



Memo No: 15

**TRANSMISSION CORPORATION OF TELANGANA LIMITED**  
**VIDYUT SOUDHA ;; HYDERABAD**  
 (Website: tstransco.in CIN No.U40102AP2014SGC094248)

**Memo.No.Jt.Secy/DS(Per.II)/AS(IR&Reg)/PO(Reg)/JPO(Reg)/234/2018, dt.16.03.2019**

**Sub:** TSTRANSCO – Regulation – Model Code of Conduct – Biennial Elections to Telangana State Legislative Council - Applicability of Model Code of Conduct – Communication of instructions issued by Election Commission of India – Reg.

- Ref:-**
1. Letter.No.267/OP/2019, Dt.02.03.2019 of Dy.Secretary to Government, Energy Department, TS Secretariat, Hyd.
  2. Lr.No.322/ECI/INST/FUNC/BIEN-LC/2016 dt.26-12-2016 of Election Commission of India.
  3. Lr.No.76/Instructions/EEPS/2015/Vol.II dt.29-5-2015 of Election Commission of India.

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The copies of references 2<sup>nd</sup> and 3<sup>rd</sup> cited received from Government of Telangana, Energy (OP) Department vide reference 1<sup>st</sup> cited are communicated herewith for strict compliance towards implementation of Model Code of Conduct in connection with Biennial to the State Legislative Councils from Graduates' and Teachers' constituencies (From the date of announcement of Election till the date of completion of Election).

2. These orders are also available on TSTRANSCO website and can be accessed at the address [www.tstransco.in](http://www.tstransco.in)

**Encl:** As above.

**D. PRABHAKAR RAO**  
**CHAIRMAN & MANAGING DIRECTOR**

**To**

The Executive Directors  
 The Chief General Manager(HRD)/OSD  
 All Chief Engineers.  
 The Joint Secretary  
 FA & CCA/Dy.CCA  
 All Superintending Engineers.

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 ] TSTRANSCO  
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**Copy to:**

PS to Chairman & Managing Director/TSTRANSCO/Vidyut Soudha/Hyderabad  
 PS to JMD(Finance, Comml., & HRD)/TSTRANSCO/VS/Hyderabad.  
 PA to Director (Projects)/TSTRANSCO/VS/Hyderabad  
 PA to Director (Transmission)/TSTRANSCO/VS/Hyderabad.  
 PA to Director (Lift Irrigation Schemes)/TSTRANSCO/VS/Hyderabad.  
 PA to Director (Grid Operation)/TSTRANSCO/VS/Hyderabad.  
 PS to Director (HR), TSGENCO/VS/Hyderabad  
 The Chairman & Managing Director/TSSPDCL/ Hyderabad.  
 The Chairman & Managing Director/TSNPDCL/Warangal.  
 All Chief General Managers (HRD)/TSSPDCL & TSNPDCL.  
 The Pay Officer/ The Accounts Officer/CPR/TSTRANSCO/VS/Hyderabad.  
 The Company Secretary/TSTRANSCO/VS/Hyderabad.  
 The Resident Audit Officer, EBCA/TSTRANSCO/VS/Hyderabad.  
 All Asst. Secretaries /TSTRANSCO/VS/Hyderabad.  
 All Sections in P&G Services/TSTRANSCO/VS/Hyderabad.

// FORWARDED BY ORDER //

*P. K. Sankar Reddy*  
 PERSONNEL OFFICER

JMD (Fin, Comml, & HRD)

TSTRANSCO

Inward No. 1237

11 MAR 2019

ED/Fin.  
FA&CGA/  
Dy. CGA/  
Addl. S.P.

CE/  
CGM  
Joint Secy  
Sports Officer

GOVERNMENT OF TELANGANA  
ENERGY (OP) DEPARTMENT

Letter.No.267/OP/2019

Date:02.03.2019



From

The Deputy Secretary to Government,  
Energy Department,  
Telangana Secretariat,  
Hyderabad.

