

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

ORDER

No.SEC/3ME/2018/1946

Dated: 22.03.2018

The General Election of Municipal Committee, Nissing was held on 22.05.2016 and the result of the elected candidates was declared on the same day.

2. Section 13E of the Haryana Municipal Act, 1973, provides that every candidate at an election shall, either himself or by his election agent, keep a separate and correct account of all expenditure in connection with the election incurred or authorized by him or by his election agent from the date of filing of nomination papers to the date of declaration of the result thereof, both dates inclusive. The account shall contain such particulars, as may be notified by the State Election Commission in this behalf. The total of the said expenditure shall not exceed such amount as may be notified by the State Election Commission from time to time.

3. State Election Commission issued Notification No.SEC/4ME/2006/9706, dated 19.12.2006 in exercise of powers conferred inter alia under Section 13D and 13F of the Act and made the Haryana Municipal Election Expenditure (Maintenance and Submission of Accounts) Order, 2006. Clause 5(6) of the Order provide that every contesting candidate or his election agent shall lodge account of election expenditure within thirty days from the date of declaration of election result with the Deputy Commissioner or an officer authorized by the State Election Commission.

4. Section 13D of the Haryana Municipal Act, 1973 read with Section 10 A of the Representation of People Act, 1951 further provides that if the Election Commission is satisfied that a person –

- (a) has failed to lodge an account of election expenses, within the time and in the manner required by or under this Act, and
 - (b) has no good reason or justification for the failure
- the Election Commission shall, by order published in the Official Gazettee, declare him to be disqualified and any such person shall be disqualified for a period of three years from the date of the order.

5. In pursuance of the above provisions, the State Election Commission, Haryana vide its notification No. SEC/3ME/2011/619, dated 03.06.2015 in exercise of powers vested under clause (i) Article 243 ZA of the Constitution of India, sub-section 3 of Section 13E of the Haryana Municipal Act, 1973 had prescribed the limit of expenditure of Rs.75,000/- that may be incurred by the contesting candidate or his authorized agent in connection with election of Municipal Committee, Nissing and account of election expenses shall be filed/lodged with the Deputy Commissioner or any other officer prescribed by the Commission within 30 days from the date of declaration of the result of election.

6. The State Election Commissioner, Haryana in exercise of powers contained under Section 3B of the Haryana Municipal Act, 1973 authorized District Attorney, State Election Commission, Haryana vide order No.SEC/1ME/2017/2017, dated 01.12.2017 to decide the cases of disqualification of the candidates, who failed to lodge their account of election expenses.

7. As reported by the Secretary, Municipal Committee, Nissing, the following candidates had contested the election of Municipal Committee, Nissing but failed to submit their election expenditure account within the prescribed time or thereafter :-

Sr. No.	Name of Candidate	Ward No.
1.	Rajesh Kumar	3
2.	Chandan Kumar Goyal	5
3.	Davinder Kaur	6
4.	Tajinder Singh	7
5.	Suman Lata	8
6.	Manoj Kumar	11
7.	Punakshi	13

8. The Commission had served a show cause notice upon them to explain as to why they should not be disqualified on account of non submission of election expenditure account within the period. They neither submitted their election expenditure statement nor responded to the show cause notice. I, had given them personal hearing on 27.02.2018 in the PWD Rest House, Karnal in the interest of natural justice vide letter No.SEC/3ME/2018/665, dated 12.02.2018. Sh.Sandeep Kumar, Computer Operator, Municipal Committee, Nissing represented the Deputy Commissioner, Karnal.

9. The above mentioned contesting candidates neither appeared nor bothered to respond to the show cause notice in spite of service thereof through the District Administration. Therefore, it can be concluded that they have nothing to say in the matter. The above noted candidates deserve to be disqualified. Hence I, Anil Kumar Aggarwal, District Attorney, State Election Commission, Haryana, hereby order that all the above seven candidates are disqualified under Section 13D of the Haryana Municipal Act, 1973 read with Clause 5(6) of the Haryana Municipal Election Expenditure (Maintenance and Submission of Accounts) Order, 2006 and Section 10 A of the Representation of People Act, 1951 for being chosen as, and for being a member of Municipality for a period of three years from the date of this order as they have failed to lodge the account of election expenses within thirty days from the date of declaration of election result without good reason and justification.

10. The office is directed to send a copy of this order to the candidate concerned through Deputy Commissioner, Karnal immediately.

