

ABSTRACT STATEMENT OF ELECTION EXPENSESPART-I

Name of the candidate : RANA RANDHIR
 Number and name of Constituency : 18 MADHUBAN
 Name of State/Union Territory : BIHAR
 Nature of Election : By-Election / General Election. 2010
 Date of declaration of result : 24.11-2010
 Name and address of the Election agent : SHYAM KISHORE BHARTI
At. Po. Netha pamepur, P.S. Rajapur
Dis East - Champaran
Mo No - 9472681875

PART-II

- I. Were you a candidate set up by a political party ? : Yes/~~No~~
- II. If yes, name of the party. : RASTRIYH JANTA DAL
- III. Is the party a recognised Political party, : Yes/~~No~~
- IV. If recognised political party, whether National/State party : Nation/State party
- V. Has your party incurred/authorised expenses in your election ? : Yes/No
- VI. Has any other association/body of persons/individual
Incurred/authorized Expenses in your election? : Yes/No
- VII. If yes, give its/his/their name (s) and complete address (1)

(2)

(3)

PART-III
ABSTRACT STATEMENT OF EXPENDITURE ON ELECTION BY THE
CANDIDATE / HIS ELECTION AGENT

1	2	3	4	5
Item of Expenditure	Expenditure incurred/authorized			Total Expenses incurred/authorised (Total of Columns 2,3 & 4)
	Candidate/ his election agent	Political party which set him up	Any other Asso- ciation/ body of persons /Individual	
	Rs.	Rs.	Rs.	Rs.
1. Public meetings, processions, etc	44523 ²	—	—	44523 ²
2. Campaign materials, like, Handbills, Posters, Video and Audio cassettes, Loudspeaker etc.	19160 ¹	6175 ²⁰	—	25275 ²
3. Campaign through electronic/print media (including cable network)	1864250	—	—	1864250
4. Vehicles used and POL expenditure on such vehicles.	203942 ²⁸	—	—	203942 ²⁸
5. Erection of gates, arches, Cutouts, Banners etc.	29160	—	—	29160 ¹
6. Visits of 'Leaders' to the constituency (other than the expenditure on the travel of 'Leaders' as defined in Explanation 2 under Section 77 (1) for propagating programme of the party.)	—	94470 ²⁰	—	94470 ²
7. Visit of other party functionaries	—	—	—	
8. Expenses on Campaign Workers				
9. Other misc. Expenses	165755 ²	—	—	165755 ²
GRAND TOTAL-----	464344⁸⁸	100645²⁰	—	564989⁸⁸

Lump-Sum Grant Received, if any, from—

1. Political Party	R. J. D.
2. Any other association/body (with its name and address)	
3. Any individual (with name and address)	

"C"

DETAILS OF EXPENDITURE ON VEHICLES USED

Annexure-3
Part-I

Details of expenditure on all vehicles used in connection with the election including the vehicles supplied to candidate by his Political Party or any other association/organization/body by any other individual are required to be shown. The only exception is the expense incurred in connection with travel of "leaders" of political party for propagating programme of political party covered by Explanations 1 and 2 under Section 77 (1).

Regn. No. on Vehicle	Type of Vehicle	Vehicle Permit No. issued by RO	Rate for hiring			No. of Days for which used	Total Amount incurred	Break-up of total expenditure of column-6		
			Rate for hiring of vehicle/ maintenance	Fuel charges (if not covered under hiring)	Driver's charges/ batta (if not covered under hiring)			Amount spent by the Candidate/ Election Agent	Amount spent by the Political Party	Amount spent by any other association/ body of persons individual
1	2	3	4a	4b	4c	5	6	7	8	9
BA14P0021	SCAR 10		OWNED vehicle	3591=90	3000		6591=90			
BQ14F4300	SCAR 10			4589=65	3000		7589=65			
BA1P0886	Camacho			3512=18	3000		6512=18			
BA05P2807	SCAR 10		8000	5498=65	3000	16	16698=65			
BA05P2801	SCAR 10		8000	5500	3000	16	16700			
Grand total of Column 6: RS.										

- Note :
1. Copy of the order containing list of all vehicles for which permit issued by Returning Officer to be enclosed.
 2. All vehicles used for Public Meetings/Rallies/Processing shall also be included in the above table.
 3. If the vehicles owned by the candidate/his relative/agent are used for election purpose, national cost of hire of all such vehicles except one used by the candidate for his personal use, shall be included in total amount of expenditure in the above table.

