



OFFICE OF THE
ELECTION AUTHORITY
UNDER PANCHAYATI RAJ ACT, 1989
(CHIEF ELECTORAL OFFICER, JAMMU & KASHMIR)
2ND FLOOR VIKAS BHAWAN, RAIL HEAD COMPLEX, JAMMU

The District Election Officer,
(Deputy Commissioner)
Kupwara/Baramulla/Bandipora/Ganderbal/Srinagar/Budgam/
Pulwama/Shopian/Kulgam/Anantnag/Leh/Kargil/Kishtwar/Doda/
Ramban/Reasi/Udhampur/Kathua/Samba/Jammu/Rajouri/Poonch

No. *105*/CEO/PYT/2011/ *2761-88*

Dated: 20-03-2011

Subject: **Application for addition, deletion or correction of names in the finally published Panchayat Electoral Rolls, 2011 – regarding.**

Sir,

Your kind attention is invited to the fact that the Panchayat Electoral Rolls, 2011 have been updated and finally published on 03-01-2011 with reference to 01-01-2011 as the qualifying date. However a large number of applications have been pouring in from different quarters seeking inclusion/modification of their names in the finally published electoral rolls.

In this regard your attention is drawn to para 14 of Handbook for the preparation of Electoral Rolls for Panchayat Elections, 2010, which has been issued by the Election Authority (Chief Electoral Officer, J&K) for the guidance of the Electoral Registration Officers.

However the guidelines contained in Para 14 of the Handbook referred to above, are contrary/contradictory to the statutory provisions contained in Section 19 of the Representation of People Act, 1957, which is reproduced hereunder for ready reference:-

“[19. Inclusion of names in electoral rolls.- (1) Any person whose name is not included in the electoral roll of a constituency may apply to the Electoral Registration Officer for the inclusion of his name in that roll.

(2) The Electoral Registration Officer shall, if satisfied that the applicant is entitled to be registered in the electoral roll, direct his name to be included therein:

Provided that if the applicant is registered in the electoral roll of any other constituency, the Electoral Registration Officer shall inform the Electoral Registration Officer of that other constituency and that officer shall, on receipt of the information, strike off the applicant's name from that roll.

(3) No amendment, transposition or deletion of any entry shall be made under section 18 and no direction for the inclusion of a name in the electoral roll of a constituency shall be given under this section, after the

[Signature]

20.03.11.

last date for making nominations for an election in that constituency and before the completion of that election.]”

Therefore the guidelines already issued by the Election Authority (Chief Electoral Officer, J&K) for the preparation of Panchayat Electoral Rolls, 2010 are hereby modified and Para 4 of the guidelines will now be substituted by the guidelines given hereunder:-

“No application for addition, deletion or correction of names or any other particulars shall be entertained by the Electoral Registration Officer after the last day for making nominations for an election in a constituency in that Panchayat Halqa and until the completion of the Panchayat Elections in that Panchayat Halqa.

It is, therefore, requested that Electoral Registration Officer's may be directed to ensure that the above provision may be adhered to strictly and a certificate as per the format given below may be submitted after the last date of filing of nomination:-

CERTIFICATE

Certified that the below mentioned applications have been received and accepted in _____ Panch Constituency/Panchayat Halqa after the final publication of Panchayat Electoral Rolls and upto the last date for making nominations, after verifying the same from the field staff:-

Item	No. of application received	No. of application accepted
Inclusion		
Deletion		
Modification		

Countersigned by
Sd/-
District Panchayat Election Officer
(Deputy Commissioner)

Sd/-
Electoral Registration Officer

Yours faithfully,

B.R. Sharma
(B.R. Sharma) IAS
Election Authority

Under Panchayati Raj Act, 1989
(Chief Electoral Officer, J&K)
Jammu

Copy to the:-

1. Divisional Commissioner, Kashmir/Jammu for information.
2. Director, Rural Development Department, J&K, Jammu/Kashmir for information.
3. Assistant Chief Electoral Officer, Jammu/Kashmir for information.