Dated, Panchkula
the 22nd March, 2018

Anil Kumar Aggarwal
District Attorney
State Election Commission, Haryana

Endst. No. SEC/3ME/2018/1947-1958

Dated :- 22.03.2018

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

1. The Principal Secretary, Haryana Government, Urban Local Bodies Department, Haryana.
2. Director, Urban Local Bodies Department, Haryana, Panchkula.
3. Deputy Commissioner, Karnal.
4. Secretary, Municipal Committee, Nissing.
5. Candidate concerned.
6. The Controller, Printing & Stationery Department, Haryana. He is requested notify in the Haryana Government Gazette as required under Section 13D of the Haryana Municipal Act, 1973

(Pushkar Dutt)
Superintendent/MC
State Election Commission, Haryana

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

ORDER

No.SEC/3ME/2018/1994

Dated: 22.03.2018

Subject :- Disqualification of Sh.Gurdeep Jangra, contesting candidate from Ward No.9 of Municipal Committee, Nissing.

The General Election of Municipal Committee, Nissing was held on 22.05.2016 and the result of the elected candidates was declared on the same day.

2. Section 13E of the Haryana Municipal Act, 1973, provides that every candidate at an election shall, either himself or by his election agent, keep a separate and correct account of all expenditure in connection with the election incurred or authorized by him or by his election agent from the date of filing of nomination papers to the date of declaration of the result thereof, both dates inclusive. The account shall contain such particulars, as may be notified by the State Election Commission in this behalf. The total of the said expenditure shall not exceed such amount as may be notified by the State Election Commission from time to time.

3. State Election Commission issued Notification No.SEC/4ME/2006/9706, dated 19.12.2006 in exercise of powers conferred inter alia under Section 13D and 13F of the Act and made the Haryana Municipal Election Expenditure (Maintenance and Submission of Accounts) Order, 2006. Clause 5(6) of the Order provide that every contesting candidate or his election agent shall lodge account of election expenditure within thirty days from the date of declaration of election result with the Deputy Commissioner or an officer authorized by the State Election Commission.

4. Section 13D of the Haryana Municipal Act, 1973 read with Section 10 A of the Representation of People Act, 1951 further provides that if the Election Commission is satisfied that a person –

(a) has failed to lodge an account of election expenses, within the time and in the manner required by or under this Act, and

(b) has no good reason or justification for the failure

the Election Commission shall, by order published in the Official Gazettee, declare him to be disqualified and any such person shall be disqualified for a period of three years from the date of the order.

5. In pursuance of the above provisions, the State Election Commission, Haryana vide its notification No. SEC/3ME/2015/619, dated 03.06.2015 in exercise of powers vested under clause (i) Article 243 ZA of the Constitution of India, sub-section 3 of Section 13E of the Haryana Municipal Act, 1973 had prescribed the limit of expenditure of Rs.75,000/- that may be incurred by the contesting candidate or his authorized agent in connection with election of Municipal Committee, Nissing and account of election expenses shall be filed/lodged with the Deputy Commissioner or any other officer prescribed by the Commission within 30 days from the date of declaration of the result of election.

6. The State Election Commissioner, Haryana in exercise of powers contained under Section 3B of the Haryana Municipal Act, 1973 authorized District Attorney, State Election Commission, Haryana vide order No.SEC/1ME/2017/2017, dated 01.12.2017 to decide the

cases of disqualification of the candidates, who failed to lodge their account of election expenses.

7. As reported by the Deputy Commissioner, Karnal, the above mentioned candidate had contested the election from Ward No.9 of Municipal Committee, Nissing but failed to submit his election expenditure account within the prescribed time or thereafter. The Commission had served a show cause notice upon him to explain as to why he should not be disqualified on account of non submission of election expenditure account within the period. He neither submitted his election expenditure statement nor responded to the show cause notice. I, had given him personal hearing on 27.02.2018 in the PWD Rest House, Karnal vide letter No.SEC/3ME/2018/665, dated 12.02.2018. Sh.Sandeep Kumar, Computer Operator, Municipal Committee, Nissing, represented the Deputy Commissioner Karnal. The above said candidate appeared for personal hearing and submitted the following :-

“He has no knowledge about the rules. Now original expenditure register has been attached herewith.”

8. After personal hearing, the order was announced.

9. On perusal of record of the case and after hearing of the candidate, I am satisfied that ignorance of law is no excuse nor is it expected from a person who contests election for the seat of Member. While filing nominations a candidate undertakes to keep and submit account of election expenses and election officers too sensitize candidates in this regard. Section 13(D) and Clause 5(6) of the Haryana Municipal Election Expenditure (Maintenance and Submission of Accounts) Order, 2006 are mandatory and time limit of thirty days for lodging account of election expenses from the date of election result cannot be condoned without proof of good reason or justification for the failure. Hence, he has not complied with the mandatory provision of Clause 5(6) of the Haryana Municipal Election Expenditure (Maintenance and Submission of Accounts) Order, 2006 and is liable for disqualification under Section 13(D). Original expenditure register submitted now shows the compliance of Section 13(E) but not of Section 13(D). Hence I, Anil Kumar Aggarwal, District Attorney, State Election Commission, Haryana, under Section 13D of the Haryana Municipal Act, 1973 read with Clause 5(6) of the Haryana Municipal Election Expenditure (Maintenance and Submission of Accounts) Order, 2006 and Section 10 A of the Representation of People Act, 1951 hereby order that **Sh.Gurdeep Jangra** is disqualified for being chosen as, and for being a member of Municipality for a period of three years from the date of this order as they have failed to lodge the account of election expenses within thirty days from the date of declaration of election result without good reason and justification.

