



सत्यमेव जयते

MANUAL
FOR
PANCHAYAT ELECTIONS
IN
ODISHA

STATE ELECTION COMMISSION, ODISHA
BHUBANESWAR
2022

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FOREWARD

The State Election Commission has been conducting elections to rural and urban local bodies in Odisha for about three decades now in a free, fair and transparent manner. In this connection, I am happy that the Commission is bringing out this Manual for Panchayat Elections just before the forthcoming polls.

The Manual prepared by the State Election Commission, Odisha is a comprehensive compendium on elections to the Panchayati Raj Bodies. Besides the relevant provisions of the Constitution of India in Part IX, it contains extracts of the State Acts and Rules relating to the election to the three tier Panchayat system and extracts of the Representation of People Act, that are relevant to the Panchayat elections in our State. Apart from this, the Manual includes notifications of the State Government and instructions, orders and guidelines issued by this Commission to the District Collectors who are Election Officers.

These instructions relate to both preparation of electoral rolls and the conduct of elections.

This compendium is intended to be used as a handbook by all the officials acting as Election Officers and others associated with the conduct of the Panchayat Elections. It will be quite useful to the political parties to fully appreciate the relevant laws and rules relating to the Panchayat Elections as well as the instructions and guidelines issued by this Commission.

The Commission shall feel happy if the users find this Manual helpful and beneficial to them. Suggestions for improvement are solicited.

Bhubaneswar.

Date:10.12.2021

A. P. Padhi
State Election Commissioner, Odisha.

All efforts have been made to faithfully produce the original Acts and Rules and incorporate the amendments as published in the Odisha Gazette from time to time in this publication. In case of any doubt, the readers and users are advised to refer to the relevant Odisha Gazette notification as the sole source.

State Election Commission
Odisha

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INSTRUCTIONS FOR GUIDANCE OF ELECTION OFFICERS

1. Preliminary :

Article 40 of the Constitution of India provides for the State to take steps to organise village Panchayats and endow them with such powers and authority so as to enable them to function as units of self-Government. Consequent upon the Constitution (73rd Amendment) Act, 1992, details of provision have been made in the Constitution for the 3-tier Panchayats in every State and also providing for the constitution of and election to these Panchayats under a constitutional authority. Details are available in Part IX of the Constitution.

- 1.1. The State Election Commission constituted under Article 243-K of the Constitution of India is vested with the powers of superintendence, direction and control of preparation of electoral roll for, and conduct of all elections to the 3-tier Panchayati Raj Institutions.
- 1.2. Amendments have been effected by the State Government to the Odisha Grama Panchayat Act, 1964, Odisha Panchayat Samiti Act, 1959 and Odisha Zilla Parishad Act, 1991, Odisha Grama Panchayat Election Rules, 1965, Odisha Panchayat Samiti Election Rules, 1991 and Odisha Zilla Parishad Election Rules, 1994 in the spirit of 73rd Amendment to the Constitution. Procedure for delimitation of Wards/ Constituencies, preparation of electoral roll, filing of nomination and scrutiny thereof and conduct of election has been detailed in the respective Election Rules.
- 1.3. Now amendments have been effected by the State Government to the Odisha Grama Panchayat Act, 1964, Odisha Panchayat Samiti Act, 1959 and Odisha Zilla Parishad Act, 1991, capping reservation to 50% by orders of Hon'ble High Court, Orissa
- 1.4. Besides, amendments have been effected by the State Government to the Odisha Grama Panchayat Election Rules, 1965, Odisha Panchayat Samiti Election Rules, 1991 and Odisha Zilla Parishad Election Rules, 1994 for central counting of votes. at in the spirit of 73rd Amendment to the Constitution. Procedure for Delimitation of Wards/ Constituencies, preparation of Electoral Roll, filing of nomination and scrutiny thereof and conduct of election has been detailed in the respective Election Rules.
- 1.5. The Provisions of the Panchayats (Extension to the Scheduled Area) Act, 1996 have been adopted in all these Odisha Acts relating to the Scheduled Area of the Fifth Schedule of the Constitution.
- 1.6. The present Handbook gives a broad outline of the duties of the Election Officers for the 3-tier Panchayat Elections. It is, however, important to remember that the Handbook must not be treated as exhaustive in all respects and a substitute for various provisions of the Election Laws as contained in Odisha Grama Panchayat Act/Panchayat Samiti Act/Zilla Parishad Act and respective Election Rules.

- 1.7. The Election Officer is advised to be thorough about the legal provisions and procedures concerning preparation of electoral roll and conduct of election to 3-tier Panchayats as contained in the said Acts and Rules.
- 1.8. It must be remembered that, the smooth conduct of election from the beginning to the end mainly depends on the Election Officers and the electoral machinery under him.

2. Broad outlines of the duties of Election Officer :

The Collector of the district as Election Officer is responsible for overall conduct of elections to the Panchayati Raj Institutions within the district. He may appoint the following Officers to discharge the duties of Election Officer subject to the direction of the State Election Commissioner :—

- 2.1. Block Development Officers/ Tahasildars/Block Extension Officers and some other responsible Supervisory Officers of other offices for the limited purpose of issuing and receiving Nomination papers under Rule 2(d) of the Odisha Grama Panchayat Election Rules, 1965.
- 2.2. Block Development Officers/Tahasildars and also other Officers of O.A.S. cadre for conducting election of the Panchayat Samiti Member, Chairman and Vice-Chairman under Rule 2(e) of the Odisha Panchayat Samiti Election Rules, 1991; and
- 2.3. Additional District Magistrate/Project Director, D.R.D.A./P.A., I.T.D.A./Sub-Collector for conduct of Election of Zilla Parishad Member, President and Vice-President under Rule 2(f) of the Odisha Zilla Parishad Election Rules, 1994.
- 2.4. **The main items of work in this regard are :—**
 - (i) Selection/identification of polling stations
 - (ii) Preparation of wardwise/constituencywise electoral roll
 - (iii) Printing of electoral roll
 - (iv) Procurement of all election materials other than those supplied by the Commission
 - (v) Appointment of polling and counting personnel and imparting adequate and timely training to them.
 - (vi) Making transport arrangement for movement of polling parties, etc., for smooth conduct of elections.
 - (vii) Issue of public notice of election schedule soon after the Commission's notification
 - (viii) Receipt of nomination papers and deposits etc. thereof
 - (ix) Scrutiny of nomination papers and recording the reasons for rejecting any nomination paper.
 - (x) Publication of list of validly nominated candidates
 - (xi) Allotment of symbols to the contesting candidates
 - (xii) Regular interaction with the candidates and the Political Parties to ensure free, fair and smooth election including review of law and order situation and

- enforcement of the Code of Conduct for political parties and candidates, etc.
- (xiii) Convening meeting of representative of political parties and the candidates for Zilla Parishad Election with the poll observer.
 - (xiv) Appointment of polling agent
 - (xv) Supply of ballot papers and election materials to the polling parties and deployment in Polling Stations.
 - (xvi) Effective supervision of the poll, transport and storage of ballot boxes after the completion of poll process.
 - (xvii) Declaration of result and transmitting the result to Commission and Government
 - (xviii) Safe custody of election papers and materials after counting is over.
 - (xix) Overall supervision of election.

3. Polling Station :

- 3.1. As per Rule 19 of O.G.P.E. Rules, 1965, Rule 12 of Odisha Panchayat Samiti Election Rules, 1991, Rule 15 of Odisha Zilla Parishad Election Rules, 1994, ordinarily there shall be a polling station for every Ward located within the area of the said Ward.
- 3.2. The Election Officer may locate one polling station for more than one Ward or for a group of Wards, if operation of (1) above poses genuine difficulties.
- 3.3. The location of polling stations should be carefully selected in advance and as far as possible they may be located in permanent buildings.
- 3.4. Polling booth should not be located in police stations, hospitals and religious institutions
- 3.5. The polling stations should ordinarily be located in Government or Government-aided Primary, U.G.M.E., High Schools and other Government or Semi-Government Institutions as the furniture and equipment required for the poll would be readily available there and be made use of without any extra cost.
- 3.6. In an area where no suitable public building is available, polling station can be located in temporary structure. As far as possible, this should be avoided as it involves extra expenditure and inconvenience during rain, fire, etc.
- 3.7. The list of polling station must be finalised before publication of preliminary electoral roll, so that the name of polling station can be reflected in the electoral roll.
- 3.8. After finalisation of the polling stations the Election Officer shall send a list of the same to the Commission.

4. Electoral Roll :

- 4.1. Under Section 9 of O.G.P. Act, 1964 the superintendence, direction and control of the preparation of electoral roll for, and the conduct of all elections to the Grama Panchayats shall be vested in the Election Commission.
- 4.2. This provision applies *mutatis mutandis* for preparation and final publication of electoral rolls of Panchayat Samiti and Zilla Parishad Constituencies under Rule 6

of the Odisha Panchayat Samiti Election Rules and Rule 5 of the Odisha Zilla Parishad Election Rules.

- 4.3. As soon as the Delimitation of Wards/constituencies and Reservation of Seats are notified by the Collectors for Grama Panchayats, Panchayat Samities and by the Government in Panchayati Raj Department for Zilla Parishad, the Commission would draw up the programme and prescribes the procedure for preparation of electoral roll.
- 4.4. The Electoral Registration Officer shall then prepare and publish the electoral roll for each Ward as per the schedule communicated by the Commission.
- 4.5. The preliminary electoral roll of the Ward shall be published by the Electoral Registration Officer at a conspicuous place at the Headquarters of Grama Panchayat alongwith a notice in the statutory Form.
- 4.6. The notice shall also be published in the office notice board of concerned Panchayat Samiti, Zilla Parishad, Sub-Collector and Collector so as to provide full opportunity to voters to verify their names.
- 4.7. For inclusion of names claims will be filed in Form 16 and objections will be filed for exclusion of names in Form 17. There shall be further enquiry by the Electoral Registration Officer to the application submitted by the aggrieved person who had earlier filed Form No. 16 & 17 but their claims and objections have been rejected.

5. Poll Programme :

- 5.1. **Notification by State Government**—Upon recommendation of the State Election Commission, State Government under Section 12 of the Odisha Grama Panchayat Act, 1964, Rule 4 of the Odisha Panchayat Samiti Election Rules, 1991 and Rule 3(2) of the Odisha Zilla Parishad Election Rules, 1994, shall, by one or more notifications published in the Official Gazette on such date(s) as may be recommended by the State Election Commission, call upon Wards/constituencies to elect Ward Members/Sarpanches/P.S. Members and Zilla Parishad Members in accordance with the provisions of the said Acts/Rules.
- 5.2. **Notification by Election Commission**—Soon after the notifications are published by the State Government, the Election Commission shall, under Rule 13 of the Odisha Grama Panchayat Election Rules, 1965, sub-rule (2) of Rule 4 of Odisha Panchayat Samiti Election Rules, 1991 and sub-rule (1) of Rule 4 of Odisha Zilla Parishad Election Rules, 1994, draw up programme for—
 - (i) issue of notice by Election Officers calling for nominations,
 - (ii) last date for making nominations,
 - (iii) the date for the scrutiny of the nominations,
 - (iv) the last date for the withdrawal of candidature,
 - (v) the date for publication of final list of contesting candidates and allotment of symbols,

(vi) the date(s) on which and hours during which the poll and counting shall, if necessary, be taken, and date(s) of declaration of result and publication of names of duly elected members.

- 5.3. The workload increases substantially as soon as the notification of the Government calling upon the Wards/Constituencies to elect the Members, Sarpanches, P.S. Members, Zilla Parishad Members and the notification of the Commission of the election programme are issued.
- 5.4. All the preliminary and preparatory steps should have been completed by Election Officer before these two notifications are issued.
- 5.5. **Notice by the Election Officer**— Immediately after the notifications referred to above are issued, the Election Officer shall, under Rule 24 of O.G.P.E. Rules, 1965 in Form No. 3, under Rule 8 of O.P.S.E. Rules, 1991 in Form No.3 and under Rule 4(4) of O.Z.P.E. Rules, 1994 in Form No. 1 issue notices at least four week before the date fixed for election, calling for names of candidates for the office of Sarpanches of each G. P., Member of each Ward, P. S. Member for each P.S. constituency, Z. P. Member for each Z. P. constituency.
- 5.6. The said notice by the Election Officer will contain *inter alia*, the date on which, the place at which and the hours between which the nomination form can be obtained, presented and scrutinised.

6. Nomination :

- 6.1. Nomination Forms for Ward Member, Sarpanch, P.S. Member, Z.P. Member would be made available by the Commission to the Election Officer in time.
- 6.2. In case forms don't reach the Election Officer by the prescribed date or are in short supply, the Election Officer can photocopy, type or cyclostyle the Form as prescribed in the relevant rules and make available for the purpose of filing nomination.
- 6.3. The nomination paper shall be presented either by candidate himself or his proposer or seconder on the date(s) fixed for presentation of nomination papers.
- 6.4. It is clarified that there is no limit for filing of number of nomination sets.
- 6.5. Candidate seeking election for Sarpanch, Panchayat Samiti Member and Zilla Parishad Member has to file an affidavit and candidate seeking election for Ward Member has to furnish a declaration in the Form supplied by Commission in respect of educational qualification, assets and liabilities, criminal antecedents alongwith the nomination paper.
- 6.6. It is clarified that a candidate contesting to a particular post filing more than one nomination has to file affidavit duly sworn in once for that post. He/She is not required to file affidavit each time with each nomination papers.
- 6.7. This affidavit can be sworn before a Magistrate of First Class or a Notary Public or a Commission of Oath appointed by the Hon'ble High Court.
- 6.8. Affidavit sworn before the Executive Magistrate can also be accepted.

6.9. Each candidate shall deposit or cause to be deposited an amount as prescribed and obtain receipt to be attached to the nomination paper.

6.10. A candidate belonging to S.C. or S.T. has been allowed under the rules to make a concessional amount of deposit, irrespective of whether the Ward/constituency is a reserved one or not.

6.11. **Deposit prescribed under the Rules is as follows :**

Sl. No. 1	Candidate for the Office 2	General 3	S. C. 4	S. T. 5
		(in Rs.)	(in Rs.)	(in Rs.)
1	Ward Member	50	25	25
2	Sarpanch	100	50	50
3	Panchayat Samiti Member	100	50	50
4	Zilla Parishad Member	200	100	100

6.12. No candidate shall be allowed to contest or deemed to be duly nominated for election to the said office unless proper receipt in support of such deposit is annexed to the nomination paper. Receipt for nomination paper shall be given to candidates.

6.13. **Officers authorised to receive nomination and scrutiny thereof—**

(i) **Sarpanch and Ward Member :** Nominations are to be filed on each day of the date and time fixed by the Commission at the Panchayat headquarters.

(a) The O.G.P.E. Rules require that the Election Officer shall receive the nominations.

(b) Ordinarily B.D.O., shall be appointed as Election Officer. The Collector shall also appoint Extension Officers of the Block and if their number is not sufficient, responsible officer of other offices, as Election Officers to receive the nomination papers under Rule 2(d) of O.G.P.E. Rules, 1965.

(ii) **Panchayat Samiti Member :** The Collector shall appoint Block Development Officer/Additional Block Development Officer/Tahasildar/Additional Tahasildar as Election Officer under Rule 2(e) of O.P.S.E. Rules to receive such nomination on each day, date and time fixed by Commission.

(iii) **Zilla Parishad Member :** The Collector shall appoint A.D.M./P.D., D.R.D.A./P.A., I.T.D.A./Sub-Collector under Rule 2(f) of O.Z.P.E. Rules to receive such nomination on each day of the date and time fixed by Commission.

6.14. The Election Officer or such other authorized person shall forthwith number the nomination papers serially in the order in which they are presented to in respect of different offices and enter in such nomination paper the time at which and the person by whom it is presented.

7. Scrutiny of Nominations :

- 7.1. The Election Officers shall at the appointed time, date and place scrutinise the nomination papers in the presence of the candidates, their proposers and seconders, if any, who may wish to be present.
- 7.2. The Election Officer shall check if nomination is duly proposed and seconded and also accepted by the candidate.
- 7.3. Seats have been reserved for S. C./S.T. and Backward Class of citizens and Women. In order that the objective of the Constitution and the Acts are fulfilled.
- 7.4. It is essential that scrutiny of nomination papers at all levels be taken up very carefully. To achieve this end, the Commission has recommended the following guidelines to be followed during scrutiny by the Election Officers—
 - (i) If a candidate has filed more than one nomination paper, then all his nomination papers shall be scrutinised, if the required documents, i.e. affidavit, money receipt, declaration form, caste certificate, etc. are available in any set of nomination paper, the same are to be taken for any of the nomination paper valid. If the candidate contests for more than one office he has to file these documents separately for that office.
 - (ii) One proposer can sign in one nomination paper for a particular post. If one person is proposer for more than one contesting candidate for particular post, the nomination received first by the Election Officer shall remain valid and all other nomination will be rejected.
 - (iii) If any candidate or his election agent or his proposer or seconder desires to examine any nomination paper, reasonable facility should be allowed to him for doing so.
 - (iv) If any objection is raised regarding validity of a nomination paper, the Election Officer should hold a summary inquiry to arrive at a decision. In every case, the Election Officer shall record his decision in the nomination paper itself.
 - (v) So far as verification of claims to contest for seats reserved for S.C./S.T. or Backward Class of citizens are concerned, detailed instructions issued by the Commission may be followed.
 - (vi) List of S.C./S.T./Backward Class of citizens for Odisha has been given elsewhere in this Manual.
- 7.5. **Disqualification for having more than two children** : Section 25(1)(v) of the Odisha Grama Panchayat Act, 1964, Section 45(1) (v) of the Odisha Panchayat Samiti Act, 1959 and Section 33(1) (w) of the Odisha Zilla Parishad Act, 1991 provide that a person shall be disqualified for being elected as a Ward Member or Sarpanch/Member of Panchayat Samiti/Member of Zilla Parishad if he has more than two children.
 - (i) The proviso to the said Sections say that the disqualification shall not apply to a person who has more than two children on the date of commencement of the O.G.P. (Amendment) Act, 1994/O.P.S. (Amendment) Act, 1994/O.Z.P. (Amendment) Act, 1993 as the case may be or within a period of one year of such commencement unless he begets an additional child after the said period of one year.

- (ii) The date of commencement of the 3 (Amendment) Acts referred to above is 22-4-1994, 22-4-1994 and 1-11-1993 respectively.
- (iii) This implies that, if a candidate has had more than two children on or before 21-4-1995/21-4-1995/31-10-1994 he or she shall not be disqualified for the office of Ward Member/Sarpanch/Panchayat Samiti Member/Zilla Parishad Member, respectively unless he or she begot/begets an additional child after the said dates.
- (iv) This important provision must be kept in view while scrutinising the nomination papers. Extreme caution should be observed while rejecting a nomination on ground of having more than two children.
- (v) It is clarified that if a woman is a legally married wife of a man who has already begotton two children through his previous wives since dead but this woman having not more than two children will be qualified to contest the election, but her husband having betotton more than two children through more than one wife will be disqualified.
- (vi) If a candidate who had begotton more than two children beyond the cut-off date but he/she has one or two living children, he/she will not come under disqualification.

7.6. **Minor discrepancies in age, name, etc. not to disqualify if identity is not in doubt :** The Election Officer shall not reject a nomination paper merely on the ground of some discrepancy between the age, name or other particulars of a candidate or his proposer or seconder as given in the nomination papers and in the electoral roll, provided that the Election Officer is otherwise satisfied that the identify of a candidate is not in doubt and the question of eligibility is not involved.

7.7. **Minor technical or clerical error not to disqualify :** No nomination papers can be rejected on the grounds of minor technical or clerical errors. Ordinarily a nomination paper will be presumed to be valid unless the contrary is incontrovertibly and conclusively proved. In case of doubt, the benefit of doubt should go to the candidate.

- (i) Improper rejection of nomination is not allowed. No nomination shall be rejected on the grounds of disqualification for which no recorded evidence is available.
- (ii) Whenever you are in doubt about the qualification or disqualification of any candidate, do not disqualify any candidate on uncertain grounds.
- (iii) Any aggrieved party can always raise an election dispute later in appropriate forum.

7.8. **Candidates belonging to S.C., S.T. & Backward Class :**

- (i) There is a space in the nomination forms prescribed under the three election Rules for the candidate to declare that he/she is a Member of Scheduled Caste or Scheduled Tribe or Backward Class of the State of Orissa.
- (ii) In the State Acts and election rules framed thereunder there is no provision or prescribed procedure as to how the claim of a candidate that he belongs to S.C./S.T. or Backward Class of citizens should be substantiated or verified.
- (iii) Since large number of seats have been reserved for Scheduled Caste/ Scheduled Tribes and Backward class of citizen in Grama Panchayats/

Panchayat Samities/Zilla Parishads it is necessary that candidates belonging to the reserved categories for which the post is reserved contest the election.

- (a) All those contesting to the seats reserved for SC/ST/BCC shall have to submit the caste certificate of that category issued by the competent authority along with nomination form.
- (b) Xerox copy of caste certificate shall be enclosed with nomination form and the candidate or his representative may be asked to submit the original certificate for verification during the time of scrutiny. 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) If a candidate has declared in the nomination form that he/she belongs to Scheduled Caste/Scheduled Tribes or Backward Class of citizens, the same should first be verified with reference to the list supplied to you by the Commission.
- (e) On verification, the Election Officer is to satisfy himself that the candidate contesting for reserved seat belong to SC/ST/ BCC as the case may be.
- (f) Where the certificate produced by the candidature 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/ BCC 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.
- (g) If the Election Officer receives information in connection with change of religion of a person belonging to Scheduled Caste by which he has ceased to become a Member of Scheduled Caste or any objection filed with concrete evidence stating change of religion through which the concerned person is no more a member of the Scheduled Caste, the Election Officer after such summary enquiry shall decide the issue. As a measure of abundant caution, the Election Officer will urge upon the candidate where caste certificate is under challenge to file an affidavit duly sworn in before the Executive Magistrate or before Notary Public stating that he continues to be a Member of the Scheduled Caste indicating his/her sub-caste. In case candidate declines to file affidavit during the period of scrutiny the Election Officer shall record the fact and take appropriate decision in the matter of acceptance of the nomination on the basis of his summary inquiry.

8. No nomination :

- 8.1. Rule 30 of Odisha Grama Panchayat Election Rules, 1965, sub-rule (11) of Rule 11 of Odisha Panchayat Samiti Election Rules, 1991 and Rule 13 of Odisha Zilla Parishad Election Rules, 1994 prescribe the procedure for holding fresh elections in case no nomination is filed or if all the nominations are rejected.

- 8.2. Normally no nomination is filed where seats are reserved but candidates of that reserved category are not available.
- 8.3. If the Election Officer at the end of the nomination period finds that there are no candidates in same Wards/Constituencies, on account of non-filing of nominations or rejection of all nominations, he shall immediately send a list of such Wards/Constituencies to the Collector.
- 8.4. The Collector upon receipt of such information shall prepare a consolidated list for the whole district and promptly furnish a list indicating for fresh election to the Commission.
- 8.5. The Commission will fix a fresh election schedule for all such Wards/Constituencies.

9. Final list of Contesting Candidates :

- 9.1. Immediately after the withdrawal of nomination, the Election Officer shall publish the final list of contesting candidates at least two weeks before the date of poll.
- 9.2. The list of names shall be prepared in Odia alphabetical order.
- 9.3. If after withdrawal of candidature, there is only one candidate, there shall be no poll and the Election Officer shall immediately declare the name of such person to have been duly elected.
- 9.4. The Election Officer shall proceed with election if, upon withdrawal of candidature, the number of validly nominated candidates exceeds one.

10. Allotment of Symbol :

- 10.1. After the period for withdrawal of candidature is over, the Election Officer shall proceed to allot symbols to the contesting candidates as per relevant Rules in case of Ward Member, Sarpanch and Panchayat Samiti Member and in case of Zilla Parishad Member immediately after scrutiny.
- 10.2. A list of symbols reserved for National Parties/State Parties, list of free symbols for use in Zilla Parishad Elections and list of symbols for election to the office of Ward Member/Sarpanch, Panchayat Samiti Member is given elsewhere in this Manual.
- 10.3. Election to Zilla Parishad is contested on political party basis.
- 10.4. As per Rule 7 of Odisha Zilla Parishad Election Rule the Political Parties will inform the Commission in Form No. 17 the designation of the persons authorised by them to sponsor candidates for Zilla Parishad Elections within seven days of the issue of the notification containing election schedule.
- 10.5. The Commission will communicate those particulars to the Election Officers on or before the date appointed for scrutiny of nomination papers.
- 10.6. The person(s) so authorised by the State Level Political Parties to sponsor candidates will submit to Election Officers a list of the candidates sponsored by the said political party in Form No. 18.
- 10.7. The symbols reserved by the Election Commission of India for the National/State Parties shall be allotted to the candidates duly sponsored by the National/State Political Party/Parties irrespective of whether they ask for such symbols or not.

- 10.8. In case more than one notice in Form No. 18 is received by Election Officer in respect of two or more candidates and Political Party fails to indicate in such notices in Form No. 18 that the earlier notice or notices in Form No. 18 has or have been rescinded the Election Officer shall accept the notice in Form No. 18 in respect of the candidate whose nomination was first delivered to him and remaining candidate or candidates in respect of whom also notice or notices in Form No. 18 has or have been received by him, shall not be treated as candidates set up by such Political Party and would be allotted free symbols.
- 10.9. As prescribed in the Election Rules, the Presiding Officer before commencement of the poll, shall affix the list of contesting candidates of each tier arranged in Odia alphabetical order together with a description of the symbol assigned to each at the Polling Station for the knowledge of voters.

11. Election Materials :

- 11.1. The Election Officer shall arrange to supply the polling materials mentioned elsewhere in the Manual to the Presiding Officers on the date of despatch of the polling parties to their respective Polling Stations.
- 11.2. **Ballot boxes :** Ballot boxes supplied by the Commission and received from ECI are available in the districts.
- (i) The ballot boxes should be oiled and repaired well in advance.
 - (ii) Every polling party is to be provided with one ballot box and the Presiding Officer should be instructed to check the same before its use and paste a label written "BALLOT BOX" on the side.
- 11.3. **Forms :** Throughout the election, the Election Officer is required to use several forms as prescribed in the Rules.
- (i) He should thoroughly familiarise himself regarding use of these forms.
 - (ii) Ordinarily, forms would be supplied by the Commission.
 - (iii) In case of short supply, manuscript, typed, cyclostyled, photocopies or even privately printed forms can be used.
 - (iv) The Election Officer shall not reject any nomination/document merely because it has not been drawn up on a form printed by the Government or the Commission.
- 11.4. **Indelible ink, rubber stamps, voting mark, etc. :** The Commission will supply indelible inks, metal seals, rubber stamps of different categories, voting marks, etc.
- 11.5. Certain other election materials have to be purchased locally by the Election Officer out of allotment to be placed at his disposal.
- (i) Quotations & Tenders, etc. for local purchase of the election materials should be finalised well in advance.

- (ii) While working out the requirements, it must be ensured that such materials which are available with the District Panchayat Officers shall not be purchased.
 - (iii) It will be appropriate to take stock inventory of such materials already available.
- 11.6. Non-consumable election materials like ballot boxes, rubber stamps, unutilised indelible ink, lantern, pusher, ink pad, screen, Kerosene oil container, metal rule, trunk, etc. should be returned to the Collector for safe-keeping.
- 11.7. The surplus consumable election materials shall be disposed off by auction and the proceeds deposited in Treasury under the following head of account as may be applicable.

Receipt Head of Account in connection with election to Panchayati Raj Institutions

0070—Other Administrative Services 02—Elections

101—Sale proceeds of election forms and documents

104—Fees, fines and forfeiture, inspection fees, forfeited amount in connection with challenged votes and security deposits.

800—Other Receipts.

NOTE—All other receipts under different provisions of Election Rules are to be deposited in this head of account as may be applicable.

12. Polling Personnel :

- 12.1. **Polling Party :** The Polling party comprising of one Presiding Officer and two Polling Officers shall be appointed for each Polling Station under Rule 2(i) and (g) of the O.G.P.E. Rule, Rule 2(m) and (k) of the O.P.S.E. Rules and Rule 2 (o) and (m) of the O.Z.P.E. Rule by the Election Officer for conduct of the polls under the said rules.
- (i) In case of bare necessity, service of third Polling Officer may be utilised
 - (ii) For simultaneous elections to the 3-tier Panchayats, the polling party appointed under any one of the above Rules are to be authorised to exercise all powers and perform all the functions of “Presiding Officer/Polling Officer as the case may be to conduct poll under the other Rules cited *supra*.
 - (iii) There should be a proper mix of personnel in each polling party
 - (iv) A polling party should not have more than one personnel from the same office or school.
 - (v) The Presiding Officer should not be posted to work at a polling station located in the locality where he ordinarily resides.
 - (vi) The Executive Officer of the Grama Panchayat should not be entrusted any election related work pertaining to the concerned Grama Panchayat.
 - (vii) No Judicial or Police Officer should be appointed as Presiding/Polling Officer
 - (viii) While selecting polling personnel, all aspects of employees, i.e. the capability, honesty, non-political inclination, etc. should be taken into account while selecting polling personnel.

- 12.2. A Constable or a Home Guard as a bare minimum shall be attached to each polling party.
- 12.3. The Police Personnel/Home Guard/Grama Rakhi who shall be attached to each of the polling parties should be finalised in advance in consultation with the District Superintendent of Police.
- 12.4. The polling party including such personnel should move to the Polling Station well in time before the date of poll.

13. Meeting with Political Parties and Candidates :

- 13.1. Between the period starting from the last date of withdrawal of nomination and the date of poll, the Election Officer should convene at least one meeting of the representatives of all Political Parties and the candidates as early as possible and seek their co-operation in maintenance of law and order and observance of the code of conduct to ensure free and fair elections.
- 13.2. In course of such meeting if the candidates and/or the Political Parties point out some genuine difficulties/grievance(s), those should be promptly looked into and remedial action taken.
- 13.3. The legal provisions relating to corrupt practices and electoral offences should also be brought to the notice of Political Parties. The Election Officer will also convene another meeting of the Political Parties and candidates with the observer appointed by the Commission.

14. Meeting with Superintendent of Police :

The Collector as Election Officer in overall charge of elections in the district should also have more than one meeting with the concerned Superintendent of Police to ensure that Police arrangements are properly and adequately made for the polls. Besides attaching police personnel to each polling party, mobile police patrol/strike force(s) with Executive Magistrate(s) should also be arranged as per necessity and intelligence.

15. Model Code of Conduct :

- 15.1. A Model Code of Conduct has been drawn up by the Commission and the same finds place elsewhere in the Manual.
- 15.2. The Model Code of Conduct is applicable from the date of notification issued by State Election Commission and will remain in force until completion of counting of votes.
- 15.3. During discussion with the representatives of the Political Parties and the candidates, the Election Officer should seek their co-operation in observing the Model Code of Conduct.
- 15.4. Any violation of the Code of Conduct should be brought to the notice of the Commission promptly by the Election Officer.

- 15.5. The Collectors have been authorised by the Commission to ensure observance of the Model Code of Conduct by all concerned in their respective districts.
- 15.6. The emphasis in the Code of Conduct is on transparency and fairness on the part of the Government machinery and avoidance of electoral offences and corrupt practices by the candidates and Political Parties.
- 15.7. No permission should be given by the administration for inauguration of completed projects or launching of new projects in urban area intending to influence voters of rural area.

16. Training of Polling Personnel :

- 16.1. The Election Officer will arrange one round of training for the personnel proposed to be deployed on poll duty as Presiding and 1st Polling Officers.
- 16.2. The number of such personnel should be worked out keeping in view the number of polling stations and the number of rounds in which polls are to be held in the district and a reserve of 5% for emergencies.
- 16.3. It is necessary that the Polling Personnel are thoroughly acquainted with the procedure of conduct of elections, counting of votes and consignment of records, etc.,
- 16.4. Various instructions have been issued by the Commission regarding use of Ballot Papers and handing over of the same to the voters which should be scrupulously followed. Training will be done in the following manner :—

Sl. No.	Designation of the Trainer	Officials to be Trained	Place of Training
1	Collector	A.D.M/P.D., D.R.D.A./P.A. I.T.D.A./Sub- Collectors/D.P.O., B.D.Os./Tahasildars.	District Headquarter
2	Sub-Collectors, B.D.Os., Tahasildars	Polling Personnel	Block Headquarter

- 16.5. The Superintendent of Police, the S.D.P.O. at the District level, and the Officer-in-Charge of the Police Stations at the Block level should be invited to attend the training programme to familiarise themselves with the poll process and the Polling Officials/Polling Personnel so that they can work together to deal with any poll related situation more effectively when it actually occurs.
- 16.6. The Election Officer should arrange the training class as per the above guidelines in a planned and organised manner.
- 16.7. The Presiding Officer should be trained amongst other things in maintaining ballot paper account. He shall be supplied with a copy of the Handbook and impressed upon to familiarise himself thoroughly with contents therein.

- 16.8. He should also be told to tackle such situation in the polling station which requires postponement, adjournment and countermanding of the poll. In all these circumstances he should immediately report the matter to the Collector or any other senior Supervisory Officer appointed by the Collector. In case the Observer appointed by the Commission visits the polling station, he may also be apprised of the situation.
- 16.9. The Presiding Officer/Polling Officers would be paid allowances during the training at the rates prescribed by the Commission.
- 16.10. Some of the training classes arranged in the district will be attended by the Officer of the Commission and Observer appointed by the Commission.
- 16.11. Training schedule fixed up may be communicated to the Commission and the Observer in charge of the district to enable them to attend some sessions.

17. Requisition of Staff, Premises & Vehicle :

- 17.1. The Election Officer has to arrange vehicles required for transportation of polling parties and materials.
- 17.2. Requisition of vehicle, premises, staff from different departments may be made in time and detailed to and fro movement programme should be chalked out well in advance.
- 17.3. Vehicles should be kept reserved at hand to meet the emergency
- 17.4. The State Government would have issued instructions to all departments to spare their vehicles and drivers for Panchayat Election duties.
- 17.5. The drivers should be paid allowances at the rates approved by the State Election Commission.
- 17.6. The Collector will work out the requirement of vehicle (small, medium and large) taking into the route plan, Polling Personnel, Sector Officers, Executive Magistrates and Supervisory Officers and for Police Personnel on poll duty, i.e. mobile party, striking force and the like.

18. Arrival of Polling Party in the booth and assignment of duties :

- 18.1. The poll will start at 7 A.M. and end at 1 P.M.
- 18.2. The polling party should be in their respective polling station one day before the date of the poll.
- 18.3. Since the election is going to be held in different phases, the Election Officer shall ensure the polling party reaches subsequent polling station in time.
- 18.4. Prior to the poll, the Presiding Officer and other members of the Polling Party should finalise the layout of the Polling Station and make other arrangements for smooth conduct of the poll the next day.
- 18.5. Accommodation for Polling Party should be arranged in or near about the Polling Station with proper security arrangement.
- 18.6. The Polling Party would be paid their allowances at the rate prescribed by the Commission before they move to the respective Polling Stations.

19. Arrangement at Polling Stations :

19.1. On arrival at the Polling Stations, the Presiding Officer should mark the polling area

19.2. He should make required arrangements by issuing a notice specifying the polling area and displaying a copy of the electoral roll with the names of voters who are entitled to cast their votes in that particular Polling Station and a list of contesting candidates arranged in Odia alphabetical order for each office together with a description of symbols assigned to each candidate.

19.3. Arrangement inside the Polling Station :

(i) The sitting arrangement inside the Polling Stations should be made in such a manner as may be convenient to the voters and Polling Agents and the Polling Personnel to ensure orderly voting.

(ii) Immediately before the commencement of the poll, the Presiding Officer should demonstrate to the candidates or their Agents that the marked copy of the electoral roll to be used at the Polling Stations does not contain any entry or mark.

(iii) The Presiding Officer should also demonstrate to the candidates or their Agents that the ballot boxes are empty before use. If the candidates or their agents so like, the Presiding Officer can demonstrate to them the operational aspects of the ballot boxes prescribed by the Commission.

20. Appointment of Polling Agent :

20.1. "Polling Agent" means a person duly authorised by the contesting candidate to attend on his behalf at the polling of votes at one or more Polling Stations/at the place(s) of counting votes (O.G.P.E. Rule, 2(f), O.P.S.E. Rule, 2(j), O.Z.P.E. Rule, 2(l)).

20.2. The Presiding Officer shall examine the authority of the Polling Agents, authorised by the candidates and admit them to the Polling Station, if he is satisfied that the authority is valid (O.G.P.E. Rule 39, O.P.S.E. Rule 21, O.Z.P.E. Rule 24.)

21. The Poll :

21.1. The Presiding Officer is responsible for smooth conduct of poll in Polling Station and he is answerable for every proceeding during poll.

21.2. He is expected to supervise proper discharge of duties of the polling staff viz. the 1st Polling and the 2nd Polling Officers and any other person appointed to perform poll duties.

21.3. He should ensure proper conduct of polls during the hours prescribed by the Commission and maintenance of orderliness, peace and discipline at the Polling Station.

21.4. The O.G.P.E., O.P.S.E. and O.Z.P.E. Rules require that each ballot paper shall be assigned a serial number and bear the signature of the voter on the counterfoil and of the Presiding Officer on the front side of the ballot paper itself.

- 21.5. The Commission will be supplying ballot papers in bunches of 100/50 numbers
- 21.6. It shall be the responsibility of the Presiding Officer to write serial number on each ballot paper and putting his signature unfailingly before issuing to the voters.
- 21.7. The Presiding Officer is required to fill up several forms at the conclusion of the voting and also at the end of the counting and send them to the concerned authorities as prescribed in the O.G.P.E./O.P.S.E./O.Z.P.E. Rules.
- 21.8. For the convenience of the voters and also the staff engaged in polling and counting duties, the Commission has prescribed certain specific colours for ballot papers to be used for different offices.
- 21.9. The colour of ballot paper for Ward Member is yellow, Sarpanch is pink, Member of Panchayat Samiti is blue and Member of Zilla Parishad is cream wove white.
- 21.10. The ballot paper to be used for election of Z.P. Member alone will contain the names of the candidates in addition to their symbols as Z.P. Elections are fought on Political Party basis.
- 21.11. The ballot papers for other offices shall only contain the symbols allotted to the candidates and not their names.
- 21.12. Each Presiding Officer should familiarise himself thoroughly with his duties as prescribed in the Election Laws before proceeding to conduct the polls.
- 21.13. Ballot papers supplied by the Commission bear the water mark approved by the Commission.
- 21.14. When a Presiding Officer is unable to remain present in the Polling Station for reason beyond his control, he will authorise one of the Polling Officers to act as Presiding Officer during his short absence from the Polling Station.
- 21.15. The Election Officer shall make arrangement for deployment of Presiding Officer and Polling Officer from among the reserved personnel immediately as and when necessary.
- 21.16. 1st Polling Officer will be in charge of marked copy of Electoral Roll
- 21.17. On entering the Polling Station, the elector will proceed direct to the 1st Polling Office for identification.
- 21.18. At times, a voter may come with an unofficial identity slip
- 21.19. Such slip should be on plain white paper and may contain the name, Sl. No. and house No. of the elector in the Electoral Roll.
- 21.20. The slip should not contain the name or symbol of any candidate
- 21.21. An elector must not be compelled to bring identity slip
- 21.22. The identity slip brought by the elector is not a conclusive proof of his identity
- 21.23. The slip should be torn into pieces after reference
- 21.24. If the voter does not have any identify slip, the First Polling Officer shall ascertain his name etc. and locate his name in the Electoral Roll.

- 21.25. If there is a challenge, the 1st Polling Officer will refer the matter to the Presiding Officer for a decision.
- 21.26. In case there is no challenge, the 1st Polling Officer will hand over all the ballot paper(s) required to be used by the elector to the 2nd Polling Officer and put a tick mark against his name in the working copy of the Electoral Roll.
- 21.27. The Presiding Officers' Handbook also contains elaborate instruction on folding of the unwanted symbols in the ballot papers of each Polling Station and handing over the folded ballot papers one by one to voters to exercise right to franchise.
- 21.28. 2nd Polling Officer : After receipt of the ballot paper(s) from the 1st Polling Officer, he will put an indelible ink mark on the left forefinger of the elector and issue the ballot papers one after one (in case of simultaneous voting) explaining the marking procedure to be followed and the manner of folding it after marking. The ballot papers will be issued to each voter in the following order :—
- (I) Office of Sarpanch
 - (II) Office of Ward Member
 - (III) Office of P.S. Member
 - (IV) Office of Z.P. Member
 - (V) After the elector exercises his franchise by taking due ballot paper, he will return to the Second Polling Officer who will issue him the next ballot paper.
- 21.29. **Admission of Persons to the Polling Station** : Besides polling personnel, only the following persons may be admitted into a polling station :—
- (i) the candidate or his agent, any other person(s) authorised by the Commission
 - (ii) A child in arms accompanying the mother/father who is a voter, a person accompanying a blind or infirm voter.
 - (iii) Such other persons as the Presiding Officer may admit for the purpose of assisting him in taking the poll.

22. Use of Identity Card :

- 22.1. With a view to preventing impersonation of electors and for the convenience of the genuine electors to cast their vote more effectively.
- 22.2. The Commission has directed that the electors at the ensuing General Election to Panchayats will have to establish their identity at the Polling Station by means of producing the following documents :—
- (i) Elector's Photo Identity Card issued by Election Commission of India
 - (ii) Passport
 - (iii) Driving License

- (iv) Income Tax (PAN) Card
- (v) Service Identity Cards issued to its employees by State/Central Government, Public Sector Undertakings, Local Bodies or other Private Industrial Houses.
- (vi) Pass-Book with photograph issued by Bank / Post Office
- (vii) PAN card
- (viii) Smart Card issued by RGI under NPR
- (ix) MNREGA Job card
- (x) Pension document with photograph
- (xi) Official Identity Cards issued to MPs, MLAs
- (xii) Certificates of Disability
- (xiii) Freedom Fighter Identity Card
- (xiv) Any other documentary evidence establishing the identity of the voter to the satisfaction of the Presiding Officer.

22.3. The above alternative documents for identification will also apply in respect of such of the odd electors who have been supplied with E.P.I.C., but are not able to produce them for reasons beyond their control.

22.4. Any document as discussed above, which is available only for the head of the family shall be considered for the purpose of identification of other members of the family.

22.5. The possession of the Identity Card as specified above does not confer right to vote unless his/her name finds place in the Electoral Roll supplied to the Polling Party.

23. Photograph of Voters :

Subject to maintenance of peace and order, there should be no objection to any photographer taking photograph of the voters outside the polling station.

24. Closure of Poll :

24.1. At the appointed time, the poll should be closed except that all registered voters who appear between the hours fixed for the poll within the polling station area shall be allowed to cast their vote.

24.2. No voter shall be admitted inside the polling station after the time fixed for the closure of the poll except the voters issued with the slips by the Presiding Officer.

24.3. Immediately after close of the counting, the Presiding Officer shall seal the ballot box, prepare separate bundles of paper, report, used and unused ballot paper in respect of Ward Member, Sarpanch, Panchayat Samiti Member and Zilla Parishad Member, seal each packet in presence of candidates, their agents if any, note thereon the name of the Polling Station and Ward to which it relates and forward the ballot boxes and all the packets to the Election Officer.

24.4 It will be open to the candidates or the Polling Agents to affix their seal on the ballot boxes and aforesaid packets, if they so desire.

25. Postponement, adjournment and countermanding of Polls :

25.1. Rule 92-A of the O.G.P. Election Rules, 1965, Rule 46(A) of O.P.S.E. Rules, 1991 and Rule 43(1) of O.Z.P.E. Rules, 1994 lays down that if at any time or in any case the proceedings at any polling station are interrupted or obstructed for any reason whatsoever and the Presiding Officer is satisfied that free and fair conduct of election has been affected thereby, he shall direct postponement of the poll and forthwith inform the Election Officer :

- (i) On receipt of such information, the Election Officer shall make such enquiry as he deems fit and report the facts of the case to the Collector and Commission.
- (ii) The Collector upon being satisfied about the reason of postponement shall submit a factual report to the Commission with specific recommendation.
- (iii) On receipt of such a report from the Collector or otherwise, the State Election Commissioner shall, on being satisfied, that conduct of free and fair election has been affected direct holding of fresh poll at that polling station.
- (iv) The Presiding Officer shall assess the nature of interruption or obstruction and its effect on the conduct of free and fair election very carefully before directing such postponement of the poll.

25.2. Under Rule 92-B of the O.G.P.E. Rules, 1965, Rule 46-B of the O.P.S.E. Rules, 1991 and Rule 44(1) of O.Z.P.E. Rules, 1994, if the proceedings at any polling station or group of polling stations are interrupted or obstructed by riot or open violence or if it is not possible to hold the poll at any polling station due to natural calamity or some other grave situation, the Election Officer can, on being satisfied, announce adjournment of the said poll to a date to be notified later :

- (i) He shall report the facts forthwith to the Commission. On being satisfied regarding the genuineness of the facts from the report of the Election Officer or otherwise, the State Election Commissioner shall direct holding of fresh poll at the polling station(s) where the earlier poll had been adjourned and also prescribe date, place and hours for the said poll.

25.3. Rule 92-D of the O.G.P.E. Rules, 1965, Rule 46-C of the O.P.S.E. Rules, 1991 and Rule 45(1) of O.Z.P.E. Rules, 1994, provide that in case of booth capturing or tampering with the ballot papers and/or ballot boxes, the Election Officer shall forthwith report the full facts to the Commission :

- (i) The State Election Commissioner, on receipt of such report from the Election Officer or otherwise, on being satisfied of the accuracy of the facts may, depending upon the gravity of the incident declare the poll at the affected polling station(s) as void and fix fresh date for repoll or even countermand the election in the entire affected area.

- 25.4. Since adjournment, postponement and countermanding of polls are extreme measures affecting the poll process, the Presiding Officers and the Election Officers have to be vigilant while conducting the polls and accurate while reporting the facts.
- 25.5. In view of gravity of these powers, the Commission has directed that the powers of ordering adjournment of poll or reporting/recommending postponement/cancellation and countermanding of poll to the Commissioner, under Rules 92, A, B, C & D of O.G.P.E. Rules, 1965, Rules 46-A, 46-B, 46-C & 46-D of O.P.S.E. Rules, 1991 and Rules 43, 44, 45 & 46 of O.Z.P.E. Rules, 1994 shall be exercised by the Collector only as Election Officer under the respective Rules.

26. Counting :

- 26.1 The counting of votes will be done Zilla Parishad Constituency-wise. The votes polled in one Z.P. Constituency shall be counted in one big hall.
- 26.2 The counting of votes will be done for a period of three days during which the votes of all the Z.P. Constituencies in a Block will be counted.
- 26.3 If the number of Zilla Parishad Constituencies are more than three in any particular Block the requirement of the counting hall(s) will be more than one.
- 26.4 The number of counting tables in a counting hall should be the same as the number of Gram Panchayats coming under the Zilla Parishad Constituency and two more tables one for the Election Officer and another for the officials to assist the Election Officer shall be there.
- 26.5 Sitting arrangement in long benches shall be made for the counting agents in front of each counting table.
- 26.6 In each counting hall barricades should be provided for each counting table so that counting agents are prevented from handling the Ballot Boxes/ballot papers. However, the counting agents must be given all reasonable facilities to witness the whole counting process at the counting table. This can be done by ensuring that barricades are transparent or that the space in between or above the bamboo or other materials used for the purpose for erecting barricades is adequate to permit full and unobstructed viewing of the counting process. The counting tables should be placed against the barricade of the woodlock and the wire-mesh behind which the agents of the candidates shall sit/stand. The Election Officer should ensure that agents do not get any opportunity of handling the Ballot Boxes/Ballot Papers in any manner to eliminate any chance of tampering by them.
- 26.7 There shall be one Strong Room for each Zilla Parishad Constituency for storing polled Ballot Boxes received from the Presiding Officers. Hence, the number of Strong Room(s) for a Block will be the same as the number of Zilla Parishad Constituencies in a Block.

- 26.8 The Strong Room(s) shall be kept under 24 hours CCTV Surveillance, one day before the receipt of the polled ballot boxes till counting of votes and declaration of result are over.
- 26.9 All contesting candidates should be intimated in writing to depute their representative to keep a close watch on the security arrangements of the Strong Room(s). They should be allowed to stay outside the inner perimeter at a location which enable them to view the entry point of the Strong Room(s).
- 26.10 The contesting candidates shall be informed in writing about the commencement of the counting, date, time and place 72 hours before the time fixed for counting.
- 26.11 The Election Officer shall appoint the following personnel for each counting table.
- i) Counting Supervisor-1
 - ii) Counting Assistant- 2
 - iii) Group 'D' employee-1
- 26.12 The counting personnel shall not be engaged for three days continuously. They shall be engaged on alternate days if the counting is spread over all three days in a Block.
- 26.13 The number of counting teams should be the same as the number of Gram Panchayats coming under one Z.P. Constituency.
- 26.14 1-2 team(s) may be kept as reserve Counting Team(s).
- 26.15 The teams shall be numbered serially (1, 2, 3,)
- 26.16 One hour before the time fixed for counting the Election Officer shall draw lots to decide which team will be assigned to which table.
- 26.17 This means the team whose lot is drawn first shall go to the Table No.1 and whose lot is drawn 2nd will go to Table No.2 and in similar manner till end of draw of lots.
- 26.18 Each candidate is allowed to appoint one counting agent in each table. Since it is decided that counting of votes will be taken up G.P.wise, those contesting for the office of Ward Member, Sarpanch and Panchayat Samiti Member they are allowed to appoint one person as their counting agent for each post.
- 26.19 Those contesting to the office of Zilla Parishad Member can appoint as many Counting Agents as the number of G.Ps in that particular Zilla Parishad Constituency.
- 26.20 Apart from this all contesting candidates can appoint one more counting agent for the Election Officer's Table.
- 26.21 In case the candidate is present in person, he/she can perform the duty of the counting agent.

- 26.22 The contesting candidates shall apply for appointment of Counting Agent in the prescribed Format to the Election Officer at least 72 hours before the time fixed for counting alongwith Passport size photographs in duplicate of the person to be appointed as Counting Agent .
- 26.23 The candidate has to specify the Ward /Gram Panchayat for himself/ agent to be assigned. Those allowed inside the counting hall shall report 15 minutes before the actual time for counting.
- 26.24 All those authorized to be present inside the counting hall shall be present 15 minutes before the actual time for counting.
- 26.25 Entire proceedings shall be videographed with proper date/time stamping.
- 26.25 Counting of votes shall be taken up as per the sequence of the Z P Constituency in a Block. It means the Z.P. Constituency coming first in Serial No. Shall be taken up for counting on the 1st day of counting. The counting on subsequent days shall be taken up sequentially.
- 26.26 In Blocks where there is only 1 Z.P. Constituency the counting of votes in the said Blocks will be completed on the first day of counting in one hall.
- 26.27 In Blocks where there are 2 Z.P. Constituencies the same shall be completed within first two days of counting in one hall each day.
- 26.28 In Blocks where there are 3 Z.P. Constituencies one Z.P. constituency will be counted on each day of three day counting in one hall.
- 26.29 In Blocks where there are more than 3 Z.P. Constituencies, the counting of votes shall be taken up in two separate halls.
- 26.30 In Blocks where there are 4 Z.P. Constituencies, counting of votes in the 1st Z.P. Constituency will be taken up on the first day of counting followed by second one in the second day of counting and 3rd and 4th on the third day of counting.
- 26.31 In Blocks where there are 5 Z.P. Constituencies, the counting of votes in the 1st Z.P. Constituency shall be taken up on the first day of counting and followed up 2nd and 3rd Z.P. Constituencies on the 2nd day and 4th and 5th constituencies on the third day of the counting.
- 26.32 In Blocks where there are 6 Z.P. Constituencies, the counting of votes will be taken up for 2 Z.P. Constituencies on each day of counting.
- 26.33 Counting of votes in the Ballot Box(es) relating to the Membership of the Ward (Ward Member) shall be taken up first.
- 26.34 A tray for each symbol and another for invalid ballot paper shall be kept and all ballot papers shall be segregated symbol wise and placed in the concerned tray.

26.35 The counting Supervisor shall summarily decide at the time of scrutiny and in case of rejection shall endorse under his signature on the ballot paper itself. He shall also record the reason for each Ballot Paper so rejected in a separate paper.

26.36 If the Election Officer receives an application for recounting, he should consider the grounds urged and decide the matter judiciously. He may allow the application in whole or in part or may reject it in toto if it appears him to be frivolous or unreasonable.

26.37 The decision of Election Officer is final.

26.38 Entire recounting process shall have to be videographed carefully.

27. Publication of Results :

27.1. Results of the duly elected person shall be published in the manner prescribed under the Rules :

(i) The Block Development Officer appointed as the Election Officer for Sarpanch and Ward Member shall publish the name of the Sarpanch and also the Ward Members declared duly elected to each Grama Panchayat as per Rule 52 of the Odisha Grama Panchayat Election Rules, 1965.

(ii) After receipt of the results from the Election Officer i.e., Block Development Officer, the Collector of the District shall publish the names of the duly elected members of the Panchayat Samities as per Rule 33(1) of the Odisha Panchayat Samiti Election Rules, 1991.

(iii) After receipt of the results from the Election Office i.e. Collector the Commissioner shall publish the names of the duly elected candidates of the Zilla Parishads under Rule 40(1) of the Odisha Zilla Parishad Election Rule, 1994.

27.2. The process of computing the results received from the Presiding Officer and declaration of the results of Ward Members, Sarpanches, Panchayat Samiti Members and Zilla Parishad Members is to be done by the Block Development Officer as per the guidelines of the Commission.

28. Strong Room :

28.1. In each Block Office Rooms shall have to be set for use as Strong Room for storing the ballot boxes, ballot papers and various statutory and non-statutory papers submitted by the Presiding Officers. The number of Strong Room shall be equal to the number of Z.P. Constituency in the Block.

- 28.2. Strong Room shall be opened by the Election Officer only on the designated days fixed for counting of votes.
- 28.3. Arrangement shall be made for safe custody of ballot papers in the Strong Room with proper police arrangement for counting of votes and declaration of result.
- 28.4. The B.D.O. with approval of Collector shall make appropriate arrangement of Strong Room in the Block Office.
- 28.5. In an exceptional case where it is not possible to find a room in any building in the Block premises for use as Strong Room, a room in any Government building at the Block headquarter can be identified for the purpose with adequate arrangement for safe custody of ballot papers.
- 28.6. Statutory and non-statutory papers relating to election proceedings received from the Presiding Officers and prepared by the Election Officer shall be preserved in the office of Election Officer for a period of three months and shall then unless otherwise directed by a competent Court be destroyed.

29. 1st Meeting :

As per Section 14 of O.G.P. Act, 1964, Section 16(3) O.P.S. Act, 1959, Section 8 of O.Z.P. Act, 1991, after publication of result for Ward Member, Panchayat Samiti Member and Zilla Parishad Member, the 1st meeting as per the programme fixed by the S.E.C. shall be convened to elect Naib-Sarpanch, Chairman and President respectively. The elected representatives of P.R.Is. will enter into the office from date of the 1st meeting held.