To

The Chairman & Managing Director,  
TS TRANSCO, Hyderabad.(w.e)

The Chairman & Managing Director,  
TSSPDCL, Hyderabad. (w.e)

The Chairman & Managing Director,  
TSNPDCL, Warangal.(w.e)

The Chief Electrical Inspector to Government,  
Hyderabad.(w.e)

Sir,

Sub: ECI -- MODEL CODE OF CONDUCT --Biennial Elections to Telangana  
State Legislative Council - Applicability of Model Code of Conduct --  
Instructions of ECI - Communicated - Reg.

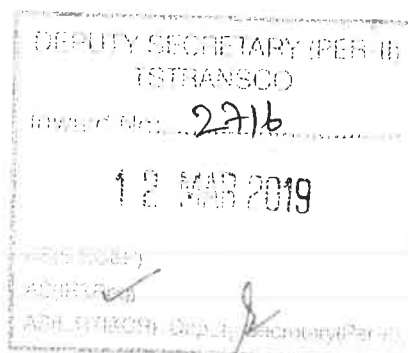
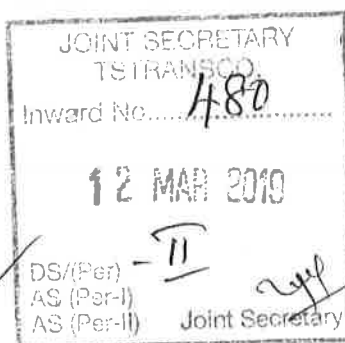
Ref: From the Chief Electoral Officer, Telagana Secretariat, Hyderabad,  
U.O.Note No.1718/Elecs. A1/2019-2, dt:25.02.2019.

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I am to enclose herewith a copy of the reference cited together with its  
enclosures and request you to follow the instructions as directed.

Yours faithfully,

*Y. Varalakshmi*  
for Deputy Secretary to Government



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**ELECTION COMMISSION OF INDIA**  
**Nirvachan Sadan, Ashoka Road, New Delhi-110 001**

**PRESS NOTE**

No. ECI/PN/21/2019

Dated: 24<sup>th</sup> February, 2019

**Subject: Biennial/Bye Elections to the Andhra Pradesh and Telangana Legislative Council -reg.**

The term of office of following sitting members of the Andhra Pradesh & Telangana Legislative Council are due to expire as per the details given below:

ANDHRA PRADESH			
Sl. No.	Name of Constituency	Name of the Member	Date of retirement
1.	East -West Godavari Graduates'	Kalidindi Ravi Kiran Varma	29.03.2019
2.	Krishna-Guntur Graduates'	Boddu Nageswara Rao	
3.	Srikakulam-Vizianagaram-Visakhapatnam Teachers'	Gade Srinivasulu Naidu	
TELANGANA			
1.	Medak-Nizamabad-Adilabad-Karimnagar Graduates'	K. Swamy Goud	29.03.2019
2.	Medak-Nizamabad-Adilabad-Karimnagar Teachers'	Paturi Sudhakar Reddy	
3.	Warangal-Khammam-Nalgonda Teachers'	Poola Ravinder	
4.	Hyderabad Local Authorities'	M.S. Prabhakar Rao	01.05.2019


2. Also, one vacancy in Andhra Pradesh Legislative Council has occurred on 3<sup>rd</sup> October, 2018 due to death of sitting member, Dr. M.V.V.S. Murthi from Visakhapatnam Local Authorities' Constituency. The term of Dr. M.V.V.S. Murthi is up to and including 11.08.2021.

3. Amendment of Delimitation Order of Council Constituencies in Telangana is under process; however, the Commission has decided to conduct the aforesaid elections as per the existing delimitation.

