

STATE ELECTION COMMISSION, HARYANA  
NIRVACHAN SADAN, PLOT NO. 2, SECTOR 17  
PANCHKULA

ORDER

No.SEC/3ME/2013/3279

Dated:-17.06.2013

As per provisions contained in Section 13 D and 13 E of Haryana Municipal Act, 1973, every contesting candidate of Municipal Council has to maintain an account of his election expenses from the date of nomination filed till the declaration of result. The State Election Commission, Haryana, vide its notification No. SEC/4ME/2006/9706, dated 19.12.06 has fixed the time limit of 30 days from the date of declaration of the result of the election for filing/lodging account of election expenses with the Deputy Commissioner or any other officer prescribed by the Commission. The election expenditure limit of Rs.50,000/- for the contesting candidate of the Municipal Council has been prescribed by the Commission vide notification No. SEC/3ME/2003/10216, dated 24/10/2003. If a candidate does not file election expenditure statement within the prescribed time limit or makes expenditure beyond prescribed expenditure limit could be disqualified by the State Election Commission, Haryana for a period of three years.

2. The General Elections to Municipal Council, Narwana, District Jind were held on 20.05.2010 and the results were declared on the same day. Therefore, election expenses account were required to be filed by 19.06.2010. The following twelve candidates failed to file/ lodge account of their election expenses within the prescribed period after the declaration of result:-

Sr. No.	Name of candidate	Father/ Husband Name S/Sh./Smt.	Ward No.
1	Mukesh Devi	Parwan Khan	1
2	Jagmal	Jhanda Ram	3
3	Baldev	Bhartha	3
4	Raj Bala	Ram Niwas	4
5	Ishwar	Om Parkash	10
6	Anupam	Ram Sawrup	11
7	Ashwani	Krishan Kumar	12
8	Promila	Ved Parkash	14
9	Pardeep	Om Parkash	16

10	Om Parkash	Ram Gopal	18
11	Ganga	Ujagar	18
12	Surender	Ganga Ram	18

3. A show cause notice was served upon them to explain as to why they should not be disqualified on account of non submission of election expenses account within the prescribed period. Undersigned had also given them personal hearing on 28.01.2013 in the court room of Deputy Commissioner, Jind. Sh. Dalbir Singh, HCS, Sub Divisional Officer (Civil), Jind represented the Deputy Commissioner during the hearing. Five (at Sr. No. 3, 6, 8, 9 and 10) candidates amongst them appeared for personal hearing and submitted the following submissions :-

- i) The candidate at Sr. No.3 had stated that he could not submit the expenditure details as he did not know about it. He had submitted expenditure register during the hearing.
- ii) The candidate at Sr. No.6 had stated that he could not submit the expenditure details because he did not know about it. He assured to be careful in future.
- iii) Three candidates at Sr. No. 8, 9 and 10 had stated that they had submitted expenditure details with the Municipal Council, Narwana, but the official concerned did not issue any receipt to them.

4. The remaining seven candidates at Sr. No. 1, 2, 4, 5, 7, 11 and 12 were neither present nor submitted any reply during the hearing.

5. After personal hearing, the order was reserved. Vide this order, the show cause notices are being decided.

6. From the records and on the basis of the submissions made during the hearing one candidate at Sr. No. 3 has deposited his election expenditure statement after the prescribed time. On perusal of record of the case and hearing of the candidates mentioned above, it has been observed that the candidates are generally not aware of the procedure of filing the election expenditure statement and consequently they do not submit such statement in time. Most of them have submitted expenditure account after receipt of show cause notices. Therefore, in view of the above and taking a lenient view in the matter, the candidate at Sr. No.3

is hereby exempted from filing election expenditure statement beyond the prescribed time and warned him not to repeat such lapse in the future.

7. In respect of candidates at Sr. No. 8, 9 and 10, who have stated that they had already submitted their expenditure statement to the officer of Municipal Council, Narwana, Deputy Commissioner, Jind is directed to conduct an enquiry in this regard and send a report within a month. Decision would be taken after the receipt of the report from the Deputy Commissioner.

8. The Remaining seven candidates at Sr. No. 1, 2, 4, 6, 7, 11 and 12 of para 2 have neither submitted statements of expenditure nor gave any reply to the show cause notice. Therefore, it can be concluded that they have nothing to say in the matter. Accordingly, they are disqualified for a period of three years from the date of this order.

9. The office is directed to send a copy of the order to all concerned and also get it notified in the Haryana Government Gazette.

Dated , Panchkula  
the 14th June, 2013

DHARAM VIR  
State Election Commissioner, Haryana

Endst.No. SEC/3ME/2013/3280-3296

Dated:- 17.06.2013

A copy is forwarded to the following for information and necessary action:-

1. The Principal Secretary, Haryana Government, Urban Local Bodies Department, Haryana.
2. Director, Urban Local Bodies Department, Haryana, Chandigarh .
3. Deputy Commissioner, Jind with the request to conduct an inquiry in the matter whether the candidates mentioned at Sr. No. 8, 9 and 10 have submitted their election expenditure statement in the Municipal Council, Narwana. The inquiry report be sent to the Commission within one month.
4. Secretary, Municipal Council, Narwana, District Jind.
5. All the concerned candidates.
6. The Controller, Printing & Stationery Department, Haryana with the request to notify these orders in the Haryana Govt. Gazette and supply five copies of this publication to the Commission.

(Subhash Mehta)  
Secretary  
State Election Commission, Haryana.