

**OFFICE OF THE CHIEF ELECTORAL OFFICER, TELANGANA STATE
South "H" Block, Secretariat, Hyderabad - 500 022**

Memo No. 3843/Elecs.A/A4/2018-1,

Dated:09-11-2018

Sub: Elections –General Elections - 2018 to the Legislative Assembly of Telangana State - Opening of separate bank account for exclusively maintaining Election Expenditure by the candidates – Instructions of the Commission - Communicated - Reg.

Ref:1) From the ECI Letter No. 76/Instructions/2013/EEPS/Vol.IV,
dated.15-10-2013.

2) This office Memo No.1972/Elecs.A/A2/2018-1, Dt: 20.09.2018.

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A Copy of the reference cited is sent herewith to all the Collectors & DEOs in the State of Telangana and also to the Commissioner, G.H.M.C., Hyderabad & DEO of Hyderabad District in the State of Telangana. They are informed that the Commission vide its letter dt.15.10.2013 has issued the following instructions with a view to maintain the purity of election process, facilitating maintenance of correct accounts of election expenses by the candidates and also for their proper monitoring of Election Expenditure.

1. Each contesting candidate is required to open a separate bank account exclusively for the purpose of election expenditure, not later than one day before the date on which the candidate files his nomination papers and the Account Number of this bank account shall be communicated by the candidate in writing to the Returning Officer (RO) of the Constituency at the time of filing of his nomination. All election expenditure shall be made by the Candidate, only from this bank account. The Contesting Candidates are required to deposit the entire amount meant for election expenses in the said bank account irrespective of its source of funding including Candidates own fund and all their election expenses are to be incurred only from the said account by crossed account payee cheque or DD or RTGS/NEFT from the bank account.
2. Where the Contesting Candidate has not opened the bank account or not intimated the bank account number, the RO shall issue a notice to each such candidate to comply with the Commission's instructions. The existing bank account of the candidate should not be used for this purpose as it has to be a separate bank account for election purpose.
3. The Contesting Candidates are also required to ensure that neither their agents and their followers nor they themselves carry cash exceeding Rs.50,000/- (Rupees Fifty Thousand Only) in the constituency during election process, as per direction of Hon'ble Supreme Court in SLP No. CC 20906/2012
4. The District Election Officers are requested to issue suitable instructions to all the banks or post offices located in their districts to ensure that they open dedicated counters for election purpose to facilitate prompt service to the candidates in opening of bank accounts. The banks shall also allow withdrawals and deposits from the said account on priority basis during the election period.

(P.T.O)

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5. The Commission have clarified that if any election expenses are incurred without routing it through the said bank account or not by way of Cheque or Draft or RTGS/NEFT, it will be treated that the Candidate has not maintained the account in the manner prescribed by the Commission. A self-certified copy of the statement of this bank account shall be submitted by the contesting candidate to the DEO concerned along with the statement of the account of election expenditure as required to be filed within a period of 30 days from the date of declaration of results.
2. The District Election Officers are requested to bring these instructions of the Commission to the notice of all the Candidates, Returning Officers, election officials and all concerned during the General Elections to the Legislative Assembly of Telangana State-2018.

DR. RAJAT KUMAR,
CHIEF ELECTORAL OFFICER,
E.O PRL. SECRETARY TO GOVT.

To

All the Collectors & District Election Officers in the State of Telangana State (w.e).
The Commissioner, Greater Hyderabad Municipal Corporation of Hyderabad &
the District Election Officer, Hyderabad District (w.e).

All the Returning Officers in the State (Through the DEOs concerned).

Copy to :

- 1) The Executive, Indian Bank's Association, S.B.I., Bank Street, Kothi, Hyderabad.
- 2) Sri M. Satish, Addl. Director of Income Tax (Inv.) Unit-1 & Nodal Officer from Income Tax Dept., for General Elections to the Telangana State Legislative Assembly -2018 at 8th Floor, Aayakar Bhavan, Basheerbagh, Hyderabad – 500001.
- 3) The Project Manager, IT., O/o. The CEO, T.S. (w.e).
- 4) C.No.1972/Elecs.A/2018.
- 5) Shri Pawan Diwan, Under Secretary, Election Commission of India, Nirvachan Sadan, Ashoka Road, New Delhi – 110001 (w.e).
- 6) S.F/SC.

