

**OFFICE OF DIRECTOR SECONDARY EDUCATION HARYANA
PANCHKULA**

Order No. 10/56-2015 Admn. (4)

Dated, Panchkula the 22/12/2015

A copy of letter No. SEC/4E-II/2015/10992 dated 17.12.2015 from State Election Commission, Haryana, Nirvachan Sadan, Panchkula Regarding 5th General Election of Panchayati Raj Institutions- Clarification reg is forwarded to the following for information and strict compliance:-

1. Director Elementary Education Haryana, Panchkula.
2. Director SCERT Haryana, Gurgaon.
3. All DIET's in the State.
4. All District Education Officer's in the State.
5. All District Elementary Education Officer's in the State
6. All the Headquarter Officers.
7. Technology Officer (I.T. Cell).
8. Registrar Education (Secondary).
9. All the Superintendent (HQ).
10. PA/DSE.
11. PA/ Additional Director Admn.-I, II & III.



**SUPERINTENDENT ADMN.
for DIRECTOR SECONDARY EDUCATION
HARYANA PANCHKULA**



URGENT

Date.....

7263Admn
21-12-15

URGENT

Mail/fax

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

NO. SEC/4E-II/2015/ 10992

Dated:17.12.2015

To

The Director General,
Secondary Education, Haryana,
Panchkula

21/12/15
ADE
21/12/2015
S-Admn
7/4
21/12

✓
Subject:- 5th General Election of Panchayati Raj Institutions-
Clarification reg.

[Handwritten Signature]

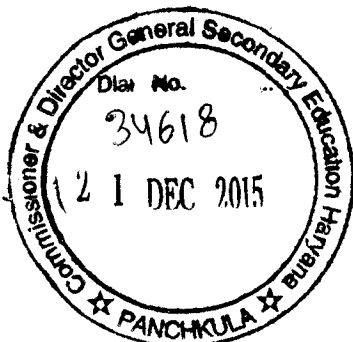
Sir,

I am directed to refer to this Commission letter No. SEC/3E-II/2015/8856 dated 09.09.2015 on the subject cited above and to inform you that the Notification No. Leg.15/2015 dated 7th September, 2015 (copy enclosed) of the Govt. was challenged in the Hon'ble Supreme Court of India vide Writ Petition (Civil) No. 671 of 2015 and in view of the order of Hon'ble Court dated 22nd September, 2015, the Commission had put on hold the elections till further orders.

2. Now, the Hon'ble Supreme Court of India has dismissed the above said writ petition on 10.12.2015. The Commission has thus issued the election programme for conducting the elections of Panchayati Raj Institutions vide Notification No. SEC/3E-II/2015/10233 dated 15th December, 2015 (copy enclosed).

3. As per amendment, following conditions pertaining to the education qualification has been added in disqualifications section of the Haryana Panchayati Raj Act, 1994 :-

(v) has not passed matriculation examination or its equivalent examination from any recognized institution/board:



Provided that in case of a woman candidate or a candidate belonging to Schedule Caste, the minimum qualification shall be middle pass:

Provided further that in case of a woman candidate belonging to Schedule Cast contesting election for the post of Panch, the minimum qualification shall be 5th pass.

4. Some quarries regarding "equivalent examination from any recognized institution/board" may be raised by the Deputy Commissioners or the Returning Officers during nominations.

5. I am, therefore, directed to request you that during the period of nomination and scrutiny i.e. from 23.12.2015 to 30.12.2015, 30.12.2015 to 05.01.2016 and from 05.01.2016 to 11.01.2016 at least one Senior Officer of your department who is well conversant about the directions and policies of your department may be deputed in the office of this Commission to advise, help and guide us on various issues pertaining to educational quarries.

6. It is further requested to 'kindly issue necessary direction/instruction to the District Education Officer (DEO) of all the districts to spare two officers to help the District Administration in taking decision on education certificate during the period of nomination and scrutiny. You may also inform the Deputy Commissioner-cum-District Election Officer (P) concerned about the name, designation & mobile number of the officers so deputed.

