

ELECTION COMMISSION OF INDIA

Nirvachan Sadan, Ashoka Road, New Delhi – 110 001

NO. ECI/PN/25/2008

Dated: 19th October, 2008

PRESS NOTE

Subject: Schedule for General Election to the Legislative Assembly of Jammu & Kashmir.

The Legislative Assembly of the State of Jammu & Kashmir was dissolved on 10.07.2008 and the State has been placed under the Governor's rule w.e.f. 10-07-08. This will come to an end on 10-01-09 in the normal course.

By virtue of its powers, duties and functions under Section 138 read with Section 52 (1) of the Constitution of Jammu and Kashmir, and the decision of the Hon'ble Supreme Court in Special Reference No.1 of 2002 [AIR 2003 SC 87, (2002) 8 SCC 237], and Section 27 of the Jammu and Kashmir Representation of the People Act, 1957, the Commission is under a constitutional mandate to hold general election to constitute the new Legislative Assembly in the State before 10-01-09.

ASSEMBLY CONSTITUENCY

2. Under Section 47 read with Section 48 of the Constitution of J & K, elections are to be held for 87 Assembly Constituency seats (ACs) in Jammu & Kashmir, out of which 7 seats are reserved for the Scheduled Castes.

ELECTORAL ROLLS

3. General Election in the State will be conducted on the basis of the electoral rolls revised with reference to 01.01.08 as the qualifying date. The electoral roll revision process in the State has been completed and the final publication made. As per finally published rolls, there are 65,38,111 electors in the State. The electoral rolls of all the Assembly Constituencies of the State have been computerized and are available on the website of the Chief Electoral Officer of the State.

ELECTORS PHOTO IDENTITY CARDS (EPIC)

4. Identification of the voters at the polling booth at the time of poll shall be mandatory. Presently, the EPIC coverage in the State is 68.00%. All the residual electors are advised to obtain their EPICs from the EROs of their Assembly Constituencies urgently.

ELECTRONIC VOTING MACHINES (EVMs)

5. The poll in the State will be conducted at all polling stations using EVMs. The Commission has already made arrangements to ensure availability of adequate number of EVMs for the smooth conduct of elections in the State. A two- stage randomization of EVMs will be made. In the first stage, all the EVMs stored in the District storage centre will be randomized for allocation assembly constituency-wise. After the EVMs in a constituency are prepared for the poll by the Returning Officer and the ballot units are fitted with ballot papers, then the EVMs will again be randomized to decide the actual polling stations in which they will be ultimately used. Both the randomization processes will be done in the presence of Observers and Candidates or their election agents.

MEETING WITH RECOGNISED POLITICAL PARTIES AND MEETINGS WITH THE OFFICIALS OF STATE GOVT. & GOVT. OF INDIA

6. In view of the recent developments in the State of Jammu and Kashmir, the Commission had a meeting with representatives of recognized National parties and recognized State parties on 8th September 2008 (Monday) at New Delhi. Thereafter, Commission also held discussions with Chief Secretary and Director General of Police, Jammu and Kashmir on 10th September 2008(Wednesday) and with Home Secretary, Govt. of India on 10th September at Delhi. Another round of meetings was held on 8th October, 2008(Tuesday) with the representatives of recognized National and State parties of Jammu and Kashmir and a meeting with the Advisors to the Governor of Jammu and Kashmir on 7th October 2008 and with the Chief Secretary and Director General of Police on 8th October 2008. The Commission also had meeting with the Home Secretary, Government of India on 10th October 2008 at Delhi. The Commission took note of the inputs provided in the meetings. The State Government has assured full cooperation to the Commission in the matter of providing necessary manpower and materials for the conduct of free, fair and peaceful elections. The Central Government has also assured that adequate Central Police Forces will be made available to ensure the safety, security and free movement of electors, candidates, leaders of political parties and polling personnel and guarding of polling materials and polling stations.

