.
- 77. Penalty for misconduct at the polling station.** – (1) Any person who during the hours fixed for the poll at any polling station misconducts himself or fails to obey the lawful directions of the presiding officer may be removed from the polling station by the presiding officer or by any police officer on duty or by any person authorized in this behalf by such presiding office.
- (2) The powers conferred by sub-rule (1) shall not be exercised so as to prevent any elector who is otherwise entitled to vote at a polling station for having an opportunity of voting at that station.
- (3) If any person who has been removed from a polling station re-enters the polling station without permission of the presiding officer he shall be punishable with fine which may extend to two hundred and fifty rupees.
- 78. Penalty for failure to observe procedure for voting.** - If any elector to whom a ballot paper has been issued, refuses to observe the procedure prescribed for voting, the ballot paper issued to him shall be liable for cancellation. The person committing such act shall be punishable with fine which may extend to two hundred and fifty rupees.
- 79. Breaches of official duty in connection election.** – (1) If any person to whom this rule applies is without reasonable cause guilty of any act or omission in breach of his official duty he shall be punishable with fine which may extend to two hundred rupees.
- (2) No suit or other legal proceeding shall lie against any such person for damages in respect of any such act or omission as aforesaid.
- (3) The persons to whom this rule applies are the returning officer, presiding officers, polling officers and any other person appointed to perform any duty in connection

with the receipt of nominations or withdrawal of candidatures or the recording or counting of votes at an election and the expression “official duty” shall for the purpose of this rule be construed accordingly but shall not include duties imposed otherwise than by or under these rules.

**80. Penalty for government servants for acting as election agent, polling agent or counting agent. -** If any person in the service of the Government acts as an election agent or a polling agent or counting agent of a candidate at an election he shall be punishable with fine which may extend to two hundred and fifty rupees.

**81. Removal of ballot papers from polling to be an offence. –** (1) Any person who at any election fraudulently takes or attempts to take, ballot papers, out of a polling station or willfully aids or abets the doing of any such acts shall be punishable with fine which may extend to two hundred and fifty rupees.

(2) If the presiding officer of a polling station has reason to believe that any person is committing or has committed an offence punishable under sub-rule (1) such officer may, before such person leaves the polling station, arrest or direct a police officer to arrest such person and may search such person or cause him to be searched by a police officer.

Provided that when it is necessary to cause a woman to be searched, the search shall be made by another woman with strict regard to do so.

(3) Any ballot paper found upon the person arrested in search shall be made over for safe custody to a police officer by the presiding officer, or when search is made by a police officer, shall be kept by such officer in safe custody.

**82. Offences and penalties thereof. –** (1) A person shall be guilty of a electoral offence if at any election, he:

- (a) fraudulently defaces or fraudulently destroys any nomination paper; or
- (b) fraudulently defaces, destroys or removes any list, notice or other documents affixed by or under authority of a returning officer; or
- (c) fraudulently defaces or fraudulently destroys any paper or the official work or any ballot paper or any declaration of identity or official envelopes used in connection with voting by postal ballot; or
- (d) without due authority supplies any ballot paper to any person or is in possession of any ballot paper; or
- (e) fraudulently puts into any ballot box anything other than the ballot paper which he is authorized by law to put in; or

- (f) without the authority destroys, takes, opens or otherwise interferes with any ballot box or ballot paper other than in use for the purpose of election; or
  - (g) fraudulently or without the authority as the case may be attempts to do any of the foregoing acts or willfully abets the doing of any such acts.
- (2) Any person guilty of an electoral offence under this rule shall be punished with a fine upto two hundred and fifty rupees.
- (3) For the purpose of this rule, a person shall be deemed to be on official duty if his duty is to take part in the conduct of an election or part of an election in doing the counting of votes or to be responsible at an election for the used ballot papers and other documents in connection with such election, but the expression, 'official duty' shall not include any duty imposed otherwise than by or under these rules.

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