

STATE ELECTION COMMISSION, U.T., CHANDIGARH,
First Floor, New Deluxe Building, Sector-17 E, Chandigarh.
Telephone No. 0172-5025108, 0172-5003206
Email id :- secchandigarh@gmail.com

NOTIFICATION

The 12th November, 2021

No. 6/1/MCCE/SEC/CHD/18/2021/ 409 In exercise of the powers conferred under Rule 96 of the Municipal Corporation of Chandigarh (Election of Councillors) Rules, 1995 and all other enabling provisions in this behalf and in supersession of all pervious orders in this context, the State Election Commissioner, U.T., Chandigarh, hereby makes the following order for fixation of maximum amount of election expenses for election to a ward of the Municipal Corporation of Chandigarh to be held hereafter and for the filing of return of election expenses, as under:-

1. The maximum limit of expenses which can be incurred or authorized by a candidate in connection with an election to a ward shall be **Rs.5,00,000/- (Rupees Five Lakhs Only)**. The expenses incurred in respect of any arrangement made or facility provided by the Chandigarh Administration or by any office/ agency, bodies etc. of the Govt. or the Municipal Corporation of Chandigarh in connection with the said election shall not be included in the above-said expenses.
2. The candidate shall keep the correct account of election expenses on day-to-day basis between the dates on which he/she has been nominated and the date of the declaration of result, in the prescribed form. All the expenses incurred or authorized by the candidate in this regard and as mentioned in said form shall be supported by vouchers duly serially numbered and as entered in the above-said expenditure statement and also signed by the candidate in token of authenticity of vouchers shall be obtained from the party/supplier.
3. Every contesting candidate at an election to a ward, shall file the election expenses return with the concerned Returning Officer within 15 days from the date of the declaration of the result alongwith an affidavit, in the prescribed form.
4. The Returning Officer shall within two days from the date of the receipt of the account of election expenses of a candidate display a notice on his notice board specifying that inspection of the said account may be made and that any person interested to obtain a copy of such account may obtain the same on payment of a fee of Rs.10/- (Rupees Ten Only) from the concerned Returning Officer.

5. A candidate who fails to lodge the account of election expenses within the prescribed time and in the manner so prescribed without any valid reason or justification for the said failure shall be liable to face such penal actions as are prescribed in the I.P.C. & other relevant laws.



(S.K. SRIVASTAVA)
State Election Commissioner,
U.T., Chandigarh. 

Endst. No. 6/1/MCCE/SEC/CHD/18/2021/ 410

Dated: 12th November, 2021

A copy is forwarded to the Controller, Printing and Stationery, U.T., Chandigarh, with the request to publish the above notification in the Chandigarh Administration Gazette (Extra-Ordinary).



Secretary,
State Election Commission,
U.T., Chandigarh. 

Endst. No. 6/1/MCCE/SEC/CHD/18/2021/ 411

Dated: 12th November, 2021

A copy is forwarded to the following for information and immediate necessary action to:-

1. PS to the Advisor to the Administrator, U.T., Chandigarh.
2. Secretary Local Government, Chandigarh Administration.
3. Commissioner, Municipal Corporation, Chandigarh.
4. Deputy Commissioner, U.T., Chandigarh.
5. All the Election Observers, general election to Municipal Corporation of Chandigarh.
6. All the Returning Officers, general election to Municipal Corporation of Chandigarh.
7. All the Election Expenditure Observers, general election to Municipal Corporation of Chandigarh.
8. All the Assistant Returning Officers, general election to Municipal Corporation of Chandigarh.



Secretary,
State Election Commission,
U.T., Chandigarh. 

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First Floor, New Deluxe Building, Sector-17 E, Chandigarh.

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**INSTRUCTIONS TO CANDIDATES REGARDING MAINTENANCE OF
ACCOUNTS OF ELECTION EXPENSES.**



The attention of each candidate at an election of ward of Municipal Corporation of Chandigarh is invited to Rule 96 & 97 of the Municipal Corporation of Chandigarh (Election of Councillors) Rules, 1995, wherein the manner of keeping the record of election expenses is laid down in detail. Besides, Section-171-H & 171-I of Indian Penal Code are also relevant wherein punishment for not maintaining the election expenses account during an election to a ward of Municipal Corporation of Chandigarh has been prescribed.

