

PRESS NOTE

Panchkula, the 20th August, 2021: Sh. Dhanpat Singh, State Election Commissioner, Haryana stated that in pursuance of the directions issued by the Hon'ble Supreme Court of India in Writ Petition (C) No. 784 of 2015 (Lok Prahari Versus Union of India & Others), Writ Petition (Civil) No. 536 of 2011 (Public Interest Foundation & Others Versus Union of India & Another) and Form No. 26 of the Election Commission of India, the State Government has amended Form-1C of Haryana Municipal Corporation Election Rules, 1994 and of Haryana Municipal Election Rules, 1978 vide Notification Nos. S.O.55/H.A. 16/1994/S.32/2020 dated 24th November, 2020 and S.O. 24/H.A. 24/1973/Ss. 257 and 276/2020 dated 8th June, 2021, respectively. Form 1C pertains to information required to be furnished by the contesting candidate at the time of filing nomination to contest the Municipal Corporation/Council/Committee elections about his/her criminal antecedents.

2. Sh. Dhanpat Singh further added that in view of the directions of the Hon'ble Supreme Court of India passed in Writ Petition (Civil) No. 536 of 2011, the contesting candidate is required to furnish information with regard to the criminal cases pending against him/her and if the candidate is contesting an election on the ticket of a particular party, he/she is required to inform the party about the criminal cases pending against him/her. The concerned political party is required to put up the said information on its website and also to issue a declaration in widely circulated newspapers in the locality about the antecedents of the candidate and also to give wide publicity in the electronics media.

3. Sh. Singh also stated that in view of the directions of the Hon'ble Supreme Court of India, the State Election Commission,

Haryana on 17.08.2021 has issued the following directions to the candidates intending to contest election for the post of Chairperson (Mayor in Municipal Corporations and President in Municipal Councils/Committees) and Members of Municipal Corporations/Councils/ Committees who have criminal cases registered/pending against them or cases in which they have been convicted in the past, and to the political parties that set up such candidates:-

- (a) Candidates who have criminal cases against them- either pending or in which the candidate has been convicted, shall publish a declaration about such cases, for wide publicity, in two newspapers (at least one Hindi and one English) having wide circulation in the concerned municipal area. The declaration is required to be published at least on three different dates from the day following the last date for withdrawal of candidatures and upto two days before the date of poll.
- (b) Candidates with criminal cases are also required to publish the above declaration on local TV channels or cable networks (If locally available) on three different dates during the above mentioned period and upto 48 hours ending with the hour fixed for conclusion of poll.
- (c) The candidates shall submit copies of the newspapers in which their declaration in this regard was published to the Deputy Commissioner or an officer authorized by the State Election Commission, alongwith their account of election expenses.
- (d) In the case of candidates with criminal cases set up by political parties, whether recognized parties or registered un-recognized parties, such candidates are required to declare before the Returning Officer concerned that they have informed their political party about the criminal cases against them.

- (e) Recognized Political parties and registered un-recognized parties, which set up candidates with criminal cases, either pending or of past conviction, are required to publish declaration giving details in this regard on their website as well as in local TV channels or cable networks (if locally available) and at least two newspapers (one Hindi and one English) having wide circulation in the municipal area concerned.

- (f) Recognized Political parties and registered un-recognized parties, which set up candidates with criminal cases shall have to submit a report to the Deputy Commissioner concerned stating that they have fulfilled the requirements of the directions, and shall enclose paper cutting containing declaration published by the party in this respect. This shall be done within 30 days of completion of election.