

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

**ORDER**

No.SEC/3ME/2019/1092

Dated: 11.04.2019

The General Election of Municipal Council, Fatehabad 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. 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.

4. 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.1,00,000/- that may be incurred by the contesting candidate or his authorized agent in connection with election of Municipal Council, Fatehabad 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 Secretary, 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, who failed to lodge their account of election expenses.

6. As reported by the Executive Officer, Municipal Council, Fatehabad, the following candidates had contested the election of Municipal Council, Fatehabad held on 22.05.2016 but failed to submit their election expenditure account within the prescribed time or thereafter :-

<b>Sr. No.</b>	<b>Name of Candidate</b>	<b>Ward No.</b>
1.	Roop Malti	1
2.	Ompati	5
3.	Mamta	5
4.	Nirmala Devi	6
5.	Suresh Kumar	8

6.	Usha Rani	12
7.	Parvati Devi	15
8.	Bunty Kumar	16
9.	Sanjay Kumar	20
10.	Durgesh	21
11.	Rakhi	21
12.	Anoop Kumar	22
13.	Hardeep Singh	22
14.	Ramesh Kumar	23
15.	Bant Singh	24

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 personal hearing on 14.03.2019 in Kisan Rest House, Fatehabad in the interest of justice. Parveen Kumar, Clerk of the Municipal Council, Fatehabad represented the Deputy Commissioner, Fatehabad. As per the report of Parveen Kumar, Clerk, Municipal Council, Fatehabad, the letters for personal appearance were duly served upon them in person.

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, P.K.Sharma, Secretary, State Election Commission, Haryana, hereby order that all the above 15 candidates are disqualified under Section 13D of the Haryana Municipal Act, 1973 read with Section 10A 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.

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

Dated, Panchkula  
The 1<sup>st</sup> April, 2019

Dr.P.K.Sharma  
Secretary  
State Election Commissioner, Haryana

Endst. No. SEC/3ME/2019/1093-1107

Dated :- 11.04.2019

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, Fatehabad.
4. Executive Officer, Municipal Council, Fatehabad.
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/2019/1085

Dated: 11.04.2019

The General Election of Municipal Council, Fatehabad 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. 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.

4. 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.1,00,000/- that may be incurred by the contesting candidate or his authorized agent in connection with election of Municipal Council, Fatehabad 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 Secretary, 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, who failed to lodge their account of election expenses.

6. As reported by the Executive Officer, Municipal Council, Fatehabad, Sh.Kulwant Singh had contested the election from Ward No.25 of Municipal Council, Fatehabad but failed to submit his election expenditure account within the prescribed time. 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 14.03.2019 in the PWD Rest House, Fatehabad. Sh.Parveen Kumar, Clerk of the Municipal Council, Fatehabad, represented the Deputy Commissioner Fatehabad.

Sh.Kulwant Singh appeared for personal hearing and submitted that he had contested the election from Ward No.25 and was unable to submit his expenditure statement. Further he asked for some time but he failed to submit his election expenditure register till 01.04.2019.

7. On perusal of record of the case and after hearing Sh.Kulwant Singh, 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 his failure to submit election expenditure account. Therefore, he deserves to be disqualified. Hence I, Dr.P.K.Sharma, Secretary, State Election Commission, Haryana, under Section 13D of the Haryana Municipal Act, 1973 read with Section 10A of the Representation of People Act, 1951 hereby order that **Sh.Kulwant 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.

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

Dated, Panchkula  
The 1<sup>st</sup> April, 2019

Dr.P.K.Sharma  
Secretary  
State Election Commissioner, Haryana

Endst. No. SEC/3ME/2019/1086-1091

Dated :- 11.04.2019

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, Fatehabad.
4. Executive Officer, Municipal Council, Fatehabad.
5. Sh.Kulwant Singh r/o Ward No.1, Municipal Council, Fatehabad, District Fatehabad.
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.

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

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

**ORDER**

No.SEC/3ME/2019/1078

Dated: 11.04.2019

The General Election of Municipal Council, Fatehabad 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. 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.

4. 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.1,00,000/- that may be incurred by the contesting candidate or his authorized agent in connection with election of Municipal Council, Fatehabad 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 Secretary, 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, who failed to lodge their account of election expenses.

6. As reported by the Executive Officer, Municipal Council, Fatehabad, Smt.Amarjeet Kaur had contested the election from Ward No.1 of Municipal Council, Fatehabad but failed to submit her election expenditure account within the prescribed time. 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 14.03.2019 in the PWD Rest House, Fatehabad. Sh.Parveen Kumar, Clerk of the Municipal Council, Fatehabad, represented the Deputy Commissioner

Fatehabad. Smt.Amarjeet Kaur appeared for personal hearing and submitted that she had contested the election from Ward No.1 and was unable to submit her expenditure statement. Further she asked for some time but she failed to submit her election expenditure register till 01.04.2019.

7. On perusal of record of the case and after hearing Smt.Amarjeet Kaur, 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 her failure to submit election expenditure account. Therefore, she deserves to be disqualified. Hence I, Dr.P.K.Sharma, Secretary, State Election Commission, Haryana, under Section 13D of the Haryana Municipal Act, 1973 read with Section 10A of the Representation of People Act, 1951 hereby order that **Smt.Amarjeet Kaur** 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.

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

Dated, Panchkula  
The 1<sup>st</sup> April, 2019

Dr.P.K.Sharma  
Secretary  
State Election Commissioner, Haryana

Endst. No. SEC/3ME/2019/1079-1084

Dated :- 11.04.2019

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, Fatehabad.
4. Executive Officer, Municipal Council, Fatehabad.
5. Smt.Amarjeet Kaur r/o Ward No.1, Municipal Council, Fatehabad, District Fatehabad.
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.

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