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OFFICE OF THE
ELECTION AUTHORITY
 UNDER PANCHAYATI RAJ ACT, 1989
 (CHIEF ELECTORAL OFFICER, JAMMU & KASHMIR)
 BLOCK-A OLD SECRETARIAT, SRINAGAR

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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 on 9th May, 2011, notifying the dates for the 14th Phase of Election for Sarpanches and Panches in respect of Blocks Kalaroos, Kralpora (3 Panchayats only), Pampore, Shopian, Nobra, Panamic, Nyoma, Darbuk and Bhallesa, as per the schedule given below:-

- 9th May, 2011 as date of issue of Gazette Notification;
- 16th May, 2011 last date for making Nominations;
- 18th May, 2011 date of Scrutiny of Nominations;
- 20th May, 2011 last date for withdrawal of candidature;
- 6th June, 2011 date of poll/counting wherever, necessary;

Whereas, the District Panchayat Election Officer (Deputy Commissioner) Pulwama has intimated vide his letter No.DPEO/Pul/Elec/2011/1435 dated 27-05-2011, that the Returning Officer PL-39-40 Panchayat Halqa Hunipora has reported that the Date of Birth certificate produced by Shri Firdous Ahmad Mir has been found to be fake after verification, making it clear thereby that Shri Firdous Ahmad Mir is of 22 years of age and therefore does not qualify for contesting elections in Panch Constituency No.3 of Panchayat Halqa 40-Hunipora of Block Pampore;

Whereas, as per the report of Returning Officer, the certificate issued by Numberdar/Chowkidar being not sufficient proof of his age, the concerned nominee was asked to produce the sufficient proof of his age by or before 18-05-2011, the date of scrutiny and he had produced date of birth certificate issued by Government Middle School Wanpora on 18-05-2011 indicating his date of birth 10-02-1986 to prove his eligibility for Panchayat Election candidature. The nomination paper of the candidate was accepted on 18-05-2011 as per norms and no body had filed any kind of objection against the said candidate till 20-05-2011, the last date for withdrawal of candidature;

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Whereas, on 25th May, 2011, when one Shri Parveez Ahmad Bhat, the other contestant had lodged a complaint that Shri Firdous Ahmad Mir had produced a fake certificate;


Whereas, the allegation was got verified from the concerned school and it was proved that the actual date of birth of Shri Firdous Ahmad Mir was 10-02-1989 instead of 10-2-1989;

Whereas, the District Panchayat Election Officer (Deputy Commissioner) Pulwama has further submitted that only two candidates are contesting elections namely Shri Parveez Ahmad Bhat S/o Ab. Rahim Bhat R/o Hunipora and Shri Firdous Ahmad Mir S/o Gh. Nabi Mir R/o Hunipora in respect of Panch Constituency No.3 of Panchayat Halqa 40-Hunipora of Block Pampore;

Whereas, the perusal of report submitted by the District Panchayat Election Officer (Deputy Commissioner) Pulwama reveals that the Returning Officer has committed a grave mistake while carrying out the scrutiny of nomination papers;

Whereas, the production of the fake Date of Birth certificate by Shri Firdous Ahmad Mir has led to the improper acceptance of his nomination papers from Panch Constituency No.3 of Panchayat Halqa 40-Hunipora of Block Pampore, in total violation of the provisions laid down in Section 6 (i) of the J&K Panchayati Raj Act, 1989;

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 9th May, 2011 issued in pursuance of Rule 8 of J&K Panchayati Raj Rules, 1996 in so far as it relates to the Panch Constituency No.3 of Panchayat Halqa 40-Hunipora of Block Pampore. Fresh Notification for the conduct of election to the said Panch Constituency shall be issued in due course.


 (B. R Sharma) IAS 3/6/11
 Election Authority
 Under Panchayati Raj Act, 1989
 (Chief Electoral Officer, J&K)
 Srinagar

No.5311/CEO/PYT/Notification/2011/ 6633-37

Dated: 03-06-2011

Copy to the:-

1. Commissioner/Secretary to Government, Rural Development Department, J&K, Srinagar for information.
2. Director, Information and Publicity, J&K; Srinagar with the request to publish the notification through electronic and print media especially in Kashmir Division.
3. Divisional Commissioner, Kashmir for information.
4. State Informatics Officer, NIC, J&K, Srinagar for hosting in the website.
5. District Panchayat Election Officer (Deputy Commissioner) Pulwama for information and to circulate the above said notification to the concerned Returning Officer.
6. Principal Private Secretary to Chief Secretary, J&K, Srinagar for the kind information of Chief Secretary, J&K.