

No. 20/1/2014-2-Pol.
HARYANA GOVERNMENT
CHIEF SECRETARY'S OFFICE
POLITICAL BRANCH

Dated Chandigarh the 18th October, 2023

To

1. All the Administrative Secretaries to Government, Haryana.
2. All the Heads of Departments to Government, Haryana.
3. All the MDs/CAs of Boards/Corporations in Haryana.
4. Divisional Commissioners, Gurugram and Karnal
- 5 Deputy Commissioner, Gurugram, Kaithal, Mahendergarh and Rewari.

Subject:- Ban on Postings / Transfer of Officers /Official who are engaged in conduct of bye-elections of the Municipal bodies in the State of Haryana.

Sir/Madam,

I am directed to refer to the subject noted above and to enclose herewith a copy of letter No. SEC/1ME/2023/1698, dated 12.10.2023 issued by State Election commission, Haryana alongwith Notification No. SEC/1ME/2023/1680, dated 12.10.2023 for the conduct of Bye-Elections of five wards, namely, Ward No. 15 of Municipal Council, Sohna, District Gurugram, Ward No. 01 of Municipal Council, Kaithal, Ward No. 16 of Municipal Council, Narnaul, District Mahendergarh, Ward No. 05 of Municipal Committee, Rajound, District Kaithal and Ward No. 11, Municipal Committee, Bawal, District Rewari for which the poll will be held on **05.11.2023**.

2 It is, therefore, requested that the officers/officials of the State Government deputed to conduct the above said elections or connected with conduct of these elections in any manner should not be transferred till the declaration of results of above said elections. However, in case, where it is considered necessary to transfer an officer/official connected with the above said elections, prior written approval of the State Election Commission must be obtained.

3 Copy of this letter alongwith aforementioned Notification can be downloaded from **csharyana.gov.in under Political and Parliamentary Affairs (Branch)**.

4 These Instructions may be complied with strictly

Yours faithfully,


Dy. Superintendent Political

for the Chief Secretary to Government, Haryana.

Endst. No. 20/1/2014-2-Pol.

Dated Chandigarh, the 18th October, 2023

A copy is forwarded to the State Election Commissioner, Haryana, Nirvachan Sadan Plot No. 2, Sector 17, Panchkula with reference to their letter No. SEC/1ME/2023/1698, dated 12.10.2023 for information.


Dy. Superintendent Political
for the Chief Secretary to Government, Haryana

taken up after the close of poll in all the polling stations and the result shall be declared immediately after completion of counting.

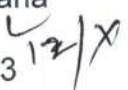
2. I have, therefore, been directed to request you that officers/officials of the State Government deputed to conduct the abovesaid elections should not be transferred till the declaration of election results of these Municipal Committees. However, in case, where it is considered necessary unavoidable to transfer an officer/official connected with the above said Municipal elections, prior approval of the State Election Commission must be obtained. Necessary instructions in this regard may kindly be issued to all Departments, Boards, Corporations, Autonomous Bodies/Authorities etc. of the State Government under intimation to the State Election Commission, Haryana.

Yours faithfully,

Encl:-As above


Asstt. State Election Commissioner
for State Election Commissioner, Haryana

Endst. No.SEC/1ME/2023/1699-1707

Dated: 12.10.2023 

A copy is forwarded to the following for information and immediate compliance of above orders:-

1. Commissioner and Secretary to Government Haryana, Urban Local Bodies Department, Chandigarh.
2. Director General of Police, Haryana, Panchkula.
3. Director General, Urban Local Bodies Department, Haryana, Panchkula.
4. Director General, Information, Public Relations and Languages Department, Haryana, Chandigarh
5. Deputy Commissioner, Gurugram, Kaithal, Mahendergarh and Rewari.
6. Director General, Information, Public Relations and Languages Department, Haryana, Chandigarh.