10. The office is directed to send a copy of this order to the candidate concerned through Deputy Commissioner, Karnal immediately.

Dated, Panchkula
the 22nd March, 2018

Anil Kumar Aggarwal
District Attorney
State Election Commission, Haryana

Endst. No. SEC/3ME/2018/1995-2000

Dated :- 22.03.2018

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

1. The Principal Secretary, Haryana Government, Urban Local Bodies Department, Haryana.
2. Director, Urban Local Bodies Department, Haryana, Panchkula.

3. Deputy Commissioner, Karnal.
4. Secretary, Municipal Committee, Nissing.
5. Candidate concerned.
6. The Controller, Printing & Stationery Department, Haryana. He is requested notify in the Haryana Government Gazette as required under Section 13D of the Haryana Municipal Act, 1973.

(Pushkar Dutt)
Superintendent/MC
State Election Commission, Haryana

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

ORDER

No.SEC/3ME/2018/1987

Dated: 22.03.2018

Subject :- Disqualification of Smt.Kamlesh Devi, contesting candidate from Ward No.13 of Municipal Committee, Nissing.

The General Election of Municipal Committee, Nissing was held on 22.05.2016 and the result of the elected candidates was declared on the same day.

2. Section 13E of the Haryana Municipal Act, 1973, provides that every candidate at an election shall, either himself or by his election agent, keep a separate and correct account of all expenditure in connection with the election incurred or authorized by him or by his election agent from the date of filing of nomination papers to the date of declaration of the result thereof, both dates inclusive. The account shall contain such particulars, as may be notified by the State Election Commission in this behalf. The total of the said expenditure shall not exceed such amount as may be notified by the State Election Commission from time to time.

3. State Election Commission issued Notification No.SEC/4ME/2006/9706, dated 19.12.2006 in exercise of powers conferred inter alia under Section 13D and 13F of the Act and made the Haryana Municipal Election Expenditure (Maintenance and Submission of Accounts) Order, 2006. Clause 5(6) of the Order provide that every contesting candidate or his election agent shall lodge account of election expenditure within thirty days from the date of declaration of election result with the Deputy Commissioner or an officer authorized by the State Election Commission.

4. Section 13D of the Haryana Municipal Act, 1973 read with Section 10 A of the Representation of People Act, 1951 further provides that if the Election Commission is satisfied that a person –

- (a) has failed to lodge an account of election expenses, within the time and in the manner required by or under this Act, and
- (b) has no good reason or justification for the failure

the Election Commission shall, by order published in the Official Gazettee, declare him to be disqualified and any such person shall be disqualified for a period of three years from the date of the order.

5. In pursuance of the above provisions, the State Election Commission, Haryana vide its notification No. SEC/3ME/2015/619, dated 03.06.2015 in exercise of powers vested under clause (i) Article 243 ZA of the Constitution of India, sub-section 3 of Section 13E of the Haryana Municipal Act, 1973 had prescribed the limit of expenditure of Rs.75,000/- that may be incurred by the contesting candidate or his authorized agent in connection with election of Municipal Committee, Nissing and account of election expenses shall be filed/lodged with the Deputy Commissioner or any other officer prescribed by the Commission within 30 days from the date of declaration of the result of election.

6. The State Election Commissioner, Haryana in exercise of powers contained under Section 3B of the Haryana Municipal Act, 1973 authorized District Attorney, State Election Commission, Haryana vide order No.SEC/1ME/2017/2017, dated 01.12.2017 to decide the

cases of disqualification of the candidates, who failed to lodge their account of election expenses.

7. As reported by the Deputy Commissioner, Karnal, the above mentioned candidate had contested the election from Ward No.13 of Municipal Committee, Nissing but failed to submit her election expenditure account within the prescribed time or thereafter. The Commission had served a show cause notice upon her to explain as to why she should not be disqualified on account of non submission of election expenditure account within the period. She neither submitted her election expenditure statement nor responded to the show cause notice. I, had given her personal hearing on 27.02.2018 in the PWD Rest House, Karnal vide letter No.SEC/3ME/2018/665, dated 12.02.2018. Sh.Sandeep Kumar, Computer Operator, Municipal Committee, Nissing, represented the Deputy Commissioner Karnal. The above said candidate appeared for personal hearing and submitted the following :-

“She contested the election of MC Nissing and there was no expenses occurred in the election.”

