

NO VOTER TO BE LEFT BEHIND

Welcome to the Learning Module for SP

Session 6: Overview of Election
Expenditure Monitoring (EEM/EM)

Learning Objectives of the Module

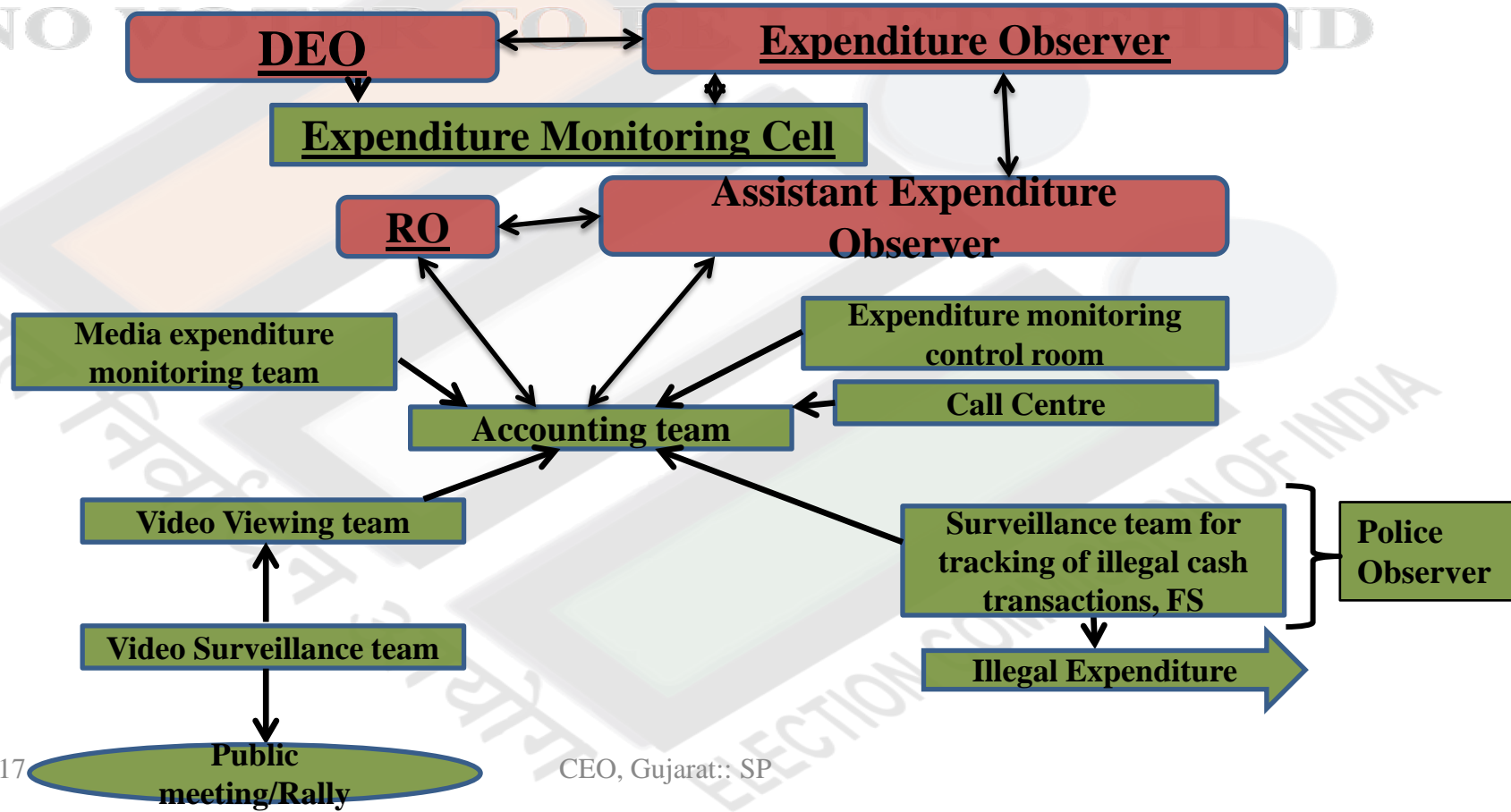
Sr. No	Learning Objectives	Sr. No.	Sub Learning Objectives
6	To manage Election Expenditure Monitoring	6.1	To be able to co-relate with major teams involved in election expenditure monitoring
		6.2	To be able to list the types of election expenditure
		6.3	To be able to list the types of election expenditure allowed
		6.4	To be able to list down the preventive measures against fraudulent election expenditure
		6.5	To be able to explain the process of Election Expenditure in detail
		6.6	To be able to manage seizure of illegal items

