

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

NOTIFICATION

No. SEC/4E-III/2008/4581

Dated: 6th May, 2008.

The State Election Commission, Haryana vide its Notification No.SEC/3E-III/2007/8050, dated 7.6.2007 had issued the time schedule for the conduct of Panchayat Bye-elections to fill up the vacant seats of Panches, Sarpanches, Member Panchayat Samiti and Member Zila Parishad including the office of Sarpanch Gram Panchayat Hetampura, Block Kairu, District Bhiwani. However, in compliance of the orders dated 27.6.2007 of the Hon'ble Court Charkhi Dadri and the request of Deputy Commissioner-cum-District Election Officer(P), Bhiwani made vide letter No.2428/P, dated 27.6.2008, the Commission vide its Notification No.SEC/3E-III/2007/8895, dated 28.06.2007 stayed the operation on the Notification No.SEC/3E-III/2007/8050, dated 6.7.2007 in respect of the office of Sarpanch of abovesaid Gram Panchayat upto the stage of withdrawal of Nomination Papers, till further orders. The Deputy Commissioner-cum-District Election Officer(P), Bhiwani vide Memo No.3658/P, dated 6.8.2007 informed this Commission that the application filed by one of the contesting candidate has been dismissed by the Additional Civil Judge (Sr.Division), Bhiwani vide orders dated 02.08.2007. Against the orders of Additional Civil Judge (Sr. Division), Bhiwani, the appellant has filed an appeal in the Court of Additional Session Judge, Bhiwani but as per the report of Deputy Commissioner-District Election Officer(P), Bhiwani conveyed vide memo No.2422/P, dated 30.4.2008 no stay order has been passed in the said appeal.

The bye-election of the abovesaid Gram Panchayat was to be held on 28.06.2007 and consequently its voter list was got revised in view the Assembly electoral rolls published on 31.05.2006. The Assembly electoral rolls has now been brought upto date by taking into account the qualifying date as on 01.01.2008 and has finally been published on 25.01.2008. Consequent upon the revision of Assembly electoral rolls finally published on 25.01.2008, the voter list of the above said Gram Panchayat is required to be prepared/amended and brought upto date on the basis Assembly electoral rolls published on 25.01.2008.

In view of the above and provisions contained in Section 163, 164, 165 and 166 of the Haryana Panchayati Raj Act, 1994 read with Rules 8, 9, 10, 11 and Sub-Rule (2) of Rule 12 of the Haryana Panchayati Raj Election Rules, 1994 and powers conferred under Sub-Section (1) of Section 212 of the Haryana Panchayati Raj Act, 1994, the State Election Commission Haryana, hereby directs for the conduct of bye-election to fill up the vacant seat/office of Sarpanch of Gram Panchayat, Hetampura Block Kairu, District Bhiwani. The wardwise list of voters of the Gram Panchayat shall be prepared/amended and brought upto date on the basis of relevant part of the Assembly electoral rolls published on 25.01.2008. The qualifying date shall be 01.01.2008.

2. The State Election Commission further directs that the final lists of voters as published on 22.02.2005 (including addendas appended later on, if any) under sub-rule 4 of

Rule 10 of the Haryana Panchayati Raj Election Rules, 1994 be amended and brought upto date in respect of the Gram Panchayat, Hetampura in accordance with the procedure and schedule given hereunder: -

1.	For preparation of wardwise draft list of voters of the Gram Panchayats Hetampura, Block Kairu, District Bhiwani by adding in the existing lists of voters, the names of the voters though included in the Assembly Electoral Rolls (Published on 25.01.2008) yet not entered in the existing Panchayat list of voters with reference to qualifying date as on 01.01.2008 (Rule-8).	09.05.2008 (Friday) to 14.05.2008 (Wednesday)
2.	Publication of wardwise draft lists of voters of the Gram Panchayat Hetampura, Block Kairu, District Bhiwani as mentioned in para-1 above for inviting claims and objections (Rule 9).	15.05.2008 (Thursday) (10.00 AM to 05.00 PM)
3.	Last date for receipt of claims and objections (Rule 9).	19.05.2008 (Monday) upto 03.00 PM)
4.	Last date for disposal of claims/objections by the District Electoral Officers (Panchayat) sub rule (1) of Rule 10.	22.05.2008 (Wednesday)
5.	Cyclostyling/typing and finally publishing of the addendas to the existing voter lists meaning thereby the addition or deletion of names in the form of supplementaries/addendas appending to the voters list. (Under Sub-rule (4) of Rule 10)	27.05.2008 (Tuesday)

3. The State Election Commission further directs that for the purpose of preparing the draft list of voters, the names to be added in the existing list of voters should be typed or written by hand. It is also made clear that the draft lists of voters should not be got printed for this purpose.

