

The following translation of the ಕರ್ನಾಟಕ ಆರ್ಥಿಕ ಹೊಣೆಗಾರಿಕೆ (ಎರಡನೇ ತಿದ್ದುಪಡಿ) ಅಧಿನಿಯಮ, 2009 (2009ರ ಕರ್ನಾಟಕ ಅಧಿನಿಯಮ ಸಂಖ್ಯೆ: 14) in the English language is published in the Official Gazette under the authority of the Governor of Karnataka under clause (3) of Article 348 of the Constitution of India.

**KARNATAKA ACT No. 14 OF 2009**

(First published in the Karnataka Gazette Extra-ordinary on the Thirty first day of July, 2009)

**THE KARNATAKA FISCAL RESPONSIBILITY (SECOND AMENDMENT) ACT, 2009**

(Received the assent of the Governor on the Thirty first day of July, 2009)

An Act further to amend the Karnataka Fiscal responsibility Act, 2002.

Whereas it is expedient further to amend the Karnataka Fiscal Responsibility Act, 2002 (Karnataka Act 16 of 2002) for the purposes hereinafter appearing:

Be it enacted by the Karnataka State Legislature in the Sixtieth year of the Republic of India as follows:-

**1. Short Title and Commencement.-** (1) This Act may be called the Karnataka Fiscal Responsibility (Second Amendment) Act, 2009.

(2) It shall be deemed to have come into force with effect from the first day of April, 2009.

**2. Amendment of Section 4.-** In the Karnataka Fiscal Responsibility Act, 2002 (Karnataka Act 16 of 2002), in section 4, in sub-section (3), after the second proviso, the following shall be inserted, namely:-

“Provided also that the fiscal deficit during the financial year 2009-10 shall not exceed four percent of estimated Gross State Domestic Product.”

The above translation of ಕರ್ನಾಟಕ ಆರ್ಥಿಕ ಹೊಣೆಗಾರಿಕೆ (ಎರಡನೇ ತಿದ್ದುಪಡಿ) ಅಧಿನಿಯಮ, 2009 (2009ರ ಕರ್ನಾಟಕ ಅಧಿನಿಯಮ ಸಂಖ್ಯೆ: 14) be published in the Official Gazette under clause (3) of Article 348 of the Constitution of India.

**H.R. BHARDWAJ**  
GOVERNOR OF KARNATAKA

By order and in the name of the Governor of Karnataka,

**G.K. BOREGOWDA**  
Secretary to Government  
Department of Parliamentary Affairs and Legislation.

**ವಿಶೇಷ ಪತ್ರಿಕೆ**

ಭಾಗ - IV-A	ಬೆಂಗಳೂರು, ಶನಿವಾರ, ಅಕ್ಟೋಬರ್ ೩, ೨೦೦೯ (ಅಶ್ವಯುಜ ೧೧, ಶಕ ವರ್ಷ ೧೯೩೧)	ನಂ. ೯೨೬
------------	---	---------

**Urban Development Secretariat**

**NOTIFICATION**

**No.UDD 163 MLR 2009, Bangalore, Dated : 3<sup>rd</sup> October, 2009**

Whereas the draft of the following rules further to amend the Karnataka Municipal Corporations Rules, 1977 was published in Notification No. UDD 163 MLR 2009 dated 15<sup>th</sup> September, 2009 in Part IV-A, No.854 of the Karnataka Gazette Extra-ordinary dated 15<sup>th</sup> September, 2009 inviting objections and suggestions from all persons likely to be affected within fifteen days from the date of publication of the said Notification in the Official Gazette.

And whereas, the said Gazette was made available to the public on 15th September, 2009.

And whereas, the objections and suggestions received within the stipulated time have been considered.

Now therefore, in exercise of the powers conferred by section in exercise of the powers conferred by sections 26A and 55 read with 421 of the Karnataka Municipal Corporations Act, 1976 (Karnataka Act 14 of 1977) the Government of Karnataka makes the following rules, namely:-

### RULES

**1. Title and Commencement.-** (1) These rules may be called the Karnataka Municipal Corporations (Elections) (Amendment) Rules, 2009.

(2) They shall come into force from the date of their publication in the official Gazette.

**2. Insertion of new rules 22B, 22C, 22D, and 22E,-** In the Karnataka Municipal Corporations (Election) Rules, 1979 (hereinafter referred to as the said rules) after rule 22A, the following new rules shall be inserted, namely:-

**" 22B. Particulars of account of election expenses under section 26A.-** (1) The candidate or his election agent shall maintain the account of election expenses under section 26A in Form 11A, which shall ordinarily contain the following particulars in respect of each item of expenditure from day to day, namely:-

- (a) date on which the expenditure was incurred or authorized;
- (b) the nature of expenditure (as for example, traveling, postage or printing and the like);
- (c) the amount of the expenditure with break up of,-
  - (i) the amount paid;
  - (ii) the amount outstanding; and
  - (iii) date of payment;
- (d) the name and address of the payee;
- (e) the serial number of vouchers, in case of amount paid;
- (f) the serial number of bills, if any, in case of amount outstanding;
- (g) the name and address of the person to whom the amount outstanding is payable.