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Sub learning Objective 1

To be able to co-relate with major teams
involved in election expenditure
monitoring

Co-relate with the teams involved in election expenditure monitoring



Role of Police Personnel in EEM

- The role of Police Personnel in EEM mainly focuses on the following:
 1. Flying Squad (1 Senior police officer and 3-4 armed police personnel in each team)
 2. Static Surveillance Team (3-4 police personnel in each team)
 3. Nodal Police Officer at HQ level (to serve as a link between EO and CEO)
 4. Police Observer (In ESC, Police Observer of atleast DIG level is deployed to supervise the work of FS and SST)

Co-relate with the teams involved in election expenditure monitoring

Expenditure Observer (EO)

- Appointed by the ECI
- One EO for each district and not to have more than 5 ACs under his observation
- Train Asst. Expenditure Observers and inspect functioning of all teams involved
- Assist DEO in preparing scrutiny report
- Coordinate with law enforcement agencies-IT, Police, BSF, etc.
- Scrutiny of election expense accounts of candidates after declaration of results

Asst. Expenditure Observer (AEO)

- Appointed at least 1 by Expenditure Observer from list provided by DEO
- AEO to be appointed by DEO
- To tour extensively and make an assessment of election expenditure by candidate
- To maintain the Shadow Observation Register & Folder of evidence
- Supervise and ensure all complaints are addressed w.r.t election expenditure by candidate in his jurisdiction
- Assist EO in inspection of account

Co-relate with the teams involved in election expenditure monitoring

Expenditure Monitoring Cell (EMC)

- Cell at district level consisting of a Nodal Officer on behalf of DEO, of rank of SDM/ADM and two officials
- All teams and nodal officer comprise the EMC
- In charge of Expenditure monitoring training and coordination with all the teams engaged in expenditure monitoring on behalf of DEO for all arrangements

EEM Control Room & Call Centre

- 24x7 district level Toll Free Call center to receive complaints
- For communication with various teams to operate from date of press notification
- All the calls recorded for future confirmation
- All expenditure related complaints immediately forwarded to Flying Squad or officer concerned with SMS to RO, Asst. Exp. Observer and Expenditure Observer
- All MCC related complaints forwarded to RO & General Observer
- Maintain a register as per Annexure 13 regarding details of complaints which will be checked by EO & GO from time to time

Co-relate with the teams involved in election expenditure monitoring

Flying Squad (FS)

- 3 or more FS in each AC.
- Executive Magistrate as head, 1 Police Officer, 3-4 Police personnel and 1 videographer
- Squads based on terrain of Sub division, no. of complaints, available manpower & Expenditure/Police Observer's recommendations
- To check illegal expenditure
- Take action on MCC and election expenditure related complaints
- Exclusively for election work and nothing else will be assigned to them

Static Surveillance Teams (SST)

- 3 or more SST under each AC
- One Magistrate, 3-4 police personnel in each team and 1 videographer
- Start operation from the date of the press announcement of election and will operate till day of poll in the Constituency.
- Responsible for putting the check post on major road/arterial road to check any illegal movement

Co-relate with the teams involved in election expenditure monitoring

Video Surveillance Team (VST)

- 1 or more VST in each AC
- Minimum one official, one videographer and one vehicle
- Can be more than 1 team at a public meeting
- Properly trained to identify and capture MCC and expenditure related events in adequate minute details as required
- Submit CD and cue sheet to Viewing Team

Video Viewing Team (VVT)

- 1 or more VVT in each AC
- One officer and two clerks for each assembly segment
- View Video CD provided by VST for identifying election expenditure and MCC related issues
- Submit report containing candidate wise expenditure no later than next day to Accounting Team/ Asst. EO
- MCC related report to General Observer and RO

Co-relate with the teams involved in election expenditure monitoring

Accounting
Team

One official and one accounting clerk per AC

Drafted from employees of accounts wing of Government departments or PSUs

Work under Asst. EO in preparation of Shadow Observation Register

Will enter items of expenditure and corresponding notified rates against each in the Shadow Observation Register

Co-relate with the teams involved in election expenditure monitoring

Media Certification and Monitoring Committee (MCMC)

DEO/RO, ARO (not below SDM), Central Govt I&B Ministry official (if any), Independent Citizen/Journalist as recommended by PCI, DPRO/DIO, Any Observer appointed by ECI, One expert to be co-opted by Committee, Officer of IIS, Add/Jt CEO in charge of Media (Member Secretary) – **Operate 24x7**

Certifying advertising proposals of candidates in **Annexure 28**

Monitor advt. in print and electronic media- newspapers, Radio, bulk SMS, cable TV, instances of Paid news, etc.

