

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

"Greater Participation for a Stronger Democracy"

Subject: Conduct of Panchayat Election, 2018 – Complaint of Nissara Begum W/o Mohd Hussain Bhat R/o Lalpora Kupwara.

Order No.CEO/PYT/2018/739

Dated: 28-11-2018

Whereas, a complaint was received from Nissara Begum W/o Mohd Hussain Bhat R/o Lalpora, Kupwara alleging that the nomination papers of Mst. Tasleema Begum W/o Mohd Hussain R/o Lalpora for Sarpanch seat from Panchayat Halqa Lalpora B, Block Sogam District Kupwara have been accepted despite her name not figuring in the Electoral Roll of Lalpora B; and

Whereas, a report was sought and has been received from the District Panchayat Election Officer (Deputy Commissioner) Kupwara alongwith relevant documents including copies of the electoral rolls; and

Whereas, the records show that the Returning Officer has accepted nomination form of Tasleema Begum on the basis of extract provided by the Block Development Officer, Sogam, who is the concerned Assistant Electoral Registration Officer (AERO); and

Whereas, perusal of the electoral rolls reveal that Tasleema Begum is not an elector of Lalpora B in either the draft roll published on 17-08-2018 or the final roll published on 20-10-2018. However, some manual modifications have been made on the copy of the final electoral roll, under attestation by the said AERO, showing addition of a voter in Lalpora B and deletion from Lalpora D – this is *dehors* the prescribed procedure and has no legal sanctity whatsoever. The competent authority to add/delete a voter is the Electoral Registration Officer (ERO) but he has not passed any orders of addition/deletion to the final electoral rolls of either of the two panchayat halqas voter lists. It is also noted that the so called document that has been furnished as supplement ("zamima") doesn't conform to the prescribed rules which require preparation of separate supplements of the two affected halqas; and

Whereas, not being part of the electoral roll of the halqa panchayat attracts disqualification under section 6(2) of the J&K Panchayati Raj Act, 1989;

Now, therefore, in view of the above, the nomination of Tasleema Begum W/o Mohd Hussain Bhat for Sarpanch seat from Panchayat Halqa Lalpora-B, Block Sogam District Kupwara warrants rejection and is so ordered hereto. It is further ordered that the concerned Returning Officer shall issue list of contesting candidates afresh and take further action thereupon.


(Shateen Kabra) IAS
Election Authority

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

No.5439/CEO/PYT/2018/4047-50

Dated: 28-11-2018

Copy to:

1. Divisional Commissioner, Kashmir for information.
2. Secretary to Government, Rural Development and Panchayati Raj Department, J&K for information.
3. District Panchayat Election Officer (Deputy Commissioner) Kupwara for information and n/a.
4. Returning Officer concerned for information and n/a.