

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

ORDER

No.SEC/3ME/2009/ 235

Dated:-5-11-2009.

As per provisions contained in Section 13 D and 13 E of Haryana Municipal Act, 1973, every contesting candidate of Municipal Committee has to maintain his election expenditure account from the date of his nomination till the declaration of result. As per orders dated 19.12.06, State Election Commission, Haryana has fixed the time limit i.e. 'within 30 days of declaration of result' to file the election expenditure with the Deputy Commissioner or any other officer prescribed by the State Election Commission, Haryana, and the candidates those who will not file his election expenditure account within time limit and make expenditure beyond expenditure limit fixed by the State Election Commission will be disqualified by the State Election Commission, Haryana for three years.

2. The General election to Municipal Committee, Taoru, District Mewat, was held on 20.1.2008. The following 11 candidates failed to lodge their election expenditure account within 30 days of declaration of the result:-

<u>Sr. No.</u>	<u>Name of Candidate</u> <u>Smt./Sh.</u>	<u>Ward No.</u>
1.	Devender	1
2.	Shakuntla	4
3.	Heera Mani	4
4.	Ashok Kumar	6
5.	Pankaj Kumar	7
6.	Dharm Pal	7
7.	Sarla	8
8.	Kusum	9
9.	Manish Kumar	11
10.	Ashish	11
11.	Kailash Chamd	13

3. They were issued show cause notice as to why they should not be disqualified because they had not filed the election expenditure statement in time. They were personally heard by me on 3.11.2009 at 12-00 noon. at Canal Rest House, Taoru . The following candidates came present for the hearing:-

<u>Smt./Sh.</u>
1. Sh. Jagdish Chand on behalf of his wife Smt. Shakuntla.
2. Sh. Ashok Kumar
3. Sh. Pankaj Kumar
4. Smt. Sarla
5. Smt. Kusum
6. Sh. Manish Kumar
7. Sh. Ashish
8. Sh. Kailash Chand

4. Sh.Jagdish Chand Husband of Smt. Shakuntla stated that they did not know about the deposit of election expenditure statement, so they could not deposit the election expenditure statement. The four candidates, .Sh Ashok

Kumar, Sh. Pankaj Kumar, Sh. Ashish Kumar and Sh. Kailash Chand stated that they had only filed their nomination papers did not contest the election. Therefore, they had neither incurred any expenditure during the election nor deposit the election expenditure statement. Smt. Sarla and Smt. Kusum stated that after their defeat in the election they neither care for deposit for the election expenditure statement nor deposit the same in time. They deposited their election expenditure statement at the time of personal hearing i.e. 3.11.2009. Sh. Manish Kumar deposited his election expenditure at the time personal hearing i.e. on 3.11.2009. He has also stated that due to death of his relative he could not deposit the election expenditure statement in time. He has not submitted any proof death of his relative.

5. The explanation given by the eight candidates mentioned at para No. 3 is not satisfactory as they could not show any good cause for their failure to file the election expenditure statement. Sh. Davender, Smt. Hira Mani and Sh. Dharam Pal had neither deposit their election expenditure statement nor appeared before me to explain their position. Hence, as per provision provided in Section 13 D of the Haryana Municipal Act, 1973 and all the 11 candidates mentioned at Para No. 2 are hereby disqualified for a period of 3 years from the date of this order.

Copy of the order be communicated to all concerned and got notified in the Haryana Government Gazette.

Dated , Chandigarh
the 5th November, 2009

Chander Singh
State Election Commissioner,
Haryana.

Endst.No. SEC/3ME/2009/ 236-250

Dated:-5-11-2009

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

1. The Financial Commissioner and Principal Secretary, Haryana Government, Urban Local Bodies Department, Haryana.
2. Director, Urban Local Bodies Department, Haryana, Chandigarh .
3. Deputy Commissioner, Mewat.
4. Secretary, Municipal Committee, Taoru.
5. All the concerned candidates.

Superintendent,
for State Election Commissioner,
Haryana.

Endst.No.SEC/3ME/2009/251

Dated:-5-11-2009

A copy is forwarded to 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.

Superintendent,
for State Election Commissioner,
Haryana.