

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

**ORDER**

No.SEC/3ME/2016/2201

Dated: 07.09.2016

The General Elections of Municipal Corporation, Panchkula was held on 02.06.2013 and the result of the elected candidates was declared on 04.06.2013.

2. Section 8B of the Haryana Municipal Corporation Act, 1994, 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. Section 8D of the Haryana Municipal Corporation Act, 1994 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.

4. In pursuance of the above provisions, the State Election Commission, Haryana vide its notification No. SEC/4ME/2013/2320, dated 02.05.2013 in exercise of powers vested under clause (i) Article 243 ZA of the Constitution of India, sub-section 3 of Section 8B of the Haryana Municipal Corporation Act, 1994 had prescribed the limit of expenditure of Rs.1,75,000/- that may be incurred by the contesting candidate or his authorized agent in connection with election of Municipal Corporation, Panchkula and account of election expenses shall be filed/lodged with the Deputy Commission or any other officer prescribed by the Commission within 30 days from the date of declaration of the result of election.

5. As reported by the Deputy Commissioner, Panchkula, the following candidates had contested the election of Municipal Corporation Panchkula but failed to submit their election expenditure account :-

<b>Sr. No.</b>	<b>Name of Candidate</b>	<b>Ward No.</b>
1.	Parvesh	3
2.	Gurcharan Dhiman	4
3.	Mohinder Singh	5
4.	Mamraj Atwal	7
5.	Rattan Lal	7
6.	Sumdar Sain	7
7.	Sunita Devi	7
8.	Jitender Kumar	7
9.	Mamta	7

10.	Chetanya Rai Vashisht	9
11.	Manoj Pal	9
12.	Ritu Gupta	15
13.	Rimpy	16
14.	Ritu Sawran Sharma	17
15.	Rita Aggarwal	17
16.	Suresh Kumar	19
17.	Anand Aggarwal	19
18.	Raj Kumar Saini	20

6. 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 31.08.2016 in my office chamber at Nirvachan Sadan, Panchkula in the interest of justice. Sh. Balwant Singh, Assistant represented the Deputy Commissioner, Panchkula.

7. The above mentioned contesting candidates did neither appeared before me nor filed any representations. Therefore, it can be concluded that they have nothing to say in the matter. Hence, the above noted candidates deserve to be disqualified. I, Dr. Dalip Singh, State Election Commissioner, Haryana, in exercise of powers vested under clause (i) Article 243 ZA of the Constitution of India and Section 8D of the Haryana Municipal Corporation Act, 1994 read with Section 10 A of the Representation of People Act, 1951 and all other powers enabling it in this behalf hereby order that all the above 18 candidates be disqualified for being chosen as, and for being a member of Municipality for a period of three years from the date of this order.

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

Dated, Panchkula  
the 31<sup>st</sup> August , 2016

Dr. DALIP SINGH  
State Election Commissioner, Haryana

Endst. No. SEC/3ME/2016/2202-2224

Dated :- 07.09.2016

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, Panchkula.
4. Executive Officer, Municipal Corporation, Panchkula.
5. Candidate concerned.
6. The Controller, Printing & Stationery Department, Haryana. He is requested notify in the Haryana Government Gazette as required under Section 8D of the Haryana Municipal Corporation Act, 1994.

Sd/-  
(P.K.Sharma)  
Secretary  
State Election Commission, Haryana

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

**ORDER**

No.SEC/3ME/2016/2194

Dated: 07.09.2016

**Subject :- Disqualification of Sh. Sumit Kumar, contesting candidate from Ward No. 7 of Municipal Corporation, Panchkula.**

The General Election of Municipal Corporation Panchkula was held on 02.06.2013 and the result of the elected candidates was declared on 04.06.2013.

2. Section 8B of the Haryana Municipal Corporation Act, 1994, 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. Section 8D of the Haryana Municipal Corporation Act, 1994 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.

4. In pursuance of the above provisions, the State Election Commission, Haryana vide its notification No. SEC/4ME/2013/2320, dated 02.05.2013 in exercise of powers vested under clause (i) Article 243 ZA of the Constitution of India, sub-section 3 of Section 8B of the Haryana Municipal Corporation Act, 1994 had prescribed the limit of expenditure of Rs. 1,75,000/- that may be incurred by the contesting candidate or his authorized agent in connection with election of Municipal Corporation, Panchkula and account of election expenses shall be filed/lodged with the Deputy Commission or any other officer prescribed by the Commission within 30 days from the date of declaration of the result of election.

5. As reported by the Deputy Commissioner, Panchkula, the above said candidate had contested the election from Ward No.7 of Municipal Corporation Panchkula 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 31.08.2016 in my office chamber at Nirvachan Sadan, Panchkula. Sh. Balwant Singh, Assistant represented the Deputy Commissioner. The above said candidate appeared for personal hearing and submitted the following :-

“He had contested the election from Ward No. 7 of Municipal Corporation, Panchkula in the year 2013. He had incurred sum of Rs.

30000/- on banners, posters, stickers, Tea and vehicles etc. On asking he told that office of the Deputy Commissioner had provided him the prescribed register for maintaining day to day election expenses. ”

6. After personal hearing, the order was announced.

7. On perusal of record of the case and after hearing of the candidate, I am satisfied that the above said candidate has failed to lodge an account of election expenditure, within the time and in the manner required by or under this Act. Moreover, above said candidate has submitted no good reason or justification for the failure to submit election expenditure account. Hence, he deserves to be disqualified. I, Dr. Dalip Singh, State Election Commissioner, Haryana, in exercise of powers vested under clause (i) Article 243 ZA of the Constitution of India and Section 8D of the Haryana Municipal Corporation Act, 1994 read with Section 10 A of the Representation of People Act, 1951 and all other powers enabling it in this behalf hereby order that **Sh. Sumit Kumar** be disqualified for being chosen as, and for being a member of Municipality for a period of three years from the date of this order.

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

Dated, Panchkula  
the 31<sup>st</sup> August , 2016

Dr. DALIP SINGH  
State Election Commissioner, Haryana

Endst. No. SEC/3ME/2016/2195-2200

Dated :- 07.09.2016

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, Panchkula.
4. Executive Officer, Municipal Corporation, Panchkula.
5. Candidate concerned.
6. The Controller, Printing & Stationery Department, Haryana. He is requested notify in the Haryana Government Gazette as required under Section 8D of the Haryana Municipal Corporation Act, 1994.

Sd/-  
(P.K.Sharma)  
Secretary  
State Election Commission, Haryana