

தமிழ்நாடு மாநிலத் தேர்தல் ஆணையம், சென்னை - 106
TAMIL NADU STATE ELECTION COMMISSION, CHENNAI 106.

சட்டப்பூர்வ ஆணை
STATUTORY ORDER
சுருக்கக் குறிப்பு
ABSTRACT

ELECTIONS – Casual Elections to Urban Local Bodies – July 2010 – Salem District – Contested candidate – Account of election expenses – Failure to lodge – Show cause notice issued –Accounts not filed – Disqualification – Ordered.

S.O.No. 1/2013/TNSEC/ME-II

Dated, the 21st January 2013

Read:

1. S.O. No.59/2006/TNSEC/PE, dated, the 4th September 2006.
2. S.O. No.60/2006/TNSEC/PE, dated, 4th September 2006.
3. S.O. No. 18/2010/TNSEC/ME-I, dated, the 28th June 2010
4. From the District Election Officer/District Collector, Salem District Lr.No Rc. 574/2010/தி1, dated 3.9.2010.
5. Show cause notice issued by the Tamil Nadu State Election Commission Rc.No. 6936/2010/ME2, dated 24.2.2011.
6. From the District Election Officer/District Collector, Salem District Lr.No Rc. 574/2010/தி1, dated 11.3.2011, 7.7.2011, 22.8.2011 and 7.12.2012.

ORDER:

WHEREAS, in the Notification issued with the S.O. first and second read above, this Commission directed that all the contesting candidates in the elections listed therein shall lodge a true copy of their accounts of election expenses kept by them or by their respective election agents under sub-rule (1) of rule 116 of the Tamil Nadu Town Panchayats, Third Grade Municipalities, Municipalities and Corporations (Elections) Rules, 2006, in the format prescribed therefor with the officers mentioned therein, within thirty days from the date of declaration of the result of the elections;

2. WHEREAS, this Commission conducted Casual elections to the urban local bodies during July 2010 as notified in the S.O. third read above;

3. WHEREAS, the District Election Officer/District Collector, Salem District, in his letter fourth read above reported that out of three candidates contested in the said Casual election for the office of Municipal Ward Member in Ward No. 28 of Attur Municipality one candidate Tmt. M. Kalaiselvi, W/o. Mohan failed to lodge copies of her account of election expenses as directed by this Commission;

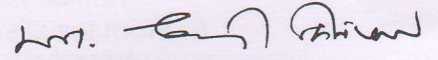
4. WHEREAS, based on the report of the said District Election Officer/District Collector, Salem, a show cause notice was issued in the reference fifth read above to the contested candidate, who failed to lodge a true copy of the account of election expenses in the Casual election held during the month of July 2010, through the District Election Officer/District Collector, calling for explanation within 21 days of the receipt of the said notice, as to why action should not be taken against her as per sub-section (2-A) of section 49 of the Tamil Nadu District Municipalities Act, 1920 (Tamil Nadu Act V of 1920);

5. WHEREAS, the said District Election Officer/District Collector, Salem in his letters sixth read above, has now reported that the said contested candidate has neither submitted her explanations nor lodged the account of election expenses inspite of the show cause notices issued to her; and

6. WHEREAS, in view of the said report of the District Election Officer/District Collector, Salem, the Tamil Nadu State Election Commission is satisfied that the candidate Tmt. M.Kalaiselvi, W/o. V.Mohan, 287F, Dr.Muthulakshmi Street, Attur, Salem District contested in the casual election to Ward No. 28 of Attur Municipality held during July 2010 has failed to lodge her account of election expenses as required by or under the said Act and Rules and has no good reason or justification for such failure.

7. NOW, THEREFORE, in exercise of the powers conferred by sub-section (2-A) of section 49 of the Tamil Nadu District Municipalities Act, 1920 (Tamil Nadu Act V of 1920), the Tamil Nadu State Election Commission hereby declares that the said candidate Tmt. M.Kalaiselvi, W/o. V.Mohan, Attur shall be disqualified, for being elected as a Councillor / Chairman for a period of three years from the date of this Order.

(தமிழ்நாடு மாநிலத் தேர்தல் ஆணைய ஆணைப்படி)
(By Order of the Tamil Nadu State Election Commission)


B. JOTHI NIRMALA
செயலாளர்
Secretary 1/3

To

The Works Manager, Government Central Press, Chennai-600 079.

(with a request to publish the Statutory Order in an Extra-Ordinary issue of the Tamil Nadu Government Gazette on 23.1.2013 without fail and to supply 25 copies of the Gazette to this Commission).

The concerned contested candidate

.. through the District Election Officer / District Collector, Salem

The Returning Officer and Commissioner, Attur Municipality

.. through the District Election Officer / District Collector, Salem

The District Election Officer / District Collector, Salem

The State Election Officers / Commissioner of Municipal Administration, Chennai-5

The Secretary to Government, Municipal Administration & Water Supply Department, Chennai-9.