Yours faithfully

Parmal Singh
(Parmal Singh)

Asstt. State Election Commissioner, Haryana

17/12/15

NO. SEC/4E-II/2015/

Dated: 17.12.2015

A copy of above is forwarded to all the Deputy Commissioners-cum-District Election Officers (P), for information and necessary action.

sdll

(Parmal Singh)

Asstt. State Election Commissioner, Haryana

PART I
HARYANA GOVERNMENT
LEGISLATIVE DEPARTMENT
Notification

The 7th September, 2015

No. Leg. 15/2015.—The following Act of the Legislature of the State of Haryana received the assent of the Governor on the 7th September, 2015, and is hereby published for general information:-

(HARYANA ACT NO. 8 OF 2015)

THE HARYANA PANCHAYATI RAJ (AMENDMENT) ACT, 2015

AN

ACT

further to amend the Haryana Panchayati Raj Act, 1994.

Be it enacted by the Legislature of the State of Haryana in the Sixty-sixth Year of the Republic of India as follows:-

- | | | |
|----|---|---|
| 1. | This Act may be called the Haryana Panchayati Raj (Amendment) Act, 2015. | Short title. |
| 2. | In section 175 of the Haryana Panchayati Raj Act, 1994,- | Amendment of section 175 of Haryana Act 11 of 1994. |
| | I. after clause (a), the following clause shall be inserted, namely:- | |
| | “(aa) has not been convicted, but charges have been framed in a criminal case for an offence, punishable with imprisonment for not less than ten years; or”; | |
| | II. after clause (s), the following clauses shall be inserted, namely:- | |
| | “(t) fails to pay any arrears of any kind due to him to any Primary Agriculture Co-operative Society, District Central Co-operative Bank and District Primary Co-operative Agriculture Rural Development Bank; or | |
| | (u) fails to pay arrears of electricity bills; or | |
| | (v) has not passed matriculation examination or its equivalent examination from any recognized institution/board: | |
| | Provided that in case of a woman candidate or a candidate belonging to Scheduled Caste, the minimum qualification shall be middle pass: | |
| | Provided further that in case of a woman candidate belonging to Scheduled Caste contesting election for the post of Panch, the minimum qualification shall be 5th pass; or | |
| | (w) fails to submit self declaration to the effect that he has a functional toilet at his place of residence.”. | |

KULDIP JAIN,
Secretary to Government,
Haryana, Legislative Department.

(u)

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

NOTIFICATION

Dated, the 15th December, 2015

No. SEC/3E-II/2015/10233 - The State Election Commission, Haryana vide Notification No. SEC/3E-II/2015/8656 dated 8th September, 2015 had issued the programme for the conduct of general election of Panchayati Raj Institutions.

2. The Hon'ble Supreme Court of India during the course of hearing of writ petition (Civil) 671 of 2015 titled as Rajbala & Ors. Versus State of Haryana & Ors. had passed the following orders on 22.09.2015: -

"List this matter on Wednesday, the 7th October, 2015 for final hearing as item no. 1. In the meanwhile, parties should complete their pleadings. It goes without saying that in view of the interim order, the elections cannot proceed as scheduled."

3. In view of the orders of Hon'ble Supreme Court of India, State Election Commission, Haryana vide Notification No. SEC/3E-II/2015/9535 dated 22nd September, 2015 had ordered that all activities pursuant to its notification No. SEC/3E-II/2015/8656 dated 8th September, 2015 and all other notifications/orders issued subsequently in this connection shall be put on hold till further orders of this Commission. It was also ordered that the nomination papers received in respect of Zila Parishads and for the first phase elections of Panches, Sarpanches and member Panchayat Samitis, be kept intact in the office of Returning Officer for Zila Parishad and Panchayat Samiti concerned and in the case of Gram Panchayats nomination papers shall be kept intact in the office of Block Development and Panchayat Officer concerned till further orders of the Commission.

4. Now the Hon'ble Supreme Court of India has dismissed the above said writ petition (Civil) vide order 10.12.2015. In pursuance of the orders of Hon'ble Supreme Court of India the Government of Haryana, Development and Panchayat Department has also issued the notification No. ECA-2/2015/794 dated 11th December, 2015 vide which it has been directed that general election of Panches, Sarpanches of Gram Panchayats and members of Panchayat Samitis

and Zila Parishads shall be held and made in the State by 15th February, 2016 as specified by the State Election Commission.