Infrastructure – in separate room - 3-4 TVs with cable, all newspapers including local newspapers

Daily Reporting to Accounting Team in **Annexure 12** with supporting documents

Co-relate with the teams involved in election expenditure

Liquor Monitoring Team

- From date of election announcement, the production, off-take, stock limits of stockists and retailers of IMFL/Beer/country liquor are to be monitored
- **Closely monitor opening and closing of liquor shops**
- Conduct **raids to seize illicit liquor**
- Inter state **coordination of Excise Commissioners of the bordering states**
- Intensive vigil over **inter state movement of vehicles** at RTO check-posts and border check-posts by special enforcement staff of Excise Dept.
- District level Nodal Officer to **submit report every alternate day** to DEO, Exp. Observer and State Level **Nodal Officer in Annexure 22**, who will compile and send the report to ECI & CEO

Annexure 22: Daily Report on IMFL/Beer/Liquor by State/District Level Nodal Officer

ANNEXURE- 22

Daily Report of IMFL/Beer/Country Liquor by the State/District Level Nodal Officer (Separate report should be submitted for IMFL Beer & Country Liquor)				
Name of the District / Name of the State			Date of report:	
S.No.	Description	During the day (This year)	During the day (Last year)	Remarks on excess, if any
1.	Opening stock with manufacturers in Bulk litres			
2.	Production/Bottling in Bulk litres			
3.	Total Despatch of stock from the manufacturer's godown in Bulk litres			
4.	Closing stock in Bulk litres with manufacturers (1+2-3)			
5.	Despatch of stock from manufacturer's godown to whole sellers/Stockists in Bulk litres			
6.	Opening stock with Retailers in Bulk litres			
7.	Purchase by Retailers in Bulk litres			
8.	Sale by Retailers in Bulk litres			
9.	Closing Stock with Retailers in Bulk litres (7+8-9)			
10.	Sale by others in Bulk litres			
11.	Number of check posts			
12.	Volume of illicit liquor seized by check posts in Bulk litres			
13.	Number of raids conducted			
14.	Volume of illicit liquor seized in Bulk litres during raids			
15.	No. of Prohibition cases			
16.	No. of persons arrested			
17.	Amount of Fine imposed			

Police Observer

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Police Observer (PO) (at least DIG rank from outside the State)

- He is deputed in Exp. Sensitive Constituencies (ESC) to supervise and monitor FS and SST.
- SST and FS in ESC to forward Daily Activity Report to PO on same day.
- PO may coordinate with State Nodal Officer and CEO to depute central police force in the teams if not satisfied with working of FS and SST.
- PO to coordinate with EO for EEM and GO for MCC matters.
- He shall also coordinate with IT and State Excise Department

Reporting and Timelines for PO

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PO

PO to report in the AC on the date of notification and to remain till the end of the Poll

PO to make an Arrival and Departure Report and send it to ECI with a copy to CEO

PO to make Police Observer Report-I and II and send it to ECI with a copy to CEO (Annexure-51 and 52)

Nodal Police Officer at Police HQ

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Nodal Police Officer (IG Level at Police HQ)

- He will coordinate with FS, SSTs and all law enforcement agencies in coordination with ECI as well as EEM team
- His contact details to be shared with EO, IT, Excise Dept and other law enforcement agencies
- He will train master trainers of district

Reporting mechanism for Nodal Police Officer

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Nodal HQ
Police Officer

He will compile the seizure reports by FS and SSTs sent to him by SP of districts and send a Daily Activity Report as per Annexure-8, 8A and 9

He must fax the above reports to ECI with a copy to CEO

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Sub learning Objective 2

To be able to list the types of election expenditure

Types of Election Expenditure

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Legal Expenditure

Expenditure permissible under law (public meetings, posters, rallies, etc.)	Up to . 70 lakhs for PC	Up to INR. 28 lakhs for AC
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Illegal Expenditure

Expenditure not allowed as per law	Such as distribution of money, liquor among voters to influence them	Such expenditure to be curtailed
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Sub learning Objective 3

To be able to list the types of election
expenditure allowed

Types of expenditure to be included as election expenditure of candidate

Publicity, Meetings & Rallies

Rallies and Public Meetings including Rally expense for filing nominations.
Expenditure Plan for Rallies to be submitted in Annexure 16 to RO

Commercial vehicles used in rallies/public meetings

Notional cost of fuel and salary of driver of personal vehicle of candidate

Advertisements in print and electronic media aired after permission was granted by Scrutiny Committee

50% cost to be added if star campaigner/leader travels with candidate

Types of expenditure to be included as election expenditure of candidate

Expenditure by a political party identified as for a particular candidate rather than party propaganda

Printing of pamphlets, posters, etc.

