

# STATE ELECTION COMMISSION, HARYANA,

Nirvachan Sadan, Plot No.2, Sector-17,Panchkula

## NOTIFICATION

No.SEC/3E-III/2010/7861

Dated: 26/11/2010

In exercise of the powers vested under clause (1) of Article 243K of the Constitution of India and under Rule 24 of the Haryana Panchayati Raj (Election) Rules, 1994 and all other powers enabling me in this behalf and in pursuance of provisions contained in Sub-Section(1) of Section 161 and Sub-Section(2) of Section 211 of the Haryana Panchayati Raj Act, 1994, I Dharam Vir, State Election Commissioner, Haryana hereby prescribe the time schedule for conduct of Panchayat Bye-elections for the remaining term to fill up the seats of Panches, Sarpanches and Members of Panchayat Samitis fallen vacant due to various reasons, the detail of which is given in Annexure- "A" attached herewith. The time schedule as prescribed by the Commission given below:-

### TIME SCHEDULE

(a)	Date on which notices shall be published by District Election Officers (Panchayat) in Form 2 or 3, as the case may be, for inviting nominations under rule 24 of the Haryana Panchayati Raj Election Rules, 1994	01.12.2010 (Wednesday)
(b)	Period of making nomination under rule 24(a).	02.12.2010 (Thursday) to 04.12.2010 (Saturday) (10.00AM to 04.00 PM)
(c)	Date by which information shall be furnished by the candidate that he/she is not suffering from any disqualification in the format prescribed, to the Returning Officer (Panchayat)	06.12.2010(Monday) <b>Before 10.00 AM</b>
(d)	Date of Scrutiny under rule 24 (b)	06.12.2010 (Monday) From 10.00 AM to 04.00 PM
(e)	Date of Withdrawal under rule 24(c)	08.12.2010 (Wednesday) (Upto 04.00 PM)
(f)	Preparation of list of contesting candidates under rule 32 and allotment of symbol for elections under rule 33	08.12.2010(Wednesday) (immediately after the expiry of the period of withdrawal of candidature)
(g)	Date of Poll( if required) under Rule 24(d)	15.12.2010 (Wednesday) (8.00AM to 4.00PM)

## 2. Counting of votes

(i) For elections to Panches & Sarpanches immediately after the close of Poll.

(ii) For elections to Members of Panchayat Samit the counting shall be held on 16.12.2010 at 8.00 A.M. except where re-poll is recommended by the District Election Officer (Panchayat) at Block Headquarter at the places to be specified by the District Election officer (Panchayat).

3. The District Election Officers (Panchayats), shall by notice in Form 2 or 3, as the case may be, specify the above programme i.e. (i) last date, time and place of making nominations; (ii) the date, time and place for scrutiny of the nomination papers (iii) date and time for withdrawal of candidature (iv) preparation of list of contesting candidates and allotment of symbol (v) the date and time during which the poll will be held and (vi) the date, time and place of counting of votes in accordance with the provisions contained in sub rule (a), (b) and (e) of Rule 24 of the Haryana Panchayati Raj (Election) Rules, 1994 and will send a copy of the notice to the Commission by fax.

5. The State Election Commission further directs that nominations papers for the election to members of Gram Panchayats and Sarpanches of Gram Panchayat shall be filed and received at Gram Panchayat Head Quarters by the Returning officer(Panchayat)/Assistant Returning Officer(Panchayat), and nomination papers for the members of Panchayat Samitis shall be filed and received at Block Headquarters by the Returning Officer (Panchayat Samiti)/ Assistant Returning officer (Panchayat Samiti). **The work of scrutiny of nomination of nomination papers should not be delegated to the concerned Assistant Returning Officer.**

6. The State Election Commission also directs that the Returning Officer(Panchayat)/Returning officer(Panchayat Samiti) shall supply copies of the prescribed forms i.e. regarding criminalization in politics to the contesting candidates which will be given to Returning Officer by the concerned Deputy Commissioners. A contesting candidate for the office of Panches and Sarpanches would be required to make declaration on plain paper in the prescribed proforma annexed with the nomination paper. For the office of Member Panchayat Samiti, a candidate would be required to file an affidavit on non-judicial stamp paper/document paper (pakka paper) duly sworn in before a 1<sup>st</sup> Class Magistrate or Notary Public or an Oath Commissioner appointed by the Hon`ble High Court or before the Sub-Divisional Officer(Civil)/Tehsildar/Naib Tehsildar (conferred with the powers of Executive Magistrate) having jurisdiction of the area.

7. The State Election Commission further directs that at the time of receiving nomination papers, the Returning Officer(Panchayat)/Returning officer(Panchayat Samiti) shall issue a copy of the prescribed proforma of the affidavit to be furnished by the candidate that he/she is not suffering from any disqualification, making it clear to the candidate that he/she is required to submit this affidavit in the prescribed format. The Returning Officer(Panchayat)/Returning officer(Panchayat Samiti) shall also obtain a dated receipt in the prescribed form for issuing the copy of the proforma for affidavit and retain the same with the nomination papers.

8. The State Election Commission further directs that immediately after the withdrawal of candidature, the concerned Returning Officer shall prepare a list of contesting candidates in the prescribed forms i.e. in form 6,7 and 8 (as the case may be) and shall mention the symbol allotted to the contesting candidates against his/her name at column No. 4. After the allotment of symbol, the signature of the contesting candidates or his election agent should be obtained in the prescribed format in token

to the fact that the candidates have been informed about the symbol allotted to him/her.

9. The State Election Commission further directs that the concerned Returning Officers shall also consider the nomination papers of those candidates who had filed their nomination earlier for contesting the General Elections of the Panchayati Raj institutions held on 06.06.2010, 12.06.2010, 06.07.2010 and 10.07.2010, but the elections of those seats have not been completed due to countermand before the commencement of poll. Such contesting candidates need not to file their nomination again. However, they will be at liberty to withdraw their nomination, if so desired. The candidate shall also be informed in writing and signatures be obtained in this regard.

10. The State Election Commission further directs that if there is any stay order passed by any competent authority or Court against these vacancies, then the election to that seat shall not be held.

By order.

Dated, Panchkula  
The 26th November, 2010

PURAN MAL  
Secretary  
State Election Commission, Haryana

Endst. No.SEC/3E-III/2010/7862

Dated: 26/11/2010

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

1. Chief Secretary to Govt. Haryana, Chandigarh.
2. Financial Commissioner & Principal Secretary to Government Haryana, Development & Panchayat Department, Chandigarh.
3. All Divisional Commissioners.
4. Director, Development & Panchayat Department, Haryana, Chandigarh.
5. All Deputy Commissioners-cum-District Election Officers (Panchayat) in the State for information and further necessary action. They are requested to ensure the compliance of the schedule notified above. It may also be ensured that datewise compliance report reaches to the Commission by fax. They are further requested to appoint Returning Officers/Assistant Returning Officers and also publish the list of polling stations as per provisions of the Haryana Panchayati Raj Election Rules under intimation to the Commission.
6. Director, Public Relations Haryana, Chandigarh.
7. Controller, Printing and Stationery Department, Haryana, Chandigarh for publication in the Haryana Government Gazette. He is requested to supply 10 copies of the notification to this Commission for information and record.
8. All District Development and Panchayat Officers in State of Haryana. **(Fax)**

Sd/-  
(Parmal Singh)  
Asstt. State Election Commissioner, Haryana  
Email Id: asec.sec@hry.nic.in