5. In view of above, in exercise of the powers vested under clause (1) of article 243K of the Constitution of India and under rule 24 of the Haryana Panchayati Raj (Election) Rules, 1994 and all other powers and in pursuance of the provisions contained in Sub-Section (1) of Section 161 and Sub-Section (2) of Section 211 of the Haryana Panchayati Raj Act, 1994, State Election Commission, Haryana hereby reschedule the election programme for the conduct of elections of Members of all Zila Parishads in Table-A and for Panches, Sarpanches and Members of Panchayat Samitis (1st, 2nd & 3rd phase) in Table-B. The phasewise detail of blocks for the elections of Panches, Sarpanches, Members of Panchayat Samitis and Zila Parishads at Table-C and the names of Gram Panchayats where the election is not being held is given at Table-D. The table A,B,C,D are given as under.

TABLE -A
(Time schedule for Zila Parishad)

Sr. No.	Programme	Date
1.	Date on which notice shall be published by the District Election Officer (Panchayat) in Form 2 or 3, as the case may be, for inviting nominations under rule 24 of the Haryana Panchayati Raj Election Rules, 1994.	17.12.2015
2.	Dates on which Nomination papers shall be presented under Rule 24(2)(i).	23.12.2015 to 29.12.2015 (10.00 A.M to 3.00 P.M.)
3.	Dates on which the list of Nomination papers received shall be pasted under Rule 24(2) (ii).	23.12.2015 to 29.12.2015
4.	Date by which Affidavit/declaration shall be furnished by the candidate in Form 4-A & 4-B, to the concerned Returning Officer. (Rule 27).	23.12.2015 to 29.12.2015
5.	Date on which the nomination papers shall be scrutinized under Rule 24(2)(iii)	30.12.2015 (10.00 A.M. onwards)
6.	Last date for withdrawal of candidature by a candidate under Rule 24(2)(iv).	01.01.2016 (upto 3.00 P.M.)
7.	Date on which symbols shall be allotted to the contesting candidates.	01.01.2016 (After 3.00 PM)

8.	Date on which the list of contesting candidates shall be pasted under Rule 24(2)(v).	01.01.2016 (immediately after the allotment of symbols)
9.	Date on which the poll, if any, shall be held under Rule 24(2) (vi).	10.01.2016 (Sunday) 1st Phase 17.01.2016 (Sunday) 2nd Phase 24.01.2016 (Sunday) 3rd Phase
10.	Timing of the poll	Between 7.30 A.M. to 4.00 P.M.
11.	Counting of votes	i) On 28.01.2016 at 8.00 A.M at the place specified by the concerned District Election Officer (P). ii). In case of re-poll, the Commission may change the date and time of counting of votes.

Note: The Commission clarifies here that those candidates who have already filed the nomination for contesting the election of member Zila Parishad, as per the amendment made by the Govt. vide Notification No. Leg.15/2015 dated 7th September, 2015; need not to file fresh nominations, but have to file a fresh declaration/affidavit in Form 4-B along with required documents before the Returning Officer concerned during the period specified for the same.

TABLE -B

(Phase wise time schedule for Panches, Sarpanches and member Panchayat Samitis)

Sr. No.	Programme	1 st Phase	2 nd Phase	3 rd Phase
1.	Date on which notice shall be published by the District Election Officer (Panchayat) in Form 2 or 3, as the case may be, for inviting nominations under rule 24 of the Haryana Panchayati Raj Election Rules, 1994.	17.12.2015	23.12.2015	30.12.2015

