

**LOCAL BODIES
BY-ELECTIONS 2020**

PRESS NOTE

(4th November, 2020)

**ELECTIONS TO
MUNICIPAL BODIES
(VACANT SEATS)**

**IN
JAMMU & KASHMIR**

PRESS NOTE

MUNICIPAL ELECTIONS:-

The last Elections to the Municipal Bodies in the Jammu and Kashmir were held in the year 2018 through EVMs in the Month of September and October, 2018. However due to various reasons like death, resignation, etc there are 228 vacant seats in Kashmir Division and 6 seats in Jammu division which are required to be filled.

As per Section 9 (1) of Jammu & Kashmir Municipal Corporation Act, 2000 and Section 282 (1) of Jammu & Kashmir Municipal Act, 2000, the powers for the superintendence, direction and control for and the conduct of all elections to the Municipal Corporations, Councils and Committees, is vested with the Chief Electoral Officer, J&K.

REVISION OF MUNICIPAL ELECTORAL ROLLS:-

Rule 12 of the Jammu and Kashmir Municipal Corporation (Election) Rules 2003 as well as the Jammu and Kashmir Municipal (Election) Rules 2003, envisages that Electoral Rolls shall be revised in the prescribed manner before each general election to a Corporation, Council/Committee or for any ward or a by-election to fill a casual vacancy in such ward.

Accordingly, the Electoral Roll Revision exercise was notified on 9th October, 2020 and the final publication of Electoral Roll was done on 23rd October 2020. Electoral Rolls have been printed in sufficient quantity and available in the districts.

DETAILED STATISTICS

The details of Municipal Corporations/Councils/Committees having vacant wards are given below:-

S. No	District	Name of the Local Body	No. of vacant Wards
1	Kupwara	1. Municipal Committee Langate	3
		Total	3
2	Bandipora	1. Municipal Council Bandipora	2
3	Bandipora	2. Municipal Committee Hajin	5
		Total	7
4	Baramulla	1. Municipal Council Baramulla	3
5	Baramulla	2. Municipal Council Sopore	13
6	Baramulla	3. Municipal Committee Pattan	4
7	Baramulla	4. Municipal Committee Kunzar	2
8	Baramulla	6. Municipal Committee Watergam	8
		Total	30

S. No	District	Name of the Local Body	No. of vacant Wards
9	Ganderbal	1. Municipal Council Ganderbal	1
		Total	1
10	Srinagar	1. Municipal Corporation Srinagar	4
		Total	4
11	Budgam	1. Municipal Council Budgam	4
12	Budgam	2. Municipal Committee Charar-I-Sharief	3
13	Budgam	3. Municipal Committee Beerwah	12
14	Budgam	4. Municipal Committee Magam	6
15	Budgam	5. Municipal Committee Chadoora	8
		Total	33
16	Pulwama	1. Municipal Council Pulwama	12
17	Pulwama	2. Municipal Committee Awantipora	12
18	Pulwama	3. Municipal Committee Pampore	12
19	Pulwama	4. Municipal Committee Khrew	13
20	Pulwama	5. Municipal Committee Tral	9
		Total	58
21	Shopain	1. Municipal Council Shopian	9
		Total	9
22	Kulgam	1. Municipal Council Kulgam	10
23	Kulgam	2. Municipal Committee Yaripora	3
24	Kulgam	3. Municipal Committee Frisal	13
		Total	26
25	Anantnag	1. Municipal Council Anantnag	4
26	Anantnag	2. Municipal Committee Achabal	3
27	Anantnag	3. Municipal Committee Bijbehara	14
28	Anantnag	4. Municipal Committee Kokernag	2
29	Anantnag	5. Municipal Committee Mattan	2
30	Anantnag	6. Municipal Committee Pehalgam	9
31	Anantnag	7. Municipal Committee Qazigund	4
32	Anantnag	8. Municipal Committee Dooru Verinag	2
33	Anantnag	9. Municipal Committee Aishmuqam	5
34	Anantnag	10. Municipal Committee Seer Hamdan	12
		Total	57
35	Doda	1. Municipal Committee Bheaderwah	1
		Total	1
36	Ramban	1. Municipal Council Ramban	1
		Total	1
37	Reasi	1. Municipal Council Reasi	1
38	Reasi	2. Municipal Committee Katra	1
		Total	2
39	Kathua	1. Municipal Council Kathua	2
		Total	2
		Grand Total	234

RESERVATION OF WARDS:-

Notifications with regard to Reservation of vacant wards for Scheduled Caste, Scheduled Tribes and Women as per provisions of the Act and Rules governing Municipal Elections shall remain the same as it was in Municipal Election 2018.