"D"

Annexure-3(ii)
Part-V

DETAILS OF EXPENDITURE ON PUBLIC MEETINGS/RALLIES

(Each Public meeting/Rally/Procession held by the candidate/his election agent/his political party/any other association/organization/body/any other individual or behalf of the candidate should be mentioned in this format)

Total Number of public meetings/rallies/processions-

Total expenditure : RS 4452520

1	2	3	4				5	6	7
Date of Public meeting/ Rally	Address of venue	Name of Authority from whom permission obtained	Expenditure on Public Meetings/Rallies/Procession				Amount incurred by candidate Election Agent	Amount incurred by Political Party and name of the Party	Amount incurred by any other Association/body/ individual and names of such persons
	Name of the Star Campaigner/ Outside Dignitary (If Any)	Reference No. and Date of permission	Description	Qty.	Rate per unit	Total Amount			
30.9.X			Erecting Pandal & Fixtures			\$3800			
12.10.X	Nuker Jals		Arches & Barricading			4000			
			Hiring furniture						
			Hiring Loudspeakers & Microphones						
			Posters						
			Banners						
			Cut-outs						
			Digital Board						
			Illumination items like Serial Lights etc.						
			Power connection charges paid/payable to EB etc.						
			Rent for venue						
			Other Miscellaneous Expenses						
			TOTAL-						

PART-VI

DETAILS OF EXPENDITURE ON TRAVEL OF LEADER(S) OF THE PARTY NOMINATED IN TERMS OF 'EXPLANATION (2) UNDER SECTION 77 (1) OF THE REPRESENTATION OF THE PEOPLE ACT, 1951

1	2	3	4	5	6	7	8	9	10	11	12
Sl. No.	Name of Leader	ARRIVAL DETAILS			DETAILS OF STAY		DEPARTURE DETAILS			Whether expenditure on item (5), (7) and (10) incurred by candidate, political party or others specify	Expenditure if any on item (5) (7) and (10) by candidate
		Date of arrival in constituency	Mode of travel	Expenditure on fare paid (if known)	Duration of stay in constituency	Expenditure on local journeys	Date of departure from constituency	Mode of Travel	Expenditure on fare paid (if known)		
1.											
2.											
3.											
4.											
5.											
6.											
7.											
8.											
9.											
10.											
Total Expenditure											

Palace :

SIGNATURE OF CONTESTING CANDIDATE..... *Karna Karmadatta*

Date :

NAME OF CONTESTING CANDIDATE.....

Name of the Candidate
Father's Name
Identified by
Who appeared physically before me
or declares this

ANNEXURE - XVIII
(CHAPTER IV, PARA-30.6)

15/15
R. P. Singh
Notary Public
S. D. J. Singh

FORM OF AFFIDAVIT

Before the District Election Officer, Modli (District, State/Union Territory)

Affidavit of Shri. RANA RANDESH (S/o) SHREE SITA RAM SINGH

I, RANA RANDESH Son/Wife/Daughter of Shri Sita Ram Singh

aged 34 years, R/O BANJAR, do hereby solemnly and sincerely state and declare as under:-

- That I was a contesting candidate at the general election/bye election to the House of the People/Legislative Assembly of BIKAR 18 MAOHUA from 18 MAOHUA Parliamentary Assembly constituency, the result of which was declared on 24.11.2010
- That I/my election agent kept a separate and correct account of all expenditure incurred/authorized by me/my election agent in connection with the above election between 30.9.2010 to 24.11.2010 (The date on which I was nominated) and the date of declaration of the result thereof, both days inclusive.
- That the said account was maintained in the register furnished by the Returning officer for the purpose and the said Register itself is annexed here to with the supporting vouchers/ Bills mentioned in the said account.
- That the account of my election expenditure as annexed hereto includes all items of election expenditure incurred or authorized by me or by my election agent, the political party which sponsored me, other associations/body of persons and other individuals supporting me, in connection with the election and nothing has been concealed or withheld/suppressed therefrom (other than the expense on travel of Leaders covered by Explanations 1 and 2 under section 77 (1) of the Representation of the people Act, 1951).
- That the Abstract Statement of Election Expenses annexed as Annexure II to the said account also includes all expenditure incurred or authorized by me, my election agent, the political party which Sponsored me, other associations/body of persons and other individuals supporting me, in connection with the election.
- That the statements in the foregoing paragraphs (1) to (5) are true to the best of my knowledge and belief, that nothing is false and nothing material has been concealed.

Rana Randesh
Deponent

Solemnly affirmed/sworn by RANA RANDESH at Modli 22.12.2010 this day of 2010 before me.

