

असाधारण

EXTRAORDINARY

Daman 17<sup>th</sup> October, 2020 25 Ashvina, 1942 (Saka)

सं. : 74  
No.

सरकारी राजपत्र  
OFFICIAL GAZETTE



सत्यमेव जयते  
भारत सरकार  
Government of India

संघ प्रदेश दादरा एवं नगर हवेली तथा दमण एवं दीव प्रशासन

U.T. ADMINISTRATION OF DADRA & NAGAR HAVELI AND DAMAN & DIU

प्राधिकरण द्वारा प्रकाशित

PUBLISHED BY AUTHORITY

UT Administration of Dadra & Nagar Haveli and Daman & Diu  
Office of the Director (PE & ME), Secretariat,  
Daman

No. 17/05/NOTI/ORDER/EXP/DNH & DD/2020/046

Dated : 17/10/2020

**Subject :** Alternative documents, expenditure limits and Dadra & Nagar Haveli and Daman & Diu Panchayat and Municipal Election Expenditure Order - 2020

With reference to the subject cited above, the Notification/Order No. 7-2/EC/DD/2020 and 8-9/EC/DNH/2020 dated 16/10/2020 received from the Election Commission, Dadra and Nagar Haveli and Daman & Diu, F-Block, M.S. Apartments, K. G. Marg, New Delhi is hereby published in the Official Gazette of this U.T. Administration of Dadra & Nagar Haveli and Daman & Diu for general information.

Sd/-

**(Ashish Mohan)**

Joint Secretary (PE & ME),  
UT of Dadra & Nagar Haveli and  
Daman & Diu.  
Daman

**ELECTION COMMISSION**  
**Dadra & Nagar Haveli and Daman & Diu**  
F-Block, M.S. Apartments,  
Kasturaba Gandhi Marg,  
New Delhi – 110 001

Dated the 16<sup>th</sup> October, 2020

**ORDER**

No. 7-2/EC/DD/2020: Whereas, it is necessary to check impersonation of voters in the interest of purity of elections to Panchayats and Municipal Councils and for the conduct of such elections in a fair manner;

Whereas rule 60 of the Daman and Diu Panchayats (Election Procedure) Rules, 2014, rule 60 of the Dadra and Nagar Haveli Panchayats (Election Procedure) Rules, 2014, rule 59 of the Daman and Diu Municipalities (Elections) Rules, 1995 and rule 59 of the Dadra and Nagar Haveli Municipal Council (Elections) Rules, 2005 provide, inter lia, that the elector shall produce his identity card before the Presiding Officer or the polling officer authorized by him in this behalf;

Whereas according to the information received from UT Administration of Dadra and Nagar Haveli and Daman and Diu, 98% voters have been issued Electoral Photo Identity Cards (EPICs). However, there are electors who have lost their Identity cards and a few electors who are newly included in Panchayat/Municipal Electoral Roll are also not having the EPICs, thus, such electors will find it difficult to cast their votes in the polling stations;

Now, therefore, after taking into account all relevant factors and the legal and factual position, the Election Commission, Dadra and Nagar Haveli and Daman and Diu, hereby directs that the following alternative documents to EPICs may be used for establishing the identity of those electors who have not been provided with EPICs or have lost their EPICs and whose names are included in the Electoral Roll:-

- (i) Unique Identity Card,
- (ii) Indian Passport
- (iii) Motor Vehicle Driving Licence
- (iv) PAN Card issued by the Income Tax Department
- (v) Service Identity Cards issued to their employees by the Central Govt., Public Sector Undertakings and Local bodies
- (vi) Service Identity Cards issued to its employees by the UT Administration of Dadra & Nagar Haveli and Daman & Diu.
- (vii) Bank/Kisan/Post Office Passbook having photo affixed on it

- (viii) Certificates of Physical Handicap issued by the competent authority with photograph.

The above alternative documents for identification will also apply in respect of such of those electors, who have been supplied with EPICs but are not able to produce them for reasons beyond their control.