Expenditure to be distributed equally among all candidates present at a meeting/rally of Leader

Candidate attends a community kitchen, during election campaign, the entire expenditure will be added as his election expenditure

Annexure 16: Details of expenditure on Public Meetings/ Rallies

Annexure-16

Details of Expenditure on Public Meetings/ Rallies etc.

(To be given by the candidate/ his election agent at the time for applying for permission to hold the Public Meeting/ Rally etc.)

Name of District-

No. and Name of Constituency-

Name of Candidate -

Political Party if any-

Date, time and duration of Public Meeting/Rally etc. -

[Location] Venue of Public Meeting/ Rally etc. -

Sl. No.	Item of Expenditure	Proposed to be used by the Candidate/ his Election Agent		Proposed to be used by the Political Party		Proposed to be used by any other Association		According to the Report of the Officer In-Charge	
		Number of Units	Cost	Number of Units	Cost	Number of Units	Cost	Number of Units	Cost
1	Pandal and fixture								
2	Barricading & Arches								
2	Tables								
3	Chairs								
4	Other Furniture								
5	Loudspeaker & Microphone								
6	Posters								
7	Banners								
8	Cut Outs								
9	Digital Boards								
10	Illumination items like Serial Lights, etc.								
11	Power connection charges paid/ payable to EB etc.								
12	Other items								
13								
	Total								

Name and Signature of Candidate/Election Agent/
Name and Signature of Political Party/any other Association
Officer in-charge

Date:

Types of expenditure to be included as election expenditure of candidate

Transportation & Barricades

Details of all vehicles being used by candidate for his election campaign are to be furnished by him to RO before vehicles are used

All vehicles used by candidate in campaigning (cars, scooters, motorbikes, mopeds, cycle rickshaw, etc.)

Travel expenses of a leader nominated as star campaigner will be accounted for in election expenditure of candidate where such leader happens to be himself a candidate.

Construction of barricades/rostrums by Govt. agency due to security concerns. DEO shall intimate candidates of their share after contacting concerned Govt. agency

Hotel expenses of Star Campaigner who is travelling with candidate

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Sub learning Objective 4

To be able to list down the preventive measures against fraudulent election expenditure

The types of election expenditure to be disallowed/ monitored

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One vehicle of district level party officer (not a candidate) to be exempted

Unauthorized vehicle being used by candidate without permission of RO

Vehicle being used by a candidate based on permission provided by another candidate

Advertisements aired without permission to be added in shadow register

Cash being carried around that the IT dept. is not aware of, to be seized.

Intimation for not using vehicle

The types of election expenditure to be disallowed/ monitored

Public who attend rally in own vehicle without receiving any payment or without any flag, banner or photo of candidate not to be included

Bookings of marriage halls and Mandaps to be monitored

Distribution of gift items and cash coupons to be closely monitored

Unusual cash deposit/ withdrawal in account of SHGs and NGOs

Disbursal of wages under ongoing Government schemes only in presence of Government officials during elections

The types of election expenditure to be disallowed/ monitored

Preventive measures

Candidates to open separate bank account for election expenses, with any bank or Post office. Existing bank account not to be used.

Bank Account can be opened in joint name with the agent, anywhere in the state

DEO shall issue suitable instruction to the Banks and Post offices to open dedicated counters for election purpose for prompt services

To submit certified copy of the bank account along with the expenditure statements within 30 days of declaration of the result

To incur all expenses by crossed A/c payee cheque, if payment to a single party during election process exceeds Rs.20,000/-

The types of election expenditure to be disallowed/ monitored

District Level Expenditure
Monitoring Control Room &
Call Centre with 24x7 toll
free number for receiving
complaints from public

Observer shall set one hour
each day for hearing
complaints and address them
in 24 hours. Wide publicity
to timing and place

Awareness about ethical
voting among electors
Appeal to General Public
about elections by DEO
(Annexure 10) in local
language

Maintaining Shadow
Observation Register by
Asst. Expenditure Observer
which would have all
expenditure, legal and illegal,
incurred by candidate

Videography teams to
document all details at major
public meetings, rallies,
campaigns etc. organized by
candidates

Preventive measures against fraudulent election expenditure

Directorate (Investigation) of IT Dept. will set up a 24x7 toll free complaint number regarding large amounts of cash at state level

Directorate can investigate the cases independently and DEO will provide security

Smaller complaints forwarded to District Complaint monitoring cell

FIU to send suspicious transaction reports on the candidates and others

DEO will pass on report of large sum cash withdrawal from bank for verification by IT Deptt.,

Investigation Directorate will download the affidavits of the candidates, verify the assets and report to commission about any suppression of asset or liability in the affidavit

Annexure 24: Format for Daily Activity Report by the ID– To be submitted only when on going investigation shows links to contesting candidates

Annexure-24

Format of Activity Report by the Investigation Directorate for the date.....