(2) A voucher shall be obtained for every item of expenditure unless from the nature of the case, such as postage, travel by rail and the like, it is not practicable to obtain a voucher.

(3) All vouchers shall be lodged along with the account of election expenses, arranged according to the date of payment and serially numbered by the candidate or his election agent and such serial numbers shall be entered in the account under item (e) of sub rule (1).

(4) It shall not be necessary to give particulars mentioned in item (e) of sub-rule (1) in regard to items of expenditure for which vouchers have not been obtained under sub-rule (2).

(5) Every Candidate shall make a declaration in Form 11B, while lodging his Statement of expenditure before the Returning officer and the Returning officer shall acknowledge the same in Form 11C.

**22C. Notice by Returning officers.-** The Returning officer, shall within two days from the date on which the account of elections has been lodged by a candidate under section 26-B of the Act, cause a notice to be affixed on the notice board of the office, specifying,-

- (a) the date on which the account has been lodged;
- (b) the name of candidate; and
- (c) the time and place at which such account can be inspected.

**22D. Report by the returning officer as to the lodging of the account of election expenses and the decision of the State Election Commission thereon.-** (1) As soon as may be after the expiration of the time specified in section 26-B of the Act for lodging of the accounts of election expenses at any election, the returning officer shall report to the Election Commission,-

- (a) the name of each contesting candidate;

(b) whether such candidate has lodged his account of election expenses and if so, the date on which such account has been lodged; and

(c) whether in his opinion such account has been lodged within the time and in the manner required by the Act and these rules.

(2) Where the returning officer is of the opinion, that the account of election expenses of any candidate has not been lodged in the manner required by the Act under these rules, he shall with every such report forward to the State Election Commission the account of election expenses of that candidate and the vouchers lodged along with it.

(3) Immediately after the submission of the report referred to in sub-rule (2), the Returning officer shall publish a copy thereof by affixing the same on the notice board.

(4) As soon as may be after the receipt of the report referred to in sub-rule (2), the State Election Commission shall consider the same and decide whether any contesting candidate has failed to lodge the account of election expenses within the time and in the manner required by the Act and these rules.

(5) Where the State Election Commission decides that a contesting candidate has failed to lodge his account of expenses within the time and in the manner required by the Act under these rules, it shall by notice in writing call upon the candidate to show cause why he should not be disqualified under section 26C of the Act for such failure.

(6) Any contesting candidate who has been called upon to show cause under sub-rule (5) may within twenty days of the receipt of such notice submit in respect of the matter, a representation in writing to the State Election Commission, and shall at the same time send to the returning officer a copy of his representation together with a complete account of his election expenses if he had not already furnished such an account.

(7) The Returning officer shall, within five days of the receipt thereof, forward to the State Election Commission a copy of the representation and the account (if any) with such comments as he deems fit, to make thereon.

**22E. Maximum limit of election expenses under section 26A.-** (1) The maximum limit of the expenditure that may be incurred by each candidate or his election agent, in connection with the election, shall not exceed,-

(a) in respect of Bruhat Bangalore Mahanagara Palike rupees five lakhs; and

(b) in respect of other City Corporations other than the Bruhat Bangalore Mahanagara Palike rupees three lakhs.”

**3. Insertion of new Forms 11A, 11B and 11C.-** In the said rules, after Form 11, the following new Forms shall be inserted, namely:-

**“ Form 11A**

**(See rule 22B(1)**

**PART - 1**

1	Name of the Candidate and address	:	
2	Ward Number and Name of the Ward	:	
3	Name of Corporation	:	
4	Details of Election	:	General/Bye Election
5	Date of announcement of Election	:	
6	Name of the Election Agent and address	:	
7	Whether you belong to a political party	:	Yes/No
8	If yes, name of the political party	:	
9	Whether the political party is a recognised political party	:	
10	If recognised, whether it is a national/state party	:	National Party/State Party
11	Whether your political party is meeting your election expenses officially?	:	Yes/No

12	Whether any other organisation/Society/Individual is meeting your election expenses?	:	Yes/No
	If yes name and complete address of the same	(1)	
		(2)	
		(3)	
		(4)	

**PART - 2****REGISTER OF DAILY EXPENSES**

1. Name of the Candidate and address:
2. Name of the political party if he/she belongs to:
3. Name of the ward where he/she is contesting
4. Name of the Corporation
5. Date of election of result:
6. Name of the election agent and address:

**DETAILS OF DAILY EXPENSES**

Date of expenditure	Item of expenditure	Name and address of individual/political party/organization/society	Amount	Name and address of receiver of amount	Voucher number where amounts are paid	Remarks
(1)	(2)	(3)	(4)	(5)	(6)	(7)

**Instructions:**

- (1) This register should be entered every day and the same should be produced to any officer for inspection authorised by the State Election Commission at any time.
- (2) Extract of entries of these registers after the election should be submitted along with an affidavit to the returning officer within thirty days from the date of announcement of the result.
- (3) Vouchers should be prescribed under sub rule (2), (3) and (4) of Rule 22B shall be produced without fail.
- (4) Details of expenses shall be signed by the candidate himself/herself.
- (5) It is not necessary to include the details of travel expenses made by the leaders of political parties campaigning for the candidate as the same cannot be construed as expenditure of the candidate.
- (6) Apart from details of expenditure incurred by the candidate himself or herself or by his or her election agent, the details of expenditure by any individual/society/organisation for the election of the candidate shall be provided in the register.

