



Star Campaigners and Model Code of Conduct

Why in News

Recently, the [Election Commission of India \(ECI\)](#) delisted Ex-Telecom Minister A. Raja from the list of **star campaigners**.

- He has also been reprimanded for violation of the [Model Code of Conduct \(MCC\)](#) for making certain remarks during election times.

Key Points

▪ Star Campaigners:

- A star campaigner is a **celebrity vote seeker in an election** for a party. This person can be anyone, a politician or even a film star.
 - There is **no law governing who can or cannot be made a star campaigner**.
 - They are **nominated by the concerned political parties** specifying their constituencies and duration of the status.
 - The **ECI issues guidelines under the Model Code of Conduct regulating poll campaigns**.
- **Numbers of Star Campaigners:**
 - A **'recognised' National or State party** declared as such by the ECI can nominate a **maximum of 40 star campaigners**.
 - An **unrecognised political party** can nominate a maximum of **20 star campaigners**.
- **Need For Star Campaigners:**
 - The **ECI keeps a tab on expenditure incurred by individual candidates** during campaign - Rs. 70 lakh for most states in one constituency by each candidate.
 - **Expenditure incurred on electioneering by the star campaigner is not added to a candidate's poll expenditure** giving him/her more scope for expenditure.
 - However, for an individual candidate to get relief from campaign expenditure, the star campaigner has to limit oneself to general campaigning for the party.
 - According to the **Representation of People's Act**, these **expenses will be borne by the political parties**.
- **Prime Minister as Star Campaigner:**
 - The MCC guidelines say when a prime minister or a former prime minister is star campaigner, the **expenditure incurred on security** including on the bullet-proof vehicles will be **borne by the government** and will not be added to the election expenses of the party or the individual candidate.

- However, **if another campaigner travels with the prime minister**, the individual candidate will have to bear 50% of the expenditure incurred on the security arrangements.

▪ **Challenge of Delisting from Star Campaigner List:**

- **Section 77 of the Representation of the People Act, 1951**, which relates to a **candidate's election expenditure**, leaves it to the political party itself to decide who its "leaders" are and allows every party to submit a list of such 'star campaigners' to the election authorities.
- As the expenditure on the star campaigners is not included in the expenditure of the candidate concerned, an order of the ECI revoking the star status is actually a **withdrawal of the right to campaign** without incurring electoral expenditure on the candidates' account.

▪ **Model Code of Conduct (MCC):**

- The MCC is a **set of guidelines** issued by the ECI to **regulate political parties and candidates** prior to elections.
- It helps ECI in keeping with the mandate it has been given under **Article 324** of the Constitution, which gives it the **power to supervise and conduct free and fair elections** to the Parliament and State Legislatures.
- **Duration of Enforcement:**
 - The MCC is **operational from the date on which the election schedule** is announced **until the date of result** announcement.
- **Legal Status:** MCC is **not statutory** but Political Parties, Candidates and Polling Agents are expected to observe the norms, on matters ranging from the content of election manifestos, speeches and processions, to general conduct etc.
- Certain provisions of the MCC may be enforced through invoking corresponding provisions in other statutes such as the **Indian Penal Code 1860**, **Code of Criminal Procedure 1973**, and **Representation of the People Act 1951**.
- **Recommendations Related to MCC:**
 - In 2013, the **Standing Committee on Personnel, Public Grievances, Law and Justice**, recommended making the **MCC legally binding**, i.e. MCC shall be made a part of the RPA 1951.
 - In 2015, **Law Commission of India (LCI) Report 255** observed that since the MCC comes into operation only from the date on which the ECI announces elections, the government can release advertisements prior to the announcement of elections.
 - The report recommended that a restriction should be imposed on government-sponsored advertisements for up to **six months prior to the date of expiry** of the House/Assembly.

Source:TH