//FORWARDED::BY::ORDER//

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SECTION OFFICER
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ELECTION COMMISSION OF INDIA

Nirvachan Sadan, Ashoka Road, New Delhi-110001

No.76/Instructions/2013/EEPS/Vol. IV

Dated:15th October, 2013

To

The Chief Electoral Officers
of all States and UTs

Sub: Opening of separate bank account for election expenditure by the candidates— matter reg.

Sir/Madam,

I am directed to state that 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. Reports are received that the candidates are spending excessive amount in election campaign, which disturbs the level playing field and are not showing correct expenses in the day to day accounts of their election expenses. Therefore, for maintaining the purity of election process, facilitating maintenance of correct accounts of election expenses by the candidates and also for their proper monitoring, the Election Commission of India hereby issues the following instructions:

(i) In order to facilitate monitoring of election expenditure, each candidate is required to open a separate bank account exclusively for the purpose of election expenditure. This account can be opened any time only for the purpose of election, not later than one day before the date on which the candidate files his nomination papers. The Account Number of this bank account shall be communicated by the candidate in writing to the Returning Officer (RO) of the constituency at the time of filing of his nomination. Wherever the candidate has not opened the bank account or not intimated the bank account number, the RO shall issue a notice to each such candidate to comply with the Commission's instructions.

(ii) The bank account can be opened either in the name of the candidate or in the joint name with his election agent for the purpose of election expenditure. The said bank account should not be opened in the joint name with any family member of the candidate or any other person, if he/she is not the election agent of the candidate.

- (iii) The bank account can be opened anywhere in the state. The accounts can also be opened in any of the banks including the co-operative banks or in the post offices. The existing bank account of the candidate should not be used for this purpose as it has to be a separate bank account for election purpose.
- (iv) All election expenditure shall be made by the candidate, only from this bank account. All expenses to be incurred by the candidate on electioneering shall be deposited in this bank account, irrespective of its source of funding including candidate's own fund. A self-certified copy of the statement of this bank account shall be submitted by the candidate to the DEO along with the statement of the account of election expenditure as required to be filed within a period of 30 days from the date of declaration of results.
- (v) The candidate(s) shall incur his/her election expenses by crossed account payee cheque, or draft or by RTGS/NEFT from the bank account opened for election purpose. However, if the amount payable by the candidate(s) to any person/entity, for any item of expenditure, does not exceed Rs. 20,000/- during the entire process of election, then such expenditure can be incurred in cash, by withdrawing it from the said bank account.
- (vi) The candidate(s) is required to deposit the entire amount meant for election expenses in the said bank account and all their election expenses are to be incurred only from the said account.
- (vii) The candidate(s) is also required to ensure that neither their agents and their followers nor they themselves carry cash exceeding Rs.50,000/- in the constituency during election process, as per direction of Hon'ble Supreme Court in case of Election Commission Vs. Bhagyoday Jan Parishad and Ors. (SLP No. CC 20906/2012).
- (viii) It is hereby clarified that if any election expenses are incurred without routing it through the said bank account or not by way of cheque or draft or RTGS/NEFT, as mentioned in para (v) above, it will be treated that the candidate has not maintained the accounts in the manner, prescribed by the Commission.
- (ix) The DEOs shall issue suitable instruction to all the banks or post offices located in their districts to ensure that they open dedicated counters for election purpose to facilitate prompt service to the candidates in opening of bank accounts. The banks shall also allow withdrawals and deposits from the said account on priority basis during the election period.

2. I am directed to request you to bring it to the notice of all candidates, election officials and all concerned.

Yours faithfully,

Sd/-

(S. K. RUDOLA)
SECRETARY