4. Now, the Commission has decided to hold above mentioned Biennial Election to Andhra Pradesh and Telangana Legislative Councils and bye election to the Andhra Pradesh Legislative Council from Visakhapatnam Local Authorities' Constituency, in accordance with the following schedule:

EVENTS		DATES & DAYS
1	Issue of Notifications	25 <sup>th</sup> February, 2019 (Monday)
2	Last date of making nominations	5 <sup>th</sup> March, 2019 (Tuesday)
3	Scrutiny of nominations	6 <sup>th</sup> March, 2019 (Wednesday)
5	Last date for withdrawal of candidatures	8 <sup>th</sup> March, 2019 (Friday)
6	Date of poll	22 <sup>nd</sup> March, 2019 (Friday)
7	Hours of poll	8.00 a.m. to 4.00 p.m.
8	Counting of Votes	26 <sup>th</sup> March, 2019 (Tuesday)
9	Date before which election shall be completed	28 <sup>th</sup> March, 2019 (Thursday)

5. The Model Code of Conduct concerning these elections will come into force with immediate effect in the concerned Constituencies. Please see the details in Commission's website under <https://eci.gov.in/files/file/4070-biennial-bye-elections-to-the-legislative-councils-from-council-constituencies-by-graduates%E2%80%99-and-teachers%E2%80%99-and-local-authorities%E2%80%99-constituencies-%E2%80%93-mcc-instructions-%E2%80%93-regarding/>

  
(PAWAN DIWAN)  
UNDER SECRETARY



भारत निर्वाचन आयोग  
Election Commission of India

निर्वाचन सदन  
NIRVACHAN SADAN  
अशोक रोड, नई दिल्ली - 110 001  
ASHOKA ROAD, NEW DELHI - 110 001

No. 322/ECI/INST/FUNC/BIEN-LC/2016

Dated: 26<sup>th</sup> December, 2016

To

The Chief Electoral Officers

1. Maharashtra, Mumbai,
2. Uttar Pradesh, Lucknow,
3. Bihar, Patna,
4. Karnataka, Bangalore,
5. Andhra Pradesh, Hyderabad,
6. Telangana, Hyderabad.

Subject: Biennial/Bye Elections to the Legislative Councils from Council Constituencies by Graduates and Teachers and Local Authorities Constituencies- MCC- instructions- regarding.

Sir,

I am directed to state that some experience during conduct of elections to Legislative Councils shows that there is lack of clarity with regard to applicability of provisions of Model Code of Conduct in such elections.

2. The Commission constituted a Working Group to examine the matter. The Commission, having considered the report of the Working Group and the matter in its entirety, has directed that all provisions of Model Code of Conduct for the political parties and candidates' shall apply *mutatis mutandis* in Biennial including Bye Elections to the State Legislative Councils from Graduates' & Teachers' Constituencies as well as Local Authorities' Constituencies. Consequently, various instructions issued by the Commission from time to time in clarification of the MCC provisions would also apply for such elections.

3. I am further to say that the following instructions of the Commission which have been issued from time to time to ensure level playing field and also to ensure that a party in power doesn't misuse its position for electoral gains, shall also be applicable in connection with Biennial/Bye Elections to the State Legislative Councils from Graduates' & Teachers' Constituencies as well as Local Authorities' Constituencies (from the date of announcement of election till the date of completion of election).

1 of 5

Tel : 011-23717391-98, Fax: 011-23713412, Website : www.eci.nic.in

“मजबूत लोकतंत्र - सबकी भागीदारी”

Greater participation for a stronger democracy

- I. Ministers, whether Central or State (including Chief Minister) may make official visit to any district(s) in which any Biennial/Bye-election from a Council Constituency is being held subject to the following conditions: -
  - a. They shall not do any inauguration/laying of foundation stones of any educational institution, which are constituents of Graduates' and Teachers' Constituencies.
  - b. Official visit shall not be combined with the election related work/tours.
  - c. There shall be no announcement of new policy programme/ policy likely to influence the graduates, the teachers and members of Local Authorities who form the electorate of the Constituencies going to poll.
- II. No official of any rank of the district(s) dealing with election related work where the biennial/bye elections are being held shall be called to attend any meeting by any Minister at any place, even in another district, where election is not being held. Any official who meets the Minister on his private visit to the constituency where elections are being held shall be deemed to be guilty of misconduct under the relevant service rules, and if he happens to be an officer mentioned in Section 129 (1) of the Representation of People Act, 1951, he shall also be additionally considered to have violated the statutory provisions of that section and liable to penal action provided there under.
- III. No member of any Local Authority which forms part of the electorate of a Local Authorities' Constituency shall be called for any meeting/video conference by any Minister (in his capacity as Minister). Routine meetings of the Local Bodies, when essential, may be held with the prior permission of the District Election Officer of the District concerned.
- IV. No pilot car(s) or other car(s) with beacon lights of any colour or car(s) affixed with sirens of any kind making his presence conspicuous shall be used by any Minister during his private visit to the constituency, even if the State administration has granted him a security cover requiring presence of armed guards accompanying him on tour.
- V. No policy announcement or programme, which influences the electorate either directly or indirectly, shall be initiated in the Government Departments till the completion of elections.

