

Mail
STATE ELECTION COMMISSION, HARYANA
"NIRVACHAN SADAN" PLOT NO. 2, SECTOR – 17
PANCHKULA

No.SEC/1ME/2017/1117-38

Dated: 02.06.2017

To

All the Deputy Commissioners
in the State of Haryana.

Subject: Hosting of record pertaining to the criminal antecedents of the contesting candidates in the official website of district administration linked with the website of State Election Commission, Haryana.

Sir/Madam,

I am directed to refer to the subject cited above and to inform you that under Section 8 D of the Haryana Municipal Corporation Act, 1994 and Section 13 D of the Haryana Municipal Act, 1973, it has been provided that section 33-A and 33-B of the Representation of the People Act, 1951 shall mutatis mutandis apply in the elections of Municipal Corporation, Council & Committees in the State of Haryana.

These sections of the R.P. Act provides as under:-

33A. Right to information.—(1) A candidate shall, apart from any information which he is required to furnish, under this Act or the rules made thereunder, in his nomination paper delivered under sub-section (1) or section 33, also furnish the information as to whether –

- (i) he is accused of any offence punishable with imprisonment for two years or more in a pending case in which a charge has been framed by the court of competent jurisdiction;
- (ii) he has been convicted of an offence [other than any offence referred to in sub-section (1) or sub-section (2), or covered in sub-section (3), of section 8] and sentenced to imprisonment for one year or more.

(2) The candidate of his proposer, as the case may be, shall, at the time of delivering to the returning officer the nomination paper under sub-section (1) of section 33, also deliver to him an affidavit sworn by the candidate in a prescribed form very fine the information specified in sub-section (1).

(3) The returning officer shall, as soon as may be after the furnishing of information to him under sub-section (1), display the aforesaid information by affixing a copy of the affidavit, delivered under sub-section (2), at a conspicuous place at his office for the information of the electors relating to a constituency for which the nomination paper is delivered.

33B. Candidate to furnish information only under the Act and the rules.—Notwithstanding anything contained in any judgment, decree or order of any court or any direction, order or any other instruction issued by the Election Commission, no candidate shall be liable to disclose or furnish any such information, in respect of his election which is not required to be disclosed or furnished under this Act or the rules made there under.

2. In view of above and provisions laid down under rule 24-A of the Haryana Municipal Corporation Election Rules, 1994 and rule 23-A of the Haryana Municipal Election Rules, 1978, the information about the Criminal Antecedents, Assets and liabilities and Educational Qualifications etc. of the contesting candidates are being taken in Form 1-C from the candidates contesting the elections of Municipal Corporations, Councils and Committees. To publicize the information of the contesting candidates and bring their criminal background before the general public, this Commission has decided to host the information pertaining to the criminal antecedents of the contesting candidates in the official website of the district administration. It has also been decided that the said information shall remain hosted in the official website till the next general election of that municipal institution.

3. I am, therefore, directed to request you that in future the information pertaining to the criminal antecedents of the contesting candidates (contesting the elections of Municipal Corporations, Councils and Committees) obtained in Form 1 C alongwith nomination paper be hosted in the officials website of district administration

and the same shall remain hosted in the website till the completion of next general election of that municipal institution.

These instructions be brought to the notice of all concerned for strict compliance in future elections.

Yours faithfully



(Parmal Singh)

Assistant State Election Commissioner,
Haryana

Endst. No. SEC/1ME/2017/1139

Dated: 02.06.2017

A copy of above is forwarded to the State Informatics Officer, NIC, Haryana with the request to ensure that information of contesting candidates of MCs and PRIs must remain hosted in the officials website of district administration till the completion of next general election.



(Parmal Singh)

Assistant State Election Commissioner,
Haryana

Endst. No. SEC/1ME/2017/1140

Dated: 02.06.2017

A copy of above is forwarded to the I.T. Cell of this Commission with the directions to host these directions in the official website of this Commission.



(Parmal Singh)

Assistant State Election Commissioner,
Haryana

CC: 1. Store-Keeper
2. Librarian (two copies for record)

