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ELECTION COMMISSION OF INDIA
Nirvachan Sadan, Ashoka Road, New Delhi - 110001

No. 76/LKD-HP/2019

Dated : 24th August, 2021.
02 Bhadra, 1943 (Saka)

ORDER

WHEREAS, the General Election to the Lok Sabha for **01-Lakshadweep (ST)** Parliamentary Constituency of Union Territory of Lakshadweep, 2019 was announced by the Election Commission of India vide Press Note No. ECI/PN/23/2019 dated 10th March, 2019; and

WHEREAS, as per Section 78 of the Representation of the People Act, 1951, every contesting candidate has to lodge a true copy of account of election expenses within 30 days with the concerned District Election Officer, from the date of election of the returned candidate; and

WHEREAS, the result of the election for **01-Lakshadweep (ST)** Parliamentary Constituency was declared by the Returning Officer on 23rd May, 2019 and hence the last date for lodging the account of Election Expenses was 22nd June, 2019; and

WHEREAS, as per the report dated **04-07-2019** submitted by the District Election Officer, **Lakshadweep, Ali Akber K.** contesting candidate from **01-Lakshadweep (ST)** Parliamentary Constituency of Union Territory of Lakshadweep General Election to Lok Sabha, 2019, has failed to lodge account of election expenses, as required under law; and

WHEREAS, on the basis of the said report of the District Election Officer, a Show-Cause notice No. 76/LKD-HP/2019, dated 31st July, 2020 was issued under sub rule (5) of Rule 89 of the Conduct of Election Rules, 1961 by the Election Commission of India to **Ali Akber K.** for not lodging of account of Election Expenses; and

WHEREAS, through the above said Show Cause Notice and under sub rule (6) of Rule 89 of the Conduct of Elections Rules, 1961, **Ali Akber K.** was directed to submit representation in writing to the Commission explaining the reason for not lodging the account and also to lodge account of election expenses with the District Election officer, **Lakshadweep** within 20 days from the date of receipt of the notice; and

WHEREAS, the District Election Officer, **Lakshadweep**, has reported that the said notice was served to **Ali Akber K.** on **10-08-2020**; and

WHEREAS, the District Election Officer, **Lakshadweep** in his supplementary report dated **31-07-2021**, reported that **Ali Akber K.** has not submitted account of election expenses. Further, after receipt of the said notice, **Ali Akber K.** has neither furnished any reason nor explanation to the Election Commission of India, for failure to lodge the account as prescribed under law; and

WHEREAS, Section 10 A of the Representation of the People Act, 1951 provides that :-

“ If the Election Commission is satisfied that a person.

(a) has failed to lodge an account of election expenses, within the time and in the manner required by or under this Act, and

(b) has no Good reason or justification for the failure,

the Election Commission shall, by order published in the Official Gazette, declare him to be disqualified and any such person shall be disqualified for a period of three years from the date of the order.

WHEREAS, on the basis of facts and available records, the Commission is satisfied that **Ali Akber K.** has failed to lodge account of election expenses and has no good reason or justification for the failure to do so; and

NOW, THEREFORE, in pursuance of Section 10A of the Representation of the People Act, 1951, the Election Commission of India hereby declares **Ali Akber K. Konjanoda, Kiltan, Lakshadweep** and a contesting candidate from **01-Lakshadweep (ST)** Parliamentary Constituency of Union Territory of Lakshadweep in the General Election to the Lok Sabha, 2019 to be disqualified for being chosen as and for being a member of either House of Parliament or the Legislative Assembly or Legislative Council of a State Union territory for a period of three years from the date of this order.

Sd/-
(AVINASH KUMAR)
Principal Secretary
Election Commission of India.