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- VI. On need basis and in consultation with CEO of the state/ECl Observer, the DEO/RO should put in place for every tehsil a special video team to videograph political meeting at public places and to record visits of the Ministers and other important political functionaries. The ECl observer shall see the video recording in the evening of the same day so that he can report any violation to the Commission in prescribed format.
- VII. In case of elections from Local Authorities' Constituencies, the restrictions on "Official Tours" by Central & State Ministers will also be applicable to the use of any "Official Cars" by "Office Bearers" of Local Authorities, like Mayors of Municipal Corporations, Presidents of Municipal Councils & Zilla Parishads. The use of official cars by them shall only be allowed for travel to & from Office to Residence.
- VIII. Public places such as maidans etc. for holding election meetings, and use of helipads for air flights in connection with elections shall not be monopolized by the party in power. Other parties and candidates shall also be allowed to use them on first-cum-first served basis.
- IX. No fresh Sanction of work using the IT Platform to be used depending upon the MP/MLA/MLC schemes for work that would amount to influencing the electorate.
- X. There shall be a total ban on the transfer of Returning Officers and Assistant Returning Officers appointed for Biennial elections/bye-elections to State Legislative Councils after the announcement of elections and this ban will be in force till the completion of elections. The transfer orders in respect of the above officers issued prior to the date of announcement but not implemented should not be given effect to without obtaining the specific permission of the Commission. In those cases, where transfer of an officer is necessary on account of administrative exigencies, the State Govt. may with full justification approach the Commission for prior clearance.
- XI. In order to conduct free and fair elections to keep a check on adverse role of money power and to check the movement of black money during biennial elections/bye-elections to Legislative Council, the Standard Operating Procedure (SOP) issued on 29.05.2015, excepting deployment of Static Surveillance Teams, should be made applicable.



- XII. State and District Media Certification and Monitoring Committee (MCMC) shall be appointed, as prescribed in the Compendium of Instructions on Election Expenditure Monitoring, immediately on announcement of biennial/ bye elections for pre-certification of election advertisements as in case of TV Channels / Cable Network, Radio including private FM Channels, Cinema Halls, Audio-Visual displays in public place and social media and also monitoring the general conduct of political functionaries during campaign.
- XIII. The bulk SMSs/Voice messages on phone in election campaigning shall also be in the purview of pre-certification of election advertisements as in case of TV Channels / Cable Network, Radio including private FM Channels, Cinema Halls, Audio-Visual displays in public place and social media. The legal provisions as applicable to other modes of electronic media shall also be applicable to bulk SMSs/Voice messages.
- XIV. Under Section 29 of the Representation of the People Act, 1951 read with Rule 69 of the Conduct of the Election Rules, 1961, a place of poll is fixed for conducting poll in respect of election to the Council of States and the State Legislative Councils by MLAs. As per Section 135C, "dry-day" is to be declared in Polling Areas and polling area is defined in Section 25 of the Representation of the People Act, 1951, which is applicable to elections from Constituencies i.e. for elections to Lok Sabha, Legislative Assemblies and elections to Legislative Councils from Graduates', Teachers' and Local Authorities' Constituencies.
- XV. The provision regarding prevention of misuse of vehicles and regulation of convoys during campaign period as in the case of elections to House of People / Legislative Assemblies shall be made applicable for Council elections also.
- XVI. Restriction on the presence of political functionaries in a constituency after the campaign period is over i.e., 48 hours before the closure of the poll as in the case of elections to House of People / Legislative Assemblies shall be made applicable for Council elections from Council Constituencies also.

