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ELECTION COMMISSION OF INDIA

No. 76/MIZ—LA/14/80

Ashok Road, New Delhi—1

Dated : 25 November 1980

4 Agrahayana 1902 (S)

ORDER

WHEREAS the Election Commission is satisfied that Shri. Thangliana, Electrict Veng Aizawl, Mizoram a contesting candidate for general election to the Mizoram from 14—Saitual Assembly Constituency, held in April, 1979, has failed to lodge an account of his election expenses as required by the account of his election expenses as required by the Representation of the people Act, 1951, and the Rules made thereunder ;

AND WHEREAS the said candidate, even after due notice, issue to him on 23. 7. 79

and not received back undelivered, has given any reason or explanation for the failure and the Election Commission is not satisfied that he has no good reason or justification for such failure ;

NOW, THEREFORE, in pursuance of section 10 A of the said Act, the Election Commission hereby declares the said Thangliana, to be disqualified for being elected as, and for being, a member of the House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

By order

S. C. JAIN
UNDER SECRETARY TO
ELECTION COMMISSION OF INDIA

(5) If any person,—

(a) who is a legal practitioner, is found guilty of misconduct in his professional capacity by any authority entitled to institute proceedings against him, an order passed by that authority shall have effect in relation to his right to appear before a Gold Control Officer or the Appellate Tribunal as it has in relation to his right to practise as a legal practitioner;

(b) who is not a legal practitioner, is found guilty of misconduct in connection with any proceedings under his Act by the prescribed authority, the prescribed authority may direct that he shall thenceforth be disqualified to represent any person under sub-section (1).

(6) Any order or direction under clause (b) of sub-section (4) or clause (b) of sub-section (5) shall be subject to the following conditions, namely:—

(a) no such order or direction shall be made in respect of any person unless he has been given a reasonable opportunity of being heard;

(b) any person against whom any such order or direction is made may, within one month of the making of the order or direction, appeal to the Administrator to have the order or direction cancelled; and

(c) no such order or direction shall take effect until the expiration of one month from the making thereof, or, where an appeal has been preferred, until the disposal of the appeal.

8. Section 114, in sub-section (2), in clause (e), omit sub-clause (iii).