Sd/-  
(Narendra Kumar)  
Election Commissioner

**ELECTION COMMISSION**  
**Dadra & Nagar Haveli and Daman & Diu**  
F-Block, M.S. Apartments,  
KG Marg, New Delhi – 110 001  
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No. 8-9/EC/DNH/2020

Dated the 16<sup>th</sup> October, 2020

**NOTIFICATION**

In exercise of powers vested under Article 243 K(1), Article 243 Z(A), of the Constitution of India, Section 99 of the Dadra and Nagar Haveli and Daman and Diu Panchayat Regulation, 2012, section 5 of the Dadra and Nagar Haveli and Daman and Diu Municipal Council Regulation 2004, and para 3 of the Dadra and Nagar Haveli and Daman and Diu Panchayat and Municipal Election Expenditure (Maintenance and Submission of Accounts) Order, 2020, and all other powers enabling it in this behalf, the Election Commission, Dadra and Nagar Haveli and Daman and Diu, hereby prescribe the limit on expenditure that may be incurred by the contesting candidate or his authorized election agents in connection with the elections as member of various Gram Panchayats/District Panchayats/ Municipal Councils.

SN	Name of Post	Amount in (Rs.)
1.	Member of Gram Panchayat	10,000/-
2.	Sarpanch, Gram Panchayat	30,000/-
3.	District Panchayat Member	1,00,000/-
4.	Member of a Municipal Council	1,00,000/-

2. It is further directed that the account of expenditure to be incurred by the contesting candidates of various offices in Panchayats/District Panchayats/ Municipal Councils shall be maintained and submitted to the District Election Officer within a period of 30 days from the declaration of the election result, in the performa prescribed for the purpose and the District Election Officer in turn would send report to the Commission as per provisions contained in the Dadra and Nagar Haveli and Daman and Diu Panchayat and Municipal Election Expenditure (Maintenance and Submission of Accounts) Order 2020.
3. It is further directed that if the Election Commission, Dadra and Nagar Haveli and Daman and Diu, in case of a Sarpanch of a Gram Panchayat, Member of a District Panchayat and Member of a Municipal Council and District Election

Officer in case of Member of a Gram Panchayat is satisfied that a person:-

- (a) has failed to lodge an account of election expenses within the time and in the manner required under this order and
  - (b) has no good reason or justification for the failure, the Election Commission/ District Election Officer shall, by order to be published in the Office Gazette, declare him to be disqualified and such person may be disqualified for a period of three years from the date of the order.
4. Every contesting candidate shall either by himself or by his authorized election agent will have to keep a separate and correct account of all expenditure in connection with the election between the dates a candidate files his/her nomination papers and date of election result both date inclusive. The total expenditure shall not exceed the limit as prescribed above.
  5. The expenditure made by the contesting candidate on material which may have been procured before filing of nomination if used after filing nomination by the candidate shall be treated as Election Expenditure.
  6. No particular party or any other association, body or individual shall put up any cut-outs, hoardings, wall paintings, buntings, arches, gates, banners, flags, advertisements in newspapers etc. without the general or special authority in writing of the candidate(s) whose election is sought to be promoted or procured by such cut-outs, hoardings etc., as expenditure on all such items shall be treated as the legitimate expenditure incurred by the contesting candidate. No contesting candidate or any individual on his behalf shall put up any cut-outs, hoardings etc. without prior permission of the concerned Government authority.
  7. Any violation by the contesting candidate or his authorized agent/individual to incur any expenditure in excess of the limit mentioned above will be viewed seriously by the Election Commission, Dadra and Nagar Haveli and Daman and Diu and stringent action including disqualification shall be taken against him/her.

Sd/-

(Narendra Kumar)  
Election Commissioner

**ELECTION COMMISSION**  
**Dadra & Nagar Haveli and Daman & Diu**  
F-Block, M.S. Apartments,  
KG Marg, New Delhi – 110 001

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No. 8-9/EC/DNH/2020

Dated the 16<sup>th</sup> October, 2020

**DADRA AND NAGAR HAVELI AND DAMAN AND DIU PANCHAYAT AND MUNICIPAL ELECTION EXPENDITURE (MAINTENANCE AND SUBMISSION OF ACCOUNTS) ORDER 2020**

**ORDER**

To provide ways and means to render the accounts of election expenditure at elections to Panchayats and Municipal Councils in the Union Territory of Dadra and Nagar Haveli and Daman and Diu by the candidates in relation thereto and for matters connected therewith.

WHEREAS, the superintendence, direction and control of all elections to Panchayats and Municipal Councils in the UT of Dadra and Nagar Haveli and Daman and Diu are vested in the Election Commission, Dadra and Nagar Haveli and Daman and Diu, by the Constitution of India and the Dadra and Nagar Haveli and Daman and Diu Panchayat Regulation, 2012 and Dadra and Nagar Haveli and Daman and Diu Municipal Council Regulation 2004.