(to be submitted on alternate day by the Directorate of Investigation) **Reference No.**

Name of Constituency:

District:

State/ UT

Sl. No	Name of the Constituency and District	Name of Agency from which information/ Complaints received by IT Deptt.	Name and Address of persons against whom action is taken	Amount of Cash / gift items etc. mentioned in complaint	Cash Deposited by Challan by persons against whom action taken	Amount of Cash Seized by Income Tax	Other articles seized (If any)	Amount of cash returned to the person, if accounted for	Remarks (Please mention name of the candidate/his relationship, Constituency and name of the Political Party, if any)
1	2	3	4	5	6	7	8	9	10
1									
2									
Total									

Progressive Total from the date of notification of election to the end of the Reporting day

S. N		Gross figure on day of reporting	Progressive Figure including the day of reporting
1	Progressive total of Cash seized by Income Tax		
2	Progressive total of seizure of other items (Notional Value)		
3	Progressive total of tax deposited by Challan		

Signature Nodal Officer
Office of DGIT (Inv)/Dy. Director
In Charge of the District Date

Preventive measures against fraudulent election expenditure

Identification of
Expenditure
Sensitive
Constituencies
(ESC)

CEO to send list
of ESC to ECI 6
months before
expiry of
assembly

More number of
Asst. EO, VST,
Flying Squads, etc.
and DEO to ensure
provisions

Due diligence
and alertness
required on
movement of
suspicious persons
in ESC

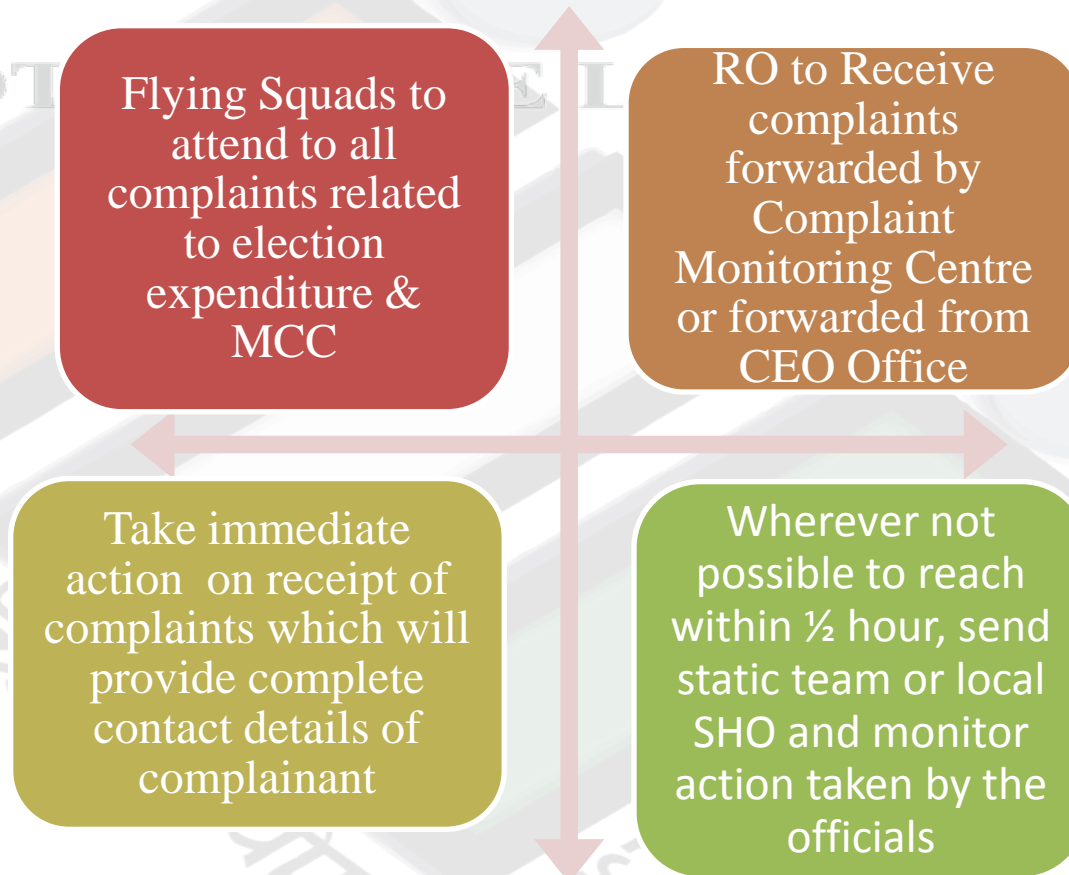
Preventive measures against fraudulent election expenditure

