

Office of Chief Electoral Officer, J&K

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"Greater Participation for a Stronger Democracy"

District Panchayat Election Officers,
(Deputy Commissioners)
All Districts.

No: 905/BDC/2019/10297

Dated: 04-10-2019

Sub: Elections of Chairpersons of Block Development Council- Clarifications- regarding.

Madam/Sir,

Queries have been received by this office with regard to arrangement of symbols in the list of contesting candidates and the submission of Forms PEL A and PEL B by the candidates' setup by recognised political parties. In this regard the Election Authority has desired issuance of following clarifications:

A. Arrangement of Symbols in the list of Contesting candidates:

The election of Chairpersons of Block Development Councils in the State is being conducted under the Jammu and Kashmir Panchayati Raj Act 1989 and Jammu and Kashmir Panchayati Raj Rules 1996. The list of candidates to be published after the last date of withdrawal is to be drawn under Rule 105(2) of the Jammu and Kashmir Panchayati Raj Rules 1996, which reads as under:

"Immediately after the expiry of the time and date of withdrawal under sub rule(1), the Returning Officer shall publish a list of validly nominated candidates for contesting election whose name shall be alphabetical order."

Thus, the names of the candidates in the list of contesting candidates and subsequently the ballot papers are to be drawn in alphabetical order and there is no provision for grouping into different categories, as is done in case of Lok Sabha/Assembly elections.

B. Submission of Forms PEL A and PEL B by the candidates' setup by recognised political parties:

The Election Authority, Panchayati Raj Act 1989 has issued the Panchayat Elections Symbols, (Reservation and Allotment) Order, 1998, notifying the detailed procedure for the choice and allocation of symbols for the recognition of political parties and the matters connected therewith for conduct of elections. Para 10 of this order states the conditions for deeming a candidate as being set up by a Political Party, which reads as under:-

"10. WHEN A CANDIDATE SHALL BE DEEMED TO BE SET UP BY A POLITICAL PARTY:

A candidate shall be deemed to be set up by a political party if and only if;

- a) The candidate has made a declaration to that effect in his nomination paper;*
- b) A notice in writing in Form PEL-B annexed to this order to that effect has, not later than 3 P.M. on the last day for making nominations, been delivered to the*

Returning Officer of the constituency and the name and specimen signature of such authorized persons are communicated to the Returning Officer of the constituency and the District Panchayat Election Officer concerned in Form PEL-A annexed to this order not later than 3 P.M. till the last date for making the nominations; and

c) The said notice is signed by the authorized signatory of the party concerned."

Accordingly, the candidates who have made a declaration in their nomination form as being setup by a political party can submit the Form PEL – B to the Returning Officer upto 3 PM on the last day of making nomination which is also the cut-off date and time for the submission of Form PEL – A to the District Panchayat Election Officer concerned.

All the District Panchayat Election Officers are requested to circulate these instructions amongst the Returning Officers.

Yours faithfully



(Anil Salgotra)

Dy. Chief Electoral Officer
Jammu & Kashmir