4. In the context of certain queries that have been raised in this connection, it is clarified that:-

- (a) The practice of keeping the electors in hotels/resorts and other similar places during election period would amount to bribing of electors. It is clarified that



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such practice shall be construed as violation of sub Para (4) of Para I-General Conduct of MCC apart from being violation of Section 171 B of IPC.

(b) The phrase 'the rest houses/dak bungalows or other Government accommodation' in paragraph (VII- (iii)) of MCC would also include *Guest Houses* of all institutions that are getting Government assistance in any form of grant-in-aid etc.

(c) With regard to paragraph (VII-(v) & (vi)) of MCC, it is clarified that these would be made applicable only with regard to the Graduates'/Teachers'/Local Authorities' Constituencies where the election is being held.

Kindly inform all concerned including all registered and recognized parties based in your state.

Please ensure compliance.

Yours faithfully,

  
(R. K. SRIVASTAVA)  
SR. PRINCIPAL SECRETARY

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Annexure - 73

ELECTION COMMISSION OF INDIA  
Nirvachan Sadan, Ashoka Road, New Delhi-110001

No. 76/Instructions/EEPS/2015/Vol-II

Dated: 29 May 2015

To

The Chief Electoral Officers of  
All States and UTs

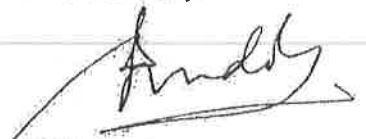
Subject: Standard Operating Procedure for seizure and release of cash and other items  
-regarding

Madam/Sir,

In supersession of Commission's Order No. 76/Instructions/EEPS/2015/Vol. XIX, dated 30<sup>th</sup> December, 2014, I am directed to forward herewith the revised Standard Operating Procedure (SOP) for deployment of the Flying Squads, Static Surveillance Teams etc. and for seizure and release of cash and other items during election process, for necessary action and compliance. (Changes in italics).

2. You are requested to kindly bring it to the notice of all election officials, the Income Tax Department, Police Department and Excise Department for compliance.
3. Kindly acknowledge the receipt of this letter.

Yours faithfully,



(S.K. Rudola)  
SECRETARY

# ELECTION COMMISSION OF INDIA

NIRVACHAN SADAN, ASHOKA ROAD, NEW DELHI-110001

File No. 76/Instructions/EEPS/2015/Vol-II

Dated: 29 May 2015

## Order

Whereas, the Superintendence, direction and control of all elections to Parliament and the Legislature of every State is vested in the Election Commission under Article 324 of the Constitution; and

Whereas, all forms of intimidation, threat, influence and bribing of electors must be prevented in the interest of free and fair election and reports are received that money power and muscle power are being used during election process for inducement of electors by way of distribution of cash, gift items, liquor or free food, or for intimidation of electors by threat or intimidation; and

Whereas, distribution of cash or any item of bribe or use of muscle power for influencing electors are crime under sections 171 B and 171 C of IPC and also are Corrupt Practices under Section 123 of R.P. Act, 1951;

Now, therefore, for the purpose of maintaining purity of elections, the Election Commission of India hereby issues the following Standard Operating Procedure for Flying Squads, constituted for keeping vigil over excessive campaign expenses, distribution of items of bribe in cash or in kind, movement of illegal arms, ammunition, liquor, or antisocial elements etc. in the constituency during election process:

### Flying Squad (FS)

1. There shall be three or more Flying Squads (FS) in each Assembly Constituency/Segment. The FS shall start functioning from the date of announcement of election and shall continue till completion of poll.
2. The Flying Squad shall (a) attend to all model code of conduct violations and related complaints; (b) attend to all complaints of threat, intimidation, movement of antisocial elements, liquor, arms and ammunition and large sum of cash for the purpose of bribing of electors etc.; (c) attend to all complaints regarding election expenditure incurred or authorized by the candidates / political party; (d) videograph with the help of Video Surveillance Team (VST), all major rallies, public meetings or other major expenses made by political parties after the announcement of election by the Commission.
3. In Expenditure Sensitive Constituencies (ESC), there shall be more FSs, depending on the requirement. The FS shall not be given any other work during the period. The names and mobile numbers of the Magistrate as head of the FS and

Other officials in FS shall be provided to the Complaint Monitoring Control Room and Call Centre, RO, DEO, General Observer, Police Observer, Expenditure Observer and Assistant Expenditure Observer. In ESCs, CPF or State Armed Police may be mixed in the FS, depending on the situation and the DEO shall take necessary steps in this regard. The DEO shall constitute the FS with officers of proven integrity.