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THE CONSTITUTION OF INDIA
“PART IX”*
THE PANCHAYATS

243. Definition—In this Part, unless the context otherwise requires,—

- (a) “District” means a district in a State ;
- (b) “Grama Sabha” means a body consisting of persons registered in the electoral rolls relating to a village comprised within the area of Panchayat at the village level ;
- (c) “Intermediate level” means a level between the village and district levels specified by the Governor of a State by public notification to be the intermediate level for the purposes of this Part ;
- (d) “Panchayat” means an institution (by whatever name called) of self-Government constituted under Article 243-B for the rural areas ;
- (e) “Panchayat area” means the territorial area of a Panchayat ;
- (f) “Population” means the population as ascertained at the last preceding census of which the relevant figures have been published ;
- (g) “Village” means a village specified by the Governor by public notification to be a village for the purposes of this Part and includes a group of villages so specified.

243-A. Grama Sabha—A Grama Sabha may exercise such powers and perform such functions at the village level as the Legislature of a State may, by law, provide.

243-B. Constitution of Panchayats—(1) There shall be constituted in every State, Panchayats at the village, intermediate and district levels in accordance with the provisions of this Part.

(2) Notwithstanding anything in clause (1), Panchayats at the intermediate level may not be constituted in a State having a population not exceeding twenty lakhs.

243-C. Composition of Panchayats—(1) Subject to the provisions of this Part, the Legislature of a State may, by law, making provisions with respect to the composition of Panchayats :

Provided that the ratio between the population of territorial area of a Panchayat at any level and the number of seats in such Panchayat to be filled by election shall, so far as practicable, be the same throughout the State.

(2) All the seats in a Panchayat shall be filled by persons chosen by direct election from territorial constituencies in the Panchayat area and, for this purpose, each Panchayat area shall be divided into territorial constituencies in such manner that the ratio between the population of each constituency and the number of seats allotted to it shall, so far as practicable, be the same throughout the Panchayat area.

(3) The Legislature of a State may, by law, provide for the representation—

- (a) of the Chairpersons of the Panchayats at the village level, in the Panchayats at the intermediate level or, in the case of a State not having Panchayats at the intermediate level, in the Panchayats at the district level ;

*Inserted vide Constitution 73rd Amendment Act, 1992 and came into force on 22-04-1993.

- (b) of the Chairpersons of the Panchayats at the intermediate level, in the Panchayats at the district level ;
- (c) of the members of the House of the People and the members of the Legislative Assembly of the State representing constituencies which comprise wholly or partly a Panchayat area at a level other than the village level, in such Panchayat ;
- (d) of the members of the Council of States and the members of the Legislative Council of the State, where they are registered as electors within—
 - (i) a Panchayat area at the intermediate level, in Panchayat at the intermediate level ;
 - (ii) a Panchayat area at the district level, in Panchayat at the district level.

(4) The Chairperson of a Panchayat and other members of a Panchayat whether or not chosen by direct election from territorial constituencies in the Panchayat area shall have the right to vote in the meetings of the Panchayats.

(5) The Chairperson of—

- (a) a Panchayat at the village level shall be elected in such manner as the Legislature of a State may, by law, provide ; and
- (b) a Panchayat at the intermediate level or district level shall be elected by, and from amongst, the elected members thereof.

243-D. Reservation of seats—(1) Seats shall be reserved for—

- (a) the Scheduled Castes ; and
- (b) the Scheduled Tribes, in every Panchayat and the number of seats so reserved shall bear, as nearly as may be, the same proportion to the total number of seats to be filled by direct election in that Panchayat as the population of the Scheduled Castes in that Panchayat area or of the Scheduled Tribes in that Panchayat area bears to the total population of that area and such seats may be allotted by rotation to different constituencies in a Panchayat.

(2) Not less than one-third of the total number of seats reserved under Clause (1) shall be reserved for women belonging to the Scheduled Castes or, as the case may be, the Scheduled Tribes.

(3) Not less than one-third (including the number of seats reserved for women belonging to the Scheduled Castes and the Scheduled Tribes) of the total number of seats to be filled by direct election in every Panchayat shall be reserved for women and such seats may be allotted by rotation to different constituencies in a Panchayat.

(4) The offices of the Chairpersons in the Panchayats at the village or any other level shall be reserved for the Scheduled Castes, the Scheduled Tribes and women in such manner as the Legislature of a State may, by law, provide :

Provided that the number of offices of Chairpersons reserved for the Scheduled Castes and Scheduled Tribes in the Panchayats at each level in any State shall bear, as nearly as may be, the same proportion to the total number of such offices in the

Panchayats at each level as the population of the Scheduled Castes in the State or of the Scheduled Tribes in the State bears to the total population of the State :

Provided further that not less than one-third of the total number of offices of Chairpersons in the Panchayats at each level shall be reserved for women :

Provided also that the number of offices reserved under this clause shall be allotted by rotation to different Panchayats at each level.

(5) The reservation of seats under Clauses (1) and (2) and the reservation of offices of Chairpersons (other than the reservation for women) under Clause (4) shall cease to have effect on the expiration of the period specified in Article 334.

(6) Nothing in this Part shall prevent the Legislature of a State from making any provision for reservation of seats in any Panchayat or Offices of Chairpersons in the Panchayats at any level in favour of backward class of citizens.

243-E. Duration of Panchayats, etc.—(1) Every Panchayat, unless sooner dissolved under any law for the time being in force, shall continue for five years from the date appointed for its first meeting and no longer.

(2) No amendment of any law for the time being in force shall have the effect of causing dissolution of a Panchayat at any level, which is functioning immediately before such amendment, till the expiration of its duration specified in Clause (1).

(3) An election to constitute a Panchayat shall be completed—

- (a) Before the expiry of its duration specified in Clause (1) ;
- (b) Before the expiration of a period of six months from the date of its dissolution :

Provided that where the remainder of the period for which the dissolved Panchayat would have continued is less than six months, it shall not be necessary to hold any election under this clause for constituting the Panchayat.

(4) A Panchayat constituted upon the dissolution of a Panchayat before the expiration of its duration shall continue only for the remainder of the period for which the dissolved Panchayat would have continued under Clause (1) had it not been so dissolved.

243-F. Disqualifications for membership—(1) A person shall be disqualified for being chosen as, and for being, a member of a Panchayat—

- (a) if he is so disqualified by or under any law for the time being in force for the purposes of elections to the Legislature of the State concerned :

Provided that no person shall be disqualified on the ground that he is less than twenty-five years of age, if he has attained the age of twenty-one years ;

- (b) if he is so disqualified by or under any law made by the Legislature of the State.

(2) if any question arises as to whether a member of a Panchayat has become subject to any of the disqualification mentioned in Clause (1), the question shall be referred for the decision of such authority and in such manner as the Legislature of a State may, by law, provide.

243-G. Powers, authority and responsibilities of Panchayats—Subject to the provisions of the Constitution, the Legislature of a State may, by law, endow the Panchayats with such powers and authority as may be necessary to enable them to function as institutions of self-Government and such law may contain provisions for the devolution of powers and responsibilities upon Panchayats at the appropriate level, subject to such conditions as may be specified therein, with respect to—

- (a) the preparation of plans for economic development and social justice ;
- (b) the implementation of schemes for economic development and social justice as may be entrusted to them including those in relation to the matters listed in the Eleventh Schedule.

243-H. Powers to impose taxes by, and Funds of Panchayats—

The Legislature of a State may, by law,—

- (a) authorise a Panchayat to levy, collect and appropriate such taxes, duties, tolls and fees in accordance with such procedure and subject to such limits ;
- (b) assign to a Panchayat such taxes, duties, tolls and fees levied and collected by the State Government for such purposes and subject to such conditions and limits ;
- (c) provide for making such grants-in-aid to the Panchayats from the Consolidated Fund of the State ; and
- (d) provide for constitution of such funds for crediting all moneys received, respectively, by or on behalf of the Panchayats and also for the withdrawal of such moneys therefrom as may be specified in the law.

243-I. Constitution of Finance Commission to review financial position—(1) The Governor of a State shall, as soon as may be within one year from the commencement of the Constitution (Seventy-third Amendment) Act, 1992, and thereafter at the expiration of every fifth year, constitute a Finance Commission to review the financial position of the Panchayats and to make recommendations to the Governor as to—

- (a) the principles which should govern—
 - (i) the distribution between the State and the Panchayats of the net proceeds of the taxes, duties, tolls and fees leviable by the State, which may be divided between them under this Part and the allocation between the Panchayats at all levels of their respective shares of such proceeds ;
 - (ii) the determination of the taxes, duties, tolls and fees which may be assigned to, or appropriated by, the Panchayats ;
 - (iii) the grants-in-aid to the Panchayats from the Consolidated Fund of the State ;
- (b) the measures needed to improve the financial position of the Panchayats ;
- (c) any other matter referred to the Finance Commission by the Governor in the interests of sound finance of the Panchayats.

(2) The Legislature of a State may, by law, provide for the composition of the Commission, the qualifications such shall be requisite for appointment as members thereof and the manner in which they shall be selected.

(3) The Commission shall determine their procedure and shall have such powers in the performance of their functions as the Legislature of the State may, by law, confer on them.

(4) The Governor shall cause every recommendation made by Commission under this article together with an explanatory memorandum as to the action taken thereon to be laid before the Legislature of the State.

243-J. Audit of accounts of Panchayats—The Legislature of a State may, by law, make provisions with respect to the maintenance of accounts by the Panchayats and the auditing of such accounts.

243-K. Elections of the Panchayats—(1) The superintendence, direction and control of the preparation of electoral rolls for, and the conduct of, all elections to the Panchayats shall be vested in a State Election Commission consisting of a State Election Commissioner to be appointed by the Governor.

(2) Subject to the provisions of any law made by the Legislature of a State, the conditions of service and tenure of office of the State Election Commissioner shall be such as the Governor may, by rule, determine :

Provided that the State Election Commissioner shall not be removed from his office except in like manner and on the like grounds as a Judge of a High Court and the conditions of service of the State Election Commissioner shall not be varied to his disadvantage after his appointment.

(3) The Governor of a State shall, when so requested by the State Election Commission, make available to the State Election Commission such staff as may be necessary for the discharge of the functions conferred on the State Election Commission by Clause (1).

(4) Subject to the provisions of this Constitution, the Legislature of a State may, by law, make provision with respect to all matters relating to, or in connection with elections to the Panchayats.

243-L. Application to Union Territories—The Provisions of this Part shall apply to the Union Territories and shall, in their application to a Union Territory, have effect as if the references to the Governor of a State were references to the Administrator of the Union Territory, appointed under Article 239 and references to the Legislature or the Legislative Assembly of a State were references, in relation to a Union Territory having a Legislative Assembly, to that Legislative Assembly :

Provided that the President may, by public notification, direct that the provisions of this Part shall apply to any Union Territory or part thereof subject to such exceptions and modifications as he may specify in the notification.

243-M. Part not to apply to certain areas—(1) Nothing in this Part shall apply to the Scheduled Areas referred to in Clause (1), and the Tribal Areas referred to in Clause (2), of Article 244.

(2) Nothing in this Part shall apply to—

- (a) the States of Nagaland, Meghalaya and Mizoram;
- (b) the hill areas in the State of Manipur for which District Councils exist under any law for the time being in force.

(3) Nothing in this Part—

- (a) Relating to Panchayats at the district level shall apply to the hill areas of the District of Darjeeling in the State of West Bengal for which Darjeeling Gorkha Hill Council exists under any law for the time being in force;
- (b) shall be construed to affect the functions and powers of the Darjeeling Gorkha Hill Council constituted under such law.

(4) Notwithstanding anything in this Constitution—

- (a) the Legislature of a State referred to in sub-clause (a) of Clause (2) may, by law, extend this Part to that State, except the areas, if any, referred to in Clause (1), if the Legislative Assembly of that State passes a resolution to that effect by a majority of the total membership of that House and by a majority of not less than two-thirds of the members of that House present and voting;
- (b) Parliament may, by law, extend the provisions of this Part to the Scheduled Areas and the Tribal Areas referred to in Clause (1) subject to such exceptions and modifications as may be specified in such law, and no such law shall be deemed to be an amendment of this Constitution for the purposes of Article 368.

243-N. Continuance of existing laws and Panchayats—(1) Notwithstanding anything in this Part, any provision of any law relating to Panchayats in force in a State immediately before the commencement of the Constitution (Seventy-third Amendment) Act, 1992, which is inconsistent with the provisions of this Part, shall continue to be in force until amended or repealed by a competent Legislature or other competent authority or until the expiration of one year from such commencement whichever is earlier;

Provided that all the Panchayats existing immediately before such commencement shall continue till the expiration of their duration, unless sooner dissolved by a resolution passed to that effect by the Legislative Assembly of that State or, in the case of a State having a Legislative Council, by each House of the Legislature of that State.

243-O. Bar to interference by Courts in electoral matters—(1) Notwithstanding anything in this Constitution—

- (a) the validity of any law relating to the delimitation of constituencies or the allotment of seats to such constituencies, made or purporting to be made under Article 243-K, shall not be called in question in any Court;

“(b) no election to any Panchayat shall be called in question except by an election petition presented to such authority and in such manner as is provided for by or under any law made by the Legislature of a State”.

In Clause (3) of Article 280 of the Constitution, after sub-clause (b), the following sub-clause shall be inserted, namely :—

“(bb) the measures needed to augment the Consolidated Fund of a State to supplement the resources of the Panchayats in the State on the basis of the recommendations made by the Finance Commission of the State,”.

After the Tenth Schedule to the Constitution, the following Schedule shall be added, namely :—

“ELEVENTH SCHEDULE

(Article 243-G)

1. Agriculture including agricultural extension
2. Land improvement, implementation of land reforms, land consolidation and soil conservation.
3. Minor irrigation, water management and watershed development
4. Animal husbandry, dairying and poultry
5. Fisheries
6. Social forestry and farm forestry
7. Minor forest produce
8. Small scale industries including food processing industries
9. Khadi, village and cottage industries
10. Rural housing
11. Drinking water
12. Fuel and fodder
13. Roads, culverts, bridges, ferries, waterways and other means of communication
14. Rural electrification including distribution of electricity
15. Non-conventional energy sources
16. Poverty alleviation programmes
17. Education including primary and secondary school
18. Technical training and vocational education
19. Adult and non-formal education
20. Libraries
21. Cultural activities
22. Markets and fairs
23. Health and sanitation including hospitals, primary health centres and dispensaries
24. Family welfare
25. Women and child development
26. Social welfare including welfare of the handicapped and mentally retarded
27. Welfare of the weaker sections, and in particular, of the Scheduled Castes and the Scheduled Tribes.
28. Public distribution system
29. Maintenance of community assets.”

**THE PROVISIONS OF THE PANCHAYATS
(EXTENSION TO THE SCHEDULED AREAS) ACT, 1996**

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No. 40 of 1996

**THE PROVISIONS OF THE PANCHAYATS
(EXTENSION TO THE SCHEDULED AREAS) ACT, 1996**

(Came into force on the 24th December, 1996)

**THE PROVISIONS OF THE PANCHAYATS (EXTENSION TO THE
SCHEDULED AREAS) ACT, 1996**

Dated the 24th December, 1996

*(An Act to provide for the extension of the provisions of Part IX of the
Constitution relating to the Panchayats to the Scheduled Areas)*

BE it enacted by Parliament in the Forty-seventh Year of the Republic of India as follows :

1. This Act may be called the Provisions of the Panchayats (Extension to the Scheduled Areas) Act, 1996.

2. In this Act, unless the context otherwise required,—“Scheduled Areas” means the Scheduled Areas as referred to in Clause (1) of Article 244 of the Constitution.

3. The provisions Part IX of the Constitution relating to Panchayats are hereby extended to the Scheduled Areas subject to such exceptions and modifications as are provided in Section 4.

4. Notwithstanding anything contained under Part IX of the Constitution, the Legislature of a State shall not make any law under that Part which is inconsistent with any of the following features, namely :—

- (a) A State legislation on the Panchayats that may be made shall be in consonance with the customary law, social and religious practices and traditional management, practices of community resources;
- (b) A village shall ordinarily consist of a habitation or a group of habitations or a hamlet or a group of hamlets comprising a community and managing its affairs in accordance with traditions and customs;
- (c) Every village shall have a Grama Sabha consisting of persons whose names are included in the electoral rolls for the Panchayat at the village level;
- (d) Every Grama Sabha shall be competent to safeguard and preserve the traditions and customs of the people, their cultural identity, community resources and the customary mode of dispute resolution;
- (e) Every Grama Sabha shall—
 - (i) approve the plans, programmes and projects for social and economic development before such plans, programmes and projects are taken up for implementation by the Panchayat at the village level;
 - (ii) be responsible for the identification or selection of persons as beneficiaries under the poverty alleviation and other programmes;

- (f) Every Panchayat at the village level shall be required to obtain from the Grama Sabha a certification of utilisation of funds by that Panchayat for the plans, programmes and projects referred to in Clause (e);
- (g) The reservation of seats in the Scheduled Areas at every Panchayat shall be in proportion to the population of the communities in that Panchayat for whom reservation is sought to be given under Part IX of the Constitution :
- Provided that the reservation for the Scheduled Tribes shall not be less than one-half of the total number of seats :
- Provided further that all seats of Chairpersons of Panchayats at all levels shall be reserved for the Scheduled Tribes;
- (h) The State Government may nominate persons belonging to such Scheduled Tribes as have no representation in the Panchayat at the intermediate level or the Panchayat at the district level :
- Provided that such nomination shall not exceed one-tenth of the total members be elected in that Panchayat;
- (i) The Grama Sabha or the Panchayats at the appropriate level shall be consulted before making the acquisition of land in the Scheduled Areas for development projects and before re-settling or rehabilitating persons affected by such projects in the Scheduled Areas; the actual planning and implementation of the projects in the Scheduled Areas shall be co-ordinated at the State level;
- (j) Planning & management of minor water bodies in the Scheduled Areas shall be entrusted to Panchayats at the appropriate level;
- (k) The recommendations of the Grama Sabha or the Panchayats at the appropriate level shall be made mandatory prior to grant of prospecting licence or mining lease for minor minerals in the Scheduled Areas;
- (l) The prior recommendations of the Grama Sabha or the Panchayats at the appropriate level shall be made mandatory for grant of concession for the exploitation of minor minerals by auction;
- (m) While endowing Panchayats in the Scheduled Areas with such powers and authority as may be necessary to enable them to function as institutions of self-Government, a State Legislature shall ensure that the Panchayats at the appropriate level and the Grama Sabha are endowed specifically with—
- (i) the power to enforce prohibition or to regulate or restrict the sale and consumption of any intoxicant;
 - (ii) the ownership of minor forest produce;
 - (iii) the power to prevent alienation of land in the Scheduled Areas and to take appropriate action to restore any unlawfully alienated land of a Scheduled Tribes;

- (iv) the power to manage village markets by whatever name called;
- (v) the power to exercise control over money lending to the Scheduled Tribes;
- (vi) the power to exercise control over institutions and functionaries in all social sectors;
- (vii) the power to control over local plans and resources for such plans including tribal sub-plans;
- (n) The State Legislations that may endow Panchayats with powers and authority as may be necessary to enable them to function as institutions of self-Government shall contain safeguards to ensure that Panchayats at the higher level do not assume the powers and authority of any Panchayat at the lower level or of the Grama Sabha;
- (o) The State Legislature shall endeavour to follow the pattern of the Sixth Schedule to the Constitution while designing the administrative arrangements in the Panchayats at district levels in the Scheduled Areas.

5. Notwithstanding anything in Part IX of the Constitution with exceptions and modifications made by this Act, any provision of any law relating to Panchayats in force in the Scheduled Areas immediately before the date on which this Act receives the assent of the President which is inconsistent with the provisions of Part IX with such exceptions and modifications shall continue to be in force until amended or repealed by a competent Legislature or other competent authority or until the expiration of one year from the date on which this Act receives the assent of the President :

Provided that all the Panchayats existing immediately before such date shall continue till the expiration of their duration unless sooner dissolved by a resolution passed to that effect by the Legislative Assembly of that State or, in the case of a State having Legislative Council, by each House of the Legislature of that State.

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CHAPTER I PRELIMINARY

Definition. **2.** (F-1) "Election Commission" means the State Election Commission consisting of State Election Commissioner appointed by the Governor under Article 243-K of the Constitution.

(O-1) "Parishad" in relation to any Grama means the Zilla Parishad constituted under the Odisha Zilla Parishad Act, 1991 and having jurisdiction over the area comprised within the Grama.

(p) "Population" means population as ascertained in the last preceding census of which the relevant figures have been published under the relevant law for the time being in force.

(t) "Samiti" in relation to any Grama means the Panchayat Samiti constituted under the Odisha Panchayat Samiti Act, 1959 and having jurisdiction over the area comprised within the said Grama.

(t-1) "Scheduled Area" means the Scheduled Areas as referred to in clause (1) of Article 244 of the Constitution.

CHAPTER II

GRAMA, GRAMA SASAN, GRAMA SABHA AND PALLI SABHA

Constitution
of Grama.

3. (1) The State Government may for the purposes of this Act by declaration notified in the Gazette constitute any village or group of contiguous villages as a Grama and assign to such Grama, a name which shall be of one of the villages comprised within the Grama.

Explanation—Village intervened only by forest areas, hills, streams, rivers and such other natural barriers and lands not forming part of any village may be treated as contiguous villages :

Provided that in the Scheduled Areas, a Grama shall ordinarily consist of a habitation or a group of habitations or a hamlet or a group of hamlets comprising a community or communities and managing its affairs in accordance with traditions and customs.

(2) Whenever the State Government deem it fit so to do they may cancel any notification in respect of a Grama under sub-section (1) or may alter the area comprised in a Grama by reducing or adding to the number of villages comprised within such Grama and by declaration notified in the Gazette constitute such altered area or areas as a Grama or Gramas, as the case may be, for the purposes of the said sub-section.

(3) No Grama shall, so far as may be reasonably practicable, be constituted with a population of less than two thousands and more than ten thousands but in no event shall village be divided and a part thereof included within a Grama.

* As amended by Orissa Acts, 6 & 20 of 1994, Act 18 of 1995, Act 15 of 1997, Acts 6 and 11 of 2001 , Act of 9 of 2004 & 14 of 2021. There might be omission and commissions : for authenticity reference must be made to the published Acts in the official Gazette.

Constitution and in-corporation of Grama Sasan.

4. (1) For every Grama there shall be a Grama Sasan which shall be composed of all persons registered by virtue of the Representation of the People Act, 1950 in so much of the electoral roll for any Assembly Constituency for the time being in force as relates to the Grama and, unless the Election Commission directs otherwise, the said portion of the roll shall be deemed to be the electoral roll in respect of the Grama.

(2) The Grama Sasan shall be a body corporate by the name of the Grama to which it relates, having perpetual succession and common seal, with power, subject to the provisions of this Act and the rules made thereunder, to acquire, hold and dispose of property and to contract and may by the said name sue and be sued.

(3) The office and headquarters of the Grama Sasan shall be situated within the limits of the Grama and unless otherwise ordered by the State Government in the village bearing the name of the Grama.

CHAPTER-III

CONSTITUTION OF GRAMA PANCHAYATS

Grama Panchayat to be the Executive authority of the Grama Sasan.

7. There shall be for every Grama Sasan a Grama Panchayat as hereinafter constituted which shall be the executive authority of the Grama Sasan.

Constitution and delimitation of Wards.

8. (1) As soon as may be after the constitution of a Grama the Collector shall for the purpose of constitution of the Grama Panchayat determine the number of Wards into which the Grama is to be divided and the extent of each such Ward and shall prepare a statement showing the number of Wards and the extent of each Ward which shall be published by him in the prescribed manner for the prescribed period inviting objections from the persons interested to be filed within the said period :

“Provided that—

- (i) the determination of the number of such Wards shall be subject to the provisions in Article 243-C of the Constitution; and
- (ii) the total number of Wards in any Grama shall not be less than eleven and more than twenty-five; and
- (iii) the population of every Ward shall, as far as practicable, be equal”.

(2) The Collector shall after considering all such objections and making such further inquiry as he may deem necessary cause such alternation as may be necessary to be made in the statement shall finally publish the statement so as altered in the prescribed manner and there upon the division of Grama into Wards as shown in statement shall become final.

(3) In cases where the population of any Grama according to the relevant figures of a census has exceeded its population, as recorded in the preceding census, the Collector may redelimit the Wards of the Grama and form new Wards wherever necessary and in doing so he shall follow the same procedure as is provided in respect of division of Wards under Sections (1) and (2).

Powers of Election Commission and the electoral rolls of Wards.

9. (1) The superintendence, direction and control of the preparation of electoral rolls for, and the conduct of all elections to the Grama Panchayats shall be vested in the Election Commission.

(2) Unless the Election Commission, by order published in the Gazette directs otherwise, so much of the electoral roll for any Assembly Constituency for the time being in force as relates to the area comprised within a Ward shall be entered in a register to be maintained for the Ward and such register shall, subject to such revision or updating as may be necessary, be deemed to be the electoral roll for the Ward for the purposes of this Act.

Constitution of Grama Panchayat.

10. (1) Every Grama Panchayat shall be composed of the following members, namely—

(a) a member to be elected by the persons referred to in sub-section (1) of Section 4 from amongst themselves who shall be the Sarpanch; and

(b) a member to be elected from each of the Wards by the persons on the electoral roll for the Ward from amongst themselves.

(2) There shall be a Niab-Sarpanch in respect of every Grama Panchayat to be elected in accordance with the provisions of Section 14.

(3) (a) Seats shall be reserved for the Scheduled Castes and the Scheduled Tribes in every Grama Panchayat and the number of seats so reserved shall bear, as nearly as may be the same proportion to the total number of seats to be filled by direct election in that Grama Panchayat as the population of the Scheduled Castes in the concerned Grama or of the Scheduled Tribes in that Grama bears to the total population of that Grama and such seats shall be allotted by rotation to different Wards in a Grama Panchayat:

Provided that where the population of the Scheduled Caste or, as the case may be, the Scheduled Tribes in the Grama is not sufficient for the reservation of any seat, one seat for the Scheduled Caste or, as the case may be, one seat, for the Scheduled Tribe shall be reserved in that Grama:

Provided further that in the Scheduled Areas, not less than one-half of the total number of seats to be filled by direct election shall be reserved for the Scheduled Tribes; and

(b) As nearly as may be, but not less than, one-half* of the total number of seats reserved under clause (a) shall be reserved for women belonging to the Scheduled Castes or, as the case may be, the Scheduled Tribes:

Provided that where only two seats are reserved for the Scheduled Castes or, as the case may be, the Scheduled Tribes, one of the two seats shall be reserved for women belonging to the Scheduled Castes or, as the case may be, the Scheduled Tribes;

(b-1) Seats shall be reserved forin favour of backward Class of citizens as referred to in clause (6) of Article 243-D of the Constitution, in every Gram

* As amended by Odisha Act, 4 of 2021 Orissa Act, 8 of 2011. There might be omission and commissions : for authenticity reference must be made to the published Act in the official Gazette.

not exceeding, twenty-seven per centum subject to limit of fifty per centum of total number of seats of such Gram Panchayat including seats so reserved for the Scheduled Castes and the Scheduled Tribes under clause (a) and backward Class of citizens taken together and shall be allotted by rotation to different wards thereof*

(b-2) As nearly as may be, but not less than, one-half of the total number of seats reserved under clause (b-1) shall be reserved for women belonging to the backward class of citizens; and

(b) As nearly as may be, but not less than, one-half (including the number of seats) reserved for women belonging to the Scheduled Castes the Scheduled Tribes and the Backward Class of citizens of the total number of seats to be filled by direct election in every Grama Panchayat shall be reserved for women and such seats shall be allotted by rotation to different Wards in a Grama.

(4) The procedure regarding reservation of seats for the purposes of sub-section (3) shall be as follows :

(a) The Wards in which the density of population of the Scheduled Castes and the Scheduled Tribes is higher in the Grama shall be reserved by the Collector for the Scheduled Castes and the Scheduled Tribes respectively and shall rotate in the descending order at every general election* and in case of Backward Class of citizens such reservation and rotation shall be in the prescribed manner.

(b) The Wards shall be serially numbered in a list in the prescribed manner and the Collector shall reserve the required number of Wards in the Grama for women in the following manner, namely:—

- (i) in computing one-half of the total number of Wards, the Wards reserved for women belonging to the Scheduled Castes the Scheduled Tribes and the Backward Class of citizens shall be taken into account;
- (ii) reservation of Wards for women belonging to the Scheduled Castes shall be made at the first instance, then for the Scheduled Tribes and thereafter for the Backward Class of the citizens.
- (iii) out of the Wards left in the list for candidates other than the Scheduled Castes the Scheduled Tribes and the Backward Class of citizens the Ward, which appears first and, thereafter, every second Ward shall be reserved for women, until the required quota is completed;
- (iv) as nearly as may be, but not less than, one-half of the Wards reserved for the members of the Scheduled Castes and the Scheduled Tribes shall be reserved for women belonging to the Scheduled Castes and the Scheduled Tribes in the manner herein before provided; and
- (v) the Wards not covered in a general election for reservation for women shall be covered in the subsequent general election of the Grama Panchayat in the same manner as herein before provided.

* Odisha Act 6 of 2016.

(c) The Collector shall, by order, after previous publication in the prescribed manner inviting objections and suggestions from all persons interested within the prescribed period, and after considering all such objections and suggestions, publish a statement, showing the division of the Grama into Wards and the seats to be reserved therein, in his office noticeboard, which shall be final.

(5) Notwithstanding anything to the contrary in this Section—

(a) the offices of Sarpanches in Grama Panchayats shall be reserved for the Scheduled Castes and the Scheduled Tribes and the number of offices so reserved for the Scheduled Castes and the Scheduled Tribes shall bear, as nearly as may be, the same proportion to the total number of such offices as the population of the Scheduled Castes and the Scheduled Tribes respectively in the State bears to the total population of the State; and

(b) as nearly as may be, but not less than, one-half* of the total number of offices of Sarpanches reserved under clause (a) shall be reserved for women belonging to the Scheduled Castes or, as the case may be, the Scheduled Tribes:

Provided that in the Scheduled Areas, all the offices of Sarpanches in Grama Panchayats shall be reserved for the Scheduled Tribes.

(c) Offices of Sarpanches in Grama Panchayats shall also be reserved in favour of Backward Class of citizens as referred to in clause (6) of Article 243-D of the Constitution to such extent not exceeding, twenty-seven percentum subject to ceiling limit of fifty percentum of total number of offices of Sarpanches of such Gram Panchayat including the office so reserved for the Scheduled Castes and the Scheduled Tribes under clause (a) taken together and shall be allotted by rotation to different Gramas” *

(d) as nearly as may be, but not less than, twenty-seven percentum of the offices of Sarpanches in Grama Panchayats shall also be reserved in favour of Backward Class of citizens as referred to in clause (6) of Article 243-D of the Constitution and shall be allotted by rotation to different Gramas;

(e) as nearly as may be, but not less than, one-half of the total number of offices of Sarpanches reserved under clause (c) shall be reserved for women belonging to the Backward Class of citizens; and

(f) as nearly as may be, but not less than, one-half (including the number of offices reserved for women belonging to the Scheduled Castes, the Scheduled Tribes and Backward Class of citizens) of the total number of offices of Sarpanches in GramaPanchayats shall be reserved for women.

(6) For the purpose of reservation of offices of Sarpanches in Grama Panchayats and subject to the provisions of sub-section (5)–

(a) the Grama Panchayats in relation to Gramas in which the density of population of the Scheduled Castes and the Scheduled Tribes is higher in the Block shall be reserved by the Collector for the Scheduled Castes and the Scheduled Tribes respectively and shall rotate in the descending order at every general election*; and

(b) after arranging the names of the Gramas within a Block in Odia alphabetical order, as nearly as may be but not less than one-half of the total number of offices of Sarpanches in each Block shall be reserved by the Collector for women and, for such reservation, the procedure provided in clause (b) of sub-section (4) shall, as far as may be, apply.

(7) The reservation of seats under clauses (a) and (b) of sub-section (3) and the reservation of offices of Sarpanches (other than the reservation) for women and Backward Class of citizens under sub-section (5) shall cease to have effect on the expiration of the period specified in Article 334 of the Constitution.

* Odisha Act 6 of 2016..

Qualification for membership in the Grama Panchayat.

11. Notwithstanding anything in Section 10 no member of a Grama Sasan shall be eligible to stand for election—

(a) as a Sarpanch if he—

(i) is a candidate for election as a member of the Grama Panchayat in respect of any Ward; or

(ii) omitted;

(iii) is a candidate for election or holds office as Sarpanch of any other Grama Panchayat.

(b) as a Sarpanch or Naib-Sarpanch, if he has not attained the age of twenty-one years or is unable to read and write Odia.

(c) as a member—

(i) for more than one Ward in the Grama or for more than one Grama Panchayat; or

(ii) if he is unable to read and write Odia; and

(iii) if he has not attained the age of twenty-one years.

General election of members of Grama Panchayat.

12. (1) A general election of the members of a Grama Panchayat shall be completed for the purpose of constituting a new Grama Panchayat under Section 7 or on the dissolution or supersession of a Grama Panchayat:

Provided that in the case of dissolution or supersession of a Grama Panchayat the reconstitution shall be within six months from the date of such dissolution or supersession, as the case may be:

Provided further that it shall not be necessary to reconstitute a Grama Panchayat where the Grama Panchayat is dissolved or superseded during the last six months of its term.

(2) A general election shall also be held for the purpose of reconstituting a Grama Panchayat before the expiry of its term specified in sub-section (2) of Section 17.

Nomination on failure of election, dereservation in certain cases.

13. (1) If for any reason whatsoever the concerned electorate fails to return a Sarpanch or a Naib-Sarpanch, or any other member a fresh election shall be held for the purpose; and if at such fresh election no person is elected the Subdivisional Officer shall nominate a person eligible for election to such Officer to be the Sarpanch, Naib-Sarpanch or such other member as the case may be, who shall on being so nominated to have been duly elected.

(2) Where the office of the Sarpanch or the seat of any member is reserved under Section 10 for any particular category and the Sub-Collector fails to nominate under sub-section (1) a person to such office or seat as the case may be, for non-availability of an eligible person belonging to that category, such office or seat shall, on recommendation being made to that effect by the Sub-Collector, be dereserved by the Collector and after such enquiry as he may deem fit and shall, thereafter, be filled up by fresh election.

Election of
Naib-
Sarpanch.

14. (1) As soon as may be after the publication under Section 15 of the names of the members elected at a general election such members shall at the first meeting of the Grama Panchayat specially convened in that behalf elect in the prescribed manner from among themselves a Naib-Sarpanch:

Provided that in the case of every Grama Panchayat of which the Sarpanch elected under clause (a) of sub-section (1) of Section 10 or nominated under Section 13 is not a woman, the office of the Naib-Sarpanch in respect of that Grama Panchayat shall be deemed to have been reserved for women.

(2) No election of a Naib-Sarpanch shall be made unless a majority of the member of the Grama Panchayat be presented at the meeting held under sub-section (1).

(3) No election of Naib-Sarpanch of a Grama Panchayat required to be held under sub-section (1) shall be deferred merely on the ground that any member thereof has been prevented by any order of a court of competent jurisdiction from participating in such election.

(4) The members of a Grama Panchayat shall not be debarred from proceeding with the election of a Naib-Sarpanch merely by reason of there being any casual vacancy in the membership of the Grama Panchayat as a result of death, resignation, removal or otherwise.

Publication
of result of
election.

15. Subject to the rules, if any, made in that behalf the names of all persons elected or nominated as Sarpanch, Naib-Sarpanch or any other member of the Grama Panchayat shall, as soon as may be after such election or nomination, be published by the prescribed authority in such manner as may be prescribed:

“Provided that if the prescribed authority is satisfied that the majority of members including the Sarpanch of the Grama Panchayat have been duly returned, he shall publish the names of such members, without awaiting for the result of election whether conducted or not of the remaining member”.

Filling up of
casual
vacancies.

16. In the case of a vacancy in the office of a Sarpanch or Naib-Sarpanch or any other member of a Grama Panchayat occurring otherwise than by afflux of time or dissolution or supersession of the Grama Panchayat the Sarpanch or the Naib-Sarpanch as the case may be, shall forthwith report the fact to the Subdivisional Officer who shall intimate such vacancy to the Election Commission without any delay and shall conduct an election on such date as the Election Commission may direct to fill up the vacancy in accordance with the provisions of this Act and the rules made thereunder:

Provided that if such a vacancy occurs during the last six months of the terms of office of the Grama Panchayat, it shall not be necessary to hold any election to fill up such vacancy, in which case, the vacancy shall be left unfilled until the next General Election of the Grama Panchayat.

CHAPTER IV

OFFICE OF THE MEMBERS, SARPANCH AND NAIB-SARPANCH

Term of office of members of Grama Panchayat.

17. (1) Any person elected as a Sarpanch or Naib-Sarpanch or any other member of a Grama Panchayat shall be deemed to have entered office as such Sarpanch or Naib-Sarpanch or such other member, as the case may be, on the date of the first meeting of the Grama Panchayat as referred to in sub-section (1) of Section 14 which shall be held within a period not exceeding thirty days from the date of first publication of names of members under Section 15 and the term of all such persons shall expire with the term of the Grama Panchayat.

(2) Every Grama Panchayat, unless sooner dissolved or superseded, shall continue for five years from the date appointed for its first meeting referred to in sub-section (1) of Section 14 and no longer:

Provided that a Grama Panchayat constituted on the dissolution or supersession of a Grama Panchayat before the expiration of its term shall continue only for the remainder of the period for which the dissolved or, as the case may be, superseded Grama Panchayat would have continued under this sub-section had it not been so dissolved or, as the case may be, superseded.

(3) The term of a Sarpanch or any other member elected to fill up a casual vacancy shall expire with the expiry of the term of the Grama Panchayat as specified in sub-section (2).

Resignation.

23. (1) A member or a Naib-Sarpanch of a Grama Panchayat may resign his office as such member or Naib-Sarpanch by giving notice in writing to the Sarpanch.

(2) The Sarpanch may resign his office by giving notice in writing to the Subdivisional Officer.

(3) Except in a case where the person resigning delivers notice of resignation under the foregoing sub-sections personally to the Sarpanch or to the Subdivisional Officer, as the case may be, the Sarpanch or the Subdivisional Officer on receipt of such notice shall, as soon as may be, obtain confirmation from the person concerned as to its genuineness.

(4) A resignation on the basis of a notice therefore under sub-section (1) of sub-section (2) delivered personally or confirmed as aforesaid shall take effect on and from the date on which such notice was received or, as the case may be, the date on which the confirmation was obtained.

(5) In the case of any resignation taking effect in accordance with sub-section (4)–

- (a) the Subdivisional Officer shall forthwith inform the Naib-Sarpanch about the resignation of the Sarpanch; and
- (b) the Sarpanch shall, in respect of the resignation of a member or the Naib-Sarpanch place the matter at the next meeting of the Grama Panchayat for its information.

Vote of no confidence against Sarpanch or Naib-Sarpanch.

24. (1) Where at a meeting of the Grama Panchayat specially convened by the Subdivisional Officer in that behalf a resolution is passed, supported by a majority of not less than two-thirds of the total membership of the Grama Panchayat, recording want of confidence in the Sarpanch or Naib-Sarpanch the resolution shall forthwith be forwarded by the Subdivisional Officer to the Collector, who shall immediately on receipt of the resolution publish the same on his noticeboard and with effect from the date of such publication the member holding the office of Sarpanch or the Naib-Sarpanch, as the case may be, shall be deemed to have vacated such office.

(2) In convening a meeting under sub-section (1) and in the conduct of business at such meeting the procedure shall be in accordance with such rules, if any, as may be prescribed, subject however to the following provisions, namely:—

- (a) no such meeting shall be convened except on a requisition signed by at least one-third of the total membership of the Grama Panchayat along with a copy of the resolution proposed to be moved at the meeting;
- (b) the requisition shall be addressed to the Subdivisional Officer;
- (c) the Subdivisional Officer on receipt of such requisition shall fix the date, hour and place of such meeting and give notice of the same to all the members holding office on the date such notice along with a copy of the requisition and the proposed resolution, at least fifteen clear days before the date so fixed;
- (d) the aforesaid notice shall be sent by post under certificate of posting and a copy thereof shall be published at least seven days prior to the date fixed for the meeting in the noticeboard of the Samiti;
- (e) the proceedings of the meeting shall not be invalidated merely on the ground that the notice has not been received by any member;
- (f) the Subdivisional Officer or if he is unable to attend, any Gazetted Officer specially authorised by him in that behalf shall preside over, conduct and regulate the proceedings of the meeting;
- (g) the voting at all such meetings shall be by secret ballot;
- (h) no such meeting shall stand adjourned to a subsequent date and no item of business other than the resolution for recording want of confidence in the Sarpanch or Naib-Sarpanch, as the case may be, shall be taken up for consideration at the meeting;
- (i) if the member or members present at the meeting is less than two-thirds of the total membership of the Grama Panchayat, the resolution shall stand annulled;
- (j) if the resolution is passed at the meeting supported by the majority as specified in sub-section (1), the Presiding Officer shall immediately forward the same in original along with the record of the proceedings to the Collector who shall forthwith publish the resolution in accordance with the provisions of sub-section (1); and
- (k) where any Gazetted Officer presides at the meeting he shall, without prejudice to the provisions of clause (j), also send a copy of the resolution to the Subdivisional Officer for information and such action as may be necessary.

(3) When a meeting has been held in pursuance of sub-section(2) for recording want of confidence in the Sarpanch or Naib-Sarpanch, as the case may be, no fresh requisition for a meeting shall be maintainable—

- (a) in cases falling under clauses (i) and (j) of the said sub-section or where the resolution is defeated after being considered at the meeting so held, before the expiry of one year from the date of such meeting; or
- (b) where the notification calling for general election to the Grama Panchayat has already been published under or in pursuance of Section 12.

(4) Without prejudice to the provisions of sub-section (3) no requisition under sub-section (2) shall be maintainable in the case of a Sarpanch or Naib-Sarpanch, as the case may be, before the expiry of two years and six months from the date on which such Sarpanch or Naib-Sarpanch enters office:

Provided that all requisitions received under sub-section (2) prior to the date of commencement of the Orissa Grama Panchayats (Second Amendment) Act, 1993, in which no meeting for recording want of confidence has been held by the said date, shall stand abated.

Explanation—The expression “total membership of the Grama Panchayat” shall refer to the total number of members specified in sub-section (1) of Section 10 together with the number of members, if any, actually holding office at the relevant date in pursuance of a sub-section (3) of the said section.

Disqualifica-
tion for
membership
of Grama
Panchayat.

25. (1) A person shall be disqualified for being elected or nominated as a Sarpanch or any other member of the Grama Panchayat constituted under this Act, if he—

- (a) is not citizen of India; or
- (b) is not on the electoral roll in respect of the Grama or of the Ward, as the case may be; or
- (c) is of unsound mind; or
- (d) is an applicant to be adjudicated as an insolvent or is an undischarged insolvent; or
- (e) Omitted;
- (f) is convicted of an election offence under any law for the time being in force; or
- (g) is convicted for an offence involving moral turpitude and sentenced to imprisonment of not less than six months unless a period of five years has elapsed since his release or is ordered to give security for good behaviour under Section 110 of the Code of Criminal Procedure, 1898; or
- (h) holds any office of profit under the State or Central Government or any local authority; or

- (i) is a teacher in any school recognised under the provisions of Orissa Education Code for the time being in force; or
- (j) holds the office of a Minister either in the Central or State Government; or
- (k) has been dismissed from the service of State or Central Government or of any local authority; or
- (l) being a member of a Co-operative Society, has failed to pay any arrear of any kind accrued due by him to such Society before filing of the nomination paper in accordance with the provisions of this Act and the rules made thereunder :

Provided that in respect of such arrears a bill or a notice has been duly served upon him and the time, if any, specified therein has expired; or

- (m) is in the habit of encouraging litigation in the Grama and has been declared to be so on enquiry by the Collector in the prescribed manner or by any other authority under any law for the time being in force; or
- (n) is interested in a subsisting contract made with or in any work being done for the Grama Panchayat or the Samiti, or any Government except as a share holder other than a Director in an incorporated Company or as a member of a Co-operative Society; or
- (o) is a paid and retained legal practitioner on behalf of a Grama Sasan; or
- (p) is a member of the Orissa Legislative Assembly or of either of the Houses of Parliament; or
- (q) is a member of the Samiti elected under clause (b) of sub-section (l) of Section 16 of the Orissa Panchayat Samiti Act, 1959; or
- (r) is disqualified by or under any law for the time being in force for purposes of an election to the Legislature of the State; or
- (s) is disqualified by or under any law made by the Legislature of the State; or
- (t) is in arrear of any dues payable by him to the Grama Panchayat; or
- (u) has more than one spouse living; or
- (v) has more than two children :

Provided that the disqualification under clause (v) shall not apply to any person who has more than two children of the date of commencement of the Orissa Grama Panchayats (Amendment) Act, 1994 or, as the case may be, within a period of one year of such commencement unless he begets an additional child after the said period of one year; and

(2) A Sarpanch or any other member of a Grama Panchayat shall be disqualified to continue and shall cease to be a member, if he—

- (a) incurs any of the disqualifications specified in clauses (a) to (j), clauses (m) to (p) and clauses (r) to (v) of sub-section (1); or

- (b) has failed to attend three consecutive meetings held during a period of four months commencing with effect from the date of the last meeting which he has failed to attend; or
- (c) being a legal practitioner appears to act as such against the Grama Sasan; or
- (d) being a member of a Co-operative Society has failed to pay any arrears of any kind accrued due by him to such Society within six months after a notice in this behalf has been served upon him by the Society.

(3) Without prejudice to the provisions of the foregoing sub-sections, the Sarpanch of a Grama Panchayat shall be disqualified to continue and cease to be the Sarpanch, if fails to attend three consecutive ordinary meetings of the Samiti, of which he is a member, without the previous permission in writing of the said Samiti.

(4) Notwithstanding anything contained in the foregoing sub-sections—

- (a) the State Government may remove anyone or more of the disqualifications specified in clauses (f), (g), (k) and (l) of sub-section (1);
- (b) when a person ceases to be a Sarpanch or Naib-Sarpanch or any other member in pursuance of clause (g) of sub-section (1), he shall be restored to office for such portion of the term of office as may remain unexpired on the date of such restoration, if the sentence is reversed or quashed an appeal or revision or the offence is pardoned or the disqualification is removed by an order of the State Government, and any person filling the vacancy in the interim period shall on such restoration vacate the office.

Procedure for giving affect to disqualification.

26. (1) Whenever it is alleged that any Sarpanch or Naib-Sarpanch or any other member is or has become disqualified or whenever any such person is himself in doubt whether or not he is or has become so disqualified such person or any other member may, and the Sarpanch at the request of the Grama Panchayat, shall apply to the Collector for a decision on the allegation or doubt.

(2) The Collector may *suo motu* or on receipt of an application under sub-section (1), make such enquiry as he considers necessary and after giving the person whose disqualification is in question an opportunity of being heard, determine whether or not such person is or has become disqualified and make an order in that behalf which shall be final and conclusive.

(3) Where the Collector decides that the Sarpanch, Naib-Sarpanch or any other member is or has become disqualified, such decision shall be forthwith published by him on his noticeboard and with effect from the date of such publication the Sarpanch, Naib-Sarpanch or such other member, as the case may be, shall be deemed to have vacated office, and till the date of such publication, he shall be entitled to act, as if he was not disqualified.

CHAPTER V

CONDUCT OF ELECTIONS AND ELECTION DISPUTES

Manner of holding elections.

27. (1) Subject to the provisions in Section 9, the election of a member, Sarpanch and Naib-Sarpanch of a Grama Panchayat shall be held and conducted in the prescribed manner.

(2) Without prejudice to the provisions of sub-section (1), the State Government may make rules to provide for or regulate all or any of the following matters for the purpose of holding elections under this Act, namely :—

- (a) the manner of splitting up of Electoral Rolls for the Assembly Constituencies into parts for the purpose of constituting one or more of such parts into the Electoral Roll for a Grama, Palli Sabha and Ward, the manner of revision of such roll from time to time and the officer or authority by whom such splitting up or revision is to be carried out;
- (b) the appointment of Election Officers, Presiding Officers and such other Officers with such designations as the State Government may deem fit for the conduct of elections;
- (c) the nomination of candidates, form of nomination papers, objections to nominations and scrutiny of nominations;
- (d) withdrawal of candidatures;
- (e) the date, time and place of poll including—
 - (i) appointment of polling stations for each ward;
 - (ii) hours during which the polling station shall be kept open for casting votes;
 - (iii) preparation and issue of ballot papers;
 - (iv) the checking of voters by reference to the Electoral Roll;
 - (v) the manner in which votes are to be given;
 - (vi) scrutiny of votes, counting of votes, the declaration of results and the procedure in case of equality of votes;
 - (vii) the custody and disposal of papers relating to election; and
- (f) any other matter relating to elections or election disputes in respect of which the State Government deem it necessary to make rules under this section or in respect of which this Act makes no provision or makes insufficient provision and provision is in the opinion of the State Government necessary.

(3) In the absence of any provision in this Act or the Rules made thereunder, the provisions of the Representation of the People Act, 1950 and the Representation of the People Act, 1951 shall *mutatis mutandis* apply for the purposes of election to Grama Panchayats in the following matters, namely :—

- (i) preparation, revision and updating of Electoral Rolls;
- (ii) appointment of Electoral Registration Officers, Presiding Officers and Polling Officers;

- (iii) qualifications and disqualification for registration as voter ;
- (iv) Such other matters which have to be, or may be required to be, dealt with for the purposes of conducting free and fair election.

(4) The Election Officers, Presiding Officers and other officers appointed or designated for the time being for the conduct of elections under this Act shall be deemed to be on deputation to the Election Commission for the period commencing on the date of the notification calling for such election and ending with the date of declaration of the results of such election and, accordingly, such officers shall, during that period, be subject to the control, superintendence and discipline of the Election Commission.

Bar against the Servant of State Government & local authorities for canvassing at elections.

28. No person who is in the service of the State Government or of any local authority shall, by canvassing on behalf of any candidate or otherwise, interfere or in any way use his influence in an election and a breach of the provisions of this section shall render the person liable to have his services terminated.

Penalty for misconduct at election.

29. (1) A person shall be guilty of an election offence if he—

- (a) fraudulently defaces or otherwise alters or tampers or destroys any nomination paper or ballot papers; or
- (b) fraudulently defaces, injures, disturbs, destroys or removes any list, notice or other documents affixed or otherwise published in accordance with the provision of this Act and the rules made thereunder; or
- (c) without the authority supplies any ballot paper to any person or receives any ballot paper from any person or is in possession of any ballot paper; or
- (d) fraudulently puts into any ballot box anything other than the ballot paper which he is authorised by law to put in; or
- (e) without due authority destroys, takes, opens or otherwise interferes with any ballot box or ballot papers then in use for the purpose of holding and conducting elections; or
- (f) obstructs or in any way interferes in the performance of the duties of any officer or servant appointed or employed for the purpose of holding and conducting elections; or
- (g) being required by the provisions of this Act and the rules made there- under to do any act or take any proceedings, neglects or refuses to do any such act or to take any such proceedings.

(2) Any person guilty of an election offence under this section shall be punishable on conviction with fine which may extend to rupees one hundred and when the offence is a continuing one with a further fine which may extend to five rupees for every day after the date of the first conviction, during which the offender is proved to be a persistent committer of the offence.

Election
Petition.

30. No election of a person as a member of a Grama Panchayat or as a Sarpanch or Naib-Sarpanch held under this Act shall be called in question except by an election petition presented in accordance with the provisions of this Chapter.

Presentation
of petitions.

31. (1) The petition shall be presented on one or more of the grounds specified in Section 30 before the Civil Judge (Junior Division) having jurisdiction over the place at which the office of the Grama Sasan is situated together with a deposit of such amount, if any, as may be prescribed in that behalf as security for costs within fifteen days after the date on which the name of the person elected is published under Section 15 :

Provided that if the office of the Civil Judge (Junior Division) is closed on the last day of the period of limitation as aforesaid, the petition may be presented on the next day on which such office is open :

Provided further that if the petitioner satisfies the Civil Judge (Junior Division) that sufficient cause existed for the failure to present the petition within the period aforesaid the Civil Judge (Junior Division) may in his discretion condone such failure.

(2) No candidate who has been elected to be a member, Sarpanch or Naib-Sarpanch of a Grama Panchayat shall be debarred from holding office as such member, Sarpanch or Naib-Sarpanch merely by reason of any election petition having been filed against him unless his election has been declared void by the Civil Judge (Junior Division).

Parties to the
petition.

32. (1) The petition may be presented by any person who has filed his nomination.

(2) A person whose election is questioned and where the petition is to the effect that any other candidate is to be declared elected in place of such person, every unsuccessful candidate who has polled more votes than such candidate shall be made opposite party to the petition.

Contents of
petition.

33. (1) An election petition—

- (a) shall contain a concise statement of the material facts on which the petitioner relies;
- (b) shall set forth full particulars of any corrupt practice, that the petitioner alleges, including as full a statement as possible of the names of the parties alleged to have committed such corrupt practice and the date and place of the Commission of each such practice; and
- (c) shall be signed by the petitioner and verified in the manner laid down in the Code of Civil Procedure, 1908 for the verification of pleadings.

(2) Any schedule or annexure to the petition shall also be signed by the petitioner and verified in the same manner as the petition.

Relief that
may be
claimed by
the Petitioner.

34. A petitioner, may, in addition to claiming a declaration that the election of all or any of the returned candidates is void claim a further declaration that he himself or any other candidate has been duly elected.

Procedure
before the
Civil Judge
(Junior
Division).

35. (1) Subject to the provisions of this Act and the Rules made thereunder every election petition shall be tried by the Civil Judge (Junior Division) as nearly as may be, in accordance with the procedure applicable under the Code of Civil Procedure, 1908 to the trial of suits.

(2) The Civil Judge (Junior Division) shall not be required to record or to have the evidence recorded in full but shall make a memorandum of the evidence sufficient in his opinion for the purpose of deciding the case.

(3) The Civil Judge (Junior Division) shall for the purpose of deciding any issue receive so much evidence, oral or documentary as he considers necessary and may require the production of any evidence.

(4) The Civil Judge (Junior Division) may, at any stage of the proceedings require the petitioner to give further security for the payment of all costs incurred or which is likely to be incurred by any opposite party and if within the time fixed by him or within such further time as he may allow such security is not furnished, he may dismiss the petition.

(5) No witness or other person shall be required to disclose the name of the persons for whom he has voted at an election.

(6) The provisions of the Indian Evidence Act, 1872, shall subject to the provisions of this Act, apply in the trial of an election petition.

(7) Notwithstanding anything in any enactment to the contrary no document shall be inadmissible in evidence on the ground that it is not duly stamped or registered.

(8) Reasonable expenses incurred by any person in attending to give evidence may be allowed to such person which shall, unless the Civil Judge (Junior Division) otherwise directs, be deemed to be part of the costs.

(9) Any order as to costs passed by the Civil Judge (Junior Division) shall be executed by him on application made in that behalf in the same manner and by the same procedure as if it were a decree for the payment of money passed by himself a suit.

Refund of security deposit.