2.	Dates on which Nomination papers shall be presented under Rule 24(2)(i).	23.12.2015 to 29.12.2015 (10.00 A.M to 3.00 P.M.)	30.12.2015 to 04.01.2016 (10.00 A.M to 3.00 P.M.)	05.01.2016 to 09.01.2016 (10.00 A.M to 3.00 P.M.)
3.	Dates on which the list of Nomination papers received shall be pasted under Rule 24(2) (ii).	23.12.2015 to 29.12.2015	30.12.2015 to 04.01.2016	05.01.2016 to 09.01.2016
4.	Date by which Affidavit/declaration shall be furnished by the candidate in Form 4-A & 4-B to the concerned Returning Officer (Rule 27).	23.12.2015 to 29.12.2015	30.12.2015 to 04.01.2016	05.01.2016 to 09.01.2016
5.	Date on which the nomination papers shall be scrutinized under Rule 24(2)(iii).	30.12.2015 (10.00 A.M. onwards)	05.01.2016 (10.00 A.M. onwards)	11.01.2016 (10.00 A.M. onwards)
6.	Last date for withdrawal of candidature by a candidate under Rule 24(2)(iv).	01.01.2016 (upto 3.00 P.M.)	07.01.2016 (upto 3.00 P.M.)	13.01.2016 (upto 3.00P.M.)
7.	Date on which symbols shall be allotted to the contesting candidates.	01.01.2016 (after 3.00 PM)	07.01.2016 (after 3.00 PM)	13.01.2016 (after 3.00 PM)
8.	Date on which the list of contesting candidates shall be pasted under Rule 24(2) (v).	01.01.2016 (immediately after the allotment of symbols)	07.01.2016 (immediately after the allotment of symbols)	13.01.2016 (immediately after the allotment of symbols)
9.	Date on which the poll, if any, shall be held under Rule 24(2)(vi).	10.01.2016 (Sunday)	17.01.2016 (Sunday)	24.01.2016 (Sunday)
10.	Timing of the poll	Between 7.30 A.M. to 4.00 P.M.	Between 7.30 A.M. to 4.00 P.M.	Between 7.30 A.M. to 4.00 P.M.
11.	Counting of votes	i). Panches and Sarpanches immediately after the close of poll. ii) Member Panchayat Samiti and Zila Parishad on 28.01.2016 at 8.00 A.M at the place specified by the concerned District Election Officer (P). iii) In case of repoll of Member Panchayat Samiti and Zila Parishads, the Commission may change the date and time of counting of votes.		

(b)

Note: The Commission clarifies here that those candidates who have already filed the nomination for contesting the election of member Panchayat Samiti, Sarpanch and Panch, as per the amendment made by the Govt. vide Notification No. Leg.15/2015 dated 7th September, 2015; need not to file fresh nominations, but have to file a fresh declaration/affidavit in Form 4-B along with required documents before the Returning Officer concerned during the period specified for the same.

TABLE -C
(List of blocks included in 1st, 2nd and 3rd Phases)

Sr. No.	District	Blocks 1 st Phase	Blocks 2 nd Phase	Blocks 3 rd Phase
1.	Ambala	1.Barara 2.Saha	1.Ambala-I 2.Ambala-II	1.Shahzadpur 2.Naraingarh
2.	Bhiwani	1.Bhiwani 2.Dadri-I 3.Badhra	1.Tosham 2.Siwani 3.Bawani Khera	1.Dadri-II 2.Loharu 3.Kairu 4.Behal
3.	Faridabad	1.Faridabad 2.Ballabgarh	---	---
4.	Fatehabad	1. Fatehabad 2.Tohana	1. Bhuna 2. Bhattu kalan	1.Ratia 2.Jakhal
5.	Gurgaon	1.Gurgaon 2.Sohna	1.Pataudi 2.Farukhnagar	---
6.	Hisar	1.Hisar-I 2.Hisar-II 3.Narnaund	1.Hansi-I 2.Hansi-II 3.Barwala	1.Adampur 2.Uklana 3.Agroha
7.	Jind	1.Jind 2.Safidon	1.Narwana 2.Uchana	1.Julana 2.Alewa 3. Pillukhera
8.	Jhajjar	1.Jhajjar 2.Bahadurgarh	1.Beri 2.Matanhail 3.Salhawas	--
9.	Karnal	1.Assandh 2.Indri	1.Gharaunda 2.Nissing	1.Karnal 2. Nilokheri
10.	Kaithal	1.Guhla 2. Kaithal	1.Pundri 2.Rajound	1. Siwan 2. Kalayat
11.	Kurukshetra	1.Thanesar 2.Pehowa	1.Ismailabad 2.Shahabad	1.Ladwa 2.Babain
12.	M. at Narnaul	1.Ateli Nangal 2.Kanina 3.Sihma	1.Narnaul 2.Satnail 3.Mahendergarh	1.Nizampur 2.Nangal Choudhary