AND, WHEREAS, the Election Commission, Dadra and Nagar Haveli and Daman and Diu, being deeply aware of the increasingly vitiated roll of unaccounted financial resources in election and the fragility of existing law in curbing such vitiation and to render the accounts of election expenses, it is necessary and expedient to provide in the interest of purity of elections to the Panchayats and Municipal Councils in the UT of Dadra and Nagar Haveli and Daman and Diu in the interest of the conduct of such elections in a fair and efficient manner and ways and means to render the accounts of expenditure at an election by the contesting candidate in relation thereto and for matters connected herewith;

NOW, THEREFORE, in exercise of the powers conferred under Article 243K (1) and 243 Z(A) of the Constitution of India and Section 99 of the Dadra and Nagar Haveli and Daman and Diu Panchayat Regulation, 2012 and section 5 of the Dadra and Nagar Haveli and Daman and Diu Municipal Council Regulation 2004, and all other powers enabling it in this behalf, the Election Commission, Dadra and Nagar Haveli and Daman and Diu, hereby makes the following Order:-

**1. Short title, extent, application and commencement:-**

1. This Order may be called the Dadra and Nagar Haveli and Daman and Diu Panchayat and Municipal Council Election Expenditure (Maintenance and Submission of Accounts) Order, 2020.

2. It shall extend to the whole of Union Territory of Dadra and Nagar Haveli and Daman and Diu in relation to elections in all Panchayats and Municipal Councils.
3. It shall come into force on the date of its publication in the Dadra and Nagar Haveli and Daman and Diu Official Gazette.

**2 . Definition and interpretation:-**

1. In this order unless the context otherwise requires:-
2. "Election Expenditure" means any expenditure incurred or authorized by a candidate or his election agent in connection with the election between the dates on which a candidate files his/her nomination papers and the date of declaration of results thereof, both days inclusive;  
\*Provided that any expenditure made by the candidate on material which may have been produced before filling of nomination if used after filing nomination by the candidate shall be included in the election expenditure of the candidate.
3. "Sub-Paragraph" means as sub paragraph of the paragraph in which the word occurs; and
4. Words and expressions used but not defined in this Order but defined in the Representation of the People Act, 1950 or Rules made thereunder or in the Representation of People Act, 1951 or the Rules made thereunder or the Dadra and Nagar Haveli and Daman and Diu, Panchayat Regulation 2012 and Dadra and Nagar Haveli and Daman and Diu, Municipal Council Regulation 2004, and or the Rules made thereunder shall have meaning respectively assigned to them in these Acts, Regulations and Rules.

**3. Notification by Election Commission, Dadra and Nagar Haveli and Daman and Diu, to prescribe the election expenditure limit:-** For the purpose of this Order, the Election Commission, Dadra and Nagar Haveli and Daman and Diu, shall notify from time to time the election expenditure limitation to be incurred in an election by a candidate.

**4. Maintenance of election expenditure account:-** For the purpose of this Order every contesting candidate at an election shall have to maintain the day to day Election Expenditure account in accordance with the procedure laid down in Para 5 of this Order.

**5. The Election Expenditure shall be maintained in accordance with the procedure laid down below:-**

- (i) A register in a standard proforma as shown in Annexure I to this Order shall be issued to each candidate by the Returning Officer immediately after his nomination for keeping the day to day record of expenditure.

- (ii) The register shall be dully authenticated by the Returning Officer at the time of issue.
  - (iii) All day to day accounts shall be faithfully recorded in blue ink in this register and in no other document, by the candidate or his agent authorized by him in this behalf.
  - (iv) All documents such as vouchers, receipts, acknowledgments etc. in support of the expenditure incurred shall be maintained in the correct chronological order alongwith the aforesaid register.
  - (v) The day to day account maintained in the aforesaid register together with the supporting documents shall be made available for inspection and counter signature of the Returning Officer or any other Gazette Officer duly authorized by him on every following day.
  - (vi) The day to day account maintained in the aforesaid register together with the supporting documents shall be made available for inspection at any time during the process of election by the District Election Officer/Returning Officer or any other such authority nominated by the Commission in this behalf.
  - (vii) Failure to get the daily accounts of expenditure countersigned or to produce this register on demand by the authority mentioned above will be considered as a major default.
6. (a) Each contesting candidate shall also maintain account of election expenditure in the proforma as per Annexure-II to this Order for showing the total expenditure on various items listed therein and shall within 30 days from the date of declaration of the result of the election, lodge with the District Election Officer, in duplicate an account of election expenses which shall be a true copy of the account maintained by him or by his election agent in the performa at Annexure-II. The District Election Officer shall retain one copy of the account of election expenses and the second copy shall be submitted to the Election Commission, Dadra and Nagar Haveli and Daman and Diu.
- b) The District Election Officer shall, within 2 days from the date on which the account of election expenses has been lodged by a candidate under sub-para (a) above, cause a notice to be affixed to the notice board of his office specifying:-
- i. The date on which the account has been lodged;
  - ii. The name of the candidate: and
  - iii. The time and place at which such accounts can be inspected.
  - iv. Any person shall on payment of a fee of Rs.50/- be entitled to inspect any such account and on payment of a fee of Rs.2/- per copy be entitled to obtain attested copies of such account or of any part thereof.