35-A. Where on costs have been awarded, the whole of the security deposit, and in cases where any costs have been awarded, the balance, if any, of the security deposit after payment to any person towards costs may, on an application made in that behalf in writing to the Civil Judge (Junior Division) by the person by whom the deposits have been made or, if such person dies after making such deposit by the legal representative of such person, be returned to the applicant.

Appearance before the Civil Judge (Junior Division).

36. Any appearance, application or act before the Civil Judge (Junior Division) may be made or done by the party in person or by a legal practitioner duly appointed to act on his behalf :

Provided that it shall be open to the Civil Judge (Junior Division) to direct any party to appear in person, whenever he considers it necessary.

Powers of Civil Judge (Junior Division).

37. The Civil Judge (Junior Division) shall have the powers which are vested in a court under the Code of Civil Procedure, 1908 when trying a suit in respect of the following matters, namely :—

- (a) discovery and inspection;
- (b) enforcing the attendance of witness and requiring the deposit of their expenses;

- (c) compelling the production of documents ;
- (d) examining witnesses on oath ;
- (e) granting adjournments ;
- (f) reception of evidence taken on affidavit ;
- (g) issuing commissions for the examination of witness and may summon and examine *suo motu* any person whose evidence appears to him to be material ; and shall be deemed to be a Civil Court within the meaning of Sections 480 and 482 of the Code of Criminal Procedure, 1898.

Decision of
Civil Judge
(Junior
Division).

38. (1) If the Civil Judge (Junior Division) after making such enquiry, as he deems necessary, finds in respect of any person, whose election is called in question by a petition that his election was valid, he shall dismiss the petition as against such person and may award costs at his discretion.

(2) If the Civil Judge (Junior Division) finds that the election of any person was invalid, he shall either—

- (a) declare a casual vacancy to have been created ; or
- (b) declare another candidate to have been duly elected ;

Whichever course appears, in the circumstances of the case to be more appropriate and in either case, may award costs at his discretion.

(3) All orders of the Civil Judge (Junior Division) shall, subject to the provisions of sub-section (4) be final and conclusive :

Provided that the Civil Judge (Junior Division) may, on application presented within one month from the date of any of the orders made under this section by any person aggrieved, review such order on any ground and may, pending the decision in review, direct stay of operation of such order :

Provided further that no application for review under the proceeding proviso shall lie, if an appeal is preferred in accordance with the provision of sub-section (4).

(4) Any person aggrieved by an order of the Civil Judge (Junior Division) may within thirty days from the date of the order, prefer an appeal in such manner as may be prescribed before the District Judge having jurisdiction who shall after giving the parties an opportunity of being heard, confirm, reverse, alter or modify the order of the Civil Judge (Junior Division) and pending disposal of such appeal may direct stay of operation of the said order.

Grounds for
declaring
election void.

39. (1) The Civil Judge (Junior Division) shall declare the election of a returned candidate void, if he is of the opinion—

- (a) that on the date of his election the candidate was not qualified or was disqualified to be elected under the provisions of this Act or the rules made thereunder; or
- (b) that any corrupt practice has been committed by the candidate; or
- (c) that any nomination paper has been improperly rejected or accepted; or

- (d) that such person was declared to be elected by reason of the improper rejection or admission of one or more votes or for any other reason was not duly elected by a majority of lawful votes; or
- (e) that there has been any non-compliance with or breach of any of the provisions of this Act or of the rules made thereunder :

Provided that in relation to matters covered by clause (a) the Civil Judge (Junior Division) shall have due regard to the decision, if any, made under Section 26 before making a declaration under this section.

(2) The election shall not be declared void merely on the ground of any mistake in forms required thereby or of any error, irregularity or informality on the part of the officer or officers charged with carrying out the provisions of this Act or of any rules made thereunder unless such mistake, error, irregularity or informality has materially affected the result of the election.

Grounds for which a candidate other than the returned candidate may be declared to have been elected.

40. If any person who has lodged a petition, as in addition to calling in question the election of the returned candidate claimed a declaration that he himself or any other candidate has been duly elected and the Civil Judge (Junior Division) is of opinion—

- (a) that in fact the petitioner or such other candidate received a majority of the valid votes; or
- (b) that but for the votes obtained by the returned candidate by a corrupt practice the petitioner or such other candidate would have obtained a majority of the valid votes; he shall after declaring the election of the returned candidate to be void declare the petitioner or such other candidate, as the case may be, to have been duly elected.

Corrupt practices.

41. The following shall be deemed to be corrupt practices for the purposes of this Chapter, namely :—

(1) Bribery, that is to say, any gift, offer or promise by a candidate or by any other person on his behalf or any gratification to any person whomsoever—

- (i) with the object, directly or indirectly of inducing—
 - (a) a person to stand or not to stand as or to withdraw from being a candidate, or to retire from contest at such election; or
 - (b) a elector to vote or refrain from voting at such election; or
- (ii) as reward to—
 - (a) a person for standing or refraining from standing as a candidate, or for having withdrawn his candidature or for having retired from contest; or
 - (b) an elector for having voted or for refraining from voting.

Explanation—For the purpose of this clause, the term gratification includes all forms of entertainment and all forms of employment for rewards but does not include the payment of any expenses incurred *bona fide* for the purpose of such election.

(2) Undue influence, that is say, any direct or indirect interference or attempt to interfere on the part of a candidate or any other person on his behalf, with free exercise of the electoral right of any person :

Provided that—

- (a) without prejudice to the generality of the provisions of this clause any such person as is referred to therein, who –
 - (i) threatens any candidate or any elector or a person in whom a candidate or an elector is interested, with injury of any kind including social ostracism and excommunication or of expulsion from any caste or community; or
 - (ii) induces or attempts to induce a candidate or an elector to believe that he, or any person in whom he is interested will become or will be rendered an object of divine displeasure or spiritual censure shall be deemed to interfere with the free exercise of the electoral right of such candidate or elector within the meaning of this clause; and
- (b) a declaration of public Policy or, a promise of public action or the mere exercise or a legal right without intent to interfere with an electoral right shall not be deemed to be interference within the meaning of this clause.

(3) The systematic appeal by a candidate or by any other person on behalf to vote or refrain from voting on grounds of caste, race, community or religion or of the use of national symbols such as the National Flag or the National Emblem, for the furtherance of the prospects of the candidate's election.

(4) The publication by the candidate or by any other person on his behalf of any statement of fact which is false and which he either believes to be false or does not believe to be true in relation to the personal character or conduct of any candidate, or in relation to the candidature or withdrawal or retirement from contest of any candidate, being a statement reasonably calculated to prejudice the prospect of this candidate's election.

(5) The hiring or procuring whether on payment or otherwise, of any vehicle or vessel by a candidate or by any other person on his behalf for the conveyance of any elector, other than the candidate or any member of his family to or from any polling station or place fixed for the poll.

Explanation—In this clause, the expression “vehicle” means any vehicle used or capable of being used for the purpose of road transport whether propelled by mechanical power or otherwise and whether used for drawing other vehicles or otherwise.

(6) The obtaining or procuring or abetting or attempting to obtain or procure by a candidate or by any other person on his behalf of any assistance, other than the casting of a vote, for the furtherance of the prospects of the candidate's election from any person in the service of the State Government or in the employ of the local authority.

CHAPTER XI CONTROL

Suspension and removal of Sarpanch, Naib-Sarpanch and member.

115. (1) If the State Government, on the basis of a report of the Collector or the Project Director, District Rural Development Agency, or *suo motu* are of the opinion that circumstances exist to show that the Sarpanch or Naib-Sarpanch of a Grama Panchayat wilfully omits or refuses to carry out or violates the provisions of this Act or the rules or orders made thereunder or abuses the powers, rights and privileges vested in him or acts in a manner prejudicial to the interest of the inhabitants of the Grama and that the further continuance of such person in office would be detrimental to the interest of the Grama Panchayat or the inhabitants of the Grama, they may, after giving the person concerned a reasonable opportunity of showing cause, remove him from the office of Sarpanch or Naib-Sarpanch, as the case may be.

(2) The State Government may, pending initiation of the proceeding on the basis of their opinion under sub-section (1), by order, for reasons to be recorded in writing, suspend the Sarpanch or Naib-Sarpanch, as the case may be, from the office.

(3) The State Government may, at any time during the pendency of proceeding under sub-section (1), revoke the order of suspension of a Sarpanch or Naib-Sarpanch passed under sub-section (2).

(4) A Sarpanch or Naib-Sarpanch on removal from office under sub-section shall also cease to be a member of the Grama Panchayat and such person shall not be eligible for election as a member for a period not exceeding four years as the State Government may specify.

(5) The provisions of this section shall, so far as may be, apply in respect of any member of the Grama Panchayat not being a Sarpanch or Naib-Sarpanch, provided that no such member shall be liable to be placed under suspension under the said provisions.

(6) (a) Whenever the Collector is of the opinion that the Sarpanch of a Grama Panchayat has failed in convening any meeting of the Grama Panchayat within a period of three continuous months he may, after making such enquiry as he deems fit, by order, remove the Sarpanch from office and may also declare him not to be eligible for election as a member for a period not exceeding one year as he may specify in his order and on such order being made the Sarpanch shall cease to be a member of the Grama Panchayat.

(b) Nothing contained in the preceding sub-sections shall apply in respect of a default as specified above.

Dissolution and reconstitution of Grama Panchayat.

116. (1) If in the opinion of the State Government a Grama Panchayat is not competent to perform or persistently makes default in performing the duties imposed on it by law or exceeds or abuses its powers they may, by notification published in the prescribed manner, direct that the Grama Panchayat be dissolved.

(2) Before publishing a notification under sub-section (1) the State Government shall communicate to the Grama Panchayat the grounds on which to propose to take action, fix a reasonable period for the Grama Panchayat to show cause against the proposal and consider the explanations and objections, if any, of such Grama Panchayat.

(3) Upon the publication of such notification all the members of the Grama Panchayat including its Sarpanch and Naib-Sarpanch shall forthwith be deemed to have vacated their offices as such and fresh elections shall be held in the prescribed manner.

(4) During any interval between the dissolution and the reconstitution of the Grama Panchayat under this section all or any of the powers and duties of the Grama Panchayat and its Sarpanch may be exercised and discharged in such manner and to such extent as the State Government may determine by the Chairman of the Samiti.

Supersession
of Grama
Panchayat.

117. (1) If after the fresh election held under the last preceding section the Grama Panchayat continues to be incompetent to perform or abuse its powers, the State Government for all or any of the reasons specified in sub-section of Section 116 may, by notification published in the prescribed manner, supersede it for a specified period and may, in like manner by stating reasons therefore, extend such period from time to time so, however, that the total period of supersession does not exceed six months.

(2) Before publishing a notification under sub-section (1) the State Government shall follow the procedure laid down in sub-section (2) of Section 116.

(3) The supersession of a Grama Panchayat shall, if no other date or time is fixed in the said notification, take effect from the date of publication thereof and thereupon all the members of the Grama Panchayat including its Sarpanch and Naib-Sarpanch shall forthwith be deemed to have vacated their offices.

(4) Omitted

(5) The provision of sub-section (4) of Section 116 shall during the period of supersession of a Grama Panchayat and till its reconstitution apply so far as may be in regard to the exercise and discharge of all or any of the powers and duties of the Grama Panchayat and its Sarpanch.

(6) The State Government may reconstitute the Grama Panchayat before the expiry of the period notified under sub-sections (1), (4).

(7) The term of office of a Grama Panchayat reconstituted in pursuance of the provisions of Section 116 or this section, as the case may be, shall expire with the date on which the term of office of the Grama Panchayat would have expired had it not been dissolved or superseded.

Collector's power to take action on the default Grama Panchayat or its Sarpanch.

119. (1) If at anytime it appears to the Collector that a Grama Panchayat or its Sarpanch has made default in performing any duty imposed by or under this Act, or any other law for the time being in force, he may, in consultation with the Samiti, by order in writing fix a period for the performance of such duty.

(2) If such duty is not performed within the period so fixed the Collector may direct the Samiti to perform it and may also direct that the expenses of performing it shall be paid from out of the Grama Fund within such time as the Collector may fix to the Samiti.

(3) If the expenses directed under sub-section (2) are not paid within the time so fixed the Collector may make an order directing the person having the custody of the Fund to pay it in priority to any other charge, against such fund.

(4) such person shall, so far as the balance to the credit of the Grama Fund admits, be bound to comply with such order.

Power of State Government for review.

120. The State Government may, *suo motu*, at any time or on application received from any party interested within ninety days from the passing of the order review any order passed under Sections 115, 116 or 117 if it was passed under any mistake, whether of fact or of law, or in ignorance of any material fact :

Provided that the State Government shall not pass any orders prejudicial to any party unless such party has had an opportunity of making a representation.

CHAPTER XII

ESTABLISHMENT AND CONDUCT OF BUSINESS

Officers and Servant of Grama Sasan

122. (1) For every Grama Sasan there shall be a Panchayat Executive Officer to be appointed by the Collector who shall—

- (a) maintain the records of the proceedings of the meetings of Grama Panchayats;
- (b) remain in custody of all such records and documents, cash and valuable securities belonging to or vested in or under the direction, management or control of the Grama Sasan as may be prescribed; and
- (c) exercise such other powers, discharge such other duties and perform such other functions as may be prescribed.

(2) The Panchayat Executive Officers appointed under sub-section (1) shall act as such within the local area of such Grama or Gramas as may be assigned to them by the Collector.

(3) Subject to the general superintendence and overall control of the Grama Panchayat, the Panchayat Executive Officer shall function under the control and supervision of the Director, Collector and the District Panchayat Officer.

Powers,
duties and
functions of
Secretary

123. (1) Subject to such general or special order as may be made in this behalf by the State Government, a Grama Panchayat may appoint a Secretary and such other employees for the Grama Sasan as may be necessary for enabling the Grama Panchayat to perform its functions, who shall discharge such duties and perform such functions as may be prescribed.

(2) The expenditure on remuneration or allowances of the Secretary and other staff appointed, if any, under sub-section (1) shall be borne by the Grama Panchayat.

(3) Notwithstanding anything to the contrary in sub-section (1), any person appointed as a Secretary prior to the commencement of the Orissa Grama Panchayats (Amendment) Act, 2004 shall be deemed to have been appointed as such under the said sub-section and he shall continue to receive the remunerations and other financial benefits, if any, as were admissible to him prior to such commencement.”

Vacancy not
to invalidate
proceedings.

127. No act proceedings of the Grama Sasan or Palli Sabha or of the Grama Panchayat or any of the Committees shall be deemed to be invalid by reason merely of the existence of any defect in the constitution of the Grama Sasan or Palli Sabha or of the existence of any vacancy in or defect in the constitution of the Grama Panchayat or any Committee, thereof, or any vacancy in the office of the Sarpanch or Naib-Sarpanch, or by reason of any defect, error, omission or irregularity in the election or nomination of the Sarpanch, Naib-Sarpanch or any other member of such Grama Panchayat.

CHAPTER XIV MISCELLANEOUS

Members
and Servants
of Grama
Panchayat to
be public
servants.

143. All members of a Grama Panchayat or of any Committee thereof constituted under this Act and all Officers and other employees of a Grama Panchayat, every contractor or agent appointed by it for collection of any tax, toll, rates or fees and every person employed by such contractor or agent, shall be deemed to be public servants within the meaning of Section 21 of the Indian Penal Code and in the definition of “legal remuneration” in Section 161 of the said Code the word “Government” shall for the purpose of this section, be deemed to include a Grama Sasan and a Grama Panchayat.

Reconstitution
of Grama.

148. (1) Where a new Grama is constituted by the inclusion in one Grama or a part of another Grama—

- (a) the new Grama Panchayat for the new Grama shall comprise of—
- (i) the members of the Grama Panchayat of the Grama whose area is increased;
 - (ii) the Sarpanch and Naib-Sarpanch of the said Grama Panchayat who shall hold office as such in the new Grama Panchayat; and
 - (iii) the members of the Grama Panchayat of the Grama whose area is reduced, representing the area by which it is so

reduced; and the term of office of the new Grama Panchayat shall be the remainder of the term of the Grama Panchayat referred to in sub-clause (1);

- (b) the members specified in sub-clause (iii) of clause (a) shall cease to be members of the Grama Panchayat of the Grama whose area is reduced and if there is a consequential reduction in the total membership in the Grama Panchayat below the minimum required under this Act, the Collector may redelimit the wards;
- (c) upon such redelimitation being made the Sarpanch, Naib-Sarpanch and other members of the Grama Panchayat shall be deemed to have vacated their offices and the Grama Panchayat shall be reconstituted in the same manner as if it were a Grama Panchayat to be constituted for the first time; and
- (d) when a Grama Panchayat is reconstituted under clause (c) the Collector, until the date of reconstitution thereof, and the reconstituted Grama Panchayat thereafter, shall be entitled to all assets and shall be subject to all the liabilities of the Grama Panchayat as on the date of redelimitation and on the date of reconstitution, respectively.

(2) Where a new Grama is constituted by the amalgamation of two or more Gramas—

- (a) the members of the Grama Panchayats of all such Gramas together shall notwithstanding the maximum number, provided by this Act, constitute the Grama Panchayat for the new Grama and shall elect its Naib-Sarpanch; and
- (b) for the purpose of computation of the term of office, the members constituting the Grama Panchayat of the new Grama shall be governed by the provisions of Section 17 as if the Grama Panchayat were constituted for the first time :—

Provided that the persons holding office as Sarpanch of the Grama Panchayats so amalgamated shall cease to hold such office and the Sarpanch of the new Grama shall be elected in accordance with the provisions of Section 10.

(3) Where an area not within a Grama is included within a Grama, the constitutions of the Grama Panchayat shall be as the State Government may by general or special order direct.

(4) If the whole of the area within a Grama is included in a Municipality or a Notified Area, the Grama Sasan shall cease and the Grama Panchayat constituted therefor shall stand abolished.

149. (1) (a) Whenever the State Government decide upon a general re-organisation of the Gramas within the State, they may for the said purpose, by order, direct all steps to be taken in accordance with this Act and the rules made thereunder in the matter of redelimitation of Gramas, division thereof into wards and for the constitution of Grama Panchayats for such Gramas.

- (b) The redelimitation, division and constitution made in pursuance of an order under clause (a) shall not affect the constitution of the existing Grama and Grama Panchayats but shall have effect only on the date following the date of expiry of the term, or as the

Matters ancillary to abolition or reconstitution of Gramas.

case may be, extended term of office of the existing Grama Panchayats and the new Grama Panchayat shall enter office on the date earlier mentioned.

(2) The State Government may, as in their opinion their expediency of the circumstances requires, by general or special order in that behalf provide for all or any of the following matters, arising out of or in relation to the abolition or reconstitution of Gramas, namely :—

- (a) amalgamation, allocation, utilization or apportionment of assets and liabilities and procedure for enforcement of rights and obligations in relation thereto;
- (b) continuance or termination of or alterations in the conditions of service of officers and servants of such local authorities immediately before such abolition or reconstitution and the allocation of such persons to the different bodies thereafter;
- (c) reorganisation and constitution of the Committees, their functions, or term of office of the members thereof as were there prior to the abolition or reconstitution; and
- (d) any matter necessary, ancillary or incidental to such abolition or reconstitution for which this Act makes no provision or makes insufficient provision in the opinion of the State Government is necessary.

(3) The provisions of Section 148 and of this section shall have effect notwithstanding anything to the contrary in any of the other provisions of this Act or the rules made thereunder.

Power to
make rules.

150. (1) The State Government may, after previous publication, make rules not inconsistent with the provisions of this Act to carry out all or any of the purposes thereof and prescribe forms for any matter for which they consider that a form should be provided.

(2) In particular and without prejudice to the generality of the foregoing powers such rules may provide for—

- (i) regulating the duties, functions and powers of a Grama Panchayat;
- (ii) generally determining relations between Parishads, Samitis and Grama Panchayats and for the guidance of Grama Panchayats in all matters connected with the carrying out of the provisions of this Act;
- (iii) fees payable in respect of applications, including applications for appeal, review or revision that may be filed before different authorities under the provisions of this Act;
- (iv) any matter which has to be or may be prescribed under this Act.

(3) All rules made under this section shall be laid before the Legislative Assembly as soon as possible after they are made for a total period of fourteen days which may be comprised in one or more sessions and shall be subject to such modifications as the Assembly may make during the said period.

Power to
make
bye-laws.

151. (1) Subject to such rules as may be made the Grama Panchayat may with the approval of the State Government make bye-laws for carrying out any of the purposes for which it is constituted.

(2) The State Government shall have power to make rules regarding the procedure for making of bye-laws, the publication thereof and the date on which they shall come into effect.

Issue of
order and
removal of
difficulties.

152. (1) The State Government may, from time to time with a view to ensure the proper functioning of the Grama Sasans, Palli Sabhas and Grama Panchayats and the proper implementation of the provisions of this Act and the rules made thereunder, issue such administrative orders, directions and instructions as they deem fit not inconsistent with the aforesaid provisions for the guidance of the aforesaid bodies.

(2) Without prejudice to the provisions of sub-section (1), if any doubt or difficulty arises in giving effect to the provisions of this Act, the State Government may, as occasion may require, do anything which appears to them necessary for the purpose of removing the doubt or difficulty.

THE ODISHA GRAMA PANCHAYAT ELECTION RULES, 1965

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THE ODISHA GRAMA PANCHAYAT ELECTION RULES 1965*

1. Short title—These rules may be called “The Odisha Grama Panchayat Election Rules, 1965”.

2. Definitions—In these rules, unless the context otherwise requires—

- (a) “Act” means Odisha Grama Panchayat Act, 1964
- (b) “Ballot Box” means any box, bag or any other receptacle of such design and specification as the Commissioner may decide, used for receiving ballot papers in the course of polling at a polling station and be so constructed that ballot papers can be inserted through an opening without affecting the secrecy of voting but the ballot papers cannot be removed without opening, breaking or otherwise tampering the ballot box.
- (c) “Block Development Officer” means an officer appointed for the Block under Section 15 (A) of the Odisha Panchayat Samiti Act, 1959.
- (c-1) “Commissioner” means the State Election Commissioner appointed under Article 243-K of the Constitution.
- (d) “Election Officer” means unless the Commissioner otherwise directs, the Collector of the district or any other officer or person authorised by the Collector by general or special order to exercise all or any of the powers and perform all or any of the duties of the Election Officer under these rules.
- (d-1) “Electoral Registration Officer” means unless the Commissioner otherwise directs, the Collector of the district or any other officer or person authorised by the Collector in that behalf; and
- (d-2) “Forms” means a form appended to these rules
- (d-3) “List” means the list of Wards as referred to in clause (b) of sub-section (4) of Section 10.
- (e) “Local area” means the village or group of villages notified as a Grama under Section 3 of the Act.
- (f) “Polling Agent” means a person duly authorised by a contesting candidate for whom votes are polled during the election in respect of one or more polling stations or places specified for counting of votes.
- (g) “Polling Officer” means the person appointed by the Election Officer to assist him or the Presiding Officer for conducting the elections of one or more polling stations within the local area of one or more Grama Panchayats.

**As amended up to November 2001. There might be omissions and commissions : for authenticity reference must be made to the published Rules in the official Gazette.*

- (h) "Polling Stations" means the place fixed by the Election Officer for conduct of the poll in respect of Members, Sarpanch or Naib-Sarpanch of the Grama Panchayat as the case may be.
- (i) "Presiding Officer" means any person appointed by the Election Officer to preside over the conduct of Elections at one or more polling stations within the local area of one or more Grama Panchayats.
- (j) "Section" means a Section of the Act
- (k) Words and expressions used herein but not defined shall have the same meaning as assigned to them respectively in the Act.

DIVISION OF WARDS

Preparation of Electoral Rolls and Reservation of seats

3. (1) The list of Wards shall be serially numbered beginning with North–West to South–East direction.

(2) (a) Subject to the directions issued by the Governor of Odisha under paragraph 5 of the Fifth Schedule of the Constitution of India, out of the Wards left in the list for candidates other than Scheduled Caste, and the Scheduled Tribe, reservation of Wards for the members of backward class of citizens, shall begin from the Ward which appears first and continue one by one until the required quota is completed.

[(b) "In the list of the Wards reserved for the backward class of citizens under clause (a), the Ward which appears first and, thereafter, every second Ward shall be reserved for women belonging to such backward class until the required quota is completed".]

(3) The statement in Form No. 13 showing the total number of Wards in the Grama including those reserved for the members of the Scheduled Caste, the Scheduled Tribe, the Backward classes of citizens and Women and the extent of each Ward shall be published at any conspicuous place of the Grama together with a notice in Form No. 12 stating the date by which objection may be received.

(4) Seven days notice may be given for inviting objections

(5) Objections or suggestions may be filed with or sent to the Collector so as to reach him within the period specified in sub-rule (4).

3-A. (1) The procedure prescribed in Rule 3 relating to reservation of Wards for members shall *mutatis mutandis* apply in respect of reservation of offices of Sarpanches in a Block.

(2) For the purpose of sub-rule(1), notice inviting objections and suggestions shall be issued in Form No. 12 and the statement showing the offices of Sarpanches reserved for the Scheduled Caste, the Scheduled Tribe, Backward Class of citizens and Women shall be notified in Form No. 15.

[3-B. (1) On receipt of the report from the Election Officer under Rule 30 regarding failure of election for second time on the ground that no person belonging to any particular

category, for which the seat of the member of or the office of the Sarpanch has been reserved is available in the voter list of the concerned Ward or, as the case may be, of the Grama, even for nomination under sub-section (1) of Section 13, the Sub-Collector shall send his recommendation as required under sub-section (2) of the said section to the Collector for dereservation of such seat or office, as the case may be.

(2) The recommendation of the Sub-Collector shall comprise the followings, namely:—

- (i) working copy of the voter list of the Ward or, as the case may be, of the Grama;
- (ii) copy of Form No. 13 or Form No. 15 showing the reservation status of the membership or of the office of the Sarpanch, as the case may be; and
- (iii) a certificate to be signed jointly by the Election Officer and the Sub-Collector in the following Form:—

‘Certified that we have carefully verified the voter list of the Ward/Grama and found that no person belonging to the reserved category is available in the said voter list for nomination under sub-section (1) of Section 13.

We, therefore, recommended that the office of the Sarpanch/the seat of Ward Member of Ward No. _____ of _____ Grama Panchayat now reserved for _____ be dereserved under sub-section (2) of the said section.

Election Officer

Sub-Collector’

(3) The recommendation made under sub-rule (1) shall be addressed to the Collector.

(4) On receipt of the recommendation from the Sub-Collector under sub-rule (1), the Collector shall verify the voter list and after having been satisfied on the correctness of the recommendation of the Sub-Collector, shall dereserve such seat or office, as the case may be, by publishing a notification in his noticeboard.

(5) Copy of the notification published under sub-rule (4) shall forthwith be communicated to the Commissioner for filling up of the seat or office as the case may be, by fresh election and a copy of such notification shall also be forwarded to the Director, Sub-Collector, Election Officer and the concerned Grama Panchayat.

3-C. The statements in Form No. 13 and Form No. 15 referred to in Rule 3 and 3-A respectively, as finally published after consideration of the objections and suggestions invited therefore, shall be submitted to the Commissioner by such date as the Commissioner may fix which shall not, unless the Commissioner otherwise directs, be less than six weeks before the date fixed for issue of the order under Rule 13”.]

4. (1) Where the Commissioner otherwise directs under sub-section (2) of Section 9 to have a separate electoral roll for every Ward, he may by order, direct for the preparation of such electoral roll and in such case he may prescribe, in the order, the procedure thereof including the procedure of its revision, addition or alteration to be followed.

(2) So much of the electoral roll of the Assembly Constituency, for the time being in force as it relates to the Ward shall be the electoral roll in respect of the Ward and for the purpose of its preparation, final publication including revision, addition or alteration, the procedure hereinafter prescribed shall apply.

(3) Every order passed under sub-rule (1) shall be published in the Official Gazette.

5. (1) The Electoral Registration Officer shall split up or cause to be split up the electoral roll of the Assembly Constituency into separate electoral rolls for every Ward in a Grama and the electoral roll so prepared shall be the preliminary electoral roll for the Ward.

(2) The list of voters for each Ward shall be prepared in the order and in the language they occur in the electoral roll for the Assembly Constituency.

(3) The preliminary electoral roll of the Ward so prepared under sub-rule (1) shall be published by the Electoral Registration Officer at a conspicuous place at the headquarters of the Grama Sasan together with a notice in Form No. 2 at least three weeks before the date of issue of notice under Rule 24, stating the date by which objections or claims may be received and the place and date on which enquiries shall be taken up.

(4) The notice in Form No. 2 issued under sub-rule (3) shall also be affixed in the noticeboard of the office of the concerned Panchayat Samiti, Sub-Collector and Collector.

(5) A period of seven days from the date of publication of the notice under sub-rule (3) shall be allowed for filing of objections or claims, if any.

6. (1) No person shall be eligible to be registered in the electoral roll for more than one Ward in any Grama.

(2) Any person who is qualified under the provisions of the Representation of the People Act, 1950 or the Odisha Grama Panchayats Act, 1964 to be registered as a voter in any Grama, shall be eligible to be registered in the electoral roll of a Ward and the name of a person who is disqualified under the provisions of the said Acts shall be liable for removal from the electoral roll of the said Ward.

(3) Any person who claims to be entitled to be registered as an elector and whose name is not entered in or entered in an incorrect place or manner or with incorrect particulars in the preliminary electoral roll and any person whose name is on the roll and objects to the inclusion of his name or the name of any other person in the electoral roll may prefer a claim in Form No. 16 or an objection in Form No. 17 to the Electoral Registration Officer for consideration and necessary corrections.

(4) Claims or objections, if any, shall be presented either in person or be sent by post.

(5) Claims and objections received after the date specified in sub-rule (5) of Rule 5 shall not be considered.

7. (1) The Electoral Registration Officer shall sit at the place and on the date fixed under sub-rule (3) of Rule 5 and shall hold a summary inquiry of all the claims and objections.

(2) The Electoral Registration Officer may make such further inquiry as he may deem fit with regard to a claim or an objection.

(3) The Election Registration Officer may *suo motu* remove the names of persons from the Electoral Roll whom he knows or has reason to believe to be dead and may also correct such entries in the electoral roll concerning clerical mistakes.

(4) The Electoral Registration Officer shall, after considering the objections or claims, prepare the final electoral roll of the Ward in a register in Form No. 1.

8. (1) The final Electoral Roll, as published by the Electoral Registration Officer, shall be the conclusive proof of the right of every person included therein to vote.

(2) Two copies of the final electoral roll for each Ward shall, after duly authenticated by the Electoral Registration Officer, be kept in his office and two copies thereof shall be sent to the Commission.

(3) The Commissioner, on receipt of copies of the final electoral roll from the Electoral Registration Officer under sub-rule (2) shall cause to be prepared such number of copies thereof as may be required for conducting elections to the Gram Panchayats and shall supply to the Election Officer at the time of the election.

9. The final electoral rolls of all the Wards in a Grama shall together form the complete and final electoral roll of that Grama and shall be divided into parts for each polling station before the poll.

10. Omitted

11. The procedure laid down in Rules 4 to 10 shall be applicable, if a General Election is held either by efflux of time or for any other reason to even a single Grama Panchayat. Such rules shall not, however, be applicable to by-elections held to fill up casual vacancies in any office either due to death, resignation or otherwise.

12. Omitted

12-A. Omitted

13. The order under Section 12 shall be issued on such date as may be recommended by the Commissioner and immediately after it is issued, the Commissioner shall draw up & notify the programme of Election in such manner that, as far as practicable, the Election in all the Wards in the Grama including the election for the office of the Sarpanch be conducted on one and the same day and communicate the programme to all Election Officers.

14. The Election Officer shall provide a ballot box which shall have arrangements so that ballot papers can be inserted through an opening without affecting the secrecy of voting and also cannot be removed without opening, breaking or otherwise tampering with the arrangements of the receptacle.

15. Inside a polling station, there shall be an enclosure which will be used by voters for marking the ballot paper secretly.

16. The ballot boxes shall be placed in the view of the Presiding Officer

17. There shall be ballot papers in two different colours or printed in different ink one for the Election of the Sarpanch and the other for Election of the Ward Member in Form No. 6. The ballot paper for Election of the Sarpanch shall bear the following six symbols in the same order in which they are shown herein:—

1. Book (open)
2. Fish
3. Sun
4. Umbrella
5. Plough
6. Ladder

The ballot paper for the election of Ward Member shall bear the following six symbols in the same order in which they are shown herein:—

1. Bullock Cart
2. Scales
3. Pen
4. Coconut Tree
5. A child planting a sapling
6. Cycle

It shall not be necessary to show the names of the contesting candidates in the ballot papers.

The ballot papers shall be serially numbered by the Election Officer or the Presiding Officer and shall contain the seal and signature of the Presiding Officer before they are issued to the Voters.

18. The polling shall take place at the polling station during such hours as may be fixed by the Commissioner.

19. The polling station for a Ward shall be located within the area of the Ward provided that the Election Officer may, if necessary, have a single polling station for group of Wards in which case there shall be separate compartments for each Ward at the polling station.

20. (1) The marking system of voting shall be followed and for that purpose the symbols specified in Rule 17 shall be adopted.

(2) The list of duly nominated candidates shall be arranged in Odia alphabetical order and symbols shall be assigned to each of them in the corresponding order in which the symbols appear in Rule 17.

(3) In case the number of contesting candidates exceeds the number of symbols prescribed under Rule 17, the Commissioner may, by order, prescribe additional symbols to be used for the purpose :

Provided that the Commissioner shall not prescribe such symbols as are allotted to political parties by the Election Commission of India.

(4) Every order passed under sub-rule (3) shall be published in Official Gazette.

21. The ballot papers shall be marked by voters either by means of a rubber stamp or in any other suitable manner as may be decided by the Election Officer.

22. There shall be a Presiding Officer at each polling station who shall be responsible for proper conduct of polling and he shall exercise such powers of the Election Officer as may be delegated to him. There may also be Polling Officers for each polling station according to requirement to assist the Presiding Officer as may be appointed by the Election Officer.

23. Each contesting candidate shall be allowed to appoint not more than one Polling Agent to remain present at the polling station during the poll as well as counting.

FILING AND SCRUTINY OF NOMINATIONS

24. The Election Officer shall at least four weeks before the date fixed for election issue separate notices in Form No. 3 calling for names of candidate for the office of Sarpanch of each Grama Panchayat and member for each Ward of such Grama Panchayat. Such notice shall be published in every Ward.

25. The Election Officer shall arrange for supply of nomination forms at the Block concerned.

26. A nomination can be presented to the Election Officer at the appointed date, time and place specified in the notice either by candidate himself or his proposer or seconder.

26-A. On the date fixed for presentation of nomination papers, each candidate intending to stand for the election as a Ward Member or for the office of Sarpanch, as the case may be, shall deposit or cause to be deposited a sum of rupees fifty and hundred respectively other than the Scheduled Castes and Scheduled Tribes with the Election Officer. In case of candidates belonging to Scheduled Tribes and Scheduled Castes, the amount of deposit to be made with the Election Officer shall be rupees twenty-five and fifty respectively. The candidate shall be given a receipt in Form. No. 5 prescribed under the Orissa Grama Panchayat Rules, 1968 for the amount so deposited. No candidate shall be allowed to contest or deemed to be duly nominated for election to the said office unless proper receipt in support of such deposit is annexed to the nomination paper.

26-B. If a candidate by whom or on whose behalf the deposit referred to in sub-rule (A) has been made is not elected and the number of votes polled by him does not exceed one-sixth of the total number of valid votes polled, the deposit shall be forfeited and credited to the Panchayat Fund.

26-C. If the nomination in respect of a candidate by whom or on whose behalf the deposit referred to in sub-rule (A) has been made is rejected or declared invalid, or if he withdraws his candidature in the manner and within the time specified in Rule 34, or if he dies before the commencement of the poll or if he, though not elected, does not forfeit his deposit under sub-rule (B), or if he is elected the deposit shall be returned to the candidate or to the person by whom the deposit was made on his behalf or in the event of the death of the candidate to his legal heir.

26-D. Notwithstanding anything contained in this rule, a deposit made under sub-rule (A), shall not be returned unless a claim is preferred by the person who made the deposit or by his legal heir, as the case may be, to the Grama Panchayat concerned as soon as may be after the publication of the result of the election.

26-E. After the publication under Section 15 of the Act, or the names of members elected, the Election Officer shall send a list to the Grama Panchayat concerned showing separately the names of candidates to whom the deposit made by them under sub-rule (A) shall be returned and of those the deposit made shall be forfeited to the Grama Panchayat.

27. No person shall be eligible to be a candidate for election as a Ward Member unless his name finds place in the electoral roll for the Ward. No person shall also be eligible either to be a proposer or a seconder in respect of a candidate for Ward Membership unless his name also finds place in the electoral roll for the Ward.

28. No person shall be eligible to stand as a candidate for the office of Sarpanch unless his name finds place in the electoral roll of the Grama. No person shall similarly be eligible to be either the proposer or seconder of a candidate for the office of Sarpanch unless his name finds place in the electoral roll of the Grama.

29. (a) The Election Officer shall at the appointed time, date and place receive nomination papers separately for the office of Members and Sarpanch in Form No. 4 and scrutinise them in the presence of the candidates, their proposers and seconders, if any, who may be present. If he finds that the candidates are duly qualified in accordance with the provisions of Section 11 and not disqualified under any of the clauses of Section 25 of the Act, he shall approve their candidature. Objections, if any, filed in the course of scrutiny shall be enquired into summarily by the Election Officer and his decision accepting or rejecting the nomination papers shall be endorsed on the body of the nomination papers with reasons for the decision.

(b) The Election Officer shall not reject a nomination paper merely on account of some discrepancy between the age, name or other particulars of a candidate or his proposer or seconder as given in the nomination paper and in the Electoral Roll, provided that the Election Officer is otherwise satisfied that the identity of candidate is not in doubt and the question of eligibility is not involved.

30. If no nomination is filed or if all nominations are rejected for the office of Sarpanch of the Grama Panchayat or for the membership of any Ward, a notice for fresh election shall be issued as laid down in Rule 24. If there is a failure of the election so held for the second time, the Election Officer shall forthwith report the matter to the Subdivisional Officer for nomination of a person under Section 13 to fill up the vacancy. The provisions of this rule

shall be applicable for election to the office of any member of the Grama Panchayat, Sarpanch or Naib-Sarpanch.

31. If after scrutiny under Rule 29, the Election Officer finds that there is only one candidate each duly nominated for the office of Sarpanch of a Grama Panchayat and for the office of member from each Ward of a Grama Panchayat, there shall be no poll and the Election Officer shall immediately declare the person so nominated to have been duly elected.

32. (1) The Election Officer shall, immediately after the scrutiny, prepare a list of the nominated candidates in Form No. 5 and arrange the names in Odia alphabetical order.

(2) Omitted

(3) A copy of the list of the validly nominated candidates shall be published in the Noticeboard of the Grama in Form. No. 5 at least three weeks before the date fixed for election.

(4) A validly nominated candidate for any Ward or for the office of Sarpanch may withdraw candidature by presenting an application in Form No. 9 personally to the Election Officer within forty-eight hours after the list of validly nominated candidates has been published under sub-rule (3) :

Provided that the Election Officer shall verify the signature of the candidate before allowing the candidature to be withdrawn;

(5) Immediately after the withdrawal of nomination under sub-rule (4), the Election Officer shall publish the final list of contesting candidates and allot symbols to each of them in Form No. 5 at least two weeks before the date of Poll.

(6) If there were only two contesting candidates including the person withdrawing his candidature under sub-rule (4), the other candidates shall be declared duly elected uncontested.

(7) The Election Officer shall proceed with election if, upon withdrawal of candidature under sub-rule (4), the number of validly nominated candidates exceeds one.

33. (a) If a validly nominated candidate who has not withdrawn his candidature under sub-rule (4) of Rule 32 dies and a report of his death is received by the Election Officer before publication of the final list of contesting candidates; or

(b) A candidate dies after the publication of the final list of contesting candidates under sub-rule (4) of Rule 32 and before the commencement of poll, the Election Officer shall, upon being satisfied of the fact of the death of the candidate, countermand the poll and report the fact to the Commissioner.

34. If at an election, a candidate dies at any time on or after the date of the poll but before publication of the result under Section 15, there shall be no countermanding and the result shall be declared as if the candidate has not died.

35. In case upon declaration of result of the election, the deceased candidate as referred to in Rule 34 is declared to have been duly elected, the Election Officer shall forthwith issue a notification to the effect that casual vacancy has occurred and the provisions of these rules for conducting by-election to fill up the casual vacancy shall be applicable in such cases.

CONDUCT OF POLLING

36. After the procedure for acceptance of nominations is completed, the Election Officer shall supply to the Presiding Officer appointed for each polling station the following papers :—

- (a) A list of validly nominated candidates in Form No. 5 separately for offices of Sarpanch and Ward Members concerned.
- (b) A working copy of the electoral roll for the Ward for use of the Presiding Officer.
- (c) Another copy of the electoral roll of the Ward to be exhibited at the polling station.
- (d) Required number of ballot papers for the office of Sarpanch and also Ward Members in Form No. 6.
- (e) Form No. 7 for ballot paper account

37. It shall be the responsibility of the Presiding Officer to proceed to the polling station well in advance of the time fixed for the poll and make the required arrangement so as to ensure that polling commences exactly at the time notified.

38. Shortly before the commencement of the poll, a copy of the list of contesting candidates for each office arranged in alphabetical order together with a description of the symbol assigned to each shall be exhibited prominently at the polling station. A copy of the electoral roll, a notice specifying the polling station area and the date and time of poll shall also be exhibited.

39. The Presiding Officer shall examine the authority of the polling agents authorised by the candidates and decide the admissibility according to rules. He may also fix up one or two local persons who may be of assistance in identifying voters.

40. Immediately before the commencement of the poll, the Presiding Officer shall demonstrate to the candidates and the voters present that the ballot box is empty and is either locked up or so secured by any device that ballot papers can be inserted therein but cannot be withdrawn except by breaking or otherwise tampering with the box.

41. (a) Polling shall then commence at the appointed hour

- (b) As each voter approaches the Presiding Officer, he shall check up the eligibility with reference to the working copy of the electoral roll and issue a ballot paper to the voter for the office of Sarpanch after putting an indelible ink mark on his left forefinger. The Presiding Officer shall clearly explain to each voter the procedure to be followed in putting his mark. The voter shall then proceed along with the ballot paper to the enclosure and affix a cross mark secretly

against the candidate whom he wishes to vote either with the stamp provided for the purpose or by any other method as may be decided by the Presiding Officer. After affixing the mark, the voter should fold the ballot paper on the inner side so as to maintain secrecy of the vote and then will insert the folded ballot paper into the box specified for the purpose.

(c) The Presiding Officer shall then issue another ballot paper for the office of Ward Member (At the time of issuing such ballot paper, the voter shall on being asked allow his left forefinger to be marked with indelible ink, if no such marking is already made as per the foregoing sub-rule). The voter shall then proceed along with ballot paper to the enclosure and affix a mark secretly against the candidate whom he wishes to vote either with the stamp provided for the purpose or by any other method as may be decided by the Presiding Officer. After affixing the mark, the voter should fold the ballot paper on the inner side so as to maintain secrecy of the vote and then will insert the folded ballot paper into the box specified for the purpose.

(d) Any reference in this rule to the left forefinger of a voter shall, in the case where the voter has his left forefinger missing, be construed as a reference to any other finger of his left hand and shall in the case where all the fingers of his left hand are missing, be construed as a reference to the forefinger or, as the case may be, any other finger of his right hand and shall in the case where all his fingers of both the hands are missing, be construed as a reference to such extremity of his left or right arm as he possesses.

42. In case of a voter who is physically incapacitated or is blind the Presiding Officer shall, at the request of such voter, allow him to take a companion to the place set apart for voting.

43. After the issue of the ballot papers, the Presiding Officer shall tick-mark the name of the voter in the working copy of the electoral roll.

44. (1) Any contesting candidate or his authorised polling agent may object to the identity of a voter on the only ground that he is not the person he claims to be as per entry in the electoral roll. For every objection a fee of Rs. 2 shall be deposited with the Presiding Officer. The Presiding Officer shall decide the objection summarily and the decision shall be final. If the objection is rejected the deposit shall be forfeited. If on the other hand, the objection is allowed, the deposit shall be refunded to the person who deposited the amount.

(2) In case of forfeiture of deposit under sub-rule (1), a receipt in Form No. 5 prescribed under the Orissa Grama Panchayat Rules, 1968 shall be issued to the person who has made the deposit.

45. A Presiding Officer shall so regulate the entry of voters that polling proceeds in an orderly manner. All registered voters who appear between the hours fixed for the poll within the polling station shall be allowed to vote. No voter shall be admitted inside the polling station after the time fixed for the poll is over.

46. When a Presiding Officer is unable to remain at the polling station for reasons beyond his control, he will authorise one of the Polling Officers, if so appointed, to act as the Presiding Officer. In the absence of any such Polling Officer, the Presiding Officer may select any person not interested in any of the contesting candidates to function as the Presiding Officer in the aforesaid circumstances.

46-A. (1) Notwithstanding anything contained in these rules, the giving and recording of votes by voting machines may be adopted in such of the elections to the office of Sarpanch or Members of Grama Panchayat or both, as the Election Commission having regard to the circumstances of each case, may specify.

Explanation—For the purpose of these rules “voting machine” means any machine or apparatus whether operated electronically or otherwise use for giving or recording of votes or both and any reference to ballot box or ballot paper in these rules shall be construed as and including a reference to such voting machine used at an election under these rules.

(2) Every voting machine shall have a control unit and a balloting unit and shall be of such design as may be approved by the Election Commission.

46-B. (1) The balloting unit of the voting machine shall contain such particulars and in such language or languages as the Election Commission may specify.

(2) Subject to the foregoing provisions of this rule, the Election Officer shall—

- (i) fix the label containing symbol of the contesting candidates in the balloting unit and secure that unit with his seal and seals of the contesting candidates or their polling agents present who are desirous of affixing the same; and
- (ii) set the number of contesting candidates, and close the candidates section in the control unit and secure it with his seal and seals of such of the contesting candidates or their polling agents present who are desirous of affixing the same.

46-C. (1) The control and balloting units of every voting machine used at a polling station shall bear a label marked with—

- (i) the number of the Ward, name of the Grama Panchayat;
- (ii) the serial number and name of the polling station or stations;
- (iii) the serial number of the unit; and
- (iv) the date of poll.

(2) Immediately before the commencement of the poll, the Presiding Officer shall demonstrate to the candidate/polling agents/ voters and other persons present that no vote has been already recorded in the voting machine and bears the label referred to in sub-rule (1).

(3) A paper seal shall be used for securing the control unit of the voting machine and the Presiding Officer shall affix his own signature on the paper seal and obtain thereon the

signature of such of the candidate or their polling agents present who are desirous of affixing the same.

(4) The Presiding Officer shall thereafter fix the paper seal so signed in the space meant for the purpose in the control unit of the voting machine and shall secure and seal the same.

(5) The seal used for securing the control unit shall be fixed in such manner that after the unit has been sealed it is not possible to press the result button without breaking the seal.

(6) The control unit shall be closed and secured and placed in full view of the Presiding Officer and the candidate/candidates/ polling agents but the balloting unit shall be placed in the voting compartment.

46-D. (1) As each voter approaches the Presiding Officer, he shall check-up the eligibility with reference to the working copy of the Electoral Roll and after being satisfied shall send him to the Polling Officer who shall put an indelible ink mark on the voter's left forefinger.

(2) Any reference to the left forefinger in sub-rule (1) shall mean the left forefinger as prescribed in clause (d) of Rule 41.

46-E. (1) Before permitting an elector to vote, the Presiding Officer shall—

- (i) record the electoral roll number of the elector as entered in the working copy of the electoral roll in a register of voters in Form No. 7-A;
- (ii) obtain the signature or the thumb impression of the elector in the said register of voters; and
- (iii) tick-mark the name of the elector in the working copy of the electoral roll to indicate that he has been allowed to vote :

Provided that no elector shall be allowed to vote unless he puts his signature or thumb impression on the register of voters.

(2) It shall be necessary for any Polling Officer to attest the thumb impression of the elector in the register of voters.

(3) The elector shall be allowed to vote for the office of the Sarpanch first and thereafter for the office of the Ward Member.

46-F. (1) Immediately on being permitted to vote, the elector shall proceed to the Polling Officer Incharge of the control unit to activate the same.

(2) The elector shall thereafter forthwith—

- (a) proceed to the voting compartment;
- (b) record his vote by pressing the button on the balloting unit against the symbol of the candidate for whom he intends to vote; and
- (c) come out of the voting compartment

(3) Every elector shall vote without undue delay

(4) No elector shall be allowed to enter the voting compartment when another elector is inside.

47. After the close of polling the Presiding Officer shall seal the Ballot box, in the presence of the candidates and their polling agents who may be present, prepare separate sealed packets of all papers and reports and forward the same to the Election Officer, after which the Election Officer shall proceed to take up counting of votes on the schedule date in the presence of the candidates and their polling agents if any, who may be present at the counting centre.

He shall first take up counting of the votes in the ballot box relating to the membership of the Ward. Each ballot paper shall be carefully scrutinized by the Presiding Officer in the course of counting and a ballot paper shall be liable to rejection on one or more of the following grounds, namely :—

- (a) if it bears any mark or writing by which the voter can be identified,
- (b) if no vote is recorded thereon,
- (c) if votes are recorded in favour of more than one candidate,
- (d) if the mark indicating the vote is placed in such a manner so as to make it doubtful as to which candidate the vote has been given,
- (e) if the ballot paper is spurious,
- (f) if it is so damaged or mutilated that its genuineness cannot be established,
- (g) if it is of a design different from the one authorised for use at the polling station,
- (h) if it does not bear the seal and signature of the Presiding Officer.

The Election Officer shall summarily decide at the time of scrutiny and in case of rejection shall so endorse under his signature on the ballot paper itself. He shall also record the reason for each ballot paper so rejected in a separate paper.

48. The result of counting the ballot papers in respect of membership of the Grama Panchayat shall be recorded in Form No. 8 and the Election Officer shall announce the votes polled by each contesting candidate.

49. The Election Officer shall next proceed to count the ballot paper relating to the office of Sarpanch of the Grama Panchayat in accordance with the aforesaid procedure.

50. The results of counting the ballot papers in the ballot box relating to office of Sarpanch shall be recorded in Form No. 8-A. The Election Officer may announce the votes polled by each contesting candidate.

50-A. Notwithstanding anything contained in Rules 47 to 50, where polling has been conducted through voting machine, the following procedure shall be followed for counting of votes :—

(1) The Presiding Officer shall, after close of the poll, proceed to take up counting of the votes polled in presence of candidates or their polling agents who may be present.

(2) He shall first take up counting of votes in respect of the voting machine relating to the membership of the Ward, prepare an account of votes recorded in Form No. 7-B and thereafter press the appropriate button marked "Result"; provided in the control unit to display the total votes polled and votes polled by each candidate on the display panel provided for in the unit.

(3) As the votes polled by each candidate are displayed on the control unit, the Election Officer shall—

- (i) record the number of votes recorded in respect of each candidate in Part II of Form No. 7-B for Ward Member;
- (ii) fill up Part II of Form No. 7-B in all respect and signed by him and also by the candidates or their election agents present; and
- (iii) make corresponding entries in the result sheet in Form No. 8 for Ward Members.

(4) The Election Officer shall announce the votes polled by each contesting candidates.

(5) (i) The Election Officer shall next proceed to count the votes polled by each contesting candidates to the office of the Sarpanch in accordance with the procedure prescribed under the preceding sub-rules.

(ii) The Election Officer shall announce the votes polled by each contesting candidate for the office of Sarpanch after recording the same in Part II of Form No. 7-B.

50-B. (1) After the result of voting is ascertained candidatewise and entered in Part II of Form No. 7-B and Form No. 8, the Election Officer shall seal the unit(s) with his seal and seals of the candidates or their election agents who may be present and desire to affix their seal thereon in order to ensure that the result of voting recorded in such unit is not obliterated and the unit retains the memory of such result.

(2) The control unit so sealed shall be kept in a box specially prepared for the purpose on which the Presiding Officer shall record the following particulars, namely :—

- (a) the name of the Ward;
- (b) the office for which poll was conducted;
- (c) particular of polling station where the control unit was put to use;
- (d) serial No. of the control unit; and
- (e) date of poll and counting.

(3) The Election Officer shall after close of counting, prepare separate bundles of all papers, reports and results of counting for the office of Sarpanch and membership of the Grama Panchayat and forward such packets duly sealed to the Election Officer along with the voting machines.

(4) The provisions of Rules 36 to 39, 42 to 46 and 51 to 57 shall apply to the voting by voting machine and any reference in those rules to ballot box or ballot paper shall be construed as and including a reference to the voting machine.

51. (1) Immediately after the close of counting and before declaration of result of elections in respect of polling for the office of Sarpanch or Ward Members, as the case may be, the Election Officer shall carefully total the votes polled by the candidates and count the ballot papers contained in the sealed packets received under rule 92-G in the presence of the candidates concerned or their polling agents, if any, who may be present and declare the result in Form No. 8-B after recording it in a separate report the total number of the votes polled by each contesting candidate. The candidates securing the largest number of votes shall be declared duly elected as the Sarpanch. In the case of an equality of votes, the result shall be decided by drawing lots and the candidate whose name is drawn first shall be declared elected.

(2) After the declaration under sub-rule (1) has been made a candidate or, in his absence, his polling agent may apply in writing to the Election Officer to recount the votes either wholly or in part stating the grounds for such recounting.

(3) On an application made under sub-rule (2) the Election Officer shall decide the matter and may allow the application in whole or in part or may reject it in *toto* if it appears to him to be frivolous or unreasonable.

(4) Every decision of the Election Officer under sub-rule (3) shall be in writing and contain the reasons therefor.

(5) If the Election Officer decides under sub-rule (3) to allow recounting of the votes either wholly or in part, he shall—

- (a) make the recounting in accordance with Rule 47;
- (b) make necessary corrections in the result sheet in Form No. 8-B to the extent necessary after such recounting; and
- (c) announce the result on the basis of corrections so made by him.

52. The Election Officer finds that majority of members including the Sarpanch have been duly returned, he shall publish the names of the Sarpanch and also the Ward Members declared duly elected to each Grama Panchayat in the Noticeboard of the Block Office as required under Section 15 of the Act. A copy of the notification shall be forwarded by the Election Officer to the Collector of the district where Election Officer is other than the Collector and also to the Grama Panchayat concerned and to Ward Member and Sarpanch elected.

53. Omitted

54. In case there is a failure of election for the second time for any seat, the Election Officer shall forthwith intimate the position to the Sub-Collector. On receipt of such intimation the Sub-Collector shall nominate a person to such seat with the least practicable delay and inform the Election Officers so that he may include the name of the nominated person in the notification under Section 15 of the Act. The Sub-Collector shall also forward a copy of the list of nominated persons to the Collector.

55. (1) When it is necessary to hold elections for the second time in any case in the course of a general election, the procedure prescribed in the forgoing rules for the conduct of elections shall apply subject to the following modifications, namely :—

- (i) it shall not be necessary either to publish the electoral roll or to invite objections.

(ii) the Election Officer shall issue notice calling for names of candidates for the office of Sarpanch or Member of Grama Panchayat as the case may be at least two weeks before the date fixed for election.