4. Whenever a complaint regarding distribution of cash or liquor or any other item of bribe or regarding movement of antisocial elements or arms and ammunition, is received, the FS shall reach the spot immediately. In case of suspicion of commission of any crime, the Incharge Police Officer of FS shall seize cash or items of bribe or other such items, and gather evidence and record statement of the witnesses and the persons from whom the items are seized and issue proper Panchnama for seizure as per the provisions of CrPC to the person from whom such items are seized. He shall ensure that case is submitted in the Court of competent jurisdiction within 24 hrs. The Magistrate of the FS will ensure that proper procedure is followed and there is no law and order problem.

5. The Magistrate of the FS shall send a Daily Activity report in respect of items of seizure of bribe or cash to the D.E.O. in a format as per Annexure - A, with a copy to R.O., S.P. and the Expenditure Observers, and shall also send Daily Activity report in respect of model code of conduct violations to RO, DEO, S.P. and General Observer in the format as given in Annexure-B. The S. P. shall send daily activity report to Nodal Officer of Police Headquarter, who shall compile all such reports from the district and send a consolidated report in the same format ( i.e., Annexure - A & B) on the next day by fax/ e-mail to the Commission with a copy to the GEO of the state.

6. The entire proceeding shall be video recorded. The Incharge Officer of FS shall also file complaints/F.I.R. immediately against (i) the persons, receiving and giving bribe; and (ii) any other person from whom contraband items are seized, or (iii) any other antisocial elements found engaged in illegal activity. The copy of the complaint/FIR shall be displayed on the notice board of the R.O. for public information and be sent to the DEO, General Observer, Expenditure Observer and Police Observer. The Expenditure Observer shall mention it in the Shadow Observation Register, if it has links with any candidate's election expenditure.

7. In case, a complaint is received about distribution of cash, gift items, liquor or free food; or about threat/ intimidation of electors; or of movement of arms/ammunitions/ antisocial elements and it is not possible for the FS to reach the spot immediately, then the information shall be passed on to the Static Surveillance Team, nearest to the spot or to the police station of that area, who shall rush a team to the spot for taking necessary action on the complaint. All seizures made by the police authorities either on receipt of complaints forwarded by FS or received independently shall also be reported to the FS which shall incorporate such seizure

reports in its Daily Activity Reports in relevant rows/columns and this is done to avoid duplication of reports of seizure.

8. Each FS shall announce through a Public address system, fitted onto its vehicle, the following in local language in the area under its jurisdiction: "As per section 171 B of Indian Penal Code, any person giving or accepting any gratification in cash or kind during election process, with a view to inducing the person to exercise his electoral right is punishable with imprisonment up to one year or with fine or with both. Further, as per section 171 C of Indian Penal Code, any person who threatens any candidate or elector, or any other person, with injury of any kind, is punishable with imprisonment up to one year or with fine or both. Flying Squads have been formed to register cases against both the giver and the taker of bribe and for taking action against those who are engaged in threat and intimidation of electors. All the Citizens are hereby requested to refrain from taking any bribe and in case, anybody offers any bribe or is having knowledge about the bribe or cases of threat/intimidation of electors, then he should inform on the toll free number of the 24x7 Complaint Monitoring Cell of the district set up for receiving the complaints."

9. As per Commission's instruction No. 23/1/2015-ERS, dated 21-02-2015, Booth Level Awareness Groups (BAGs) formed for purification and authentication of electoral rolls of the booth will also be associated in collecting the evidences of malpractices taking place in their area either by mobile software developed by the Commission or otherwise. Whenever the BAG provides any information, the Flying Squad should reach the spot within shortest possible time and take necessary action and gather corroborative evidences.