7. (a) While lodging the account of election expenditure, the candidate shall file the prescribed register as a part of the record.  
(b) Each candidate while lodging the returns of his election expenditure, shall also file an affidavit on oath as in Annexure -III that the expenditure shown as nil, if any, on items listed in the proforma or left blank therein, has not been incurred by him. The affidavit will also clearly state that all election expenditure on listed items relating thereto has been completely and unexceptionally included in the return and there is nothing that has not been disclosed.
8. A register in a standard proforma as shown in Annexure-I, Proforma as in Annexure-II and specimen of affidavit on oath as in Annexure-III to this Order shall be issued to each Candidate by the Returning Officer after his nomination for keeping the day to day account of expenditure and for showing the total expenditure on various items.
9. Since, the return of election expenditure filed by a candidate has to reflect "correct" account of "all" election expenses, the District Election Officer before accepting the account of the candidate as being in accordance with the manner prescribed, shall conduct such enquiry as he deems necessary, and at the time of communicating his report to the Commission certify to the Commission with reference to the documents filed before him and as verified by him through an appropriate enquiry that the statement of accounts is in the manner prescribed.
10. The Commission intends to super-check the authenticity of the returns filed through the above procedure and shall hold the candidate personally responsible for any lapse or misrepresentation.

**11. Disqualification for failure to lodge account of election expenses:-**

If the Election Commission, Dadra and Nagar Haveli and Daman and Diu, in case of Sarpanch of a Gram Panchayat, Member of a District Panchayat and Member of a Municipal Council and District Election Officer in case of Member of a Gram Panchayat is satisfied that a person:-

- a) Has failed to lodge an account of election expenses with in time and in the manner required under this order and has no good reason or justification for the failure, the Election Commission, Dadra and Nagar Haveli and Daman and Diu / District Election Officer shall by order published in the official gazette, declare him to be disqualified and such person ~~shall~~ <sup>may</sup> be disqualified for a period of three years from the date of the order.
12. These directions are absolutely mandatory and cannot be locally ordered or modified in any manner without prior written approval of the Commission. The District Election Officer will not be competent to permit any relaxation.

**13. Power of Election Commission, Dadra and Nagar Haveli and Daman and Diu, to issue instructions and directions:-**The Election Commission, Dadra and Nagar Haveli and Daman and Diu, may issue instructions and directions:-

(a) for the clarification of any of the provision of this order.

(b) for the removal of any difficulty which may arise in relation to the implementation of any such provision; and

(c) In relation to any matter with respect to the maintenance and submission of election expenditure return, by the contesting candidates, for which this Order makes no provision or makes, insufficient provision and is in the opinion of the Election Commission, Dadra and Nagar Haveli and Daman and Diu, necessary for the smooth and orderly conduct of elections.

14. A copy of this Order may be made available to the local unit of all recognized National and State Political Parties immediately, and to each candidate or the agent authorized by him at the time of his nomination (repeat nomination and not security of nominations) under acknowledgment.

15. This Order shall be given the widest possible publicity through the quickest and all possible means.

Sd/-

(Narendra Kumar)  
Election Commissioner

EXTRAORDINARY NO. : 74
DATED : 17 <sup>TH</sup> OCTOBER, 2020.

**ANNEXURE - 1**

**PROFORMA FOR THE SUBMISSION OF ELECTION EXPENDITURE**

Name of the Candidate :  
Name of the political party, if any :  
Constituency/Ward from which contested :  
Date of declaration of result :

(DAY TO DAY ACCOUNT)

Date of Expenditure	Nature of Expenditure	Amount of ----- Paid	Expenditure ----- Outstanding	Date of payment	Name and address of Payee	Serial No. of Voucher in case of amount paid	Serial No. of Bill in case of an amount out standing is	Name and address of person to whom the amount out-standing is payable	Remarks
1.	2.	3.	4.	5.	6.	7.	8.	9.	10.