(2) When the seat of a member or the office of the Sarpanch is dereserved under sub-section (2) of Section 13, the Commissioner shall, on receipt of the communication to that effect under sub-rule (5) of Rule 3-B, from the Collector, fix up dates for conducting election to such seat or office, as the case may be, whereupon, the provisions of these rules, shall apply subject to the modifications prescribed under sub-rule (1).

56. (1) The documents relating to election proceedings received from the Presiding Officers and prepared by the Election Officer shall be retained in safe custody in the office of the Election Officer for a period of three months and shall then unless otherwise directed by a competent Court, be destroyed.

(2) The documents or records referred to in sub-rule (1) in the custody of the Election Officer shall not be opened or inspected or produced save with the prior permission of the Commissioner or of a competent Court.

57. The Collector shall consolidate the result of election of all the Grama Panchayats and prepare a list indicating the names of Sarpanches and Ward Members and shall furnish the same to the Commissioner together with copies of notifications issued by the Election Officers under Section 15.

58—72. Omitted

73. On the date fixed by the Commissioner under sub-rule (2) of rule 13, the Election Officer shall convene the special meeting of the Grama Panchayat and for the purpose, may appoint a Presiding Officer.

74. Unless the Commissioner otherwise directs, the meeting referred in rule 73 shall be held in the office of the Grama Panchayat or any other convenient place at the headquarters of the Grama Panchayat as may be decided by the Election Officer.

75. The Presiding Officer shall cause a notice in Form No. 17-A of such meeting to be given to the Sarpanch and every other member at least seven clear days before the date of such meeting. The notice shall be served personally or in default by registered post. Such notice shall also be published by fixing it in the Panchayat Office if one exists, or at any prominent place at the headquarters of the Grama Panchayat. The said notice shall state the place and date on which and hours between which the election shall be conducted.

76. Notwithstanding any other provision to the contrary contained in these rules, the following procedure shall be followed for conducting the election to the office of the Naib-Sarpanch.

- (a) All the members other than the Sarpanch shall be eligible to stand for the office of the Naib-Sarpanch.
- (b) The Presiding Officer shall proceed to conduct the election, if a majority of the member of the Grama Panchayat are present on the date and at the time fixed for the purpose.

If a majority of the members are not present, no election shall be made and a fresh notice shall be issued in accordance with the foregoing rules fixing another date. In case of failure of election for the second time, the Presiding Officer shall report the result to the Election Officer who shall thereupon move the Sub-Collector for nomination of a Naib-Sarpanch in pursuance of the provisions of Section 13. On the nomination of Naib-Sarpanch by the Sub-Collector, the Election Officer shall publish the name of the person so nominated in the noticeboard of the Block Office as required under Section 15.

- (c) If a majority of the members are present on the date fixed for the first or second meeting as the case may be, the Presiding Officer shall call upon the members to elect a Naib-Sarpanch from among themselves and allow time for one hour to receive nomination in Form No. 4.
- (d) Every nomination paper shall be signed by two members as proposer and seconder and the candidate should sign a declaration on it expressing his willingness to stand for election. Every nomination paper shall be presented by the candidate himself or his proposer or seconder to the Presiding Officer at the meeting.
- (e) After expiry of the time allotted for receiving nomination papers, the Presiding Officer shall proceed to scrutinise the nomination papers. Scrutiny shall be made only with a view to check if nomination is duly proposed and seconded and also accepted by the candidate. It shall be open to the Presiding Officer to get omissions rectified then and there. No objections on any other ground whatsoever shall be entertained in respect of nominations.
- (f) If only a single candidate is nominated, he shall be declared elected forthwith.
- (g) In case no nomination is filed within the time allowed, the Presiding Officer shall allow one more hour for filing nominations and this shall be treated as an election for the second time. If no nomination is filed on the second occasion also, the Presiding Officer shall report the result to the Election Officer who shall thereupon move the Sub-Collector for nomination of the Naib-Sarpanch.
- (h) In the event of there being a contest, the Presiding Officer shall announce the names of the contesting candidates and shall proceed to hold the poll then and there.

77. Every member present and wishing to vote shall be supplied with a ballot paper in Form No. 10 which may be either printed or in manuscript and duly authenticated by the signature of the Presiding Officer. Names of the duly nominated candidates shall be printed, typed or cyclostyled or legibly written in ink on the ballot paper in the alphabetical order. It shall not be necessary to assign symbols.

78. The voter shall then proceed to a place set apart for voting and secretly put a cross mark either with a stamp that may be supplied by the Presiding Officer or by any other means against the name of the candidate to whom he wishes to vote. He shall then fold the paper so as to conceal the vote and deposit the same in a ballot box placed in view of the Presiding Officer.

79. The procedure outlined in Rules 14 to 16, 18, 19, 40, 41 and 47 regarding the description of the ballot boxes to be provided, the exhibition of boxes before commencement of the poll, the arrangements for ensuring secrecy of ballot, the opening of boxes after the close of poll, the counting and scrutiny of ballot papers and the presence of candidates shall apply *mutatis mutandis* to the election of Naib-Sarpanch.

80. Immediately after voting is over, the Presiding Officer shall count the votes in the presence of the members, as may be present and declare the candidate securing the largest number of valid votes to have been elected. In the event of there being an equality of votes, the Presiding Officer shall draw lots. The candidate whose name is first drawn shall be declared to have been elected. The Presiding Officer shall thereupon communicate the result forthwith along with the connected election papers to the Election Officer. The election paper shall be forwarded in sealed packets and the provision of Rule 56 regarding preservation of these papers shall apply.

81. The Election Officer shall thereupon publish the name of the Naib-Sarpanch duly elected or nominated in the noticeboard of the Block Office as required under Section 15. He shall forward a copy of the notification to the Collector as also to the Grama Panchayat concerned.

82. Omitted

83. Any person elected or nominated as a Sarpanch or Naib-Sarpanch or any other Member of the Grama Panchayat shall be deemed to have entered office with effect from the date of publication of his name in the noticeboard of the Block Office in accordance with provisions of Section 15.

BY-ELECTION TO FILL UP CASUAL VACANCIES

84. When a vacancy arises in the Office of Sarpanch, Naib-Sarpanch or any other Member of a Grama Panchayat occurring otherwise than the afflux of time or supersession or dissolution, the Sarpanch or the Naib-Sarpanch, as the case may be, shall forthwith report the fact to the Sub-Collector. Any other Officer empowered by the State Government or the Collector to inspect a Grama Panchayat may also draw the attention of the Sub-Collector, to the existence of the vacancy in any of the above offices of a Grama Panchayat.

85. (1) Unless the Commissioner otherwise directs, on receipt of information under Rule 84 or on his own information about the existence of the vacancy, the Sub-Collector shall forthwith report the fact to the Commissioner who shall appoint, as soon as practicable, the date and place for holding a by-election to fill up the vacancy.

(2) Omitted.

(3) The provisions of these rules shall *mutatis mutandis* apply to such by-election :

Provided that the electoral roll utilised at the time of election to the office of the Member or the Sarpanch, as the case may be, shall be utilised and, unless the Commissioner otherwise directs, it shall not be necessary either to publish the electoral roll or to invite objections :

Provided further that the Commissioner may, if the circumstances so warrant, fix up different dates for different stages of election proceedings to fill up casual vacancies.

86-87. Omitted

ELECTION PETITIONS

88. The following amounts shall be deposited as security for costs along with an election petition filed under Chapter V of the Act :—

Election petition relating to election of Sarpanch.	..	Rs. 150.00
Election petition relating to election of Naib-Sarpanch.	..	Rs. 50.00
Election petition relating to election of a Member.	..	Rs. 40.00

PROCEDURE FOR DECLARING PERSONS TO BE IN THE HABIT OF ENCOURAGING LITIGATION IN THE GRAMA

89. (a) The Collector of a district may publish a list of persons appearing to him either on his own information or on information received from any other source that by evidence of general repute, such persons are in the habit of encouraging litigation in the Grama and may from time to time alter or amend such list.

(b) Before entering the name of any person in the list, a reasonable opportunity of showing cause should be given to the person concerned and the explanation received shall be enquired into either by the Collector or any person authorised by him not below the rank of Sub-divisional Officer. On conclusion of the enquiry, the Collector, if satisfied that the person concerned is in the habit of encouraging litigation in the Grama, shall include his name in the list which shall be duly published in the noticeboard of the Collector. Copies of the list shall be forwarded to the Election Officer of the area concerned. A list once drawn up shall remain in force until the next general election.

(c) Six months before a general election, the Collector shall take up a revision of the list and the fresh list so prepared shall be applicable for purposes of disqualification of candidates for such general election.

MISCELLANEOUS

90. Omitted.

91. Any servant of a local body or any Government servant shall not interfere or in any way use his influence in an election. A breach of this rule shall render the person liable to dismissal.

92. All canvassing or propaganda, public meetings, use of loudspeakers at any public place by any candidate within the local area of the Grama Panchayat is prohibited before thirty-six hours of commencement of the poll.

92-A. (1) Notwithstanding anything contained in these rules if at any time or in any case the proceedings at any polling station are interrupted or obstructed for any reason whatsoever and the Presiding Officer is satisfied that free and fair conduct of election has been affected thereby, he shall direct postponement of the poll and shall forthwith inform the Election Officer.

(2) On receipt of information from the Presiding Officer, under sub-rule (1), the Election Officer shall after such enquiry as he may deem fit, report the facts of the case to the Commissioner.

(3) If the Commissioner is satisfied, on the basis of the report of the Election Officer or otherwise that conduct of free and fair election has been affected, he may direct a fresh election at that polling station.

92-B. (1) If the proceedings at any polling stations or group of polling stations are interrupted or obstructed by any riot or open violence, or if it is not possible to take the poll at any polling station or if at any time or in any case it appears to the Election Officer that during the course of an election it is, or has become impracticable to go ahead with the process of election including the poll due to natural calamity or otherwise, the Election Officer may, by a reasoned order announce an adjournment of the poll to a date to be notified later and shall report the facts of the case to the Commissioner.

(2) If the Commissioner is satisfied on the report of the Election Officer or otherwise as regards to the facts stated in sub-rule (1), he shall direct poll on such date, place and hours as he may satisfy.

(3) Whenever a poll is adjourned under sub-rule (1) counting of votes relating to the Ward or of a Grama (in case of Sarpanch) of which the poll was adjourned shall not commence without the previous approval of the Commissioner.

92-C. (1) If at an Election :-

- (a) any ballot box used at a polling station or at a place fixed for the poll is unlawfully taken out of the custody of the Presiding Officer or the Polling Officer accidentally or intentionally destroyed or lost, or is damaged or tampered with to such an extent that the result of the poll at that polling station or place cannot be ascertained; or
- (b) any such error or irregularity, in procedure as is likely to vitiate the poll, is committed at a polling station or at a place fixed for the poll, the Presiding Officer shall forthwith report the matter to the Election Officer.

(2) The Election Officer, on receipt of information under sub-rule (1) and after taking prior approval of the Commissioner, shall either—

- (a) cancel the poll at that polling station, appoint a day and fix the hours for taking a fresh poll at that polling station or any other suitable place and notify the day so appointed and the hours so fixed in such manner as it may deem fit; or

- (b) if satisfied that the result of a fresh poll at that polling station or place will not, in any way, affect the result of the election or that, the error or irregularity in procedure is not material issue such directions to the Presiding Officer as he may deem proper for further conduct and completion of the election.

(3) The Provisions of these rules or orders made thereunder shall apply to every such fresh poll as they apply to the original poll.

92-D. (1) If at an Election—

- (a) booth capturing has taken place at a polling station or at a place fixed for the poll (hereafter in this rule referred to as a place) in such a manner that the result of the poll at that polling station or place cannot be ascertained; or
- (b) booth capturing takes place in any place fixed for counting of votes in such a manner that the result of the counting at that place cannot be ascertained, the Election Officer shall forthwith report the matter to the Commissioner.

(2) The Commissioner shall on the receipt of a report from the Election Officer under sub-rule (1) or otherwise and after taking all material circumstances into account, either—

- (a) declare that the poll at that polling station or place be void, appoint a day and fix the hours for taking fresh poll at that polling station or any other suitable place and notify the date so appointed and hours so fixed in such manner as it may deem fit; or
- (b) if satisfied that in view of the large number of polling stations or place involved in booth capturing the result or the election is likely to be affected, or that booth capturing had affected counting of votes in such a manner as to affect the result of the election, countermand the election in that Ward or Grama, as the case may be.

*Explanation—*For the purpose of this rule ‘booth capturing’ includes among other things all or any of the following activities, namely :—

- (a) seizure of a polling station or a place fixed for the poll by any person or persons making polling authorities surrender the ballot papers or voting materials including ballot boxes and doing of any other act which affects the orderly conduct of election;
- (b) taking possession of a polling station or a place fixed for polling by any person or persons and allowing only his or their own supporters to exercise their right to vote and to prevent others from voting;
- (c) threatening any elector and preventing him from going to the polling station or a place fixed for the poll to cast his vote;

- (d) seizure of a place fixed for counting of votes by any person or persons, making the counting authorities surrender the ballot papers or voting materials including ballot boxes and the doing of anything which affects the orderly counting of votes;
- (e) doing by any person in the service of Government, of all or any of the aforesaid activities of aiding or conniving at, any such activity in the furtherance of the prospects of election of a candidate.

92-E. (1) If at any time or in any case it appear to the Commissioner that circumstances exist to his satisfaction that conduct of free or fair election is likely to be or has been affected, the Commissioner may issue general or special order as the circumstances may require, to ensure free and fair election.

(2) Omitted.

92-F. If it appears to the Collector that in connection with an election held under these rule—

- (a) any premises are needed or are likely to be needed for the purpose of being used as a polling station or for storage of ballot boxes before or after the poll is taken; or
- (b) any vehicle, vessel or animal is needed or likely to be needed for the purpose of transport of ballot boxes to or from any polling station, or transport of members of the police force for maintaining order during the conduct of or in connection with such election or other person for performance of any duties in connection with such election; he may be order in writing requisition such premises or vehicles, vessel or animal, as the case may be, and may make such further order as may appear to him to be necessary or expedient in connection with such requisitioning :

Provided that no vehicle, vessel or animal which is being lawfully used by a candidate or his agent for any purpose connected with the election of such candidate shall be requisitioned under this sub-rule until the completion of the poll at such election.

92-G. (1) If at an election held under these rules, a Presiding Officer, Polling Officer, any Public Servant or any polling agent deployed at a polling station in connection with such election, who are otherwise entitled to vote either in the same or other polling station may apply to the Election Officer for issue of an Election Duty Certificate (hereinafter referred to as the certificate) indicating therein particulars of his duty in connection with such election.

(2) The Election Officer, on being satisfied with the particulars furnished by the applicant under sub-rule (1), may grant the certificate to the applicant allowing him to vote in a polling station, where he is on duty.

(3) A person in possession of such certificate shall deliver the same to the Presiding Officer who shall thereafter issue a ballot paper to the person concerned and such ballot paper shall be dealt with in the following manner :—

- (i) if the person concerned is on duty in the same polling station in which he is entitled to vote, the certificate shall be handed over to the Presiding Officer where upon the provisions of Rule 41 (b) shall apply for casting the vote and at the end of the poll the Presiding Officer shall send the certificate to the Election Officer in a separate sealed cover;
- (ii) in cases other than those referred to in clause (i), the Presiding Officer shall, after recording of the vote, make separate packets for each Ward putting inside it the envelope and the certificate and forward the same to the Election Officer concerned.

93. If any question arises as to the interpretation of any of the provisions of these rules the question shall be referred to the Commissioner for decision.

FORM No. 1

[See Rule 7 (4)]

Electoral Roll for the Ward No.of.....Grama Sasan,
name of village.....
Police Station.....District.....name of the Assembly
Constituency covering the Grama.....

Serial No.	House No.	Name	Father's Name/ Husband's Name	Serial No. in the Electoral Roll for the Assembly Constituency	REMARKS
1	2	3	4	5	6

ଫାରମ ନଂ. 1

[ଓଡ଼ିଶା ଗ୍ରା. ପ. ନିୟମ 7(4) ଦ୍ରଷ୍ଟବ୍ୟ]

ଜିଲ୍ଲା ବିଧାନ ସଭା ନିର୍ବାଚନ ମଣ୍ଡଳୀ

ସବ୍ଡିଭିଜନ୍ ଜିଲ୍ଲା ପରିଷଦ ନିର୍ବାଚନ ମଣ୍ଡଳୀ

ବ୍ଲକ୍/ପଞ୍ଚାୟତ ସମିତି ଗ୍ରାମ ପଞ୍ଚାୟତ

ଥାନା ଗ୍ରାମ.....

ଭୋଟ କେନ୍ଦ୍ରର ଅବସ୍ଥିତି ଷ୍ଟାଣ୍ଡ ନଂ.

କ୍ରମିକ ସଂଖ୍ୟା	ଘର ନଂ.	ନାମ-ପିତା/ସ୍ୱାମୀଙ୍କ ନାମ	ବୟସ	ବିଧାନ ସଭା ନିର୍ବାଚନ ମଣ୍ଡଳୀ ଭୋଟର ତାଲିକାରେ କ୍ରମିକ ସଂଖ୍ୟା	ମନ୍ତବ୍ୟ
1	2	3	4	5	6

(ଦସ୍ତଖତ ଓ ମୋହର)

ଇଲେକ୍ଟୋରାଲ ରେଜିଷ୍ଟ୍ରେସନ ଅଫିସର

FORM No. 2

[See Rule 5 (3)]

Notice of publication of Electoral Roll in draft to the electors of the Ward of Grama Sasan, Police Station District

Notice is hereby given that the electoral roll has been prepared in accordance with the provisions of Section 9 of the Orissa Grama Panchayats Act, 1964 and a copy thereof is available for inspection at If there be any claim for omission or incorrect writing of particulars in that roll, it would be lodged on or before

Every such claim should either be presented in my office or to if sent by registered post the address given below so as to reach me not later than the aforesaid date.

The objections that may be received will be enquired into at (place) on (date) at A.M./P.M. Persons filling objections are required to appear either in person or through authorised agent for purpose of the enquiry at the above place, date and time. No further notice will be given and the objection shall be disposed of on merit in case of failure to attend.

Date

Election Officer
Address

ଫାରମ ସଂଖ୍ୟା 2

[ନିୟମ 5 (3) ଦ୍ରଷ୍ଟବ୍ୟ]

..... ଗ୍ରାମ ଶାସନ ଅନ୍ତର୍ଗତ ଖୁର୍ଡ ନଂ. ଥାନା
..... ଜିଲ୍ଲାର ଭୋଟଦାତାମାନଙ୍କ ଚିଠା ଭୋଟର ତାଲିକା ପ୍ରକାଶନର ନୋଟିସ ।

ଏତଦ୍ୱାରା ନୋଟିସ ଦିଆଯାଇଅଛି ଯେ, ଗ୍ରାମ ପଞ୍ଚାୟତ ଅଧିନିୟମ, ୧୯୬୪ର ଧାରା ୯ର ବ୍ୟବସ୍ଥା ଅନୁଯାୟୀ ଭୋଟର ତାଲିକା ପ୍ରସ୍ତୁତ କରାଯାଇଛି ଏବଂ ତାହାର ଏକ ନକଲ ଠାରେ ଯାଞ୍ଚ ନିମନ୍ତେ ରଖାଯାଇଛି । ଯଦି ଉକ୍ତ ଭୋଟର ତାଲିକାରେ କିଛି ଛାଡ଼ି ଦିଆଯାଇଛି କିମ୍ବା ଲେଖାରେ କିଛି ଭୁଲ ଅଛି, ତେବେ ତାହା ଉପରେ କରାଯିବାକୁ ଥିବା ଦାବି ତା ପୂର୍ବରୁ ଦାଖଲ କରାଯିବା ଉଚିତ୍ ।

ପ୍ରତ୍ୟେକ ଦାବି ନିମ୍ନ ସ୍ୱାକ୍ଷରକାରୀଙ୍କ ଦସ୍ତରରେ ଦାଖଲ କରାଯିବ ଅଥବା ଯଦି ରେଜିଷ୍ଟ୍ରି ଡାକ ଯୋଗେ ପଠାଯାଏ ତେବେ ନିମ୍ନଲିଖିତ ଠିକଣାରେ ଉପରଲିଖିତ ତାରିଖ ମଧ୍ୟରେ ପହଞ୍ଚିବା ଦରକାର ।

ପ୍ରାପ୍ତ ଆପତ୍ତିର ତଦତ୍ତ (ସ୍ଥାନ) ତା ରିଖ ପୂର୍ବାହ୍ନ/ଅପରାହ୍ନ
..... ସମୟରେ କରାଯିବ । ତଦତ୍ତ ନିମନ୍ତେ ଆପତ୍ତିକାରୀ ନିଜେ ଅଥବା ତାଙ୍କର କ୍ଷମତାପ୍ରାପ୍ତ ପ୍ରତିନିଧିଙ୍କ ଜରିଆରେ ଉପରୋକ୍ତ ସ୍ଥାନ, ତାରିଖ ଏବଂ ସମୟରେ ଉପସ୍ଥିତ ରହିବେ । ଯଦି କୌଣସି କାରଣରୁ ଅନୁପସ୍ଥିତ ରୁହନ୍ତି, ପୁନର୍ବାର ନୋଟିସ୍ ଦିଆଯାଇ, ଦାବିରେ ଉଲ୍ଲିଖିତ ତଥ୍ୟ ଅନୁଯାୟୀ ଆପତ୍ତି ଫଏସଲ କରାଯିବ ।

ତା.....

ନିର୍ବାଚନ ଅଧିକାରୀ
ଠିକଣା

FORM NO. 3

[See Rule 24]

Notice calling for name of candidates for the office of Sarpanch
..... Member of Ward No. Notice is
hereby given that—

(1) An election is to be held of Grama Panchayat
for election of Sarpanch

Ward Member for Ward No.

(2) Forms of nomination papers may be obtained at the office of the officer specified
in serial No. between the hour of and
from (date) at (place).

(3) Nomination papers may be delivered between the hour of 11 in the morning and
3 in afternoon by a candidate or his proposer to the officer specified below, at
(place) the day of

(4) The nomination papers will be taken up for scrutiny at hours
..... (date) at (place).

(5) Notice of withdrawal of candidature may be delivered by a candidate, to the
officer below at his office before on

TABLE

Designation of Officer, Location of Office
--

(6) Election Officer

(7) In the event of the election being contested, the poll will take place on
..... between the hours of and

Date :

Election Officer

Place :

..... Grama Panchayat

ଫାରମ ସଂଖ୍ୟା 3
(ନିୟମ 24 ଦ୍ରଷ୍ଟବ୍ୟ)

..... ସରପଞ୍ଚ ପଦ ନିମନ୍ତେ ପ୍ରାର୍ଥୀଙ୍କ ନାମ ଲୋଡ଼ାଯାଉଥିବା ନୋଟିସ୍
ଫ୍ରେଜ୍ ସଂଖ୍ୟା ର ସଭ୍ୟ ।

ଏତଦ୍ୱାରା ନୋଟିସ୍ ଦିଆଯାଉଛି ଯେ —

- (1) ଗ୍ରାମ ପଞ୍ଚାୟତର ସରପଞ୍ଚ ପଦ ନିମନ୍ତେ ଫ୍ରେଜ୍ ସଂଖ୍ୟା
ର ଫ୍ରେଜ୍ ସଭ୍ୟ ନିମନ୍ତେ ନିର୍ବାଚନ ହେବ ।
- (2) ମନୋନୟନ ପତ୍ରର ଫାରମ କ୍ରମିକ ସଂଖ୍ୟା ଠେରେ ଉଲ୍ଲିଖିତ ଅଧିକାରୀଙ୍କ କାର୍ଯ୍ୟାଳୟରେ ଘଟିକା
ଠାରୁ ଘଟିକା ମଧ୍ୟରେ ତା ରିଖ ଠାରୁ
..... (ସ୍ଥାନ) ଠାରେ ମିଳିପାରିବ ।
- (3) ମନୋନୟନ ପତ୍ର ପୂର୍ବାହ୍ନ 11 ଘଟିକା ଠାରୁ ଅପରାହ୍ନ 3 ଘଟିକା ମଧ୍ୟରେ ନିମ୍ନଲିଖିତ ଅଧିକାରୀଙ୍କ କାର୍ଯ୍ୟାଳୟରେ
ତା ରିଖରେ ପ୍ରାର୍ଥୀ ବା ତାଙ୍କ ପ୍ରସାବକଙ୍କ ଦ୍ୱାରା ଦିଆଯାଇପାରିବ ।
- (4) ମନୋନୟନ ପତ୍ରଗୁଡ଼ିକ (ସ୍ଥାନ) ଠାରେ ତା
ରିଖରେ ଘଟିକା ବେଳେ ଯାଞ୍ଚ କରାଯିବ ।
- (5) ପ୍ରାର୍ଥୀଙ୍କ ଦ୍ୱାରା ପ୍ରାର୍ଥୀତ୍ୱ ପ୍ରତ୍ୟାହାର ନୋଟିସ୍ ତଳେ ଉଲ୍ଲିଖିତ ଅଧିକାରୀଙ୍କୁ ତାଙ୍କ କାର୍ଯ୍ୟାଳୟରେ
ତାରିଖ ମଧ୍ୟରେ ପୂର୍ବରୁ ଦିଆଯାଇପାରିବ ।

ଚେହୁଲ

ଅଧିକାରୀଙ୍କ ପଦବୀ	କାର୍ଯ୍ୟାଳୟର ଅବସ୍ଥାନ
.....

- (6) ନିର୍ବାଚନ ଅଧିକାରୀ
- (7) ନିର୍ବାଚନରେ ପ୍ରତିଯୋଗିତା ହେଲେ ଭୋଟ ଗ୍ରହଣ ଦିନ
ଘଟିକା ମଧ୍ୟରେ ଅନୁଷ୍ଠିତ ହେବ ।

ତାରିଖ ନିର୍ବାଚନ ଅଧିକାରୀ

ସ୍ଥାନ ଗ୍ରାମ ପଞ୍ଚାୟତ

FORM No. 4

[See Rule 29]

Nomination paper for election of Sarpanch/ Naib-Sarpanch and members of the Grama Panchayat

Name of the Grama Sasan Ward No.
Election to the Grama Panchayat Police station
..... District

*To be filled by the proposer

*I hereby nominate as a candidate for election
as from the Ward No. of
..... Grama Sasan.

1. Full name of Proposer
Serial No. in Electoral Roll
2. Full Name of the Seconder
Serial No. in Electoral Roll
3. Name of candidate's Father/Husband
4. Full postal address of Candidate
5. Electoral roll number of Candidate

Signature of Proposer

Signature of Seconder

Date

(To be filled by the candidate)

I, the above-nominated candidate, assent to this nomination and hereby declare that I have completed..... year of age and to the best of my knowledge and belief I am qualified and also not disqualified under the law for being chosen to fill the seat.

Date

Signature of Candidate

Further declaration to be made by a Candidate belonging to Scheduled Caste/ Scheduled Tribe/ Backward Class.

I, hereby declare that I am a member of Caste/Tribe belonging to a Scheduled Caste/Scheduled Tribe/Backward Class of the State of Orissa.

Date

Signature of Candidate

Serial No. of Nomination was delivered to me at (hours) on (date) by the candidate/proposer.

Date

Election Officer

Decision of Election Officer accepting or rejecting the nomination paper

I have examined the nomination paper in accordance with section of the Orissa Grama Panchayat Act, 1964 and decide as follows :-

Date

Election Officer

Receipt for nomination paper for scrutiny

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

Serial No. of nomination paper

The nomination paper of a candidate for election for office of Sarpanch/Ward Member of Ward No. of (Name) Grama Sasan was delivered to me at (hour) on (date) by the candidate / proposer. All nomination papers will be taken up for scrutiny at (hour) on (date) at (Place).

Date

Election Officer

ଫାରମ ସଂଖ୍ୟା 4
(ନିୟମ 29 ଦ୍ରଷ୍ଟବ୍ୟ)

ଗ୍ରାମ ପଞ୍ଚାୟତର ସରପଞ୍ଚ/ନାଏବ ସରପଞ୍ଚ ଏବଂ ସଭ୍ୟମାନଙ୍କର ନିର୍ବାଚନ ନିମନ୍ତେ ମନୋନୟନ ପତ୍ର

ଗ୍ରାମ ଶାସନର ନାମ ଝାଡ଼ି ସଂଖ୍ୟା

କେଉଁ ପଦ ପାଇଁ ନିର୍ବାଚନ ହେବ ଗ୍ରାମ ପଞ୍ଚାୟତ

..... ଥାନା ଜିଲ୍ଲା

.....

(ପ୍ରସ୍ତାବକଙ୍କ ଦ୍ଵାରା ପୂରଣ ଲାଗି)

ମୁଁ ଏତଦ୍ଵାରା କୁ ଗ୍ରାମ ଶାସନର
ଝାଡ଼ି ରୁ ଭାବେ ନିର୍ବାଚିତ ହେବା ନିମନ୍ତେ ପ୍ରାର୍ଥୀ
ରୂପେ ମନୋନୀତ କରୁଅଛି ।

1. ପ୍ରସ୍ତାବକଙ୍କ ପୂରା ନାମ ଭୋଟର ତାଲିକାରେ କ୍ରମିକ ସଂଖ୍ୟା
2. ସମର୍ଥକଙ୍କ ପୂରା ନାମ ଭୋଟର ତାଲିକାରେ କ୍ରମିକ ସଂଖ୍ୟା
3. ପ୍ରାର୍ଥୀଙ୍କ ପିତା / ସ୍ଵାମୀଙ୍କ ନାମ
4. ପ୍ରାର୍ଥୀଙ୍କ ପୂରା ଡାକ ଠିକଣା
5. ଭୋଟର ତାଲିକାରେ ପ୍ରାର୍ଥୀଙ୍କ କ୍ରମିକ ସଂଖ୍ୟା

ତାରିଖ

ପ୍ରସ୍ତାବକଙ୍କ ସ୍ଵାକ୍ଷର

ସମର୍ଥକଙ୍କ ସ୍ଵାକ୍ଷର

(ପ୍ରାର୍ଥୀଙ୍କ ଦ୍ଵାରା ପୂରଣ ଲାଗି)

ମୁଁ ଉପରେ ମନୋନୀତ ପ୍ରାର୍ଥୀ ମନୋନୟନ ପ୍ରତି ସମ୍ମତ କରୁଅଛି ଏବଂ ଏତଦ୍ଵାରା ଘୋଷଣା କରୁଅଛି ଯେ, ମୋର ବୟସ
..... ବର୍ଷ ସମ୍ପୂର୍ଣ୍ଣ ହୋଇଅଛି ଓ ମୋର ଜ୍ଞାନ ଓ ବିଶ୍ଵାସ ଅନୁଯାୟୀ ମୁଁ ପ୍ରାର୍ଥୀ ହେବାପାଇଁ ଯୋଗ୍ୟ ଏବଂ
ଯଦି ଆସନ ପୂରଣ ନିମନ୍ତେ ପସନ୍ଦ କରାଯାଏ ତେବେ ମୁଁ ଆଇନତଃ ଅଯୋଗ୍ୟ ନୁହେଁ ।

ତାରିଖ

ପ୍ରାର୍ଥୀଙ୍କ ସ୍ଵାକ୍ଷର

(ପ୍ରାର୍ଥୀଙ୍କ ଦ୍ଵାରା ଘୋଷଣା)

ମୁଁ ଏତଦ୍ଵାରା ଘୋଷଣା କରୁଅଛି ଯେ ମୁଁ ଜାତି/ଜନଜାତିର ସଭ୍ୟ ଅଟେ, ଯାହା ଓଡ଼ିଶା ରାଜ୍ୟର ଏକ ଅନୁସୂଚିତ ଜାତି/ଜନଜାତି/ପଛୁଆବର୍ଗ ଅଟେ ।

ତାରିଖ ପ୍ରାର୍ଥୀଙ୍କ ସ୍ଵାକ୍ଷର

ମନୋନୟନ ପତ୍ର କ୍ରମିକ ସଂଖ୍ୟା ମୋତେ ମୋର (କାର୍ଯ୍ୟାଳୟ) ଠାରେ ତାରିଖରେ ସମୟରେ ପ୍ରାର୍ଥୀ/ପ୍ରସ୍ତାବକଙ୍କ ଦ୍ଵାରା ଦିଆଗଲା ।

ତାରିଖ ନିର୍ବାଚନ ଅଧିକାରୀ

ନିର୍ବାଚନ ଅଧିକାରୀଙ୍କର ମନୋନୟନ ପତ୍ର ମଞ୍ଜୁର କରିବା ବା ନାମଞ୍ଜୁର କରିବା ନିଷ୍ପତ୍ତି

ମୁଁ ଓଡ଼ିଶା ଗ୍ରାମ ପଞ୍ଚାୟତ ଅଧିନିୟମ 1964ର ଧାରା ଅନୁସାରେ ଏହି ମନୋନୟନ ପତ୍ରଟିକୁ ପରୀକ୍ଷା କରି ଦେଖୁଅଛି ଏବଂ ନିମ୍ନମତେ ନିଷ୍ପତ୍ତି କରୁଅଛି :—

ତାରିଖ ନିର୍ବାଚନ ଅଧିକାରୀ

ଯାଞ୍ଚ ନିମନ୍ତେ ପ୍ରାପ୍ତ ମନୋନୟନ ପତ୍ର ଲାଗି ରସିଦ୍
(ମନୋନୟନ ପତ୍ର ଦାଖଲ କରୁଥିବା ବ୍ୟକ୍ତିଙ୍କୁ ଦିଆଯିବ)

ମନୋନୟନ ପତ୍ରର କ୍ରମିକ ସଂଖ୍ୟା
..... ଗ୍ରାମ ଶାସନର ସରପଞ୍ଚ/ଓ୍ଵାର୍ଡ ସଂଖ୍ୟା.....
ଓ୍ଵାର୍ଡ ସଭ୍ୟ ପଦ ଲାଗି ନିର୍ବାଚନ ନିମନ୍ତେ ପ୍ରାର୍ଥୀ କର ମନୋନୟନ ପତ୍ରଟି ପ୍ରାର୍ଥୀ/
ପ୍ରସ୍ତାବକଙ୍କ ଦ୍ଵାରା (ତାରିଖ) ଦିନ (ସମୟ) ବେଳେ ମୋତେ
ମୋର କାର୍ଯ୍ୟାଳୟଠାରେ ଦିଆଗଲା । ସବୁ ମନୋନୟନ ପତ୍ରଗୁଡ଼ିକ (ଛାନ) ଠାରେ
..... (ତାରିଖ) ଦିନ (ସମୟ) ବେଳେ ଯାଞ୍ଚ କରାଯିବ ।

ତାରିଖ ନିର୍ବାଚନ ଅଧିକାରୀ

FORM No. 5

(See Rule 32)

LIST OF VALIDLY NOMINATED CANDIDATES

(To be arranged in alphabetical order)

Election to the *Grama
Panchayat Police Station District.

Sl. No.	Name of candidate For the office of Member / Sarpanch	Name of Father/ Husband	Address of Candidate	Symbol assigned in accordance with Rules 17 and 20
1	2	3	4	5

* Here insert Name of Grama Sasan

** Insert the number of the Ward

Notice is hereby given that polling will take place on between the hours of to at (place) and counting will take place on between the hours of to at (place).

In the case of election for Office of Sarpanch the reports of Presiding Officers of all Polling Stations of the Grama Panchayat will be scrutinised on between the hours of to at (place) and final results declared.

Election Officer

Date :

Place :

ଫାରମ ସଂଖ୍ୟା 5

(ନିୟମ 32 ଦ୍ରଷ୍ଟବ୍ୟ)

ବିଧିବଦ୍ଧ ମନୋନୀତ ପ୍ରାର୍ଥୀମାନଙ୍କର ତାଲିକା

(ବର୍ଷମାଳା କ୍ରମରେ ସଜ୍ଜିତ ହେବ)

ଜିଲ୍ଲା ଥାନା ଗ୍ରାମ ପଞ୍ଚାୟତ କୁ ନିର୍ବାଚନ

କ୍ରମିକ ସଂଖ୍ୟା	ସଭ୍ୟ/ସରପଞ୍ଚ ପଦପାଇଁ ପ୍ରାର୍ଥୀଙ୍କର ନାମ	ପିତା/ପତିଙ୍କର ନାମ	ପ୍ରାର୍ଥୀଙ୍କ ଠିକଣା	ନିୟମ 17 ଏବଂ 20 ଅନୁସାରେ ଦିଆଯିବା ସଂକେତ
1	2	3	4	5

ଗ୍ରାମ ଶାସନର ନାମ -

ଓ୍ଵାର୍ଡ ସଂଖ୍ୟା -

ଏତଦ୍ୱାରା ନୋଟିସ୍ ଦିଆଯାଉଅଛି ଯେ, ଭୋଟ ଗ୍ରହଣ ଦିନ (ସ୍ଥାନ) ଠାରେ ଠାରୁ ଘଟିକା ମଧ୍ୟରେ ହେବ ଏବଂ ଗଣତି କାର୍ଯ୍ୟ ଦିନ (ସ୍ଥାନ) ଠାରେ ଠାରୁ ଘଟିକା ମଧ୍ୟରେ ହେବ ।

ସରପଞ୍ଚ ପଦପାଇଁ ନିର୍ବାଚନସ୍ଥଳେ ଗ୍ରାମ ପଞ୍ଚାୟତର ସବୁ ଭୋଟ କେନ୍ଦ୍ରର ପ୍ରିଜାକ୍ତି ଅଧିକାରୀମାନଙ୍କର ରିପୋର୍ଟଗୁଡ଼ିକୁ ଦିନ (ସ୍ଥାନ) ଠାରେ ଠାରୁ ଘଟିକା ମଧ୍ୟରେ ଯାଂଚ କରାଯିବ ଏବଂ ତୁତାନ୍ତ ଫଳ ଘୋଷଣା କରାଯିବ ।

ସ୍ଥାନ

ତାରିଖ

ନିର୍ବାଚନ ଅଧିକାରୀ

FORM No. 7-A
REGISTER OF VOTERS

(See Rule 46-E)

Election to the office of Grama Panchayat/Ward Member
from Ward No.

Sl. No.	Sl. No. of elector in the electoral roll	Signature/Thumb impression of electoral	REMARKS
1			
2			
3			
4			
Etc.			

FORM No. 7-B

PART - I

ACCOUNT OF VOTES RECORDED

(See Rule 50-A)

Election to the Grama Panchayat / Ward Member from ward
No. Identification No. of Voting Control Unit
Machine used at the Polling Station balloting Unit.

1. Total No. of electors assigned to the Polling Station
2. Total No. of voters as entered in the Register for Voters (Form 7A)
3. Total No. of votes recorded as per voting machine.
4. Whether the total No. of votes as shown against item 3-tallies with the total No. of votes as shown against item 2 or any discrepancy noticed.

5. Account of papers seals

Sl. Nos.

From To Signature of Presiding Officer

1. Serial Numbers of papers seal supplied From To.....
2. Total numbers supplied
3. Number of paper seals used
4. Number of unused paper seal returned
To Election Officer (Deduct item 3 from item 2).
5. Serial number of damaged paper seal if any.

Date :

Signature of Presiding Officer

Place :

Polling Station No.

FORM No. 7-B
PART - II
RESULT OF COUNTING
(See Rule 50-A)

Sl. No.	Name of Candidate	No. of votes recorded
1		
2		
3		
4		
Etc.		
<hr/>		
Total		

Whether the total nos. of votes shown above tallies with the total No. of votes shown against item 3 of Part 1 or any discrepancy noticed between the two totals.

Date : Signature of Election Officer

Place :

Name of Candidate/Polling Agent/Counting agent. Full Signature

1.

2.

3.

4.

Etc.

Date : Signature of Election Officer

Place :

FORM No. 8
[See Rules 48 & 51(1)]
Result of Counting of Votes

Name of the Grama Sasan Police Station

Ward No.

District

Name of the candidate	Number of valid votes cast
1.	
2.	
3.	
Rejected ballot papers	
Total number of ballot papers found in the ballot box for total number of votes recorded as per voting machine	

Date : Signature of Election Officer

Shri/Ku./Smt.

Son/daughter/wife of

has been duly declared to have been elected as member

of Ward No of Grama Sasan.

Date : Signature of Election Officer

ଫାରମ ସଂଖ୍ୟା-8

[ନିୟମ 48, 51 (1) ଦ୍ରଷ୍ଟବ୍ୟ]

ଭୋଟ ଗଣତିର ଫଳ

ଗ୍ରାମ ଶାସନର ନାମ ଥାନା

ଓଡ଼ିଆ ସଂଖ୍ୟା

ଜିଲ୍ଲା

ପ୍ରାର୍ଥୀଙ୍କ ନାମ	ମିଳିଥିବା ବିଧିବଦ୍ଧ ଭୋଟ ସଂଖ୍ୟା
1.	
2.	
3.	
4.	
5.	
6.	
7.	
ଅଗ୍ରାହ୍ୟ ହୋଇଥିବା ଭୋଟ କାରଜ.....	
ଭୋଟ ବାକ୍ସରୁ ମିଳିଥିବା ଭୋଟ କାରଜର ମୋଟ ସଂଖ୍ୟା କିମ୍ବା ଭୋଟିଂ ମେସିନ୍‌ରେ ଲିପିବଦ୍ଧ ହୋଇଥିବା ମୋଟ ଭୋଟ	

ତାରିଖ

ନିର୍ବାଚନ ଅଧିକାରୀଙ୍କ ସ୍ୱାକ୍ଷର

ଶ୍ରୀ/ଶ୍ରୀମତୀ

ପିତା/ପତି

ଗ୍ରାମ ଶାସନ ର ଓଡ଼ିଆ ସଂଖ୍ୟା ରୁ

..... ଭାବେ ନିର୍ବାଚିତ ବୋଲି ଘୋଷଣା କରାଯାଉଛି ।

ତାରିଖ

ନିର୍ବାଚନ ଅଧିକାରୀଙ୍କ ସ୍ୱାକ୍ଷର

FORM No. 8-A

(See Rule 50)

Result of counting of Votes

Name of the Grama Sasan

Ward No.

District

Name of the candidate	Number of valid votes polled
1.	
2.	
3.	

Rejected ballot papers

Total number of ballot papers found in the ballot box or total number of votes recorded as per voting machine

Date :

Signature of Election Officer

ଫାରମ ସଂଖ୍ୟା 8-କ

(ନିୟମ 50 ଦ୍ରଷ୍ଟବ୍ୟ)

ଭୋଟ ଗଣତିର ଫଳ

ଗ୍ରାମ ଶାସନର ନାମ

ଓଡ଼ିଆ ସଂଖ୍ୟା

ଝିଲ୍ଲା

ପ୍ରାର୍ଥୀଙ୍କ ନାମ	ମିଳିଥିବା ବିଧିବଦ୍ଧ ଭୋଟ ସଂଖ୍ୟା
1.	
2.	
3.	

ଅଗ୍ରାହ୍ୟ ହୋଇଥିବା ଭୋଟ କାଗଜ

ଭୋଟ ବାନ୍ଧୁରୁ ମିଳିଥିବା ଭୋଟ କାଗଜର ମୋଟ ସଂଖ୍ୟା କିମ୍ବା ଭୋଟିଂ ମେସିନ୍‌ରେ ଲିପିବଦ୍ଧ ହୋଇଥିବା ମୋଟ ଭୋଟ ସଂଖ୍ୟା

ତାରିଖ

ନିର୍ବାଚନ ଅଧିକାରୀଙ୍କ ସ୍ୱାକ୍ଷର

FORM No. 8-B

(See Rule 51)

Result of counting of Votes

Name of the Grama Sasan

Name of the Panchayat Samiti

District

Name of the candidate	Number of valid votes polled
1.	
2.	
3.	
4.	
5.	
Rejected ballot papers	
Total number of ballot papers found in the ballot box or total number of votes recorded as per voting machine	

Shri / Ku./ Smt. son/ daughter/ wife of has been duly declared to have been elected as Sarpanch of Grama Panchayat.

Date :

Signature of Election Officer

ଫାରମ ସଂଖ୍ୟା ୫-ଖ

(ନିୟମ ୫୧ ଦ୍ରଷ୍ଟବ୍ୟ)

ଭୋଟ ଗଣତିର ଫଳ

ଗ୍ରାମ ଶାସନର ନାମ

ପଞ୍ଚାୟତ ସମିତିର ନାମ

ଜିଲ୍ଲା

ପ୍ରାର୍ଥୀଙ୍କ ନାମ	ମିଳିଥିବା ବୈଧ ଭୋଟ ସଂଖ୍ୟା
1.	
2.	
3.	
4.	
5.	
ଅଗ୍ରାହ୍ୟ ହୋଇଥିବା ଭୋଟ କାଗଜ	
ଭୋଟ ବାକ୍ସରୁ ମିଳିଥିବା ଭୋଟ କାଗଜର ମୋଟ ସଂଖ୍ୟା କିମ୍ବା ଭୋଟିଂ ମେସିନ୍‌ରେ ଲିପିବଦ୍ଧ ହୋଇଥିବା ମୋଟ ଭୋଟ ସଂଖ୍ୟା	

ଶ୍ରୀ/କୁମାରୀ/ଶ୍ରୀମତୀ

ପିତା/ପତି

..... ଗ୍ରାମ ପଞ୍ଚାୟତର ସରପଞ୍ଚ ଭାବେ ନିର୍ବାଚିତ ବୋଲି ଘୋଷଣା କରାଯାଉଛି ।

ତାରିଖ

ନିର୍ବାଚନ ଅଧିକାରୀଙ୍କ ସ୍ୱାକ୍ଷର

FORM No. 9
[See Rule 32(4)]
Notice of Withdrawal

To

Election to the

The Election Officer,

I a candidate nominated at the above election do hereby give notice that I withdraw my candidature.

Date :

Place :

Signature of Candidate

This Notice was delivered to me at my office at (hours) on (date) by (name).

Date :

Election Officer

RECEIPT OF NOTICE OF WITHDRAWAL

(To be handed over to the person delivering the notice)

The notice of withdrawal of candidature by a candidate at the election to the was delivered to me by the at my office at (hour) on (date).

Election Officer

ଫାରମ ସଂଖ୍ୟା ୨

[ନିୟମ 32(4) ଦ୍ରଷ୍ଟବ୍ୟ]

ପ୍ରତ୍ୟାହାର ନୋଟିସ୍

..... ପଦ ନିମିତ୍ତ ନିର୍ବାଚନ ।

ନିର୍ବାଚନ ଅଧିକାରୀଙ୍କ ପ୍ରତି—

ମୁଁ ଉପରୋକ୍ତ ପଦ ନିମିତ୍ତ ମନୋନୀତ ପ୍ରାର୍ଥୀ,

ଏତଦ୍ଦ୍ୱାରା ନୋଟିସ୍ ଦେଉଅଛି ଯେ, ମୁଁ ମୋର ପ୍ରାର୍ଥୀତ୍ୱ ପ୍ରତ୍ୟାହାର କରୁଛି ।

ସ୍ଥାନ

ତାରିଖ

ପ୍ରାର୍ଥୀଙ୍କ ସ୍ୱାକ୍ଷର

ଏହି ନୋଟିସ୍ ମୋତେ ମୋର କାର୍ଯ୍ୟାଳୟରେ (ନାମ)

..... (ପଦ ନିମିତ୍ତ ପ୍ରାର୍ଥୀ) କ ଦ୍ୱାରା ତା

ରିଖ

ପୂର୍ବାହ୍ନ/ଅପରାହ୍ନ ସମୟରେ ଦିଆଯାଇଥିଲା ।

ତାରିଖ

ନିର୍ବାଚନ ଅଧିକାରୀ

ପ୍ରତ୍ୟାହାର ନୋଟିସ୍ ର ସିଦ୍ଧ
(ନୋଟିସ୍ ଦେଉଥିବା ବ୍ୟକ୍ତିଙ୍କୁ ଦିଆଯିବ)

..... ନାମ

ପଦପାଇଁ ନିର୍ବାଚନରେ ପ୍ରାର୍ଥୀଙ୍କ ଦ୍ୱାରା ପ୍ରାର୍ଥୀତ୍ୱ ପ୍ରତ୍ୟାହାର ନୋଟିସ୍ କି

ଦ୍ୱାରା ମୋତେ ମୋର କାର୍ଯ୍ୟାଳୟରେ ତା ରିଖ ରେ ପୂର୍ବାହ୍ନ/ଅପରାହ୍ନ

..... ସମୟରେ ଦିଆଯାଇଥିଲା ।

ନିର୍ବାଚନ ଅଧିକାରୀ

FORM No. 10

Ballot paper for election of Naib-Sarpanch (Members of Scheduled Castes/Tribes during general election of election of Naib-Sarpanch and Members during by-elections.

Sl. No.	Name of candidate with name of father / husband	Voter's stamp or mark against the name of candidate
1	2	3

FORM No. 12

(See Rules 3 & 3A)

NOTICE

Notice is hereby given that a statement showing the number and extent of wards to Grama has been divided under Section 8 of the Orissa Grama Panchayat Act, 1964 and reservation of such wards of the members of the Scheduled Castes, Schedule Tribes, Backward Class of citizens and women under Section 10 of the said Act has been prepared and a copy thereof is available for inspection at

Objections if any may be filed with or sent so as to reach the undersigned not later than.....

COLLECTOR

FORM No. 13

[See Rules 3 (3)]

Statement showing division and reservation of wards

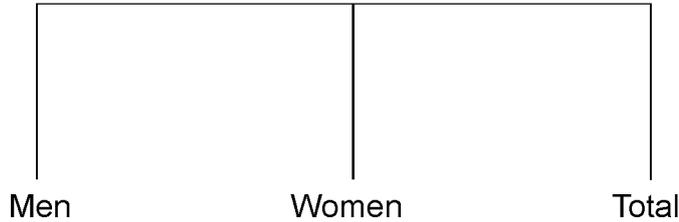
Name of the Grama Sasan

Total No. wards

Block

Wards reserved

District



- S.C.
- S.T.
- B.C.
- U.R.

Ward Number	Extent of the ward	Population				Percentage of population to the total population			Whether reserved if so, category	Remarks
		S.C.	S.T.	Un-reserved	Total	S.C.	S.T.	Un-reserved		
1	2	3	4	5	6	7	8	9	10	11

FORM No. 15

(See Rule 3-A)

Statement showing the offices of the Sarpanches in Grama Panchayats reserved for the Scheduled Castes, the Scheduled Tribes and Women.

Name of the Block District

Sl. No.	Name of the G.P.	Reserved for the Scheduled Castes/Scheduled Tribes/Women	Remarks
1	2	3	4

COLLECTOR

FORM No. 16
[See Rule 6(3)]
Claim application for inclusion of name

To

The Electoral Registration Officer,
..... Grama Panchayat

Sir,

I request that my name be included in the electoral roll for the above Grama Panchayat in Ward No.

My name in full Sex

My father's/ Mother's/ Husband's Name

Particulars of my place of residence are—

House No.

Street / Mahala

Town / Village

Post Office

Police Station / Tahasil / Taluka / Mouza

District

I hereby declare that to the best of my knowledge and belief—

- (i) I am a citizen of India;
- (ii) My age on the first day of January / April last was years and months;
- (iii) I am ordinarily resident at the address given above;
- (iv) I have not applied for the inclusion of my name in the electoral roll for any other constituency;
- (v) My name has not been included in the electoral roll for this or any other constituency;

My name may have been included in the electoral roll in State in which I was ordinarily resident earlier at the address mentioned below and if so, I request that the same may be excluded from that electoral roll.

Place:

Date :

Signature or thumb impression
of claimant

ଫାରମ ସଂଖ୍ୟା 16
 [ନିୟମ 6(3) ଦ୍ରଷ୍ଟବ୍ୟ]
ନାମ ଅନ୍ତର୍ଭୁକ୍ତ କରିବା ନିମନ୍ତେ ଦାବିପତ୍ର

ଭୋଟର ରେଜିଷ୍ଟ୍ରିକରଣ ଅଧିକାରୀ,

..... ଗ୍ରାମ ପଞ୍ଚାୟତ ।

ମହାଶୟ,

ମୁଁ ଅନୁରୋଧ କରୁଛି ଯେ, ଉପରଲିଖିତ ଗ୍ରାମ ପଞ୍ଚାୟତର ଓ୍ଵାର୍ଡ ନଂ ର ଭୋଟର ତାଲିକାରେ ମୋର ନାମ ଅନ୍ତର୍ଭୁକ୍ତ କରାଯାଉ ।

ମୋର ପୁରା ନାମ ଲିଙ୍ଗ

ମୋର ବାପାଙ୍କ/ମାଆଙ୍କ/ସ୍ଵାମୀଙ୍କ ନାମ

ମୋର ବାସସ୍ଥାନର ବିବରଣୀ :—

- ଘର ନମ୍ବର
- ଗଳି/ମହଲା
- ସହର/ଗ୍ରାମ
- ଡାକଘର
- ଥାନା/ତହସିଲ/ତାଲୁକା/ମୌଜା
- ଜିଲ୍ଲା

ମୁଁ ଏତଦ୍ଵାରା ମୋର ବିଶ୍ଵାସ ଏବଂ ଜ୍ଞାତସାରରେ ଘୋଷଣା କରୁଛି ଯେ :—

- (i) ମୁଁ ଭାରତବର୍ଷର ଜଣେ ନାଗରିକ ।
- (ii) ମୋର ବୟସ ଜାନୁଆରୀ ପହିଲା/ଶେଷ ଅପ୍ରେଲରେ ବର୍ଷ ଏବଂ ମାସ ଥିଲା ।
- (iii) ମୁଁ ସାଧାରଣତଃ ଉପରେ ଉଲ୍ଲେଖ କରାଯାଇଥିବା ଠିକଣାରେ ବାସ କରେ ।
- (iv) ଅନ୍ୟ କୌଣସି ନିର୍ବାଚନ ମଣ୍ଡଳୀର ଭୋଟର ତାଲିକାରେ ମୋର ନାମ ଅନ୍ତର୍ଭୁକ୍ତ କରିବା ନିମନ୍ତେ ମୁଁ ଆବେଦନ କରିନାହିଁ ।
- (v) ମୋର ନାମ ଏଥିରେ କିମ୍ବା ଅନ୍ୟ କୌଣସି ନିର୍ବାଚନ ମଣ୍ଡଳୀର ଭୋଟର ତାଲିକାରେ ଅନ୍ତର୍ଭୁକ୍ତ କରାଯାଇନାହିଁ ।

ମୋର ନାମ ରାଜ୍ୟର ଭୋଟର ତାଲିକାରେ ଅନ୍ତର୍ଭୁକ୍ତ ହୋଇଥାଇପାରେ, ଯେଉଁଠି ମୁଁ ପୂର୍ବେ ନିମ୍ନ ବର୍ଣ୍ଣିତ ଠିକଣାରେ ରହୁଥିଲି ଏବଂ ଯଦି ଏପରି ହୋଇଥାଏ, ମୁଁ ଅନୁରୋଧ କରୁଛି ଯେ, ତାହା ଭୋଟର ତାଲିକାରୁ ବାଦ ଦିଆଯାଉ ।

ସ୍ଥାନ
 ତାରିଖ

ଦାବି କରିଥିବା ବ୍ୟକ୍ତିଙ୍କର
 ଦସ୍ତଖତ କିମ୍ବା ବୃଦ୍ଧାଙ୍ଗୁଳି ଛାପ

ଦରଖାସ୍ତ ପାଇଁ ରସିଦ

ଶ୍ରୀ/ଶ୍ରୀମତୀ/କୁମାରୀ
 ଠିକଣା କି ଠାରୁ ଫାରମ ସଂଖ୍ୟା 16 ରେ
 ଦରଖାସ୍ତ ଗ୍ରହଣ କରାଗଲା ।

ତାରିଖ

ଭୋଟର ରେଜିଷ୍ଟ୍ରିକରଣ ଅଧିକାରୀ
 ଠିକଣା

FORM No. 17
[See Rule 6(3)]
Objection to inclusion of name

The Electoral Registration Officer,
..... (Grama Panchayat)

Sir,

I object to the inclusion of the name of
at Serial No. in Ward No. of the electoral roll
for the following reason (s) :-

.....
.....
.....