10. The DEO shall publish pamphlets quoting the above in English or Hindi or local language and distribute through the flying squad in prominent places. Press release should also be issued by the DEO on the election expenditure monitoring measures.

11. After the announcement of elections, DEO shall make an appeal as mentioned in para 8 above in print and electronic media for the benefit of general public about the monitoring mechanism, which is being put in place during election process.

12. All the vehicles used by the Flying Squads shall be fitted with the CCTV cameras/webcams or shall have video cameras (keeping in view the availability and economic viability) for recording the interception made by the Flying Squads

#### Static Surveillance Team (SST)

1. There shall be three or more Static Surveillance Teams in each Assembly Constituency/Segment with one executive magistrate and three or four police personnel in each team who shall be manning the check post. Depending on the sensitivity of the area, the CPF members will be mixed in the SSTs.



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2. This team shall put check posts at Expenditure Sensitive pockets/hamlets, and shall keep watch on movement of illicit liquor, items of bribe, or large amount of cash, arms and ammunition and also movement of antisocial elements in their area. The entire process of checking shall be *captured in video or CCTV*.

3. The Magistrate of the SST shall send Daily Activity report to the D.E.O. with copy to R.O., S.P. and Expenditure Observer, General Observer, and Police observer in a format as per Annexure -C, on the same day. The S.P. shall send daily activity update to Nodal Officer of Police Headquarter, who shall compile all such reports from the district and send a consolidated report in the same format (i.e., Annexure - C) on the next day by fax/ e-mail to the Commission with a copy to the CEO of the state.

4. The checking by the SSTs shall be done in the presence of an Executive Magistrate and shall be video-graphed. No such checking shall take place without the presence of Executive Magistrate. The video/CCTV record with an identification mark of date, place and team number shall be deposited with the R.O. on the next day who shall preserve the same for verification by the Commission at later point of time. It may also be widely advertised by the DEO that any member of the public can obtain a copy of the video/CCTV record by depositing Rs. 300/-.

5. Whenever Check Posts are put at the borders of the district/State or at any other place by any agency, for any purpose, then the nearest SST shall be present there in such team, to avoid duplication of checking in the area and reporting of seizure of cash or items of bribe has to be done by the SST.

6. Checking by SST on the major roads or arterial roads shall commence from the date of notification of election. The SSTs shall be controlled by the DEO and S.P. in consultation with General Observer and Expenditure Observers and the mechanism shall be strengthened in last 72 Hrs. before the poll, particularly in vulnerable areas or in Expenditure sensitive pockets *and during such period, the SST shall not be dismantled under any circumstances.*

7. 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.*

8. 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.

9. During checking, if there is any suspicion of commission of crime, the seizure of cash or any item shall be done by the incharge Police Officer of the SST as per provision of CrPC in presence of the Executive Magistrate. The Police Officer in charge of SST shall file complaint/FIR in the Court, having jurisdiction, within 24 hours.

10. FS and SST shall be polite, decent and courteous, while checking the baggage or vehicle. The purse held by the ladies shall not be checked, unless there is a lady officer. The FS shall also supervise the functioning and proper conduct of SSTs during checking in their areas.

11. Advance training of FSs and SSTs should be done as per direction of the Commission. The DEO and the SP of the district shall ensure that the teams are constituted and properly trained. The Nodal Officer at the Police Headquarters shall ensure that proper training and sensitisation of the police force in this regard is done.

12. In case of any grievance about the conduct of the FS or SST, the Authority, whom the person can appeal for redressal of grievance on misconduct or harassment shall be the Dy. DEO of the district (in charge of the Expenditure Monitoring Cell).

13. After seizure, the seized amount shall be deposited in such manner as directed by the Court and a copy of seizure of cash, in excess of Rs. 10 lacs shall be forwarded to the Income Tax authority, engaged for the purpose. The DEO shall issue necessary instructions to the treasury units to receive the seized cash beyond office hours and on holidays also, in case it is required.

