

By Speed Post/FAX

ELECTION COMMISSION OF INDIA

Nirvachan Sadan, Ashoka Road, New Delhi-110001

No. 76/Instructions/2011/EEM (Vol.III)

Date: 25th December, 2011

To

The President/General Secretary of
All recognized National and State Political Parties of
Uttar Pradesh, Uttarakhand, Punjab, Goa and Manipur.

Subject: Measures taken by Election Commission to curb use of money power during elections-Regarding.

Sir/Madam,

I am directed to inform that instances are reported to Commission and also in Media that cash, liquor and several utility items are being used in a clandestine manner during the process of elections for bringing influence on the voters. Such distribution of cash, liquor or any other item for gratification of the voters is bribery and is punishable under Indian Penal Code. It is also corrupt practice under Representation of People Act, 1951.

2. During the Commission's meeting with all political parties, held on 4th October, 2010, the use of money power during elections was discussed and the Commission's instructions to monitor election expenditure during General Election to the Legislative Assembly of Bihar were welcomed by all the parties. The Commission further fine-tuned its instructions in view of the experience during Elections in Bihar and implemented these instructions during last General Elections of five states, namely, Tamil Nadu, West Bengal, Kerala, Assam and Puducherry. I am further directed to inform that Commission has further amplified some of these instructions and issued detailed Guidelines for Election Expenditure Monitoring for the ensuing polls in Uttar Pradesh, Uttarakhand, Punjab, Manipur and Goa. (Copies of Commission's instructions are available on the website: www.eci.nic.in).

3. To curb the pernicious role of money power in elections, the Commission has issued instructions inter alia, to the Law Enforcement Agencies to form flying squads to keep watch over distribution of cash, liquor and other utility items in the constituencies during the election process and seize the said items. The services of Investigation Directorate of Income

Tax Department have also been requisitioned to keep vigil over movement of cash through Airports, major Railway Stations, Hotels, Farm Houses, Financial Brokers and Hawala Agents. The Commission has also advised the candidates to open separate bank accounts for their election expenses and to make all election expenses through the said bank accounts.

4. It is needless to point out that any fund provided by the party to its candidates for election purpose is required to be reflected in the Day-to-Day Account of election expenditure of the candidate and the parties are also required to maintain and lodge the accounts before the Commission, after the election is over.

5. In order to maintain the purity of elections and in particular to bring transparency in the process of elections, it is advised that political parties avoid transactions in cash and should instruct their office bearers, officials, agents and candidates not to carry huge cash during the ensuing process of elections.

6. Kindly acknowledge receipt.

Yours faithfully,

Sd/-

(S. K. RUDOLA)
SECRETARY

Copy to:

1. All Chief Electoral Officers of States/UTs to send it to all National and State level Political Parties, functioning in the State.
2. Shri K. V. Choudhary, Director General of Income Tax (Inv.), Nodal Officer of CBDT, 3rd Floor, ARA Centre, E-2, Jhandewalan Extension. New Delhi-110055.
3. Director General of Income Tax Investigation (North), Aayakar Bhawan, 5 Ashok Marg, Lucknow-226001, Uttar Pradesh.
4. Director General of Income Tax Investigation, Aayakar Bhawan, Annexe, P-13, Chowringhee Square, 4th Floor, Kolkata – 700069, West Bengal.
5. Director General of Income Tax Investigation, Aayakar Bhawan, Sector – 2, Panchkula – 134112, Haryana.
6. Director General of Income Tax Investigation, Central Revenue Building, Queen's Road, Bangalore – 560001, Karnataka.