

**Standard Operating Procedure for Virtual Account Reconciliation Meeting, DEMC Meeting followed by Preparation of DEO's Scrutiny Report on Election Expenses of Contesting Candidates**

In exercise of the power conferred on it by Article 324 of Constitution and Section 20B of the Representation of the People Act, 1951, the Commission has deployed Expenditure Observers during General Elections to Legislative Assemblies of Assam, Kerala, Tamil Nadu, Puducherry and West Bengal, 2021 and some bye-elections announced by the Commission.

2. In pursuance of Commission's instructions laid down in its letter no. 76/Instructions/EEPS/2015/Vol. II, dated 29<sup>th</sup> May 2015, (Annexure-C11 of Compendium of Instructions on Election Expenditure Monitoring- August, 2020), Account Reconciliation Meeting is to be convened by District Election Officers on 26<sup>th</sup> day after declaration of election results in which the candidates have been provided opportunity to reconcile the issue regarding election expenses which arose during electioneering in which EO, other members of District Election Monitoring Committee (DEMC), candidates/their agents are required to be present. Keeping in view of the widespread on-going Covid 19 pandemic situation, the Commission has decided that EOs shall make their presence by way of VIRTUAL MEETING in the District assigned to them and attend the Account Reconciliation Meeting to assist the DEO concerned in preparation of DEO's Scrutiny Report as per following SOP:

**SOP to be followed by Expenditure Observer**

- Expenditure Observers (EO) will attend Account Reconciliation Meeting (On 26<sup>th</sup> Day of declaration of result) and DEMC Meeting (if necessary and required) virtually on pre decided date by the DEO which shall be communicated on email id or any other mode of communication to them by the DEO concerned. Link shall be shared by the DEO concerned in advance. EO shall confirm their presence to them on email id or any other mode of communication.
- Expenditure Observers will be on deputation with the ECI from the date of Account Reconciliation Meeting (26<sup>th</sup> day after declaration of results) till 31st day of declaration of results to assist and provide comments on DEO's Scrutiny report.
- Expenditure Observers will put in their comments duly signed on a separate sheet as under and communicates the same duly scanned to be incorporated in DEO's Scrutiny Report (Row-23 of Annexure-C3) through e-mail or any other mode. Minutes will be drawn by the office of DEO concerned.

(i) *Name of Election:-*

(ii) *Name of the District:-*

(iii) *Name of AC/PC:-*

(iv) *Name of the Candidate:-*

(v) *Comments, if any:-*

*(Row 23 of the DEO's Scrutiny Report Annexure-C3 of the Compendium on EEM, August, 2020)*

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*(Signature with date)*

*Name of the Expenditure Observer*

- After completion of Account Reconciliation meeting followed by the comments on DEO's Scrutiny Report in respect of each candidate, Expenditure Observers shall submit Expenditure Observer Report-IV in Observer Portal and upload signed copy.

### **SOP to be followed by District Election Officers**

- All necessary arrangements for virtual meeting relating to Account Reconciliation Meeting on pre-decided date & time on 26<sup>th</sup> day of declaration of results and DEMC Meeting (as per Annexure C-7 of the Compendium, if found necessary) shall be made by the DEO concerned.
- Link shall be shared to the Expenditure Observer with due confirmation.
- After Account Reconciliation Meeting and DEMC Meeting (if required), the DEO shall prepare the DEO's Scrutiny Report in Annexure C-3 of the Compendium of Instructions on Election Expenditure Monitoring- August, 2020 and before sending to the CEO will ensure that comments of EO duly signed and scanned on a separate sheet by the EO concerned is incorporated.
- DEO shall submit DEO's Scrutiny Reports in the prescribed format issued by the Commission vide its letter no. 76/Instructions/2015/EEPS/Vol. XIV, dated 2<sup>nd</sup> June, 2016 (Annexure-C3) through O/o the Chief Electoral Officer within 45 days of declaration of result.

- Scanned copy of the Abstract Statement (Part I to Part IV and Schedule 1 to 10) lodged by the candidate as issued by the Commission vide its letter no. 76/ECI/INST/FUNC/EEM/EEPS/2019/Vol. XVII, dated 8<sup>th</sup> May, 2019 received during election process, and list of candidate, who have not lodged the account within the stipulated period of 30 days from the date of declaration of result, shall be uploaded on website of CEO/DEO under single caption, namely “General Election to the Legislative Assembly of 2021 (Name of the State)-Candidates’ Election Expenditure” or “Bye-election to Parliamentary Constituency/Assembly Constituency of (name of the State), 2021 -Candidate’s Election Expenditure”, within 3 days of lodging of such account by the candidate.
- In cases of delay in filing of accounts, not exceeding 15 days from the due date, the DEO concerned shall suo-moto issue a notice to the candidate calling for explanation for the delay. The reply of the candidate will be examined by the DEO concerned and the copy of notice and reply of the candidate shall be forwarded, if any, to the Commission, along with comment.
- The Commission has developed a new data entry portal for online filing of the DEO’s Scrutiny Report in respect of the contesting candidate. The online form contains the same columns as the physical format of DEO’s Scrutiny Report. The data entry portal can be accessed by visiting the link <https://encore.eci.gov.in>. Steps to be followed are enclosed. It is to be ensured that data is entered online within 3 days of finalisation of DEO’s Scrutiny Report. In case of any clarification the URL <https://support.ecitech.in/support/login> may be visited.