Asstt. State Election Commissioner
for State Election Commissioner, Haryana



STATE ELECTION COMMISSION, HARYANA
NIRVACHAN SADAN, PLOT NO. 2, SECTOR- 17
PANCHKULA, HARYANA – 134109

Website: www.secharyana.gov.in
Email id: sec@hry.nic.in

Phone: +91172 258 4810
Fax: +91 172 258 5904

NOTIFICATION

Dated: 12.10.2023

No. SEC/1ME/2023/1680: In exercise of the powers vested under clause (1) of the article 243 ZA of the Constitution of India, section 3A of the Haryana Municipal Act, 1973 and rule 19 (1) the Haryana Municipal Elections Rules, 1978 and all other powers enabling me in this behalf, I, Dhanpat Singh, State Election Commissioner, Haryana, hereby prescribe the following election programme for the conduct of bye-elections of five wards, namely, Ward No. 15 of Municipal Council, Sohna, district Gurugram, Ward No. 01 of Municipal Council, Kaithal, Ward No. 16 of Municipal Council, Narnaul, district Mahendergarh, Ward No. 05 of Municipal Committee, Rajound, district Kaithal and Ward No. 11, Municipal Committee, Bawal, district Rewari:-

(1)	Date on which notice shall be published by the Returning Officer for inviting nominations under Rule 20.	14.10.2023 (Saturday)
(2)	Dates on which Nomination papers shall be presented and posted under Rule 19(2)(i)&(ii).	20.10.2023 (Friday) to 26.10.2023 (Thursday) 11.00 A.M. to 03.00 P.M. (Except 22.10.2023 & 24.10.2023 being holidays)
(3)	Date on which the nomination papers shall be scrutinized under Rule 19(2)(iii)	27.10.2023 (Friday) 11.30 A.M. onwards
(4)	Last date for withdrawal of candidature under Rule 19(2)(vi).	28.10.2023 (Saturday) Between 11.00 A.M and 3.00 P.M.
(5)	Date on which symbols shall be allotted to the contesting candidates.	28.10.2023 (Saturday) after 3.00 PM

(6)	Date on which the list of contesting candidates shall be posted under Rule 19(2)(vii).	28.10.2023 (Saturday))
(7)	Date on which list of polling stations shall be posted under Rule 19(2)(viii).	28.10.2023 (Saturday))
(8)	Date on which the poll shall be held under Rule 19(2)(ix).	05.11.2023 (Sunday)
(9)	Timing of the poll.	Between 8.00 A.M. to 5.00 P.M.
(10)	Date, time and place on which the votes polled shall be counted.	Immediately after the close of poll in all the polling stations
(11)	Date on which the election result would be declared.	Immediately after the completion of counting of votes in all the polling stations.

2. I, Dhanpat Singh, State Election Commissioner, Haryana in exercise of powers vested under rule 19 (3) & (4) of the Haryana Municipal Election Rules, 1978, authorize the Deputy Commissioners concerned to designate Returning Officers and Assistant Returning Officers who shall be the officers of the Government for the conduct of bye-elections for Ward No. 15 of Municipal Council, Sohna, Ward No. 01 of Municipal Council, Kaithal, Ward No. 16 of Municipal Council, Narnaul, Ward No. 05 of Municipal Committee, Rajound and Ward No. 11, Municipal Committee, Bawal, respectively.

3. The Returning Officer shall publish a notice of the above election programme on **14.10.2023** at his office, office of the Deputy Commissioner and Municipal Council/Municipal Committee concerned and at such other conspicuous places in the area of the Municipal Council/Municipal Committee in which the election is to be held, as determined by him in this behalf under rule 20 of the Haryana Municipal Election Rules, 1978. No nomination shall be filed on **22.10.2023** and **24.10.2023** being public holidays. During the period of nomination information about the nomination papers must be hosted on the website of the District Administration and Municipal Committee/Municipal Council concerned at least by 4.00 P.M. every day.

-3-

4. I further direct that after the withdrawal of candidature(s), a list of validly nominated candidates shall be prepared by the Returning Officer under rule 28 of the Haryana Municipal Elections Rules, 1978, in Hindi and English. A list of nominations received, nominations rejected, nominations withdrawn and contesting candidates etc. with every detail shall be published at every stage and the same must be posted at some conspicuous places and in the office of the concerned Returning Officer or at the concerned Municipal Council/Municipal Committee office.