(Signature and Seal of the Affirming authority, i.e. Magistrate of the first class or District Commissioner or Notary Public)

22/12/10



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Dated : 27th March, 2003

No. 3/ER/2003/JS-11

Order

Whereas, the superintendence, direction and control, inter alia of all elections to parliament and to the Legislature of every State are vested in the Election Commission by Article 324 (1) of the Constitution of India :

And whereas : the Hon'ble Supreme Court of India had, by its order dated 2nd May, 2002, in Civil Appeal No. 7178 of 2001-union of India vs Association for Democratic Reforms and another held as follows :-

- (1) The jurisdiction of the Election Commission is wide enough to include all powers necessary for smooth conduct of 'elections' and the word elections is used in a wide sense to include the entire process of election which consists of several stages and embraces many steps.
- (2) The limitation on plenary character of power is when the parliament of state legislature has made a valid law relating to or in connection with elections, the Commission is required to act in conformity with the said provisions, in case where law is silent, art 324 is a reservoir of power to act for the avowed purpose of having free and fair election, Constitution has taken care of leaving scope for exercise of residuary power by the Commission in its own right as a creature of the Constitution in the infinite variety of situations that may emerge from time to time in a large democracy as every contingency could not be foreseen or anticipated by the enacted laws or the rules. By issuing necessary directions Commission can fill the vacuum till there is legislation on the subject. In Kanhiya Lal Omar's case (AIR 1986 SC 111), the court construed the expressions superintendence, directions and control in art 324 (1) and held that a direction may mean an order issued to a particular individual or a precept which may have to follow and it may be a specific or a general order and such phrase should be construed liberally, empowering the Election Commission to issue such orders : -
- (3) The word 'elections' includes the entire process of election which consists of several stages and embraces many steps, some of which have an important bearing on the process of choosing a candidate, Fair election contemplates disclosure by the candidate of his past including the assets held by him so as to give a proper choice to the candidate (Sic) (elector) according to his thinking and opinion, As stated earlier, in Common Cause case [(1996) 2 SCC 752], the court dealt with a contention that elections in the country are fought with the help of money power which is gathered from black sources and once elected to power, it becomes easy to collect tons of black money, which is used for retaining power and for re-election. If on affidavit a candidate is required to disclose the assets held by him at the time of election, voter can decide whether he could be re-elected even in case where he has collected tons of money.

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The assets (immovable, movable, bank balances etc) of a candidate and of his/her spouse and that of dependants.

Liabilities, if any, particularly whether there are any over dues of any public financial institution or government dues.

The educational qualifications of the candidate.

And whereas, the Hon'ble Supreme Court in its aforesaid order dated 2nd May, 2002, further observed that the Election Commission has from time to time issued instructions in order to meet with the situation where the field is unoccupied by the legislation and had further directed that the norms and modalities to carry out and give effect to the aforesaid directions should be drawn up properly by the Election Commission as early as possible and in any case within two months.

And whereas, the Election Commission had, in pursuance of the above referred judgement and Order dated 2nd May, 2002 of the Hon'ble Supreme Court and in exercise of the powers, conferred on it by Article 324 of the Constitution, directed by an Order dated 28th June, 2002, inter alia, in para 14 of the said Order as follows:-

- 1) Every candidate at the time of filling his nomination paper for any election to the Council of States, House of the People, Legislative Assembly of a State or the Legislative Council of a State having such a council, shall furnish full and complete information in regard to all the five matters, specified by the Hon'ble Supreme Court and quoted in para 5 above (reproduced in para 3 herein), in an affidavit, the format where of is annexed here to as Annexure-1 to this order.
- 2) The said affidavit by each candidate shall be duly sworn before a Magistrate of the First Class or a Notary Public or a Commissioner of Oaths appointed by the High court of the State concerned.
- 3) Non-furnishing of the affidavit by any candidate shall be considered to be violation of the order of the Hon'ble Supreme Court and the nomination of the candidate concerned shall be liable to rejection by the returning officer of the time of scrutiny of nominations for such non-furnishing of the affidavit.
- 4) Furnishing of any wrong or incomplete information or suppression of any material information by any candidate in or from the said affidavit may also result in the rejection of his nomination paper where such wrong or incomplete information or suppression of material information is considered by the returning officer to be a defect of substantial character, apart from inviting penal consequences under the Indian Penal Code for furnishing wrong information to a public servant or suppression of material facts before him. Provided that only such information shall be considered to be wrong or incomplete or amounting to suppression of material information as is capable of easy verification by the returning officer by reference to documentary proof adduced before him in the summary inquiry conducted by him at the time of scrutiny of nominations under section 36 (2) of the

information vested in the voter/citizen. However, there is no good reason for excluding pending cases in which cognizance has been taken by Court from the ambit of disclosure.