I hereby declared that the facts mentioned above are true to the best of my
knowledge and belief :

My name has been included in the electoral roll for this Constituency as follows :-

Name in full Sex

Father's / Husband's / Mother's Name

Serial No.

Ward No.

Signature/Thumb impression of objector (Full Postal Address)

Date

I am an elector included in the electoral roll in which the name objected to appear
and my name is enrolled at Serial No. in Ward No.
of the roll.

I support this objection and countersign it.

Signature of the Elector
Name (in full)

ଫାରମ ସଂଖ୍ୟା 17
[ନିୟମ 6(3) ଦ୍ରଷ୍ଟବ୍ୟ]
ଅନ୍ତର୍ଭୁକ୍ତ ନାମ ସମ୍ପର୍କରେ ଆପତ୍ତି

ଭୋଟର ରେଜିଷ୍ଟ୍ରିକରଣ ଅଧିକାରୀ,
 ଗ୍ରାମ ପଞ୍ଚାୟତ ।

ମହାଶୟ,

ମୁଁ ନିମ୍ନଲିଖିତ କାରଣ ନିମନ୍ତେ ଓଡ଼ିଆ ସଂଖ୍ୟା ର କ୍ରମିକ ସଂଖ୍ୟା ରେ
 ନାମକୁ ଅନ୍ତର୍ଭୁକ୍ତ କରାଯାଇ ଥିବାରୁ ଆପତ୍ତି କରୁଅଛି ।

ମୁଁ ଏତଦ୍ୱାରା ଘୋଷଣା କରୁଅଛି ଯେ ଉପରେ ଦର୍ଶାଯାଇଥିବା ତଥ୍ୟଗୁଡ଼ିକ ମୋର ଜ୍ଞାତ ଓ ବିଶ୍ୱାସ ଅନୁଯାୟୀ ସତ୍ୟ ଅଟେ । ଏହି ନିର୍ବାଚନ ମଣ୍ଡଳୀ ନିମନ୍ତେ ମୋର ନାମ ଭୋଟର ତାଲିକାରେ ନିମ୍ନମତେ ଅନ୍ତର୍ଭୁକ୍ତ କରାଯାଇଛି ।

ପୁରା ନାମ ଲିଙ୍ଗ

ପିତା/ସ୍ୱାମୀ/ମାତାଙ୍କ ନାମ

କ୍ରମିକ ସଂଖ୍ୟା

ଓଡ଼ିଆ ସଂଖ୍ୟା

ତାରିଖ

ଆପତ୍ତିକାରୀଙ୍କ ସ୍ୱାକ୍ଷର/
 ବୃଦ୍ଧାଙ୍କୁଳି ଛାପ
 (ପୁରା ଡାକ ଠିକଣା)

ଭୋଟର ତାଲିକାରେ ଯେଉଁ ନାମକୁ ଆପତ୍ତି କରାଯାଇଛି ମୁଁ ସେହି ଭୋଟର ତାଲିକାର ଜଣେ ଭୋଟର ଏବଂ ମୋର ନାମ ଓଡ଼ିଆ ସଂଖ୍ୟା ର କ୍ରମିକ ସଂଖ୍ୟା ରେ ଅନ୍ତର୍ଭୁକ୍ତ କରାଯାଇଛି ।

ମୁଁ ଏହି ଆପତ୍ତିକୁ ସମର୍ଥନ କରୁଅଛି ଏବଂ ପ୍ରତି ସ୍ୱାକ୍ଷର କରୁଅଛି ।

ଭୋଟରଙ୍କ ସ୍ୱାକ୍ଷର
 ପୁରା ନାମ

ଦରଖାସ୍ତ ପାଇଁ ରସିଦ

ଶ୍ରୀ/ଶ୍ରୀମତୀ/କୁମାରୀ
 ଠିକଣା କି ଠାରୁ ଫାରମ ସଂଖ୍ୟା 17 ରେ ଦରଖାସ୍ତ
 ଗ୍ରହଣ କରାଗଲା ।

ତାରିଖ

ଭୋଟର ରେଜିଷ୍ଟ୍ରିକରଣ ଅଧିକାରୀ
 ଠିକଣା

FORM No. 17-A

(See Rule 75)

NOTICE

Notice is hereby given that the first meeting of the Grama Panchayat shall be held at the place mentioned below on (Date) at (Time).

Place of meeting.

Election Officer

ଫାରମ ସଂଖ୍ୟା 17-କ

(ନିୟମ 75 ଦ୍ରଷ୍ଟବ୍ୟ)

ଏତଦ୍ଦ୍ୱାରା ନୋଟିସ୍ ଦିଆଯାଉଅଛି ଯେ ଗ୍ରାମ ପଞ୍ଚାୟତର ପ୍ରଥମ ବୈଠକ ନିମ୍ନରେ ଦର୍ଶାଯାଇଥିବା ସ୍ଥାନରେ (ତାରିଖ) (ସମୟ)ରେ ଅନୁଷ୍ଠିତ ହେବ ।

ବୈଠକର ସ୍ଥାନ

ନିର୍ବାଚନ ଅଧିକାରୀ

EXTRACTS FROM THE ORISSA PANCHAYAT SAMITI ACT, 1959

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EXTRACTS FROM THE ORISSA PANCHAYAT SAMITI ACT, 1959*

CHAPTER I

PRELIMINARY

Definitions.

3. In this Act, unless the context otherwise requires—
- (a) 'Block' means the Block notified under Section 15;
 - (a-1) "Director of Panchayat Samiti" (hereinafter referred to in this Act as Director) means the Director of Grama Panchayats appointed under the Orissa Grama Panchayats Act, 1964;
 - (b) 'District Board' means a District Board, Local Board, Union Board or Union Committee constituted for the local administration of the district or any part thereof under the Bihar and Orissa Local Self-Government Act, 1885, the Madras Local Boards Act, 1920 as applied to the district of Koraput or the Sambalpur Local Self-Government Act, 1939;
 - (b-1) "Election Commission" means the State Election Commission consisting of a State Election Commissioner appointed by the Governor under Article 243-K of the Constitution;
 - (b-2) "Finance Commission" means the Finance Commission constituted by the Governor under Article 243-I of the Constitution;
 - (c) "Government" means the State Government of Orissa;
 - (d) "Grama" and "Grama Panchayat" shall respectively mean the "Grama" and "Grama Panchayat" constituted under the Orissa Grama Panchayats Act, 1964;
 - (d-1) "official" shall have reference to Government servants and the word "non-official" shall be construed accordingly;
 - (d-2) "ordinary resident in any area" with all its grammatical variations and cognate expressions shall have reference to a person whose name finds place in the electoral roll for the time being in force prepared under the Representation of People Act, 1950 in so far as the roll relates to such area;
 - (e) "Panchayat Samiti" hereinafter referred to as the "Samiti" means the Panchayat Samiti constituted under Section 16;
 - (e-1) "Population" means population as ascertained in the last preceding census of which the relevant figures have been published;

* As amended by Orissa Acts, 7 and 21 of 1994, Act 20 of 1995, Act 16 of 1997 and Acts 5, 12 of 2001 and 14 of 2021. There might be omissions and commissions : for authenticity reference must be made to the published Act in the Official Gazette.

- (f) "Prescribed" means prescribed by rules made under this Act;
- (f-1) 'Samiti area' or 'area of the Samiti' shall mean Block;
- (f-2) "Scheduled Areas" means the Scheduled Areas as referred to in clause (1) of Article 244 of the Constitution;
- (g) "Year" means the financial year.

CHAPTER III

CONSTITUTION OF PANCHAYAT SAMITIS AND THEIR FUNCTIONS

Constitution of Block.

15.(1) The Government shall, by notification, divide each district into such number of local areas as they deem fit. Each such area shall be known as a Block and be given such name as may be specified in the said notification.

(2) Government may from time to time, by notification, redelimit any local referred to in sub-section (1) by—

- (i) excluding from such local area any Grama; or
- (ii) including in such local area any Grama contiguous thereto and may alter the name given to such local area.

(3) On the issue of a notification under sub-section (2), the duties and responsibilities for the execution of development works and all assets and liabilities in respect of such works within the Grama shall, subject to the rules, if any, made in that behalf be adjusted and apportioned as between the concerned Samitis in such manner as the Collector may direct and in the case of any dispute, the decision of Government thereon shall be final.

Provided the Government may, while issuing a notification under sub-section (2), make such temporary orders or give such temporary directions as they consider necessary for the aforesaid purpose.

(4) Upon the transfer of a Grama from one Block to another in pursuance of a notification under sub-section (2), the members of the Samiti ordinarily residing in such Grama shall, with effect from the date of the notification, cease to be member of the Samiti in which the Grama was represented and without prejudice to the provisions of sub-section (3) of Section 16, become members of the Samiti of the Block to which the Grama is transferred.

Constitution of Panchayat Samiti.

16.(1) Every Block shall have a Samiti consisting of the following members, namely :—

- (a) the Chairman and the Vice-Chairman of the Samiti elected in the manner provided in sub-section (3);

- (b) one member elected directly on the basis of adult suffrage from every constituency within the Block in the prescribed manner;
- (c) Sarpanches of the Grama Panchayats situated within the Block;
- (d) Every member of the House of the People and of the Legislative Assembly representing constituencies which comprise wholly or partly the area of the Samiti; and
- (e) Every member of the Council of States who is registered as an elector within the area of the Samiti;

Provided that a Sarpanch suspended from office under the provisions of the Orissa Grama Panchayats Act, 1964 shall cease to be a member of the Samiti during the period of his suspension and the Naib Sarpanch or, in his absence, the person elected or nominated under Section 21 of the said Act to exercise the powers and perform the functions of the Sarpanch shall be deemed to be a member of the Samiti in place of the Sarpanch so suspended.

Explanation—For the purpose of clause (b), ‘constituency’ shall mean a constituency as may be determined under sub-section (2-A) subject to Article 243-C of the Constitution.

- (2)(a) Seats shall be reserved for the Scheduled Castes and Scheduled Tribes in every Samiti and the number of seats so reserved shall bear, as nearly as may be, the same proportion to the total number of seats to be filled by direct election under clause (b) of sub-section (1) in that Samiti as the population of Scheduled Caste and the Scheduled Tribe in that Samiti area bears to the total population of that area and such seats shall be allotted by rotation to different constituencies in the Samiti area.

Provided where the population of Scheduled Caste or, as the case may be, the Scheduled Tribe in a Samiti area is not sufficient for reservation of any seat, one seat for the Scheduled Caste, or as the case may be, one seat for the Scheduled Tribe shall be reserved in that Samiti area.

Provided further that in the Scheduled Areas, not less than one-half of the total number of seats to be filled by such direct election shall be reserved for the Scheduled Tribes.

- (b) As nearly as may be, but not less than one-half* of the total number of seats reserved under clause (a) shall be reserved

* As amended by Orissa Acts, 8 of 2011. There might be omission and commissions : for authenticity reference must be made to the published Act in the Official Gazette.

for women belonging to Scheduled Caste or, as the case may be, the Scheduled Tribes :

Provided that where only two seats are reserved for the Scheduled Castes or, as the case may be, the Scheduled Tribes, one of the two seats shall be reserved for women belonging to Scheduled Caste or, as the case may be, the Scheduled Tribes.

(b-1) Seats to be filled up by direct election,, shall be reserved in favour of backward class of citizens as referred to in clause (6) of Article 243-D of the Constitution in every Samiti such extent not exceeding twenty-seven percentum subject to limit of fifty percentum of total number of seats of such Samiti including seats so reserved for Scheduled Castes and, Scheduled Tribes under clause (a) and backward class of citizens taken together and shall be allotted by rotation to different constituencies thereof:

(b-2) As nearly as may be, but not less than one-half of the total number of seats reserved under clause (b-1) shall be reserved for women belonging to the backward class of citizen :

Provided that where only two seats are reserved for the backward class of citizen, one of the two seats shall be reserved for women belonging to the backward class of citizen; and

(c) As nearly as may be, but not less than one-half* (including the number of seats reserved for women belonging to Scheduled Caste) , Scheduled Tribe and Backward Class of Citizen of the total number of seats to be filled by direct election in every Samiti shall be reserved for women and allotted by rotation to different constituencies in a Samiti.

(2-A) The manner in which the Samiti area shall be divided into constituencies for the purpose of clause (b) of sub-section (1) and the seats therein shall be reserved for the purpose of clauses (a), (b) (b-1) (b-2) and (c) of sub-section (2) shall be as follows :

(a) The Collector shall divide the Samiti area into constituencies in such a manner that –

(i) every constituency shall, as far as practicable, have a population of not less than two thousand and more than ten thousand; and

(ii) the territorial area of a Grama is not bifurcated.

(b) The constituencies in which the density of the Scheduled Castes and the Scheduled Tribes is higher shall be reserved for the Scheduled Castes and the Scheduled Tribes respectively and shall rotate in descending order at every

* As amended by Orissa Acts, 8 of 2011 Act 6 of 2016 and 14 of 2021. There might be omission and commissions : for authenticity reference must be made to the published Act in the Official Gazette.

general election and in case of Backward Class of Citizens, such reservation and rotation shall be in prescribed manner.

- (c) Every constituency shall bear the same name as of the Grama and the names of the constituencies shall be arranged serially in Odia alphabetical order :

Provided that where a constituency comprises more than one Grama, the constituency shall bear the name of the Grama of which the population is higher or, as the case may be, the highest.

- (d) After the names of the constituencies are so arranged, the Collector shall reserve the required number of constituencies for women in the following manner :-

(i) reservation of constituencies for women shall be made for the Scheduled Castes at the first instance then for the Scheduled Tribes and thereafter for the Backward Class of Citizen and in computing one-half of the total number of constituencies, the constituencies reserved for women belonging to the Scheduled Castes [the Scheduled Tribes and Backward Class of Citizen]² shall be taken into account;

(ii) out of the constituencies left in the list of the Oriya alphabetical order for candidates other than the Scheduled Castes, the Scheduled Tribes and the Backward Class of citizens, the constituency which appears first and there after, every second* constituency shall be reserved for women untill the required quota is completed; and

(iii) as nearly as may be, but not less than one-half* of the constituencies reserved for the members of the Scheduled Castes, the Scheduled Tribes and the Backward Class of Citizens shall be reserved for women belonging to the Scheduled Castes, the Scheduled Tribes and Backward Class of citizens in the manner herein before provided.

(e) The Collector shall after previous publication in the prescribed manner inviting objections and suggestions from all persons interested within the prescribed period, and after considering all such objections and suggestions, publish a statement showing the division of the Samiti area into constituencies and the seats to be reserved herein in his noticeboard, which shall be final.

(3) The members of the Samiti elected under clause (b) of sub-section (1) shall elect in the prescribed manner from among themselves—

(a) the Chairman of the Samiti at their first meeting which shall be convened within twenty two days but not before the expiry of

* As amended by Orissa Acts, 8 of 2011. There might be omission and commissions : for authenticity reference must be made to the published Act in the Official Gazette.

seven days from the date of publication of their names under sub-section (6); and

- (b) the Vice-Chairman of the Samiti at a meeting convened for that purpose within thirty days from the date of election of the Chairman under clause (a) :

Provided that in the case of every Samiti of which the Chairman elected in accordance with this sub-section or nominated under Section 45-C is not a woman, the office of the Vice-Chairman in respect of this Samiti shall be deemed to have been reserved for women.

- (3-a) Notwithstanding anything to the contrary in sub-section(1)–

- (i) offices of Chairman in the Samiti shall be reserved for the Scheduled Castes and the Scheduled Tribes and the number of offices so reserved for the Scheduled Castes and the Scheduled Tribes shall bear, as nearly as may be, the same proportion to the total number of such offices as the population of the Scheduled Castes and the Scheduled Tribes respectively in the State bears to the total population of the State :

Provided that in the Scheduled Area, offices of Chairman of all the Samitis shall be reserved for the Scheduled Tribes; and

- [(ii) as nearly as may be, but not less than one-half of the total number of offices of Chairmen reserved under clause (i) shall be reserved for women belonging to the Scheduled Castes, or as the case may be, the Scheduled Tribes;
- (ii-a) Office of Chairman in Samiti shall also be to be reserved in favour of backward class of citizens as referred to in clause (6) of Article 243-D of the Constitution to such extent not exceeding twenty-seven per centum subject to ceiling limit of fifty per centum of total number of offices of Chairman of such Samiti including the offices so reserved for Scheduled Castes and, Scheduled(a) Tribes under clause(1) taken together
- (ii-b) as nearly as may be, one-half of the total number of offices of Chairmen reserved under clause (ii-a) shall be reserved for women belonging to the Backward Class of Citizens; and
- (ii-c) as nearly as may be, but not less than one-half* (including the number of offices reserved for women belonging to the

Scheduled Castes, the Scheduled Tribes and the Backward Class of citizens) of the total number of offices of Chairman in Samitis shall be reserved for women; and

(iii) reservation of offices of Chairman under this sub-section shall be made by the Collector by rotation among different Samitis and, for that purpose, the procedure of reservation as provided for the members of the Samiti in sub-section (2-A) shall, as far as may be, applicable.

(3-b) The reservation of seats under clause (a) and (b) of sub-section (2) and the reservation of offices of Chairman (other than reservation for women) and Backward Class of citizens under sub-section (3-a) shall cease to have effect on the expiration of the period specified in Article 334 of the Constitution.

(3-c) Notwithstanding anything contained in this section, the Government may nominate to a Samiti in the Scheduled Areas persons belonging to such Scheduled Tribes as have no representation in the Samiti :

Provided that such nomination shall not exceed one-tenth of the total members to be elected under clause (b) of sub-section (1).

(4) The term of office of elected members of the Samiti including the Chairman and the Vice-Chairman shall be five years commencing on the date of the first meeting referred to in sub-section (3).

(5) The meetings of the Samiti shall be presided over by the Chairman or, in his absence, by the Vice-Chairman.

(6) The Collector of the District shall cause the names of the members elected under clause (b) of sub-section (1) of the Samiti to be published in the prescribed manner.

16-A Notwithstanding anything contained in the Orissa Panchayat Samiti Act, 1959 or in the Orissa Grama Panchayats Act, 1964, a person elected as a member of a Samiti and as the Sarpanch or a member of a Grama Panchayat shall, unless he submits to the Collector his resignation from one of the offices to which he has been so elected within a period of seven days from the date of publication of the notification under sub-section (6) of Section 16, be deemed to have ceased to hold the office of the Sarpanch or, as the case may be, the member of the Grama Panchayat on and from the expiry of the said period.

No person to hold more than one elected office.

Superintendence, direction and control of Elections to vest in the Election Commission.

16-B.(1) The superintendence, direction and control of the preparation of electoral rolls for, and the conduct of all elections of Samitis shall be vested in the Election Commission.

(2) in the absence of any provision in this Act or the rules made thereunder, the provisions contained in the Representation

* As amended by Orissa Acts, 8 of 2011. There might be omission and commissions : for authenticity reference must be made to the published Act in the Official Gazette.

of the People Act, 1950 and the Representation of People Act, 1951 shall *mutatis mutandis* apply for the purposes of election to Samitis in the following matters, namely :—

- (i) preparation, revision and updating of electoral roll;
 - (ii) appointment of Electoral Registration Officers, Presiding Officers and Polling Officers;
 - (iii) qualifications and disqualifications for registration as voter;
 - (iv) such other matters which have to be or may be required to be dealt with for the purpose of conducting free and fair election.
- (3) Unless the State Election Commission, by order published in the Gazette, directs otherwise, so much of the electoral roll of the Assembly Constituency for the time being in force as relates to a Samiti constituency shall subject to such revision or updating, as may be necessary, be the electoral roll of the Samiti Constituency for the purpose of election to the Samiti.
- (4) The Election Officers, Presiding Officers, Polling Officers and any other Officers appointed or designated for the time being for the conduct of elections under this Act shall be deemed to be on deputation to the Election Commission for the period commencing on the date of the notification calling for such election and ending with the date of declaration of the results of such election and, accordingly, such officers shall, during that period, be subject to the control, superintendence and discipline of the Election Commission.

Chairman of
the Samiti to
be the
Executive
Authority.

- 19.(1)** The executive authority of the Samiti shall vest in the Chairman and it shall be his duty to have the resolution of the Samiti implemented through the Executive Officer of the Samiti.
- (2) The Block Development Officer shall be the Executive Officer of the Samiti and subject to such rules as may be prescribed in this behalf shall function under the control of the Chairman of the Samiti.
- (3) The Executive Officer of the Samiti shall exercise such other powers and perform such other functions as may be prescribed.

CHAPTER VI CONTROL

Removal of
Chairman and
Vice-Chairman
of the Samiti.

- 40-A(1)** If in the opinion of the Government the Chairman, the Vice-Chairman or any member elected under clause (h) of sub-section (1) of Section 16 or nominated under

Section 45-C of the Samiti wilfully omits or refuses to carry out or, violates the provisions of this Act or any rules, bye-laws or orders made or issued thereunder or abuses the powers vested in him and Government are satisfied, that further continuance of such person in office would be detrimental to the interest of the Samiti they may, by order, published in the prescribed manner, remove such Chairman or Vice-Chairman or member, as the case may be, from office :

Provided that no such order for removal shall be made without giving the person concerned a reasonable opportunity of being heard.

(2) No person removed from the office of Chairman, Vice-Chairman or an elected member under this section shall, for a period of four years from the date of the removal, be eligible to hold any of the said offices.

Dissolution
and reconsti-
tution of
Samiti.

41.(1) If in the opinion of the Government a Samiti is not competent to perform or persistently makes default in performing the duties imposed on by law or exceeds or abuses its powers they may by notification published in the prescribed manner, direct that the Samiti be dissolved.

(2) Before publishing a notification under sub-section (1) the Government shall communicate to the Samiti the grounds on which they propose, to-do-so fix a reasonable period for the Samiti to show cause against the proposal and consider the explanation and objections, if any, of such Samiti.

(3) Upon the publication of such a notification, all the members of the Samiti including it's Chairman shall forthwith be deemed to have vacated their offices as such and fresh election shall be held in the prescribed manner.

(4) Omitted.

(5) During any interval between the dissolution and reconstitution of Samiti directed under sub-section (1) all or any of the powers and duties of the Samiti and its Chairman may be exercised and discharged as far as may be and to such extent as the Government may determine by such person or persons as they may appoint in that behalf.

Supersession
of Samiti.

42.(1) If after the fresh election held under the last preceding section, the (***) Samiti continues to be incompetent to perform or abuse it powers for all or any of the reasons specified in sub-section (1) of Section 41 the Government may, by notification published

in the prescribed manner, supersede it for a specified period and may, in like manner by stating reasons therefor, extend such period from time to time so that the total period of supersession does not exceed six months.

- (2) Before publishing a notification under sub-section (1) the Government shall follow the procedure laid down in sub-section (2) of Section 41.
- (3) The supersession of a Samiti shall, if no other date and time are fixed in the said notification, take effect from the date of publication thereof and thereupon all the members of the Samiti including its Chairman shall forthwith be deemed to have vacated their offices.
- (4) Omitted.
- (5) The provisions of sub-section (5) of Section 41 shall apply so far as may be in regard to the exercise and discharge during the period of supersession of a Samiti under sub-section (1) or of all or any of the powers and duties of the Samiti and its Chairman.
- (6) Omitted.
- (7) Omitted.

CHAPTER VI A ELECTION DISPUTES

Election
petitions.

44-A No election of a person as a member of a Samiti held under this Act shall be called in question except by an election petition presented in accordance with the provisions of this Chapter.

Presentation
of petitions.

44-B(1) The petition shall be presented on one or more of the grounds specified in Section 44-L before the Civil Judge (Senior Division) having jurisdiction over the place at which the office of the Samiti is situated together with a deposit of two hundred rupees as security for costs within fifteen days after the day on which the result of the election was announced ;

Provided that if the office of the Civil Judge (Senior Division) is closed on the last day of the period of limitation as aforesaid the petition may be presented on the next day on which such office is open ;

Provided further that if the petitioner satisfies the Civil Judge (Senior Division) that sufficient cause existed for the failure to present the petition within the period aforesaid the Civil Judge (Senior Division) may in his discretion condone such failure :

Provided also that in cases where the result of the election was announced prior to the 26th January 1961, the aforesaid period of limitation shall be computed from the said date.

- (2) Omitted.
- (3) An election petition presented before a Civil Judge (Senior Division) may either *suo motu* or on application, be transferred by the District Judge to any other Civil Judge (Senior Division) subordinate to him.
- (4) Omitted.
- (5) No candidate who has been elected to be a Member, Chairman or Vice-Chairman of a Samiti shall be debarred from holding office as such Member, Chairman or Vice-Chairman merely by reason of any election petition having been filed against him unless his election has been declared void by the Civil Judge (Senior Division).
- (6) Omitted.

Parties to the petitions.

- 44-C.** (1) An election petition may be presented by any candidate at such election.
- (2) A person whose election is questioned and where the petition is to the effect that any other candidate is to declared elected in place of such person every unsuccessful candidate who has polled more votes than such candidate shall be made opposite party to the petition.

Contents of petition.

- 44-D.** (1) An election petition—
- (a) shall contain a concise statement of the material facts on which the petitioner relies;
 - (b) shall set forth full particulars of any corrupt practice that the petitioner alleges, including as full a statement as possible of the names of the parties alleged to have committed such corrupt practice and the date and place of the commission of each such practice; and
 - (c) shall be signed by the petitioner and verified in the manner laid down in the Code of Civil Procedure, 1908 for the verification of pleadings.
- (2) Any Schedule or Annexure to the petition shall also be signed by the petitioner and verified in the same manner as the petition.

Relief that may be claimed by the petitioner.

- 44-E.** A petitioner may, in addition to claiming a declaration that the election of all or any of the returned candidates is void, claim a further declaration that he himself or any other candidate has been duly elected.

- 44-F.** (1) Subject to the provisions of this Act and of any rules made thereunder every election petition shall be tried by the Civil Judge (Senior Division) as nearly as may be in accordance with the procedure applicable under the Code of Civil Procedure, 1908 to the trial of suits.
- (2) The Civil Judge (Senior Division) shall not be required to record or to have the evidence recorded in full but shall make a memorandum of the evidence sufficient in his opinion for the purpose of deciding the case.
- (3) The Civil Judge (Senior Division) for the purpose of deciding any issue, shall receive so much evidence, oral or documentary, as he considers necessary and may require the production of any evidence.
- (4) The Civil Judge (Senior Division) may, at any stage of the proceedings require the petitioner to give further security for the payment of all costs incurred or which is likely to be incurred by any opposite party and if within the time fixed by him or within such further time as he may allow such security is not furnished, he may dismiss the petition.
- (5) No witness or other person shall be required to disclose the name of the person for whom he has voted at an election.
- (6) The provisions of the Indian Evidence Act, 1872, shall subject to the provisions of this Act, be deemed to apply in the trial of an election petition.
- (7) Notwithstanding anything in any enactment to the contrary no document shall be inadmissible in evidence on the ground that it is not duly stamped or registered.
- (8) Reasonable expenses incurred by any person in attending to give evidence may be allowed to such person which shall unless the Civil Judge (Senior Division) directs be deemed to be part of the costs.
- (9) Any order as to costs passed by the Civil Judge (Senior Division) shall be executed by him in application made in that behalf in the same manner and by the same procedure as if it were a decree for the payment of money passed by himself in a suit.

- 44-G.** Any appearance, application or act before the Civil Judge (Senior Division) may be made or done by the party in person or by a pleader duly appointed to act on his behalf :

Provided that it shall be open to the Civil Judge (Senior Division) to direct any party to appear in person whenever the Civil Judge (Senior Division) considers it necessary.

Powers of Civil Judge (Senior Division).

44-H. The Civil Judge (Senior Division) shall have the powers which are vested in a Court under the Code of Civil Procedure, 1908 when trying a suit in respect of the following matters, namely :—

- (a) discovery and inspection;
- (b) enforcing the attendance of witness, and requiring the deposit of their expenses;
- (c) compelling the production of documents;
- (d) examining witness on oath;
- (e) granting adjournments;
- (f) reception of evidence taken on affidavit; and
- (g) issuing commissions for the examination of witness;

and may summon and examine *suo motu* any person whose evidence appears to it to be material and shall be deemed to be a Civil Court within the meaning of Sections 480 and 482 of the Code of Criminal Procedure, 1898.

Recrimination when seat claimed.

44-I. (1) When in an election petition a declaration that any candidate other than the returned candidate has been duly elected is claimed, the returned candidate or any other party may give evidence to prove that the election of such candidate would have been void if he had been the returned candidate and a petition had be presented calling in question his election :

Provided that the returned candidate or such other party as aforesaid shall not be entitled to give such evidence unless he has, within fourteen days from the date of commencement of the trial, given notice to the Civil Judge (Senior Division) of his intention to do so and has also given the security and the further security referred to in Sections 44-B and 44-F respectively.

(2) Every notice referred to in sub-section(1) shall be accompanied by the statement and particulars required by Section-44-D in the case of an election petition and shall be signed and verified in lile manner.

Decision of Civil Judge (Senior Division).

- 44-J.** (1) If the Civil Judge (Senior Division), after making such enquiry, as he deem necessary, finds in respect of any person whose election is called in question by a petition that his election was valid, he shall dismiss the petition as against such person and may award costs at his discretion.
- (2) If the Civil Judge (Senior Division) finds that the election of any person was invalid, it shall either—
- (a) declare a casual vacancy to have been created; or
 - (b) declare another candidate to have been duly elected;
- whichever course appears, in the circumstances of the case to be more appropriate and in either case, may award costs at his discretion.
- (3) In the event of the Civil Judge (Senior Division) declaring a casual vacancy to have been created, it shall direct the Collector of the district or other authority prescribed in this behalf to take proceedings for filling the vacancy.
- (4) All order of the Civil Judge (Senior Division) shall, subject to the order passed in an appeal, if any, be final and conclusive :

Provided that the Civil Judge (Senior Division) may, on application presented within one month from the date of any of the orders made under this section or under Section 44-K by any person aggrieved, review such order on any ground and may, pending decision in review, direct stay of operation of such order.

Other orders to be made by the Civil Judge (Senior Division).

- 44-K.** At the time of making an order under Section 44-J the Civil Judge (Senior Division) shall also make an order—
- (a) declaring any candidate found to have committed any corrupt practice to be disqualified for any period not exceeding five years for being elected as a member of the Samiti or for being appointed to or retained in any office or employment in the Samiti; and
 - (b) fixing the total amount of cost payable and specifying the persons by and to whom costs shall be paid.

Grounds for declaring election void.

- 44-L.** (1) The Civil Judge (Senior Division) shall declare the election of a returned candidate void, if he is of the opinion—
- (a) that such person committed during or in respect of the election proceedings a corrupt practice as specified in Section 44-N;

- (b) that such person was declared to be elected by reason of the improper rejection or admission of one or more votes or for any other reason was not duly elected by a majority of lawful votes;
- (c) that such person was disqualified for election under the provisions of this Act;
- (d) that any nomination paper has been improperly rejected; or
- (e) that there has been any non-compliance with, or breach of any of the provisions of, this Act or the rules made there under.

(2) The election shall not be declared void merely on the ground of any mistake in the forms required thereby or of any error, irregularity or informality on the part of the Officer or Officers charged with carrying out the provisions of this Act or of any rules made thereunder unless such mistake, error, irregularity or informality has materially affected the result of the election.

Grounds for which a candidate other than the returned candidate may be declared to have been elected.

44-M. If any person who has lodged a petition has, in addition to calling in question the election of the returned candidate, claimed a declaration that he himself or any other candidate has been duly elected and the Civil Judge (Senior Division) is of opinion—

- (a) that in fact the petitioner or such other candidate received a majority of the valid votes; or
- (b) that but for the votes obtained by the returned candidate by a corrupt practice the petitioner or such other candidate would have obtained a majority of the valid votes;

the Civil Judge (Senior Division) shall after declaring the election of the returned candidate to be void declare the petitioner or such other candidate, as the case may be, to have been duly elected.

Corrupt practices.

44-N. The following shall be deemed to be corrupt practices for the purpose of this Chapter, namely :—

- (1) bribery, that is to say, any gift, offer or promise by a candidate or by any other person on his behalf or any gratification to any person whomsoever—

- (i) with the object, directly or indirectly or inducing—
 - (a) a person to stand or not to stand as or to withdraw from being a candidate; or to retire from contest at such election; or
 - (b) an elector to vote or refrain from voting at such election; or
- (ii) as a reward to –
 - (a) a person for standing or refraining from standing as a candidate, or for having withdrawn his candidature or for having retired from contest; or
 - (b) an elector for having voted or for refraining from voting.

Explanation—For the purposes of this clause, the term “gratification” includes all forms of entertainment and all forms of employment for rewards; but it does not include the payment of any expenses bonafidely incurred for the purposes of such election;

- (2) under influence, that is to say, any direct or indirect interference or attempt to interfere on the part of a candidate or any other person on his behalf, with the free exercise of the electoral right of any person :

Provided that—

- (a) without prejudice to the generality of the provisions of this clause any such person as is referred to therein, who—
 - (i) threatens any candidate or any elector or a person in whom a candidate or an elector is interested, with injury of any kind including social ostracism and ex-communication or of expulsion from any caste or community; or
 - (ii) induces or attempts to induce a candidate or an elector to believe that he, or any person in whom he is interested will become or will be rendered an object of divine displeasure or spiritual censure, shall be deemed to interfere with the free exercise of the electoral right of such candidate or elector within the meaning of this clause; and
- (b) a declaration of public policy, or a promise of public action or the mere exercise of a legal right without intent to interfere with an electoral right, shall not be deemed to be interference within the meaning of this clause;
- (3) the systematic appeal by a candidate or by any other person on his behalf to vote or refrain from voting on grounds of caste,

race, community or religion or of the use of national symbols, such as, the National Flag or the National Emblem, for the furtherance of the prospects of the candidate's election;

- (4) the publication by the candidate or by any other person on his behalf of any statement of fact which is false and which he either believes to be false or does not believe to be true in relations to the personal character or conduct of any candidate, or in relation to the candidature or withdrawal or retirement from contest of any candidate, being a statement reasonably calculated to prejudice the prospect of that candidate's election;
- (5) the hiring or procuring, whether on payment or otherwise, of any vehicle or vessel by a candidate or any other person on his behalf for the conveyance of any elector, other than the candidate or any member of his family to or from any polling station or place fixed for the poll :

Provided that the hiring of vehicle or vessel by an elector or by several electors at their joint cost for purpose of conveying him or them to or from any such polling station or place fixed for the poll, shall not be deemed to be a corrupt practice under this clause if the vehicle or vessel so hired is a vehicle or vessel not propelled by mechanical power :

Provided further that the use of any public transport vehicle or railway carriage by any elector at his own cost for the purpose of going to or coming from any polling station or place, shall not be deemed to be a corrupt practice under this clause.

Explanation—In this clause the expression "Vehicle" means any vehicle used or capable of being used for the purpose of road transport whether propelled by mechanical power or otherwise and whether used for drawing other vehicles or otherwise ;

- (6) the obtaining or procuring or abetting or attempting to obtain or procure by a candidate or by any other person on his behalf of any assistance, other than the casting of a vote for the furtherance of the prospects of the candidate's election from any person in the service of the Government or in the employ of any Local Authority.

Withdrawal of petitions.

- 44-O.** (1) The petitioner may, at any time withdraw the election petition filed by him on payment to the respondent such cost as he might have incurred or such portion thereof as the Civil Judge (Senior Division) may direct :

Provided that if there are more petitioners than one, no application to withdraw the election petition shall be made except with the consent of all the petitioners.

- (2) No application to withdraw an election petition shall be granted if in the opinion of the Civil Judge (Senior Division), such application has been induced by any bargain or consideration which ought not be allowed.
- (3) If the application is granted—
 - (a) the Civil Judge (Senior Division) shall direct that the notice of withdrawal shall be published in the Official Gazette and in such other manner as he may specify and thereupon the notice shall be published accordingly;
 - (b) a person who might himself have been a petitioner may, within fourteen days of such publication, apply to be substituted as petitioner in place of the party withdrawing, and upon compliance with the conditions, if any, as to the security, shall be entitled to be so substituted and to continue the proceedings upon such terms as the Civil Judge (Senior Division) may deem fit.

Abatement of petition.

- 44-P.** (1) An election petition shall abate only on the death of the petitioner or where there are more than one petitioner on the death of all the petitioners and such abatement shall be communicated to the concerned of Block Development Officer by the Civil Judge (Senior Division).
- (2) Where the election petition abates under sub-section (1) the Civil Judge (Senior Division) shall cause the fact to be published in such manner as he may deem fit.
 - (3) Any person who might himself have been a petitioner may, within fourteen days of such publication, apply to be substituted as petitioner and upon compliance with the conditions, if any, as to security, shall be entitled to be so substituted and to continue the proceedings upon such terms as the Civil Judge (Senior Division) may deem fit.

44.(Q) Any person aggrieved by an order passed by the Civil Judge(Senion Division) under sub- section(1) or sub- section(2) of Section-44 -J may, within such period as may be presented prefer an appeal before the District Judge having jurisdiction.

CHAPTER VII

MISCELLANEOUS

Disqualification for becoming a member and continuing as member.

45.(1)(a) A person shall not be eligible to stand for election under sub-section (1) of Section 16 if he—

- (b) is not ordinarily residing within the Block; or
- (c) is of unsound mind; or
- (d) is an applicant to be adjudicated as an insolvent or is an undischarged insolvent; or
- (e) Omitted;
- (f) is convicted of an election offence under any law for the time being in force; or
- (g) is not a citizen of India; or
- (h) is convicted for an offence involving moral turpitude; or
- (i) holds any office of profit under the State or Central Government or any Local Authority; or
- (j) is a teacher in any school recognised under the provisions of the Orissa Education Code for the time being in force; or
- (k) holds the office of a Minister either in the Central or in the State Government,
- (k-1) is a member of the House of the people or of the Council of States or of the State Legislature; or
- (l) has been dismissed from service of the State or Central Government or any Local Authority; or
- (m) has been in arrears of any dues payable by him to the Grama Panchayat; or
- (m-1) being a member of any Society registered under the Orissa Co-operative Societies Act, 1951 has failed to pay any arrears

of any kind accrued due by him to such Society for a continuous period of two years or more; or

- (n) is in the habit of encouraging litigation in the villages and has been declared to be so on enquiry by the prescribed authority in the prescribed manner; or
- (o) is interested in a subsisting contract made with or any work being done for the Samiti or any Government except as a share holder other than a Director in a Company or except as may be prescribed; or
- (p) is a paid and retained legal practitioner on behalf of the Samiti; or
- (q) is disqualified by or under any law for the time being in force for the purpose of election to the Legislature of the State; or
- (r) is disqualified by or under any law made by the Legislature of the State; or
- (s) is less than twenty-one years of age; or
- (t) is not able to read and write Oriya; or
- (u) has more than one spouse living; or
- (v) has more than two children :

Provided that the disqualification under clause (h) or (i) may be removed by the Government in the prescribed manner :

Provided further that the disqualification under clause (v) shall not apply to a person who has more than two children on the date of commencement of the Orissa Panchayat Samiti (Amendment) Act, 1994 or, as the case may be, within a period of one year of such commencement, unless the begets an additional child after the said period of one year.

- (2) An elected member of a Samiti including the Chairman and Vice-Chairman shall cease to be a member if he –
 - (i) is not ordinarily residing within the Block or ceases to so reside or is or becomes subject to any of the other disqualifications specified in sub-section (1); or
 - (ii) has been continuously absent from the Block for more than six months without prior intimation in writing—
 - (a) in the case of a Chairman, to the Samiti;

- (b) in the case of any other member or Vice-Chairman to the Chairman; or
- (iii) has absented himself without permission from three consecutive ordinary meetings of the Samiti on passing a resolution by the Samiti to that effect in the manner hereinafter specified, namely :-
 - (a) any member including the Chairman and Vice-Chairman desiring to absent himself from a meeting of the Samiti shall submit his written application to the Samiti through the Block Development Officer prior to the date of such meeting;
 - (b) an application received after the date of the meeting and before the next meeting of the Samiti, may be accepted for consideration, if the Samiti is satisfied that there was sufficient reason for which the applicant failed to submit the application in time;
 - (c) the Block Development Officer shall place the application in the immediately following meeting of the Samiti for consideration and the Samiti may grant or refuse permission;
 - (d) where such refusal of permission shall result in absence from three consecutive meetings, the Samiti shall specify in the resolution whether the applicant shall cease to continue as a member, Chairman or Vice-Chairman, as the case may be, of the Samiti;
 - (e) any absence without an application required under clause (a) or (b) shall be deemed to be an absence without permission.

Explanation—The meetings which are adjourned without transacting any business shall not be reckoned as ordinary meetings of the Samiti; or

- (iv) being a legal practitioner appears or acts as such against the Samiti.

(3) Where a person ceases to be member under clause (f) of sub-section (1), he shall be restored to Office for such portion of the term of Office as may remain unexpired at the date of such restoration, if the sentence is reversed or quashed on appeal or revision or the offence is pardoned or the disqualification is removed by an order of the Government and any person filling the vacancy in the interim period shall, on such restoration, vacate the Office.

No person to stand for more than one Samiti.

District Judge to decide question of disqualification

Nomination on failure of election and de-reservation in certain cases.

Resignation of Chairman, Vice-Chairman and Members.

45-A No person shall be eligible to stand for election under Section 16 for more than one Samiti.

45-B.(1) Whenever it is alleged that any member of a Samiti is or has become disqualified, or whenever any such member is himself in doubt whether or not he is or has become disqualified such member or any other member may and the Chairman at the request of the Samitis, shall apply to the District Judge, having jurisdiction over the place where the office of the Samiti is situated, for a decision on the allegation or doubt.

(2) The District Judge after holding an enquiry in the prescribed manner shall determine whether or not such member is or has become disqualified and his decision shall be final.

(3) Pending such decision the member shall be entitled to act as if he was not disqualified.

45-C.(1) If for any reason whatsoever any of the electorates fails to return a candidate in accordance with any of the provisions of this Act a fresh election shall be held in respect of the vacancy on such date and in such manner as may be prescribed and in case the electorate still fails to return a member at such fresh election, the State Government shall nominate a person who is otherwise eligible to be elected and the person so nominated, shall, subject to the provisions of sub-section (2) of Section 45 be deemed to have been validly and properly elected.

(2) Where the seat of any member is reserved under sub-section (2) of Section 16 for any particular category and the Government fails to nominate under sub-section (1) a person to such seat for seat for non-availability of any eligible person belonging to that category, such seat shall, on recommendation being made to that effect by the Collector, be dereserved by the Government after such enquiry as it may deem fit and shall, thereafter, be filled up by fresh election.

46. The Chairman, Vice-Chairman or any Member of the Samiti may resign his office as such Chairman, Vice-Chairman or Member by giving notice in writing to the Samiti. Except in a case where the person resigning deliver the notice of resignation personally to the Block Development Officer, such officer shall, on receipt of a notice of resignation, obtain confirmation from the person concerned as to its genuineness. A resignation delivered personally or confirmed as aforesaid,

shall take effect on and from the date on which the notice was received.

Vote of no confidence against Chairman and Vice-Chairman of Samiti.

- 46-B.**(1) Where at a meeting of the Samiti specially convened in that behalf a resolution is passed, supported by a majority of not less than two-thirds of the total number of members having a right to vote, recording want of confidence in the Chairman or Vice-Chairman of such Samiti, the resolution shall forthwith be published by such authority and in such manner as may be prescribed and with effect from the date of such publication the Chairman or Vice-Chairman, as the case may be, shall be deemed to have vacated office.
- (2) In convening a meeting under sub-section (1) and in the conduct of business at such meeting the procedure herein specified shall be followed, namely—
- (a) no such meeting shall be convened except on a requisition signed by at least one-third of the members with a right to vote, along with a copy of the resolution proposed to be moved at the meeting;
 - (b) the requisition shall be addressed to the Subdivisional Officer;
 - (c) the Subdivisional Officer, on receipt of such requisition shall fix the date, hour and place of such meeting and give notice of the same to all the members with a right to vote, along with a copy of the requisition and of the proposed resolution at least seven clear days before the date so fixed;
 - (d) the Subdivisional Officer or when he is unable to attend, any other gazetted officer not below the rank of a Class-II Officer of the State Civil Service, authorised by him, shall preside over and conduct the proceedings of the meeting;
 - (e) the voting at all such meetings shall be by secret ballot;
 - (f) no such meeting shall stand adjourned to a subsequent date and no item of business other than the resolution for recording want of confidence in the Chairman or the Vice-Chairman shall be taken up for consideration at the meeting;
- (f-1) no such resolution shall be taken up for consideration unless it has been proposed by one member and has been seconded by another member at meeting;
- (f-2) after the resolution is taken up for consideration, the member proposing the resolution may open the discussion thereon and

other members may speak on the resolution in the order in which they are called upon by the Presiding Officer :

Provided that no member shall, unless so permitted by the Presiding Officer have the right to speak more than once and if any member who is called upon does not speak he shall not be entitled, except by the permission of the Presiding Officer, to speak at a later stage of the discussion;

- (f-3) where the Chairman or, as the case may be, the Vice-Chairman against whom the resolution has been tabled, is present, he shall be given an opportunity to speak by way of reply to the resolution and the discussion made at the meeting;
 - (f-4) the Presiding Officer may fix the time within which each member, including the Chairman and Vice-Chairman, shall conclude his speech;
 - (g) if the number of members present at the meeting is less than a majority of two-thirds of members having a right to vote the resolution shall stand annulled; and
 - (h) if the resolution is passed at the meeting supported by a majority of two-thirds of members having a right to vote, the Subdivisional Officer shall forward the resolution to the authority prescribed in pursuance of sub-section (1).
- (3) When a meeting has been held in pursuance of sub-section (2) for recording want of confidence in the Chairman or Vice-Chairman, as the case may be, no fresh requisition for a meeting be maintainable—
- (a) in cases falling under clauses (g) and (h) of the said sub-section or where the resolution is defeated after being considered at the meeting so held, before the expiry of one year from the date of such meeting; or
 - (b) where the notification calling for general election to the Samiti has already been published under or in pursuance of sub-section (2) of Section 49.
- (4) Without prejudice to the provisions of sub-section (3) no requisition under sub-section (2) shall be maintainable in the case of a Chairman, Vice-Chairman, as the case may be, before the expiry of two years from the date on which such Chairman or Vice-Chairman enters office :

Provided that all requisitions received under sub-section (2) prior to the date of commencement of the Orissa Panchayat Samiti (Second Amendment) Act, 1993, on which no meeting for recording want of confidence has been held by the said date, shall stand abated.

Casual vacancies.

- 47.** (1) If the elected member of the Samiti ceases to be a member by reason of his death, resignation or otherwise the vacancy so caused shall be filled up, so far as may be, in the manner provided under clause (b) of sub-section (1) of Section 16 and the member so elected shall hold office for the unexpired term of the member in whose place he has been elected.
- (2) If the Chairman or the Vice-Chairman of the Samiti ceases to be such Chairman or as the case may be, Vice-Chairman by reason of his resignation or otherwise the vacancy so caused shall be filled up, so far as may be, in the manner provided under sub-section (3) of Section 16 and the person filling up such vacancy shall hold office for the unexpired term of the Chairman or as the case may be Vice-Chairman in whose place he has been elected.
- (3) Notwithstanding anything contained in sub-section (1) or sub-section (2) where a vacancy occurs under any of the said sub-section and the term of office of the Member or the Chairman, as the case may be, would, in the ordinary course of events have expired within six months of the occurrence of the vacancy, the State Government may direct that the vacancy be left unfilled until the next general election.

Vacancy not to invalidate proceedings.

- 48.** No act or proceeding of the Samiti shall be questioned on account of any vacancy in the membership or any defect or irregularity in any such Act or proceeding not affecting the merits of the case.

Duration of Samiti and elections thereto.

- 49.** (1) Every Samiti, unless sooner dissolved or superseded under this Act shall continue for five years from the date appointed for its first meeting referred to in clause (a) of sub-section (3) of Section 16, and no longer :

Provided that a Samiti constituted on the dissolution or supersession of a Samiti before the expiration of its duration shall continue only for the remainder of the period for which the dissolved or, as the case may be, superseded Samiti would have continued under this sub-section had it not been so dissolved or, as the case may be, superseded.

- (2) An election to constitute a Samiti shall be completed—
- (a) before the expiry of its duration specified in sub-section (1); or
- (b) where a Samiti is dissolved or superseded before the expiry of its duration, before the expiration of a period of six months from the date of its dissolution :

Provided that where the remainder of the period for which the dissolved or, as the case may be, superseded Samiti would have continued is less than six months, it shall not be necessary to hold any election under this sub-section for constituting the Samiti for such period.

Chairman,
Vice-Chairman
and employees
to be public
servants.

52.(1) The Chairman, the Vice-Chairman and the employees of the Samiti shall be deemed to be public servants within the meaning of Section 21 of the Indian Penal Code.

(2) The employees of the Samiti shall be governed by the Orissa Government Servants' Conduct Rules, 1959.

Protection of
action taken
under the Acts.

53. No suit, prosecution or other legal proceeding shall lie against any person in respect of anything done or intended to be done in good faith under this Act or the rules made thereunder.

Power to make
rules.

57.(1) The Government may, after previous publication, make rules consistent with the provisions of this Act to carry out all or any of the purposes of this Act and prescribe forms for any matter for which they consider that a form should be provided.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for—

- (i) the conditions subject to which property may be acquired or transferred by sale, mortgage, lease, exchange or otherwise by a Samiti;
- (ii) regulating the duties, functions and powers of a Samiti;
- (iii) generally determining the relations between Grama Panchayats and Samitis and for the guidance of Samitis in all matters connected with the carrying out of the provisions of this Act;
- (iii) (a) regulation of all elections under this Act including deposits to be made by candidates at an election to the office of the Chairman, the conditions for forfeiture of refund of such deposit and the qualifications of a proposer or seconder; and

- (iv) any other matter which has to be or may be prescribed under this Act.
- (3) All rules made under this section shall be laid before the Legislative Assembly as soon as possible after they are made for a total period of fourteen days which may be comprised in one or more sessions and shall be subject to such modifications as the Assembly may make during the said period.

Power to make bye-laws.

- 57-A.**(1) Subject to such rules as may be made, a Samiti may, with the approval of the Collector, make bye-laws for carrying out any of the purposes for which it is constituted.
- (2) The Government shall have power to make rules regarding the procedure for making of bye-laws under this section, the publication thereof and the date on which they shall come into effect.

Issue of order and removal of difficulties.

- 58.**(1) The Government may, from time to time, with a view to ensure the proper functioning of the Samitis and the proper implementation of the provisions of this Act issue such administrative orders, directions and instructions as they deem fit not inconsistent with the aforesaid provisions and the rules made thereunder for the guidance of the Samitis.
- (2) Without prejudice to the provisions of sub-section (1) if any doubt or difficulty arises in giving effect to the provisions of this Act, the Government may, as occasion may require, do anything which appears to them necessary for the purpose of removing the doubt or difficulty.

THE ODISHA PANCHAYAT SAMITI ELECTION RULES, 1991
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THE ODISHA PANCHAYAT SAMITI ELECTION RULES, 1991*

PART I

Short title and commencement.

1. (1) These rules may be called “The Odisha Panchayat Samiti Election Rules, 1991”.

(2) They shall come into force on such date, as the State Government may by notification appoint.

Definition.

2. (1) In these rules, unless the context otherwise requires—

- (a) “Act” means the Orissa Panchayat Samiti Act, 1959;
- (b) “Ballot Box” means, any box, bag or any other receptacle of such design and specification as the Commissioner may decide, used for receiving ballot papers in the course of polling at a polling station and be so constructed that ballot papers can be inserted through an opening without affecting the secrecy of voting but the ballot papers cannot be removed without opening, breaking or otherwise tampering “the ballot box”;
- (c) “Block Development Officer” means an officer appointed as such for the Block under Section 15-A of the Act;
- (d) “Clear days” includes Sundays and holidays but do not include the day of the meeting and the day of the issue of notice;
- (d-1) “Commissioner” means the State Election Commissioner appointed “under Article 243-K of the Constitution”; and
- (e) “Election Officer” means unless the Commissioner otherwise directs, the Collector of the district or and other officer authorised by him by a general or special order to exercise all or any of the duties of an Election Officer under these rules;
- (f) “Form” means a form appended to these rules;
- (g) “Grama Panchayat Act” means the Odisha Grama Panchayat Act, 1964 (Orissa Act 1 of 1965);
- (h) “Panchayat Election Rules” means the Odisha Grama Panchayat Election Rules, 1965;
- (i) “Parishad” means the Zilla Parishad constituted, under the Zilla Parishad Act, 1991;
- (j) “Polling Agent” means a person duly authorised by a contesting candidate to attend on his behalf the polling of votes at one or more polling stations or places specified for counting of votes.

* As amended up to November 2001. There might be omissions and commissions : for authenticity reference must be made to the published Rules in the Official Gazette.

- (k) "Polling Officer" means the person appointed by the Election Officer to assist him or the Presiding Officer for conducting the elections of one or more polling stations;
- (l) "Polling Station" means the place fixed by the Election Officer for conduct of the poll in respect of election of members of the Samiti;
- (m) "Presiding Officer" means any person appointed by the Election Officer at one or more polling stations located within the area of the Panchayat Samiti;
- (n) "Member of Samiti" means a member elected under Section 16(1)(h) of the Act;
- (o) "Samiti Constituency" means the area from which a Member of Samiti is elected;
- (p) "Sarpanch" means a person referred to in Section 10 of the Odisha Grama Panchayat Act, 1964;
- (q) "Section" means a section of the Act.

(2) All other words and expressions used but not defined herein, unless the context otherwise requires, shall have the same meaning as respectively assigned to them in the Act.

PART II GENERAL

Eligibility of candidate, proposer and seconder.

3. (1) No person shall be eligible to stand for election as a Member of Samiti unless his name finds place in the electoral roll of any of the Samiti Constituencies within the Samiti area.

(2) No person shall be eligible to be either the proposer or the seconder of a candidate for the election of the Member of Samiti unless his name finds place in the electoral roll of any of the Samiti Constituencies within the Samiti area.

Date of Election.

4. (1) The Government shall, by one or more notifications published in the Official Gazette on such date, or dates as may be recommended by the Commissioner call up the Samiti Constituencies to elect Members of the Samiti in accordance with the provisions of the Act and these rules.

(2) As soon as the notification under sub-rule (1) is issued, the Commissioner shall draw up the programme and notify of election and communicate the same to all Election Officers :

Provided that where the election of the Samiti is held simultaneously with the Grama Panchayats, the programme of election of a Member of Samiti should be the same date as that of the election of a Sarpanch.