Certified that this is a true copy of the Account kept by me/my election agent.

Signature of the contesting Candidate.

EXTRAORDINARY NO. : 74

DATED : 17<sup>TH</sup> OCTOBER, 2020.

ANNEXURE-II

ABSTRACT STATEMENT OF ELECTION EXPENSES

Item of Expenditure	Quantity / number	Name of person/ Political Party/ Body/ Association Incurring or Authorising the Expenditure	Amount of Expenditure	Dates(s) of payment	Mode of payment	Evidence of payment Enclosed with the Account	Remarks		
1.	2.	3.	4.	5.	6.	7.	8.	9.	10.
01		Cost of nomination forms.							
02		Expenditure on security deposit							
03		Expenditure on purchase of copies of electoral rolls.							
04		Expenditure on hiring of campaign offices.							
05		Expenditure on printing of manifestos							
06		Expenditure on printing of personal history							
07		Expenditure on printing of posters							
08		Expenditure on printing of handbills							
09		Expenditure on pasting of posters							
10		Expenditure on distribution of handbills							
11		Expenditure on writing of wall writings							
12		Expenditure on publication for advertisements							
13		Expenditure on propaganda for public meetings							
14		Hiring charges on places for public meetings							
15		Hiring charges of pendals etc. for public meetings							
16		Hiring Charges for loud-speakers for public meetings							
17		Hiring charges for photographers for public meetings							
18		Expenditure on production and playing of vedio cassettes.							
19		Expenditure on production and playing of audio cassettes.							

- 20 Visits of VIPs
- 21 Expenditure on construction of gate and arches
- 22 Hiring charges and POL on vehicle used by the candidate
- 23 Hiring charges and POL on vehicle used by Election agent
- 24 Hiring Charges and POL on vehicle used by polling agent
- 25 Hiring charges and POL on vehicles used by counting agents
- 26 Remuneration/ cost of refreshment given to election agent
- 27 Remuneration/ cost of refreshment given to polling agents.
- 28 Remuneration/ cost of refreshment given to counting agents
- 29 Remuneration/ cost of refreshment to house to house workers
- 30 Expenditure on travelling to party head office by public transport
- 31 Misc. expenses (other than those listed above)

Signature of the contesting candidate

- N.A. 1. This proforma must be accompanied by an affidavit. No return of expenditure will be accepted as complete without this affidavit.
- 2. The account shall be countersigned by the candidate if it is lodged by his election agents and should be certified by the candidate to be correct copy of the account kept.

**ACKNOWLEDGEMENT**

The account of the election expenses in respect of \_\_\_\_\_ (candidate) from \_\_\_\_\_ (Constituency/Ward) result of which was declared on \_\_\_\_\_ (Date) has been filed by him on his behalf on \_\_\_\_\_ (Date has been received by me today the \_\_\_\_\_ (Date) of \_\_\_\_\_ (Month) \_\_\_\_\_ (Year).

District Election Officer  
District \_\_\_\_\_

**ANNEXURE -III**

**Form of Affidavit**

Before the District Election Officer \_\_\_\_\_ (District)/ Returning Officer for \_\_\_\_\_ Gram Panchayat/ District Panchayat/Municipal Council ward in the District of \_\_\_\_\_.

Affidavit of Shri \_\_\_\_\_, S/o \_\_\_\_\_.

I \_\_\_\_\_, Son/Wife/ Daughter of \_\_\_\_\_ aged \_\_\_\_\_ years R/o \_\_\_\_\_ do hereby solemnly and sincerely state and declare as under:-

(1) That I was a contesting candidate at the general election/ bye-election to the Gram Panchayat/ District Panchayat/Municipal Council of \_\_\_\_\_ from \_\_\_\_\_ ward. 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 incurred or authorised 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 proforma devised by the Election Commission, Dadra and Nagar Haveli and Daman and Diu for the purpose and a true copy thereof 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 on election expenditure incurred or authorised by me or by my election agent and nothing has been concealed or withheld/ suppressed there from.

(5) That the statement in the foregoing paragraphs (1) to (4) are true to my personal knowledge, that nothing is false and nothing material has been concealed.

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