4. The State Election Commission further directs that copies of existing lists of voters which are already lying with the District Election Officers (Panchayat) should be used for this purpose and no fresh printing of these voters lists be done. If at all it becomes necessary, then a few copies may be got typed.

5. The State Election Commission further directs that identity card serial numbers as indicated against the names of voter's lists in the Assembly electoral rolls, shall also be entered under column (8) of the voters list prepared for the Gram Panchayat.

6. The State Election Commission further directs that four copies of relevant part of the Assembly Electoral Roll published on 25.01.2008 and data base CD of the Assembly Electoral Rolls may be obtained free of cost from concerned Tehsildar/Naib Tehsildar (Elections).

7. The State Election Commission further directs that the draft voters list so prepared for preliminary publication for all wards of the Gram Panchayat Hetampura, Block Kairu, District Bhiwani should be **in conformity with the electoral rolls of the Assembly constituency published on 25.01.2008 except of those persons who have died or no longer residing in the Gram Panchayat area.** Only such persons should be registered as

voter in the draft voters' list whose name appears in the electoral rolls of the Assembly constituency. **It should be ensured that the names of such persons whose names appear in the Assembly electoral rolls are not excluded from the voters list at the time of its preliminary publication.** A person who has attained the age of 18 years as on 01.01.2008 is eligible for inclusion of his/her name in the voters' list.

8. The State Election Commission further directs that for the purpose of above preparation: -

- 1) Two copies of the relevant portion of the voters list prepared shall be made available to the Gram Sachiv for placing them in the relevant Gram Panchayat, one copy to the relevant Block Development and Panchayat Officer for placing them in the Panchayat Samiti's office and one copy be kept in the Zila Parishad's office for inspection by the public free of cost. Beside a copy of the relevant part of the voter list shall be kept in Tehsil, Block Election Officer (Panchayat)'s office as well as at the office of District Election Officer for inspection by the public free of cost.
- 2) A notice in this respect shall be affixed at the office of the Gram Panchayat and on the notice board of the Tehsil / Block Election Office. The District Election Officer (Panchayat) concerned shall also affix the copy of the notice within one or two conspicuous places of the village to which the list pertains.
- 3) The District Electoral Officer shall, after holding such summary enquiry into the claims and objections as he thinks fit, record his decision in writing and shall make available on demand a copy of such decision to the objector free of charge forthwith.
- 4) The District Electoral Officer shall amend the voter's list in accordance with his decision.
- 5) The voter's list so amended shall be final and copy thereof duly signed by the District Electoral Officer (Panchayat) shall be kept in his office and another copy deposited in the office of District Election Officer (Panchayat) shall be finally published in the manner prescribed above.
- 6) The District Election Officer (Panchayat) shall give widest possible publicity to the above programme by *munadi* in villages, issue press notes and other handouts and also by inserting paid advertisements in the local two news papers and publicity through electronic media.
- 7) After completion of every stage of the preparation process the District Election Officer (Panchayat) shall invariably send a message to the State Election Commission and shall also keep the State Election Commission informing about the statistical data like the number of claims, objections and corrections received, accepted and rejected.

The State Election Commission further directs that a copy of list of voters of the Gram Panchayat, Hetampura on its final publication on 27.05.2008 shall be submitted to the State Election Commission.

**Dated, Chandigarh,
the 6th May, 2008**

CHANDER SINGH
State Election Commissioner,
Haryana.

A copy is forwarded to the following for information and immediately compliance of above orders: -

1. Financial Commissioner and Principal Secretary to Government of Haryana, Development and Panchayat Department, Chandigarh.
2. Director, Development and Panchayat Department, Haryana, Chandigarh.
3. Director, Public Relation, Haryana, Chandigarh.
4. Deputy Commissioners-cum-District Election Officer (Panchayat) Bhiwani. He is also requested *to endorse this copy of notification to the concerned District Electoral Officer (Panchayat)*

Regd/Speed Post

5. District Development and Panchayat Officer, Bhiwani.

(S.K.Khanna)
Asstt. State Election Commissioner,
State Election Commission,
Haryana.

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

(S.K.Khanna)
Asstt. State Election Commissioner,
State Election Commission,
Haryana.