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Expenditure Sensitive Pockets (ESP)

- ESP to be identified in consultation with EO on basis of literacy or economic development or no. of complaints filed in last elections.
- Such pockets to under close vigil of SSTs during last 3 days before elections

Preventive measures against fraudulent election expenditure



Preventive measures against fraudulent election expenditure



Flying Squad-Activity Report (FS to send the report to DEO with a copy to RO, SP and EO)

Annexure-A

Daily Activity Report by Flying Squad on seizure of Cash/ Other items related Complaints on the date.....

Reference No.

Name of the Sub-Division Name and Designation of the Magistrate.....

State..... Name of the Police Officer.....

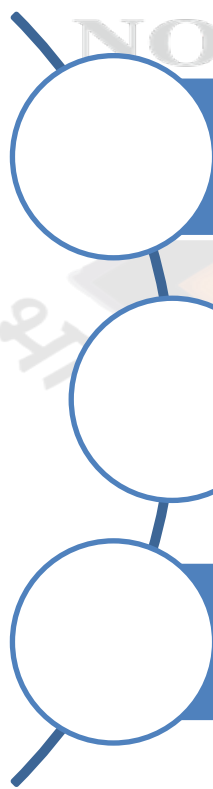
1	2	3	4	5	6	7	8	9	10
S.No.	Name of constituency/ district	Nature of the complaint/ information	Name of the person against whom complaint received	Cash/ Other Items seized by FS	Cash/ Other Items Seized by Other Police authority	FIRs filed	Name of candidate or party with which links found	Name and designation of the authority to whom seized cash/items is handed over	Remarks (If any)
1									
2									
3									
Description				Figure on date of report			Progressive figure including the date of report		
1	Total amount of cash/ Other Items seized by Flying Squad								
2	Total amount of cash/ Other Items seized by Other Police authority								
3	Total of number of complaints of cash/ Other Items, received								
4	Total of number of complaints, verified (a) Within half an hour of receipt (a) Beyond half an hour of receipt								
5	Total of number of complaints, pending								
6	Total number of FIRs filed up to the end of the day								

Signature

Name & Designation of the Officer in Charge of Flying Squad/Nodal Officer of State Police HQ

3/29/2017

Other Roles of Police/FS/SST for Preventive Measures



Police to report to IT Dept. in case cash exceeding INR 10 lakhs or gold bullion weighing more than 1 kg detected in baggage of aircrafts flying to or from the Poll Bound State

Police to ensure that entire event of seizure or release is captured by CCTV/Video Camera at airports.

At non-commercial airports, Police to conduct physical check of the baggage and any contraband/cash exceeding INR 50,000 to any agent or candidate to be investigated and considered for seizure.

Other Roles of Police/FS/SST for Preventive Measures



All distilleries, warehouses in State to be put under 24 hour CCTV monitoring with police guard

FS and SST to keep a lookout for illicit liquor and seizure

It is advised by ECI to identify and patrol areas where illegal liquor is sold/stored for example: Shanty towns, slum areas etc.

Preventive measures against fraudulent election expenditure

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Copies of all complaints received and reports of inquiries conducted shall be put on the notice board of the RO for information of the Public.

Any member of the Public can obtain copies of these documents on payment of a fee of Re. 1 per page

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Sub learning Objective 5

To be able explain election expenditure monitoring mechanism in detail

Election expenditure monitoring mechanism in detail

STATIC SURVEILLANCE

Major roads to be covered under Static Surveillance

Surprise element to be maintained in their timing and placement

Surveillance to be strengthened vigorously before a week of poll

EO can have coordination meeting with all law enforcement agencies of the district for smooth functioning of the teams and flow of information

Election expenditure monitoring mechanism in detail

STATIC SURVEILLANCE

Activity of SST at check posts videographed and DVD handed over by RO to Expenditure Observer for keeping in FoE

Any member of public may ask and take copy of Video DVD/CD for particular day by depositing Rs. 300/-.

