

ज्ञापांक 421 /एस0सी0आर0बी0
राज्य अपराध अभिलेख ब्यूरो, बिहार, सरदार पटेल भवन(सी0 ब्लॉक पंचम तल)
जवाहरलाल नेहरू मार्ग(बेली रोड)बिहार, पटना-23

पटना, दिनांक-28/03/2019

सेवा में,

सभी वरीय पुलिस अधीक्षक/पुलिस अधीक्षक(रेल सहित)
सभी पुलिस उप-महानिरीक्षक(रेल सहित)
सभी प्रक्षेत्रीय पुलिस महानिरीक्षक(रेल सहित)
बिहार।

प्रसंग:- इस कार्यालय का पत्रांक 238/एस0सी0आर0बी0 दिनांक 18.02.19, पत्रांक 298//एस0सी0आर0बी0 दिनांक 28.02.19 एवं ज्ञापांक 365/एस0सी0आर0बी0 दिनांक 13.03.19

विषय:- Election Expenditure Monitoring के संबंध में।

उपर्युक्त प्रसंगाधीन विषय के संदर्भ में सूचित करना है कि चुनाव आयोग, भारत सरकार का दिशानिर्देश तीन पृष्ठों में अग्रतर कारवाई हेतु संलग्न कर प्रेषित किया जा रहा है।

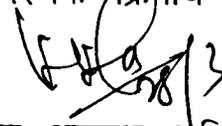
अनुलग्नक:-यथोपरि।



(डॉ० कमल किशोर सिंह)

पुलिस महानिरीक्षक, राज्य अपराध अभिलेख ब्यूरो
-सह-राज्य नोडल पदाधिकारी
Election Expenditure Monitoring
बिहार, पटना।

प्रतिलिपि:- 1.मुख्य निर्वाचन पदाधिकारी, बिहार, को कृपया सूचनार्थ।
2.अपर महानिदेशक,(मु०)बिहार, को कृपया सूचनार्थ।
3.सभी जिला पदाधिकारी, बिहार, को कृपया सूचनार्थ।
4.I.T प्रबंधक, पुलिस मुख्यालय, बिहार, को बेबसाईट पर अपलोड करने हेतु सूचनार्थ एवं आवश्यक क्रियार्थ प्रेषित।



पुलिस महानिरीक्षक, राज्य अपराध अभिलेख ब्यूरो
-सह-राज्य नोडल पदाधिकारी
Election Expenditure Monitoring
बिहार, पटना।

GE TO LS, 2019

GUIDELINES FOR ELECTION EXPENDITURE MONITORING (EEM)

In Continuation of all our earlier letters enumerating various SOPs to be followed for Election Expenditure Monitoring (EEM) the following is again reiterated for strict compliance by all personnel associated with EEM and all supervisory officers.

- (A) All Search/Seizure shall be **compulsorily video graphed**.
- (B) Flying Squads & Static Surveillance Teams shall follow all procedures as enumerated in ECI letter no 76/ECI/INST/FUNC/EEM/EEPS/2019/Vol.III dated 14.02.19 as already issued under IG SCRB letter no. 369/SCRB dated 14.03.19
- (C) ECI letter no 76/ECI/INST/FUNC/EEM/EEPS/2019/Vol.IX dated 08.03.19 has issued direction to CISF/Police for following Bureau of Civil Aviation Security (BCAS), Ministry of Civil Aviation, GoI Standard Operating Procedure (SOP) no CAS-7(15)/2012/Div-I (Election) dated 03.07.13, 11.10.13 and 12.11.13. The SOPs under reference *inter alia* directs:
- i) **Pre-embarkation checks at Commercial Airports:**
 - a) All passengers (except those exempted under rules) and all baggage (except those exempted under rules) boarding any aircraft/helicopters including commercial/chartered flights will pass through the pre-embarkation security checks compulsorily.
 - b) No permission for landing or take off at commercial airports is required. ATC at commercial airport shall inform the CEO of the State and DEO of the District where the airport is located about the travel plan of chartered aircrafts or helicopters as early as possible, preferably half an hour in advance.
 - c) However, during election process, the **ATC shall keep record of all such chartered aircraft or helicopters**, landing or taking off from commercial airports, time of landing, time of take off and passenger manifest, route plan etc. A copy of this information shall be made available to the CEO of the State and DEO of the district where airport is located, within 03 days. The CEO/DEO shall make this information available to the Expenditure Observer concerned for verification. The ATC shall make the records available for inspection to the Expenditure Observer.
 - d) All baggage including hand baggage of persons/passengers (not exempted under rules) but permitted to avail the facility of vehicle for going up to the aircraft shall also be screened by CISF/State/UT Police without any relaxation.
 - e) The CISF/State or UT Police upon **detection of Cash exceeding 10 Lakhs or Bullion exceeding 01 KG in baggage** of aircrafts flying to or from poll bound State shall instantaneously report the matter to Income Tax authorities. The IT authorities in turn would entail a verification as per IT laws and take necessary measures if no satisfactory explanation is received. IT authorities must inform the EC/CEO/DEO before release of any such Cash or Bullion. The entire event right from detection till interrogation and seizure or release at the airport must be recorded under CCTV or