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Election Commission has to issue revised instructions to ensure implementation of Section subject to what is laid down in this judgement regarding the cases in which cognizance been taken. The Election Commission's order related to disclosure of assets and liabilities will hold good and continue to be operative. However, direction No.-4 of para 14 insofar as declaration of assets and liabilities by means of summary enquiry and rejection of nomination on the ground of furnished wrong information of suppressing material information should be enforced."

whereas, the Judgement of Hon'ble Mr. Justice M.B. Shah, also held that Section 33B was null and void and further that the Election commission would be required to revise its instructions in the light of the directions therein as under :-

"It is true that the aforesaid directions issued by the Election Commission is not under challenge but at the same time Prima facie it appears that the Election Commission is required to revise its instructions in the light of directions issued in Association for Democratic Reforms case (a) and as provided under the Representation of the People Act and its 3rd Amendment."

whereas, by virtue of the Judgement dated the 13th March, 2003 of the Supreme Court declaring Section 33B of the Representation of the People Act, 1951 to be illegal, null and void, the earlier instruction of the Election Commission dated 28th June, 2002 would continue to be operative subject to the aforementioned directions of the Supreme Court, and are therefore required to be revised and reissued.

Now, therefore, the Election Commission, in pursuance of the above referred order dated 13th March, 2003, of the Hon'ble Supreme Court and in exercise of the powers, conferred on it by Article 32.14 of the Constitution, of superintendence, direction and control, inter alia, of conduct of elections to Parliament and State Legislatures, hereby issues, in supersession of its earlier order dated 28th June, 2002, its revised directions as follows :-

Every candidate at the time of filing his nomination paper for any election to the Council of States, House of the People, Legislative Assembly of a State or the Legislative Council or a State having such a council, shall furnish full and complete information in regard to the matters specified by the Hon'ble Supreme Court and quoted in para 13 and 14 above, in an affidavit, the format where of is annexed here to as Annexure-1 to this order.

The said affidavit by each candidate shall be duly sworn before a Magistrate of the First Class or a Notary Public or a Commissioner of paths appointed by the High Court of the State Concerned.

Non-furnishing of the affidavit by any candidate shall be considered to be violation of the

ANNEXURE XVII A
(CHAPTER V, PARA -30.3

Dated: -----

.....
f candidate)

aintenance of account of election Expenses and lodging of true copy thereof

on is invited to Section 77 of the Representation of the People Act, 1951 which stipulates
candidate at an election shall, either by himself or by his election agent, keep a separate
account of all expenditure in connection with the election between the date on which he
ominated and the date of declaration of the result thereof, both dates inclusive.

attention is also invited to Section 78 of the said Act which further stipulates that every
esting candidate at an election shall, within thirty days from the date of election of the
ned candidate, lodge with the District Election Officer, an account of the election expenses
h shall be a true copy of the account kept by him or by his election agent under Section

n if a contesting candidate does not seriously contest the election, for any reason
soever, and incurs only a nominal expenditure on his security deposit. etc., he is required
aw to lodge his account of election expenses.

ntesting candidate who fails to comply with the requirements of law regarding the lodging
ccount of election expenses is liable to be disqualified by the Election Commission under
ion 10A or the Representation of the People Act, 1951 for a period of three years.

account of election expenses to be kept by a candidate or his election agent under section
f the Representation of the People Act, 1951 shall contain the particulars of expenditure,
rred/authorized from day to day, as proscribed under rule 86 of the Conduct of Elections
s, 1961.

register is being furnished to you herewith. You are required to maintain your day to day
ount of election expenses in this very Register and in no other document. All supporting
chers, bills, etc., should also be kept along with the Register arranged in proper
nological order at all times. An abstract statement of expenditure is also to be prepared by
after the declaration of result of election in Parts - I to VI of the format enclosed herewith.

documents such as vouchers, receipts, acknowledgements, etc. in support of the
enditure incurred or authorized shall be obtained on day-to-day basis and shall be
ntained in the correct chronological order along with the Register showing the day-to-day
ount.

should make this Register and the supporting documents available for inspection if
anded at any time during the process of election by the District Election Officer, Returning
cer, Election Observer appointed by the Election Commission or any other such authority