8. After personal hearing, the order was announced.

9. On perusal of record of the case and after hearing of the candidate, I am satisfied that she should have lodged the account of election expenses with the authorized officer within time, may be nil. Section 13(D) and Clause 5(6) of the Haryana Municipal Election Expenditure (Maintenance and Submission of Accounts) Order, 2006 are mandatory and time limit of thirty days for lodging account of election expenses from the date of election result cannot be condoned without proof of good reason or justification for the failure. Hence, she has not complied with the mandatory provision of Clause 5(6) of the Haryana Municipal Election Expenditure (Maintenance and Submission of Accounts) Order, 2006 and is liable for disqualification under Section 13(D). Hence I, Anil Kumar Aggarwal, District Attorney, State Election Commission, Haryana, under Section 13D of the Haryana Municipal Act, 1973 read with Clause 5(6) of the Haryana Municipal Election Expenditure (Maintenance and Submission of Accounts) Order, 2006 and Section 10 A of the Representation of People Act, 1951 hereby order that **Smt.Kamlesh Devi** is disqualified for being chosen as, and for being a member of Municipality for a period of three years from the date of this order as they have failed to lodge the account of election expenses within thirty days from the date of declaration of election result without good reason and justification.

10. The office is directed to send a copy of this order to the candidate concerned through Deputy Commissioner, Karnal immediately.

Dated, Panchkula
the 22nd March, 2018

Anil Kumar Aggarwal
District Attorney
State Election Commission, Haryana

Endst. No. SEC/3ME/2018/1988-1993

Dated :- 22.03.2018

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

1. The Principal Secretary, Haryana Government, Urban Local Bodies Department, Haryana.
2. Director, Urban Local Bodies Department, Haryana, Panchkula.
3. Deputy Commissioner, Karnal.
4. Secretary, Municipal Committee, Nissing.
5. Candidate concerned.

6. The Controller, Printing & Stationery Department, Haryana. He is requested notify in the Haryana Government Gazette as required under Section 13D of the Haryana Municipal Act, 1973.

(Pushkar Dutt)
Superintendent/MC
State Election Commission, Haryana

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

ORDER

No.SEC/3ME/2018/1980

Dated: 22.03.2018

Subject :- Disqualification of Sh.Lakhmi Ram, contesting candidate from Ward No.10 of Municipal Committee, Nissing.

The General Election of Municipal Committee, Nissing was held on 22.05.2016 and the result of the elected candidates was declared on the same day.

2. Section 13E of the Haryana Municipal Act, 1973, provides that every candidate at an election shall, either himself or by his election agent, keep a separate and correct account of all expenditure in connection with the election incurred or authorized by him or by his election agent from the date of filing of nomination papers to the date of declaration of the result thereof, both dates inclusive. The account shall contain such particulars, as may be notified by the State Election Commission in this behalf. The total of the said expenditure shall not exceed such amount as may be notified by the State Election Commission from time to time.

3. State Election Commission issued Notification No.SEC/4ME/2006/9706, dated 19.12.2006 in exercise of powers conferred inter alia under Section 13D and 13F of the Act and made the Haryana Municipal Election Expenditure (Maintenance and Submission of Accounts) Order, 2006. Clause 5(6) of the Order provide that every contesting candidate or his election agent shall lodge account of election expenditure within thirty days from the date of declaration of election result with the Deputy Commissioner or an officer authorized by the State Election Commission.

4. Section 13D of the Haryana Municipal Act, 1973 read with Section 10 A of the Representation of People Act, 1951 further provides that if the Election Commission is satisfied that a person –

- (a) has failed to lodge an account of election expenses, within the time and in the manner required by or under this Act, and
- (b) has no good reason or justification for the failure

the Election Commission shall, by order published in the Official Gazettee, declare him to be disqualified and any such person shall be disqualified for a period of three years from the date of the order.

5. In pursuance of the above provisions, the State Election Commission, Haryana vide its notification No. SEC/3ME/2015/619, dated 03.06.2015 in exercise of powers vested under clause (i) Article 243 ZA of the Constitution of India, sub-section 3 of Section 13E of the Haryana Municipal Act, 1973 had prescribed the limit of expenditure of Rs.75,000/- that may be incurred by the contesting candidate or his authorized agent in connection with election of Municipal Committee, Nissing and account of election expenses shall be filed/lodged with the Deputy Commissioner or any other officer prescribed by the Commission within 30 days from the date of declaration of the result of election.

6. The State Election Commissioner, Haryana in exercise of powers contained under Section 3B of the Haryana Municipal Act, 1973 authorized District Attorney, State Election Commission, Haryana vide order No.SEC/1ME/2017/2017, dated 01.12.2017 to decide the

cases of disqualification of the candidates, who failed to lodge their account of election expenses.

