



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

NOTIFICATION

Whereas, in pursuance of Rule 7 of the J&K Panchayati Raj Rules, 1996, the Government had issued a Notification, in consultation with the Election Authority (Chief Electoral Officer, J&K), vide its SRO No.78 dated 14th March, 2011, calling upon the Panchayat Halqas in the State to elect Sarpanches and Panches on the dates to be appointed by Election Authority (Chief Electoral Officer, J&K);

Whereas, in pursuance of Rule 8 of J&K Panchayati Raj Rules, 1996, the Election Authority (Chief Electoral Officer, J&K) had issued a Notification vide No 5311/CEO/PYT/Notification /2011/3689-99 dated 5th April, 2011, notifying the dates for the 6th Phase of Election for Sarpanches and Panches in respect of Blocks Billawar, Thanamandi, Doongi, Reasi, Majalta, Breng, Tangmarg, Khag and Langate as per the schedule given below:-

- i. 5th April , 2011 as date of issue of Gazette Notification,
- ii. 13th April, 2011 last date for making Nominations,
- iii. 15th April , 2011 date of Scrutiny of Nominations,
- iv. 18th April, 2011 last date for withdrawal of candidate,
- v. 04th May, 2011 date of poll/counting wherever, necessary,

Whereas, District Panchayat Election Officer (Deputy Commissioner), Rajouri, vide his No: ENT/R/11/1943-46 dated 24.4.2011 has reported that Returning officer of Ward No 5 of Panchayat Halqa Baryon Dhara, Block Thanamandi has reported that due to communication gap he has received the nomination paper of the candidate belonging to the General Category namely Sh Talib Hussain for a ward reserved for ST candidates. He has further reported that after the publication / finalisation of PEL- 10 by the Returning Officer of Panchayat Baryon Dhara, the ballot papers are being printed for the said ward;

P. Phawar
30.04.11.

Whereas, the whole episode came into light on 23.04.2011 after the publication of the list of contesting candidates in Form PEL-10 by the Returning Officer of the Panchayat Baryon Dhara;

Whereas, as reported by DPEO, Rajouri, vide letter quoted above, only two candidates are in fray for election in Ward No 5, which reserved for STs' of Panchayat Baryon Dhara, Block Thanamandi, out of which is one candidate prima facie appears to be not qualified for contesting the elections being a General Category candidate in a ward reserved for STs' ;

Whereas, the continuation of such election proceeding in Panch constituency under reference would be wholly unnecessary and unjustified, considering that nomination papers of a candidate belonging to General Category have been accepted for a election to a Panch constituency which has been reserved for schedule tribes;

Now, therefore, in exercise of the powers conferred under section 36 of the J&K Panchayati Raj Act, 1989 read with rule 3 of J&K Panchayat Raj Rules, 1996, the Election Authority (Chief Electoral Officer, J&K) hereby rescinds its Notification dated 5th April, 2011 issued in pursuance of Rule 8 of J&K Panchayati Raj Rules, 1996 in so far as it relates to Panch Constituency/ Ward No.5 of Panchayat Baryon Dhara, Block Thanamandi. Fresh Notification for the conduct of election to the said Panch Constituency shall be issued in due course.

B. R Sharma
(B. R Sharma) IAS 30.04/11.

Election Authority,

Under Panchayati Raj Act, 1989,

(Chief Electoral Officer, J&K)

Jammu.

No.5311/CEO/PYT/Notification/2011/5763-67 Dated: 30-04-2011

Copy to the:-

1. Commissioner /Secretary to Government, Rural Development Department.
2. Director, Information & Publicity, J&K Jammu with the request to publish the notification through electronic and print media.
3. District Panchayat Election Officer (Dy. Commissioner), ~~Budgam~~ *Rajouri* for information and to circulate the said notification to the concerned Returning Officer.
4. Principal Private Secretary to Chief Secretary, J&K Jammu for the kind information of Worthy Chief Secretary, J&K