ELECTORS PHOTO IDENTITY CARDS (EPIC)/ALTERNATE DOCUMENTS:-

The Chief Electoral Officer, J&K has decided that compulsory identification of voters will be made in the Election to the Urban Local Bodies. Electors have been provided EPICs. However, the Chief Electoral Officer, J&K has notified list of documents in addition to EPIC, which can also be used for the purpose of identification, in case the electors are not in possession of EPICs. The documents allowed are annexed as Annexure – I.

POLLING STATIONS

Adequate number of Polling Stations have been notified for each vacant Wards of the Municipal Corporations/ Councils/ Committees, by the respective Deputy Commissioners.

ELECTRONIC VOTING MACHINES (EVMs):-

Vide SRO 336 and 337 of 2016 dated 19-10-2016, the Government has amended rules, thus allowing the use of EVMs in Municipal Elections. The Election in the Municipal Corporations/ Councils/Committees will accordingly be conducted at all polling stations using M2 EVMs. Chief Electoral Officer, J&K has already made arrangements to ensure availability of adequate number of EVMs for the smooth conduct of elections. The FLC of EVMs is already done as per the standard practices.

OBSERVERS:-

General Observers shall be deployed, to ensure free and fair elections. The Observers will be asked to keep a close watch on every stage of the electoral process. Their names, addresses within the district and their telephone numbers will be publicized in local newspapers so that the general public can quickly approach them for any grievance redressal. In addition to General Observers, Micro Observers shall be deployed to observe the poll proceedings in the polling stations on the poll day in select polling stations.

ELECTION EXPENDITURE MONITORING:-

Comprehensive instructions for the purpose of effective monitoring of the election expenditure of the candidates have been issued. For greater transparency and for ease of monitoring of Election Expenses, Candidates would be required to open a separate bank account and incur their election

expenses from that very account. Expenditure Observers are being appointed to keep close watch on election expenditure of the candidates. Control room and Complaint Monitoring Centre shall be operative during the entire election process. All candidates have to ensure that they maintain day-to-day expenditure record in the prescribed register, which will be supplied to the contesting candidate in the form of '**Expenditure Register**' from the date of nomination to the date of declaration of result.

Expenditure limits have been fixed through Notification dated 29-08-2018 for different categories of candidates as under:-

i)	For election to Municipal Corporation	=	1,50,000/-
ii)	For election to Municipal Council	=	1,00,000/-
iii)	For election to Municipal Committee	=	50,000/-

VIDEOGRAPHY:-

All critical events will be videographed. Deputy Commissioners will arrange sufficient number of video and digital cameras and camera teams for the purpose. The events for videography will include filing of nominations, scrutiny thereof and allotment of symbols, First Level Checking, preparations and storage of Electronic Voting Machines, important public meetings, processions etc. during campaign, process of dispatching of postal ballot papers, polling process, storage of polled EVMs, counting of votes, etc.

VOTER SLIPS:-

To facilitate the voters to know where he/she is enrolled as a voter at a particular polling station and what is his/her serial number in the Electoral roll, voter slips will be distributed to all enrolled voters. It has also been directed that the said voter slip should be in the Urdu and English languages.

POSTAL BALLOTS:-

- A.** In order to facilitate the Kashmiri Migrant voters to enable them to vote through Postal Ballots "Migrant Postal Ballot" Scheme was notified for the Elections to Urban Local Bodies in 2018. The scheme shall be notified for the By-elections 2020 also.
- B.** However, during these By-elections, another set of 'Absentee Voters' comprising of senior Citizens above the age of 80 years, Electors marked as PwDs, Covid Positive or suspects who are hospitalized or quarantined (Home/Institutional) and employees deployed on Election Duty or Covid Duties on the day of Poll, have also been extended facility of Postal Ballot. For Senior Citizens and Covid patients and PwDs, the facility is being provided at their doorsteps for the first time in the UT.

