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Decode Politics: As searches of Rahul Gandhi and Abhishek Banerjee's choppers stir up a storm, what do EC rules say?

An IAS officer was suspended by EC for ordering search of PM Modi's helicopter ahead of 2019 polls, which was later revoked following CAT's ruling

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Election Commission's Flying Squad officials searching the helicopter by which Congress leader Rahul Gandhi arrived in the Nilgiris, Tamil Nadu. (PTI)

With barely three days to go for the first phase of the Lok Sabha elections, some Opposition leaders' helicopters have been in the news as they have been searched by authorities in the last few days. Helicopters are often used by politicians to hop from one place to another during their poll campaigning.

The Opposition has alleged that these searches were conducted at the behest of the Centre to harass them, even as sources in the Election Commission (EC) say they have been **carried out in accordance with the poll panel's standard instructions** aimed at preventing the transport of cash and freebies via airfields and helipads since the Model Code of Conduct (MCC) has been in force.

What have TMC and Congress alleged?

Trinamool Congress (TMC) national general secretary and its candidate from the Diamond Harbour Lok Sabha seat in [West Bengal](#), Abhishek Banerjee, said on Sunday that his chopper was searched by the Income Tax (I-T) department officials. The TMC alleged that the I-T officials found nothing but threatened to ground the

chopper and forced Banerjee's security personnel to delete the video of their search. The I-T officials have denied these charges.

On Monday, top Congress leader and [Wayanad](#) MP [Rahul Gandhi](#)'s helicopter searched by the EC's flying squad officials upon its arrival in Nilgiris in [Tamil Nadu](#). Senior Congress leader Jairam Ramesh hit back, saying the party has no problem with the poll panel checking the Wayanad MP's helicopter, but there should be a level-playing field. "The EC must also check the choppers being used by Prime Minister [Narendra Modi](#) and Union Home Minister [Amit Shah](#)," Ramesh told a press conference.

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What do EC guidelines say?

In the run-up to the announcement of the elections, the EC held meetings with various enforcement agencies, including those tasked with the security of airports and helipads, and issued guidelines to ensure strict compliance with the rules.

The EC does not mandate prior permission for take-off or landing of chartered aircraft and helicopters at commercial airports. However, the Air Traffic Control (ATC) is required to inform the state's chief electoral officer (CEO) and the district electoral officer (DEO) about the movement of chartered planes and helicopters "as early as possible, preferably half an hour in advance".

The ATC is also mandated to keep a record of all chartered flights including the time of take-off/landing, passenger manifest and route plan.

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The EC guidelines mandate the baggage on such flights to be screened by the personnel of the Central Industrial Security Force (CISF) or police “without any relaxation”. These personnel are mandated to inform the I-T department if cash over Rs 10 lakh or bullion weighing more than a kilogram are found in the baggage.

What are EC rules for non-commercial helipads and airports?

The EC-constituted flying squads or the police, in coordination with the pilot, are tasked with screening or physically checking all baggage on the aircraft, except the hand-held purses of women passengers, at the non-commercial helipads and airports.

The poll panel mandates the candidate or political party to make an application to the DEO concerned at least 24 hours before the scheduled arrival of the aircraft/helicopter to ensure adequate security arrangements.

According to the EC guidelines, any currency valued more than Rs 50,000 belonging to the candidate or party functionaries on any flight is liable to be investigated and considered for seizure. “However, it is clarified that frisking of body of any passenger shall not be done at the time of disembarkation at such remote uncontrolled airports/helipads, unless there is specific information about

unauthorised arms or contraband goods, etc, being carried by the person," the guidelines state.

Have leaders' aircraft been searched during past polls?

The frisking of leaders and checking of their choppers have led to controversy the past too. Ahead of the 2019 Lok Sabha elections, Mohammed Mohsin, a [Karnataka](#)-cadre IAS officer, in the capacity of an election observer, had ordered the search of PM Modi's helicopter in [Odisha](#).

The EC subsequently suspended Mohsin and argued that as the PM's security was handled by the Special Protection Group (SPG), he was exempted from such checks. However, the Central Administrative Tribunal (CAT) stayed his suspension while observing that "it cannot be said that SPG protectees are eligible for anything and everything". The poll panel later revoked Mohsin's suspension.

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