



**THE
JAMMU & KASHMIR GOVERNMENT GAZETTE**

Vol. 130] Srinagar, Mon., the 17th April, 2017/27th Chai., 1939. [No. 2-a

Separate paging is given to this part in order that it may be filed as a
separate compilation.

PART III

Laws, Regulations and Rules passed thereunder.

GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIAT—DEPARTMENT OF RURAL
DEVELOPMENT AND PANCHAYATI RAJ

Notification

Jammu, the 17th April, 2017.

SRO-176.—In exercise of the powers conferred by section 80 of the Jammu and Kashmir Panchayati Raj Act, 1989 (Act No. IX of 1989), the Government hereby make the following amendment in the Jammu and Kashmir Panchayati Raj Rules, 1996, namely :—

1. **Amendment of rule 4.**—In rule 4, the following amendments shall be made, namely :—

- (i) sub-rule (3) shall be omitted ;
- (ii) in sub-rule (4), the words “the electoral rolls for Panchayat Halqa for election of Sarpanch shall consist

of the electoral rolls of all the constituencies of Panchayat Halqa” shall be omitted ; and

(iii) in sub-rule (5), the word “Sarpanches and” shall be omitted.

2. **Amendment in rules 5, 7 and 8.**—In rules 5, 7 and 8, the words “Sarpanches and”, wherever occurring, shall be omitted.
3. **Amendment in rule 9 A.**—In rule 9 A, for the words and figures “Rs. 100” and “Rs. 50” the words and figures “Rs. 1000” and “Rs 500” shall respectively be substituted.
4. **Amendment in rule 41.**—In rule 41, the words “Sarpanch and” shall be omitted.
5. **Deletion of rule 42.**—Rule 42 shall be deleted.
6. **Amendment in rule 43.**—In rule 43, the words “Sarpanch or” shall be omitted.
7. **Amendment in rule 44.**—In rule 44, the following amendments shall be made, namely :—
 - (i) in heading, for the word “Naib-Sarpanch”, the words “Sarpanch and Naib-Sarpanch” shall be substituted ; and
 - (ii) in sub-rule (1), for the words “Sarpanch” the words “Secretary, Panchayat” shall be substituted.
8. **Amendment in rule 45.**—In rule 45, the following amendments shall be made, namely :—
 - (i) in heading, for the word “Naib-Sarpanch”, the words “Sarpanch and Naib-Sarpanch” shall be substituted ;
 - (ii) in sub-rule (2), for the words “Sarpanch” and “Naib-Sarpanch” the words “Secretary, Panchayat” and “Sarpanch” and “Naib-Sarpanch” shall respectively be substituted ;

- (iii) in sub-rule (3), for the words “Naib-Sarpanch” the words “Sarpanch and Naib-Sarpanch” shall be substituted ; and
- (iv) sub-rule (4) shall be substituted by the following rule, namely :—

“(4) The Secretary, Panchayat shall thereafter cause to be handed over to each Panch two blank papers with request to write the names of Panch in favour of whom he desires to vote as Sarpanch and Naib-Sarpanch on each such blank paper and the Panch shall then write the names on each blank paper secretly without giving any chance to others to see it and shall fold the papers and hand it over to the Secretary, Panchayat. The Panch shall not write his name on the voting papers”.

9. **Insertion of rule 45 A.**—After rule 45, the following rule shall be inserted, namely :—

“45A **Appeal.**—(1) An appeal against the election of a candidate as Sarpanch or Naib-Sarpanch shall lie to the concerned District Panchayat Officer within a period of 30 days from the date of declaration of result.

(2) On receipt of the appeal under sub-rule (1), the District Panchayat Officer shall fix the time, place and date of hearing of the appeal, such date not being more than 07 days after the date of receipt of appeal.

(3) At the fixed date and place the District Panchayat Officer shall hear the appeal and pass such orders as he may deem fit.

(4) The orders passed under sub-rule (3) shall be final”.

10. **Amendment in rule 47.**—In rule 47, the following amendments shall be made, namely :—

- (i) sub-rule (1) shall be substituted by the following, namely :—

“(1) The Secretary, Panchayat shall cause the votes to be counted there and shall declare the Panch having

secured the largest number of votes to be duly elected as Sarpanch or Naib-Sarpanch, as the case may be ; and

(ii) in sub-rule (3), for the word “Naib-Sarpanch” the words “Sarpanch and Naib-Sarpanch” shall be substituted.

11. **Amendment in rule 103.**—In clause (d) of rule 103, for the words and figures “Rs. 100” and “Rs. 50”, the words and figures “Rs. 1000” and “Rs. 500” shall respectively be substituted.
12. **Amendment in rule 106.**—In rule 106, for the word “Naib-Sarpanch” the words “Sarpanch and Naib-Sarpanch” shall be substituted.
13. **Amendment in Form No. 1.**—In Form No.1 appended to the rules, the word and sign “Sarpanch/” shall be omitted.
14. **Amendment in Form No. 4.**—In Form No. 4 appended to the rules, the word and sign “Sarpanch/” shall be omitted.
15. **Amendment of Form No. 16.**—In Form No. 16 in part iv, the word and sign “Sarpanch/” shall be omitted.

By order of the Government of Jammu and Kashmir.

(Sd.) KIFAYAT HUSSAIN RIZVI, IAS,

Secretary to the Government.