(3) In the programme, drawn up under sub-rule (2), the Commissioner shall fix up the date of first meeting of the Samiti for the purpose of sub-section (3) of Section 16.

(4) The date of election fixed under sub-rule (2) shall not be altered or deferred save with the prior sanction of the Commissioner.

Election symbol.

5. The symbols to be used in the election of the Samiti by the candidates shall be notified by the Commissioner from time to time and the notification under this rule shall be published in the *Odisha Gazette* :

Provided that such symbols shall not, however, include any symbol allotted to the political parties by the Election Commission of India.

Electoral Roll.

6. As soon as the division and reservation of constituencies are notified by the Collector under sub-section (2-A) of Section 16, the final electoral roll of every Grama, prepared under the Panchayat Election Rules comprised within the Samiti Constituencies including the revision, addition or alteration, if any, together form the final electoral roll of that Samiti Constituency :

Provided that where the election of the Member of the Samiti is held separately than that of the election of the Gramas, the procedure laid down for preparation and final publication of electoral roll under the Panchayat Election Rules shall apply *mutatis mutandis* for preparation and final publication of electoral roll in respect of election of the Member of the Samiti.

PART II-A

DIVISION AND RESERVATION OF SAMITI CONSTITUENCIES

7-A. In this part, unless the context otherwise requires :—

- (a) 'Constituency' means a Samiti Constituency; and
- (b) 'List' means the list of constituencies arranged serially in Odia alphabetical order under clause (c) of sub-section (2-A) of Section 16.

7-B. (1) Subject to the provision of clause (a) of sub-section (2-A) of Section 16, every Block shall be divided into constituencies and the number of constituencies so divided shall so far as practicable be equal to the number of Gramas in the Block.

(2) The list shall be prepared in Form No. 19.

7-C. Subject to the directions, if any, issued by the Governor of Odisha under paragraph 5 of the Fifth Schedule to the Constitution of India out of the constituencies left in the list of candidates, other than those reserved for the Scheduled Castes and the Scheduled Tribes, reservation of constituencies for the members of backward class of citizens shall begin from the constituency which appears first and shall continue one by one until the required quota is completed.

7-D. (1) The draft statement showing the division and reservation of constituencies in the Samiti shall be prepared in Form No. 19 and published together with a notice in Form No. 20 inviting objections and suggestions from all persons interested, within a period of seven days from the date of

such publication, who may submit his objection or suggestion in writing or may send the same to the Collector by post.

(2) Objections or suggestions received after the period specified under sub-rule (1) shall not be considered.

7-E. Objection and suggestion received under Rule 7-D shall be consolidated constituency wise and after considering the same, the Collector shall pass his orders as to whether there shall be any alteration to be made in respect of any constituency and if so, the extent thereof.

7-F. After making such alterations, if any, under Rule 7-E, the Collector shall publish the final statement of division and reservation of constituencies of the Samiti in Form No. 19 within seven days from the date of expiry of the period prescribed under Rule 7-D.

7-G. The Collector shall submit the list and statement of constituencies in Form No. 19, together with the list of offices of Chairman of Samities including those reserved for the Scheduled Castes, the Scheduled Tribes, Backward Class of citizens and Women, to the Commissioner by such date as the Commissioner may fix for the purpose which shall not, unless the Commissioner otherwise directs, be less than six weeks before the date fixed for issue of the notification under sub-rule (1) of Rule 4.

7-H. (1) On receipt of the report from the Election Officer under sub-rule (11) of Rule 11 regarding failure of election for second time on the ground that no person belonging to any particular category, for which the seat of the member has been reserved is available in the voter list of any of the Samiti Constituencies in the Block, even for nomination under sub-section (1) of Section 45-C, the Collector shall send his recommendation as required under sub-section (2) of the said section to the Government for dereservation of such seat.

(2) The recommendation of the Collector shall comprise the following, namely :-

- (i) working copy of the voter list of all the Samiti Constituencies in the Block;
- (ii) copy of Form No. 19 showing the reservation status of the membership;
- (iii) a certificate to be signed jointly by the Election Officer and the Collector in the following form :-

Certified that we have carefully verified the voter list of all the Samiti Constituencies of the Block and found that no person belonging to the reserved category is available in the said voter lists for nomination under sub-section (1) of Section 45-C.

We, therefore, recommend that the seat of the Samiti Member of-----Samiti Constituency under-----Block be dereserved under sub-section (2) of the said section.

Election Officer

Collector

(3) On receipt of recommendation from the Collector under sub-rule (1), the voter lists shall be scrutinised and after having been satisfied on the correctness of the recommendation of the Collector, the Government shall dereserve the seat under sub-section (2) of Section 45-C by publishing a notification to that effect.

(4) Copy of the notification published under sub-rule (3), shall forthwith be communicated to the Commissioner for filling up of the seat by fresh election and a copy of such notification shall also be forwarded to the Collector, Sub-Collector, Election Officer and the concerned Block.

PART III

ELECTION OF MEMBERS OF PANCHAYAT SAMITI

Inviting of names.

8. (1) The Election Officer shall, at least four weeks before the date fixed for election issue a notice in Form No. 3 calling for names of candidates for the Office of the Member of Samiti from every Samiti Constituency and specifying the date, time and place of filing nominations; and

(2) Notices issued under sub-rule (1) shall be published in the noticeboard of each of the Grama Panchayats of the concerned Samiti, the Panchayat Samiti Office/Sub-Collector's Office and also in the noticeboard of the Collector.

Presentation of nomination paper.

9. A nomination can be presented to the Election Officer at the appointed date, time and place specified in the notice either by the candidate himself or his proposer or seconder.

Supply of forms.

10. The Election Officer shall arrange for supply of forms relating to the election of the Members of Samiti at the office of the Block concerned.

Deposit of money.

11. (1) On the date appointed for presentation of the nomination paper, a candidate wishing to stand for election for the Member of Samiti, unless he is a member of the Scheduled Tribes or the Scheduled Castes shall deposit or cause to be deposited with the Election Officer in cash, a sum of rupees one hundred.

(2) If the candidate is a member of the Scheduled Tribes or the Scheduled Castes the amount of deposit shall be rupees fifty.

(3) The Election Officer shall grant a receipt in Form No. 5 for the amount so deposited.

(4) No candidate shall be eligible to contest in the election as a Member of Samiti in respect of whom such deposit has not been made.

(5) If a candidate by whom or on whose behalf, the deposit referred to in sub-rule (1) has been made, withdraws his candidature in the manner and within the time specified under sub-rule (15) or if the nomination of any such candidate is rejected, the money deposited shall be returned to the candidate on whose behalf it was made or to any other person authorised by him in this behalf.

(6) If a candidate by whom or on whose behalf the deposit referred to in sub-rules (1) or (2) as the case may be, has been made is not elected and the number of votes polled by him does not exceed one-sixth of the total number of votes polled, the deposit shall be forfeited to the State Government.

Explanation—The total number of votes polled shall be deemed to be the number of ballot papers other than spoilt ballot papers counted.

(7) The deposit made in respect of a candidate, who is elected or has polled more than one-sixth of the total number of votes polled, shall be returned to him immediately after the result of the election is published.

(8) A deposit required to be returned to any person under sub-rule (5) or sub-rule (7) shall, if such person is dead, be returned to his legal heir.

(9) Notwithstanding anything contained in this rule, a deposit made under sub-rule (1) or sub-rule (2), as the case may be, shall not be returned unless a claim therefore is preferred by the person on whose behalf the deposit is made or by his legal representative, as the case may be, within six months from the date of declaration of result of the election by the Election Officer.

(10) The Election Officer shall, at the appointed time, date and place receive the nomination papers in Form No. 6 and scrutinise them in the presence of the candidates or their proposers.

If the Election Officer finds that the candidate does not suffer from any disqualification under Section 45 of the Act, he shall accept their nomination as valid. Objections, if any, filed in the course of scrutiny shall be enquired into summarily by the Election Officer and his decision accepting or rejecting the nomination paper shall be endorsed on the body of the nomination papers.

(11) If no nomination is filed or if all the nominations filed are rejected, a notice for fresh election shall be issued and if no nomination is filed or all the nominations are rejected for the second time, the Election Officer shall report the matter to Government through the Collector for nomination of a person under Section 45-C.

(12) If after scrutiny under sub-rule (10) or after withdrawal of candidature under sub-rule (15) there is only one candidate duly nominated for the election of the Member of Samiti, there shall be no poll and the Election Officer shall immediately declare in Form No. 7 the name of such person to have been duly elected uncontested.

(13) (a) In case of a contest, the Election Officer shall, immediately after the scrutiny prepare a list of the validly nominated candidates in Form No. 8 and arrange them in alphabetical order in Oriya.

(b) Omitted

(c) In case the number of contesting candidates exceeds the number of symbols specified by the Government, the Election Officer may allot any other symbol to the candidates :

Provided that such additional symbols shall not, however, include any symbol allotted to the political parties by the Election Commission of India.

(d) The symbol so assigned to each candidate shall also be indicated in the list in Form No. 9.

(14) A list of the validly nominated candidates for the election of the Member of Samiti shall be published in the noticeboards of the Election Officers and the Samiti concerned in Form No. 8 at least three weeks before the date fixed for election.

(15) A validly nominated candidate contesting for the Member of Samiti may withdraw his candidature by presenting a written application in person in Form No. 10 to the Election Officer within forty-eight hours after the nomination papers have been scrutinised and the list of validly nominated candidates has been prepared and published under sub-rule (14) :

Provided that the Election Officer shall verify the signature of the candidate before allowing the candidature to be withdrawn.

(16) After withdrawal of candidature under sub-rule (15), the final list of contesting candidate along with allotment symbol to each of them shall be published by the Election Officer in Form No. 8 in the noticeboards of the Election Office, Panchayat Samiti and the Grama Panchayat concerned at least two weeks before the date fixed for election.

PART IV

POLLING ARRANGEMENT

Location of
Polling
Station.

12. (1) The Polling Station for a Ward of a Grama Sasan within the Samiti Constituency shall be located within the area of that Ward :

Provided that the Election Officer may, if necessary, have a single Polling Station for more than one Ward.

(2) Inside a Polling Station, there shall be an enclosed space which shall be used by voters for marking the Ballot Papers secretly.

Presiding
and Polling
Officer.

13. (1) There shall be a Presiding Officer at each Polling Station who shall exercise such powers of the Election Officer as may be delegated to him.

(2) There may also be such number of Polling Officers for each Polling Station according to actual requirement.

Ballot
Boxes.

14. (1) The Election Officer shall provide such number of Ballot Boxes to each Polling Station as may be required.

(2) The Ballot Boxes shall be placed in a Polling Station in full view of the Presiding Officer at the time of polling.

Ballot
Paper.

15. (1) Only the printed Ballot Papers as contained in Form No. 11 shall be used for the election of Member of Samiti.

(2) The Ballot Papers for the election of the Member of Samiti shall bear the symbols assigned by the Election Officer to each contesting candidate.

(3) The Ballot Papers which bear the seal and signature of the Presiding Officer of the Polling Station shall be issued to the voters.

Appointment of Polling Agents.

16. Each contesting candidate may appoint not more than one Polling Agent to remain present on his behalf at the Polling Station during the poll as well as at the time of counting of the votes.

Polling hours.

17. The polling at each Polling Station may take place during such hours as may be fixed by the Commissioner.

System of marking ballot.

18. The Ballot Papers shall be marked by the voters by means of a rubber stamp bearing cross mark.

PART V

CONDUCT OF POLLING

Supply of forms.

19. (1) The Election Officer shall supply to the Presiding Officer appointed for the Polling Station the following papers, namely :-

- (i) a list of candidates published in Form No. 8 for the election of the Member of the Samiti;
- (ii) a working copy of the Voter's list relating to the Polling Station (s);
- (iii) another copy of the Voter's list relating to the Polling Station (s);
- (iv) required number of Ballot Papers in Form No. 11;
- (v) Form No. 12 for recording Ballot Paper account;
- (vi) Form No. 9 containing the list of the contesting candidates and symbols allotted to each of them.

Preparation by Presiding Officer.

20. It shall be the responsibility of the Presiding Officer to proceed to the Polling Station well in advance of the time fixed for the poll and make necessary arrangements so as to ensure that polling commences exactly at the time notified by the Commissioner.

Permission to Polling Agents.

21. (1) The Presiding Officer shall examine the authority of the Polling Agents, if any present authorised by the candidates and admit them to the Polling Station, if he is satisfied that the authority is valid under these rules.

(2) If necessary, the Presiding Officer may seek the assistance of respectable persons of the locality to identify the voters.

Exhibition of list of candidate.

22. (1) One hour before the commencement of the poll, a copy of the list of contesting candidates together with a description of the symbol assigned to each in Form No. 9 shall be exhibited prominently to the public at the Polling Station.

(2) A notice specifying the area of the Polling Station and the date and time of poll shall also be exhibited.

Verification of Ballot Box.

23. Immediately before commencement of the poll, the Presiding Officer shall demonstrate to the Polling Agents, if any are present, that the Ballot Box is empty and is either locked up or so secured by any device that the Ballot Papers can be inserted therein but cannot be removed therefrom except by breaking or otherwise tampering with the box.

Voting Procedure.

24. (1) The Polling shall commence exactly at the appointed hour.

(2) On arrival of each voter at the Polling Station, the Presiding Officer shall direct the Polling Officer to check up his name with reference to the working copy of the voter's list furnished by the Election Officer and shall issue a Ballot Paper to the voter after a mark in indelible ink on the left forefinger below the nail is made by the Polling Officer.

(3) The Presiding Officer shall explain to the voter the manner of marking the Ballot Paper, if necessary.

(4) The voter shall then proceed to the enclosed space in the booth and affix the cross mark on the Ballot Paper secretly with the stamp provided for the purpose against the symbol of the candidate to whom he wishes to vote.

(5) After affixing the cross mark the voter shall fold the Ballot Paper to the inner side so as to maintain secrecy of the vote and insert the same into the Ballot Box intended for the purpose.

(6) In case of difficulty, the voter shall approach the Presiding Officer who shall assist the voter in inserting the Ballot Paper into the Ballot Box.

(7) Any reference in this rule to the left forefinger of voter shall, in the case where the voter has his left forefinger missing, be construed as a reference to any other finger of his left hand and shall, in the case where all the fingers of his left hand are missing, be construed as a reference to the forefinger or, as the case may be, any other finger of his right hand and shall, in case where all his fingers of both the hands are missing, be construed as a reference to such extremity of his left or right arm as he possesses.

Voting by
Electronic Voting
Machine.

24-A. (1) The procedure as prescribed in the Panchayat Election Rules relating to voting and counting by electronic voting machine shall *mutatis mutandis* apply to the voting under these rules.

(2) The forms prescribed for such voting shall be in Form No. 20-A and 20-B.

(3) Any reference to Ballot Box or Ballot Paper for such voting shall be construed as and including a reference to such voting machine.

Voting by
Electronic Voting
Machine.

24-B. The procedure for voting by a voter on duty at the same or another Polling Station as prescribed in the Panchayat Election Rules shall *mutatis mutandis* apply to the voting under these rules.

Working copy
of Electrol

25. After issue of the Ballot Papers, the Polling Officer shall tick mark the name of the voter in the working copy of the voter's list.

Blind Voters

26. In case of voter who is physically incapacitated or is blind, the Presiding Officer shall at the request of such voter allow him to take a companion to the place set apart for voting.

Objection as to
the identity of
Voters

27. (1) Any contesting candidate or his Polling Agent may object to the identity of a voter on the ground only that he is only the person he claims to be as per entry in the voters list.

(2) For every such objection a fee of rupees two shall be deposited with the Presiding Officer.

(3) The Presiding Officer shall decide the objection summarily and his decision shall be final.

(4) If the objection is allowed, the deposit shall be refunded to the person who deposited the amount.

(5) If the objection is disallowed, the deposit shall be forfeited and a receipt in Form No. 5-A shall be granted by the Presiding Officer to the person who has made the deposit.

Procedure for
conducting the
poll

28. (1) The Presiding Officer shall so regulate the entry into the Polling Station that the polling proceeds in an orderly manner.

(2) All voters who appear between the hours fixed for the poll within the Polling Station area shall be allowed to vote.

(3) No voter shall be admitted inside the Polling Station area after the time fixed for closing the polling.

Polling Officer as
the Presiding
Officer.

29. When the Presiding Officer is unable to remain at the Polling Station temporarily for reasons beyond his control, he shall authorise one of the Polling Officers to act as the Presiding Officer.

Prodedure for
counting of
Votes.

30. (1) After the close of polling, the Presiding Officer shall seal the Ballot Box in presence of candidates or their polling agents who may be present, prepare separate sealed packets of all papers and reports and forward the same to the Election Officer after which the Election Officer shall proceed to take up counting of votes on the scheduled date in presence of the candidates and their polling agents, if any, who may be present at the counting centre.

(2) Each vote cast by the voters shall be scrutinized by the Election Officer in the course of counting and a vote shall be invalid for counting on one or more of the following grounds, namely :-

- (i) if it bears any mark or writing by which the voter can be identified;
- (ii) if it does not bear the mark specified under Rule 18;
- (iii) if votes are recorded in favour of more than one candidate;
- (iv) if the mark indicating the vote placed in such a manner so as to make it doubtful as to the candidate in whose favour the same has cast;
- (v) if the Ballot Paper is spurious;
- (vi) if the Ballot Paper is so damaged or mutilated that its genuineness cannot be established;
- (vii) if the Ballot Paper does not bear the authentication mark of the Presiding Officer as specified by sub-rule (3) of Rule 15.

(3) The Election Officer shall record the reason (s) for rejecting the Ballot Paper on the Ballot Paper itself and sign the same.

(4) The result of the counting of the Ballot Papers in respect of the candidates of the Samiti shall be recorded in Form No.13.

31. (1) Immediately after close of the polling, the Presiding Officer shall prepare separate bundles of all papers, reports, used and unused Ballot Papers in respect of the Polling Station of the Samiti, seal each packet, note thereon the Polling Station to which it relates and forward the packets to the Election Officer on the same day.

(2) It will be open to the candidates or their Polling Agents to affix their seal on the aforesaid packets, if so desire.

(3) On the date fixed for declaring the result of the elections, the Election Officer shall, in presence of the candidates or their polling agents, carefully check up the votes polled by different candidates arithmetically so as to arrive at the final assessment as to the total number of votes polled by each contesting candidate and announce the result after recording the details in Form No. 14.

(4) The candidate securing the maximum number of votes in a Samiti Constituency shall be declared as duly elected.

(5) In case of equality of votes, the result shall be decided by drawing lots and the candidate whose name is drawn first shall be declared elected.

(6) The Election Officer shall forthwith intimate the Collector of the District, the name of the duly elected candidate for the purpose of publication.

(7) After declaration under sub-rule (4) has been made, a candidate or, in his absence, his polling agent may apply in writing to the Election Officer to recount the votes either wholly or in part, stating the grounds for such recounting.

(8) On an application made under sub-rule (7), the Election Officer shall decide the matter and may allow the application in whole or in part or may reject it in toto, if it appears to him to be frivolous or unreasonable.

(9) Every decision of the Election Officer under Rule (8) shall be in writing and contain the reasons therefor.

(10) If the Election Officer decides under sub-rule (8) to allow recounting of the votes either wholly or in part, he shall—

- (a) make the recounting in accordance with Rule 30;
- (b) make necessary corrections in the result sheet in Form No. 14 to the extent necessary after such recounting; and
- (c) announce the result on the basis of corrections so made by him.

32. Omitted.

33. (1) After receipt of the result from the Election Officer, the Collector of the district shall publish the names of the duly elected candidates in his noticeboard as required under sub-section (6) of Section 16.

(2) The Collector shall also cause the result to be published in the *Orissa Gazette* and also forward copies of the same to the Government and the Block Development Officer concerned.

(3) The documents relating to election proceedings received from the Presiding Officer and those prepared by the Election Officer shall be retained

in safe custody in the office of the Collector for a period of three months and shall then, unless otherwise directed by a competent Court of Law be destroyed.

(4) The documents, records, referred to in sub-rule (3) retained in the custody of the Collector shall not be opened or inspected or produced save with the prior permission of the Commissioner or of a competent Court.

Failure of election.

34. (1) If there is a failure of election to any of the Samiti Constituencies, the notification under sub-rule (1) of Rule 33 shall be withheld until receipt of the result of fresh election from the Election Officer.

(2) If there is a failure of the election so held for the second time, the Election Officer shall forthwith report the matter to the Government through the Collector of the district for nomination of a person to fill up the vacancy under Section 45-C.

Procedure for re-election

35. (1) When it is necessary to hold election for the second time in any case in the course of a General Election, the procedure prescribed in the foregoing rules for the conduct of election shall apply subject to the following, namely :—

- (i) it shall not be necessary either to publish the electoral roll; and
- (ii) the Election Officer shall issue notice calling for names of candidates for the office of the Member of Samiti at least two weeks before the date fixed for election.

(2) When seat of a member of Samiti is dereserved under sub-section (2) of Section 45-C, the Commissioner shall, on receipt of the communication to that effect under sub-rule 7-H from the Government, fix up dates for conducting election to such seat, whereupon the provisions of these rules shall apply subject to modifications prescribed under sub-rule (1).

36. Omitted.

PART VI

ELECTION OF THE CHAIRMAN/VICE-CHAIRMAN OF PANCHAYAT SAMITI

37. The Election of the Chairman and Vice-Chairman of the Samiti shall be held in the office of the Samiti or at such other public place at the headquarters of the Samiti as the Collector of the district may determine.

First meeting of the Samiti.

38. (1) The Election Officer shall, within three days of the publication of the notification under sub-rule (1) of Rule 33, issue—

- (i) a notice in Form No. 15 notifying the date, time and place of the first meeting of the Samiti; and
- (ii) a notice in Form No. 16 calling for the names of candidates for the office of the Chairman of Samiti.

NOTE— (a) First meeting as referred to in Clause (I) of this sub-rule shall mean the first meeting as referred to in sub-section (3) of Section 16.

(b) The notices under the sub-rule shall be issued at least seven clear days before the date of the meeting.

(2) The notices issued under sub-rule (1) shall be served on all the members of Samiti personally by delivering or tendering it to the members to whom it is addressed or in default of personal service, it shall be served by registered post or if necessary by telegram.

(3) The notice shall also be published at the Samiti Office and at one or more conspicuous places of the locality.

Filing of nomination for Chairman.

39. (1) The nomination of every candidate shall be made in Form No. 17

(2) The Form aforesaid may be printed, typed, cyclostyled or be in manuscript

(3) Every nomination paper shall be signed by two members of the Samiti as proposer and seconder and the candidate shall also sign a declaration expressing his willingness to contest for election to the office of the Chairman.

(4) Omitted.

(5) Every nomination paper shall be presented by the candidate or his proposer or seconder in person to the Election Officer on the date, at the place and during hours specified in the notice issued under sub-rule (1) of the Rule 38.

(6) The Election Officer shall, at the appointed time, date and place, receive nomination papers and after the time for receipt of nomination papers is over, shall scrutinise them and read out the names of the candidates whose nominations have been received under sub-rule (5) and found to be in order.

(7) If no nomination paper is filed for election to the office of the Chairman of the Samiti or all the nomination papers filed are rejected, a notice for fresh election shall be issued under Rule 38 (1) within fifteen days from the date on which the nomination papers were filed under sub-rule (5).

(8) If there is a failure of the election so held for the second time, the Election Officer shall forthwith report the matter to Government through the Collector of the district for nomination of a person to the office of the Chairman under Section 45-C to fill up the vacancy.

Procedure for conducting the election.

40. Procedure after filing of nomination paper :—

(1) if there is only one duly nominated candidate for the office of the Chairman, there shall be no voting and the candidate be declared to have been elected as the Chairman;

(2) if there are two or more candidates filed nominations for the office of the Chairman, an election shall be held by secret ballot and the vote of the members present at the meeting shall be taken; and

(3) where the votes of the members are taken under sub-rule (2) the names of the candidates shall be arranged in the alphabetical order written in Oriya.

Voting and
declaration of
result.

41. (1) Every member present and wishing to vote shall be supplied with a ballot paper duly authenticated by the Election Officer with his seal and signature.

(2) Names of the duly nominated candidates shall be typed or cyclostyled or legibly written on the ballot paper arranged according to the alphabetical order of their names in the following format in Oriya :—

Serial No.	Name of the Candidate with name of the father or husband	Voting sign (X)
(1)	(2)	(3)

(3) The members shall then proceed one after the other to the place set apart for voting and there secretly place a clear arrow cross mark in Column (3) of the ballot paper against the name of the candidate for whom he wishes to vote and shall then fold the ballot paper inwardly and deposit it in a ballot box placed in full view of the Election Officer.

Explanation—The Election Officer shall explain the above procedure to the member before the commencement of the poll.

(4) In the case of a member who is physically incapacitated or is blind, the Election Officer shall at the request of such member take him to the place set apart for voting, ascertain his choice, accordingly mark the voting paper, fold it up so as to maintain secrecy and deposit it in the ballot box.

Counting of votes

42. Immediately after the voting is over, the Election Officer shall count the votes in the presence of the members and record the number of votes secured by each candidate in statement in Form No.18.

Grounds for
rejection of
votes.

43. A vote shall be liable for rejection on either one or more of the following grounds, namely :—

- (i) if the ballot paper bears the signature of the voter or contains any word, sign or visible representation by which he can be identified.
- (ii) if the arrow cross marks are placed against more than one name.
- (iii) if the arrow cross mark is so placed as to make it doubtful for which candidate the vote has been cast.
- (iv) if the ballot paper does not bear the authentication mark of the Presiding Officer prescribed under sub-rule (1) or Rule 41, or
- (v) If no arrow mark is made against any candidate.

Declaration of the result of voting.

44. Upon completion of the counting, the Election Officer shall declare the result of election of Chairman in the following manner, namely :–

(1) If there are two or more candidates, the one who secures the highest number of votes shall be declared to be duly elected.

(2) In the event of an equality of votes between two or more candidates, the Election Officer shall draw lot in the presence of the members and the candidate whose name is first drawn shall be declared to have been duly elected.

Election of Vice-Chairman

44. A. (1) Within three days of declaration of the result of the election of the Chairman under Rule 44 or failure of election under Rule 39, the Election Officer shall issue a notice in Form No. 16 notifying the date, time and place of election to the office of the Vice-Chairman.

(2) The procedure outlined for the conduct of the election to the office of the Chairman under the foregoing rules shall apply *mutatis mutandis* to the election of the Vice-Chairman.

Proceeding of the meeting.

45. (1) Immediately after declaration of the result under Rule 44, the Election Officer shall–

- (a) prepare a record of the proceedings of the meeting, sign it and attest with his initial, every correction made therein and permit the members present at the meeting to affix their signature to such record, if they express their desire to do so;
- (b) publish in the office of the Samiti a notification signed by him stating the name of the person elected as the Chairman and the Vice-Chairman of the Samiti respectively;
- (c) forward a copy of such notification to the Collector, in case the Collector is not the Election Officer.

(2) The Collector shall notify the name of Chairman and Vice-Chairman in his notice board forward a copy of such notification to the Government Press for publication in the *Orissa Gazette* and also forward a copy of the same to Government.

(3) Copies of the notification published under sub-rule (2) shall also be communicated to the Revenue Divisional Commissioner and the Sub-Collector within whose jurisdiction the Samiti is situated.

PART VII MISCELLANEOUS

Filling up of casual vacancies.

46. (1) **Casual Vacancy**–In the case of a vacancy occurring on account of removal, resignation, death or otherwise of an elected member, Chairman or Vice-Chairman of the Samiti, the Block Development Officer shall forthwith report the fact to the Commissioner through the Collector of the District who shall fix a date as soon as convenient for holding a by-election to fill up the vacancy.

(2) Omitted.

(3) Unless the Commissioner otherwise directs, the rules prescribed in Parts II, III, IV, V and VI shall apply *mutatis mutandis* to such by-elections :

Provided that in case of a by-election to the office of an elected member, the electoral roll utilised at the time of election to such office shall be utilised and unless the Commissioner otherwise directs, it shall not be necessary either to publish the electoral roll or to invite objections :

Provided further that the Commissioner may, if the circumstances so warrant, fix up different dates for different stages of election proceedings to fill up casual vacancies.

Postponement of election.

46-A. (1) Notwithstanding anything contained in these rules, if at any time or in any case the proceedings at any polling station are interrupted or obstructed for any reason whatsoever and the Presiding Officer is satisfied that free and fair conduct of election has been affected thereby, he shall direct postponement of the poll and shall forthwith inform the Election Officer.

(2) On receipt of information from the Presiding Officer under sub-rule (1), the Election Officer shall after such enquiry, as he may deem fit, report the facts of the case to the Commission.

(3) If the Commissioner is satisfied on the basis of the report of the Election Officer or otherwise that conduct of free and fair election has been affected, he may direct a fresh election at that polling station.

Adjournment of poll in emergency.

46-B. (1) If the proceedings at any polling stations are interrupted or obstructed by any riot or open violence or if it is not possible to take the poll at any polling station or if at any time or in any case it appears to the Election Officer that during the course of an election, it is or has become impracticable to go ahead with the process of election including the poll due to natural calamity or otherwise, the Election Officer may, by a reasoned order, announce an adjournment of the poll to a date to be notified later and shall report the facts of the case to the Commission.

(2) If the Commissioner is satisfied on the report of the Election Officer or otherwise as regards the facts stated at sub-rule (1) above, he shall direct poll on such date, place and hours as he may satisfy.

(3) Whenever a poll is adjourned under sub-rule (1) counting of votes relating to the constituency of which the poll was adjourned shall not commence without the previous approval of the Commissioner.

Fresh poll in the case of destruction etc. of ballot boxes.

46-C. (1) If at an election—

(a) any ballot box used at a polling station or at a place fixed for the poll is unlawfully taken out of the custody of the Presiding Officer or the Polling Officer accidentally or intentionally

destroyed or lost, or is damaged or tampered with, to such an extent that the result of the poll at that polling station or place cannot be ascertained; or

- (b) any such error or irregularity in procedure as is likely to vitiate the poll is committed at a polling station or at a place fixed for the poll, the Presiding Officer shall forthwith report the matter to the Election Officer.

(2) The Election Officer, on receipt of information under sub-rule (1) and after taking prior approval of the Commissioner, shall either—

- (a) cancel the poll at that polling station, appoint a day and fix the hours for taking a fresh poll at that polling station or any other suitable place and notify the day so appointed and the hours so fixed in such manner as it may deem fit; or
- (b) If satisfied that the result of a fresh poll at that polling station or place will not, in anyway, affect the result of the election or that, the error or irregularity in procedure is not material issue such directions to the Presiding Officer as he may deem proper for the further conduct and completion of the election.

(3) The provisions of this rule or orders made thereunder shall apply to every such fresh poll as they apply to the original poll.

Adjournment of poll or countermanding of election on the ground of booth capturing.

46-D. (1) If at an election—

- (a) booth capturing has taken place at a polling station or at a place fixed for the poll (hereinafter in this rule referred to as a place) in such a manner that the result of the poll at that polling station or place cannot be ascertained; or
- (b) booth capturing takes place in any place fixed for counting of votes in such a manner that the result of the counting at that place cannot be ascertained, the Election Officer shall forthwith report the matter to the Commissioner.

(2) The Commissioner shall on the receipt of a report from the Election Officer under sub-rule (1) or otherwise and after taking all material circumstances into account either—

- (a) declare that the poll at that polling station or place be void, appoint a day and fix the hours for taking fresh poll at that polling station or any other suitable place and notify the date so appointed and hours so fixed in such manner as it may deem fit, or
- (b) if satisfied that in view of the large number of polling stations or places involved in booth capturing the result of the election is likely to be affected, or that booth capturing had affected counting of votes in such a manner as to affect the result of the election, countermand the election in that constituency.

Explanation—For the purpose of this rule, “booth capturing” includes, among other things all or any of the following activities, namely :—

- (a) seizure of a polling station or a place fixed for the poll by any person or persons making polling authorities surrender the ballot papers or voting material including ballot boxes and doing of any other act which affects the orderly conduct of election;
- (b) taking possession of a polling station or a place fixed for the poll by any person or persons and allowing only his or their own supporters to exercise their right to vote and to prevent others from voting;
- (c) threatening any elector and preventing him from going to the polling station or any place fixed for the poll to cast his vote;
- (d) seizure of a place fixed for counting of votes by any person or persons, making the Counting Authorities surrender the ballot papers or voting materials including ballot boxes and the doing of anything which affects the orderly counting of votes;
- (e) doing by any person in the service of Government of all or any of the aforesaid activities or aiding or conniving at any such activity in the furtherance of the prospects of the election of a candidate.

Extra-ordinary
power of the
Commissioner.

46-E. (1) If at any time or in any case it appears to the Commissioner that circumstances exist for his satisfaction that conduct of free and fair election is likely to be or has been affected, the Commissioner may issue general or special order as the circumstances may require to ensure free and fair election.

[(2) Omitted].

Requisition of
premises,
vehicles, etc.

46-F. If it appears to the Collector that in connection with an election held under these rules—

- (a) any premises are needed or are likely to be needed for the purpose of being used as a polling station or for storage of ballot boxes before or after the poll is taken; or
- (b) any vehicle, vessel or animal needed or is likely to be needed for the purpose of transport of ballot boxes to or from any polling station, or transport of members of the police force for maintaining order during the conduct of or in connection with such election or other person for performance of any duties in connection with such election, he may by order in writing requisition such premises or vehicles, vessel or animal, as the case may be, and may make such further orders as may appear to him to be necessary or expedient in connection with such requisitioning.

Counter
manding
of poll.

46-G. (1) If at an election—

- (a) a validly nominated candidate who has not withdrawn his candidature under sub-rule (15) of Rule 11 dies and a report

of his death is received by the Election Officer before publication of the list of contesting candidates; or

(b) a candidate dies after the publication of list of contesting candidates under sub-rule (16) of Rule 11, the Election Officer shall upon being satisfied of the fact of the death of the candidate countermand the poll and report the fact to the Commissioner.

(2) If at an election, a candidate dies at any time on or after the date of the poll but before publication of the result under Rule 33, there shall be no countermanding and the result shall be declared as if the candidate has not died :

Provided that in case upon declaration of result of the election, the deceased candidate declared to have been duly elected, the Election Officer shall forthwith issue a notification to the effect that a casual vacancy has occurred and the provisions of these rules for conducting by-elections to fill up the casual vacancy be applicable in such cases.

Interest in any contract with the Samiti.

47. A person shall not be deemed to have any interest in a contract made with or any work being done for the Samiti constituted for a Block as specified in clause (o) of sub-section (1) of Section 45 by reason only of his having a share or interest in—

- (i) any lease, sale or purchase of immovable property or any agreement for the same; or
- (ii) any agreement for the loan of money or any security for the payment of money only; or
- (iii) any newspaper in which any advertisement relating to the affairs of the Panchayat Samiti is inserted; or
- (iv) the sale to the Panchayat Samiti of any article in which he regularly trades or the purchase for the Panchayat Samiti of any article of a value in either case not exceeding fifteen hundred rupees in the aggregate in any year during the period of the contract of work; or
- (v) any development work taken up not as a contractor but as a member of a Committee formed by the Grama Panchayat or Samiti as such from amongst its members, to which such work may be entrusted directly by any of the above bodies.

Procedure for removal of disqualification.

48. (1) A person suffering from any of the disqualifications specified in clause (h) or clause (i) of sub-section (1) of Section 45 may represent to Government giving the full facts and reasons for removal of such disqualification.

(2) The Government may, after such enquiry as they may deem necessary, remove such disqualification by a notification.

Manner of inquiry under Section 45(1)(n).

49. (1) The Collector of a district may draw and publish the list of persons proved to his satisfaction or to the satisfaction of any subordinate officer not

below the rank of a Sub-Collector who are in the habit of encouraging litigation in the villages and may from time to time alter or amend such list.

(2) No person's name shall be included in any such list until he shall have had an opportunity to showing cause against such inclusion.

(3) The Collector may send the list of persons alleged or suspected to be in the habit of encouraging litigation in the villages to the Sub-Collector who shall thereupon hold an enquiry into the conduct of such person and after giving each such person opportunity of hearing shall report to the Collector with his enquiry report and the Collector, if satisfied with the report, publish the name in the Notice- board of the Collectorate :

Provided that the Collector shall hear any such person who, before his name has been so published, appears before him and desires to be heard.

(4) A copy of every such list shall be kept hung up in the Notice Board of the Collectorate and in the office of the concerned Block Development Officer.

(5) Every person whose name is included in such list shall be deemed to be in the habit of encouraging litigations in the villages within the meaning of clause (n) of sub-section (1) of Section 45.

Interpretation
of rules.

50. (1) If any question arises as to the interpretation of these rules, the question shall be referred to the Commissioner for decision.

Determination
of disputes

51. Any dispute arising out of any of the provisions of these rules except those contained in Part II-A and Rules 47, 48 and 49 shall be deemed to be an election dispute under the Act and shall be decided by such authority and in such manner as provided in the Act.

Repeal and
savings.

52. The Odisha Panchayat Samiti (Conduct of Election) Rules, 1970 are hereby repealed :

Provided that notwithstanding such repeal anything done or any action taken under the rules so repealed shall be deemed to have been done or taken under these rules.

FORM No. 3

(See Rule 8)

**Notice calling for nomination of candidate for the office of
Member of Samiti of Samiti Constituency
..... Panchayat Samiti.**

Notice is hereby given that—

- (1) An election is to be held for the office of every Members of Samiti of Panchayat Samiti.
- (2) Forms of nomination papers may be obtained at the office of the Officer specified in Serial No. 6 between the hours of and on (Date) at (Place)
- (3) Nomination papers may be delivered between the hours of 11 in the morning and 3 in the afternoon by a candidate or his proposer to the Officer specified below, at his office on any date not later than the day of
- (4) The nomination papers will be taken up for scrutiny at hours on (Date) at (Place).
- (5) Notice of withdrawal of candidature may be delivered by a candidate, to the Officer specified below at his office before on

TABLE

Designation of Officer	Location of Office
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(6) **Election Officer**

.....

- (7) In the event of the election being contested, the polling will take place on between the hours of

Date

Place

Election Officer, Samiti

ଫାରମ ସଂଖ୍ୟା ୩
(ନିୟମ ୫ ଦ୍ରଷ୍ଟବ୍ୟ)

..... ପଞ୍ଚାୟତ ସମିତିର ସମିତି ନିର୍ବାଚନମଣ୍ଡଳୀ ନିମନ୍ତେ ସମିତି ସଭ୍ୟ ପଦ ନିମିତ୍ତ ପ୍ରାର୍ଥୀଙ୍କ ନାମ ଲୋଡା ଯାଇଥିବା ନୋଟିସ୍ ।

ଏତଦ୍ୱାରା ନୋଟିସ୍ ଦିଆଯାଉଅଛି ଯେ :-

- (୧) ପଞ୍ଚାୟତ ସମିତିର ପ୍ରତ୍ୟେକ ସଭ୍ୟ ପଦ ନିମନ୍ତେ ନିର୍ବାଚନ ହେବ ।
- (୨) ମନୋନୟନ ପତ୍ରର ଫାରମ କ୍ରମିକ ସଂଖ୍ୟା ୬ରେ ଉଲ୍ଲିଖିତ ଅଧିକାରୀଙ୍କ କାର୍ଯ୍ୟାଳୟରେ ଘଟିକା ଠାରୁ ଘଟିକା ମଧ୍ୟରେ ତା ରିଖ ଠାରୁ (ସ୍ଥାନ) ଠାରେ ମିଳି ପାରିବ ।
- (୩) ମନୋନୟନ ପତ୍ର ପୂର୍ବାହ୍ନ ୧୧ ଘଟିକା ଠାରୁ ଅପରାହ୍ନ ୩ ଘଟିକା ମଧ୍ୟରେ ନିମ୍ନଲିଖିତ ଅଧିକାରୀଙ୍କ କାର୍ଯ୍ୟାଳୟ ଠାରେ ତା ରିଖ ମଧ୍ୟରେ ପ୍ରାର୍ଥୀ ବା ତାଙ୍କ ପ୍ରସ୍ତାବକଙ୍କ ଦ୍ୱାରା ଦିଆଯାଇ ପାରିବ ।
- (୪) ମନୋନୟନ ପତ୍ରଗୁଡ଼ିକ (ସ୍ଥାନ) ଠାରେ ତା ରିଖରେ ଘଟିକା ବେଳେ ଯାଞ୍ଚ କରାଯିବ ।
- (୫) ପ୍ରାର୍ଥୀଙ୍କ ଦ୍ୱାରା ପ୍ରାର୍ଥାତ୍ମ ପ୍ରତ୍ୟାହାର ନୋଟିସ୍ ତଳେ ଉଲ୍ଲିଖିତ ଅଧିକାରୀଙ୍କୁ ତାଙ୍କ କାର୍ଯ୍ୟାଳୟରେ ତାରିଖ ମଧ୍ୟରେ ପୂର୍ବରୁ ଦିଆଯାଇ ପାରିବ ।

ଟେବୁଲ

ଅଧିକାରୀଙ୍କ ପଦବୀ	କାର୍ଯ୍ୟାଳୟର ଅବସ୍ଥାନ
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- (୬) ନିର୍ବାଚନ ଅଧିକାରୀ
.....
- (୭) ନିର୍ବାଚନରେ ପ୍ରତିଦ୍ୱନ୍ଦ୍ୱିତା ହେଲେ ଭୋଟ ଗ୍ରହଣ ଦିନ
..... ଘଟିକା ମଧ୍ୟରେ ଅନୁଷ୍ଠିତ ହେବ ।
- ସ୍ଥାନ :
- ତାରିଖ :

ନିର୍ବାଚନ ଅଧିକାରୀ
..... ସମିତି

ଫାଉନ ସଂଖ୍ୟା 5
[ନିୟମ 11 (3) ଦ୍ରଷ୍ଟବ୍ୟ]
ଜମା ପରିମାଣର ରସିଦ୍

ସଂଖ୍ୟା ତାରିଖ
ଶ୍ରୀ
ଠାରୁ
ଟଙ୍କା (ଅକ୍ଷରରେ)
..... ଗ୍ରହଣ କଲୁ ।

.....
..... ପଞ୍ଚାୟତ ସମିତିର
ସମିତି ସଭ୍ୟ ପଦ ନିମିତ୍ତ ପ୍ରାର୍ଥୀତ୍ୱ ପାଇଁ ଜମା ଦିଆଯାଉଥିବା
ଅମାନତ ଟଙ୍କା ।

ସ୍ଥାନ

ନିର୍ବାଚନ ଅଧିକାରୀ

ଫାଉନ ସଂଖ୍ୟା 5
[ନିୟମ 11 (3) ଦ୍ରଷ୍ଟବ୍ୟ]
ଜମା ପରିମାଣର ରସିଦ୍

ସଂଖ୍ୟା ତାରିଖ
ଶ୍ରୀ
ଠାରୁ
ଟଙ୍କା (ଅକ୍ଷରରେ)
..... ଗ୍ରହଣ କଲୁ ।

.....
..... ପଞ୍ଚାୟତ ସମିତିର
ସମିତି ସଭ୍ୟ ପଦ ନିମିତ୍ତ ପ୍ରାର୍ଥୀତ୍ୱ ପାଇଁ ଜମା ଦିଆଯାଉଥିବା
ଅମାନତ ଟଙ୍କା ।

ସ୍ଥାନ

ନିର୍ବାଚନ ଅଧିକାରୀ

FORM No. 5-A

[See Rule 27(5)]

Receipt for deposit of objection fee

No.

Dated

Received from Shri/Shrimati.....

Rs.....(Rupees.....) on
account of objection fee being forfeited during election
to.....Samiti Constituency.

Polling Station.....

Presiding Officer

ଫାରମ ସଂଖ୍ୟା 5-କ

[ନିୟମ 27(5) ଦ୍ରଷ୍ଟବ୍ୟ]

ଜମା ଦିଆଯାଇଥିବା ଆପତ୍ତି ଫିସ୍ ର ସିଦ୍ଧ

ସଂଖ୍ୟା..... ତାରିଖ

ଶ୍ରୀ/ଶ୍ରୀମତୀ

ଠାରୁ ସମିତି ନିର୍ବାଚନମଣ୍ଡଳୀର ନିର୍ବାଚନ ସମୟରେ

ଗ୍ରହଣ କରାଯାଇଥିବା ଆପତ୍ତି ଫିସ୍ ଟ. (ଟଙ୍କା ଅକ୍ଷରରେ

.....)କୁ ଏତଦ୍ୱାରା ହରାଇଲେ ।

ଭୋଟ କେନ୍ଦ୍ର

ପ୍ରିଜାଇଡିଂ ଅଧିକାରୀ

FORM No. 6

[See Rule 11 (10)]

NOMINATION PAPER FOR MEMBER OF SAMITI

- (1) Name of the Samiti Constituency for which the candidate is nominated
- (2) Whether nominated for reserved seat, if so details thereof
- (3) Full name of the candidate
- (4) Serial number of candidate in Electoral Roll with Part No.
- (5) Father's or Husband's name
- (6) Age
- (7) Address
- (8) Community
- (9) Full name of Proposer
- (10) Serial number of the proposer in the Electoral Roll with Part No.
- (11) Signature of the Proposer
- (12) Full name of the Secunder
- (13) Serial number of the Secunder in the Electoral Roll with Ward No.
- (14) Signature of the Secunder

CANDIDATE'S DECLARATION

I declare that I am willing to stand for election to the Office of the Member of Samiti ofPanchayat Samiti and to the best of my knowledge and belief I am qualified and also not disqualified under the law for being chosen to fill up the seat.

I further declare that I am a member ofCaste/Tribe belonging to Scheduled Caste/Scheduled Tribe/Backward Class of Citizens of the State of Orissa.

Signature of Candidate

Endorsement by the Election Officer

Serial Number.....

The nomination paper was presented to me by..... aton.....

Decision after scrutiny

Signature of the Election Officer

RECEIPT FOR NOMINATION PAPER AND NOTICE OF SCRUTINY

(To be handed over to the persons presenting the nomination paper)

Serial No. of the Nomination paper :-

The nomination paper of.....a candidate for election from the.....Samiti Constituency was delivered to me at my office at.....hours on.....(date) by the candidate/proposer. All nomination papers will be taken up for scrutiny at.....(hours) on.....(date) at.....(place).

Date.....

Election Officer

ଫାରମ ସଂଖ୍ୟା 6

[ନିୟମ 11(10) ଦ୍ରଷ୍ଟବ୍ୟ]

ସମିତି ସଭ୍ୟ ନିମନ୍ତେ ମନୋନୟନ ପତ୍ର

- | | |
|---|----|
| ୧. ଯେଉଁ ସମିତି ନିର୍ବାଚନମଣ୍ଡଳୀ ପାଇଁ ପ୍ରାର୍ଥୀ
ମନୋନୀତ ସେହି ନିର୍ବାଚନମଣ୍ଡଳୀର ନାମ | .. |
| ୨. ଯଦି ସଂରକ୍ଷିତ ସ୍ଥାନ ପାଇଁ ମନୋନୀତ ହୋଇଥାନ୍ତି
ତେବେ ତାହାର ସମ୍ପୂର୍ଣ୍ଣ ବିବରଣୀ | .. |
| ୩. ପ୍ରାର୍ଥୀଙ୍କ ପୁରା ନାମ | .. |
| ୪. ଖାର୍ଚ୍ଚ ସଂଖ୍ୟା ସହିତ ଭୋଟର ତାଲିକାରେ ପ୍ରାର୍ଥୀଙ୍କ
କ୍ରମିକ ସଂଖ୍ୟା | .. |
| ୫. ପିତା ଅଥବା ପତିଙ୍କ ନାମ | .. |
| ୬. ବୟସ | .. |
| ୭. ଠିକଣା | .. |
| ୮. ସମ୍ପ୍ରଦାୟ | .. |
| ୯. ପ୍ରସ୍ତାବକଙ୍କ ପୁରା ନାମ | .. |
| ୧୦. ଖାର୍ଚ୍ଚ ସଂଖ୍ୟା ସହିତ ଭୋଟର ତାଲିକାରେ
ପ୍ରସ୍ତାବକଙ୍କ କ୍ରମିକ ସଂଖ୍ୟା | .. |
| ୧୧. ପ୍ରସ୍ତାବକଙ୍କ ସ୍ଵାକ୍ଷର | .. |
| ୧୨. ସମର୍ଥକଙ୍କ ପୁରା ନାମ | .. |
| ୧୩. ଖାର୍ଚ୍ଚ ସଂଖ୍ୟା ସହିତ ଭୋଟର ତାଲିକାରେ
ସମର୍ଥକଙ୍କ କ୍ରମିକ ସଂଖ୍ୟା | .. |
| ୧୪. ସମର୍ଥକଙ୍କ ସ୍ଵାକ୍ଷର | .. |

ପ୍ରାର୍ଥୀଙ୍କ ଘୋଷଣା

ମୁଁ ଘୋଷଣା କରୁଅଛି ଯେ, ମୁଁ ପଞ୍ଚାୟତ ସମିତିର ସଭ୍ୟ ପଦ ପାଇଁ ନିର୍ବାଚନରେ ପ୍ରାର୍ଥୀ ହେବାକୁ ସମ୍ମତି ପ୍ରକାଶ କରୁଅଛି ଏବଂ ମୋର ଜ୍ଞାନ ଓ ବିଶ୍ୱାସ ଅନୁଯାୟୀ ମୁଁ ପ୍ରାର୍ଥୀ ହେବା ପାଇଁ ଯୋଗ୍ୟ ଏବଂ ଯଦି ମୋତେ ଆସନ ପୂରଣ ନିମନ୍ତେ ପସନ୍ଦ କରାଯାଏ ମୁଁ ଆଜ୍ଞତଃ ଅଯୋଗ୍ୟ ନୁହେଁ ।

ପୁନଶ୍ଚ ମୁଁ ଘୋଷଣା କରୁଅଛି ଯେ, ମୁଁ ଜାତି/ଜନଜାତିର ସଦସ୍ୟ ଯାହାକି ଓଡ଼ିଶା ରାଜ୍ୟର ଅନୁସୂଚିତ ଜାତି/ଅନୁସୂଚିତ ଜନଜାତି/ପଛୁଆବର୍ଗ ନାଗରିକ ଅଟେ ।

ପ୍ରାର୍ଥୀଙ୍କ ସ୍ୱାକ୍ଷର

ନିର୍ବାଚନ ଅଧିକାରୀଙ୍କ ଦ୍ୱାରା ପୂରଣ ଲାଗି

କ୍ରମିକ ସଂଖ୍ୟା

ମନୋନୟନ ପତ୍ର କ ଦ୍ୱାରା ଘଟିକାରେ
..... ତାରିଖରେ ମୋ ନିକଟରେ ଦାଖଲ କରାଯାଇଥିଲା ।

ଯାଞ୍ଚ ପରେ ନିଷ୍ପତ୍ତି

ନିର୍ବାଚନ ଅଧିକାରୀଙ୍କ ସ୍ୱାକ୍ଷର

ମନୋନୟନ ପତ୍ର ଲାଗି ରହିବ ଏବଂ ଯାଞ୍ଚ ନିମନ୍ତେ ନୋଟିସ୍

(ମନୋନୟନ ଦାଖଲ କରୁଥିବା ବ୍ୟକ୍ତିଙ୍କୁ ଦିଆଯିବ)

ମନୋନୟନ ପତ୍ରର କ୍ରମିକ ସଂଖ୍ୟା

..... ସମିତି ନିର୍ବାଚନମଣ୍ଡଳୀର ନିର୍ବାଚନ ନିମନ୍ତେ ପ୍ରାର୍ଥୀ

ଙ୍କର ମନୋନୟନ ପତ୍ରଟି ପ୍ରାର୍ଥୀ/ପ୍ରସ୍ତାବକଙ୍କ ଦ୍ୱାରା

..... (ତାରିଖ) ଦିନ (ସମୟ) ବେଳେ ମୋତେ ମୋର କାର୍ଯ୍ୟାଳୟଠାରେ

ଦିଆଗଲା । ସବୁ ମନୋନୟନ ପତ୍ରଗୁଡ଼ିକ (ସ୍ଥାନ) ଠାରେ

(ତାରିଖ) ଦିନ (ସମୟ) ବେଳେ ଯାଞ୍ଚ କରାଯିବ ।

ତାରିଖ

ନିର୍ବାଚନ ଅଧିକାରୀଙ୍କ ସ୍ୱାକ୍ଷର

FORM No. 7

[See Rule 11 (12)]

DECLARATION OF RESULT OF UNCONTESTED CANDIDATE

I do hereby declare that Shri/Shrimatihas been elected uncontested as the Member of Samiti for..... Samiti Constituency ofPanchayat Samiti.

Election Officer

ଫାରମ ସଂଖ୍ୟା 7

[ନିୟମ 11(12) ଦ୍ରଷ୍ଟବ୍ୟ]

ନିର୍ଦ୍ଦିଷ୍ଟରେ ନିର୍ବାଚିତ ପ୍ରାର୍ଥୀଙ୍କ ଘୋଷଣା

ମୁଁ ଏତଦ୍ୱାରା ଘୋଷଣା କରୁଅଛି ଯେ, ଶ୍ରୀ/ଶ୍ରୀମତୀ
..... ପଞ୍ଚାୟତ ସମିତି ର
..... ସମିତି ନିର୍ବାଚନମଣ୍ଡଳୀରୁ ସମିତି ସଭ୍ୟ ଭାବେ
ନିର୍ଦ୍ଦିଷ୍ଟରେ ନିର୍ବାଚିତ ହୋଇଛନ୍ତି ।

ନିର୍ବାଚନ ଅଧିକାରୀ

FORM No. 8

[See Rule 11 (13) & (16)]

List of validly nominated/final list of candidates for election as the Member of Samiti for Samiti Constituency. Panchayat Samiti

Serial No.	Name and description of candidate	Address of candidate	Allotment of Symbol under sub-rule 16
(1)	(2)	(3)	(4)
1			
2			
3			
4			
5			

Date

Place

Election Officer

N. B.—Strike out whichever is not applicable

ଫାରମ ସଂଖ୍ୟା ୮

[ନିୟମ 11(13) ଓ (16) ଦ୍ରଷ୍ଟବ୍ୟ]

..... ପଞ୍ଚାୟତ ସମିତିର
..... ସମିତି ନିର୍ବାଚନମଣ୍ଡଳୀ ପାଇଁ ସମିତିର ସଭ୍ୟ ଭାବେ ନିର୍ବାଚନ ନିମନ୍ତେ ବିଧିବଦ୍ଧ ମନୋନୀତ ପ୍ରାର୍ଥୀଙ୍କ ତାଲିକା/ପ୍ରାର୍ଥୀଙ୍କର ବୃତ୍ତାନ୍ତ ତାଲିକା ।

କ୍ରମିକ ସଂଖ୍ୟା	ପ୍ରାର୍ଥୀଙ୍କ ନାମ ଏବଂ ବିବରଣୀ	ପ୍ରାର୍ଥୀଙ୍କ ଠିକଣା	ଉପନିୟମ 16 ଅନୁସାରେ ସଂକେତ ଆବଶ୍ୟକ
(1)	(2)	(3)	(4)
1			
2			
3			
4			
5			

ତାରିଖ

ସ୍ଥାନ

ନିର୍ବାଚନ ଅଧିକାରୀ

ବି : ଦ୍ର:—ଯାହା ପ୍ରଯୋଜ୍ୟ ନୁହେଁ ତାହା କାଟି ଦିଅ ।

FORM No. 9

[See Rule 11 (13)]

Statement showing the election Symbols allotted to the candidates for the election of the Member of Samiti ofPanchayat Samiti.