SST submit Daily Activity report in prescribed format (Annexure-9) to SP, RO and Asst. EO, DEO and Police Observer

Nodal Officer at Police Headquarters at State level compiles Daily Activity reports gathered from SP and Flying Squads and SSTs and send to CEO and ECI

Annexure 9: Activity Report by SST (SST to DEO with copy to RO, SP, EO, GO and PO)

Annexure-C

Daily Activity Report by Static Surveillance Teams on seizure of Cash/ Other items related

Complaints on the date.....

Place of Check Post.....

Name and Designation

of the Magistrate..... District..... State.....

and Designation of the Police Officer

1	2	3	4	5	6	7	8
S. No.	Number & name of Constituency/ district	Name and Address of Persons searched at the Check Post	Cash/ Other Items	FIR filed	Name of candidate or party having links	Name & designation of Authority to whom cash, goods seized goods are handed over after seizure	Remarks
1							
2							
3							
Description						Figure on date of report	Progressive figure including the date
A.		Total amount of cash Seized by SST					
B.		Total amount of Other items seized by SST					
C.		No. of FIRs lodged					

Signature

Name & Designation of the Officer in Charge of

Static Surveillance Team/ Nodal Officer of State Police HQ

Election expenditure monitoring mechanism in detail

VIDEOGRAPHY BY VST OF MCC & LAW AND ORDER RELATED INCIDENTS

Capture all MCC
relevant events and
expenditure related
evidences

At the beginning of
shooting, team will
record in voice mode:

Title and type of event

Date

Place

Name of the party or
the candidate
organizing

Election expenditure monitoring mechanism in detail

VIDEOGRAPHY BY VST OF MCC & LAW AND ORDER RELATED INCIDENTS

Capture photo in such that evidence of each vehicle, furniture, rostrum, banner, cutout etc. can be seen clearly & expense thereon can be estimated.

At the end of shooting, team may also record in voice mode the estimated number and type of vehicles, chairs, furniture, approx. size of rostrum/banner/poster/cutout etc. used in the event.

VST will prepare a video cue-sheet in the format given at Annexure-7.

Cue-sheet contains the highlights of the recording with date and time. Therefore it should be ensured by the team that the time and date set up in the camera is correct.

This team will submit the recorded CD and cue-sheet to the Video Viewing Team.

Annexure 7: Cue Sheet for VST

Annexure- 7

Cue-Sheet for Video Surveillance Teams

(To be filled at the time of Video Recording)

Name of District –

Name of the Officer In-charge of Video Surveillance Team –

Name of the Videographer –

Date-

CD Number

Sl. No.	No. and Name of Constituency	Name of Candidate	Location	Event	Time of the day when recording began	Time on CD when recording began	Time on CD when recording ended	Duration of recording	Brief Description of evidence Recorded
1	2	3	4	5	6	7	8	9	10

Signature of Officer In-Charge of Video Surveillance Team

Election expenditure monitoring mechanism in detail

Video CD captured by VST viewed by Video Viewing Team (VVT) daily for identifying expenditure related issues and MCC related issues

VST submits, on same day or not later than next day, their reports related to expenditure to the Accounting Team/Asst. Exp. Observer

The report shall contain candidate wise expenditure on public rally including vehicle numbers, number of chairs, size of Dias, audio system, posters , banners, helicopter expense, media advertisements and Paid News, names of candidates

Any MCC related report/observation should be submitted to the General Observer/RO by VVT

Election expenditure monitoring mechanism in detail

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MONITORING OF CANDIDATES' MEDIA CAMPAIGN

- If any VST/Accounting team/MCMC/ EMC finds that any **advertisement has been published/ displayed in favour of any candidate** without the permission of Scrutiny Committee constituted by CEO, he shall inform the RO immediately.
- The **RO will issue a notice** to candidate for violation of instructions of ECI.
- The DEO will also ensure that the **expenditure on this advertisement also is added to SOR, if Candidate has given consent for the same.**

Election expenditure monitoring mechanism in detail

MONITORING OF PRINTING OF PAMPHLETS & POSTERS

One copy of printed material exhibited on DEO notice board so all political parties, candidates and other interested persons able to check whether requirements of law have been complied with.

One copy forwarded to Accounting team for inclusion in SOR

In all cases where there is violation of the provisions of Section 127A of RP Act 1951, FIR is lodged and prosecutions should be initiated against offenders.

One Copy of printed materials should be given to EO for inclusion in SOR.

