Mission Shakti Speech and Model Code of Conduct

Why in news?

The Election Commission (EC) has concluded that PM Modi's Mission Shakti Speech did not violate the Model Code of Conduct (MCC).

What is the dispute?

- India recently carried out a successful anti-satellite missile test (ASAT), Mission Shakti.
- Prime Minister Narendra Modi announced this achievement through a nationally televised address.
- Opposition parties had accused the PM of violating the Model Code by publicizing the test as a significant achievement of the ruling BJP.
- CPI(M) general secretary Sitaram Yechury had formally complained to the EC.
- There were questions about the timing of the test as well as the manner of announcement, as the country is in election mode.

What is the MCC mandate in this regard?

- Part VII of the Code covers provisions regarding the conduct of “party in power”.
- The party in power cannot use public money to publicise achievements ahead of elections.
- So it calls for avoiding the misuse of "official mass media" during the election period for partisan coverage of political news.
- Also, publicity regarding achievements with a view to "furthering the prospects" of the party in power should be avoided.

What is the EC's decision?

- A five-member committee was formed by the Election Commission to look into this.
- The committee held that there was no “misuse of official mass media”.
- This is because Doordarshan and AIR took the feed from a news agency, and

more than 60 channels did the same.
- So technically, the party in power did not use the public money (official mass media) to publicise achievements ahead of elections.
- The committee thus concluded that the announcement was not in violation of the Model Code of Conduct.

Is the argument valid?

- As a landmark achievement in defence research, Mission Shakti deserved a public pronouncement at a high level.
- But letting the DRDO explain the achievement first would have served the purpose, rather the PM announcing it himself.
- This perceivably violates the limit on “furthering the prospects” of the ruling party by the nature of the publicity given to the achievement.
- Moreover, the practice of using a private agency to record the announcement and then sharing it with official media hardly serves any purpose.
- As the legal maxim goes, what cannot be done directly cannot be done indirectly either.
- Given these, the committee's conclusion remains a narrow technical view.
- In reality, it is a thin line that divides the idea of making a high-level declaration of a defence capability from using it for electoral advantage.
- So going by the MCC's spirit than its letter, it is possible to conclude that the act did violate the code.

Source: The Hindu, NDTV

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