7. As reported by the Deputy Commissioner, Karnal, the above mentioned candidate had contested the election from Ward No.10 of Municipal Committee, Nissing but failed to submit his election expenditure account within the prescribed time or thereafter. The Commission had served a show cause notice upon him to explain as to why he should not be disqualified on account of non submission of election expenditure account within the period. He neither submitted his election expenditure statement nor responded to the show cause notice. I, had given him personal hearing on 27.02.2018 in the PWD Rest House, Karnal vide letter No.SEC/3ME/2018/665, dated 12.02.2018. Sh.Sandeep Kumar, Computer Operator, Municipal Committee, Nissing, represented the Deputy Commissioner Karnal. The above said candidate appeared for personal hearing and submitted the following :-

“He had contested the election and expenditure register had been deposited in Municipal Committee and now photocopy has been attached herewith. The MC official verified that he had not deposited the expenditure register.”

8. After personal hearing, the order was announced.

9. On perusal of record of the case and after hearing of the candidate, I am satisfied that Section 13(D) and Clause 5(6) of the Haryana Municipal Election Expenditure (Maintenance and Submission of Accounts) Order, 2006 are mandatory and time limit of thirty days for lodging account of election expenses from the date of election result cannot be condoned without proof of good reason or justification for the failure. Hence, he has not complied with the mandatory provision of Clause 5(6) of the Haryana Municipal Election Expenditure (Maintenance and Submission of Accounts) Order, 2006 and is liable for disqualification under Section 13(D). Further photocopy is only of bills without verification which is violation of Section 13(E) also. Hence I, Anil Kumar Aggarwal, District Attorney, State Election Commission, Haryana, under Section 13D of the Haryana Municipal Act, 1973 read with Clause 5(6) of the Haryana Municipal Election Expenditure (Maintenance and Submission of Accounts) Order, 2006 and Section 10 A of the Representation of People Act, 1951 hereby order that **Sh.Lakhmi Ram** is disqualified for being chosen as, and for being a member of Municipality for a period of three years from the date of this order as they have failed to lodge the account of election expenses within thirty days from the date of declaration of election result without good reason and justification.

10. The office is directed to send a copy of this order to the candidate concerned through Deputy Commissioner, Karnal immediately.

Dated, Panchkula
the 22nd March, 2018

Anil Kumar Aggarwal
District Attorney
State Election Commission, Haryana

Endst. No. SEC/3ME/2018/1981-1986

Dated :- 22.03.2018

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

1. The Principal Secretary, Haryana Government, Urban Local Bodies Department, Haryana.
2. Director, Urban Local Bodies Department, Haryana, Panchkula.
3. Deputy Commissioner, Karnal.
4. Secretary, Municipal Committee, Nissing.

5. Candidate concerned.
6. The Controller, Printing & Stationery Department, Haryana. He is requested notify in the Haryana Government Gazette as required under Section 13D of the Haryana Municipal Act, 1973.

(Pushkar Dutt)
Superintendent/MC
State Election Commission, Haryana

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

ORDER

No.SEC/3ME/2018/1973

Dated: 22.03.2018

Subject :- Disqualification of Sh.Navneet, contesting candidate from Ward No.10 of Municipal Committee, Nissing.

The General Election of Municipal Committee, Nissing was held on 22.05.2016 and the result of the elected candidates was declared on the same day.

2. Section 13E of the Haryana Municipal Act, 1973, provides that every candidate at an election shall, either himself or by his election agent, keep a separate and correct account of all expenditure in connection with the election incurred or authorized by him or by his election agent from the date of filing of nomination papers to the date of declaration of the result thereof, both dates inclusive. The account shall contain such particulars, as may be notified by the State Election Commission in this behalf. The total of the said expenditure shall not exceed such amount as may be notified by the State Election Commission from time to time.

3. State Election Commission issued Notification No.SEC/4ME/2006/9706, dated 19.12.2006 in exercise of powers conferred inter alia under Section 13D and 13F of the Act and made the Haryana Municipal Election Expenditure (Maintenance and Submission of Accounts) Order, 2006. Clause 5(6) of the Order provide that every contesting candidate or his election agent shall lodge account of election expenditure within thirty days from the date of declaration of election result with the Deputy Commissioner or an officer authorized by the State Election Commission.

4. Section 13D of the Haryana Municipal Act, 1973 read with Section 10 A of the Representation of People Act, 1951 further provides that if the Election Commission is satisfied that a person –

- (a) has failed to lodge an account of election expenses, within the time and in the manner required by or under this Act, and
- (b) has no good reason or justification for the failure

the Election Commission shall, by order published in the Official Gazettee, declare him to be disqualified and any such person shall be disqualified for a period of three years from the date of the order.

5. In pursuance of the above provisions, the State Election Commission, Haryana vide its notification No. SEC/3ME/2015/619, dated 03.06.2015 in exercise of powers vested under clause (i) Article 243 ZA of the Constitution of India, sub-section 3 of Section 13E of the Haryana Municipal Act, 1973 had prescribed the limit of expenditure of Rs.75,000/- that may be incurred by the contesting candidate or his authorized agent in connection with election of Municipal Committee, Nissing and account of election expenses shall be filed/lodged with the Deputy Commissioner or any other officer prescribed by the Commission within 30 days from the date of declaration of the result of election.