#### **SOP on Exchange of communication between DEO & EO**

- All cases of inconsistencies relating to election expenses of candidates noticed during inspection or/and to be discussed in ARM should be communicated to the EO as agenda of ARM by 22.05.2021 on email id of EO
- Minutes of the ARM or/and DEMC Meeting and DEO’s Scrutiny Report, Summary Report shall be communicated to the EOs by the DEO and wherever signatures of EO is required, the EO would take a print out, put a signature, scan and communicate it to the concerned DEO through e-mail/fax on the same date.
- The hard copy of reports relating to ARM, DEMC and DEO’s Scrutiny Report comments where EO has put a signature should be sent to the o/o the DEO by post.
- After comments in DEO’s Scrutiny Report, the EO shall upload their independent report (Expenditure Observer Report-IV) on EXP OBS Portal of the ECI.

**SOP to be followed by Chief Electoral Officers:**

- CEO shall appoint a Nodal Officer for proper co-ordination among all (DEO, EOs etc.) for Virtual Account Reconciliation Meeting and DEMC Meeting (If required).
- Receipt of DEO`s Scrutiny Report with due comment communicated to the DEO by the EOs shall be sent to the Commission within 45 days of declaration of result with due categorisation as instructed vide Commission`s letter no. 76/ECI/INST/FUNC/EEM/EEPS/2019/Vol. III, dated 9<sup>th</sup> July, 2019.
- The Nodal Officer at the O/o the CEO will co-ordinate with DEOs & EOs etc. concerned and submit a report on arrangement of the virtual meeting to the Commission on 24<sup>th</sup> May, 2021 in the format annexed herewith.
- Name and contact details of the Nodal Officers shall be shared with Commission.

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**Annexure for CEO**

1. Whether the Logistic for Virtual Meeting (the Account Reconciliation Meeting/DEMC Committee meeting) are in place with all the DEO:(Yes/No)
2. If No, please specify:
3. Whether the DEOs have communicated the Date of Account Reconciliation Meeting to the Candidates and EOs:
4. Whether all DEOs have communicated the link to EOs for Virtual Meeting:
5. If No, please specify:
6. Any other issue which requires Commission`s attention:

**Schedule for Account Reconciliation Meeting, DEMC meeting, Notice, finalisation of DEO's Scrutiny Reports, etc.**

| Sl. No. | Events  | Date and Process of Online Meeting through VC mode  |
|---------|---|---|
| 1.      | Date of Declaration of Results  | 02.05.2021 ( Already over)  |
| 2.      | Date of Account Reconciliation Meeting  | <ul style="list-style-type: none"> <li>• Keeping in view of issue related with accounts of considerable number of candidates and multiple constituencies assigned to an EO, virtual Account Reconciliation Meeting may be organised w.e.f. <b>25.05.2021 to 27.05.2021</b> and issuance of notice, if necessary on the same date.</li> <li>• The concerned DEO shall prepare the slotting of the meetings and inform 3 days in advance by <b>22.05.2021</b> regarding dates &amp; time to candidates/agents and other concerned election officials associated with Election Expenditure Monitoring (AEO etc.) with proper compliance of Covid guidelines prevailing in the States/UT and issued from the Commission.</li> <li>• If any issue regarding election expenditure of candidate came across during electioneering, the same may be communicated by the DEO to candidate concerned in consultation with EO, AEO etc. by 22.05.2021.</li> <li>• Platform like NIC etc. may be used by DEOs &amp; EOs for smooth conduct of the virtual meetings.</li> <li>• Online training of EOs, DEOs and Officials involved is being conducted on 17.05.2021.</li> </ul> |
| 3.      | Date of DEMC Virtual Meeting, if necessary  | 30.05.2021  |
| 4.      | Last date for lodging of accounts of election expenses by contesting candidates with DEO concerned with all rectification if necessary on part of candidate.          | 01.06.2021 [within 30 days of declaration of result u/s 78 of the R. P. Act, 1951]  |
| 5.      | Date by which Summary and DEO's Scrutiny Report in Annexure-C3 shall be prepared by the DEO incorporating the comments of the EO in Row `23` of DEO's Scrutiny Report | By 02.06.2021   |
| 6.      | Date of forwarding DEO's Scrutiny Reports along with Summary Report by the DEO to the CEO concerned   | By 09.06.2021 [i.e. by 38 <sup>th</sup> day of declaration of result]   |
| 7.      | Date of reaching DEO's Scrutiny Reports along with Summary Report from DEO through CEO to ECI   | By 16.06.2021 [i.e. by 45 <sup>th</sup> day of declaration of result]   |