

TELANGANA STATE ELECTION COMMISSION
1st Floor, DTCP Building, Opp: PTI Building, A.C. Guards, Hyderabad – 500 004.

CIRCULAR

Cir. No.550/TSEC-ULBs/2015

Dated:04.08.2015

Sub:- TSEC – Elections to Urban Local Bodies – Election Expenses – Separate Bank Account to be opened by each candidate for election expenditure – Instructions - Issued.

Ref:- TSEC Order No.392/TSEC-ULBs/2015, Dt.21.07.2015.

Section 617 B (1) of GHMC Act, 1955 (in respect of Municipal Corporations) and Section 343 ZC (1) of APM Act, 1965 (in respect of Municipalities & Nagar Panchayats) stipulates that every candidate, at any election held under these Acts shall, either by himself/herself, or by his/her election agent, keep a separate and correct account of all expenses incurred in connection with the election, between the date on which the candidate concerned has been nominated, and the date of declaration of the result of the election, both dates inclusive (hereinafter in this order referred to as 'election expenses').

Section 617 B (2) of GHMC Act, 1955 and Section 343 ZC (2) of APM Act, 1965 stipulates that the account of election expenses shall contain such particulars, as may by order, be specified by the State Election Commission.

In the reference cited, the Commission issued detailed instructions on maintenance and scrutiny of accounts of election expenses by the contesting candidate.

In order to facilitate monitoring of election expenditure, the Commission issue the following instructions:

- 1) Each candidate shall open a separate bank account exclusively for the purpose of election expenditure at least one day before the date on which the candidate files his nomination papers and communicate the bank Account Number in writing to the Returning Officer in case of Municipal Corporation and Election Officer in case of Municipality/Nagar Panchayat at the time of filing of his nomination. All election expenditure shall be made by the candidate only from this bank account. All money to be spent on electioneering shall be deposited in this bank account irrespective of its funding from any source including candidate's own fund.

- 2) 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 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.
- 3) The bank account may be opened anywhere in the District concerned. The accounts can 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.
- 4) Wherever the candidate has not opened the bank account or not intimated the bank a/c no., the RO/ EO shall issue a notice to each such candidate to comply with the Commission's instructions. If the separate bank account is not opened before nomination for election expenses or any amount is spent, without depositing the same in the said bank account, it will be treated that the candidate has not maintained the account "in the manner prescribed". But the nomination cannot be rejected on these grounds.
- 5) All election expenditure shall be made by the candidate, only from this bank account. All amounts 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 District Election Authority along with the statement of the account of election expenditure as required to be filed within a period of 45 days from the date of declaration of results.
- 6) The candidate(s) shall incur his/her election expenses by crossed account payee cheque, or draft or by RTGS/DEFT 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.5,000/- during the entire process of election, then such expenditure can be incurred in cash, by withdrawing it from the said bank account.
- 7) 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.
- 8) The candidate(s) shall ensure that neither their agents and their followers nor they themselves carry cash exceeding Rs,10,000/- in the constituency during election process.

- 9) 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 (6) above, it will be treated that the candidate has not maintained the accounts in the manner prescribed by the Commission.
- 10) The District Election Authorities shall 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.

The Returning Officer / Election Officer shall bring the above instructions to notice of the contesting candidates.

(BY ORDER AND IN THE NAME OF THE STATE ELECTION COMMISSIONER)

**Sd/-M. Ashok Kumar
Secretary**

To

All the Returning Officers of Municipal Corporations.
All the Election Officers of Municipalities / Nagar Panchayats.
The Commissioner & Spl. Officer & Election Authority, GHMC.
All the Collectors & District Election Authorities.

Copy to the Commissioner & Director of Municipal Administration, Telangana, Hyderabad.

All the Commissioners of Municipal Corporations and Municipalities / Nagar Panchayats.
All the Deputy Commissioners of GHMC.
All the Observers through Collectors & District Election Authorities.

// ATTESTED //

K. Jaganmohan Reddy
JOINT DIRECTOR
4/8/15