LAW AND ORDER AND DEPLOYMENT OF FORCES

7. Based on the assessment of the ground situation, Central Police Forces (CPFs) and State Armed Police (SAPs) drawn from other States will be deployed during the ensuing general elections. The CPF and SAP will be used generally for safeguarding the polling stations and for providing security to the electors and polling personnel at the polling stations on the poll day. Besides, these forces will be used for securing the strong rooms where the EVMs are stored and at the counting centers. Wherever needed, the CPF will be deployed in advance for area domination. The identification of polling stations requiring coverage by CPF in various assembly constituencies will be made in consultation with the ECI Observers.

8. The Commission has been issuing instructions from time to time with regard to the advance preventive measures to be taken by the District Magistrates and Police authorities to maintain the Law & Order and to create atmosphere conducive for the conduct of free and fair elections. The Commission will be constantly monitoring the ground situation closely and will take appropriate measures to ensure peaceful, free and fair polls in the State.

OBSERVERS

9. The Commission will be deploying Observers to ensure smooth conduct of forthcoming General Election in the State. The Observers will be asked to keep a close watch on every stage of the electoral process to ensure free and fair elections.

CONDUCT OF OFFICIALS

10. The Commission expects all officials engaged in the conduct of elections to discharge their duties in an impartial manner without any fear or favour. They all shall be deemed to be on deputation to the Commission and shall be subject to its control, supervision and discipline. Several instructions have been issued from time to time to ensure impartiality of officials who are engaged in conduct of elections. The conduct of all government officials who have been entrusted with election related responsibilities and duties would remain under constant scrutiny of the Commission and strict action shall be taken against those officials who are found wanting on any account.

11. The Commission has already given instructions that no election related official or Police officer of the rank of Sub Inspector and above shall be allowed to continue in his home district. Besides, instructions have also been issued that all the election related officials including the police officials who have completed three years in a district during last four years should be transferred out of that district. The Government of the State has also been asked to transfer all those officers against whom the Commission has recommended disciplinary action or who have been charged for any lapse during previous elections or for any election related work, from the positions entailing any election work.

12. The Government of the State has been instructed to ensure that those officials who stand transferred on the above ground shall physically move out of their last place of posting and not remain there on any pretext including leave.

13. The Commission has also instructed the State Government not to associate any officer with the electoral process against whom charges have been framed in a court of law in any case.

PROTECTION TO SC/ST ELECTORS

14. As per Section 3 (1) (vii) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, whoever, not being a member of a Scheduled Caste or Scheduled Tribe, forces or intimidates a member of a Scheduled Caste or a Scheduled Tribe not to vote or to vote to a particular candidate or to vote in a manner other than that provided by law shall be punishable with imprisonment for a term which shall not be less than six months but which may extend to five years and with fine. The Commission has asked the State Government to bring these provisions to the notice of all concerned for prompt action.

POLLING STATIONS

15. There are 8,109 polling stations in the State. For the facility of physically challenged persons, instructions have been issued to ensure that all polling stations are, as far as practicable, located at ground floor and ramps are provided. Facilitation

shall also be provided for locating elector's name against a polling station or a group of polling stations through help lines and facilitation centres.

POLLING PARTIES AND RANDOMIZATION

16. Polling parties shall be formed randomly, through a special software. Three-stage randomization will be adopted. First, from a wider district database of eligible officials, a shortlist of about 120% of the required numbers will be randomly picked. This group will be trained for polling duties. In the second stage, from this trained manpower, actual polling parties shall be formed by random selection software in the presence of ECI Observers. In the last stage, the polling stations will be allocated just before the polling party's departure by random number generation. The Central Government Employees will be utilized for the forthcoming elections to the extent possible.

COMMUNICATION PLAN

17. The District Election Officers have been asked to prepare a comprehensive district election plan including communication plan using multi-mode resources such as landline telephones, mobile telephones, wireless sets etc., to facilitate effective monitoring and control on the day of poll. They have also been asked to open Help Lines /Control Rooms in each AC for the convenience of electors.

VIDEOGRAPHY

18. The Commission has issued detailed guidelines for video coverage of all critical events during the election process and polling at all vulnerable polling booths on the poll day. The digital cameras will also be deployed inside the booths wherever needed.