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Sub learning Objective 6

To be able to manage seizure of illegal items

Relevant procedures of seizure of illegal items

Flying Squad/Static Team may consider seizure of cash/other items under provision of CrPC/IPC, wherever they suspect end use for criminal purpose

Deposit the cash in treasury as per direction of the Court

DEO to issue necessary instructions to Treasury units to receive cash beyond office hours and on holidays

If no criminality suspected, depute IT dept. officials to interrogate the person under IT laws

IT officials may seize if amount is not disclosed under IT laws

Manage relevant procedures of seizure of illegal items

Person carrying cash from business to bank submits documents (PAN/Business Registration Certificate & Bank Pass Book/Statement & copy of cash book) to show regular cash deposits - no seizure irrespective of the amount

Copy of the documents shall be retained before the release.

The person shall submit a copy of bank deposit slip to SST concerned after depositing amount in bank.

Relevant procedures of seizure of illegal items

Criminality is determined if they find:

Banner/poster/voter slip/any
campaign material along
with cash or gift

Arms or illicit items along
with cash or gift

Cash in custody of any party
official or candidate or his
agents or any other modus
operandi leading to crime

Relevant procedures of seizure of illegal items

Utmost care to ensure all politeness, decency and courtesy

Seizure has to be done with proper Panchnama/
Acknowledgement
(as per Annexure-57)

The authority whom to appeal and procedure for appeal must be mentioned in the seizure order

FIR to be lodged and also put in notice board of RO.

Copy forwarded to SP, DEO, Exp. Observer, Nodal Officer of Police and Police Observer (If any) by RO

Format for Receipt to be given to persons from whom cash/article is seized

Book No.....

Receipt Number.....

Date

Name of the Executive Magistrate

(Heading the Flying Squad/ Static Surveillance Team)

1. Cash Amount seized Rs..... (in words / Other articles seized.....
.....from

Shri.....

Address:.....

Mobil No. at (name of place where seized) on
dated.....falling in the Assembly/Parliamentary
Constituency of.....

(Name of State/ UT) District

Police Stationas the entire cash/
other articles is suspected to be used as bribery of the electors.

Or

2. The cash Rs..... (In
words Rs)/- (details of other articles) have been
handed over to Shri.....(name and designation of the Officer of
Income Tax Deptt.) taking necessary action under Income Tax Laws. (Strike out if not applicable)

Appeal Procedure

You may appeal to (Name of ADM/SDM, heading
the Expenditure Monitoring Cell) for redressal of grievance, within seven days or you may appeal
to Joint Director of Income Tax (Inv.) for necessary relief if action relates to Income Tax deptt.

Signature with Stamp

(Name, Designation and address of Magistrate)

Date:

Relevant procedures of seizure of illegal items

Investigation Directorate will deploy one Asst. Director and two inspectors in each district after announcement of elections

The IT officials will collect local intelligence on movement of cash and will reach the places where cash is found by SST or FS.

If IT officials decides to deposit the cash in challan, then security of FS to be provided to deposit cash in designated bank and challan handed over to person from whom cash was found

When it is not possible to deposit the cash on same day for bank holiday, treasury will keep the cash on joint signature in sealed cover, till it is deposited in bank.

If large scale availability of cash is suspected on basis of intelligence or person does not explain satisfactorily to FS or SST about the cash found in his possession, search and seizure operation to be conducted by IT dept. both at office and residence.

Other Considerations for FS regarding seizure of cash

NO VOTER TO BE LEFT BEHIND

Police officer of FS to ensure that FS issues proper Panchnama for seizure of article as per CrPC to person from whom article is seized

FS police officer must also ensure that the case is submitted in the Court of relevant jurisdiction within 24 hours

FS police officer will immediately file FIR against relevant criminals and send the copy of the same to DEO, GO, RO, EO and Police Observer

All vehicles of FS to be fitted with CCTV cameras/webcams

Other Considerations for FS regarding seizure of cash

NO VOTER TO BE LEFT BEHIND

During checking, if any cash exceeding Rs. 50,000/- is found in a vehicle carrying a candidate, his agent, or party worker or carrying posters or election materials or any drugs, liquor, arms or gift items which are valued at more than Rs. 10,000/-, likely to be used for inducement of electors or any other illicit articles are found in a vehicle, shall be subject to seizure. The whole event of checking and seizure is to be *captured in a video/CCTV*, which will *be submitted* to the Returning Officer, *everyday*

If any star campaigner is carrying cash up to Rs. 1 Lakh, exclusively for his/her personal use, or any party functionary is carrying cash with certificate from the treasurer of the party mentioning the amount and its end use, then the authorities in SST shall retain a copy of the certificate and will not seize the cash. If cash of more than 10 lakh is found in a vehicle and there is no suspicion of commission of any crime or linkage to any candidate or agent or party functionary, then the SST shall not seize the cash, and pass on the information to the Income-Tax authority, for necessary action under Income - Tax Laws.

Thank You

NO VOTER TO BE LEFT BEHIND

