

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

ORDER

No.SEC/3ME/2016/2282

Dated: 12.09.2016

The General Elections of Municipal Corporation, Ambala was held on 02.06.2013 and the result of the elected candidates was declared 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, Ambala 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. As reported by the Deputy Commissioner, Ambala, the following candidates had contested the election of Municipal Corporation Ambala but failed to submit their election expenditure account:-

Sr. No.	Name of Candidate	Ward No.
1.	Rita Devi	2
2.	Sachin Kumar	3
3.	Ravi Kumar	3
4.	Gita Rani	3
5.	Davender Kumar	3
6.	Inderjeet Singh	3
7.	Sunny Mokha	6
8.	Ashok Kumar Sharma	6
9.	Priya Rani	7

10.	Parkasho Devi	8
11.	Nirmal Kaur	8
12.	Suman	9
13.	Vinod Kumar	9
14.	Rano Devi	9
15.	Virender Singla	9
16.	Surjeet Kaur	10
17.	H. S. Kaushal	13
18.	Mandeep Singh	13
19.	Sikandar Passi	13
20.	Himanshu	13
21.	Ashok Kumar	14
22.	Bheem Sain	14
23.	Sewa Singh	14
24.	Kailasho	15
25.	Saroj Bala	15
26.	Sudesh	15
27.	Rajni	16
28.	Amarjeet Kaur	17
29.	Bajrang Lal	17
30.	Sushma	17
31.	Anju Bindra	18
32.	Ankur Singh	18
33.	Bimal	18
34.	Mahesh Kumar Goyal	18
35.	Rajesh Kumar	18
36.	Sandeep Duggal	18
37.	Yoginder Singh	19
38.	Sushma	19
39.	Anil	20
40.	Ghanshyam	20
41.	Bhushan	20
42.	Mateshri	20
43.	Raj Kumar	20
44.	Raja Ram	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. Rajinder Kumar, Secretary of Municipal Corporation Ambala represented the Deputy Commissioner.

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 44 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, Ambala immediately.

Dated, Panchkula
the 31st August, 2016

Dr. DALIP SINGH
State Election Commissioner, Haryana

Endst. No. SEC/3ME/2016/2283-2331

Dated :- 12.09.2016

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, Ambala.
4. Executive Officer, Municipal Corporation, Ambala.
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/2016/2275

Dated: 12.09.2016

Subject :- Disqualification of Smt. Amarjeet Kaur, contesting candidate from Ward No. 13 of Municipal Corporation, Ambala.

The General Election of Municipal Corporation Ambala 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, Ambala 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. As reported by the Deputy Commissioner, Ambala, the above said candidate had contested the election from Ward No.13 of Municipal Corporation Ambala 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 31.08.2016 in my office chamber at Nirvachan Sadan, Panchkula. Sh. Rajender Kumar, Secretary Municipal Corporation Ambala represented the Deputy Commissioner. The above said candidate appeared for personal hearing and submitted the following :-

“She had contested the election from Ward No. 13 of Municipal Corporation, Ambala in the year 2013. She did not incur any expenses during the elections. Moreover, she was not aware about submissions of the expenditure statement. On asking she told that office of the Deputy Commissioner provided her 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, she 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 **Smt. Amarjeet Kaur** 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, Ambala immediately.

Dated, Panchkula
the 31st August , 2016

Dr. DALIP SINGH
State Election Commissioner, Haryana

Endst. No. SEC/3ME/2016/2276-81

Dated :- 12.09.2016

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, Ambala.
4. Executive Officer, Municipal Corporation, Ambala.
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