6. The State Election Commissioner, Haryana in exercise of powers contained under Section 3B of the Haryana Municipal Act, 1973 authorized District Attorney, State Election Commission, Haryana vide order No.SEC/1ME/2017/2017, dated 01.12.2017 to decide the

cases of disqualification of the candidates, who failed to lodge their account of election expenses.

7. As reported by the Deputy Commissioner, Karnal, the above mentioned candidate had contested the election from Ward No.10 of Municipal Committee, Nissing but failed to submit his election expenditure account within the prescribed time or thereafter. The Commission had served a show cause notice upon him to explain as to why he should not be disqualified on account of non submission of election expenditure account within the period. He neither submitted his election expenditure statement nor responded to the show cause notice. I, had given him personal hearing on 27.02.2018 in the PWD Rest House, Karnal vide letter No.SEC/3ME/2018/665, dated 12.02.2018. Sh.Sandeep Kumar, Computer Operator, Municipal Committee, Nissing, represented the Deputy Commissioner Karnal. The above said candidate appeared for personal hearing and submitted the following :-

“He had not deposited his election expenditure at that time due to out of station. Now original expenditure register has been attached herewith.”

8. After personal hearing, the order was announced.

9. On perusal of record of the case and after hearing of the candidate, I am satisfied that his bald statement does not inspire any credence. Section 13(D) and Clause 5(6) of the Haryana Municipal Election Expenditure (Maintenance and Submission of Accounts) Order, 2006 are mandatory and time limit of thirty days for lodging account of election expenses from the date of election result cannot be condoned without proof of good reason or justification for the failure. Hence, he has not complied with the mandatory provision of Clause 5(6) of the Haryana Municipal Election Expenditure (Maintenance and Submission of Accounts) Order, 2006 and is liable for disqualification under Section 13(D). Original expenditure register submitted now shows the compliance of Section 13(E) but not of Section 13(D). Hence I, Anil Kumar Aggarwal, District Attorney, State Election Commission, Haryana, under Section 13D of the Haryana Municipal Act, 1973 read with Clause 5(6) of the Haryana Municipal Election Expenditure (Maintenance and Submission of Accounts) Order, 2006 and Section 10 A of the Representation of People Act, 1951 hereby order that **Sh.Navneet** is disqualified for being chosen as, and for being a member of Municipality for a period of three years from the date of this order as they have failed to lodge the account of election expenses within thirty days from the date of declaration of election result without good reason and justification.

10. The office is directed to send a copy of this order to the candidate concerned through Deputy Commissioner, Karnal immediately.

Dated, Panchkula
the 22nd March, 2018

Anil Kumar Aggarwal
District Attorney
State Election Commission, Haryana

Endst. No. SEC/3ME/2018/1974-1979

Dated :- 22.03.2018

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

1. The Principal Secretary, Haryana Government, Urban Local Bodies Department, Haryana.
2. Director, Urban Local Bodies Department, Haryana, Panchkula.
3. Deputy Commissioner, Karnal.
4. Secretary, Municipal Committee, Nissing.
5. Candidate concerned.

6. The Controller, Printing & Stationery Department, Haryana. He is requested notify in the Haryana Government Gazette as required under Section 13D of the Haryana Municipal Act, 1973.



(Pushkar Dutt)
Superintendent/MC
State Election Commission, Haryana

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

ORDER

No.SEC/3ME/2018/1966

Dated: 22.03.2018

Subject :- Disqualification of Sh.Sumit Kumar, contesting candidate from Ward No.12 of Municipal Committee, Nissing.

The General Election of Municipal Committee, Nissing was held on 22.05.2016 and the result of the elected candidates was declared on the same day.

2. Section 13E of the Haryana Municipal Act, 1973, provides that every candidate at an election shall, either himself or by his election agent, keep a separate and correct account of all expenditure in connection with the election incurred or authorized by him or by his election agent from the date of filing of nomination papers to the date of declaration of the result thereof, both dates inclusive. The account shall contain such particulars, as may be notified by the State Election Commission in this behalf. The total of the said expenditure shall not exceed such amount as may be notified by the State Election Commission from time to time.

3. State Election Commission issued Notification No.SEC/4ME/2006/9706, dated 19.12.2006 in exercise of powers conferred inter alia under Section 13D and 13F of the Act and made the Haryana Municipal Election Expenditure (Maintenance and Submission of Accounts) Order, 2006. Clause 5(6) of the Order provide that every contesting candidate or his election agent shall lodge account of election expenditure within thirty days from the date of declaration of election result with the Deputy Commissioner or an officer authorized by the State Election Commission.