MODEL CODE OF CONDUCT

19. **The Model Code of Conduct comes into effect immediately from now onwards.** All the provisions of the Model Code will apply to the whole of the State and will be applicable to all candidates, political parties, the State Government and the Union Government from today itself. Attention of the political parties and candidates is particularly invited to the following provisions of the Code:-

“There shall be no appeal to caste or communal feelings for securing votes. Mosques, Churches, Temples or other places of worship shall not be used as forum for election propaganda.”

SCHEDULE

20. The Commission has prepared the schedule for holding General Election to the Legislative Assembly of Jammu & Kashmir after taking into consideration all relevant aspects like the climatic conditions, academic schedules, festivals, prevailing law and order situation in the State, availability of Central Police Forces, time needed for movement and proper deployment of forces, and assessment of other ground realities.

21. The Commission after considering all relevant aspects has decided to recommend to the Governor of Jammu & Kashmir to issue notifications for the General Election to the Legislative Assembly of the State under the relevant provisions of the Jammu & Kashmir Representation of the People Act, 1957 as per schedule given in the **Annexure**.

(S.K.RUDOLA)
SECRETARY

Annexure

Schedule for General Election to the Legislative Assembly of **Jammu & Kashmir**

1. List of 10 (Ten) Assembly Constituencies going to polls in **Phase-I** as per following schedule.

Issue of Gazette Notification	Last Date for nominations	Date for Scrutiny of Nominations	Last date for withdrawal of candidatures	Date of poll if necessary
24-10-2008 (Friday)	31-10-2008 (Friday)	01-11-2008 (Saturday)	03-11-2008 (Monday)	17-11-2008 (Monday)

Assembly Constituency	Type	District
9-Gurez	General	Bandipora
10-Bandipora	General	Bandipora
11-Sonawari	General	Bandipora
47-Nobra	General	Leh
48-Leh	General	Leh
49-Kargil	General	Kargil
50-Zanskar	General	Kargil
85-Surankote	General	Poonch
86-Mendhar	General	Poonch
87-Poonch-Haveli	General	Poonch

2. List of 6 (Six) Assembly Constituencies going to polls in **Phase-II** as per following schedule.

Date of Issue of Gazette Notification	Last Date for nominations	Date for Scrutiny of Nominations	Last date for withdrawal of candidatures	Date of poll if necessary
29.10.08 (Wednesday)	05.11.08 (Wednesday)	06.11.08 (Thursday)	08.11.08 (Saturday)	23.11.08 (Sunday)

Assembly Constituency	Type	District
16-Kangan	General	Ganderbal
17-Ganderbal	General	Ganderbal
81-Nowshara	General	Rajouri
82-Darhal	General	Rajouri
83-Rajouri	General	Rajouri
84-Kalakote	General	Rajouri

3. List of 5 (Five) Assembly Constituencies going to polls in **Phase-III** as per following schedule.

Date of Issue of Gazette Notification	Last Date for nominations	Date for Scrutiny of Nominations	Last date for withdrawal of candidatures	Date of poll if necessary
04.11.08 (Tuesday)	11.11.08 (Tuesday)	12.11.08 (Wednesday)	14.11.08 (Friday)	30.11.08 (Sunday)

Assembly Constituency	Type	District
01-Karnah	General	Kupwara
02-Kupwara	General	Kupwara
03-Lolab	General	Kupwara
04-Handwara	General	Kupwara
05-Langate	General	Kupwara

4. List of 18 (Eighteen) Assembly Constituencies going to polls in **Phase-IV** as per following schedule.

Date of Issue of Gazette Notification	Last Date for nominations	Date for Scrutiny of Nominations	Last date for withdrawal of candidatures	Date of poll if necessary
10.11.08 (Monday)	17.11.08 (Monday)	18.11.08 (Tuesday)	20.11.08 (Thursday)	07.12.08 (Sunday)