video graphed. The feeds of CCTV and Videography will be kept with the airport authority for 03 months and will be made available to EC/CEO whenever required.

ii) **Checks at Non-Commercial Airports/Helipads:**

- a) It will be the responsibility of the DM/SSP/SP to prevent transport of unauthorized arms, contraband goods and suspicious money/bullion in General Aviation/Chartered/Private aircrafts and aircrafts owned or hired by State governments operating to/from remote/uncontrolled airports/helipads in poll bound areas.
- b) A candidate or a political party will apply to DEO for such landing 24 hrs in advance indicating the details of travel plan, passenger list, place of landing etc. The DEO upon receipt of such application make necessary arrangements for security, L/O etc and make available the coordinates and issue the permission on the same day.
- c) At remote/uncontrolled airports/helipads, the FS or Police authorities in coordination with the Pilot shall carry out screening/physical checking of all baggage coming out of the aircraft (except the handheld purse by ladies). Any unauthorized arms, contraband goods, cash exceeding 50,000/- belonging to any candidate or agent or party functionary shall be investigated and considered for seizure as per laws. No frisking of body of passenger shall be done at the time of disembarkation at such remote/uncontrolled airports/helipads unless there is any specific information.
- d) Every Candidate shall inform the RO about the hiring charges paid/payable to the operating company, names of passengers, name of political party (if the party bears the expense) within 05 days after the landing of the aircraft.

D) Guidelines for Transport of clean and genuine cash by banks :

- 1) Attention is drawn to ECI letter no 76/ECI/INST/FUNC/EEM/EEPS/2017/Vol.IV dated 14.01.17 and updated on 21.07.18 regarding the SOP for transport of clean and genuine cash by banks and transfer of currency from one chest to another operated by banks during the process of elections.
- 2) Reference has been drawn by ECI in its letter to the letter of Ministry of finance, Govt vide F.No.60(2)/2008-BO.II dated 20.02.13 which *inter alia* refers to circular of Indian Banks Association (IBA) dated 04.02.13 whereby following guidelines have been circulated to all member banks.
- 3) The guidelines are as follows:
 - a) "The bank shall ensure that the cash vans of outsourced agencies/companies carrying bank's cash shall not, under any circumstances, carry cash of any third party agencies/individuals except the banks. Towards this, the outsourced agencies/companies shall carry letters/documents etc. issued by the banks giving details of the cash released by the banks to them and carried by them for filling the ATMs and delivering cash at other branches, banks or currency chests.

- b) The personnel of the outsourced agencies/companies accompanying cash van **shall carry identity card issued by the respective agencies.**
 - c) The aforesaid procedure has been stipulated for the reason that during the period of election if authorized officials of the Election Commission (District Election Officer or any other authorized official) intercepts the outsourced agency/company's cash van for inspection, the agency/company should be in a position to clearly show to the Election Commission through document and also physical inspection of the currency that they have collected the cash from the banks for the purpose of replenishing the bank's ATMs with cash or delivery of the cash to some other branches of the banks or currency on the instructions of the bank.
 - d) The aforesaid procedure shall be part of the standard operating rules and procedure of banks for transport of cash.
- E) Attention is drawn to Judgement of Hon'ble Supreme Court in *SLA CC 20906/2012 in the matter of Election Commissioner Vs. Bhagyoday Janparishad & Others* whereby the Hon'ble Court has observed citing learned counsel for ECI to the concern of ECI for conducting fair and free elections and at the same time not to cause any inconvenience to general public. Accordingly the ECI has given a guideline *"During such checking, if any cash exceeding Rs. 50,000/- (Rupees Fifty Thousand) is found in a vehicle carrying a Candidate, or his agent or party worker or carrying posters or election materials or any drugs, liquor, arms or gift items (valued more than Rs. 10,000/-) which are likely to be used for inducement of electors or any other illicit articles are found in a vehicle, the same shall be subject to seizure."* **All search and seizure should strictly follow this order of the Hon'ble Supreme Court in letter and spirit to ensure free and fair elections and not to cause any inconvenience to general public.**