

ELECTION COMMISSION OF INDIA

Nirvachan Sadan, Ashoka Road, New Delhi-110001

No. ECI/PN/ 11 /2011

Dated: 28th January, 2012

Press Note

Sting Operation by "India TV"

Commission's attention has been drawn to a sting "Operation MLA" that was telecast in India TV on 26.01.2012 in which it was alleged that some of the candidates belonging to various political parties are procuring bribe from the corporates, allegedly for the purpose of their election expenditure in the forthcoming Uttar Pradesh Assembly elections. It was also telecast that such persons aspiring to be candidates from various political parties have admitted that their election expenditure will be between one to three crore rupees which includes expense in the name of dummy candidates, liquor for the electors and other expenses. The Commission has taken serious note of the contents of this sting operation and called for the transcript. After considering the transcript, the Commission has taken the following decisions and measures:

1. Any attempt to obtain or procure gratification for exercising any electoral right, including right to stand or not to stand at election, is offence of bribery under IPC. Therefore, the DEOs have been asked to file complaint against the persons who were seen to be involved in such acts for the offence. (If convicted by the court, it may result in imprisonment up to one year or fine, including disqualification for continuing as MLA, if elected, and also from contesting any election in future).
2. The Commission has reiterated its appeal to all the political parties, whose functionaries are named in the sting operation, to inquire into the matter and advise all their functionaries to refrain from such activities in the current elections.

3. The Commission has reiterated its stand that such bribery under the IPC should be made a cognizable offence. The Commission has once again approached the government to pass an ordinance to make suitable changes in the law, as the matter is quite serious.

4. Besides the above, the Commission has given strict instructions to all election officials in Uttar Pradesh that any such attempt to bribe any elector during election process should be dealt with firmly. The entire liquor production, sale and distribution shall be monitored everyday and any illicit liquor shall be seized. Movement of unaccounted cash in the constituency is to be monitored and seized. If any person raises funds in cash as mentioned in the sting operation, the Income Tax department has been alerted to deal with such donors firmly and investigate about the source of such bribe money.

(Yashvir Singh)
Director