MODEL CODE OF CONDUCT:-

With the announcement of this Schedule for the conduct of Election to the Urban Local Bodies through this Press Note, provision of the **Model Code of Conduct** shall come into force with immediate effect. All the provisions of the Model Code will apply to the whole of the Urban Local Bodies (Municipal areas), which are going to polls and will be applicable to all candidates, political parties & the State/Central Government (Annexure – II).

SCHEDULE OF ELECTIONS:-

Chief Electoral Officer, Jammu & Kashmir has prepared the Schedule for holding of Elections to the Municipal Corporations/Councils/Committees after taking into consideration of all relevant aspects. The Election Schedule to the Municipal Corporations/Councils/Committees is given as under:-

A) PHASES AND IMPORTANT DATES

Phase	Date of issuance of Gazette Notification	Last date for making nomination	Date of Scrutiny	Last date for withdrawal of candidature	Date of Poll wherever necessary
1	05-11-2020	12-11-2020	13-11-2020	16-11-2020	28-11-2020
2	07-11-2020	16-11-2020	17-11-2020	19-11-2020	01-12-2020
3	11-11-2020	18-11-2020	19-11-2020	21-11-2020	04-12-2020
4	13-11-2020	20-11-2020	21-11-2020	23-11-2020	07-12-2020
5	16-11-2020	23-11-2020	24-11-2020	26-11-2020	10-12-2020
6	19-11-2020	26-11-2020	27-11-2020	01-12-2020	13-12-2020
7	21-11-2020	28-11-2020	01-12-2020	03-12-2020	16-12-2020
8	23-11-2020	01-12-2020	02-12-2020	04-12-2020	19-12-2020
Date of Counting		22-12-2020			
Hours of poll		7:00 AM to 2:00 PM			
Completion of Elections		24-12-2020			

B) PHASE-WISE DETAILS OF MUNICIPAL BODIES:-

KASHMIR DIVISION	
Phase I	
Name of the District	Name of the ULB
Anantnag	Municipal Committee Pahalgam
	Municipal Committee Aishmuqam
Srinagar	Municipal Corporation Srinagar (P)
Phase II	
Name of the District	Name of the ULB
Baramulla	Municipal Committee Kunzer
Srianagar	Municipal Corporation Srinagar (P)
Budgam	Municipal Committee Beerwah
Pulwama	Municipal Committee Tral
Phase III	
Name of the District	Name of the ULB
Anantnag	Municipal Committee Mattan
	Municipal Committee Seer Hamdan
Ganderbal	Municipal Council Ganderbal
Shopian	Municipal Council Shopian
Phase IV	
Name of the District	Name of the ULB
Anantnag	Municipal Committee Dooru Verinag
Baramulla	Municipal Committee Watergam
Budgam	Municipal Committee Magam
Kupwara	Municipal Committee Langate
Pulwama	Municipal Council Pulwama
	Municipal Committee Awantipora
Kulgam	Municipal Council Kulgam
Phase V	
Name of the District	Name of the ULB
Anantnag	Municipal Committee Qazigund
Budgam	Municipal Committee Charar-I-Sharief
Phase VI	
Name of the District	Name of the ULB
Anantnag	Municipal Committee Achabal
Bandipora	Municipal Committee Bandipora
Baramulla	Municipal Council Baramulla
Budgam	Municipal Committee Chadoora
Phase VII	
Name of the District	Name of the ULB
Anantnag	Municipal Council Anantnag
	Municipal Committee Kokernag
Kulgam	Municipal Committee Frisal
	Municipal Committee Yaripora
Phase VIII	
Name of the District	Name of the ULB
Anantnag	Municipal Committee Bijbehara
Bandipora	Municipal Committee Hajin

Baramulla	Municipal Committee Pattan
Baramulla	Municipal Council Sopore
Budgam	Municipal Council Budgam
Pulwama	Municipal Committee Khrew
	Municipal Committee Pampore

JAMMU DIVISION	
Phase III	
Name of the District	Name of the ULB
Doda	Municipal Committee Bhaderwah
Phase VII	
Name of the District	Name of the ULB
Ramban	Municipal Council Ramban
Reasi	Municipal Committee Katra
Kathua	Municipal Council Kathua
Phase VIII	
Name of the District	Name of the ULB
Reasi	Municipal Council Reasi

PUBLICATION OF RESULT OF ELECTIONS

The name of all the persons elected shall be published in the Govt. gazette by Chief Electoral Officer, J&K, as soon as possible after such elections are over.

