

STATE ELECTION COMMISSION
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Lr.No. 1344 /SEC-B1/2014

Dated: 11-07-2014

To

All the Collectors & District Election Authorities
(except Srikakulam) **AP State.**

Sir/Madam,

Sub: Fourth Ordinary Elections to MPTCs/ZPTCs, 2014 – Submission of final returns of accounts of Election Expenditure by all contested candidates (elected and defeated) to MPDOs concerned within 45 days from the date of declaration of results – Sending reports to the Commission and follow up action – Reg.

Ref: 1. SEC Notification No.222/SEC-B1/2014-2, dated 29.3.2014.
2. SEC Lr.No.1344/SEC-B1/2014, dated 19.05.2014.

The State Election Commission issued Notification in the reference 1st cited for conduct of Fourth Ordinary elections to MPTCs/ZPTCs in 2 Phases. The results were declared on 13.5.2014. However, in respect of a few MPTCs/ZPTCs, the election process was re-notified due to various reasons and it completed on 19.05.2014.

Section 230B of the A.P. Panchayat Raj Act, 1994 and rule 100(2) of APPR (Conduct of Elections) Rules, 2006 stipulate that every contested candidate (elected as well as defeated) in the MPTCs/ZPTCs elections shall lodge a copy of his/her account of election expenses within 45 days from the date of declaration of results with the District Election Authority through Mandal Parishad Development Officer concerned. The date of submission of the return in the office of the MPDO shall be deemed to be the date of filing of return under section 230B of the APPR Act, 1994.

The maximum permissible limit of 45 days from the date of declaration of results for filing final accounts of Election Expenditure by contested candidates was already over.

The contested candidates who fail to lodge account of election expenses within 45 days from the date of declaration of results are liable for disqualification and cessation under section 19B of APPR Act, 1994 as shown below.

(PTO)

- 1) Elected candidate shall cease to hold office and also disqualified from contesting any election held for any office under the APPR Act for a period of 3 years from the date of order issued by the Commission.
- 2) Defeated candidate shall be disqualified from contesting any election held for any office under the APPR Act for a period of 3 years from the date of order issued by the Commission.

Further, Rule 100 to 103 of the A.P.P.R. (Conduct of Election) Rules, 2006 deal with the action to be taken by the District Administration on the returns filed by the contested candidates and also report to be sent to the Commission indicating the names of the defaulters so as to enable the Commission to issue a show cause notice to such defaulters and seek their explanation as to why punishment contemplated under Section 19-B of the A.P.P.R. Act, 1994 cannot be imposed against them for the failure on their part to submit election expenditure accounts within 45 days.

The State Election Commission already alerted all the Collectors & DEAs on this subject vide reference 2nd cited and requested to send reports to the Commission in the annexure appended to it. However, reports are yet to be received from the Collectors & DEAs.

This is a statutory process which cannot be postponed. Further, applications are already filed under RTI Act 2005 seeking copies of final returns filed by the contested candidates in 4th ordinary elections to MPTCs/ZPTCs, 2014.

All the Collectors/ & District Election Authorities are requested to convene a meeting with all the MPDOs before **21.7.2014** to review the process of filing of final election expenditure returns by contested candidates and send the reports to the Commission indicating the list of candidates who filed the returns in time in Annexure-IA and IB and also those who failed to do so in Annexure-IIA and IIB enclosed to this letter.

The State Election Commission will hold a Video Conference shortly with all the Collectors & DEAs to review this matter.

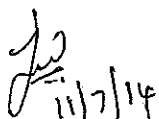
Yours faithfully,
Sd/- Navin Mittal,
Secretary

Encl: As above.

Copyto: All the Chief Executive Officers of ZPPs in AP State. (except Srikakulam).

// Attested //


JOINT SECRETARY


11/7/14

ANNEXURE – I A (ZPTCS)

List of contesting candidates who have furnished the accounts of election expenditure
Name of the District: _____ Name of the State: _____

Sl.No.	Name of the Mandal	Name of the office ZPTC	Name of the candidate who rendered final returns of election expenditure	Total expenditure incurred	Date of submission of Final return	Remarks (Please specify whether the expenditure incurred is within the ceiling limits and / or if there are any complaints action taken thereon.)
1	2	3	4	5	6	7

ANNEXURE – I B (MPTCS)

List of contesting candidates who have furnished the accounts of election expenditure
Name of the District: _____ Name of the State: _____

Sl.No.	Name of the Mandal	Name of the office MPTC	Name of the candidate who rendered final returns of election expenditure	Total expenditure incurred	Date of submission of Final return	Remarks (Please specify whether the expenditure incurred is within the ceiling limits and / or if there are any complaints action taken thereon.)
1	2	3	4	5	6	7

ANNEXURE – II A (ZPTC)

List of Candidates who failed to furnish the accounts of election expenditure within a stipulated time of 45 days.

Name of the District:			Name of the State:	
Sl.No	Name of the Mandal	Name of the office ZPTC	Name of the candidate who failed to render final returns of election expenditure within the time and /or in the manner required under AP PR Act and rules.	Remarks if any
1	2	3	4	5

ANNEXURE – II B (MPTC)

List of Candidates who failed to furnish the accounts of election expenditure within a stipulated time of 45 days.

Name of the District:			Name of the State:	
Sl.No	Name of the Mandal	Name of the office MPTC	Name of the candidate who failed to render final returns of election expenditure within the time and /or in the manner required under AP PR Act and rules.	Remarks if any
1	2	3	4	5

