



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 Panchayat 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. *5309* /CEO/PE/2011/*4931-59*

Dated: 13-04-2011

Subject: **Conduct of Panchayat Elections, 2011 – Clarification regarding Village Defence Committee Members – Contesting of Panchayat Elections, 2011 – regarding.**

Reference: **District Panchayat Election Officer (Deputy Commissioner) Reasi's letter No.DPEO/R/E/11/1268-70 dated 12-04-2011.**

Sir,

Your kind attention is drawn to the fact that clarifications are being sought by some of the District Panchayat Election Officers (Deputy Commissioners) whether Village Defence Committee members are eligible to take part in Panchayat Elections, 2011.

In this regard, it is clarified that the Village Defence Committees are comprising of two type of members, the first designated member are Special Police Officers who are in receipt of honorarium from the State Government and are also members of the Village Defence Committee. The second type of Village Defence Committee members are villagers who do not receive any honorarium from the Government.

In this regard, it is pointed out that such members as are receiving honorarium from the State Government i.e., SPO-VDC members are not eligible to take part in the Elections to Sarpanch or Panch Constituency. However, the other members of the Village Defence Committee who are not receiving any honorarium from the State Government, are eligible to take part in the Elections to Sarpanch or Panch Constituency, provided they deposit their guns/weapons with the competent authority (SHO) before the filing of nomination. The VDC members intending to contest the elections should provide the receipt indicating the deposition of the

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weapon with the competent authority alongwith the nomination forms. In case the receipt as a proof of depositing the guns/weapons is not provided at the time of filing of nomination papers, the same can be provided upto 11:00 a.m. of the last date of withdrawal of candidature. In case the receipt is not provided even till the 11:00 a.m. on the last date of withdrawal, the nomination papers should be rejected, forthwith.

Your kind attention is also drawn to the item No.6.11 of Chapter VI (Scrutiny) of Handbook for Returning Officer, which lays down as under:-

6.11. Adjournment of hearing of objections:-

If a candidate to whose nomination paper an objection has been taken applies for time to rebut such objection, you should adjourn the hearing of the objection till the next day or the day after that, but not beyond 11:00 a.m. on that day. The scrutiny of all other nomination papers must, of course, be completed on the day of scrutiny, notwithstanding such adjournment in respect of one or more nomination papers. If the day next is holiday, the hearing should be completed before 11:00 a.m. on the day fixed for withdrawal of candidatures.

In the case of District Reasi or other districts where election process has already started, exemption has been given by the Election Authority (Chief Electoral Officer, J&K) to deposit the gun/weapon upto 11:00 a.m. of the the last date of withdrawal.

The above said instructions may be complied with strictly in letter and spirit, under an intimation to this office.

Matter may be treated as **ELECTION URGENT.**

Yours faithfully,

13.04.11.
(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. State Informatics Officer, NIC, J&K, Jammu with the request to host the letter in the website.
3. Assistant Chief Electoral Officer, Jammu/Kashmir for information.
4. Private Secretary to Chief Secretary, J&K, Jammu for information of the worthy Chief Secretary, J&K.