

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

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No. 464/KT-LA/2013

Dated: 30<sup>th</sup> April, 2013

To

Shri Satish Chandra Misra  
Member of Parliament, Rajya Sabha  
National General Secretary, BSP,  
C-1/11, Humayun Road  
New Delhi

Subject: Checking of baggage of President, BSP on 27.04.2013 at PWD  
Helipad, Gulbarga, Karnataka.

Reference: Your letter dated 29<sup>th</sup> April 2013, addressed to the Chief Election  
Commissioner of India.

Sir,

Kindly refer to your above cited letter. I am directed to inform that the checking is done as per the standing instructions of Election Commission of India contained in letter no. 76/instructions/2013/EPS/Vol-1, dated 21-03-2013. The instructions on election expenditure monitoring were issued for the first time on the eve of General Election to the Legislative Assembly of Bihar in 2010. Subsequently in all-party meeting held on 04.10.2010, the Commission's actions to curb misuse of money power were appreciated and all political parties asked the Commission to control firmly the abuse of money power during future elections. The copies of the instructions were issued to all political parties including Bahujan Samaj Party.

2. During the visit of the Commission to Karnataka on 1<sup>st</sup> March 2013 and 8<sup>th</sup> April 2013, all political parties had also represented to the Commission about the possibility of misuse of money power in forthcoming elections in Karnataka and had requested the Commission to take strict measures for its prevention. Therefore, Commission fine-tuned its earlier instructions and issued election expenditure monitoring guidelines for the State of Karnataka, which were duly sent to all political parties in Karnataka. The Commission had also reiterated its appeal to all political parties vide its letter dated 09<sup>th</sup> April 2013 requesting them to avoid transactions in

cash during the election process and to advise their office bearers, officials, agents and candidates not to carry huge cash during the ongoing process of elections.

3. It may also be mentioned here that these instructions are in consonance with the order of Hon. Supreme Court of India, dated 30-11-2012 in CC No. 20906/2012 (Election Commission Vs. Bhagyodaya Jana Parishad and others). According to these instructions, during checking, if any cash exceeding Rs.50,000/-, inter alia, is found with a candidate, his agent, or party worker, such cash shall be subject to seizure. The whole event of checking and seizure is to be video graphed. These instructions were given wide publicity in local print and electronic media and a copy of these instructions was also given to all recognized political parties in Karnataka including your party.

4. It may also be noted that as per the Standard Operating Procedure (SOP), issued by Bureau of Civil Aviation Security, all passengers excepting those who are specified in the exempted category as per rules (list enclosed), shall be subject to screening/ checking even at remote/uncontrolled airports by Police authorities of the State/UT in coordination with pilot of the aircraft. It may be mentioned that leaders of all political parties are being checked in Karnataka as per law, without any discrimination. The Commission has always appreciated the cooperation of the senior leaders in controlling the misuse of money power in elections.

5. I am further directed to say that Commission has seen the CD of video recording of the checking mentioned in your letter. The Commission found that the officers performed their duty with utmost courtesy, politeness and impartiality. The Commission also noted that during checking of the handbag of Ms. Mayawati, certain amount of cash was found in her possession and the officers were unable to complete the process of counting of that money. As the process was not complete, the officers had to repeat the checking for the second time at the venue of meeting. It may also be noted that when Ms. Mayawati gave the explanation that only Rs. 50,000/- out of Rs. 1,00,000/- said to be in her possession during checking, belonged to her and the remaining amount belonged to the General Secretary of the party (i.e. yourself), no seizure of the cash was done by the checking team. It may be noted here that strict checking by various teams in the manner instructed by the Commission has already resulted in the seizure of cash of Rs.13.08 crores in

Karnataka so far since the election process started and this money would certainly have disturbed the level playing field and purity of election process.

6. However, the points raised in your letter for suitable modification of the extant guidelines are noted by the Commission for further action.

7. The Commission has also noted with concern that the instruction of not using red beacon lights in vehicles used by campaigners, was also violated in Karnataka on the day mentioned in your letter.

8. As far as the alleged press statement of Chief Electoral Officer of Karnataka is concerned, I am directed to say that he only reacted to questions asked by the press and he had no malafide intention as mentioned in your letter.

9. I am further directed to request you to extend all cooperation with the efforts of the Commission to contain the malaise of misuse of money power during elections.

Yours faithfully,

(Tapas Kumar)  
Principal Secretary