

ELECTION DEPARTMENT
JAMMU AND KASHMIR

**HANDBOOK
FOR
PREPARATION OF ELECTORAL ROLLS
FOR
CONDUCT OF ELECTIONS
TO
MUNICIPAL CORPORATIONS, COUNCILS
AND COMMITTEES**

Issued by :

Chief Electoral Officer
Jammu and Kashmir

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PREFACE

As a precursor to the holding of the civic poll both for the Municipal Corporations and for the Municipal Councils and Committees in the State it is necessary that a fresh exercise is done to carry out a Summary Revision of Electoral Rolls.

To facilitate the job of field functionaries this booklet has been prepared. I hope it will be found useful by the officials at the cutting edge and by various other Supervisory Officers in the districts, especially the Electoral Registration Officers and Assistant Electoral Registration Officers, Zonal Officers and Supervisors.

December, 2011.

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**HANDBOOK FOR PREPARATION OF ELECTORAL ROLLS FOR ELECTIONS
TO MUNICIPAL CORPORATIONS, MUNICIPAL COUNCILS AND
MUNICIPAL COMMITTEES, 2012**

1. For the purpose of conduct of election to Municipal Corporations, Municipal Councils and Municipal Committees there shall be a separate electoral roll for each of the mohallas falling in a ward as per delimitation notified by the authority concerned.
2. A person shall not be eligible for registration in the electoral roll, if he—
 - (i) is not permanent resident of J&K State as defined in Part III of the Constitution ;
 - (ii) is of unsound mind and stands so declared by a Competent Court ; or
 - (iii) is for the time being disqualified from voting under the provisions of any law relating to corrupt practices and other offences in connection with the conduct of elections.

CONDITIONS OF REGISTRATIONS :

- (i) A person shall be entitled for registration in the electoral roll if he is not less than eighteen years of age on the qualifying date which is 01-01-2012 ; and
 - (ii) Is an ordinary resident in a Municipal Ward. No person shall be entitled to be registered in the Municipal electoral roll for more than one ward ; and
 - (iv) No person shall be entitled to be registered in the Municipal electoral roll for any ward more than once.
3. The following further instructions are issued for preparing electoral rolls :—
 - (i) The electoral roll shall be prepared by the electoral Registration Officers who shall be assisted by the Assistant Electoral Registration Officers. Both of these officers shall be appointed by the Chief Electoral Officer ;
 - (ii) A draft electoral roll shall be prepared on the basis of which the roll shall be updated ;
 - (iii) It needs to be noted that for the Municipal areas falling within the Districts of Udhampur, Kathua, Jammu, Reasi and Samba the draft electoral rolls are to be prepared in Hindi language also, in addition to Urdu ;
 - (iv) The electoral rolls shall be prepared as per the format given in the relevant Form as appended hereto. (Please see Form No. 1) ;
 - (v) As soon as the draft electoral rolls are ready, these shall be displayed by the ERO concerned at the conspicuous place(s) within the Ward/Constituency on the date as may be fixed by the authority concerned for the inspection by the public ;
 - (vi) While displaying the draft electoral rolls, a notice in prescribed Form No. 2 inviting the claims and objections with regard to the rolls within such period as may be fixed for the purpose, shall be issued by the concerned Electoral Registration Officer ;

4. On any date before the cut-off date as may be prescribed in this behalf, any person may apply in Form No. 3 for—
 - (i) Getting his name included in the electoral roll if his/her name is not already included ;
 - (ii) For objections to the existence of any name in the draft electoral roll, on account of death of any person or shifting of his residence within the prescribed limits of the Ward/Constituency/any other ground with reference to the qualifying date through an application in Form 4 ;
 - (iii) For getting the name corrected his or her name or any of the particulars, if wrongly mentioned in the draft electoral rolls may apply through an application in Form No. 5.
5. A person shall not be deemed to have become a non-resident of the ward only on the ground that he or she is temporarily away in pursuit of service or profession, unless it is shown that such a person has become an elector in another area outside his/her ward. On the other hand, if the name does not already exist in the electoral rolls and a fresh application is made before the Electoral Registration Officer for inclusion of the name, the Electoral Registration Officer shall satisfy himself that applicant fulfills the conditions necessary for being included in the electoral rolls.
6. All applications received under sub-para (i), (ii) and (iii) of para 4 above shall be listed separately and displayed in the form of a list by the Electoral Registration Officer concerned on the notice board of his office on the day of their receipt or as early as possible and thereafter, for inviting objections.
7. No claim or objection shall be entertained by the ERO after the last date fixed for this purpose.
8. Every claimant/objector shall be given a notice of date and time for hearing of such claims or objections and shall further be asked to give such evidence, as he may like to give. A person against whom an objection has been received by the Electoral Registration Officer for the inclusion or deletion of his name in or from an electoral roll shall also be given sufficient opportunity to give such evidence as he may like.
9. The Electoral Registration Officer shall hear and decide the claims and objections according to their merits.
10. Any person aggrieved by any such order may, within five days from the date of order apply to ERO for revision who will within seven days confirm or set it aside or pass such order with respect to claims or objections as he may deem fit, which shall be final and binding upon the parties.
11. After all the claims and objections are disposed of within such period as is prescribed for the purpose, the Electoral Registration Officer shall prepare the supplements of additions, deletions and corrections as are necessitated to the draft electoral rolls. While preparing the supplements it is to be ensured that all the additions, corrections or deletions are carried out. These supplements shall be computerized and attached with the draft (mother) electoral roll for display as a final electoral roll.
12. Any person whose name is not included in the electoral roll of a ward as finally published under rule 11 may apply in the manner hereinafter provided for inclusion of his/her name in the electoral roll after the date of final publication of electoral rolls and the application under this rule shall be made in duplicate in Form 3 to the concerned ERO. Provided that such application shall be addressed and presented to Electoral Registration Officer concerned not later than seven (7) days from the date of final publication of the electoral roll under rule 11.