13.	Mewat at Nuh	1.Punhana	1. Nagina 2. Firozepur Jhirka	1. Nuh 2. Tauru
14.	Panipat	1.Panipat 2.Israna	1.Madlauda 2.Samalkha	1.Bapouli 2.Sanouli Khurd
15.	Panchkula	1.Pinjore 2.Morni	1.Barwala 2.Raipur Rani	-----
16.	Palwal	1.Palwal 2.Prithla 3.Hodal	1.Hassanpur 2.Hathin	----
17.	Rohtak	1.Rohtak 2.Sampla	1.Meham 2.Lakhanmajra	Kalanaur
18.	Rewari	1.Rewari 2.Bawal	1.Nahar 2.Khol	1. Jatusana
19.	Sirsa	1.Baragudha 2.Dabwali 3.Odhan	1.Rania 2.Ellenabad	1.Nathusari Chopta 2.Sirsa
20.	Sonipat	1.Sonipat 2.Kharkhoda 3.Mundlana	1.Gohana 2.Khathura	1.Ganaur 2.Murthal 3.Rai
21.	Yamunanagar	1.Chhachhrauli 2.Jagadhri	1.Sadhaura 2.Bilaspur	1.Radaur 2.Mustafabad

TABLE -D

(Name of Gram Panchayats and Panchayats where the election shall not be held due to reason mentioned against each)

Sr. No. 1.	District 2.	Block 3.	Name of Gram Panchayat where the election is not being held 4.	Reasons 5.
1.	Yamuna Nagar	Chhachhrauli	Chhachhrauli	Non completion of existing term
		Radaur	Radaur	-do-
		Sadhaura	Sadhaura	-do-
2.	Bhiwani	Tosham	Tosham	-do-
		Behal	Sudhiwas	Wrong wardbandi
3.	Gurgaon	Gurgaon	Chandu	Fresh wardbandi yet not completed as per Court directions
		Farukhnagar	Budedha	-do-

			Wazirpur	Wrong wardbandi
4.	Karnal	Nissing	Nissing(Rural)	Non completion of existing term
5.	Panchkula	Barwala	Berwal Nandla	-do-
6.	Fatehabad	Jakhal	Jakhal Mandi	-do-
7.	Palwal	Hassanpur	Hassanpur	-do-
8.	Kurukshetra	Ladwa	Sambhalka	-do-
9.	Mewat	Firozpur Jhirka	Firozpur Jhirka (Rural)	Newly constituted

6. It is directed that the Deputy Commissioner-cum-District Election Officer (Panchayat) shall also append the note given at the end of the Table-A & B to the notice to be issued in form 2 & 3, as the case may be.

7. The General Elections of Gram Panchayats mentioned above at column No.4 of Table -D shall not be held due to the reasons mentioned against each, but the voters of these Gram Panchayats will exercise their votes to elect the members of Panchayat Samiti and Zila Parishad.

8. It is further directed that:-

- i. The District Election Officers (Panchayats) shall by notice in Form 2 or 3, as the case may be, specify the above programme i.e. (i) last date, time and place of making nominations; (ii) the date, time and place for scrutiny of the nomination papers (iii) date and time for withdrawal of candidature (iv) preparation of list of contesting candidates and allotment of symbols (v) date and time during which the poll will be held and (vi) date, time and place of counting of votes in accordance with the provisions contained in Rule 24 of the Haryana Panchayati Raj (Election) Rules, 1994 and will send a copy of the notice to the Commission either by fax and email.
- ii. Nomination papers for the election to Panches and Sarpanches of Gram Panchayats shall be filed and received at the concerned Gram Panchayat Headquarter by the Returning Officer/Assistant Returning Officer (Panchayat), nomination paper for the members of Panchayat Samitis shall be filed and received at the concerned Block Headquarter by the Returning Officer/Assistant Returning Officer (Panchayat Samiti) and for election for the members of Zila Parishad the nomination papers

shall be filed and received by the concerned Deputy Commissioner-cum-Returning Officer, Zila Parishad or the Assistant Returning Officer of Zila Parishad.

