

STATE ELECTION COMMISSION

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Secretary

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Lr.No. 431/SEC-B1/2014

Date: 17.03.2014

To
The Chief Executive Officer
Zilla Praja Parishad
Karimnagar.

Sir,

Sub: State Election Commission – 4th Ordinary elections to MPTCs / ZPTCs – Clarification sought on eligibility of Adarsha Raithu to contest elections to MPTC/ZPTC – Reg.

Ref: Your Lr.No.D2/400/2014, dated 17.03.2014.

Clarifications are sought from various districts as to whether Aasha worker, Adarsha Raithu, Cluster Resource Person, Gram Panchayat Saksharatha Bharath Village Coordinator, Community Mobilizer, Gopala Mithra, Senior Mate in MGNREGS, etc., are eligible to contest as MPTCs or ZPTCs in the ongoing elections. All these cases have to be examined with reference to Sec. 18(1) read with Sec. 156(2) and 184(2) of A.P. Panchayat Raj Act, 1994, which reads as under.

“No village servant and no officer or servant of the Government of India or any State Government or of a local authority or an employee of any institution receiving aid from the funds of the Government and no office-bearer of anybody constituted under a law made by the Legislature of the State or of Parliament shall be qualified for being chosen as or for being a member of a Gram Panchayat.”

The persons holding these positions may not fall within the ambit of the aforesaid provision of the A.P.P.R. Act, 1994. As such, they may be eligible to contest elections to MPTCs/ZPTCs. However, the Returning Officer may take a view in such cases based on the terms and conditions of such post and the statutory position as he is discharging quasi-judicial functions in undertaking scrutiny of nominations.

Yours faithfully,
Sd/- Navin Mittal
SECRETARY

Copy to all Chief Executive Officers of ZPPs.

// Attested //


Joint Secretary