



**STATE ELECTION COMMISSION, HARYANA  
NIRVACHAN SADAN, SECTOR- 17  
PANCHKULA- 134109**

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No. SEC/4E-II/2022/6213

Dated: 23<sup>rd</sup> November, 2022

**NOTIFICATION**

Whereas the State Election Commission, Haryana vide its notification No. SEC/4E-II/2022/4332, dated 28.10.2022 had announced schedule for conduct of general elections for the posts of Panches and Sarpanches of all Gram Panchayats and Members of all Panchayat Samitis and Zila Parishads in four districts, namely, Faridabad, Fatehabad, Hisar and Palwal which also included the post of Sarpanch, Gram Panchayat, Khai, Block Ratia, district Fatehabad. According to this notification, notice for inviting nominations under rule 24 of the Haryana Panchayati Raj Election Rules, 1994 was published by the concerned Deputy Commissioners on 29.10.2022. Nominations were presented between 05.11.2022 to 11.11.2022, scrutiny of nominations was done by the Returning Officers concerned on 12.11.2022 and withdrawal of candidature was on 14.11.2022. Election symbols were allotted to the contesting candidates on the same day after preparation of final list of candidates who remained in fray. Polling for members, Zila Parishad and Panchayat Samitis in these four districts has been held on 22.11.2022 and polling for election for the posts of Sarpanches and Panches in these four districts is scheduled to be held on 25.11.2022.

2. Whereas, the Deputy Commissioner, Fatehabad vide his memo No.11544/Panchayat Election-2022, dated 23.11.2022 has informed that nomination filed by Smt.Preeti Rani wife of Shri Praveen Kumar for the post of Sarpanch, Gram Panchayat, Khai was rejected by the concerned Returning Officer on the date of scrutiny of nominations i.e. on 12.11.2022 due to different name in the matriculation certificate and voter list.

3. The Deputy Commissioner, Fatehabad has further informed that Smt. Preeti Rani w/o Sh. Praveen Kumar, candidate for the post of Sarpanch, Gram Panchayat, Khai whose nomination was rejected has filed a CWP No.26430 of 2022, 'Preeti Rani versus State of Haryana and others' in the Hon'ble Punjab and Haryana High Court at Chandigarh. The Hon'ble Punjab and Haryana High Court, Chandigarh vide its order dated 22.11.2022 in the above said writ petition has directed the Returning Officer to accept nomination of the petitioner.

4. The Deputy Commissioner-cum- District Election Officer (Panchayat) has further requested the State Election Commission, Haryana to advise as what action is to be taken by his office in the matter in view of the above referred directions of the Hon'ble High Court which are reproduced below:-

"On notice, a status report 22.11.2022 has been filed by the respondents and the same is taken on record. As per status report, a stand is taken by the respondents that in matriculation certificate of the petitioner (Annexure R-4), her name is reflected as Sonia Bhutani daughter of Kishori Lal. Further in the voter card of the petitioner (r-3), her name has been shown as Preeti Rani but her date of birth has been shown as 11.06.1974 whereas in matriculation certificate, the date of birth has been shown as 11.06.1976.

Now the new ground has been taken in the reply for rejection of the nomination paper of the petitioner that the date of birth of the petitioner is not correct. The identity of the petitioner is not in dispute, as is evident from Adhaar Card, Voter Card and Pan Card where the name of the petitioner has been shown as Preeti Rani. This fact is not disputed by learned State counsel.

List on 16.12.2022.

In view of the above factual position, a direction is given to the respondents to accept the nomination paper of the petitioner.

A copy of this order be given dasti under the signature of Court Secretary/Reader attached to this Court."

5. Whereas clause (vi) of subrule (2) of rule 24 of the Haryana Panchayati Raj Election Rules, 1994 provides as under:

**"24. Fixation of various stages of elections** (2) The District Election Officer (Panchayat) shall by notice in Form 2 or 3, which shall be published at least five clear days before the first day fixed for making nominations, shall specify the date or dates, on, by or within which,

(vi) the poll shall be held;

Provided that the date of poll shall not be earlier than the seventh day after the last date fixed for the withdrawal of the candidatures"

6. Whereas election symbols have already been allotted to the contesting candidates on the date of withdrawal of candidature i.e. on 14.11.2022 and now the polling of votes for election of Sarpanch of Gram Panchayat, Khai is to be held on 25.11.2022 as per notification issued by the State Election Commission, Haryana as referred to above. However, election symbol has not been allotted to the petitioner because her nomination had been rejected. Thus, if the nomination paper of the petitioner is accepted at this stage, revised list of contesting candidates will have to be published and election symbols will also have to be allotted to the petitioner, and ballot papers will have to be prepared afresh. The election symbols already allotted to the other contesting candidates will be required to be revised since the election symbols

are fixed and are allotted to the candidates for the post of Sarpanch serial wise according to their names appearing in Hindi (Devnagari) alphabet.

7. In view of the above facts and circumstances of the case, I, Dhanpat Singh, State Election Commissioner, Haryana in exercise of powers enabling me under clause 1 of article 243K of the Constitution of India, sub-section (1) of section 161 and sub-section (2) of section 211 of the Haryana Panchayati Raj Act, 1994, rule 24 of the Haryana Panchayati Raj Election Rules, 1994 and all other powers enabling me in this behalf and in compliance with the directions dated 22.11.2022 of the Hon'ble High Court of Punjab and Haryana at Chandigarh passed in CWP No.26430 of 2022, hereby order as under :-

- i) to keep poll for the post of Sarpanch of Gram Panchayat, Khai, Block Ratia, district Fatehabad scheduled to be held on 25.11.2022 in abeyance for the time being subject to the final outcome of the present writ petition. Revised schedule for election will be issued in due course, if required.
- ii) to issue notice to all other contesting candidates for the post of Sarpanch, Gram Panchayat Khai informing them that the election will be kept in abeyance for the time being.


DHANPAT SINGH  
State Election Commissioner, Haryana

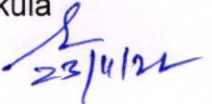
Endst.No.SEC/4E-II/2022/6214-6219

Dated: 23<sup>rd</sup> November, 2022

A copy is forwarded to:-

1. The Chief Secretary to Govt. of Haryana, Chandigarh.
2. The Principal Secretary to Govt. of Haryana, Development & Panchayat Department, Chandigarh.
3. The Director, Development & Panchayats Department, Haryana, Chandigarh.
4. The Deputy Commissioner-cum-District Election Officer (Panchayat), Fatehabad. A copy of the same may be provided to all the concerned candidates.
5. The District Development & Panchayat Officer, Fatehabad.
6. A copy is forwarded to the Controller, Printing and Stationery, Haryana, Chandigarh for publication in the Haryana Gazette.

  
Assistant State Election Commissioner,  
For State Election Commissioner, Haryana,  
Panchkula

  
23/11/22