5. I, under section 275 (1A) of the Haryana Municipal Act, 1973 read with rule 49 of the Haryana Municipal Election Rules, 1978, hereby specify that the votes shall be cast by and recording of votes by voting machines [Electronic Voting Machines (EVMs)] in the Bye-elections of the Municipal Council/Municipal Committee concerned.

6. It is further directed that the option "None of above (NOTA)" on EVMs/Ballot papers" shall be implemented in these elections. The directions in this respect given in the Commission's order issued under Endst. No. SEC/1ME/2016/3653-3659 dated 14th December, 2016 and further modification No. SEC/1ME/2018/5833-5880 dated 22.11.2018 must be followed meticulously. However, the salient features of the NOTA are as under:

- (i) NOTA shall be treated as a 'Fictional Electoral Candidate' while declaring the election results.
- (ii) In case, a contesting candidate and the "Fictional Electoral Candidate" i.e. NOTA securing highest and equal number of valid votes; then the contesting candidate (not NOTA) shall be declared as elected.
- (iii) If in any election, all the contesting candidates individually receive lesser votes than the 'Fictional Electoral Candidate' i.e. NOTA, then none of the contesting candidates will be declared as elected.
- (iv) In case of situation arising as described in sub-section (iii) above, fresh election shall be held for that seat. Further all such contesting candidates who secured

4. I further direct that after the withdrawal of candidature(s), a list of validly nominated candidates shall be prepared by the Returning Officer under rule 28 of the Haryana Municipal Elections Rules, 1978, in Hindi and English. A list of nominations received, nominations rejected, nominations withdrawn and contesting candidates etc. with every detail shall be published at every stage and the same must be posted at some conspicuous places and in the office of the concerned Returning Officer or at the concerned Municipal Council/Municipal Committee office.

5. I, under section 275 (1A) of the Haryana Municipal Act, 1973 read with rule 49 of the Haryana Municipal Election Rules, 1978, hereby specify that the votes shall be cast by and recording of votes by voting machines [Electronic Voting Machines (EVMs)] in the Bye-elections of the Municipal Council/Municipal Committee concerned.

6. It is further directed that the option "None of above (NOTA)" on EVMs/Ballot papers" shall be implemented in these elections. The directions in this respect given in the Commission's order issued under Endst. No. SEC/1ME/2016/3653-3659 dated 14th December, 2016 and further modification No. SEC/1ME/2018/5833-5880 dated 22.11.2018 must be followed meticulously. However, the salient features of the NOTA are as under:

- (i) NOTA shall be treated as a 'Fictional Electoral Candidate' while declaring the election results.
- (ii) In case, a contesting candidate and the "Fictional Electoral Candidate" i.e. NOTA securing highest and equal number of valid votes; then the contesting candidate (not NOTA) shall be declared as elected.
- (iii) If in any election, all the contesting candidates individually receive lesser votes than the 'Fictional Electoral Candidate' i.e. NOTA, then none of the contesting candidates will be declared as elected.
- (iv) In case of situation arising as described in sub-section (iii) above, fresh election shall be held for that seat. Further all such contesting candidates who secured

05.11.2023. In case of EPIC of a voter is not available then he/she may also be allowed to cast his/her vote on production of any of the following photo identity papers:--

i)	Driving License,
ii)	Income Tax PAN Card,
iii)	Service Identity Card issued to employees by Central/State Government Offices, Public Sector Undertakings, Local Bodies or other public Limited Company,
iv)	Pass Book of accounts, having photograph, opened in a scheduled bank or post office,
v)	Freedom Fighter Identity Card having photograph,
vi)	SC/ST/OBC certificate having photograph, issued by competent authority,
vii)	Certificate of Physical Handicap having photograph issued by the Competent Authority,
viii)	Arms License having photograph,
ix)	Job Cards with photograph issued under the National Rural Employment Guarantee Scheme,
x)	Property documents with photographs such as Pattas, Registered Deeds etc.,
xi)	Pension Documents such as Ex-Servicemen Pension Book/Pension Payment Order, Ex-Servicemen's Widow/Dependent Certificate, Old Age Pension Order, Widow Pension Order, with photograph,
xii)	Health Insurance Scheme Smart Cards with Photograph,
xiii)	Ration Cards or any other similar documents establishing the identity of the electors to the satisfaction of the Presiding Officer, having photograph.
xiv)	Aadhar Card issued by UIDAI
xv)	Passport