Assembly Constituency	Type	District
06-Uri	General	Baramulla
07-Rafiabad	General	Baramulla
08-Sopore	General	Baramulla
12-Sangrama	General	Baramulla
13-Baramulla	General	Baramulla
14-Gulmarg	General	Baramulla
15-Pattan	General	Baramulla
26-Chadoora	General	Budgam
27-Badgam	General	Budgam
28-Beerwah	General	Budgam
29-Khansahib	General	Budgam
30-Chrar-i-Sharief	General	Budgam
57-Gulabgarh	General	Reasi
58-Reasi	General	Reasi
59-Gool Arnas	General	Reasi
60-Udhampur	General	Udhampur
61-Chenani	SC	Udhampur
62-Ramnagar	General	Udhampur

5. List of 11 (Eleven) Assembly Constituencies going to polls in **Phase-V** as per following schedule.

Date of Issue of Gazette Notification	Last Date for nominations	Date for Scrutiny of Nominations	Last date for withdrawal of candidatures	Date of poll if necessary
17.11.08 (Monday)	24.11.08 (Monday)	25.11.08 (Tuesday)	27.11.08 (Thursday)	13.12.08 (Saturday)

Assembly Constituency	Type	District
31-Tral	General	Pulwama
32-Pampore	General	Pulwama
33-Pulwama	General	Pulwama
34-Rajpora	General	Pulwama
35-Wachi	General	Shopian
36-Shopian	General	Shopian
63-Bani	General	Kathua
64-Basohli	General	Kathua
65-Kathua	General	Kathua
66-Billawar	General	Kathua
67-Hiranagar	SC	Kathua

6. List of 16 (Sixteen) Assembly Constituencies going to polls in **Phase-VI** as per following schedule.

Date of Issue of Gazette Notification	Last Date for nominations	Date for Scrutiny of Nominations	Last date for withdrawal of candidatures	Date of poll if necessary
22.11.08 (Saturday)	29.11.08 (Saturday)	01.12.08 (Monday)	03.12.08 (Wednesday)	17.12.08 (Wednesday)

Assembly Constituency	Type	District
37-Noorabad	General	Kulgam
38-Kulgam	General	Kulgam
39-Home-shalibugh	General	Kulgam
40-Anantnag	General	Anantnag
41-Devsar	General	Kulgam
42-Doru	General	Anantnag
43-Kokernag	General	Anantnag
44-Shangus	General	Anantnag
45-Bijbehara	General	Anantnag
46-Pahalgam	General	Anantnag
51-Kishtwar	General	Kishtwar
52-Inderwal	General	Kishtwar
53-Doda	General	Doda
54-Bhaderwah	General	Doda
55-Ramban	SC	Ramban
56-Banihal	General	Ramban

7. List of 21 (Twenty One) Assembly Constituencies going to polls in **Phase-VII** as per following schedule.

Date of Issue of Gazette Notification	Last Date for nominations	Date for Scrutiny of Nominations	Last date for withdrawal of candidatures	Date of poll if necessary
26.11.08 (Wednesday)	03.12.08 (Wednesday)	04.12.08 (Thursday)	06.12.08 (Saturday)	24.12.08 (Wednesday)

Assembly Constituency	Type	District
18-Hazratbal	General	Srinagar
19-Zadibal	General	Srinagar
20-Ilgah	General	Srinagar
21-Khanyar	General	Srinagar
22-Habbakadal	General	Srinagar
23-Amirakadal	General	Srinagar
24-Sonawar	General	Srinagar
25-Batamaloo	General	Srinagar
68-Samba	SC	Samba
69-Vijaypur	General	Samba
70-Nagrota	General	Jammu
71-Gandhinagar	General	Jammu
72-Jammu East	General	Jammu
73-Jammu West	General	Jammu
74-Bishnah	General	Jammu
75-R.S.Pura	SC	Jammu
76-Suchetgarh	General	Jammu
77-Marh	General	Jammu
78-Raipur Domana	SC	Jammu
79-Akhnoor	General	Jammu
80-Chhamb	SC	Jammu

8. The dates of counting and completion of the elections will be 28.12.2008 (Sunday) and 31.12.2008 (Wednesday) respectively.