

GOVERNMENT OF JAMMU AND KASHMIR
Department of Law, Justice and Parliamentary Affairs
(Subordinate Legislation Section) Civil Secretariat
Jammu/Srinagar

Notification

Jammu, the 8th of April, 2021

S.O 123 .—In exercise of powers conferred by section 19 of the Jammu and Kashmir Sikh Gurdwaras and Religious Endowment Act, 1973, the Government of Jammu and Kashmir hereby makes following amendments in the Jammu and Kashmir Sikh Gurdwaras and Religious Endowment Rules, 1975:

1. Sub rule (1) of rule 5 shall be substituted by the following,—

“(1)The Election Authority shall cause the Electoral Rolls to be prepared which shall include the name of every such Sikh who is registered or eligible to be registered as a voter in the corresponding Electoral Roll of the Jammu and Kashmir Legislative Assembly.”;

2. In Rule 7, the sign full stop (.) at the end shall be substituted by sign colon (:) and thereafter following proviso shall be added, namely,—

“Provided that notwithstanding the publication of final electoral roll under rule 7, name of a person who is eligible to be registered under these rules shall be allowed to be added to the electoral rolls till the last date of filing nomination in the respective constituency”;

3. In rule 12, the word, figure and sign “Rs. 50/-” shall be substituted by word, figure and sign “Rs. 500/-”;

4. Sub-rule (2) of rule 25 shall be substituted by the following, namely,—

“(2)The Presiding Officer shall provide the voter with a blank/unmarked ballot paper duly serial numbered, with his seal and signature on the reverse side. The voter shall on receiving the ballot paper, forthwith proceed to the voting compartment and mark his/her ballot paper by affixing a seal provided to him/her by the Presiding Officer, opposite the name (or on the symbol) of the candidate in whose favour he/she desires to cast the vote and put the ballot paper so folded up in the ballot box, which shall be placed within the view of the Presiding Officer.”;

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5. In sub rule (1) of the rule 28, the sign full stop (.) at the end shall be substituted by sign colon (:) and thereafter following proviso shall be added, namely,—

“Provided that a ballot paper shall be liable to rejection and shall not be counted:

- (a) if no vote is recorded thereon; or
- (b) if the ballot paper or the vote recorded thereon is void for uncertainty due to marking on multiple candidates or any other reason; or
- (c) if it is otherwise not in conformity with these rules”.

6. After rule 31, following rule shall be inserted, namely,—

“31-A. Appeal.—

- (1) An appeal against the Election of elected member of District Gurdawara Prabhandhak Committee shall lie to the Authority as may be notified by the government within a period of 30 days from the date of the declaration of results.
- (2) On receipt of the appeal under sub rule (1), the appellant Authority shall fix the time, place and date of hearing of the appeal, such date not being more than seven days after the date of receipt of the appeal.
- (3) At the fixed date and place, the authority shall hear the appeal and pass the orders as it may deem fit.
- (4) The orders passed under sub rule (3) shall be final.”;

7. In Rule 38, the word, figure and sign “Rs. 100/-” shall be substituted by word, figure and sign “Rs. 1000/-”

8. After rule 45, following rule shall be inserted:

“ 45-A. Appeal.—

- (1) An appeal against the Election of elected member of the Board shall lie to the Authority as may be notified by the Government within a period of 30 days from the date of the declaration of results.
- (2) On receipt of the appeal under sub rule (1), the appellant Authority shall fix the time, place and date of hearing of the appeal, such date not being more than seven days after the date of receipt of the appeal.
- (3) At the fixed date and place, the authority shall hear the appeal and pass the orders as it may deem fit.
- (4) The orders passed under sub rule (3) shall be final.

Next

9. FORM 1 AND FORM 4 appended to the Jammu and Kashmir Sikh Gurudwara and Religious Endowment Rules 1975, shall be deemed to have been substituted by the FORM 1 and FORM 4 respectively as appended to this notification.

By order of the Government of Jammu and Kashmir.

Sd/-
(Achal Sethi)
Secretary to Government

NO. LD(SL)2013/13-Gurdwara

Dated 08-04-2021

Copy to the:

1. Principal Secretary to Government, Revenue Department.
2. Financial Commissioner, Revenue, J&K, Jammu.
3. Principal Secretary to the Hon'ble Lieutenant Governor, J&K.
4. Divisional Commissioner, Jammu/Kashmir.
5. All Deputy Commissioners. _____.
6. Director Information, J&K.
7. General Manager, Government Press, Jammu. He is requested to arrange printing of 50 copies of this notification as extra ordinary in the Official Gazette.
8. Private Secretary to the Chief Secretary, J&K.
9. Private Secretary to the Secretary to Government, Department of Law, Justice and PA.
10. Chairman, J&K Sikh Gurudwara Pranbhandak Board, Srinagar.
11. President, J&K State Gurdawara Prabhandak Board.
- ✓ 12. S.O section/ web-site section.
13. Concerned file.


(Reyaz Ali Bhat)
Assistant Legal Remembrancer

FORM NO. 1

(See Rule 12)

FORM OF NOMINATION FOR ELECTION TO GURUDWARA PRBANDHAK COMMITTEE/BOARD

TEHSIL..... DISTRICT.....

PART I

I.....S/o/D/o/W/o *nominate myself as a candidate for election to the District Gurudwara Prabandhak Committee from..... Constituency ofDistrict / *for election as a member of the State Sikh Gurudwara Prabandhak Committee Board.

I hereby Declare:-

- (a) That my name is entered at S.No..... of electoral roll for constituency of District.
(b) That I have completed years of age.
(c) That my choice of symbol in order of preference is :

(i) (ii) (iii)
Dated

*Mark (x) whichever not applicable.

(Signature of Candidate)
Name of the Candidate (in block letters)
.....
Postal address
.....

PART II

Authorization of Agent

I a candidate at the above election hereby authorize (Shri/Smt.).....S/o/D/o/W/o.....R/o..... to deliver this nomination paper.

Signature of candidate

Place
Date

I agree to act as such election agent.

Signature of the election agent

Place
Date

Handwritten signature/initials on the left margin.

PART III

This nomination paper was delivered to me at my office at (hours) on
(date) by the candidate/authorized agent. He/She has deposited the security amount of
rupees.....vide cash/bank draft No.....dated

Returning Officer

Decision of Returning Officer

Accepting or Rejecting the nomination paper

I have examined this nomination paper in accordance with the provisions of Jammu and Kashmir
Sikh Gurudwara and Religious Endowment Act 1973 and rules made there under and decide as under:

Returning Officer

Date

.....cut out from here.....

PART IV

Receipt for nomination paper and notice of scrutiny

(to be handed over to the person presenting the nomination paper)

The nomination paper of, a candidate for election of member Sikh Gurudwara
Prabandhak Committee/Board was delivered to me at my office at (hours) on
.....(date) by the candidate/authorised agent. All nomination papers will be taken up for scrutiny at
.....(hours).....on.....(date) at..... (place).

Place

Date

Returning Officer

Revised

FORM 4
(See Rule 24)

Counterfoil

DistrictName of the Constituency.....

SI. No. of Elector.....

S.No. of B.P.....

Signature/Thumb Impression of the Elector

.....PERFORATION.....

Ballot paper

District.....Name of the Constituency.....

S.No. of B.P.....

| S. No. | Name of the Candidate | Symbol allotted | Space for Voter's Mark |
|--------|-----------------------|-----------------|------------------------|
|--------|-----------------------|-----------------|------------------------|

1.

2.

3.

4.

5.

6.

Neysy