14. Wherever the FS or SST or police authorities receive information about any suspicious items in their area, including movement of huge amount of cash, they shall keep the respective Law enforcement agencies informed about such items.

15. All the vehicles, used by SSTs and FSs may be fitted with GPRS enabled tracking unit so that timely action by the teams can be monitored.

#### 16. Release of Cash

(i) In order to avoid inconvenience to the public and genuine persons and also for redressal of their grievances, if any, a committee shall be formed comprising three officers of the District, namely, (i) CEO, Zila Parishad/CDO/P.D, DRDA (ii) Nodal Officer of Expenditure Monitoring in the District Election Office (Convenor) and (iii) District Treasury Officer. The Committee shall suo-motu examine each case of seizure made by the Police or SST or FS and where the Committee finds that no FIR/Complaint has been filed against the seizure or where the seizure is not linked with any candidate or political party or any election campaign etc., as per Standard

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Operating Procedure, it shall take immediate step to order release of such cash etc. to such persons from whom the cash was seized after passing a speaking order to that effect. The Committee shall look into all cases and take decision on seizure.

(ii) The procedure of appeal against seizure should be mentioned in the seizure document and it should also be informed to such persons at the time of seizure of cash. The functioning of this committee should be given wide publicity, including telephone no. of the convenor of the Committee.

(iii) All the information pertaining to release of cash, shall be maintained by the Nodal Officer expenditure monitoring in a register, serially date wise with the details regarding amount of Cash intercepted/seized and date of release to the person(s) concerned.

(iv) If the release of cash is more than Rs. 10 (Ten) Lac, the nodal officer of Income Tax shall be kept informed before the release is effected.

(v) All cases of seizure of cash etc., effected by PS, SST or Police authorities shall immediately be brought to the notice of the Committee formed in the District and the Committee shall take action as per para (i) mentioned above. In no case, the matter relating to seized cash/ seized valuables shall be kept pending in malkhana or treasury for more than 7(Seven) days after the date of poll, unless any FIR/Complaint is filed. It shall be the responsibility of the Returning Officer to bring all such cases before the appellate committee and to release the cash/valuables as per order of the appellate committee.

17. It is further informed that the EEMS software for Daily Activity Report, available in the Commission's website may be used for sending the report to the Commission.

By order,

  
(S.K. Rudola)

Secretary

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

Reference No. ....

Name of the Sub-Division .....

Magistrate .....

State .....

Officer .....

Name and Designation of the .....

Name of the Police .....

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		
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 (b) 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

Note:

1. The Officer in charge of the Flying Squad will submit the report for each Flying Squad in this format to the DEO with copy to RO, SP, General Observer and Expenditure Observer.
2. The SP will send the report to the Nodal Officer in State Headquarter after compiling the date for the entire district.
3. The Nodal Officer of State Police HQ will compile the data for the whole state and send the report to Commission with copy to CEO of the State.

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Annexure-B

**Daily Activity Report by Flying Squad on MCC 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
S.No.	Name of constituency district	Name of Complainant	Party Affiliation, if any	Complainant against (Name)	Party Affiliation, if any	Brief Description of MCC violation issue	Action Taken Report (Seizure if any)
1							
2							
3							

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

**Note**

1. The Officer in charge of the Flying Squad will submit the report for each Flying Squad in this format to the SP with copy to RO, DEO, SP, General Observer and Expenditure Observer.
2. The SP will send the report to the Nodal Officer in State Headquarter after compiling the data for the entire district.
3. The Nodal Officer of State Police HQ will compile the data for the whole state and send the report to Commission with copy to CEO of the State.

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**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..... Name 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

**Note:**

1. The Officer in charge of the SST will submit the report for each Static Surveillance Team in this format to the DEO with copy to RO, SP, General Observer and Expenditure Observer and Police Observer.
2. The SP will send the report to the Nodal Officer in State Headquarter after compiling the data for the entire district.
3. The Nodal Officer of State Police HQ will compile the data for the whole state and send the report to Commission with copy to CEO of the State/UT.