Serial No.	Name of the candidate	Symbols allotted
(1)	(2)	(3)

Election Officer

ଫାରମ ସଂଖ୍ୟା ୯

[ନିୟମ 11(16) ଦ୍ରଷ୍ଟବ୍ୟ]

..... ପଞ୍ଚାୟତ ସମିତିର ସମିତି ସଭ୍ୟ ନିର୍ବାଚନ ପାଇଁ ପ୍ରାର୍ଥୀମାନଙ୍କୁ ଦିଆଯାଇଥିବା ନିର୍ବାଚନ ସଂକେତଗୁଡ଼ିକ ଦର୍ଶାଉଥିବା ବିବରଣୀ ।

କ୍ରମିକ ସଂଖ୍ୟା	ପ୍ରାର୍ଥୀଙ୍କ ନାମ	ଦିଆଯାଇଥିବା ସଂକେତ
(1)	(2)	(3)

ନିର୍ବାଚନ ଅଧିକାରୀ

FORM No. 10

[See Rule 11 (15)]

NOTICE OF WITHDRAWAL

Election to the.....

To

The Election Officer,

I.....a candidate
nominated at the above election do hereby give notice that I withdraw my
candidature.

Date

Place

Signature of the Candidate

This notice was delivered to me at my office at(hours)
on.....(date) by(name)

Date

Election Officer

**Receipt of notice of withdrawal to be handed over to the person
delivering the notice.**

The notice of withdrawal of candidature by a candidate at the election
to thewas delivered to me at my office..... at
.....(hours) on.....(date).....

Election Officer

ଫାରମ ସଂଖ୍ୟା 10
 [ନିୟମ 11(15) ଦ୍ରଷ୍ଟବ୍ୟ]
ପ୍ରତ୍ୟାହାର ନୋଟିସ୍

..... ପଦ ନିମିତ୍ତ ନିର୍ବାଚନ

ନିର୍ବାଚନ ଅଧିକାରୀଙ୍କ ପ୍ରତି,

ମୁଁ ଉପରୋକ୍ତ ପଦ ନିମିତ୍ତ

ମନୋନୀତ ପ୍ରାର୍ଥୀ, ଏତଦ୍ୱାରା ନୋଟିସ୍ ଦେଉଅଛି ଯେ, ମୁଁ ମୋର ପ୍ରାର୍ଥୀତ୍ୱ ପ୍ରତ୍ୟାହାର କରୁଛି ।

ସ୍ଥାନ

ତାରିଖ

ପ୍ରାର୍ଥୀଙ୍କ ସ୍ୱାକ୍ଷର

ଏହି ନୋଟିସ୍ ମୋତେ ମୋର କାର୍ଯ୍ୟାଳୟରେ

..... (ନାମ) (ପଦ ନିମିତ୍ତ ପ୍ରାର୍ଥୀ)ଙ୍କ

ଦ୍ୱାରା ତା ପୂର୍ବାହ୍ନ/ଅପରାହ୍ନ ସମୟରେ ଦିଆଯାଇଥିଲା ।

ତାରିଖ

ନିର୍ବାଚନ ଅଧିକାରୀ

ପ୍ରତ୍ୟାହାର ନୋଟିସ୍ ର ସିଦ୍ଧ
 (ନୋଟିସ୍ ଦେଇଥିବା ବ୍ୟକ୍ତିଙ୍କୁ ଦିଆଯିବ)

..... ନାମ

ପଦ ପାଇଁ ନିର୍ବାଚନରେ ପ୍ରାର୍ଥୀଙ୍କ ଦ୍ୱାରା ପ୍ରାର୍ଥୀତ୍ୱ ପ୍ରତ୍ୟାହାର ନୋଟିସ୍

ଙ୍କ ଦ୍ୱାରା ମୋତେ ମୋର କାର୍ଯ୍ୟାଳୟରେ ତା ରେ ପୂର୍ବାହ୍ନ/ଅପରାହ୍ନ

..... ସମୟରେ ଦିଆଯାଇଥିଲା ।

ନିର୍ବାଚନ ଅଧିକାରୀ

Counterfoil

..... Samiti Constituency

..... Panchayat Samiti Election

Signature or T.I. of the Elector

FORM No. 11

[See Rule 15(1)]

BALLOT PAPER

Name and Number of Samiti Constituency.....

..... Panchayat Samiti Election.

Signature and seal of the Presiding Officer

Sl. No.	Symbol allotted to the candidate	Voter's stamp of marking
(1)	(2)	(3)
1		
2		
3		
4		

FORM No. 12

[See Rule 19 (V)]

BALLOT PAPER ACCOUNT

Election to the office of the Member of Samiti of
Samiti Constituency of Panchayat
Samiti

Total number

1. Ballot Papers received
2. Ballot Papers not used
3. Ballot Papers issued to the voters

Name of polling station

Date.....

Signature of Presiding Officer

ଫାରମ ସଂଖ୍ୟା 12
 [ନିୟମ 19 (V) ଦ୍ରଷ୍ଟବ୍ୟ]
 ଭୋଟ କାଗଜ ହିସାବ

..... ପଞ୍ଚାୟତ ସମିତିର

ନିର୍ବାଚନ ମଣ୍ଡଳୀର ସମିତି ସଭ୍ୟ ପଦ ନିମନ୍ତେ ନିର୍ବାଚନ ।

ମୋଟ ସଂଖ୍ୟା

1. ମିଳିଥିବା ଭୋଟ କାଗଜ
2. ବ୍ୟବହୃତ ହୋଇ ନ ଥିବା ଭୋଟ କାଗଜ
3. ଭୋଟଦାତାଙ୍କୁ ଦିଆଯାଇଥିବା ଭୋଟ କାଗଜ

ଭୋଟ କେନ୍ଦ୍ରର ନାମ

ତାରିଖ

ପ୍ରିଜାଇଡିଂ ଅଧିକାରୀଙ୍କ ସ୍ୱାକ୍ଷର

FORM No. 13

[See Rules 19 (2) and 31]

RESULT AFTER COUNTING OF VOTES FOR ELECTION TO THE OFFICE OF THE MEMBER OF SAMITI

Name of the Samiti Constituency.....

Name of the Panchayat Samiti.....

Sl. No.	Name of the candidate	Total number of valid votes cast in the polling stations
1	2	3
1		
2		
3		

Total number of ballot papers rejected

Total number of ballot papers found in the ballot boxes of polling stations or total number of votes recorded as per voting machine

Date

Place

Signature of the Presiding/Election Officer

ଫାରମ ସଂଖ୍ୟା 13

[ନିୟମ 19 (2) ଓ 31 ଦ୍ରଷ୍ଟବ୍ୟ]

ସମିତି ସଭ୍ୟ ପଦ ନିମନ୍ତେ ନିର୍ବାଚନର ଭୋଟ ଗଣତି ପରେ ଫଳ

ସମିତି ନିର୍ବାଚନ ମଣ୍ଡଳୀର ନାମ

ପଞ୍ଚାୟତ ସମିତିର ନାମ

କ୍ରମିକ ସଂଖ୍ୟା	ପ୍ରାର୍ଥୀଙ୍କ ନାମ	ଭୋଟ କେନ୍ଦ୍ରରେ ମିଳିଥିବା ବିଧିବଦ୍ଧ ଭୋଟର ମୋଟ ସଂଖ୍ୟା
(1)	(2)	(3)
1		
2		
3		
4		
5		
6		
7		
8		
9		
10		

ଅଗ୍ରାହ୍ୟ ହୋଇଥିବା ଭୋଟ କାରକର ମୋଟ ସଂଖ୍ୟା

ଭୋଟ ବାକ୍ସରୁ ମିଳିଥିବା ଭୋଟ କାରକର ମୋଟ ସଂଖ୍ୟା କିମ୍ବା ଭୋଟିଂ ମେସିନ୍‌ରେ ଲିପିବଦ୍ଧ ହୋଇଥିବା ମୋଟ ଭୋଟ ସଂଖ୍ୟା ।

ତାରିଖ

ସ୍ଥାନ

ପ୍ରକାଶକ/ନିର୍ବାଚନ ଅଧିକାରୀଙ୍କ ସ୍ୱାକ୍ଷର

FORM No. 14

[See Rule 31(3)]

**Result of counting of votes for election to the Office of the
Member of Samiti**

Name of Panchayat Samiti.....

Name of Samiti Constituency.....

Serial No.	Name of the candidate	Total number of valid votes cast in all the polling stations
1	2	3
1		
2		
3		
4		
5		
6		
7		
8		
9		
10		

Total number of ballot papers rejected.....

Total number of ballot papers found in the ballot boxes or total number
of votes recorded as per voting machine

Shri/Smt.son/daughter/wife of.....
.....is declared to have been duly elected as the Member
of Samiti from..... Samiti Constituency.

Date

Place

Election Officer

N. B.—Separate form shall be used for every Samiti Constituency

ଫାରମ ସଂଖ୍ୟା 14

[ନିୟମ 31 (3) ଦ୍ରଷ୍ଟବ୍ୟ]

ସମିତି ସଭ୍ୟ ପଦ ନିମନ୍ତେ ନିର୍ବାଚନର ଭୋଟ ଗଣତି ଫଳ

ପଞ୍ଚାୟତ ସମିତିର ନାମ

ସମିତି ନିର୍ବାଚନ ମଣ୍ଡଳୀର ନାମ

କ୍ରମିକ ସଂଖ୍ୟା	ପ୍ରାର୍ଥୀଙ୍କର ନାମ	ସମସ୍ତ ଭୋଟ କେନ୍ଦ୍ରରେ ଦିଆଯାଇଥିବା ବିଧିବଦ୍ଧ ଭୋଟର ମୋଟ ସଂଖ୍ୟା
(1)	(2)	(3)
1		
2		
3		
4		
5		
6		
7		
8		
9		
10		

ଅଗ୍ରାହ୍ୟ ହୋଇଥିବା ଭୋଟ କାର୍ଗଜର ମୋଟ ସଂଖ୍ୟା

ଭୋଟ ବାକ୍ସରୁ ମିଳିଥିବା ଭୋଟ କାର୍ଗଜର ମୋଟ ସଂଖ୍ୟା କିମ୍ବା ଭୋଟିଂ ମେସିନ୍ ଦ୍ୱାରା ଲିପିବଦ୍ଧ ହୋଇଥିବା ମୋଟ ଭୋଟ ସଂଖ୍ୟା ଶ୍ରୀ/ଶ୍ରୀମତୀ

ପିତା/ପତି ସମିତି ନିର୍ବାଚନ

ମଣ୍ଡଳୀ ରୁ ପଞ୍ଚାୟତ

ସମିତିର ସଭ୍ୟ ଭାବେ ନିର୍ବାଚିତ ବୋଲି ଘୋଷଣା କରାଯାଉଛି ।

ତାରିଖ

ସ୍ଥାନ

ନିର୍ବାଚନ ଅଧିକାରୀ

ବି : ଦ୍ର :—ପ୍ରତ୍ୟେକ ସମିତି ନିର୍ବାଚନମଣ୍ଡଳୀ ନିମନ୍ତେ ପୃଥକ ଫାରମ ବ୍ୟବହାର କରାଯିବ ।

FORM No. 15

[See Rule 38(1) (i)]

NOTICE

Notice is hereby given that the first meeting of the
Panchayat Samiti shall be held at the place mentioned below on
(date) at (time).

Place of meeting

Election Officer

ଫାରମ ସଂଖ୍ୟା 15

[ନିୟମ 38 (1) (i) ଦ୍ରଷ୍ଟବ୍ୟ]

ନୋଟିସ୍

ଏତଦ୍ୱାରା ନୋଟିସ୍ ଦିଆଯାଉଛି ଯେ,.....
..... ପଞ୍ଚାୟତ ସମିତିର ପ୍ରଥମ ବୈଠକ ନିମ୍ନରେ ଦର୍ଶାଯାଇଥିବା
ସ୍ଥାନରେ (ତାରିଖ)
(ସମୟ)ରେ ଅନୁଷ୍ଠିତ ହେବ ।

ବୈଠକର ସ୍ଥାନ

.....

ନିର୍ବାଚନ ଅଧିକାରୀ

FORM No. 16

[See Rule 38 (1) (ii)]

Notice calling for nomination of candidates for the Office of the Chairman and Vice-Chairman ofPanchayat Samiti.

Notice is hereby given that–

(1) An election is to be held for the Office of the Chairman and Vice-Chairman ofPanchayat Samiti.

(2) Forms of nomination papers may be obtained at the Office of the officer specified in Serial No. 6 between the hours of.....andon.....(date) at.....(place).

(3) Nomination papers may be delivered on.....(date) and during the hours..... (as specified by the Commission).

(4) The nomination papers will be taken up for scrutiny at hours on (date) at (place).

(5) Notice of withdrawal of candidature may be delivered by a candidate to the officer specified below at his office on the date and during the hours (as specified by the Commission).

TABLE

Designation of Officer	Location of Office
.....

(6) Election Officer
.....

(7) In the event of the election being contested, the poll will take place on.....between the hours of.....

Date

Place

Election Officer
.....Samiti

ଫାରମ ସଂଖ୍ୟା 16

[ନିୟମ 38 (1) (ii) ଦ୍ରଷ୍ଟବ୍ୟ]

..... ପଞ୍ଚାୟତ ସମିତିର ସଭାଧ୍ୟକ୍ଷ ଓ
ଉପ-ସଭାଧ୍ୟକ୍ଷ ପଦ ନିମନ୍ତେ ପ୍ରାର୍ଥୀଙ୍କ ନାମ ଲୋଡ଼ା ଯାଉଥିବା ନୋଟିସ ।

ଏତଦ୍ୱାରା ନୋଟିସ ଦିଆଯାଉଛି ଯେ —

- (1) ପଞ୍ଚାୟତ ସମିତିର ସଭାଧ୍ୟକ୍ଷ ଓ ଉପ-ସଭାଧ୍ୟକ୍ଷ ପଦ ନିମନ୍ତେ ନିର୍ବାଚନ ଅନୁଷ୍ଠିତ ହେବ ।
- (2) ମନୋନୟନ ପତ୍ରର ଫାରମ କ୍ରମିକ ସଂ. 6 ରେ ଉଲ୍ଲିଖିତ ଅଧିକାରୀଙ୍କ କାର୍ଯ୍ୟାଳୟରେ ତାରିଖର ଘଟିକା ଠାରୁ ପର୍ଯ୍ୟନ୍ତ (ସ୍ଥାନ)ରେ ମିଳିପାରିବ ।
- (3) ମନୋନୟନ ପତ୍ର ତାରିଖର ଘଟିକା ଠାରୁ ଘଟିକା ମଧ୍ୟରେ (ରାଜ୍ୟ ନିର୍ବାଚନ କମିଶନଙ୍କ ଦ୍ୱାରା ନିର୍ଦ୍ଧାରିତ) ଦାଖଲ କରାଯିବ ।
- (4) ମନୋନୟନ ପତ୍ରଗୁଡ଼ିକ (ସ୍ଥାନ) ଠାରେ ତା ରିଖରେ ଘଟିକା ବେଳେ ଯାଞ୍ଚ କରାଯିବ ।
- (5) ପ୍ରାର୍ଥୀଙ୍କ ଦ୍ୱାରା ପ୍ରାର୍ଥୀତ୍ୱ ପ୍ରତ୍ୟାହାର ନୋଟିସ, ତଳେ ଉଲ୍ଲିଖିତ ଅଧିକାରୀଙ୍କୁ ତାଙ୍କ କାର୍ଯ୍ୟାଳୟରେ ତାରିଖ ଦିନ ଓ ସମୟ ମଧ୍ୟରେ ଦିଆଯାଇ ପାରିବ (ରାଜ୍ୟ ନିର୍ବାଚନ କମିଶନଙ୍କ ଦ୍ୱାରା ନିର୍ଦ୍ଧାରିତ) ।

ଟେବୁଲ୍

ଅଧିକାରୀଙ୍କ ପଦବୀ

କାର୍ଯ୍ୟାଳୟର ଅବସ୍ଥାନ

.....

.....

(6) ନିର୍ବାଚନ ଅଧିକାରୀ

.....

(7) ନିର୍ବାଚନରେ ପ୍ରତିଦ୍ୱନ୍ଦ୍ୱିତା ହେଲେ ଭୋଟ ଗ୍ରହଣ ଦିନ

ଘଟିକା ମଧ୍ୟରେ ଅନୁଷ୍ଠିତ ହେବ ।

ତାରିଖ

ସ୍ଥାନ

ନିର୍ବାଚନ ଅଧିକାରୀ

..... ସମିତି

FORM No. 17

(See Rule 39)

Nomination paper for election of Chairman and Vice-Chairman of.....
.....Panchayat Samiti.

We (name) (1) Proposer.....

(2) Seconder.....

Members of Samiti do hereby nominate Shri.....
son of/wife of Shri.....of Village..... Post
Office.....District.....and who is a member
of.....Samiti from.....Samiti Constituency as
a candidate for election as Chairman/Vice-Chairman.....
Panchayat Samiti.

Signature of Seconder

Signature of Proposer

Date.....

Date.....

I, the undersigned.....a person duly qualified
for election as above.....hereby record my willingness
for being nominated.

Signature of the Candidate

Date.....

ENDORSEMENT BY THE ELECTION OFFICER

Serial No.....

This nomination paper was presented to me by.....
(name).....(date and hour)

Place.....

Date.....

Signature of the Election Officer

ORDERS OF THE ELECTION OFFICER

Accepted/rejected.....

Reasons for rejection.....

Place.....

Date.....

Signature of the Election Officer

ଫାରମ ସଂଖ୍ୟା 17

(ନିୟମ 39 ଦ୍ରଷ୍ଟବ୍ୟ)

..... ପଞ୍ଚାୟତ ସମିତିର ସଭାଧ୍ୟକ୍ଷ ଓ
ଉପ-ସଭାଧ୍ୟକ୍ଷ ନିର୍ବାଚନ ନିମନ୍ତେ ମନୋନୟନ ପତ୍ର ।

ଆମେ (ନାମ) (1) ପ୍ରସ୍ତାବକ

(2) ସମର୍ଥକ

ସମିତି ସଭ୍ୟ ଦ୍ଵୟ ଏତଦ୍ଵାରା ଶ୍ରୀ.....,ପିତା/ପତି,
ଗ୍ରାମ,ତାଳୁକା,ଜିଲ୍ଲା,
ଯିଏକି ସମିତି ନିର୍ବାଚନ ମଣ୍ଡଳୀର.....ସମିତି
ସଭ୍ୟ, ତାଙ୍କୁପଞ୍ଚାୟତ ସମିତିର ସଭାଧ୍ୟକ୍ଷ/ଉପ-ସଭାଧ୍ୟକ୍ଷ ପଦ ପାଇଁ ନିର୍ବାଚନର ପ୍ରାର୍ଥୀ ରୂପେ
ମନୋନୀତ କରୁଅଛୁ ।

ସମର୍ଥକଙ୍କ ସ୍ଵାକ୍ଷର
ତାରିଖ

ପ୍ରସ୍ତାବକଙ୍କ ସ୍ଵାକ୍ଷର
ତାରିଖ.....

ମୁଁ ନିମ୍ନ ସ୍ଵାକ୍ଷରକାରୀ ଉପରୋକ୍ତ.....
ନିର୍ବାଚନ ନିମନ୍ତେ ଯଥାଯୋଗ୍ୟ ବ୍ୟକ୍ତି, ଏତଦ୍ଵାରା ମୋର ପ୍ରାର୍ଥୀ ମନୋନୟନ ପ୍ରତି ସମ୍ମତି ଜଣାଉଛି ।

ପ୍ରାର୍ଥୀଙ୍କ ସ୍ଵାକ୍ଷର
ତାରିଖ.....

ନିର୍ବାଚନ ଅଧିକାରୀଙ୍କ ଦ୍ଵାରା ପୃଷ୍ଠାଙ୍କନ

କ୍ରମିକ ସଂଖ୍ୟା

ଏହି ମନୋନୟନ ପତ୍ର ମୋତେ (ନାମ)ଙ୍କ
ଦ୍ଵାରା (ତାରିଖ ଓ ସମୟ) ଦିଆଗଲା ।
ତାରିଖ
ସ୍ଥାନ

ନିର୍ବାଚନ ଅଧିକାରୀଙ୍କ ସ୍ଵାକ୍ଷର

ନିର୍ବାଚନ ଅଧିକାରୀଙ୍କ ଆଦେଶ

ଗ୍ରାହ୍ୟ / ଅଗ୍ରାହ୍ୟ,
ଅଗ୍ରାହ୍ୟ ହେବାର କାରଣ,
ତାରିଖ,
ସ୍ଥାନ

ନିର୍ବାଚନ ଅଧିକାରୀଙ୍କ ସ୍ଵାକ୍ଷର

FORM No. 18

(See Rule 42)

Result of counting of vote for election to the Office of Chairman/
Vice-Chairman, Panchayat Samiti.

Name of Panchayat Samiti.....

Serial No.	Name of the Candidate	Total number of valid votes cast
1	2	3
1		
2		
3		
4		
5		
6		
7		
8		
9		
10		

Total number of ballot papers rejected.....

Total number of ballot papers found in the ballot box
Shri.....son of.....a member
of Samiti for.....Samiti Constituency is declared to have
been duly elected as the Chairman/Vice-Chairman of
Panchayat Samiti.

Date.....

Place.....

Signature of the Election Officer

NOTE :—

- (i) Separate form shall be used for the election of Chairman and Vice-Chairman.
- (ii) *Strike out which is not applicable

ଫାରମ ସଂଖ୍ୟା 18

(ନିୟମ 42 ଦ୍ରଷ୍ଟବ୍ୟ)

ପଞ୍ଚାୟତ ସମିତି ସଭାଧ୍ୟକ୍ଷ/ଉପ-ସଭାଧ୍ୟକ୍ଷ ପଦର ନିର୍ବାଚନ ନିମନ୍ତେ ଭୋଟ ଗଣତି ଫଳ

ପଞ୍ଚାୟତ ସମିତିର ନାମ

କ୍ରମିକ ସଂଖ୍ୟା	ପ୍ରାର୍ଥୀଙ୍କର ନାମ	ବିଧିବଦ୍ଧ ମିଳିଥିବା ମୋଟ ଭୋଟ ସଂଖ୍ୟା
(1)	(2)	(3)
1		
2		
3		
4		
5		
6		
7		
8		
9		
10		

ଅଗ୍ରାହ୍ୟ ହୋଇଥିବା ଭୋଟ କାରଜର ମୋଟ ସଂଖ୍ୟା

ଭୋଟ ବାକ୍ସରୁ ମିଳିଥିବା ଭୋଟ କାରଜର ମୋଟ ସଂଖ୍ୟା

ଶ୍ରୀ/ଶ୍ରୀମତୀ/କୁମାରୀ ପିତା/ସ୍ତ୍ରୀ

ସମିତି ସଭ୍ୟ ସମିତି ନିର୍ବାଚନ ମଣ୍ଡଳୀ

..... ପଞ୍ଚାୟତ ସମିତିର ସଭାଧ୍ୟକ୍ଷ/ଉପ-ସଭାଧ୍ୟକ୍ଷ ଭାବରେ ବିଧିବଦ୍ଧ
ନିର୍ବାଚିତ ବୋଲି ଘୋଷଣା କରାଯାଉଛି ।

ତାରିଖ

ସ୍ଥାନ

ନିର୍ବାଚନ ଅଧିକାରୀଙ୍କ ସ୍ତାମ୍ଭ

ଟିପ୍ପଣୀ—(1) ସଭାଧ୍ୟକ୍ଷ ଓ ଉପ-ସଭାଧ୍ୟକ୍ଷ ନିର୍ବାଚନ ନିମନ୍ତେ ପୃଥକ ଫାରମ ବ୍ୟବହାର କରାଯିବ ।

(2) ଯାହା ପ୍ରଯୋଜ୍ୟ ନୁହେଁ ତାହା କାଟି ଦିଅ ।

FORM No. 19

(See Rules 7-B, 7-D and 8-F)

(List/Statement of Constituencies)

Name of the Block : _____ Total number of Constituencies _____
Men _____ Women _____
S.C. _____
S.T. _____
Constituencies reserved for B.C. _____
U.R. _____

Sl. No.	Name of the Constituency	Extent of the Constituency	Population				Percentage to the total population of the Constituency		If reserved, for which category
			S.C.	S.T.	Other	Total	S.C.	S.T.	
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)

Collector

FORM No. 20

(See Rule 7-B)

NOTICE

Notice is hereby given that a statement showing the number of Constituencies, extent of each Constituency and status of such Constituency for such reservation has been prepared in accordance with the provisions of the Orissa Panchayat Samiti Act, 1959 and copy thereof is available for inspection at..... objections or suggestions in this regard may be filed in the office of the undersigned or may be sent by post so as to reach him not later than.....

Collector

FORM No. 20-A

[See Rule 24-A(2)]

REGISTER OF VOTERS

Election to the.....Samiti Constituency

Sl. No.	Sl. No. of elector in the electoral roll	Signature/Thumb Impression of elector	REMARKS
---------	--	---------------------------------------	---------

FORM No. 20-B

ACCOUNT OF VOTES RECORDED

[See Rule 24-A (2)]

PART I

Election to the.....Samiti Constituency

Identification No. of Voting Control Unit :

Machine used at the Polling Station balloting unit :

1. Total No. of electors assigned to the Polling Station :
2. Total No. of voters as entered in the Register for voters (Form 20-A) :
3. Total No. of votes recorded as per voting machine :
4. Whether the total No. of voters as shown against item 3 tallies with the total No. of votes as shown against item 2 or any discrepancy noticed.
5. Account of paper seals

Sl. Nos.

From To

Signature of the Presiding Officer

1. Serial Numbers of Paper Seals supplied
From.....To..... 1
2. Total Numbers supplied 2
3. Number of paper seals used 3
4. Number of unused paper seals returned to Election Officer (Deduct item 3 from item 2) 4
5. Serial number of damaged paper seal, if any 5

Place.....

Signature of the Presiding Officer

Date.....

Polling Station No.

PART II
RESULTS OF COUNTING

Sl. No.	Name of Candidate	No. of votes recorded
(1)	(2)	(3)
1		
2		
3		
4		
5		
etc.		
Total		

Whether the total Nos. of votes shown above tallies with the total No. of votes shown against item 3 of Part I or any discrepancy noticed between the two totals.

Place.....

Date.....

Signature of the Election Officer

Name of Candidate/Polling Agent/Counting Agent Full Signature

1.

2.

3.

4.

etc.

Place.....

Date.....

Signature of the Election Officer

**ODISHA PANCHAYAT SAMITI (REMOVAL OF CHAIRMAN AND
VICE-CHAIRMAN FROM OFFICE) RULES, 1986****INDEX**

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**ODISHA PANCHAYAT SAMITI (REMOVAL OF CHAIRMAN AND
VICE-CHAIRMAN FROM OFFICE) RULES, 1986**

Community Development & Rural Reconstruction Department

NOTIFICATION

The 10th November 1986

***S.R.O. No. 1055/1986**—Whereas, the draft of the Odisha Panchayat Samiti (Removal of Chairman and Vice-Chairman from Office) Rules, 1986, was published as required by sub-section (1) of Section 57 of the Orissa Panchayat Samiti Act, 1959 (Odisha Act 7 of 1960) in the extraordinary issue No. 685 of the *Odisha Gazette*, dated the 3rd June 1986 as S.R.O. No. 486/86 under the notification of the Government of Odisha in the Community Development & Rural Reconstruction Department No. 5816—LC-II-27/86-L.C., dated the 29th May 1986, inviting objections and suggestions from all persons likely to be affected thereby;

And whereas, no objection or suggestion has been received by the State Government in respect of the said draft.

Now, therefore, in exercise of the powers conferred by Section 57 of the said Act, the State Government do hereby make the following rules, namely :—

1. (1) These Rules may be called the Odisha Panchayat Samiti (Removal of Chairman and Vice-Chairman from Office) Rules, 1986.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. In these rules, unless the context otherwise requires—

(a) “Act” means the Odisha Panchayat Samiti Act, 1959

(b) “Section” means a Section of the Act

(c) Words and expression used herein but not defined shall have the same meaning as respectively assigned to them in the Act.

3. An order under sub-section (1) of Section 40-A shall be published in the *Odisha Gazette*.

4. The Sub-Divisional Officer shall be authority who shall publish the resolution passed under sub-section (1) of Section 46-B.

5. (1) The Sub-Divisional Officer shall publish the resolution under the sub-section (1) of Section 46-B in the Notice Board of his Office. The Chairman or Vice-Chairman of the Samiti, as the case may be, shall be deemed to have vacated Office, with effect from the date of such publication.

*Published in the Extraordinary *Odisha Gazette* No. 1583, dated the 11th November 1986

(2) Without prejudice to the manner of publication provided in sub-rule (1) the Subdivisional Officer shall forward copies of the resolution referred to in the said sub-rule to the Government Press, for publication in the *Odisha Gazette*, to the Government in the Community Development & Rural Reconstruction Department, to the Collector of the district and to the Samiti concerned.

6. The Orissa Panchayat Samiti and Zilla Parishad (Removal of Chairman and Vice-Chairman and Office) Rules, 1962 are hereby repealed :

Provided that anything done or any action taken under the rules, so repealed shall be deemed to have been done or taken under these rules.

[No. 13701-L.C.-II-27/86-L.C.-II]

By order of the Governor

R. K. MISHRA

Deputy Secretary to Government

EXTRACTS FROM THE ODISHA ZILLA PARISHAD ACT, 1991

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EXTRACTS FROM THE ODISHA ZILLA PARISHAD ACT, 1991*

CHAPTER I

PRELIMINARY

Definition.

2. (f) “Ordinary resident in any area” with all its grammatical variations and cognate expression shall have reference to a person whose name finds place in the Electoral Roll for the time being in force prepared under Representation of People Act, 1950 (43 of 1950) in so far as the roll relates to such area;

(g-1) “Parishad area or area of Parishad” shall mean the territorial area of a district excluding any Municipal areas defined in the Odisha Municipal Act, 1950 and any other area which is specified for the time being to be an industrial township under that Act or to which the provisions of the Cantonments Act, 1924 is extended;

(j-1) “ Scheduled Areas” means the Scheduled areas as referred to in clause (1) of Article 244 of the Constitution.

CHAPTER II

CONSTITUTION OF ZILLA PARISHADS AND THEIR FUNCTION

Constitution and function of Parishad.

3. (1) The Government may, by notification, constitute a Parishad for every district.

(2) Every Parishad shall, by the name of the district for which it is constituted, be a body corporate having perpetual succession and a common seal and subject to any restriction and qualification imposed by or under this Act or any other enactment shall have the power to acquire and hold property, both movable and immovable, to transfer any such property held by it, to enter into contracts and to do all other things as may be considered necessary, proper or expedient for the purposes of this Act and may sue and be sued in its corporate name.

Members of Parishad.

6. (1) The Parishad shall consist of the following member, namely :—

- (a) one member elected directly on the basis of adult suffrage from every constituency within the Parishad area;
- (b) Chairman of each Samiti situated within the district;
- (c) every member of the House of the People and of the State Legislative Assembly representing Constituencies which comprise wholly or partly the area of the Parishad;
- (d) members of the Council of States who are registered as electors within the area of the Parishad.

*As amended by Orissa Act, 17 of 1993, Act 22 of 1994, Act 21 of 1995, Act 17 of 1997 and Acts 4, 13 of 2001 and 14 of 2021. There might be omissions and commissions : for authenticity reference must be made to the published Act in the Official Gazette.

Explanation—For the purpose of clause (a), “Constituency” shall mean a Constituency as may be determined under sub-section (3-A) subject to Article 243-C of the Constitution.

(2) The names of the members of the Parishad shall be published in Gazette

(3) (a) Seats shall be reserved for the Scheduled Castes and the Scheduled Tribes in every Parishad and the number of seats so reserved shall bear, as nearly as may be, the same proportion to the total number of seats to be filled up by direct election in that Parishad as the population of the Scheduled Castes in that Parishad area or of the Scheduled Tribes in that Parishad area bears to the total population of that area and such seats shall be allotted on rotation to different Constituencies in a Parishad :

Provided that where the population of the Scheduled Castes or, as the case may be, the Scheduled Tribes in a Parishad area is not sufficient for reservation of any seat, one seat for the Scheduled Castes or, as the case may be, one seat for the Scheduled Tribes shall be reserved in that Parishad area :

Provided further that in the Scheduled Areas, not less than one-half of the total number of seats to be filled by such direct election shall be reserved for the Scheduled Tribes; and

(b) As nearly as may be, but not less than one-half* of the total number of seats reserved under clause (a) shall be reserved for women belonging to the Scheduled Castes or, as the case may be, the Scheduled Tribes :

Provided that where only two seats are reserved for the Scheduled Castes or, as the case may be, the Scheduled Tribes, one of the two seats shall be reserved for women belonging to the Scheduled Castes or, as the case may be, the Scheduled Tribes;

(b-1) Seats to be filled up by direct election, shall be reserved in favour of backward class of citizens as referred to in clause (6) of Article 243-D of the Constitution in every Parishad to such extent not exceeding twenty-seven per centum subject to limit of fifty per centum of total number of seats of such Parishad including seats so reserved for Scheduled Castes and, Scheduled Tribes under clause(a) and backward class of citizens taken together and shall be allotted by rotation to different constituencies thereof:

Provided that where, after reservation of the required number of seats for the Scheduled Castes and the Scheduled Tribes in a Parishad, the remaining seats are found to be insufficient for the purpose of reservation in favour of backward class of citizens, as nearly as may be, but not less than twenty-seven per centum of the remaining seats shall be reserved in favour of such citizens in that Parishad;

(b-2) as nearly as may be but not less than one-half* of the total number of seats reserved under clause (b-1) shall be reserved for women belonging to the backward class of citizens :

*As amended by Orissa Act, 8 of 2011. There might be omission and commissions : for authenticity reference must be made to the published Act in the Official Gazette.

Provided that where only two seats are reserved for the backward class of citizens, one of the two seats shall be reserved for women belonging to the backward class of citizens; and

(c) As nearly as may be, but not less than one-half* including the number of seats reserved for women belonging to the Scheduled Castes, and the Scheduled Tribes and the backward class of citizens of the total number of seats to be filled up by direct election in every Parishad shall be reserved for women and such seats shall be allotted by rotation to different constituencies in the Parishad.

(3-A) The manner in which the Parishad area shall be divided into constituencies for the purpose of clause (a) of sub-section (1) and the seats therein shall be reserved for the purpose of clauses (a), (b), (b-1), (b-2) and (c) of sub-section (3) shall be as follows :

- (a) The Collector shall divide the Parishad area into constituencies in such a manner that—
 - (i) every constituency shall, as far as practicable, have a population of forty thousand or part thereof;
 - (ii) a constituency does not extend beyond the territorial limit of the Block;
 - (iii) the territorial area of a Grama is not bifurcated; and
 - (iv) a constituency is compact with due regard to geographical feature :

Provided where a Parishad area comprises any Scheduled area in it, the Parishad area shall be divided into constituencies in such manner that the Constituencies comprising the Scheduled Area do not extend beyond the limit of such Scheduled Area.

- (b) The Constituencies in which the density of population of the Scheduled Castes and the Scheduled Tribes is higher shall be reserved by the Collector for the Scheduled Castes and the Scheduled Tribes respectively and shall rotate in descending order at every general election, and in case of backward class of citizens such reservation and rotation shall be in the prescribed manner.
- (c) (i) the constituencies in every district shall bear the names of the respective Blocks and be arranged serially in Odia alphabetical order;
- (ii) the name of every constituency so arranged serially shall include its serial number in the district.

*As amended by Orissa Act, 8 of 2011 and 6 of 2016. There might be omission and commissions : for authenticity reference must be made to the published Act in the Official Gazette.

- (d) After the names of constituencies are so arranged in Odia alphabetical order, the Collector shall reserve the required number of constituencies for women in the following manner :—
- (i) reservation of constituencies for women shall be made of the Scheduled Castes at the first instance, and then for the Scheduled Tribes, and thereafter for the backward class of citizens. In computing one-third of the total number of constituencies, the constituencies reserved for women belonging to the Scheduled Castes, the Scheduled Tribes and backward class of citizens shall be taken into account;
 - (ii) out of the constituencies left in the list of Odia alphabetical order for candidates other than the Scheduled Castes, the Scheduled Tribes and the Backward class of citizens, the constituency which appears first and thereafter, every second* constituency shall be reserved for women until the required quota is completed.
 - (iii) as nearly as may be, but not less than one-half* of the constituencies reserved for the members of the Scheduled Castes and the Backward class of citizens, the Scheduled Tribes shall be reserved for women belonging to the Scheduled Castes, the Scheduled Tribes and the Backward class of citizens in the manner herein before provided.
- (e) The Collector shall prepare a draft statement showing the division of the Parishad area into constituencies and the seats to be reserved therein and shall publish it in his office notice board and in the notice boards of the Sub-Collectors, Tahasildars, Executive Officers of Municipalities and Block Development Officers concerned in the prescribed manner and for the prescribed period, inviting objections and suggestions from all persons interested within the said period.
- (f) The Collector shall after considering the objections and suggestions so received and making such further enquiry as he may deem fit, cause such alternations as may be necessary to be made in the draft statement referred to in clause (e) and shall, thereafter, prepare a final statement showing the division of the Parishad area into constituencies and the seats to be reserved therein and submit the same to the Government for approval.
- (g) On receipt of the final statement from the Collector under clause (f), the Government shall, if it is satisfied that the division and reservation shown therein have been made in accordance with the procedure provided herein before, accord its approval and publish the same in the Gazette whereupon, the division of the Parishad area into constituencies and reservation of seats therein shall become final.

*As amended by Orissa Act, 8 of 2011. There might be omission and commissions : for authenticity reference must be made to the published Act in the Official Gazette.

(3-B) The reservation of seats under clauses (a) and (b) of sub-section (3) shall cease to have effect on the expiration of the period specified in Article 334 of the Constitution.

(4) (a) The election of members specified in clause (a) of sub-section (1) shall be held in the prescribed manner :

Provided that where such election is contested on political party basis, the candidate contesting such election shall use their respective party symbols.

(b) In the absence of any provision in this Act or the rules, the provisions of the Representation of the People Act, 1950 and Representation of the People Act, 1951 shall *mutatis mutandis* apply for the purposes of election to Parishads in the following matters, namely :—

- (i) preparation, revision and updating of Electoral Rolls;
- (ii) appointment of Electoral Registration Officers, Presiding Officers and Polling Officers;
- (iii) qualifications and disqualifications for registration as voter;
- (iv) such other matters which have to be, or may be required to be, dealt with for the purpose of conducting free and fair election.

(c) Unless the Election Commission, by order published in the Gazette directs otherwise so much of the Electoral Roll of the Assembly Constituency for the time being in force as relates to a Parishad Constituency shall, subject to such revision or updating as may be necessary, be the Electoral Roll of the Parishad Constituency for the purpose of election to the Parishad.

Explanation—For the purposes of this sub-section—

(a) “candidates” means candidates duly sponsored by respective political parties;

(b) “party symbol” means the symbol allotted to a particular political party under the Elections Symbols (Reservation and Allotment) Order, 1968; and

(c) “political party” means “National Party” or, as the case may be, a State Party within the meaning of paragraph 7 of the Order referred to in clause (b).

(5) All the members of the Parishad including the President and the Vice-President thereof shall have the right to vote in the meetings of the Prishad.

(6) Notwithstanding anything contained in this section, the Government may nominate to a Parishad in the Scheduled Areas persons belonging to such Scheduled Tribes as have no representation in the Parishad :

Provided that such nomination shall not exceed one-tenth of the total members to be elected under clause (a) of sub-section (1).

Superintendence, direction and control of elections to vest in State Election Commission.

6-A. (1) The superintendence, direction and control of the preparation of Electoral Rolls for, and the conduct of, all elections to Parishad, shall be vested in the Election Commission.

(2) The conditions of service and tenure of office of the State Election Commissioner constituting the Election Commission shall be such as the Governor may, by rule, determine under clause (2) of Article 243-K of the Constitution.

(3) The Governor shall, when so requested by the Election Commission, make available to the Election Commission such staff as may be necessary for the discharge of its functions.

(4) The Election Officers, Presiding Officers and any other officers appointed or designated for the time being for the conduct of elections under this Act shall be deemed to be on deputation to the Election Commission for the period commencing on the date of the notification calling for such election and ending with the date of declaration of the results of such election and, accordingly, such officers shall, during that period, be subject to the control, superintendence and discipline of the Election Commission.

Duration of Parishad.

7. (1) Every Parishad, unless sooner dissolved under this Act, shall continue for five years from the date appointed from its first meeting referred to in Section 8, and no longer.

(2) An election to constitute a Parishad shall be completed—

- (a) before the expiry of its duration specified in sub-section (1), or
- (b) where a Parishad is dissolved before the expiry of its duration before the expiration of a period of six months from the date of its dissolution :

Provided that where the remainder of the period for which the dissolved Parishad would have continued is less than six months, it shall not be necessary to hold an election under this sub-section for constituting the Parishad for such period.

(3) The Parishad constituted upon the dissolution of a Parishad before the expiration of its duration shall continue only for the remainder of the period for which the dissolved Parishad would have continued under sub-section (1) had it not been so dissolved.

Election of President and Vice-President.

8. (1) The members of the Parishad specified in clause (a) of sub-section (1) of Section 6 shall—

- (a) at its first meeting which shall be convened within twenty-two days but not before the expiry of seven days from the date of publication of the names under sub-section (2) of Section 6 elect in the prescribed manner, a President from among them;

- (b) at a subsequent meeting, which shall be specially convened for the purpose within thirty days from the date of the election of the President, elect the Vice-President of the Parishad from among them :

Provided that where the office of the President is not reserved under this Act for women or where a President elected under this Act is not a woman, office of the Vice-President of the Parishad shall be reserved for women.

(2) Notwithstanding anything to the contrary in sub-section (1)–

- (a) offices of the President in the Parishads shall be reserved for the Scheduled Castes and the Scheduled Tribes and the number of offices so reserved for the Scheduled Castes and the Scheduled Tribes shall bear, as nearly as, may be the same proportion to the total number of such offices as the population of the Scheduled Castes and the Scheduled Tribes respectively in the State bears to the total population of the State :

Provided that in the Scheduled areas, offices of Presidents of all the Parishads shall be reserved for the Scheduled Tribes.

- (b) as nearly as may be but not less than one-half* of the total number of offices of Presidents reserved under clause (a) shall be reserved for women belonging to the Scheduled Castes or, as the case may be, the Scheduled Tribes;
- (c) Offices of presidents in Parishads shall also be reserved in favour of backward class of citizens as referred to in clause (6) of Article 243-D of the Constitution to such extent not exceeding twenty-seven per centum subject to ceiling limit of fifty per centum of total number of offices of President of parishads including the offices so reserved for Scheduled Castes, Scheduled Tribes under clause(a) taken together.
- (d) as nearly as may be, one-half* of the total number of offices of Presidents reserved under clause (c) shall be reserved for women belonging to the backward class of citizens; and
- (e) as nearly as may be, but not less than one-half* (including the number of offices reserved for women belonging to the Scheduled Castes, the Scheduled Tribes and the backward class of citizens) of the total number of offices of Presidents in Parishads shall be reserved for women.

(3) Reservation of offices of Presidents under sub-section (2) for the Scheduled Castes, the Scheduled Tribes, backward class of citizens and women shall be made by Government by rotation among different Parishads and the reservation so made shall be published in the Gazette.

(4) The procedure provided in sub-section (3-A) of Section 6 relating to reservation of seats in the Parishads for the Scheduled Castes, the Scheduled Tribes, backward class of citizens and women shall, as far as may be, applicable for the purposes of reservation of offices of Presidents to be made by the Government under sub-section (3).

(5) The reservation of offices of Presidents under Clauses (a) and (b) of sub-section (2) shall cease to have effect on the expiration of the period specified in Article 334 of the Constitution.

President to be executive authority.

9. (1) The resolutions of a Parishad shall be given effect to by the President in whom the executive powers of the Parishad shall vest. In cases of emergency, he may take necessary action which shall be subject to the approval of the Parishad at its next meeting.

(2) When the office of the President is vacant, the Vice-President of the Parishad shall, for all the purposes of this Act, exercise the powers and perform the functions of the President until the new President is elected.

(3) When the office of the President is vacant or the President has been continuously absent from the district for more than fifteen days or is incapacitated for more than fifteen days and there is either a vacancy in the office of the Vice-President, or the Vice-President has been continuously absent from the district for more than fifteen days or is incapacitated for more than fifteen days, the powers and functions of the President shall devolve on an elected member of the Parishad from out of a panel of three such members in order of priority nominated by the President in that behalf who shall be the officiating President and shall exercise the powers and perform the functions of the President, subject to such restrictions and conditions as may be prescribed until the President or Vice-President assumes office on being duly elected or as the case may be, taken charge of his office.

(4) The President shall nominate the panel as referred to in sub-section (3) within a period of one month from the date of the first meeting of the Parishad, failing which the Parishad shall nominate the panel in its first meeting held after the expiry of the aforesaid period of one month.

Chief Executive Officer and his functions.

13. (1) The Collector of the district shall be the Chief Executive Officer of the Parishad who shall, subject to the provisions of this Act, exercise such powers and perform such functions as may be prescribed.

(2) The State Government may appoint such number of Executive Officers to the Parishad as may be expedient, who shall remain under the administrative control of the Chief Executive Officer and shall exercise such powers and perform such functions as may be prescribed.

(3) The Project Officer, District Rural Development Agency shall be the *ex officio* Secretary of the Parishad.

“(4) The Chief Executive Officer and the Secretary of the Parishad shall attend all meetings thereof and may take part in the discussions therein, but shall not have the right to move for resolution or to vote”.

CHAPTER III

ZILLA PARISHAD FUND

Review of
finance.

18. (1) It shall be the duty of the Finance Commission to review the financial position of Parishads and to make recommendations to the Governor as required under Article 243-I of the Constitution.

(2) The Commission may, for the purpose of maintaining sound financial position of Parishads, make such recommendations including measures needed for improvement of the financial position thereof, as it may deem fit.

(3) The Governor shall cause every such recommendation made by the Financial Commission together with an explanatory Memorandum as to the action taken thereon to be laid before the Legislative Assembly.

CHAPTER IV

CONTROL

Extraordinary
powers of
Director.

24. (1) In cases of emergency the Director may, subject to the approval of the Government, direct or provide for the execution of any work, or the doing of any act which a Parishad or its President is empowered to execute or do, and the immediate execution or doing of which is in his opinion necessary for the implementation of developmental plans or safety of the public and may direct that the expense of executing such work or doing such act shall be paid out of the fund of the Parishad.

(2) If the expenses is not so paid, he may make an order directing the person having the custody of the fund to pay it in priority to any other charge against such fund. Such person shall, so far as the funds to the credit of the Parishad admit, be bound to comply with such order.

Government's
power to
take action in
default of a
Parishad
member or
its President.

25. (1) If at any time, it appears to the Government that a Parishad or its President has made default in performing any duty imposed by or under this Act or any other law for the time being in force, they may, by order in writing, fix a period for the performance of such duty.

(2) If such duty is not performed within the period so fixed, the Government may appoint some persons to perform it and may direct that the expense of performing it shall be paid from the Fund within such time, as they may fix, to such person by the Parishad.

(3) If expenses which the Government have directed under

sub-section (2), to be paid from the Fund, are not so paid, the Director, with previous sanction of the Government, may make an order directing the person having the custody of the Fund to pay it in priority to any other charge against such Fund.

(4) Such person shall, so far as the Fund to the credit of the Parishad admit, be bound to comply with such order.

Removal of
President and
Vice-
President of
Parishad.

26. (1) If, in the opinion of the Government, the President or Vice-President of the Parishad wilfully omits or refuses to carry out or violates the provisions of this Act or any rules, bye-laws or orders, made or issued thereunder or abuses the powers vested in him and the Government are satisfied that further continuance of such person in office would be detrimental to the interest of the Parishad, they may, by order published in the prescribed manner, remove such President or Vice-President from office :

Provided that no such order for removal shall be made without giving the person concerned a reasonable opportunity of being heard.

(2) No person removed from the office of President or Vice-President under this section shall, for a period of four years from the date of removal, be eligible to hold any of the said offices.

Revival of
removal
proceedings.

27. (1) Where any proceeding which was initiated under Section 26 against any person holding office as President or Vice-President of a Parishad could not be finalised due to the vacation of the office by the President or Vice-President, as the case may be, by resignation or otherwise and the said person is found to be holding office as President or Vice-President of that Parishad during the term in which he so vacated or during the succeeding term, the State Government may direct revival of the said proceedings whereupon, the said proceedings shall be proceeded with from the stage it had reached by the date of vacation of the office by the President or the Vice-President, as the case may be, and disposed of in accordance with the provisions of the said section.

(2) No person removed from the office of President or Vice-President as a result of the proceedings so revised shall, for a period of four years from the date of the removal, be eligible to hold any of the said offices.

Dissolution
and
reconstitution
of Parishads.

28. (1) If in the opinion of the Government, a Parishad is not competent to perform or persistently makes default in performing the duties imposed on it by law or exceeds or abuses its powers they may, by notification published in the prescribed manner, direct that the Parishad be dissolved and immediately reconstituted. The notification shall specify the time within which the Parishad shall be reconstituted :

Provided that for the purpose of completing the elections to a Parishad which has been dissolved, the Government may, from time to time, extend the time fixed by them under this sub-section not exceeding six months in the aggregate for its reconstitution.

(2) Before publishing a notification under sub-section (1), the Government shall communicate to the Parishad the grounds on which they propose to do so, fix a reasonable period for the Parishad to show cause against the proposal and consider the explanations and objections, if any, of such Parishad.

(3) Upon the publication of such a notification all the members of the Parishad including its President and Vice-President shall forthwith be deemed to have vacated their offices as such and fresh elections shall be held in the prescribed manner.

(4) During any interval between the dissolution and the reconstitution of a Parishad directed under sub-section (1), all or any of the powers and duties of the Parishad and its President may be exercised and discharged, as far as may be and to such extent as the Government may determine, by such persons as they may appoint in that behalf.

(5) For all or any of the reasons specified in sub-section (1) the Government may, by notification published in the prescribed manner, instead of dissolving a Parishad and reconstituting it, supersede it for any period which they may deem fit, whereupon, the relevant provisions of Section 29 shall *mutatis mutandis* apply.

Supersession
of Parishad.

29. (1) If after the fresh election held under Section 28, the Parishad continues to be incompetent to perform or abuse its powers for all or any of the reasons specified in sub-section (1) of the said section the Government may, by notification published in the prescribed manner, supersede it for a specified period, not exceeding six months.

(2) Before publishing a notification under sub-section (1), the Government shall follow the procedure laid down in sub-section (2) of Section 28.

(3) The supersession of a Parishad shall, if no other date and time are fixed in the said notification, take effect from the date of publication thereof and, thereupon, all the members of the Parishad including the President and Vice-President shall forthwith be deemed to have vacated their offices.

(4) The provisions of sub-section (5) of Section 28 shall apply so far as may be in regard to the exercise and discharge, during the period of supersession of a Parishad under sub-section (1), of all or any of the powers and duties of the Parishad and its President.

The Government may reconstitute the Parishad before the expiry of the period notified under sub-section (1).

CHAPTER V ELECTION DISPUTES

Election
disputes.

32. (1) No election of a person either as a member or as the President or Vice-President of a Parishad held under this Act shall be called in question except by an election petition presented before the District Judge having jurisdiction over the place at which the office of the Parishad is situated.

(2) For the purposes of sub-section (1), the provisions contained in Chapter VI-A (hereinafter referred to in this section to the said Chapter) of the Orissa Panchayat Samiti Act, 1959, shall *mutatis mutandis* apply except as hereunder provided :—In the said chapter—

- (i) the reference to the expressions “Samiti” and “Election Commissioner” wherever they occur, shall be construed as reference to “Parishad” and “District Judge” respectively;
- (ii) an election petition presented before a District Judge may, either *sou motu* or on application be transferred to any Additional District Judge;
- (iii) for sub-section (3) of Section 44-J, the following sub-section shall be substituted, namely :—

“(3) In the event of the District Judge declaring a casual vacancy to have been created, it shall direct the appropriate authority to take steps for filling the vacancy”; and
- (iv) for Section 44-Q, the following section shall be substituted, namely :—

“44-Q. Any person aggrieved by an order passed by the District Judge may prefer an appeal before the appropriate court of law exercising civil appellate jurisdiction over the District Judge in preferring such appeal the provisions of the Indian Limitation Act, 1963 shall apply”.

CHAPTER VI MISCELLANEOUS

Disqualification
for becoming
a member
and
continuing as
a member.

33. (1) A person shall not be eligible to stand for election under Clause (a) of sub-section (1) of Section 6, if he—

- (a) is not ordinarily residing within the Parishad area; or
- (b) is of unsound mind; or
- (c) is an applicant to be adjudicated as an insolvent or is an undischarged insolvent; or
- (d) is a deaf-mute or is suffering from leprosy or tuberculosis; or
- (e) is convicted of an election offence under any law for the time being in force; or
- (f) is not a citizen of India; or
- (g) is convicted of an offence involving moral turpitude; or
- (h) holds any office of profit under the State or Central Government or any Local Authority; or
- (i) is a teacher in any School recognised under the provisions of the Orissa Education Act, 1969 (Odisha Act 15 of 1969) for the time being in force; or

- (j) holds the office of a Minister either in the Central or in the State Government; or
- (k) Omitted;
- (l) has been dismissed from service of the State or Central Government or any Local Authority; or
- (m) has been in arrears of any (tax, fee or rate) due by him to any Grama Panchayat for a continuous period of two years; or
- (n) being a member of any Society registered under the Odisha Co-operative Societies Act, 1962 (Odisha Act 217 of 1969) has failed to pay any arrears of any kind accrued due by him to such society for a continuous period of two years or more; or
- (o) is in the habit of encouraging litigation in villages and has been declared to be so on enquiry by the Prescribed Authority in the prescribed manner; or
- (p) is interested in a subsisting contract made with, or any work being done for, the Parishad or any Government except as a shareholder other than a Director in a company or except as may be prescribed; or
- (q) is a paid and retained legal practitioner on behalf of the Parishad; or
- (r) is disqualified by or under any law for the time being in force for the purposes of elections to the Legislature of the State; or
- (s) is disqualified by or under any law made by the Legislature of the State; or
- (t) is less than twenty-one years of age; or
- (u) is not able to read and write Oriya; or
- (v) has more than one spouse living; or
- (w) has more than two children :

Provided that the disqualification under clause (g) or (i) may be removed by the Government in the prescribed manner :

Provided further that the disqualification under clause (w) shall not apply to a person who has more than two children on the date of commencement of the Odisha Zilla Parishad (Amendment) Act, 1993 or, as the case may be, within a period of one year of such commencement, unless he begets an additional child after the said period of one year.

