



OFFICE OF THE
ELECTION AUTHORITY
UNDER PANCHAYATI RAJ ACT, 1989
(CHIEF ELECTORAL OFFICER, JAMMU & KASHMIR)
2ND FLOOR VIKAS BHAWAN, RAIL HEAD COMPLEX, JAMMU

The District Election Officer,
(Deputy Commissioner)
Kupwara/Baramulla/Bandipora/Ganderbal/Srinagar/Budgam/
Pulwama/Shopian/Kulgam/Anantnag/Leh/Kargil/Kishtwar/Doda/
Ramban/Reasi/Udhampur/Kathua/Samba/Jammu/Rajouri/Poonch

No. *5318/CEO/PYT/2011/3066-92*

Dated: 27-03-2011

Subject: **Conduct of Panchayat Elections, 2011 – Instructions regarding eligibility to contest elections – regarding.**

Sir,

This office has received several questions/queries from the persons who are interested in taking part in elections as to the eligibility conditions which are required to be met for filing nominations as also the documentary evidence required to support the nomination form.

In this regard, your kind attention is invited towards the Section 6 of the J&K Panchayati Raj Act, 1989, which provides that:-

- i) Any person(s) who wishes to file his/her nomination paper for Panch or Sarpanch of a Panchayat Halqa, should meet the below mentioned requirements:-
1. He/she should be a permanent resident of the Jammu & Kashmir State.
 2. His/her name should be entered in the Panchayat Electoral Roll of such Panchayat Halqa.
 3. He/she should be of the age of twenty-five years or above.
 4. He/she should not be of un-sound mind, and stand so declared by a competent court.
 5. He/she should have not been adjudged insolvent by a competent court.
 6. He/she should not be a salaried servant of a Government or a local body or a Halqa Panchayat.
 7. He/she should have not been dismissed from the Government Service or a local body.
 8. He/she should not be a Lambardar or Village Chowkidar.
 9. He/she should not have been convicted of and sentenced for an offence punishable with imprisonment for not less than two years, unless a period of three years, or such less period as the Government may allow in any particular case, has elapsed since his release.

10. He/she should fill a proforma for furnishing information under section 6(i) of Panchayati Raj Act, 1989 as Appendix-M5.
11. He/she should fill the nomination form accompanied with an affidavit as Appendix-M6.

Your kind attention is also invited to Rule 9 of J&K Panchayati Raj Rules, 1996, which lays down as under:-

"9. Nomination and registration of candidates.- On or before the last date of submission of nomination papers every candidate for election whose name is included in the electoral roll pertaining to the Panchayat shall deliver or cause to be delivered through his agent to the Returning Officer during office hours between 11:00 a.m. to 3:00 p.m. a nomination paper in Form 1.

9-A. A nomination paper shall be accompanied by a security deposit of Rs.100 in shape of a Bank Draft pledged in the name of the Returning Officer of the Panchayat Halqa/Block Development Council payable at any branch of any nationalized/scheduled bank in the district in cash:

Provided that in case of scheduled caste/scheduled tribe or women candidates the security deposit shall be Rs.50/- only.

9-C. For candidates contesting election to Panch seats reserved for the scheduled Castes or Scheduled Tribes, the nomination paper shall be accompanied by a certificate issued by the competent authority that he belongs to Scheduled Castes or Scheduled Tribes, as the case may be."

You are therefore requested that the Returning/Assistant Returning Officers of your district may be directed to adhere the above instructions while accepting the nomination forms of the candidates.

Matter may be treated as Election/Most Urgent.

Yours faithfully,

B.R. Sharma 27.03.11
(B.R. Sharma) IAS
Election Authority
Under Panchayati Raj Act, 1989
(Chief Electoral Officer, J&K)
Jammu

Copy to the:-

1. Secretary, Rural Development Department, J&K, Jammu for information.
2. Director, Rural Development Department, Kashmir/Jammu for information and necessary action.
3. Director, Information and Publicity Department, J&K, Jammu with the request that the above instructions may be published as a "press note" in two local dailies of Kashmir i.e., Greater Kashmir and Daily Aaftaab and two local dailies of Jammu i.e., Daily Excelsior and Amar Ujala.