13. The Electoral Registration Officer shall immediately on receipt of such application direct one copy thereof to be pasted in some conspicuous place in his office, together with a notice inviting objections to such application within a period of 5 days from the date of such pasting.
14. The Electoral Registration Officer shall, after expiry of the period specified in para 13 consider the objections, if any, received by him and shall, if satisfied that the applicant is entitled to be registered in the electoral roll, direct his name to be included before the last date for making nomination for each ward. Provided that if the applicant is registered in the electoral roll of any other ward, the Electoral Registration Officer concerned shall delete the name of the applicant from the electoral roll.
15. Where an application made under this rule is rejected, an appeal shall be made within period of 6 days from the date of rejection to the Appellate Authority to be nominated by the Government in consultation with Chief Electoral Officer whose decision shall be final.

Every such appeal shall be —

- (a) in the form of a memorandum signed by the applicant ;
 - (b) accompanied by a copy of the order appealed against ; and
 - (c) the Electoral Registration Officer shall cause such amendments to be made in the roll as may be necessary to give effect to the decision of the Appellate Authority.
16. Subject to the superintendence, direction and control of the Chief Electoral Officer, J&K, the Deputy Commissioner in each district, in co-ordination with Municipal Commissioner, Jammu/Srinagar or Director, Local Bodies, as the case may be, shall supervise the preparation, revision and correction of all electoral rolls in the district. He (the Deputy Commissioner) will arrange necessary staff and logistics support for the exercise. He can for this purpose, requisition the services of staff of the Municipal Bodies or of the Directorate of Local Bodies or of any other Department or Organization as he may deem fit for the preparation of the electoral rolls.

Note :—Forms referred to in these guidelines are appended hereto.

FORM 2*[See rule 5 (1)]***Notice of Publication of Electoral Roll in Draft**

To

The Electors of Ward No. _____

Municipal Corporation/Council/Committee _____

Notice is hereby given that the electoral roll has been prepared in pursuance of the provisions of rule 4 of Municipal Corporation/Council/Committee (Election) Rules, 2003 and a copy thereof is available for inspection at my office or office of the Municipal Corporation/Council/Committee, which can be inspected during office hours.

If there be any claim for the inclusion of a name in the roll or any objection to the inclusion of a name or any objection to particulars in any entry, it should be lodged on or before _____ in Forms 3, 4 or 5 as may be appropriate.

Every such claim or objection should either be presented in my office or to the Assistant Electoral Registration Officer _____ (designation) not later than the aforesaid date.

Place _____

Date _____

Electoral Registration Officer,

Ward No. _____

FORM 3*[See rule 8(1)]***Claim Application for Inclusion of Name**

To

The Electoral Registration Officer,

Ward No. _____

Municipal Corporation/Council/Committee _____

Sir,

I request that my name be included in the electoral roll for the above ward in Mohalla _____

My name (in full) _____

My father's/mother's/husband's name _____

Particulars of my place residence House No. _____

Street _____ Mohalla _____ Town _____

I hereby declare to the best of my knowledge and belief :

(I) That I am a citizen of India ; and a permanent resident of State of J&K.

(II) That my age on the first day of January, 2012 is _____ years.

(III) That I am ordinarily residing at the address given above.

(IV) That I have not applied for the inclusion of my name in the electoral roll for any other ward/constituency.

Place _____

Date _____

Signature or Thumb Impression
of claimant.

I am an elector included in the electoral roll of the same part in which the claimant has applied for inclusion viz.
 Mohalla _____ Ward No. _____ My Serial
 Number therein is _____. I support claim and countersigned it.

Signature of the elector.

(Name in full)

FORM 4*[See rule 8 (1)]***Objections to Inclusion of Name**

To

The Electoral Registration Officer,

Ward No. _____

Municipal Corporation/Council/Committee _____

Sir,

I object to the inclusion of the name of _____

At Serial No. _____ in Mohalla _____ Ward

No. _____ of the electoral roll for the following Reasons (s) :—

I hereby declare that the facts mentioned above are true to the best of my knowledge and belief :

My name has been included in the electoral roll as follows :—

My name in full _____

My father's/Mother's/Husband's name _____

Serial No. _____ Mohalla _____

Signature or Thumb impression
of objector.

Full postal address _____

Dated _____

FORM 5*[See rule 8 (1)]***Application for Correction of an Entry**

To

The Electoral Registration Officer,

Ward No. _____

Municipal Corporation/Council/Committee _____

Sir,

I submit that the entry relating to myself which appears at Serial No. _____

in Mohalla _____ of the electoral rolls as “ _____ ”
is not correct.

It should be corrected to read as follows :—

Place _____

Dated _____

Signature/Thumb Impression
of the elector.