SPECIAL INSTRUCTIONS IN VIEW OF COVID-19 PANDEMIC:

In view of the prevailing situation due to Covid -19 pandemic, the Elections are not just required to be free and fair but also SAFE for all stake holders, including the electors. Accordingly, the Election Authority has circulated to all concerned a detailed list of SPECIAL MEASURES TO BE TAKEN for making these elections Covid safe. Nodal Health Officer shall be designated for the UT, the District and at the Municipal Corporation/Council/Committee Level to oversee COVID-19 related arrangements and, preventive measures during entire electoral process. However, generally it has been directed that:

- A. Every person shall wear face mask during every election related activity.
- B. At the entry of hall/ room/ premises used for election purposes:
 - (a) Thermal Scanning of all persons shall be carried out;
 - (b) Sanitizer, soap and water shall be made available.
- C. Social distancing shall be maintained as per the extant COVID-19 guidelines of the UT Govt. and Ministry of Home Affairs.
- D. As far as practicable, large halls would be utilized to ensure social distancing norms.
- E. Adequate number of vehicles shall be mobilized for movement of polling personnel, security personnel to ensure compliance of COVID-19 guidelines.

- F. Number of persons to accompany candidate for submission of Nomination shall be restricted to One (1) and also the number of vehicles for the purposes of nomination shall also be restricted to One (1).
- G. **Door to Door Campaign-** Subject to any other restriction(s) including extant COVID-19 guidelines, a group of more than 3 (three) persons including candidates, excluding security personnel, if any, shall not be allowed for doing door to door campaigning.
- H. **Election Meetings -** Public gatherings/ rallies may be conducted **subject to adherence to extant COVID-19 guidelines.**
- I. **At the Polling Stations:**
- a. Mandatory sanitization of Polling Station, preferably, a day before the poll.
 - b. Thermal scanning of voters at entry point of polling station location/Polling station, either by polling staff or Para Medical staff or Asha worker.
 - c. **If temperature of any elector is found above the set norms of MoHFW at first reading, then it will be checked twice and if it remains, then the elector shall be provided with token/certificate and will be asked to come for voting at the last hour of poll. At the last hour of poll, such electors shall be facilitated voting, strictly following COVID-19 related preventive measures.**
 - d. Soap and Water shall be provided at the entry/exit point of every polling station.
 - e. Sanitizer would be provided at the entry/exit point of every polling station.
 - f. Face Masks in reserves for those electors who are not carrying the mask will be kept.

**Office of the Chief Electoral Officer
Jammu & Kashmir**

“Greater Participation for a Stronger Democracy”

Subject: Documents for identification of voters-Local Bodies Elections 2020 - regarding.

Order No: CEO/ME/2020/433

Dated: 06.10.2020

In pursuance of section 9(1) of the J&K Municipal Corporation Act, 2000, and section 282 of the J&K Municipal Act, 2000 the Chief Electoral Officer, J&K hereby orders that following documents shall be allowed for identification of voters at the polling stations during the Municipal Elections:-

1. Elector Photo Identity Card (EPIC)
2. Passport
3. Driving Licence
4. Service Identity Card issued to its employees by UT/State/Central Govt, Public Sector Undertakings, Local Bodies, Public Limited Companies
5. Bank/Post office passbooks with photographs
6. Income Tax Identity (PAN) Card with photographs
7. Aadhaar Card
8. MNREGA job cards issued in J&K Union Territory with photographs
9. Health insurance Smart card issued under the scheme of Ministry of Labour with photographs
10. Pension Documents such as ex-servicemen's pension payment order, Ex-servicemen's widow/Dependent Certificates, Old Age pension order and Widow Pension order with photographs
11. Photo Voter Slip issued by Election Authority

Sd/-

(Hirdesh Kumar)IAS

Chief Electoral Officer, J&K

Dated: 06.10.2020

No: 2136/CEO/ME/Alt-Doc/2020/171

Copy to:-

1. Divisional Commissioner, Jammu/Kashmir for favour of information.
2. Principal Secretary to Government, Housing and Urban Development Department, Civil Secretariat, J&K.
3. All District Election Officers (Deputy Commissioners) for information and necessary action.
4. Director Information, J&K for information.
5. Commissioner Municipal Corporation, Jammu/Kashmir for information.
6. Director Urban Local Bodies, Jammu/Kashmir for information.