- iii. No nomination shall be filed on 25.12.2015, 27.12.2015 and 03.01.2016 being public holidays declared by the Government.
 - iv. The Returning Officer shall supply nomination paper (Form-4) and affidavit/declaration forms i.e. Form 4-A & 4-B on demand to the contesting candidates, contesting the election of Panch, Sarpanch, Member Panchayat Samiti and Zila Parishad.
 - v. The concerned Returning Officer shall also obtain an affidavit/declaration in Form 4-A and 4-B (reflecting the latest position of dues etc.) alongwith required documents during the prescribed period mentioned above at Sr. No. 4 of Table-A and Table-B, from those candidates who have filed the nomination earlier.
 - vi. The work of scrutiny of nomination papers should not be delegated to the concerned Assistant Returning Officer by the Returning Officers.
 - vii. The Returning Officer shall make the scrutiny of all the nomination papers (received earlier and fresh) on the day fixed for the scrutiny.
 - viii. Immediately after the withdrawal of candidature, the concerned Returning Officer shall prepare a list of contesting candidates in the prescribed forms i.e. in Forms 6, 7, 8 and 9 (as the case may be) and shall mention the symbol allotted to the contesting candidates against his/her name at column No. 4. After the allotment of symbol, the signature of the contesting candidates or his election agent should be obtained in the relevant form as token to the fact that the candidates have been informed about the symbol allotted to him/her.
9. It is also directed that the counting of votes of Panches and Sarpanches shall be done immediately after the close of poll at all the polling stations of the Gram Panchayat concerned. For the election of Members of Panchayat Samitis and Zila Parishads, the counting shall be held on 28.01.2016 at 8.00 A.M. {if re-

poll is required, the schedule for counting of votes pertaining to all polling stations shall be notified later on} at the place specified by the Deputy Commissioner-cum-District Election Officer.

10. It is further directed that the Deputy Commissioner-cum-District Election Officer (Panchayat) shall send the names of elected persons to this Commission within a period of fifteen days from the date of declaration of election result, in compact disc and printed form i.e. both in Hindi and English as per procedure prescribed by the State Election Commission vide its order No. S.E.C./3E-II/2011/748 dated 16.05.2011. The names received, thereafter, will not be considered for notification by this Commission and the Deputy Commissioner shall personally be held responsible for any consequences arising thereof.

11. It is further directed that where the wardbandi/reservation or voter list etc. of any Gram Panchayat is not completed or any stay order has been passed by any competent authority or court, the election to that institution shall not be held, under intimation to this Commission.

12. It is also further directed that the Deputy Commissioner-cum- District Election Officer (Panchayat) concerned shall send a report of the contesting candidates, who have filed and not filed their election expenditure statement within 30 days from the declaration of election result, as required under the Haryana Panchayati Raj Election Expenditure (Maintenance and Submission of Accounts) Order, 1996 issued under Endst. No. SEC/3E-II/96/7675-97 dated 07.06.1996. The report in this regard must reach this Commission within 45 days after the declaration of election result.

Dated, Panchkula
the 15th December, 2015

RAJEEV SHARMA
State Election Commissioner, Haryana

Endst. No. SEC/3E-II/2015/ 10234-283

Dated: 15th December, 2015

A copy 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 Government Haryana, Development & Panchayat Department, Chandigarh.
3. Director General, Police, Haryana, Panchkula.

4. Divisional Commissioner, Ambala, Hisar, Rohtak and Gurgaon.
5. Director General, Development & Panchayat Department, Haryana, Chandigarh.
6. All Deputy Commissioners-cum-District Election Officers (Panchayat), in the State of Haryana for information and further necessary action. They are requested to ensure the compliance of the schedule notified above. It may also be ensured that date-wise compliance report must reach in the office of this Commission by fax and email.
7. Director General, Information, Public Relations and Cultural Affairs Department, Haryana, Chandigarh.
8. Controller, Printing and Stationery Department, Haryana, Chandigarh for publication in the Haryana Government Gazette.
9. All District Development and Panchayat Officers in the State of Haryana.

Parmal Singh
(Parmal Singh)

Asstt. State Election Commissioner, Haryana
Email Id: asec.sec@hry.nic.in

C:\Users\Dograt\Desktop\WOTIFICATION RESCHEDULED -AFTER SUPREME COURT ORDERS.doc

15/11/15

(9) शिक्षा पत्रिका
पंचकुला