4. Section 13D of the Haryana Municipal Act, 1973 read with Section 10 A of the Representation of People Act, 1951 further provides that if the Election Commission is satisfied that a person –

- (a) has failed to lodge an account of election expenses, within the time and in the manner required by or under this Act, and
- (b) has no good reason or justification for the failure

the Election Commission shall, by order published in the Official Gazettee, declare him to be disqualified and any such person shall be disqualified for a period of three years from the date of the order.

5. In pursuance of the above provisions, the State Election Commission, Haryana vide its notification No. SEC/3ME/2015/619, dated 03.06.2015 in exercise of powers vested under clause (i) Article 243 ZA of the Constitution of India, sub-section 3 of Section 13E of the Haryana Municipal Act, 1973 had prescribed the limit of expenditure of Rs.75,000/- that may be incurred by the contesting candidate or his authorized agent in connection with election of Municipal Committee, Nissing and account of election expenses shall be filed/lodged with the Deputy Commissioner or any other officer prescribed by the Commission within 30 days from the date of declaration of the result of election.

6. The State Election Commissioner, Haryana in exercise of powers contained under Section 3B of the Haryana Municipal Act, 1973 authorized District Attorney, State Election Commission, Haryana vide order No.SEC/1ME/2017/2017, dated 01.12.2017 to decide the

cases of disqualification of the candidates, who failed to lodge their account of election expenses.

7. As reported by the Deputy Commissioner, Karnal, the above mentioned candidate had contested the election from Ward No.12 of Municipal Committee, Nissing but failed to submit his election expenditure account within the prescribed time or thereafter. The Commission had served a show cause notice upon him to explain as to why he should not be disqualified on account of non submission of election expenditure account within the period. He neither submitted his election expenditure statement nor responded to the show cause notice. I, had given him personal hearing on 27.02.2018 in the PWD Rest House, Karnal vide letter No.SEC/3ME/2018/665, dated 12.02.2018. Sh.Sandeep Kumar, Computer Operator, Municipal Committee, Nissing, represented the Deputy Commissioner Karnal. The above said candidate appeared for personal hearing and submitted the following :-

“He had contested the election and submitted the expenditure statement in MC office and no receipt has been given to him.”

8. After personal hearing, the order was announced.

9. On perusal of record of the case and after hearing of the candidate, I am satisfied that the plea does not inspire credence. Section 13(D) and Clause 5(6) of the Haryana Municipal Election Expenditure (Maintenance and Submission of Accounts) Order, 2006 are mandatory and time limit of thirty days for lodging account of election expenses from the date of election result cannot be condoned without proof of good reason or justification for the failure. Hence, he has not complied with the mandatory provision of Clause 5(6) of the Haryana Municipal Election Expenditure (Maintenance and Submission of Accounts) Order, 2006 and is liable for disqualification under Section 13(D). Hence I, Anil Kumar Aggarwal, District Attorney, State Election Commission, Haryana, under Section 13D of the Haryana Municipal Act, 1973 read with Clause 5(6) of the Haryana Municipal Election Expenditure (Maintenance and Submission of Accounts) Order, 2006 and Section 10 A of the Representation of People Act, 1951 hereby order that **Sh.Sumit Kumar** is disqualified for being chosen as, and for being a member of Municipality for a period of three years from the date of this order as they have failed to lodge the account of election expenses within thirty days from the date of declaration of election result without good reason and justification.

10. The office is directed to send a copy of this order to the candidate concerned through Deputy Commissioner, Karnal immediately.

Dated, Panchkula
the 22nd March, 2018

Anil Kumar Aggarwal
District Attorney
State Election Commission, Haryana

Endst. No. SEC/3ME/2018/1967-1972

Dated :- 22.03.2018

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

1. The Principal Secretary, Haryana Government, Urban Local Bodies Department, Haryana.
2. Director, Urban Local Bodies Department, Haryana, Panchkula.
3. Deputy Commissioner, Karnal.
4. Secretary, Municipal Committee, Nissing.
5. Candidate concerned.

6. The Controller, Printing & Stationery Department, Haryana. He is requested notify in the Haryana Government Gazette as required under Section 13D of the Haryana Municipal Act, 1973.

(Pushkar Dutt)
Superintendent/MC
State Election Commission, Haryana

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

No.SEC/3ME/2018/1959

Dated: 22.03.2018

Subject :- Disqualification of Sh.Surinder Singh, contesting candidate from Ward No.7 of Municipal Committee, Nissing.

The General Election of Municipal Committee, Nissing was held on 22.05.2016 and the result of the elected candidates was declared on the same day.

2. Section 13E of the Haryana Municipal Act, 1973, provides that every candidate at an election shall, either himself or by his election agent, keep a separate and correct account of all expenditure in connection with the election incurred or authorized by him or by his election agent from the date of filing of nomination papers to the date of declaration of the result thereof, both dates inclusive. The account shall contain such particulars, as may be notified by the State Election Commission in this behalf. The total of the said expenditure shall not exceed such amount as may be notified by the State Election Commission from time to time.