(Anil Salgotra)

Joint Chief Electoral Officer, J&K

**MODEL CODE OF CONDUCT
FOR THE GUIDANCE OF
POLITICAL PARTIES AND CANDIDATES**

November, 2020

**Issued by:
Chief Electoral Officer
Jammu and Kashmir**

MODEL CODE OF CONDUCT FOR THE GUIDANCE OF POLITICAL PARTIES AND CANDIDATES

I. General Conduct

- (1) No party or candidate shall indulge in any activity, which may aggravate existing differences or create communal hatred or cause tension between different castes and communities, religious or linguistic.
- (2) Criticism of other political parties, when made, shall be confined to their policies and programme, past record and work. Parties and Candidates shall refrain from criticism of all aspects of private life, not connected with the public activities of the leaders or workers of other parties. Criticism of other parties or their workers based on unverified allegations or distortion shall be avoided.
- (3) There shall be no appeal to caste or communal feelings for securing votes. Mosques, Churches, Temples or other places of worship shall not be used for election propaganda.
- (4) All parties and candidates shall scrupulously avoid all activities which are "corrupt practices" and offences under the election law, such as bribing of voters, intimidation of voters, impersonation of voters, canvassing within 100 meters of polling stations, holding public meetings during the period of 48 hours ending with the hour fixed for the close of the poll, and the transport and conveyance of voters to and fro polling station.
- (5) The right of every individual for peaceful and undisturbed home-life shall be respected, however much the political parties or candidates may resent his political opinions or activities. Organizing demonstrations or picketing before the houses of individuals by way of protesting against their opinions or activities shall not be resorted to under any circumstances.
- (6) No political party or candidate shall permit its or his followers to make use of any individual's land, building, compound wall etc., without his

permission for erecting flag-staffs, suspending banners, pasting notices, writing slogans etc.

- (7) Political parties and candidates shall ensure that their supporters do not create obstructions in or break up meetings and processions organized by other parties. Workers or sympathizers of one political party shall not create disturbances at public meetings organized by another political party by putting questions orally or in writing or by distributing leaflets of their own party. Processions shall not be taken out by one party along places at which meetings are held by another party. Workers of one party shall not remove posters issued by another party.

II. Meetings

- (1) The party or candidate shall inform the local police authorities of the venue and time of any proposed meeting well in time so as to enable the police to make necessary arrangements for controlling traffic and maintaining peace and order.
- (2) A Party or candidate shall ascertain in advance if there is any prohibitory order or other restrictions in force in the place proposed for the meeting. If such orders exist, they shall be followed strictly. If any exemption is required from such orders, it shall be applied for and obtained from the concerned authority such as District Magistrate, Sub-Divisional Magistrate, Executive Magistrate or the concerned Police Officer well in time.
- (3) If permission or license is to be obtained for the use of loudspeakers or any other facility in connection with any proposed meeting, the party or candidate shall apply to the authority concerned well in advance and obtain such permission or license.
- (4) Organizers of a meeting shall invariably seek the assistance of the police on duty for dealing with the persons disturbing a meeting or otherwise attempting to create disorder. Organizer themselves shall not take action against such persons.

III. Procession

- (1) A Party or candidate organizing a procession shall decide before hand the time and place of the starting of the procession, the route to be followed and the time and place at which the procession will terminate.

