

Office of the Election Authority

Under J&K Panchayati Raj Act, 1989

(Chief Electoral Officer, J&K)

“Greater Participation for a Stronger Democracy”

Subject: OWP No. 2230/2018, IA No. 01/2018 titled inhabitants of Dhanore Jarallen Dhindian through Mohd. Farooq versus State of J&K and others.

ORDER

Whereas, the petitioner preferred to file the aforesaid writ petition seeking, inter alia, following relief:

“..... for issuance of an appropriate writ, order or direction in the nature of writ of mandamus commanding upon the respondents to read the name of the panchayat of the petitioner as Dhanore Jarallen Dhindian instead of Dhanore Tindian and strictly adhered to rules/notification/Reservation quota of 33% meant for women thereby accepting the nomination papers of women candidates only and allowing them to contest elections of Sarpanch in Panchayat Hlaqa Dhanore Jarallen Dhindian.

Whereas, the Hon'ble High court has been pleased to dispose of the said writ petition by virtue of order dated 29-10-2018, the operative part of which is reproduced as under:-

“.....with the consensus of the learned counsel for parties, this petition is disposed of at this stage with a direction to the Chief Electoral Officer, J&K 2nd Floor, Vikas Bhawan Rail head Complex, Jammu and the Director Rural Development Department, Jammu to consider the representation of the petitioner and pass appropriate order in accordance with law within a period of four days from the date of copy of this order is served upon them.

Whereas, accordingly report dated 03-11-2018, as sought in the matter, was furnished by Director General, Rural Development Department, Jammu enclosing therewith the report of District Panchayat Officer, Rajouri.

Whereas, it has been stated in the said reports that as per Gazette Notification dated 23-12-2017, name of the said Panchayat is Dhanore Jarallen Tindian and not Dhanore Jarallen Dhindian. Further, after publication of the Gazette Notification, no objection as to any such claim was received from any person including the petitioner, within the stipulated time period prescribed. Moreover, during the Panchayat elections held in year 2011, the name of the said Panchayat Halqa was reflected as Dhanore Jarallen Tindian and not Dhanore Jarallen Dhindian. Also, Director General, Rural Development Department has stated that the plea of the petitioners cannot be sustained at this stage and may be rejected.

Now, therefore, in due deference of the court direction, in view of the above factual reports and also, given the fact that the election notification for the said Halqa Panchayat has been issued and nominations filed, the claim of the petitioner is devoid of merit, hence rejected.



(Shaleen Kabra) IAS
Election Authority

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

No. 5402/CEO/LS/Pyt/2018/121

Dated: 08 - 11 - 2018

Copy to:

1. Director General, Rural Development Department, Kashmir for information.