

**STATE ELECTION COMMISSION, HARYANA,
SCO NO.16-17, SECTOR 20-D,
CHANDIGARH.
ORDER**

No.SEC/3ME/2009/1896

Dated:19/03/2009

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.

The General election to Municipal Committee, Sampla, District Rohtak, was held on 26.8.2008. The following 16 candidates failed to lodge their election expenditure account within 30 days of declaration of result:-

<u>Sr.No.</u>	<u>Name of Candidate Smt./Sh.</u>	<u>Father's/ Husband's Name</u>	<u>Ward No.</u>
1.	Kamal	Sh. Shamsher Singh	1
2.	Suresh	Sh. Sohan Lal	1
3.	Jai Parkash	Sh. Satya Narayan	1
4.	Rajbir	Sh. Rati Ram	1
5.	Mahinder Singh	Sh. Om Parkash	1
6.	Shiv Karan	Sh. Murari Lal	3
7.	Rajender	Sh. Nabia	4
8.	Mukesh	Sh. Mohan Lal	4
9.	Lakshmi Chand	Sh. Mange Ram	4
10.	Chameli	Sh. Mahabir	5
11.	Sunita	Sh. Karambir	5
12.	Vishnu	Sh. Mange Ram	8
13.	Yogesh Kumar	Sh. Jai Singh	9
14.	Krishna	Sh. Chander Bhan	11
15.	Neelam	Sh. Dilbag	11
16.	Vipin Kumar	Sh. Roshan Lal	12

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. None of them has submitted written reply. Thereafter the Deputy Commissioner, Rohtak was requested to direct all the above candidates to appear before the State Election Commissioner on 4.3.2009 at PWD Rest House, Sampla for personal hearing.

The following candidates appeared before me at PWD Rest House, Sampla on 04/03/09:-

<u>S.No.</u>	<u>Name of Candidate</u> <u>Smt./Sh.</u>
1.	Kamal
2.	Suresh
3.	Rajbir
4.	Mahinder Singh
5.	Shiv Karan
6.	Vishnu
7.	Krishna
8.	Neelam
9.	Vipin Kumar

They were personally heard by me.

Sh. Kamal stated that after the election, his grand mother was admitted in the PGI Rohtak and he attended her in the hospital and after receiving the motice, he sent his expenditure register to the Commission by ordinary post. But the same was not received in the Commission.

Sh. Suresh stated that his mother fell ill during the election and she is still admitted in the PGI Rohtak. He sent his expenditure statement to the Commission by ordinary post which has not been received in the Commission. He has also stated that due to illness of his mother, the expenditure register could not be deposited in time. He has submitted fresh expenditure register on 4.3.2009 without an affidavit at the time of personal hearing.

Sh. Rajbir stated that after losing the election, he neither bothered for this nor submitted the expenditure statement.

Sh. Mahinder stated that he received the receipt of the expenditure statement late from Rohtak, so he could not deposit the expenditure statement in time. He sent his expenditure register by registered post on 18.10.2008.

Sh. Shiv Karan stated that during the election on 24.8.2008 his leg was broken so neither he contested the election nor deposited the election expenditure statement.

Sh. Vishnu stated that he has filed only the nomination paper and did not contest the election. Therefore he has not deposited the expenditure statement.

Smt. Krishna stated that after losing the election, she neither bother this nor deposited the election expenditure statement.

Smt. Neelam stated that due to family problems, she could not deposit the election expenditure statement in time. She submitted her expenditure statement alongwith affidavit on 4.3.2009 at the time of personal hearing.

Sh. Vipin stated that he received receipt from the Printing Press, Rohtak very late so he could not deposit the election expenditure statement in time. He sent his expenditure statement by registered post on 15.10.2008.

Remaining 7 candidates namely Jai Parkash, Rajender, Mukesh, Lakshmi Chand, Chameli, Sunita and Yogesh Kumar did not appear before me to explain their position. Rest of the candidates had not filed their election expenditure statement at all. All these candidates were asked one by one to state cause for delay in filing of the election expenditure statement. None of the candidates, who came present could give any convincing reason for late filing or non filing of the election expenditure statement. All these candidates either has not filed election expenditure account at all or had filed much beyond the limit of 30 days. All the 16 candidates are hereby disqualified for a period of 3 years from the date of this order.

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

Dated , Chandigarh
the 16th March, 2009

Chander Singh
State Election Commissioner,
Haryana.

Endst.No. SEC/3ME/2009/1897-1916

Dated 19/03/2009

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, Rohtak.
4. Secretary, Municipal Committee Sampla.
5. All the concerned candidates.

Superintendent,
for State Election Commissioner,
Haryana.

Endst.No.SEC/3ME/2009/1917

Dated:19/03/2009

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.

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