

STATE ELECTION COMMISSION, HARYANA,
S.C.O.No.16-17, SECTOR 20-D, DAKSHIN MARG, CHANDIGARH.

NOTIFICATION

N.oSEC/3E-III/2008/5289

Dated: 3rd June, 2008

The State Election Commission, Haryana vide its Notification No. SEC/3E-III/2007/8895 dated 28.06.2008 has stayed the operation of the Notification No. 3E-III/2007/8050 dated 07.06.2007 in respect of bye election to the office of Sarpanch Gram Panchayat, Hetampura Block Kairu District Bhiwani upto the stage of withdrawal of Nomination Papers, till further orders in compliance of the orders dated 27.06.2007 passed by the Hon`ble Additional Civil Judge (Senior Division)-cum-Vacation Judge, Charkhi Dadri in Civil Suit titled Ram Avtar Vs. State & Others. The said petition has been dismissed by the Additional Civil Judge(Senior Division), Bhiwani on 02.08.2007. The Deputy Commissioner-cum-District Election Officer(Panchayat), Bhiwani vide his memo No.2422/Panchayat dated 30.4.2008 informed this Commission that the applicant has filed an appeal in the Court of Additional Session Judge, Bhiwani against the orders dated 2.8.2007 passed by the Additional Civil Judge(Senior Division)Bhiwani. The said appeal is fixed for summoning the remaining respondent for 24.07.2008 but no stay order has been passed by the Hon`ble Court/Authority.

In view of above and powers vested under clause (1) of Article 243K of the Constitution of India and under Section 161 and Sub-section (2) of Section 211 and Section 212 of the Haryana Panchayati Raj Act, 1994 and under Rule 24 of the Haryana Panchayati Raj (Election) Rules, 1994 and all other powers enabling me in this behalf I, Chander Singh, State Election Commissioner, Haryana hereby prescribe the time schedule for the conduct of Bye-election of the seat of Sarpanch, Gram Panchayat, Hetampura Block Kairu District Bhiwani. The Time Schedule as prescribed is given below:-

TIME SCHEDULE

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| (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 | 10.06.2008 (Tuesday) |
| (b) | Period of making nomination under rule 24(a). | 11.06.2008 (Wednesday) to 13.06. 2008 (Friday)
(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) | 14.06.2008(Saturday)
Before 10.00 AM |
| (d) | Date of Scrutiny under rule 24 (b) | 14.06.2008(Saturday)
(From 10.00 AM to 04.00 PM) |

(e)	Date of Withdrawal under rule 24(c)	16.06.2008 (Monday) (Upto 04.00 PM)
(f)	Date of Poll, if required	22.06.2008 (Sunday) (From 8.00 AM to 4.00 PM)
(g)	Counting of votes	Immediately after the close of poll at the Polling Stations.

2. The District Election Officer (Panchayat), 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 the scrutiny of the nomination papers (iii) date and time for withdrawal of candidature and (iv) the date on which and the time during which the polling will be held (v) the date, time and place of counting of votes in accordance with the provisions contained in sub rule (a), (b),(c),(d) and (e) of Rule 24 of the Haryana Panchayati Raj (Election) Rules, 1994 and send a copy of the notice to the Commission by fax

3. The State Election Commission further directs that the nomination papers for the seat of Sarpanch of Gram Panchayat shall be filed and received at Gram Panchayat Head Quarter by the Returning Officer (Panchayat) / Assistant Returning Officer (Panchayat). The State Election Commission further directs that the **work of scrutiny of the nomination papers shall not be delegated to the Assistant Returning Officer.**

4. The State Election Commission further directs that the signatures of the candidate or his election agent should be obtained on the nomination paper for allotment of symbol to the candidates in token of the fact that the candidates have been informed about the symbols allotted to him.

5. The State Election Commission also directs that the Returning Officer (Panchayat) shall supply copy of the prescribed form regarding criminalization of politics, declaration of assets and liabilities, educational qualification (annexure-III), to the contesting candidates with the nomination form. The Returning Officer (Panchayat) shall also obtain a dated receipt in the prescribed form of issuing the copies of the proformas and retain with the nomination papers.

6. **Returning Officer shall also consider the nomination papers of those candidates who had filed their nomination earlier for contesting the bye election of above-said seat of Sarpanch, Gram Panchayat, Hetampura scheduled for 28.06.2007 as per time schedule issued vide this Commission Notification No.SEC/3E-III/2007/8050 dated 07.06.2007 and need not to file their nomination again. However, they will be at liberty to withdraw there nomination, if so desired. The candidate shall also be informed in writing and signatures be obtained in this regard.**

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

Dated, Chandigarh
the 3rd June, 2008

CHANDER SINGH
State Election Commissioner,
Haryana.

Panchayat Election Matter

Out today

FAX MESSAGE

Endst. No.SEC/3E-III/2008/5290-93

Dated: 3rd June, 2008

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

1. The Financial Commissioner & Principal Secretary to Government Haryana, Development & Panchayat Department, Chandigarh
2. The Director, Development & Panchayat Department, Haryana, Chandigarh.
3. The Deputy Commissioner-cum-District Election Officer (Panchayat) Bhiwani for information and further necessary action. They are requested to issue notice in Form 2 or 3 (as the case may be) specified the above programme i.e. (i) last date, time and place of making nominations (ii) the date, time and place for scrutiny of nomination papers (iii) the date and hour for withdrawal of nominations (iv) the date on which and the time during which the polling will be held and (v) the date, time and place of counting of votes in accordance with provisions contained in sub rule (a), (b), (c), (d) and (e) of Rule 24 of the Haryana Panchayati Raj (Election) Rules, 1994 and send a copy of the notice to the Commission by fax.

He is also requested to appoint Returning Officer/Assistant Returning Officer and also publish the list of polling stations as per provisions of the Haryana Panchayati Raj Election Rules under intimation to the Commission.

4. The District Development and Panchayat Officer, Bhiwani.

(Des Raj)
Superintendent/E-III,
for State Election Commissioner,
Haryana.

Endst. No.SEC/3E-III/2008/5294

Dated: 3rd June, 2008

A copy is forwarded to Controller, Printing & Stationery Department, Haryana, Chandigarh for publication in the Haryana Government Gazette.

(Des Raj)
Superintendent/E-III,
for State Election Commissioner,
Haryana.