- There shall ordinary be no deviation from the programme.
- (2) The organizers shall give advance intimation to the local police authorities of the programme so as to enable the latter to make necessary arrangement.
 - (3) The organizers shall ascertain if any restrictive orders are in force in the localities through which the procession has to pass, and shall comply with the restrictions unless exempted specially by the competent authority. Any traffic regulations or restrictions shall also be carefully adhered to.
 - (4) The organizers shall take steps in advance to arrange for passage of the procession so that there is no blockade or hindrance to traffic. If the procession is very long, it shall be organized in segments of suitable lengths, so that at convenient intervals, especially at points where the procession have to pass road junctions, the passage of held-up traffic could be allowed by stages, thus avoiding heavy traffic congestion.
 - (5) Processions shall be so regulated as to keep as much to the right of the road as possible and the direction and advice of the police on duty shall be strictly complied with.
 - (6) If two or more political parties or candidate propose to take processions over the same route or parts thereof at about the same time, the organizers shall establish contact well in advance and decide upon the measures to be taken to see that the processions do not clash or cause hindrance to traffic. The assistance of the local police shall be availed of for arriving at a satisfactory arrangement. For this purpose, the parties shall contact the police at the earliest opportunity.
 - (7) The political parties or the candidates shall exercise control to the maximum extent possible in the matter of processionists carrying articles, which may be put to misuse by undesirable elements especially in moments of excitement.
 - (8) The carrying of effigies purporting to represent the members of other political parties or their leaders, burning such effigies in public and such other forms of demonstration shall not be countenanced by any political party or candidate.

IV. PollingDay

All Political parties and candidates shall:-

- 1) Co-operate with the officers on election duty to ensure peaceful and orderly polling and complete freedom to the voters to exercise their franchise without being subjected to any annoyance or obstruction.
- 2) Supply to their authorized workers suitable badges or identity cards.
- 3) Agree that the identity slip supplied by their to voters shall be on plain (white) paper and shall not contain any symbol, name of the candidate or the name of the party.
- 4) Refrain from serving or distributing liquor on polling day and during the 48 hours preceding it.
- 5) Not allow unnecessary crowd to be collected near the camp set up by the political parties and candidates near the polling booths so as to avoid confrontation and tension among workers and sympathizers of the political parties and the candidates.
- 6) Ensure that the candidate's camps shall be simple. They shall not display any posters, flags, symbols or any other propaganda material. No eatable shall be served or crowd allowed at the camps; and
- 7) Co-operate with the authorities in complying with the restrictions to be imposed on the plying of vehicles on the polling day and obtain permits for them which should be displayed prominently on those vehicles.

V. PollingBooth

Excepting the voters, no one without a valid pass from the Deputy Commissioner of the District shall enter the polling booths.

VI. Observers

The Chief Electoral Officer is appointing Observers to *over-see* the conduct of Elections. If the candidates or their agents have any specific complaint or problem regarding the conduct of election they may bring the same to the notice of the Observer.

VII. Party in Power

The party or parties in power in the Centre or State shall ensure that no cause is given for any complaint that they have used its official position for the purposes of its election campaign and in particular:-

- 1) (a) The Ministers shall not combine their official visit with electioneering work and shall not also make use of official machinery or personnel during the electioneering work.
(b) Government transport including official aircrafts, vehicles, machinery and personnel shall not be used for furtherance of the interest of the party in power;
- 2) Public places such as maidans, etc., for holding election meetings, and use of helipads for air-flights in connection with elections shall not be monopolized by the ruling parties. Other parties and candidates shall be allowed to use such places and facilities on the same terms and conditions on which they are used by the parties in power;
- 3) Rest houses, dak bungalows or other Government accommodation shall not be monopolized by the party in power or its candidates and such accommodation shall be allowed to be used by other parties and candidates in a fair manner but no party or candidate shall use or be allowed to use such accommodation (including premises appertaining thereto) as a campaign office or for holding any public meeting for the purposes of election propaganda;
- 4) Issue of advertisement at the cost of public exchequer in the newspapers and other media and the misuse of official mass media during the election period for partisan coverage of political news and publicity regarding achievements with a view to furthering the prospects of the party/parties in power shall be scrupulously avoided.
- 5) Ministers and other authorities shall not sanction grants/payments out of discretionary funds from the time elections are announced; and
- 6) From the time elections are announced, Ministers and other authorities shall not:—
 - (a) announce any financial grants in any form or promises thereof; or
 - (b) (except civil servants) lay foundation stones etc. of projects or schemes of any kind; or
 - (c) Make any promise of construction of roads, provision of drinking water facilities etc.; or

(d) Make any ad-hoc appointments in Government, PSUs, etc. which may have the effect of influencing the voters in favor of the party in power.

- 7) Ministers of the Central or State Government shall not enter any polling station or place of counting except in their capacity as a candidate or voter or authorized agent.