

Office of the Election Authority
Under J&K Panchayati Raj Act, 1989
(Chief Electoral Officer, J&K)

“Greater Participation for a Stronger Democracy”

Subject: Complaint for rejection of Nomination Paper of Sh. Mohd. Aslam S/o Ghulab Din for Sarpanch seat of Panchayat Halqa Harichuma, Block Moughla District Rajouri.

ORDER No. CEO/Pyt/2018/ 746.

DATED: 07-12-2018

Whereas, one Fazal Hussain S/o Late Sh. Fakar Din has filed a complaint titled as ‘Appeal’ but since the complainant is not aggrieved of any order u/s 6 of J&K Panchayati Raj Act, 1989 and, therefore, cannot file an Appeal, as such the same has been treated as a complaint; and

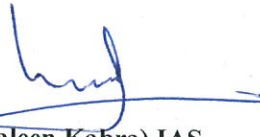
Whereas, the complainant seeks rejection of nomination of Sh. Mohd. Aslam S/o Ghulab Din, contesting candidate for Sarpanch seat of Panchayat Halqa Harichuma, Block Moughla on the ground that the said person is the resident of Panchayat Halqa Ghondha, therefore not eligible to contest elections from Panchayat Harichuma under the Act/ rules; and

Whereas, report in the matter has been sought and the same has been furnished by District Panchayat Election Officer (Deputy Commissioner), Rajouri enclosing therewith the enquiry reports procured from concerned quarters; and

Whereas, perusal of these reports reveal that Sh. Mohd. Aslam S/o Gulab Din is permanent resident of Village Harichuma of Tehsil Taryath as depicted from PRC, Ration card, Schedule Tribe certificate and Aadhar card issued by the competent authorities and his name figures at S. No. 526 in Assembly Electoral Roll of Part No. 101 84- Kalakote AC. Beside these documents, Revenue record Khasra Girdawari and Jamabandi (current) and report of the concerned Patwari reveals that Sh. Mohd. Aslam S/o Gulab Din is a permanent resident of Village Harichuma Tehsil Taryath.

Whereas, the complainant too has admitted in his application that Sh. Mohd. Aslam S/o Gulab Din is temporarily residing in Harichuma. It is to be noted that a person, even if temporarily residing at some place for a long time, is treated to be ordinarily resident at such a place; ---

Now, therefore, in view of the above, the plea of the complainant made in the complaint does not sustain, hence rejected accordingly.


(Shaleen Kabra) IAS
Election Authority

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

No. 6463/CEO/Pyt/2018/ 5064-65.

Dated: 07-12-2018

Copy to :

1. District Panchayat Election Officer (Deputy Commissioner) Rajouri for information and necessary action.
2. R.O concerned for information.