2. The election expenses shall include all day-to-day expenses incurred or authorized by the candidate or his election agent on publishing posters, hand bills, organizing rallies, public meetings, making advertisement or by all such other means etc. with a view to promote and procure a seat for candidate. Thus all the expenditure incurred on the election by a candidate shall be termed as election expenses.
3. Every candidate has to lodge the election expenses record of all expenditures incurred by him or by his election agent in accordance with content of above said paragraph, between the date of his nomination to the date of declaration of the result of election. The candidate, who had withdrawn from contest subsequently for any of the reason shall also have to keep & submit the account of the election expenses to the Returning Officer concerned in the manner so prescribed above.
4. While submitting the election expenditure account, the candidate has to submit all the vouchers/ obtained from the Suppliers arranged according to the date of payment, serially numbered as has been entered in the account register.
5. The account may be maintained either in English or in Hindi containing the particulars mentioned in Rule 96 & 97 of the said rules.
6. A model proforma and a register for the maintenance of the account of expenditure showing the particulars in which the account of election expenses should contain are enclosed.
7. Incurring or authorizing election expenses in connection with an election to a ward exceeding the maximum limit prescribed by the Commission i.e. **Rs.5,00,000 /- (Rupees Five Lakhs Only)** shall amount to corrupt practice.

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8. Each candidate while lodging the return of his election expenses in the prescribed proforma shall also file an affidavit (on oath) on the format prescribed stating that all the election expenditure have been completely & unexceptionally included in the return.
9. The Returning Officer of a Ward shall check & sign the authenticity of the return filed through the above procedure and the candidate shall be personally responsible for any lapse or misrepresentation.
10. The candidates are required to produce the register of account of election expenses to the Returning Officer or the Election Expenditure Observer or any other authorized officer of the Commission on demand during the process of the election. Failure to produce the record of election expenses on demand will be considered as a major default and action under relevant provision of laws and rules will be taken against such candidates.
11. Every candidate at an election to a ward shall within fifteen days from the date of election of the returned candidate shall have to lodge with the concerned Returning Officer an account of his election expenses, which shall be true copy of the account kept by him or by his election agent.
12. On failure to lodge the return of election expenses within the prescribed time and manner with the concerned Returning Officer, a candidate is liable to face such penal action as is provided in I.P.C. and in other relevant laws. The non-maintenance of such account is also punishable under Section 171-I of Indian Penal Code.
13. The Returning Officer shall submit Register of election expenses duly verified & signed on all pages to the State Election Commission.

Chandigarh, dated
the 12th November, 2021


(S.K. SRIVASTAVA)
State Election Commissioner,
U.T., Chandigarh. 

STATE ELECTION COMMISSION, U.T., CHANDIGARH,
First Floor, New Deluxe Building, Sector-17 E, Chandigarh.
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No. 6/1/MCCE/SEC/CHD/18/2021/

Dated :-

From,

The Returning Officer,
General election to Ward No. _____
Municipal Corporation of Chandigarh.

To,

Sh./Smt./ Kum. _____
Candidate for General Election to Ward No. _____
Municipal Corporation of Chandigarh .

**Subject:- General election to Municipal Corporation of Chandigarh, 2021-
Maintenance of account of election expenses and lodging of true copy
thereof by each contesting candidate.**

Your attention is invited to Rule 96 of the Municipal Corporation of Chandigarh (Election of Councillors) Rules, 1995 (copy of relevant extracts enclosed) which stipulates that every candidate at an election of Municipal Corporation of Chandigarh either by himself or his election agent, keep a separate and correct account of all day to day expenditure in connection with the election incurred or authorized by him or by his election agent between the date on which he/she has been nominated and the date of declaration of the result of election to that ward of Municipal Corporation of Chandigarh.

1. Your attention is also invited to Order No. 6/1/MCCE/SEC/CHD/18/2021/409 dated 12.11.2021 (copy enclosed) of the State Election Commissioner which further stipulates that every contesting candidate at an election of Municipal Corporation of Chandigarh shall, within 15 days from the declaration of result of election, lodge with the concerned Returning Officer, an account of the election expenses which shall be a true copy of the account kept by him or by his election agent, for the period he/she files his/her nomination paper with the Returning Officer till the declaration of the results (both days inclusive).

2. The limit maximum of expenditure for election expenses has been fixed by the Commission in the present case, as Rs.5,00,000/- (Rupees five lakhs only) for a candidate for election of Municipal Corporation of Chandigarh.

3. Please note that if you fail to comply with the requirements of law mentioned above regarding the lodging of account of election expenses, you will be liable to be penalized as per provisions of laws on the subject.

4. The account of election expenses to be kept by you or by your authorized election agent under the aforesaid rules, shall contain the particulars of expenditure as prescribed under the 'Instructions for maintenance of account of election expenses' being supplied to you on the day you file the nomination papers.

5. A register in the prescribed format for the maintenance of the account of election expenditure and a note containing instructions to maintain such account are enclosed for your guidance and necessary action.

6. You are directed to allow inspection of the Account of Election expenses records to the undersigned and to any other officer authorized by the Commission in this behalf during the period of your filing of nomination and the date of declaration of the result of the general election of the ward of the Municipal Corporation of Chandigarh.

7. You are requested to acknowledge the receipt of this letter alongwith its enclosures immediately in the enclosed acknowledgement form.