**PART - 3****Abstract statement of expenditure by the candidate, his or her election agent, political party, organisation, society and individuals on the candidate for election purposes**

Details of expenditure	Particulars of individual/s/political party/society/organisation			Total expenditure incurred
	Candidate and his/her election agent	Political party which has recognised the candidate	Other society/organisations and individual/s	
(1)	(2)	(3)	(4)	(5)
	Rs.	Rs.	Rs.	Rs.

Sl No	Items of expenditure	Amount
1	Public functions, processions etc.	
2	Pamphlets, Posters, banners, video and audio cassettes, loudspeakers and other campaign materials	
3	Electronic/print media (including cable network)	
4	Vehicles used and expenses of fuel on these vehicles	
5	Erection of Gates, gantries, cut outs, arches and banners for election campaign.	
6	Program of visit of leaders	
7	Program of visit of other office bearers	
8	Other expenditure	
Total Expenditure		

**Details of financial assistance received**

Sl. No.	Particulars	Amount received
1.	Political party	
2	Other society/organisation (name and address to be provided)	
3.	Other individuals (name and address to be provided)	

**PART - 4**

**Details of expenditure on vehicles used**

*(Details of expenditure on vehicles used for campaigning should be given. This should include details of vehicles used by political party, other societies/organisations/individuals (excluding star campaigners of political parties))*

Vehicle No	Type of vehicle	Dates of use	Expenses on fuel, maintenance, hire charges/drivers salary		
			Candidate/Election agent	Political Party	Other societies/organisation
(1)	(2)	(3)	(4)	(5)	(6)
Total (column 4 + 5 + 6) Rs.					

**PART - 5**

**Details of expenditure on public meetings**

Date of meeting	Place of meeting	Authority which has granted permission to the meeting	Hire charges for erection of pendal and furniture	Hire charges for public announcement system	Other expenditure	Total
(1)	(2)	(3)	(4)	(5)	(6)	(7)
Parts of amount shown in column (7)						
Candidate/Election Agent			Political Party		Other societies/organisation/individuals	
(8)			(9)		(10)	
Total of columns (8 + 9 + 10)						
(11)						

**PART - 6**

**Details of expenditure of travel by leaders of political parties**

Sl No	Name of leader	Details of arrival			Details of stay	
		Date of arrival in ward	Mode of travel	Travel expenditure paid (if known)	Period of stay in ward	Expenditure for local movements
(1)	(2)	(3)	(4)	(5)	(6)	(7)
Total expenditure : .....						

**DECLARATION OF CANDIDATE**

Details of statements made in Part 1 to Part 6 are true to the best of my knowledge and belief.

CANDIDATE

*Note : Any incomplete or false information furnished or any information is suppressed by the candidate will attract penalty under Indian Penal Code.*

DECLARED BEFORE ME ON.....

RETURNING OFFICER

**Form 11B  
(See rule 22B(5))**

**FORMAT OF AFFIDAVIT**

While lodging expenditure statement by the candidate

Sworn before the Returning Officer, ..... Ward, .....

I, ..... Sri/Smt.....bin  
aged..... years residing at  
..... do hereby solemnly affirm and state on oath as follows:

I submit that after going through the records, I have acquainted myself with the facts of the case.

1. I am a candidate contesting for election to .....ward of ..... and results of election is declared on.....
2. I have maintained register of details of election expenses from the date of nomination till the declaration of the result (both days inclusive).
3. I have maintained the details of expenditure in the formats and registers prescribed by the State Election Commission and have submitted the same along with vouchers and bills.
4. Details of expenditure furnished by me includes in relation to myself, my election agent and political party and others as prescribed and I have not left or suppressed any expenditure that is incurred.
5. Election expenses statement made in Part 2 includes the expenditure incurred by myself, my election agent and political party which supported me.

DEPONENT

Place :  
Date :  
Declared before me on \_\_\_\_\_

Returning officer

Place :  
Date :

**Form 11C  
(See rule 22B(5))**

**RECEIPT**

Received accounts of expenditure incurred on the election from Sri/Smt ....., from the candidate. The result of election of councillor for .....ward is declared on .....

RETURNING OFFICER  
..... WARD"

Place :  
Date :

.....

By order and in the name of Governor of Karnataka,

**C.R.RAVINDRA**  
Under Secretary to Government  
Urban Development Department