



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

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 4th May, 2011, notifying the dates for the 13th Phase of Election for Sarpanches and Panches in respect of Blocks Sopore, Tral, Leh, Chuchot, Kharu, Bhagwah, Gundana, Dansal and Mendhar as per the schedule given below:-

- a) 4th May, 2011 as date of issue of Gazette Notification,
- b) 11th May, 2011 last date for making Nominations,
- c) 12th May, 2011 date of Scrutiny of Nominations,
- d) 14th May, 2011 last date for withdrawal of candidate,
- e) 2nd June, 2011 date of poll/counting wherever, necessary,

Whereas, the District Panchayat Election Officer (Deputy Commissioner) Poonch has intimated that one contesting candidate namely Shri Mohammad Latief S/o Mohammad Hussain R/o Ward No.2 Panchayat Halqa Topa Thera Block Mendhar, who was contesting as Panch candidate in Panch Constituency No.2-Maqadama of Panchayat Halqa Topa Thera Block Mendhar has died after filing nomination;

Whereas, the District Panchayat Election Officer (Deputy Commissioner) Poonch has also intimated that only two candidates namely Shri Mohammad Latief S/o Mohammad Hussain R/o Ward No.2 and Shri Mohammad Yaqoob S/o Bader Din were contesting for the Panch Constituency No.2-Maqadama of Panchayat Halqa Topa Thera Block Mendhar;

Whereas, the District Panchayat Election Officer (Deputy Commissioner) Poonch has intimated that due to the death of one of the contesting candidate namely Shri Mohammad Latief S/o Mohammad Hussain R/o Ward No.2, the polling in respect of Panch Constituency No.2-Maqadama of Panchayat Halqa Topa Thera Block Mendhar may be cancelled;

J. Hussain 27/5

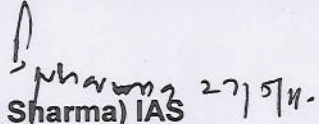
Whereas, Rule 22 of J&K Panchayati Raj Rules, 1996, lays down as under:-

22. Death of contesting candidate.- *If a contesting candidate dies and a report of his death is received by the Presiding Officer before the commencement of the poll and the number of candidate contesting is more than one, the symbol in respect of the candidate who has died shall be deemed to have been cancelled and Presiding Officer shall order a poll to be taken accordingly.*

Whereas, the report of District Panchayat Election Officer (Deputy Commissioner) Poonch reveals that due to the death of one of the contesting candidate namely Shri Mohammad Latief S/o Mohammad Hussain R/o Ward No.2, only one candidate has now been left in fray in so far as it relates to the election to Panch Constituency No.2-Maqadama of Panchayat Halqa Topa Thera Block Mendhar;

Whereas, holding of election when only one contesting candidate has been left in fray due to the death of the other contesting candidate has not been envisaged under Rule 22 of the J&K Panchayati Raj Act, 1989 read with the J&K Panchayati Raj Rules, 1996;

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 22nd March, 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.2-Maqadama of Panchayat Halqa Topa Thera Block Mendhar. Fresh Notification for the conduct of election to the said Panch Constituency shall be issued in due course.


(B. R Sharma) IAS 27/5/11
Election Authority
Under Panchayati Raj Act, 1989
(Chief Electoral Officer, J&K)
Srinagar

No.5311/CEO/PYT/Notification/2011/ 8442-47

Dated: 27-05-2011

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, Jammu for information.
4. State Informatics Officer, NIC, J&K, Srinagar for hosting in the website.
5. District Panchayat Election Officer (Deputy Commissioner) Poonch 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.