

Office of the Election Authority

Under J&K Panchayati Raj Act, 1989

(Chief Electoral Officer, J&K)

“Greater Participation for a Stronger Democracy”

Subject: Chanchla Devi versus Returning Officer, Panchayat Channi, Tehsil Majalata District Udhampur.

ORDER No.: CEO/Pyt/2018/727
DATED 24-11-2018

Whereas, the appellant namely Chanchla Devi W/O Balkar Singh R/o Panchayat Channi Tehsil Majalata District Udhampur preferred an appeal against improper rejection of her nomination filed for election for Panch seat from ward No. 05 Panchayat Halqa Channi Block Majalata, District Udhampur by concerned Returning Officer on the day of scrutiny; and

Whereas, report was sought from District Panchayat Election Officer (Deputy Commissioner) Udhampur and also Ld. Counsel presented the case on behalf of appellant in the instant matter; and

Whereas, case was examined and records were perused which revealed the petitioner is aggrieved of the rejection of his nomination by concerned Returning Officer on the ground that the appellant is working as a cook. The appellant contends that she had already tendered her resignation before Incharge Govt, Middle School Channi and same stands accepted; however, concerned Returning Officer has reported that on the day of scrutiny i.e; 12-11-2018, as per inputs from Zonal Education Officer, Majalata in a letter dated 12-11-2018, the appellant is working as a cook at primary School Padey of Zone Majalata and getting honorarium of Rs, 1000/- per month which is being drawn from Govt. treasury Majalata, therefore is a Government employee and debarred from contesting elections. Also, it has been reported that the appellant failed to produce any copy of the resignation on the day of scrutiny; and

Whereas, it is observed that appellant has been working as Cook and getting honorarium of Rs, 1000/- per month which is being drawn from Govt. treasury Majalata and her nature of employment is such that it attracts disqualification laid down under section 6 of J&K Panchayati Raj Act, 1989.

Now, therefore, in view of the above stated reports, the rejection of nomination of appellant namely Chanchla Devi W/o Balkar Singh R/o Panchayat Channi Tehsil Majalata District Udhampur has been done correctly, as such the grievance projected by the petitioner does not sustain, hence rejected.

(Shaleen Kabra) IAS
Election Authority

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(Chief Electoral Officer, J&K)

No. 6463/CEO/Pyt/2018/3947-48
Copy to:

Dated: 24-11-2018

1. District Panchayat Election Officer (Deputy Commissioner) Udhampur for information and compliance.
2. R.O concerned for information and n/a.