In case of an odd elector, who does not possess any of the above photo identity cards, he/she would be allowed to vote, if he/she is able to establish his/her identity to the satisfaction of the Presiding Officer and such other Polling Officer authorized by the Presiding Officer in this behalf.

05.11.2023. In case of EPIC of a voter is not available then he/she may also be allowed to cast his/her vote on production of any of the following photo identity papers:--

i)	Driving License,
ii)	Income Tax PAN Card,
iii)	Service Identity Card issued to employees by Central/State Government Offices, Public Sector Undertakings, Local Bodies or other public Limited Company,
iv)	Pass Book of accounts, having photograph, opened in a scheduled bank or post office,
v)	Freedom Fighter Identity Card having photograph,
vi)	SC/ST/OBC certificate having photograph, issued by competent authority,
vii)	Certificate of Physical Handicap having photograph issued by the Competent Authority,
viii)	Arms License having photograph,
ix)	Job Cards with photograph issued under the National Rural Employment Guarantee Scheme,
x)	Property documents with photographs such as Pattas, Registered Deeds etc.,
xi)	Pension Documents such as Ex-Servicemen Pension Book/Pension Payment Order, Ex-Servicemen's Widow/Dependent Certificate, Old Age Pension Order, Widow Pension Order, with photograph,
xii)	Health Insurance Scheme Smart Cards with Photograph,
xiii)	Ration Cards or any other similar documents establishing the identity of the electors to the satisfaction of the Presiding Officer, having photograph.
xiv)	Aadhar Card issued by UIDAI
xv)	Passport

In case of an odd elector, who does not possess any of the above photo identity cards, he/she would be allowed to vote, if he/she is able to establish his/her identity to the satisfaction of the Presiding Officer and such other Polling Officer authorized by the Presiding Officer in this behalf.

— 3 —

is found to be involved in any such act or for carting anti-social elements with the intention to intimidate or create terror in the minds of voters, it shall be the duty of local administration to impound such vehicles and not to release them till the process of elections is completed. In addition, appropriate action against the owner, the occupant/occupants and the candidate who is involved in such illegal activities shall also be taken as per law.

- iv. The District Administration shall launch a drive for the checking of vehicles immediately upon announcement of the elections and shall continue the drive till completion of the election process.
- v. All recognized National/State Political Parties in the state of Haryana and all contesting candidates or their agents authorized by them must be made aware of these guidelines/instructions.
- vi. Permit in this respect shall be issued in the performa given here as under:-

PROFORMA

MUNICIPAL BYE-ELECTIONS, 2023

Permit No. _____

Municipal Council/Municipal Committee _____

Name of Candidate _____

Contesting the election of Member from Ward No. _____

Vehicle Number _____

Returning Officer
Seal

11. In view of rule 14 A (new rule) of the Haryana Municipal Election Rules, 1978, if any person whose name is not included in the ward wise electoral roll of concerned municipality finally published, but his/her name exists in the relevant part of the electoral roll of the Legislative Assembly constituency, he/she may apply (in Form "A") to the Returning Officer for the inclusion of his/her name in the electoral rolls of municipality till the last date of filing nomination. Returning Officer shall be the competent authority for

- 10 -

is found to be involved in any such act or for carting anti-social elements with the intention to intimidate or create terror in the minds of voters, it shall be the duty of local administration to impound such vehicles and not to release them till the process of elections is completed. In addition, appropriate action against the owner, the occupant/occupants and the candidate who is involved in such illegal activities shall also be taken as per law.

