



State Election Commission, Haryana

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ORDER

No.SEC/3ME/2020/775

Dated: 15.05.2020

The General Election of Municipal Committee, Kalayat was held on 13.05.2018 and the result of the elected candidates was declared 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. Section 13F of the Haryana Municipal Act, 1973 further provides that if the State Election Commission is satisfied that a person has failed to lodge an account of election expenses within the time and manner, as prescribed by the State Election Commission and has no reason or justification thereof, the State Election Commission shall, by order published in the Official Gazette, declare him to be disqualified for contesting an election for a period of five years from the date of the order under this Act.

4. In pursuance of the above provisions, the State Election Commission, Haryana vide its notification No. No.SEC/3ME/2017/912, dated 18.05.2017 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.2,00,000/- that may be incurred by the contesting candidate or his authorized agent in connection with election of Municipal Committee, Kalayat 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.

5. The State Election Commissioner, Haryana in exercise of powers contained under Section 3B of the Haryana Municipal Act, 1973 authorized Assistant State Election Commissioner, State Election Commission, Haryana vide order No.SEC/1ME/2017/2017, dated 01.12.2017 and further modified vide order No.SEC/1ME/2018/842, dated 28.02.2018 to decide the cases of disqualification of the candidates of the said municipality, who failed to lodge their account of election expenses.

6. As reported by the Deputy Commissioner, Kaithal, the following candidates had contested the election of Municipal Committee, Kalayat held on 13.05.2018 but failed to submit their election expenditure account:-

Sr. No.	Name of Candidate	Father/Husband Name	Ward No.
1.	Ashish	Sushil	2
2.	Rajbir	Om Parkash	2
3.	Rajesh	Shyam Singh	2
4.	Renu	Rajesh Kumar	2
5.	Seema Devi	Parveen Kumar	2

6.	Rakesh Kumar	Ram Swarup	4
7.	Radhey Shyam	Niranjan Das	9
8.	Surat Singh	Ramparshad	11

7. 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 an opportunity of personal hearing on 24.02.2020 in the office of State Election Commission, Haryana, "Nirvachan Sadan", Plot No.2, Sector 17, Panchkula in the interest of natural justice. Sh.Suresh, Computer Operator, Municipal Committee, Kalayat was present during hearing who has submitted a copy of letter dated 12.02.2020 vide which the notice of personal hearing were delivered to the said candidates. It has been observed notice of personal hearing has been delivered in person or through their family members.

8. The above mentioned contesting candidates neither appeared before me nor filed any representation. Therefore, it can be concluded that they have nothing to say in the matter. Hence, they are proceeded ex-parte. The above noted candidates deserve to be disqualified. Hence I, Parmal Singh, Assistant State Election Commissioner, Haryana, hereby order that all the above 8 candidates are disqualified under Section 13F of the Haryana Municipal Act, 1973 for being chosen as, and for being a member of Municipality for a period of five years from the date of this order.

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

Dated, Panchkula
The 14th May, 2020

Parmal Singh
Asstt.State Election Commissioner, Haryana

Endst. No. SEC/3ME/2020/776-788

Dated :- 15.05.2020

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, Kaithal.
4. Secretary, Municipal Committee, Kalayat.
5. Candidate concerned.
6. The Controller, Printing & Stationery Department, Haryana. He is requested to notify the above order in the Haryana Government Gazette as required under Section 13F of the Haryana Municipal Act, 1973.

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

ORDER

No.SEC/3ME/2020/789

Dated: 15.05.2020

The General Election of Municipal Committee, Kalayat was held on 13.05.2018 and the result of the elected candidates was declared 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. Section 13F of the Haryana Municipal Act, 1973 further provides that if the State Election Commission is satisfied that a person has failed to lodge an account of election expenses within the time and manner, as prescribed by the State Election Commission and has no reason or justification thereof, the State Election Commission shall, by order published in the Official Gazette, declare him to be disqualified for contesting an election for a period of five years from the date of the order under this Act.

4. In pursuance of the above provisions, the State Election Commission, Haryana vide its notification No. No.SEC/3ME/2017/912, dated 18.05.2017 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.2,00,000/- that may be incurred by the contesting candidate or his authorized agent in connection with election of Municipal Committee, Kalayat 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.

5. The State Election Commissioner, Haryana in exercise of powers contained under Section 3B of the Haryana Municipal Act, 1973 authorized Assistant State Election Commissioner, State Election Commission, Haryana vide order No.SEC/1ME/2017/2017, dated 01.12.2017 and further modified vide order No.SEC/1ME/2018/842, dated 28.02.2018 to decide the cases of disqualification of the candidates of the said municipality, who failed to lodge their account of election expenses.

6. As reported by the Deputy Commissioner, Kaithal, Smt.Rachna Rani had contested the election from Ward No.7 of Municipal Committee, Kaithal during the general election held on 13.05.2018 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 an opportunity of personal hearing on 24.02.2020 in the office of State Election Commission, Haryana, "Nirvachan Sadan", Plot No.2, Sector 17, Panchkula in the interest of natural justice. Sh.Suresh, Computer Operator, Municipal Committee, Kalayat was present during hearing who has submitted a copy of letter dated 12.02.2020 vide which the notice of personal hearing were delivered to Smt.Rachna Rani. It has been observed notice of personal hearing has been delivered in person or through her family member. The above said candidate appeared for personal hearing and submitted in her explanation that she had already submitted the expenditure statement in the office of Deputy Commissioner, Kaithal but she was not having any receipt or photocopy of the expenditure

statement. She further submitted that she would bring her expenditure statement from the office of Deputy Commissioner, Kaithal by 02.03.2020 but she has not submitted the same till today.

7. In view of above, it can be concluded that she has not submitted her expenditure statement in the office of Deputy Commissioner, Kaithal. The above noted candidates deserve to be disqualified. Hence I, Parmal Singh, Assistant State Election Commissioner, Haryana, under Section 13F of the Haryana Municipal Act, 1973 hereby order that **Smt.Rachna Rani** is disqualified for being chosen as, and for being a member of Municipality for a period of five years from the date of this order.

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

Dated, Panchkula
The 14th May, 2020

Parmal Singh
Asstt.State Election Commissioner, Haryana

Endst. No. SEC/3ME/2020/790-795

Dated :- 15.05.2020

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, Kaithal.
4. Secretary, Municipal Committee, Kalayat.
5. Smt.Rachna Rani w/o Sh.Chander Pal, Ward No.7, VPO Kalayat, District Kaithal.
6. The Controller, Printing & Stationery Department, Haryana. He is requested to notify the above order in the Haryana Government Gazette as required under Section 13F of the Haryana Municipal Act, 1973.

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