

**STATE ELECTION COMMISSION, ODISHA,
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BHUBANESWAR-751007
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Fax No.0674-2573494**

No. 2770 /SEC

Date: 13/02/2022

ORDER

Whereas, Rule 27 of the Odisha Municipal (Delimitation of Wards, Reservation of Seats and Conduct of Election) Rules, 1994 provides that anybody wishing to stand for election to a Municipal Council shall deposit or cause to be deposited with the Election Officer a sum of Rs.50/- in cash in case of a Member of the Scheduled Tribe or Scheduled Caste if he/she proves himself/herself to be the member of such Tribe/Caste by producing a certificate to that effect from the competent authority before the Election Officer;

Whereas, the Odisha Municipal Corporation (Division of City in to Wards, Reservation Of Seats and Conduct of Election) Rules, 2003 is silent regarding submission of Caste Certificate by the candidates contesting to the reserved seats;

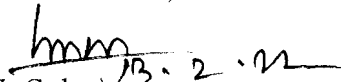
Whereas, it is necessary for the candidates contesting to the Wards reserved for SC/SCW/ST/STW to produce the caste certificate issued from competent authority in support of his/her claim that he/she belongs to reserved category;

Now, therefore, the Commission in exercise of its power under Article 243-ZA of the Constitution of India, Section 11-A of the Odisha Municipal Act, 1950 and Section 62(1) of the Odisha Municipal Corporation Act, 2003 directs that all those contesting to the seats reserved for SC/SCW/ST/STW shall have to submit the caste certificate of that category issued by the Competent Authority along with nomination form in the manner prescribed below:

- a) Xerox copy of caste certificate shall be enclosed with nomination Form and the candidate or his/her representative shall be asked to submit the original certificate for verification during the time of scrutiny.
- b) Non-submission of caste certificate by a candidate shall lead to rejection of candidature.
- c) Caste Certificate issued from the competent authority anywhere in the State of Odisha is acceptable but Caste Certificate issued from outside the State is not acceptable.

- d) On verification, the Election Officer is to satisfy himself that the candidate contesting for reserved seat belong to SC/SCW/ST/STW as the case may be.
- e) Where the certificate produced by the candidate is challenged that the certificate produced is forged or is not issued by the competent authority, the Election Officer should get the position cross checked with the authority which purportedly issued the SC/ST candidate in question, before deciding the validity of the nomination paper of the candidate concerned. If on such cross checking/verification the Election Officer is satisfied that the certificate in question is not genuine, he shall not only reject the nomination of the candidate concerned but also initiate criminal proceeding against the candidate for adducing forged documentary evidence before him.

By Order and in the name of
State Election Commissioner, Odisha.


(R.N. Sahu)
Secretary

Memo No. 2771/SEC., Date: 13/02/2022

Copy forwarded to the Director, Printing, Stationery and Publication, Odisha, Cuttack with request to publish the order in the next extraordinary issue of Odisha Gazettee and send 200 copies to the Commission.

Memo No. 2772/SEC., Date: 13/02/2022

Copy forwarded to the Chief Secretary, Odisha/Principal Secretary, H & U.D. Department/All R.D.Cs for information and necessary action.

Memo No. 2773/SEC., Date: 13/02/2022

Copy forwarded to all District Magistrates/Commissioners of all Municipal Corporations/Election Officer/Executive Officers of all Municipalities and NACs for information and necessary action.

Memo No. 2774/SEC., Date: 13/02/2022

Copy forwarded to all Political Parties for information and necessary action.