



UNION TERRITORY OF JAMMU & KASHMIR
OFFICE OF THE DEPUTY MAGISTRATE RAJOURI
(01962-262244, 262481, e-mail: pa.dcr Rajouri@gmail.com)

Subject: Dismissal of village Lamberdar for violation of Model Code of Conduct

ORDER

Whereas, a **complaint through social media** was received in this office against *Sh. Joginder Singh S/o Chanchal Singh, Lamberdar, Village Sagote, alleging violation of Model Code of Conduct by joining political party in an open election rally at Village Dhangri (85- Rajouri AC);*

Whereas, **detailed report** in this regard vide this office letter No. DCR/2024-25/MCC/09-11 dated 13.05.2024 was sought from **Assistant Returning Officer, AC-85 Rajouri**, who vide No. DCR/2024-25/SQ/287-88 dated 14.05.2024 submitted detailed report, the operative part of which is reproduced as under.

"That Sh. Joginder Singh S/o Chanchal Singh, Lamberdar of village Sagote has joined a political party and has actively participated in election campaign which is against the provisions of Jammu & Kashmir Lamberdari Act, 1972 and that Lambardar namely Joginder Singh should be disengaged from the post of Lamberdar as he has violated the MCC"

Whereas, clear cut instructions vide this office Order No. ENT/R/2024/3187-93 dated 16.03.2024 have already been issued to all the Govt. Servants of this district to refrain from any political involvement/activities citing **sub-Rule (5) of Rule 14 of the Jammu & Kashmir Government Employees (Conduct) Rules, 1971** which stipulate that no Govt. Servant shall canvass or otherwise interfere with, or use his influence in connection with, or take part in any election to a local body or to the legislature or Parliament. However, a Govt. Servant is always free to exercise his right to vote that the election without indicating the manner in which he proposes to vote or has voted;

Whereas, the Govt. of India, Ministry of Home Affairs has also laid down with regard to the question of participation of Govt. Servants in political activities that the responsibility for the consequences of the action of Govt. Servants must rest squarely on his shoulders and that plea of ignorance or misconception with respect to activities of any organization or association would not be tenable. It has also been laid down by the Govt. of India that Govt. Servant's attendance at the meeting organized by political party would always be contrary to the Conduct Rules unless certain conditions are fulfilled. The Govt. Servants should therefore, avoid giving room for any suspicion that they are favouring any party or any candidate.

The Govt. Servants are not expected to take part in any election campaign or canvassing for any candidate. The conduct of Govt. Servants should be such and that they should conduct themselves in such a manner so as to inspire the confidence in the public in regard to their impartiality. The Govt. Servants should not only be impartial but should also appear to be so in relation to the elections.

Whereas, **Rule 9 of the J&K Lamberdari Rules, 1980** deals with dismissal of the Lamberdar;

Whereas, the report of Assistant Returning Officer, AC-85 Rajouri has been examined in light of **Rule 9(1) of J&K Lamberdari Rule, 1980 and the provisions of the Jammu & Kashmir Government Employees (Conduct) Rules, 1971 and instruction of Ministry of Home Affairs, Govt. of India** quoted above and the **instructions of Election Commission of India** in this regard and it has been found that the case falls under the ambit of *ibid* rules.


Now, therefore, in view of the above, Sh. Joginder Singh S/o Chanchal Singh Lamberdar, village Sagote, Tehsil Rajouri is hereby dismissed from the post of Lamberdar, village Sagote by invoking **section 9(1)(c)(e) of J&K Lamberdari Rule, 1980** forthwith.

Sd/-
Om Prakash Bhagat, JKAS
District Collector
Rajouri

Copy to the:-

01. Financial Commissioner Rev, UT of J&K.
02. Chief Electoral Officer, UT of J&K.
03. Divisional Commissioner, Jammu.
04. Returning Officer, Anantnag- Rajouri.
05. Senior Superintendent of Police, Rajouri.
06. Assistant Returning Officer 85- Rajouri.
07. Tehsildar Rajouri.
08. Sh. Joginder Singh S/o Chanchal Singh R/o Sagote.
09. Order file.

No: DCR/2024-25/Actt/18-26
Dated: 14.05.2024


Rajeev Kumar Khajuria, JKAS
(District Nodal Officer for MCC)
Additional District Magistrate
Rajouri