



## State Election Commission, Haryana

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No. SEC/4ME/2021/ 207 - 2038

Dated:- 22/07/2021

To

All the Deputy Commissioners  
In the State of Haryana.

**Subject:- Disposal of Municipal Election Records pertaining to General and Bye Elections of Municipalities conducted till date .**

Sir/madam,

I have been directed to refer to the above subject and to invite your kind attention towards sub rule (a), (c) and (c) of Rule 69 Y of the Haryana Municipal Election Rules, 1978 and sub rule (a), (c) and (d) of Rule 70Y of the Haryana Municipal Corporation Election Rules, 1994 , which provides as under:-

**Disposal of election papers**—Subject to any directions to the contrary given by the State Election Commission or by a competent court :-

- (a) the packets of unused postal ballot papers and tendered ballot papers shall be retained for a period of six months and shall thereafter be destroyed in such manner as the State Election Commission may direct.
- (c) Packets other than those as referred to sub rule(1) of the rule 69X of Municipal Election Rules, 1978 and sub rule(1) of rule 70X of the Haryana Municipal Corporation Election Rules, 1994 shall be retained for period of one year and shall thereafter be destroyed. Provided that the packets containing the counterfoils of used postal ballot papers shall not be destroyed except with the previous approval of the State Election Commission.
- (d) All other papers relating to the election shall be retained for such period as the State Election Commission may direct.

2. In view of the above provisions in the rules, it has been decided to shred and destroy the packets containing election record pertaining to the General and Bye Elections of Municipalities (Corporations, Councils and Committees) conducted till date. This shall be done in accordance with the procedure set out in the following paragraphs:-

**A. Record not to be destroyed till further orders**

- i) None of the papers related to the pending election petition, appeal, criminal case, inquiries, dispute etc. should be destroyed. In case of any doubt, matter should be referred to the Commission.
- ii) It must be ensured that no record pertaining to any election of municipalities is destroyed before the expiry of six months of the elections.

**B. The records which can be destroyed**

- i) The packets other than those as referred to in sub rule (1) of Rule 69X of the Haryana Municipal Election Rules, 1978 and sub rule (1) of Rule 70X of the Haryana Municipal Corporation Election Rules, 1994 shall be retained for a period of one year and shall thereafter be destroyed provided that the packets containing the counterfoils of used postal ballot papers shall not be destroyed except with the previous approval of the State Election Commission.
- ii) The undistributed ballot papers kept in the Treasury/Sub-Treasury under the orders of the Deputy Commissioner may also be destroyed.
- iii) The packets of unused postal ballot papers with counterfoils.
- iv) The sealed packets of used ballot papers whether valid, tendered or rejected, the packets of the marked copies of the electoral rolls and the packets of declaration by electors and the attestation of their signatures, which are contained in the sealed steel trunks under double lock and kept in the Treasury or Sub-Treasury may be destroyed as per procedure.
- v) Papers specified in the enclosed the "Annexure "A" may be destroyed.
- vi) Except surplus and waste ballot papers all election papers including restricted or confidential papers like used and unused ballot papers and their counterfoils, copies of electoral rolls

etc., should be shredded after the prescribed period as mentioned above and in the rules.

**C. Record to be destroyed in future**

- I) The list of challenged votes (Form No. 3) and the receipt book used for collection of challenge fee, and forms of nomination papers should not be destroyed before the expiry of 5 years from the date of declaration of the result or till they are audited and audit objections, if any are settled, whichever is later.
- II) Every order appointing a person as a Presiding Officer or Polling Officer should not be destroyed before the expiry of three years from the date of election for which the appointment relates.
- III) The register of deposits may be destroyed in the same manner as the revenue registers provided that in no case the register shall be destroyed before ten years.
- IV) The record of the receipt of the Govt. Head 0070 and the grant received from Govt. through election office be destroyed as per rules of the Haryana Govt. for destroy/auction of the record.
- V) The records relating to the account of election expenses of a candidate who has lodged it within the prescribed time and in the manner required by the State Election Commission shall be destroyed at the end of the year from the date the return ought to have been lodged. A list of such candidates shall be prepared and sent to the Commission.
- vi) Maintain a list of candidates, who have failed to lodge the account of election expenditure within the time schedule and in the manner required by the State Election Commission and incurred any disqualification under para 11 of the Haryana Municipal Corporation Election Expenditure (maintenance and submission of accounts) and order, 2018 issued vide notification No. SEC/3ME/2018/5536, dated 14.11.2018 and Haryana Municipal Election Expenditure(Maintenance & Submission of Accounts) Order, 2020 issued vide notification No. SEC/3ME/2020/2238, dated 24<sup>th</sup> November, 2020. The record of such candidates shall be destroyed after the expiry of **five years** period from the date of disqualification orders