Yours faithfully,

**RETURNING OFFICER,
Ward No. _____,
Municipal Corporation,
Chandigarh.**

Enclosures:-

1. Extracts of relevant Rule 96 & 97 of the Municipal Corporation of Chandigarh (Election of Councillors) Rules, 1995, as mentioned in para 1 above.
2. Commission's Notification No.6/1/MCCE/SEC/CHD/18/2021/409 dated 12.11.2021 prescribing the maximum limits of election expenses.
3. Instructions for maintenance of Account of Election expenses.
4. Register No.for maintenance of Account of Election expenses.
5. Acknowledgment Form.

[Extracts of Rule 96 of the Municipal Corporation of Chandigarh (Election of Councillors) Rules, 1995]

96. Maximum election expenses :- (1) The Election Commission may, from time to time, by a notification in the Official Gazette, fix maximum election expenses which can be incurred by the candidate for election from one ward.

(2) Every candidate shall maintain daily diary of expenses incurred by him, which shall be subject to the scrutiny by the Election Commission.

97. Submission of return of election expenses :- Every contesting candidate at an election shall, within fifteen days from the date of declaration of the result of the election, submit to the Election Commission **an* account of his election expenses in such proforma as may be specified by the Election Commission.

FORMAT OF AFFIDAVIT TO BE FILED BY A NOMINATED/CONTESTING CANDIDATE WHILE LODGING ACCOUNT OF HIS /HER ELECTION EXPENSES INCURRED IN CONNECTION WITH THE ELECTION TO WARD NO. _____ OF THE MUNICIPAL CORPORATION OF CHANDIGARH FOR 2021.

Before the Returning Officer, Ward No. _____ of the Municipal Corporation of Chandigarh.

Affidavit of Shri/Smt./Km. _____ son/wife/daughter of _____

I _____ son/ wife/ daughter of _____ aged _____ year
r/o _____.

do hereby solemnly affirm and declare as under:-

- 1) That I was a nominated/contesting candidate at the general election to the Municipal Corporation of Chandigarh from Ward No. _____, the result of which was declared on _____.
- 2) That I/my election agent kept a separate and correct account of all expenditure in connection with the above election for all expenditure incurred or authorized by me or by my election agent between _____ (the date on which I was nominated) and the date of declaration of the result thereof, both days inclusive.
- 3) That the said account was maintained in the Register supplied by the Returning Officer for the purpose and the said Register itself is annexed hereto with the supporting vouchers/bills mentioned in the said account
- 4) That the account of my election expenditure as annexed hereto includes all items of election expenditure incurred or authorized by me or by my election agent, the political Party which sponsored me, other associations/ body of persons and other individuals supporting me, in connection with the election and nothing has been concealed or withheld/ suppressed there-from.
- 5) That the Abstract statement of Election expenses annexed as Annexure-II to the said account also includes all expenditure incurred or authorized by me, my election agent, the political party sponsored me, other associations/ body of persons and other individuals supporting me, in connection with the said election.
- 6) That the statement in the foregoing paragraphs (1) to (5) are true to best of my knowledge and belief, and nothing is false and nothing material has been concealed.

Place _____

Dated _____

DEPONENT

Solemnly affirmed/sworn by _____ at _____ this day of 2021 before me.

(Signature and seal of the attesting authority, i.e. Magistrate Ist class or oath Commissioner or Notary Public).

**OFFICE OF THE
RETURNING OFFICER,
FOR GENERAL ELECTION TO
MUNICIPAL CORPORATION OF CHANDIGARH-2021**

ACKNOWLEDGEMENT SHEET

Subject:- General election to Municipal Corporation of Chandigarh, 2021, scheduled to be held on _____ - Filling of nominations - Receipt of important papers supplied by the Returning Officer.

I _____ son/wife/daughter of _____, a nominated candidate for the above-mentioned election of Councillor from Ward No. _____, of the Municipal Corporation of Chandigarh, acknowledge the receipt of the following papers:-

1. Extracts of relevant Rule 96 & 97 of the Municipal Corporation of Chandigarh (Election of Councillors) Rules, 1995 as mentioned in the letter.
2. Commission's Notification No.6/1/MCCE/SEC/CHD/18/2021/409, dated 12.11.2021 prescribing the maximum limits of election expenses.
3. Instructions for maintenance of Account of election expenses.
4. Proforma for Affidavit.
5. Expenditure Register No. _____ for maintenance of Account of Election expenses.
6. Order No. 6/1/MCCE/SEC/CHD/18/728 dated 19.08.2016 issued by State Election Commissioner, U.T., Chandigarh and Affidavit regarding criminal past of the candidate, if any, his/her assets and liabilities, his/her educational qualifications etc. (already attached with the set of nomination papers).

Signature of candidate

Dated :

Name & No. of Ward _____

Date _____