3. State Election Commission issued Notification No.SEC/4ME/2006/9706, dated 19.12.2006 in exercise of powers conferred inter alia under Section 13D and 13F of the Act and made the Haryana Municipal Election Expenditure (Maintenance and Submission of Accounts) Order, 2006. Clause 5(6) of the Order provide that every contesting candidate or his election agent shall lodge account of election expenditure within thirty days from the date of declaration of election result with the Deputy Commissioner or an officer authorized by the State Election Commission.

4. Section 13D of the Haryana Municipal Act, 1973 read with Section 10 A of the Representation of People Act, 1951 further provides that if the Election Commission is satisfied that a person –

- (a) has failed to lodge an account of election expenses, within the time and in the manner required by or under this Act, and
 - (b) has no good reason or justification for the failure
- the Election Commission shall, by order published in the Official Gazettee, declare him to be disqualified and any such person shall be disqualified for a period of three years from the date of the order.

5. In pursuance of the above provisions, the State Election Commission, Haryana vide its notification No. SEC/3ME/2015/619, dated 03.06.2015 in exercise of powers vested under clause (i) Article 243 ZA of the Constitution of India, sub-section 3 of Section 13E of the Haryana Municipal Act, 1973 had prescribed the limit of expenditure of Rs.75,000/- that may be incurred by the contesting candidate or his authorized agent in connection with election of Municipal Committee, Nissing and account of election expenses shall be filed/lodged with the Deputy Commissioner or any other officer prescribed by the Commission within 30 days from the date of declaration of the result of election.

6. The State Election Commissioner, Haryana in exercise of powers contained under Section 3B of the Haryana Municipal Act, 1973 authorized District Attorney, State Election Commission, Haryana vide order No.SEC/1ME/2017/2017, dated 01.12.2017 to decide the cases of disqualification of the candidates, who failed to lodge their account of election expenses.

7. As reported by the Deputy Commissioner, Karnal, the above mentioned candidate had contested the election from Ward No.7 of Municipal Committee, Nissing but failed to submit his election expenditure account within the prescribed time or thereafter. The Commission had served a show cause notice upon him to explain as to why he should not be disqualified on account of non submission of election expenditure account within the period. He neither submitted his election expenditure statement nor responded to the show cause notice. I, had given him personal hearing on 27.02.2018 in the PWD Rest House, Karnal vide letter No.SEC/3ME/2018/665, dated 12.02.2018. Sh.Sandeep Kumar, Computer Operator, Municipal Committee, Nissing, represented the Deputy Commissioner Karnal. The above said candidate appeared for personal hearing and submitted the following :-

“He had deposited the expenditure register.”

8. After personal hearing, the order was announced.

9. On perusal of record of the case and after hearing of the candidate, I am satisfied that the explanation given is without details and therefore, does not inspire credence. Section 13(D) and Clause 5(6) of the Haryana Municipal Election Expenditure (Maintenance and Submission of Accounts) Order, 2006 are mandatory and time limit of thirty days for lodging account of election expenses from the date of election result cannot be condoned without proof of good reason or justification for the failure. Hence, he has not complied with the mandatory provision of Clause 5(6) of the Haryana Municipal Election Expenditure (Maintenance and Submission of Accounts) Order, 2006 and is liable for disqualification under Section 13(D). Hence I, Anil Kumar Aggarwal, District Attorney, State Election Commission, Haryana, under Section 13D of the Haryana Municipal Act, 1973 read with Clause 5(6) of the Haryana Municipal Election Expenditure (Maintenance and Submission of Accounts) Order, 2006 and Section 10 A of the Representation of People Act, 1951 hereby order that **Sh.Surinder Singh** is disqualified for being chosen as, and for being a member of Municipality for a period of three years from the date of this order as they have failed to lodge the account of election expenses within thirty days from the date of declaration of election result without good reason and justification.

10. The office is directed to send a copy of this order to the candidate concerned through Deputy Commissioner, Karnal immediately.

Dated, Panchkula
the 22nd March, 2018

Anil Kumar Aggarwal
District Attorney
State Election Commission, Haryana

Endst. No. SEC/3ME/2018/1960-1965

Dated :- 22.03.2018

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

1. The Principal Secretary, Haryana Government, Urban Local Bodies Department, Haryana.
2. Director, Urban Local Bodies Department, Haryana, Panchkula.
3. Deputy Commissioner, Karnal.
4. Secretary, Municipal Committee, Nissing.
5. Candidate concerned.
6. The Controller, Printing & Stationery Department, Haryana. He is requested notify in the Haryana Government Gazette as required under Section 13D of the Haryana Municipal Act, 1973.

(Pushkar Dutt)
Superintendent/MC
State Election Commission, Haryana