- iv. The District Administration shall launch a drive for the checking of vehicles immediately upon announcement of the elections and shall continue the drive till completion of the election process.
- v. All recognized National/State Political Parties in the state of Haryana and all contesting candidates or their agents authorized by them must be made aware of these guidelines/instructions.
- vi. Permit in this respect shall be issued in the performa given here as under:-

PROFORMA

MUNICIPAL BYE-ELECTIONS, 2023

Permit No. _____

Municipal Council/Municipal Committee _____

Name of Candidate _____

Contesting the election of Member from Ward No. _____

Vehicle Number _____

Returning Officer
Seal

11. In view of rule 14 A (new rule) of the Haryana Municipal Election Rules, 1978, if any person whose name is not included in the ward wise electoral roll of concerned municipality finally published, but his/her name exists in the relevant part of the electoral roll of the Legislative Assembly constituency, he/she may apply (in Form "A") to the Returning Officer for the inclusion of his/her name in the electoral rolls of municipality till the last date of filing nomination. Returning Officer shall be the competent authority for

mentioned period and upto 48 hours ending with the hour fixed for conclusion of poll.

(c) The Returning Officer shall give a written reminder (in prescribed Format C-2) about the directions given herein for publishing declaration about the criminal cases in newspapers and local TV channels or cable networks (if locally available) for wide publicity to all candidates who have criminal cases as per the declaration in items (5) and (6) of Form 1C. 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 (in prescribed Format C-3) 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.

14. Information pertaining to the criminal antecedents of the contesting candidates obtained in the prescribed forms alongwith nomination paper must also be hosted on the official website of district administration and the same shall remain hosted on the website till the completion of next general election

mentioned period and upto 48 hours ending with the hour fixed for conclusion of poll.

(c) The Returning Officer shall give a written reminder (in prescribed Format C-2) about the directions given herein for publishing declaration about the criminal cases in newspapers and local TV channels or cable networks (if locally available) for wide publicity to all candidates who have criminal cases as per the declaration in items (5) and (6) of Form 1C. 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 (in prescribed Format C-3) 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.

14. Information pertaining to the criminal antecedents of the contesting candidates obtained in the prescribed forms alongwith nomination paper must also be hosted on the official website of district administration and the same shall remain hosted on the website till the completion of next general election

-17-

authorized by the State Election Commission, failing which the defaulting candidate shall be liable to be disqualified under Section 13F of the Haryana Municipal Act, 1973 and Haryana Municipal Election Expenditure (Maintenance and submission of accounts) Order, 2020, for a period of five years from the date of issue of such order. The Deputy Commissioner or an officer authorized by the State Election Commission shall check account of election expenses and send a list of contesting candidates who have filed and not filed the election expenditure statement, to the Commission within a period of 7 days from the completion of prescribed time limit of 30 days.

Dhanpat Singh
State Election Commissioner, Haryana

Endst. No. SEC/1ME/2023/1681-1697

Dated: 12.10.2023

A copy of above is forwarded to the following for information and immediate compliance of above orders:-

1. Chief Secretary to Government of Haryana, Chandigarh.
2. Additional Chief Secretary to Govt. of Haryana, Home Department, Chandigarh.
3. Commissioner and Secretary to Government Haryana, Urban Local Bodies Department, Chandigarh.
4. Divisional Commissioner, Gurugram and Karnal.
5. Director General of Police, Haryana, Panchkula.
6. Director General, Urban Local Bodies, Haryana, Panchkula.
- ✓ 7. Director General, Information, Public Relations and Languages Department, Haryana, Chandigarh.
8. Deputy Commissioner, Gurugram, Kaithal, Mahendergarh and Rewari.
9. Superintendent of Police, Gurugram, Kaithal, Mahendergarh and Rewari.
- ✓ 10. Controller, Printing & Stationery Department, Haryana for publication in the Haryana Government Gazette. He is requested to supply 10 copies of the notification to this Commission for information and record.


Asstt. State Election Commissioner
for State Election Commissioner, Haryana

12/10