(2) an elected member of a Parishad including the President and Vice-President shall cease to be a member if he—

- (i) is not ordinarily residing within the district or ceases to so reside or is or becomes, subject to any of the other disqualifications specified in sub-section (1); or
- (ii) has been continuously absent from the district for more than six months without prior intimation in writing—
 - (a) in the case of a President to the Parishad;
 - (b) in the case of any other member or Vice-President to the President; or
- (iii) has absented himself without permission from three consecutive ordinary meetings of the Parishad on passing a resolution by the Parishad to that effect in the manner hereinafter specified, namely :—
 - (a) any member including the President and Vice-President desiring to absent himself from a meeting of the Parishad shall submit his written application to the Parishad through the Chief Executive Officer prior to the date of such meeting;
 - (b) an application received after the date of the meeting and before the next meeting of the Parishad may be accepted for consideration, if the Parishad is satisfied that there was sufficient reason for which the applicant failed to submit the application in time;
 - (c) the Chief Executive Officer shall place the application in the immediately following meeting of the Parishad for consideration, and the Parishad may grant or refuse permission;
 - (d) where such refusal of permission shall result in absence from three consecutive meetings, the Parishad shall specify in the resolution whether the applicant shall cease to continue as a member, President or Vice-President, as the case may be, of the Parishad;
 - (e) any absence without an application required under sub-clause (a) or (b) shall be deemed to be an absence without permission.

Explanation—The meeting which are adjourned without transacting any business shall not be reckoned as ordinary meeting of the Parishad; or

- (iv) being a legal practitioner, appears or acts as such against the Parishad.
- (v) has been disqualified under Section 33-B.

(3) Where a person ceases to be member under clause (e) of sub-section (1), he shall be restored to office for such portion of the term of office as may remain unexpired at the date of such restoration, if the sentence is reversed or quashed on appeal or revision or the offence is pardoned or the disqualification is removed by an order of the Government and any person filling the vacancy in the interim period shall, on such restoration, vacate the office.

No person to hold more than one elected office.

33-A. (1) Notwithstanding anything contained in any other law, an elected member of the Parishad including the President and the Vice-President thereof shall not hold simultaneously—

- (i) an elected office in any Samiti or Grama Panchayat; or
- (ii) an office as a member of the House of the People or of the Council of States or of the State Legislature.

(2) Where a person is elected as a member of the Parishad—

- (i) while holding an elective office under any Samiti or Grama Panchayat, he shall be deemed to have ceased to hold the first elected office; or
- (ii) while continuing as a member of the House of the People or of the Council of States or of the State Legislature, he shall be deemed to have ceased to hold the elected offices in the Parishad on and from the expiry of a period of seven days from the date of publication of his name under sub-section (2) of Section 6, unless he submits within that period his resignation in the prescribed manner, from one of such offices.

Disqualification on the ground of defection.

33-B. Subject to the provisions of Section 33-C,—

- (i) if an elected member of the Parishad belonging to any political party voluntarily gives up his membership of such political party, or if such member, contrary to any direction issued by the political party to which he belongs or by a person or authority authorized by it in this behalf, votes or abstains from voting, without obtaining prior permission of such political party, person or authority, in a meeting of the Parishad, in an election of its President, Vice-President, a member of a Standing Committee, or the Chairman of a Standing Committee, or in a voting on a no confidence motion against any one of them; and
- (ii) if an independent member joins any political party after becoming a member of the Parishad; he shall be disqualified for being a member of that Parishad.

Explanation.—For the purpose of this section an elected member or an independent member of the Parishad shall be deemed to be the member referred to in Clause (a) of sub-section (1) of Section 6.

Disqualification ground of defection not to apply in case of merger

33-C. (1) A member of a Parishad shall not be disqualified under Section 33 B where his original political party merges with another political party and he claims that he and any other members of his original political party—

- (a) have become members of such other political party or, as the case may be, of a new political party formed by such merger; or

(b) have not accepted the merger and opted to function as a separate group, and from the time of such merger, such other political party or new political party or group, as the case may be, shall be deemed to be the political party to which he belongs for the purpose of Section 33-B and to be his original political party for the purpose of this sub-section;

(2) For the purpose of sub-section (1) of this section, the merger of the original political party of a member of a Parishad shall be deemed to have taken place if, and only if, not less than two-thirds of the members of the party concerned have agreed to such merger.

Decision on question of disqualification on ground of defection

33-D. (1) Notwithstanding anything contained in Section 34, if any question arises as to whether a member of the Parishad has become disqualified under Section 33-B, such member or the political party concerned or a person authorised by it in that behalf may file a petition before the Election Commission for his decision.

(2) The Election Commission shall, after making such inquiry as it may deem necessary, decide whether such member has become disqualified or not and its decision shall be final.

(3) Where the Election Commission decides that a member has become disqualified under sub-section (2), he shall notify the same in the official Gazette and the said member shall be deemed to have ceased to be the member of the Parishad with effect from the date of such notification and shall be disqualified for contesting as a candidate in an election to any Parishad, Panchayat Samiti or Grama Panchayat for six years from that date.

Powers of the Election Commission 5 of 1908

33-E. (1) Every petition under sub-section (1) of Section 33-D shall be disposed of by the Election Commission in accordance with the procedure as applicable while trying a suit under the Code of Civil Procedure, 1908 and for that purpose the Election Commission shall have the powers of a Civil Court in respect of the following matters,—

- (i) summoning and enforcing the attendance of any person and examining him on oath;
- (ii) requiring the discovery and production of any document or other materials that may be produced as evidence.
- (iii) receiving evidence on affidavit;
- (iv) requisitioning any public record or copy thereof; and
- (v) issuing commission for taking evidence from witness or document.

(2) The proceeding before the Election Commission under sub-section (1) shall be deemed to be a judicial proceeding within the meaning of Section 193 and Section 228 of the Indian Penal Code, 1860.”.

District judge to decide question of disqualification

34. (1) Whenever it is alleged that any member of a Parishad is or has become disqualified, or whenever any such member is himself in doubt whether or not he is or has become disqualified, such member or any other member

may and the President at the request of the Parishad shall, apply to the District Judge, having jurisdiction over the place where the office of the Parishad is situated, for a decision on the allegation or doubt.

(2) The District Judge shall, after holding an enquiry in the prescribed manner determine whether or not such member is or has become disqualified and his decision shall be final.

(3) Pending such decision the member shall be entitled to act as if he was not disqualified.

Nomination on failure of election [and dereservation in certain cases]

35. (1) If for any reason whatsoever the electorate fails to return a member in accordance with the provisions of clause (a) of sub-section (1) and sub-section (3) of Section 6, a fresh election shall be held in respect of the vacancy on such date and in such manner as may be prescribed and in case the electorate still fails to return a member after such fresh election, the Government shall nominate a person who is otherwise eligible to be elected and the person so nominated shall, subject to the provisions of sub-section (2) of Section 33 be deemed to have been validly and properly elected.

(2) Where the seat of any member is reserved under sub-section (3) of Section 6 for any particular category and the Government fails to nominate under sub-section (1) a person to such seat for non-availability of any eligible person belonging to that category, such seat shall, on recommendation being made to that effect by the Collector, be dereserved by the Government after such enquiry as it may deem fit and shall, thereafter, be filled up by fresh election.

Oath of allegiance

36. (1) Every elected member including the President and the Vice-President of the Parishad shall, before taking his seat, make at a meeting of the Parishad an oath or affirmation of his allegiance to the Constitution of India in the following form, namely :—

“I,having become a member/the President/the Vice-President of the Parishad swear in the name of God/solemnly affirm that I will bear true faith and allegiance to the Constitution of India as by law established that I will faithfully discharge the duty upon which I am about to enter.”

(2) Any such member, President or Vice-President who fails to make, within three months of the date with effect from which he holds office or at any one of the first three meetings of the Parishad whichever is later, the oath or affirmation as aforesaid, shall cease to hold office as such and thereupon the seat shall become vacant.

(3) No such member, President or Vice-President shall take his seat at a meeting of the Parishad or do any act as such unless he has made the oath or affirmation as provided in this section.

Resignation of President, Vice-President and members

37. The President, Vice-President or any member of the Parishad may resign his office as such President, Vice-President or member by giving notice in writing to the Parishad, except in a case where the person resigning delivers the notice of resignation personally to the Chief Executive Officer, such officer shall, on receipt of a notice of resignation, obtains confirmation from the person concerned as to its genuineness. A resignation delivered personally or

confirmed as aforesaid, shall take effect on and from the date on which the notice was received.

Ceasation
of
membership
of
Chairman
in the
Samiti.

38. (1) Notwithstanding anything contained in any law for the time being in force, the Chairman of a Samiti shall cease to be the Chairman with effect from the date on which he ceases to be a member of the Parishad by tendering his resignation or otherwise.

(2) In the case of dissolution or supersession of a Samiti the Revenue Divisional Commissioner shall nominate a person to represent the Samiti in the Parishad during the period of such dissolution or supersession, if such person is otherwise eligible to be elected as a member of such Samiti and the person so nominated shall, for all purposes, be deemed to be a member of the Parishad.

Vote of no
confidence
against
President
and Vice-
President.

39. (1) Where at a meeting of the Parishad specially convened in that behalf a resolution is passed, supported by a majority of not less than two-thirds of the total members having a right to vote, recording want of confidence in the President or Vice-President of such Parishad, the resolution shall forthwith be published by such authority and in such manner as may be prescribed and with effect from the date of such publication, the President or Vice-President, as the case may be, shall be deemed to have vacated office.

(2) In convening a meeting under sub-section (1) and in the conduct of business at such meeting the procedure herein specified shall be following, namely :—

- (a) no such meeting shall be convened except on a requisition signed by at least one-third of the members with a right to vote, along with a copy of the resolution proposed to be moved at the meeting;
- (b) the requisition shall be addressed to the Revenue Divisional Commissioner;
- (c) the Revenue Divisional Commissioner, on receipt of such requisition shall fix the date, hour and place of such meeting and give notice of the same to all the members with a right to vote, along with a copy of the requisition and of the proposed resolution at least seven clear days before the date so fixed;
- (d) the Revenue Divisional Commissioner or when he is unable to attend, any other Gazetted Officer not below the rank of a Class I Officer of the State Civil Service, authorised by him, shall preside over and conduct the proceedings of the meetings;
- (e) the voting at all such meetings shall be by secret ballot;
- (f) no such meeting shall stand adjourned to a subsequent date and no item of business other than the resolution for recording want of confidence in the President or the Vice-President shall be taken up for consideration at the meeting;
- (g) no such resolution shall be taken up for consideration unless it has been proposed by one member and has been seconded by another member at meeting;

- (h) after the resolution is taken up for consideration, the member proposing the resolution may open the discussion thereon and other members may speak on the resolution in the order in which they are called upon by the Presiding Officer :

Provided that no member shall, unless so permitted by the Presiding Officer, have the right to speak more than once and if any member who is called upon does not speak he shall not be entitled, except by the permission of the Presiding Officer, to speak at a later stage of the discussion;

- (i) where the President or, as the case may be, the Vice-President against whom the resolution has been tabled, is present, he shall be given an opportunity to speak by way of reply to the resolution and the discussion made at the meeting;
- (j) the Presiding Officer may fix the time within which each member, including the President and the Vice-President, shall conclude his speech;
- (k) if the number of members present at the meeting is less than a majority of two-thirds of members having a right to vote the resolution shall stand annulled;
- (l) if the resolution is passed at the meeting supported by a majority of two-thirds of members having a right to vote, the Revenue Divisional Commissioner shall forward the resolution to the authority prescribed in pursuance of sub-section (1).

(3) When a meeting has been held in pursuance of sub-section (2) for recording want of confidence in the President or Vice-President, as the case may be, no fresh requisition for a meeting shall be maintainable—

- (a) in cases falling under clauses (k) and (l) of the said sub-section or where the resolution is defeated after being considered at the meeting so held, before the expiry of one year from the date of such meeting; or where the notification calling for general election to the Parishad has already been published under in pursuance of sub-section (2) of Section 7.
- (b) Where the notification calling for general election to the parishad has already being published under in pursuance of sub-section (2) of Section 7.

(4) Without prejudice to the provisions of sub-section (3) no requisition under sub-section (2) shall be maintainable in the case of a President or Vice-President, as the case may be, before the expiry of two years from the date on which such President or Vice-President enters office.

Casual vacancies.

40. Where a vacancy occurs in the office of an elected member or of the President or Vice-President of a Parishad by reason of death, resignation or otherwise of the person holding such office, the vacancy shall be filled up, so far as may be, in same manner as provided for that office in Section 6 or 8, as the case may be, and the member or the President or Vice-President so elected shall hold office for the remainder of the term of office of the member or, as the case may be, the President or Vice-President in whose place he has been elected.

Vacancy not to invalidate proceedings.

41. No act or proceeding of the Parishad shall be invalidated on account of any vacancy in the membership or any defect or irregularity in any such act or proceeding not affecting the merits of the case.

President, Vice-President and employees to be public servants.

44. (1) The President, the Vice-President and the employees of the Parishad shall be deemed to be public servants within the meaning of Section 21 of the Indian Penal Code.

(2) The employees of the Parishad shall be governed by the Orissa Government Servants' Conduct Rules, 1959.

Protection of action taken under the Act.

45. No suit, prosecution or other legal proceeding shall lie against any person in respect of anything done or intended to be done in good faith under this Act or the rules made thereunder.

Power to make rules.

51. (1) The Government may, after previous publication, make rules consistent with the provisions of this Act to carry out all or any of the provisions of this Act and prescribe forms for any matter for which they consider that a form should be provided.

(2) In particular and without prejudice to the generality of the foregoing powers such rules may provide for—

- (i) the conditions subject to which property may be acquired or transferred by sale, mortgage, lease, exchange or otherwise by a Parishad;
- (ii) regulating the duties, functions and powers of a Parishad;
- (iii) generally determining the relations between Grama Panchayat Samitis and the Parishad for the guidance of Parishads in all matters connected with the carrying out of the provisions of this Act.
- (iv) regulation of all elections under this Act, including deposits to be made by candidates at an election to the office of the President, the conditions for forfeiture or refund of such deposit and the qualifications of a proposer or seconder;

- (v) specifying the responsibility of the District Level Officers of the Government to the Parishads;
- (vi) any other matter which has to be, or may be, prescribed under this Act.

Power to make bye-laws.

52. (1) Subject to such rules as may be made, a Parishad may, with the approval of the Government make bye-laws for carrying out any of the purposes for which it is constituted.

(2) The Government shall have power to make rules regarding the procedure for making bye-laws under this section, the publication thereof and the date on which they shall come into effect.

Issue of order and removal of difficulties.

53. (1) The Government may, from time to time, with a view to ensuring the proper functioning of the Parishads and the proper implementation of the provisions of this Act issue such administrative orders, directions and instructions as they deem fit not inconsistent with the aforesaid provisions and the rules made thereunder for the guidance of the Parishads.

(2) Without prejudice to the provisions of sub-section (1) if any doubt or difficulty arises in giving effect to the provisions of this Act, the Government may, as occasion may require, by order, do anything which appears to them necessary for the purpose of removing the doubt or difficulty :

Provided that no order shall be issued under this sub-section after the expiration of a period of two years from the date of commencement of Section 1 of this Act.

**THE ODISHA ZILLA PARISHAD (DIVISION AND RESERVATION
OF CONSTITUENCIES) RULES, 1995**

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THE ODISHA ZILLA PARISHAD (DIVISION AND RESERVATION OF CONSTITUENCIES) RULES, 1995

1. (1) These rules may be called "The Odisha Zilla Parishad (Division and Reservation of Constituencies) Rules, 1995".

(2) They shall come into force on the date of their publication in the *Odisha Gazette*.
2. (1) In these rules, unless the context otherwise requires,—
 - (a) 'Act' means the Odisha Zilla Parishad Act, 1991;
 - (b) 'Commissioner' means the State Election Commissioner appointed under Article 243-K of the Constitution;
 - (c) 'Constituency' means a constituency as may be determined under sub-section (3-A) of Section 6;
 - (d) 'Government' means the Government of Odisha ;
 - (e) 'Section' means section of the Act.
(2) All other words and expressions used but not defined herein shall, unless the context otherwise requires, have the same meaning as assigned to them in the Act.
3. (1) Every constituency shall be named after the Block and where there are more than one constituency in a Block, the constituencies shall be named in numerical order beginning with North-West to South-East direction.

(2) Population shall be computed to the nearest thousand only.
4. The Collector shall prepare the list of constituencies of the Parishad, as required under Clause(c) of sub-section (3-A) of Section 6, in Form No. 1.
5. Subject to the direction, if any, issued by the Governor of Odisha under sub-paragraph (1) of paragraph 5 of the Fifth Schedule to the constitution of India, out of the constituencies left in the list for the Candidates, other than Scheduled Castes and Scheduled Tribes, reservation of constituencies for the members of Backward Class of citizens shall begin from the constituency which appears first and shall continue one by one until required quota is completed.
6. (1) The draft statement as required under clause(e) of sub-section (3-A) of Section 6, showing the division of the Parishad area into constituencies and reservation of seats shall be prepared in Form No. 2 and published together with a notice in Form No. 3 inviting objections and suggestions from all persons interested to be filed within a period of ten days from the date of such publication.

(2) Any persons may file his objection or suggestion, in writing, within the period specified under sub-rule(1), either in person or such objection or suggestion may be sent to the Collector by post so as to reach him within the aforesaid period.

(3) Any objection or suggestion received after expiry of the period prescribed in sub-rule (1) shall be rejected summarily.

- (4) All objections and suggestions received under sub-rule (2) shall be consolidated constituencywise and after considering the objections and suggestions and making such further enquiry, if necessary the Collector shall pass such orders as he may deem it appropriate as to whether there shall be any alternation to be made in respect of any constituency or reservation of any seats and if so, the extent and manner thereof.
7. The Collector, after making such alterations as may be necessary, shall prepare the final statement showing the division of Parishad area and reservation of Constituencies therein in Form No. 2 and shall submit the same to the Government as required under clause (f) of sub-section (3-A) of Section 6 within ten days from the date of expiry of the period prescribed in sub-rule (1) of Rule 6.
8. (1) After receipt of the final statement from the Collector under Rule 7, the Government shall examine the same and to ensure that the division of Parishad area and reservation of seats therein have been made in accordance with the provisions of the Act and these rules :
- Provided that if during the course of examination, in any case, it appears to the Government that there has been a departure from the provisions of the Act or the Rules or that the said provisions have not been followed, they may correct the division of Parishad area or reservation of seats therein by making such alterations as may be necessary so as to make the final statement in conformity with the Act and the Rules.
- (2) The Government shall approve the final statement or finalise the said statement and publish the same in the Gazette.
9. The Government shall send to the Commissioner the lists of,—
- (a) Total number and description of the Constituencies from which the members are to be elected to the Parishad;
 - (b) Constituencies reserved for the Scheduled Castes, Scheduled Tribes, Backward Class of Citizens and Women; and
 - (c) Offices of the President of the Parishad reserved for the Scheduled Castes and Scheduled Tribes and Women; as the case may be.
10. (1) If any question arises as to the interpretation of these Rules the question shall be referred to the Government for decision.
- (2) The Government may, from time to time, issue such instructions, as occasion may require, for;—
- (i) smooth implementation of these rules; and
 - (ii) removal of any doubt or difficulties arising out of implementation of these Rules.
11. The Odisha Zilla Parishad (Delimitation and Reservation of Constituency) Rule, 1994 are hereby repealed.

FORM No. 1

(See Rule 4)

LIST OF CONSTITUENCIES OF ZILLA PARISHAD.

Name of the District Total population

Population of S.C.

S.T.

General

Sl. No.	Name of the Zilla Parishad Constituency	Name of the G.P. comprising Zilla Parishad Constituency	Population				General	If reserved for which category	REMARKS
			S.C.	Percentage of S.C. population Constituencies	S.T.	Percentage of S.T. population Constituencies			
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)

COLLECTOR

FORM No. 2

(See Rules 6 & 7)

Draft/Final Statement showing the list of Zilla Parishad Constituencies

Name of the Zilla Parishad	Total No. of Zilla Parishad Constituencies	No. of Constituencies reserved for	No. of Constituencies reservation for Women
(1)	(2)	(3)	(4)
		S.C.	S.C.
		S.T.	S.T.
		B.C.	Others

Sl. No. of the Constituency	Name of the Constituency	Name of the G.P. comprising the Constituency	If reserved for which category	Remarks
(1)	(2)	(3)	(4)	(5)

COLLECTOR

FORM No. 3

(See Rule 6)

Notice of Publication of Division and Reservation of Constituencies
of Zilla Parishad.

Notice is hereby given that the statement showing the number of
constituencies, extent of each constituency and status of such constituencies
for reservation has been prepared in accordance with the provisions of the Odisha
Zilla Parishad Act, 1991 and copy thereof is available for inspection
of.....

Objection or suggestions in this regard may be filed in the office of the
undersigned or may be sent by registered post so as to reach the undersigned not later
than

COLLECTOR

THE ODISHA ZILLA PARISHAD ELECTION RULES, 1994

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THE ODISHA ZILLA PARISHAD ELECTION RULES, 1994*

PART I

- Short title and commencement.
1. (1) These rules may be called “the Odisha Zilla Parishad Election Rules, 1994”.
- (2) They shall come into force on the date of their publication in the *Odisha Gazette*.
- Definition.
2. (1) In these rules, unless the context otherwise requires :—
- (a) “Act” means the Odisha Zilla Parishad Act, 1991 (Odisha Act 17 of 1991).
 - (b) “Ballot Box” means, any box, bag or any other receptacle of such design and specification as the Commissioner may decide, used for receiving ballot papers in the course of polling at a polling station and shall be so constructed that ballot papers can be inserted through an opening without affecting the secrecy of voting but the ballot papers can not be removed without opening, breaking or otherwise tampering it;
 - (c) “Block Development Officer” means an officer appointed for the Block under Section 15-A of the Odisha Panchayat Samiti Act, 1959 (Odisha Act 7 of 1960);
 - (d) “Clear days” includes Sundays and holidays but does not include the day of the meeting and the day of the issue of notice;
 - (e) “Commissioner” means the State Election Commissioner appointed under Article 243-K of the Constitution;
 - (f) “Election Officer” means unless the Commission otherwise directs, the Collector of the district or any officer authorised by the Collector by general or special order to exercise all or any of the powers and to perform all or any of the duties of an Election Officer under these rules;
 - (g) “Grama Panchayat Act” means the Odisha Grama Panchayat Act, 1964 (Odisha Act 1 of 1965);
 - (h) “Member of Parishad” means a member elected under clause(a) of sub-section (1) of Section 6 of the Act;
 - (i) “Panchayat Election Rules” means The Odisha Grama Panchayat Election Rules, 1965;

* As amended up to November 2001. There might be omission and commissions : for authenticity reference must be made to the published Rules in the Official Gazette.

- (j) "Parishad" means the Zilla Parishad constituted, under the Act;
 - (k) "Parishad Constituency" means the Constituency referred to in clause (a) of sub-section (1) of Section 6;
 - (l) "Polling Agent" means a person duly authorised by a contesting candidates to attend on his behalf at the polling of votes at one or more polling stations, or place specified for counting of votes;
 - (m) "Polling Officer" means the person appointed by the Election Officer to assist him or the Presiding Officer for conducting the elections at one or more polling stations.
 - (n) "Polling Stations" means the place fixed by the Election Officer for conduct of the poll in respect of election of a member of the Parishad;
 - (o) "Presiding Officer" means any person appointed as such by the Election Officer to preside over and the conduct of election under these rules at one or more polling stations.
 - (p) "Sarpanch" means a person elected as such in accordance with the provisions of the Odisha Grama Panchayat Act, 1964 (Odisha Act 1 of 1965);
 - (q) "Section" means a Section of the Act.
- (2) All other words and expressions used but not defined herein shall, unless the context otherwise requires, have the same meaning as have been assigned to them respectively in the Act.

PART II GENERAL

Notification
of election.

- 3.(1) A General election shall be held for the purpose of Election of members to the Parishad before the expiry of the term or on its dissolution.
- (2) The Government shall, by one or more notifications published in the Official Gazette on such dates as may be recommended by the Commissioner, call upon the Parishad Constituencies to elect members of the Parishad in accordance with the provisions of the Act and these Rules.
- (3) The Government shall send the list of Parishad constituencies together with the list of offices of Presidents including those reserved for the Scheduled Castes, the Scheduled Tribes, Backward Class of citizens and women to the Commissioner by such date as the Commissioner may fix for the purpose which shall not, unless the Commissioner otherwise directs, be less than six weeks before the date fixed for issue of the notification under sub-rule (2).

Appointment
of dates for
election.

- 4.(1) As soon as the notification under Rule 3 is issued, the Commissioner shall draw up and notify the programme of election of members and fix up the date of first meeting of the Parishad and communicate the same to all Election Officers :

NOTE – “First meeting of the Parishad” referred to in this sub-rule shall mean the first meeting of the Parishad as provided in clause(a) of sub-section (1) of Section 8 :

Provided that where the election of a Parishad is held simultaneously either with the Grama Panchayat or the Panchayat Samiti or both, the programme of election shall be drawn in such a manner that the date of election of a member of the Parishad should be the same date as that of the election of either the Sarpanch or member of Samiti or both.

- (2) In the programme so drawn up under sub-rule(1), the Commissioner shall fix up the date of first meeting of the Parishad for the purpose of sub-section(1) of Section 8.
- (3) The date of election of the member of the Parishad so fixed by the Commissioner shall not be altered or deferred, save with the prior sanction of the Commissioner.
- (4) At least four weeks before the date fixed for conducting the poll, the Election Officer shall issue notice in Form No. 1 calling for the names of the candidates for the office of the member of Parishad from every constituency and specify therein the date, time and place of filing nomination, scrutiny, withdrawal of candidature and the date and time of poll.

Electoral
Roll.

5. As soon as the division and reservation of constituencies are notified by the Government under clause(g) of sub-section (3-A) of Section 6, the final electoral roll of every Grama prepared under the Panchayat Election Rules comprised within the Parishad constituency including revision, addition or alteration, if any, shall together form the final electoral roll of that Parishad constituency :

Provided that where the election of the Members of a Parishad is held separately than that of the election of the Gramas or the Samitis the procedure laid down for preparation and final publication of electoral roll under the Panchayat Election Rules shall apply *mutatis mutandis* for preparation and final publication of electoral roll in respect of election of the Members of the Parishad.

Revision of
Electoral
Roll.

6. The Commissioner may order for revision of the electoral roll of every Parishad constituency from time to time on the basis of the revision of electoral roll of the Assembly Constituencies.

Election
Symbol.

7. (1) The symbols to be used by the candidates at the election of the Members of the Parishad shall be such as may be notified by the Commissioner from time to time.
- (2) Notwithstanding anything contained in sub-rule (1) when a candidate contests the election to the office of the Member of the Parishad on political party basis, he shall use only the symbol of that political party and no other symbol.
- (3) Within seven days of the issue of notification under sub-rule (1) of Rule 4, the political parties shall, in writing, inform the Commissioner in Form No. 17 the designation of the person(s) authorised by them to sponsor candidates for the purpose of contesting the election under these rules and shall also furnish him the specimen signature of the person so authorised.
- (4) Upon receipt of the particulars under sub-rule (3), the Commissioner shall communicate those to the Election Officers on or before the date appointed for scrutiny of nomination papers.

Eligibility
of a
candidate.

8. No person shall be eligible to stand for election as a Member of the Parishad unless his name finds place in any of the electoral rolls, referred to in Rule 5, within the Parishad area.

Eligibility
of proposer
and
seconder.

9. No person shall be eligible to be either the proposer or the seconder of a candidate for election of the Member of Parishad from Constituency unless his name finds place in the electoral roll of the said Constituency.

PART III

FILING OF NOMINATION, SCRUTINY AND WITHDRAWAL

Presentation of
Nomination
paper.

10. A nomination in Form No. 4 shall be presented to the Election Officer either by the candidate himself or his proposer or seconder on the date, time and place specified in the notice.

Supply of
forms.

11. The Election Officer shall arrange for supply of all necessary forms relating to the election of the members of Parishad at the headquarters of the Parishad.

Deposit of
money and
process of
election.

12. (1) On the date fixed for presentation of the nomination papers, candidates desiring to contest election for the office of the Member of Parishad shall other than a candidate belonging to the Scheduled Tribes or the Scheduled Castes, deposit or cause to be deposited a sum of rupees two hundred with the Election Officer.
- (2) If the candidate belongs to the Scheduled Tribes or the Schedule Castes, the amount of deposit shall be rupees one hundred.
- (3) The Election Officer shall grant a receipt in Form No. 3 for the amount so deposited.

- (4) No candidate shall be allowed to contest the election of the office of the Member of Parishad unless such deposit has been made.
- (5) The deposit shall be returned to the person who made it or on whose behalf it was so made or to a person authorised by the depositors if a candidate by whom or on whose behalf the deposit, referred to in sub-rule (1) or sub-rule (2), as the case may be, has been made, withdraws his candidature in the manner and within the time specified under sub-rule (6) of Rule 14 or if the nomination of any candidate is rejected.
- (6) The deposit shall be forfeited to the State Government if a candidate by whom or on whose behalf the deposit referred to in sub-rule (1) or sub-rule (2), has been made is not elected and the number of votes polled in his favour does not exceed one-sixth of the total number of votes polled.

Explanation—The number of votes polled shall be deemed to be the number of ballot papers counted.

- (7) The deposit made in respect of a candidate, who is elected or in whose favour more than one-sixth of the total number of votes polled, shall be returned to him after the result of the election is published.
- (8) The deposit required to be returned to any person under sub-rule (5) or sub-rule (7) shall if such person is dead, be returned to his legal representative.
- (9) Notwithstanding anything contained in this rule, a deposit made under sub-rule (1) shall not be returned unless a claim therefor is preferred by the person on whose behalf the deposit is made or by his legal representative, as the case may be, within six months from the date of declaration of the result of the election by the Election Officer.
- (10) (a) The Election Officer shall, at the appointed time, date and place receive the nomination papers in Form No. 4 and scrutinise them at the appointed time, date and place in the presence of the candidates or their proposers or seconders, if any.
 - (b) If the Election Officer is satisfied that the candidate does not suffer from any disqualification under Section 33, he shall accept the nomination as valid.
 - (c) Objections, if any, filed in the course of scrutiny shall be enquired into summarily by the Election Officer and his decision accepting or rejecting the nomination papers shall be endorsed on the body of the nomination papers.
- (11) If after scrutiny under sub-rule (10) if there is only one candidate validly nominated there shall be no poll and the Election Officer shall immediately declare in Form No.5 the person so nominated to have been duly elected.

Failure of election.

13. If no nomination is filed or if all the nominations are rejected, the Election Officer shall forthwith report the matter to the Commissioner who shall issue a notice afresh under Rule 4, and if no nomination is filed or all the nominations are rejected for the second time, it shall be deemed to be a failure of election.

Assignment of symbol & withdrawal of candidature.

14.(1) The Election Officer shall, immediately after the scrutiny, prepare a list of the validly nominated candidates in Form No. 6 and arrange them in alphabetical order in Odia.

(2) At the time of preparing the list, the Election Officer shall allot symbols to each candidate from among those specified under Rule 7 :

Provided that where the candidate contests the election on Political Party basis, the Election Officer shall allot to that candidate the symbol of the respective Political Party.

(3) The symbol allotted to each candidate under sub-rule (2) shall be indicated in the list in Form No. 7.

(4) While allotting symbol of a Political Party to a contesting candidate, Election Officer shall take into account the recommendation of the Political Party concerned in favour of the particular candidate in Form No. 18 and the communication received from the Commissioner under sub-rule (4) of Rule 7.

(5) A copy of the list of the validly nominated candidates shall be published in the notice board of the Samiti concerned in Form No. 8 at least three weeks before the date fixed for election.

(6) A validly nominated candidate may withdraw his candidature by presenting an application in Form No. 9 personally to the Election Officer within forty-eight hours after the list of validly nominated candidates has been published under sub-rule (5).

Provided that the Election Officer shall verify the signature of the candidate before allowing the candidature to be withdrawn.

(7) Immediately after the withdrawal of nomination under sub-rule (6), the Election Officer shall publish the Final list of contesting candidates in Form No. 8 at least two weeks before the date of poll.

(8) If there were only two contesting candidates including the person withdrawing his candidature under sub-rule (6) the other candidate shall be declared duly elected in Form No. 5.

(9) The Election Officer shall proceed with election if, upon withdrawal of candidature under sub-rule (6) the number of validly nominated candidates exceeds one.

PART IV
POLLING ARRANGEMENTS

Location of polling stations.

15. (1) There shall be a polling station for every ward falling within the Parishad Constituency and shall be located within the area of the said ward :

Provided that the Election Officer may, if necessary have more than one polling station for a ward or have one polling station for more than one ward or a group of wards.

NOTE—The expression “ward” referred to in this sub-rule shall mean a ward of a Gram Panchayat.

(2) Inside the polling station, there shall be an enclosed space which shall be used by the voters for marking the ballot papers secretly.

(3) If at any time an election for constituency of Parishad is conducted under these rules simultaneously with the elections for Constitution of the Gram Panchyats or Panchayat Samitis or both, the polling station for a Constituency shall be located at such place as the Commissioner may, by order, determine.

Presiding and Polling Officer.

16. (1) There shall be a Presiding Officer at each polling station who shall exercise such powers of the Election Officer as may be delegated to him.

(2) Subject to such order or instruction as the Commissioner may pass, the Election Officer may also appoint Polling Officer(s) for a polling station to assist Presiding Officer.

Ballot boxes.

17. (1) The Election Officer shall provide such number of ballot boxes to each polling station as may be required.

(2) The ballot box shall be placed within the full view of the Presiding Officer at the time of polling.

Ballot papers.

18. (1) Printed ballot papers as specified in Form No. 10 shall be used for the Election of Members of Parishad.

(2) The ballot paper shall bear the same symbol as allotted by the Election Officer to the Individual candidates under Rule 7.

(3) Ballot papers which bear the seal and signature of the Presiding Officer shall be issued to the voters.

Appointment of Polling Agents.

19. Each candidate shall be allowed to appoint not more than one polling agent to remain present at the polling station during the poll as well as during the counting of votes.

Polling hours.

20. The polling at each polling station shall take place during such hours as may be fixed by the Commissioner.

Marking of Ballot Papers.

21. The ballot papers shall be marked by means of a rubber stamp bearing cross mark “X.”

PART V
POLLING

- Supply of forms.
- 22.** The Election Officer shall supply to the Presiding Officer appointed for each polling station the following papers :—
- (i) a list of candidates in Form No. 8;
 - (ii) a working copy of the voters' list relating to the polling station(s);
 - (iii) another copy of the voters' list relating to the polling station(s);
 - (iv) required number of ballot papers (Form No. 10);
 - (v) ballot paper account (Form No. 11).
- Preparation by the Presiding Officer.
- 23.** It shall be the responsibility of the Presiding Officer to proceed to the polling station well in advance of the time fixed for the poll and make arrangements for the polling to commence exactly at the time notified by the Commissioner.
- Permission to Polling Agents
- 24.** The Presiding Officer shall examine the authority of the Polling Agents, authorised by the candidates and admit them to the polling station, if he is satisfied that the authority is valid under these rules.
- Identity of voters.
- 25.** The Presiding Officer may seek assistance of respectable persons of the locality or Polling Agents to identify the voters.
- Exhibition of list of candidates and their symbols.
- 26.** One hour before the commencement of poll, the Presiding Officer shall cause to be exhibited a notice, at the entrance of the polling station, specifying the areas of the polling station, the date and time of poll and the copy of the list of contesting candidates arranged in alphabetical order in Odia together with a description of the symbol allotted to them.
- Exhibiting the empty ballot box.
- 27.** Immediately before the commencement of the poll, the Presiding Officer shall demonstrate to the polling agents, if any, present at the polling station that the ballot box is empty and is either locked up or so secured by any device that the ballot papers can be inserted therein but cannot be withdrawn therefrom except by breaking or otherwise tampering with the box.
- Voting procedure.
- 28.** (1) The polling shall commence at the appointed hour
- (2) Whenever a voter approaches the Polling Officer, he shall check the name of the voter with reference to the working copy of the voter list furnished by the Election Officer and shall issue a ballot paper to the voter after putting a mark in indelible ink on the left forefinger below the nail.
- (3) The Polling Officer shall explain clearly to each voter at the time of issuing the ballot paper, the manner of marking the ballot paper and the manner of folding it after marking.
- (4) The voter shall then proceed to the enclosed space and put a cross mark on the ballot paper secretly with the stamp provided for the purpose either on the symbol of the candidate or on the name for whom he wishes to vote.

- (5) After putting the mark, the voter shall fold the ballot paper to the innerside so as to maintain secrecy of the vote and insert it in the ballot box.
- (6) In case of difficulty, the voter may bring it to the notice of the Presiding Officer who shall assist the voter in inserting the ballot paper in the ballot box.

NOTE—Any reference to the left forefingers of voter in this rule shall, in the case where the voter has his left forefinger missing, be construed as a reference to any other finger of his left hand and shall, in the case where all the fingers on his left hand are missing, be construed as a reference to the forefinger or, as the case may be, any other finger of his right hand and shall, in the case where all his fingers of both the hands are missing, be construed as a reference to such extremity of his left or right arm as he possesses.

Voting by Electronic Voting Machine.

- 28-A** (1) The procedure as prescribed in the Odisha Gram Panchayats Election Rules relating to voting and counting by electronic voting machine shall *mutatis mutandis* apply to the voting under these rules.
- (2) The forms prescribed for such voting shall be in Form No. 18-A & B.
 - (3) Any reference to ballot box or ballot paper for such voting shall be construed as and including a reference to such voting machine.

Voting by a voter on duty.

- 28-B.** The procedure for voting, by a voter on duty at the same or another polling station as prescribed in the Panchayat Election Rules, shall *mutatis mutandis* apply to the voting under these rules.

Marking in the working copy.

- 29.** After issue of ballot papers, the Polling Officer shall put a tick mark against the name of the voter in the working copy of the voter list.

Blind or incapable voters.

- 30.** In case of voter who is physically incapacitated or is blind, the Presiding Officer shall, at the request of the voter, allow him to take a companion to the place set apart for voting.

Objection for identity of a voter.

- 31.** (1) A candidate or his polling agent may object to identify of a voter on the ground only that he is not the person he claims to be as per entry in the voters list.
- (2) For every objection, a fee of rupees two shall be deposited with the Presiding Officer.
 - (3) The Presiding Officer shall decide the objection by conducting a summary enquiry on the spot and his decision shall be final.
 - (4) If the objection is allowed, the deposit shall be refunded to the person who deposited the amount.
 - (5) If the objection is disallowed, the deposit shall be forfeited and a receipt in Form No. 3-A shall be given by the Presiding Officer to the person who has made the deposit.

- Procedure for conducting of poll.
- 32.** (1) The Presiding Officer shall so regulate the entry of the voters into the polling station that the polling proceeds in an orderly manner.
- (2) All voters who appear between the hours fixed for the poll within the polling station shall be allowed to cast a vote.
- (3) No voter shall be admitted inside the polling station after the time fixed for closure of the polling.
- Polling Officer to act as Presiding Officer.
- 33.** When the Presiding Officer is unable to remain at the polling station temporarily for reasons beyond his control, he shall authorise one of the Polling Officers to act as the Presiding Officer.
- 34.** Omitted.
- 35.** Omitted.
- Procedure for counting of votes.
- 36.** (1) Unless the Commissioner otherwise directs, after close of the polling, the Presiding Officer shall seal the ballot box in presence of the candidates or their polling agents who may be present and prepare separate sealed packets of all papers and reports and forward the same to the Election Officer after which the Election Officer shall proceed to take up the counting of votes on the scheduled date in presence of the candidates or their polling agents, if any.
- (2) Each ballot paper shall be scrutinised by the Election Officer in the course of counting and a ballot paper shall be liable for rejection on one or more of the following grounds, namely :—
- (i) if it bears any mark or writing by which the voter can be identified;
- (ii) if no mark indicating the vote is made thereon;
- (iii) if the mark of vote is made in favour of more than one candidate;
- (iv) if the mark indicating the vote is placed in such a manner so as to make the intent of the voter doubtful;
- (v) if the ballot paper is spurious;
- (vi) if the ballot paper is so damaged or mutilated that its genuineness cannot be established;
- (vii) if the ballot paper does not bear the signature of the Presiding Officer.
- (3) The Election Officer shall record the reason(s) for rejecting the ballot paper on the ballot paper itself and may, for this purpose, use a seal.
- Recording of counting.
- 37.** (1) The result of counting of the ballot papers under sub-rule (1) of the Rule 36 shall be recorded in Form No. 11-A.
- Submission of papers.
- 38.** Immediately after close of the polling, the Presiding Officer shall prepare separate bundles of all papers, reports and unused ballot papers and after sealing them in separate packets forward them to the Election Officer on the same day.
- Declaration of the result of the votes.
- 39.** (1) On the date fixed for declaration of the result of the elections, the Election Officer shall, in the presence of candidates or their Polling Agents, check the arithmetical correctness of votes polled by different candidates in Form No. 12 so as to arrive at the total number of votes polled by each contesting candidate along with the result of votes recorded as per voting machine, if any then announce the result.

- (2) Candidate securing the maximum number of votes shall be declared as elected.
- (3) In case of equality of votes, the result shall be decided by drawing lots and the candidate whose name is drawn first shall be declared elected.
- (4) The Election Officer shall forthwith intimate the Commissioner the names of the elected candidates for the purpose of publication as required under sub-section (2) of Section 6.
- (5) After the declaration under sub-rule (2) has been made, a candidate or, in his absence, his polling agent may apply in writing to the Election Officer to recount the votes either wholly or in part, stating the grounds for such recounting.
- (6) On an application made under sub-rule (5), the Election Officer shall decide the matter and may allow the application in whole or in part or may reject it in toto, if it appears to him to be frivolous or unreasonable.
- (7) Every decision of the Election Officer under sub-rule (6) shall be in writing and contain the reasons therefor.
- (8) If the Election Officer decides under sub-rule (6) to allow recounting of the votes either wholly or in part, he shall—
 - (a) make the recounting in accordance with Rule 36;
 - (b) make necessary corrections in the result sheet in Form No. 12 to the extent necessary after such recounting; and
 - (c) announce the result on the basis of the corrections so made by him.

Publication of
the result of
the votes.

- 40.** (1) The Commissioner shall publish the names of the elected candidates in the Official Gazette.
- (2) The Commissioner shall forward copies of publication under sub-rule (1) to the Government, Revenue Divisional Commissioner(s) and the Collector(s) concerned.
 - (3) The documents relating to election received from the Presiding Officer and those prepared by the Election Officer, if any, shall be retained in safe custody in the office of the Collector for a period of three months and shall then, unless otherwise directed by a competent Court, be destroyed.
 - (4) The documents or records referred to in sub-rule (3) in the custody of the Collector shall not be opened or inspected or produced save with the prior permission of the Commissioner or of a competent Court.

Failure of Election

41. (1) If there is failure of election to any of the constituencies, publication of the notification under sub-rule (1) of Rule 40 may be withheld until fresh election is held successfully :

Provided that if the Commissioner is satisfied that majority of members have been elected to the Parishad, he shall publish the result under sub-section (2) of Section 6 without waiting for the results of election, whether conducted or not of remaining Constituencies.

(2) If there is a failure of the election held for the second time, the Commissioner shall forthwith report the matter to the Government for nomination of a person under Section 35 to fill up the vacancy.

Explanation—For the purpose of the Rule “Failure of election” means the failure of election as specified in Rule 13.

Election for the second time.

42. (1) When it becomes necessary to hold elections for the second time in any case in the course of an election, the procedure prescribed in the foregoing rules for the conduct of election shall apply subject to the following, namely :—

(i) It shall not be necessary either to publish the electoral roll or to invite objections; and

(ii) The Commissioner or any other persons empowered by him in that behalf shall issue notice calling for the names of candidates for the office of the member of Parishad at least two weeks before the date fixed for election.

(2) When the seat of a member of the Parishad is dereserved under sub-section (2) of Section 35, the Commissioner shall, on receipt of the communication to that effect under sub-rule (4) of Rule 59-B from the Government, fix up dates for conducting election to such seat, whereupon the provisions of these rules shall apply subject to modifications prescribed under sub-rule (1).

Postponement of election.

43. (1) Notwithstanding anything contained in these rules, if at any time or in any case the proceedings at any polling station are interrupted or obstructed for any reason whatsoever and the Presiding Officer is satisfied that free and fair conduct of election has been affected thereby, he shall direct postponement of the poll and shall forthwith inform the Election Officer.

(2) On receipt of information from the Presiding Officer, under sub-rule (1), the Election Officer shall, after such enquiry as he may deem fit, report the facts of the case to the Commissioner.

(3) If the Commissioner is satisfied on the basis of the report of the Election Officer or otherwise that conduct of free and fair election has been affected, he may direct a fresh election at the polling station.

Adjournment
of poll in
emergency.

- 44.** (1) If the proceedings at any polling stations or group of polling stations are interrupted or obstructed by any riot or open violence, or if it is not possible to take the poll at any polling station or if at any time or in any case, it appears to the Election Officer that during the course of an election, it is or has become impracticable to go ahead with the process of election including the poll due to natural calamity or otherwise, the Election Officer may, by a reasoned order, announce an adjournment of the poll to a date to be notified later and shall report the facts of the case to the Commissioner.
- (2) If the Commissioner is satisfied on the report of the Election Officer or otherwise as regards the facts stated at sub-rule (1) above, he shall direct poll on such date, place and hours as he may satisfy.
- (3) Whenever a poll is adjourned under sub-rule (1), counting of votes relating to the constituency of which the poll was adjourned, shall not commence without the previous approval of the Commissioner.

Fresh poll in
the case of
destruction,
etc. of ballot
boxes.

- 45.** (1) If at an election—
- (a) any ballot box used at a polling station or at a place fixed for poll is unlawfully taken out of the custody of the Presiding Officer or the Polling Officer, accidentally or intentionally destroyed or lost, or is damaged or tampered with to such an extent that the result of the poll at that polling station or place cannot be ascertained; or
- (b) any such error or irregularity in procedure as is likely to vitiate the poll is committed at a polling station or at a place fixed for the poll, the Presiding Officer shall forthwith report the matter to the Election Officer.
- (2) The Election Officer, on receipt of information under sub-rule (1) and after taking prior approval of the Commissioner, shall either—
- (a) cancel the poll at that polling station, appoint a day and fix the hour for taking a fresh poll at that polling station or any other suitable place and notify the day so appointed and the hours so fixed in such manner as it may deem fit; or
- (b) if satisfied that the result of a fresh poll at that polling station or place will not, in any way, affect the result of the election or that, the error or irregularity in procedure is not material, issue such directions to the Presiding Officer as he may deem proper for the further conduct and completion of the election.
- (3) The provisions of these rules or orders made thereunder shall apply to every such fresh poll as they apply to the original poll.

Adjournment of
poll or
countermanding
of election on
the ground of
booth capturing.

46. (1) If at an election—

- (a) booth capturing has taken place at a polling station or at a place fixed for the poll (hereafter in this rule referred to as a place) in such a manner, that the result of the poll at that polling station or place cannot be ascertained ; or
 - (b) booth capturing takes place in any place fixed for counting of votes in such a manner that the result of the counting at that place cannot be ascertained, the Election Officer shall forthwith report the matter to the Commissioner.
- (2) The Commissioner shall, on the receipt of a report from the Election Officer under sub-rule (1) or otherwise and after taking all material circumstances into account either—
- (a) declare that the poll at the polling station or place be void, appoint a day and fix the hours for taking fresh poll at that polling station or any other suitable place and notify the date so appointed and hours so fixed in such manner as it may deem fit; or
 - (b) if satisfied that in view of the large number of polling station or places involved in booth capturing the result of the election is likely to be affected, or that booth capturing, had affected counting of votes in such a manner as to affect the result of the election, countermand the election in that constituency.

Explanation—For the purpose of this rule, “booth capturing” includes, among other thing, all or any of the following activities, namely :—

- (a) seizure of a polling station or a place fixed for the poll by any person or persons making polling authorities surrender the ballot papers or voting material including ballot boxes and doing of any other act which affects the orderly conduct of election;
- (b) taking possession of a polling station or a place fixed for the poll by any person or persons and allowing only his or their own supporters to exercise their right to vote and to prevent others from voting;
- (c) threatening any elector and preventing him from going to the polling station or a place fixed for the poll to cast his vote;
- (d) seizure of a place fixed for counting of votes by any person or persons, making the counting authorities surrender the ballot papers or voting materials including ballot boxes and the doing of anything which affects the orderly counting of votes;
- (e) doing by any person in the service of Government, of all or any of the aforesaid activities or aiding or conniving at any such activity in the furtherance of the prospects of the election of candidate.

PART VI
**ELECTION OF THE PRESIDENT / VICE- PRESIDENT OF ZILLA
PARISHAD**

Place for holding the election.

47. The election of the President and Vice-President of the Parishad shall be held in the office of the Parishad or at such other public place at the headquarters of the Parishad as the Commissioner may determine.

Issue of notices and their publication.

48. (1) The Commissioner shall, within three days of the publication of the notification under sub-rule (1) of Rule 40 issue—

(i) a notice in Form No. 13 notifying the date, time and place of the first meeting of the Parishad; and

(ii) a notice in Form No. 14 calling for the names of candidates desirous of the office of the President of the Parishad.

NOTE—(a) First meeting as referred to clause (i) of this sub-rule shall mean the first meeting as referred to in Section 8.

(b) The notice under clause (ii) of this sub-rule shall be issued at least seven clear days before the date of the meeting.

(2) The notices issued under sub-rule (1) shall be served on all the elected members of Parishad personally by delivering or tendering to the members to whom it is addressed and in case of default of personal service, it shall be served by registered post or if necessary by telegram.

(3) The notice shall also be published in the noticeboard of the Parishad and the noticeboards of all the Sub-Collectors of the District.

Filing of nomination.

49. (1) The nomination of every candidate shall be made in Form No. 15

(2) The form may be printed, typed, cyclostyled or be in manuscript as the Commissioner may determine.

(3) Every nomination paper shall be signed by two members of Parishad as proposer and seconder and the candidate shall sign a declaration expressing his willingness to stand for election to the office of the President.

(4) There shall be separate nomination paper for each nomination.

(5) Every nomination paper shall be presented by the candidate or his proposer or seconder in person to the Election Officer on the appointed date, time and place during the hours specified in the notice.

(6) The Election Officer shall, at the appointed time, date and place, receive nomination papers and after the time for receipt of nomination papers is over shall scrutinise them and read out the names of the candidates whose nominations have been received and found to be in order.

(7) If no nomination paper is filed or all the nomination papers filed are rejected, a notice for fresh nomination shall be issued under Rule 49 within fifteen days from the date on which nomination papers were filed or were rejected under sub-rule (6).

(8) If no nomination is filed or all the nominations filed are rejected for the second time, the Election Officer shall forthwith report the matter to the Commissioner and then proceed ahead to complete the election of the Vice-President.

Procedure for conducting the election.

- 50.** (1) If there is only one validly nominated candidate for the office of the President there shall be no voting and the candidate shall be declared to have been elected as the President.
- (2) If there are two or more such candidates for the office of the President an election shall be held by secret ballot and the vote of the members present at the meeting shall be taken.
- (3) Where the votes of the members have to be taken under sub-rule (2) the name of the candidates shall be arranged in the alphabetical order and written in Odia.

Manner of voting.

- 51.** (1) Every member present and wishing to vote shall be supplied with a ballot paper duly authenticated by the Election Officer with his seal and signature.
- (2) Names of the validly nominated candidates shall be printed or typed or cyclostyled or legibly written on the ballot papers arranged according to the alphabetical order of their names in the following form in Odia.

Serial Number	Name of the candidate with the name of father or husband	Voting sign
1	2	3

NOTE– “Ballot Paper” for the purpose of this rule shall be either typed or cyclostyled or in manuscripts as the Commissioner may by order determine.

- (3) The voter shall then proceed one after the other to the place set apart for voting and there secretly place a clear cross mark (x) in Column (3) of the ballot paper against the name of the candidate for whom he wishes to vote. After placing the mark he shall fold the ballot paper so as to conceal his vote and deposit it in a ballot box placed in full view of the Election Officer.

Explanation–The Officer shall explain the above procedure to the voters before the commencement of the poll and shall do so on request by any voter at any time before the close of the poll.

- (4) The Election Officer shall provide a ballot box which shall be so constructed that the ballot paper can be inserted through an opening in it without affecting the secrecy of voting but cannot be removed without opening or breaking or otherwise tampering with the arrangements of the receptacle.
- (5) The Election Officer shall immediately before the commencement of the poll demonstrate to the candidates and voters present that the ballot box is empty and is either locked up or so secured by

any device that the ballot papers can be inserted therein but cannot be withdrawn except by breaking or otherwise tampering with the box.

- (6) Every voter wishing to record his vote shall do so in person and not by proxy.
- (7) In case of the voter who is physically incapacitated or is blind, the Election Officer shall at the request of such member take him to the place set apart for voting, ascertain his choice and accordingly mark the ballot paper, fold it up so as to maintain its secrecy and insert it in the ballot box.
- (8) The Election Officer shall cause such arrangement to be made as will ensure the secrecy of the ballot.

“51A. (1) Every political party, whose member as an elector casts a vote for the purpose of election to the office of the president, or as the case may be, the Vice-President, may appoint one authorised agent and the president or the General Secretary of the State Level Political Party or State Unit of the National Political Party shall, in writing, inform the same to the Election Officer with full details of the authorised agent proposed to be so engaged for the said election prior to the scheduled date of election.

(2) Notwithstanding anything contained in rules 50 and 51, the Election Officer shall, between the period, when an elector being a member of a political party records his vote on a ballot paper and before such elector inserts that ballot paper into the ballot box, allow the authorised agent of that political party to verify as to whom such elector has cast his vote.”

Counting of votes.

52. Immediately after the voting is over, the Election Officer shall count the votes in the presence of the voters as may be present, and record the number of votes secured by each candidate in a statement in Form No. 12.

Rejection of ballot paper.

53. A vote shall be liable for rejection on one or more of the following grounds:—

- (i) if the ballot paper bears the signature of the voter or contain any word, sign or visible representation by which he can be identified;
- (ii) if the cross marks are placed against more than one name;
- (iii) if the cross mark is so placed that it is doubtful as to in favour of which candidates the vote was intended to be given;
- (iv) if the ballot papers does not bear the authentication mark of the Election Officer prescribed under sub-rule (1) of Rule 51;
- (v) if no cross mark is placed against any candidate.

Declaration of result.

54. Upon completion of the counting, the Election Officer shall declare the result of the President in the following manner :—

- (1) if there are two or more candidates, one who secures the largest number of votes shall be declared duly elected;
- (2) in the event of there being an equality of votes between the two candidates, the Election Officer shall draw a lot in the presence of the voters and the candidate whose name is first drawn shall be declared to have been duly elected.

Election of
Vice-
President.

- 55.** (1) Within three days of declaration of the result of the election of the President under Rule 54 or failure of an election under sub-rule(8) of Rule 49, the Commissioner shall issue or cause to be issued a notice in Form No. 16 notifying the date, time and place of election to the office of the Vice-President.
- (2) Simultaneously with the notice issued under sub-rule(1), the Commissioner shall also issue or cause to be issued a notice in Form No. 14 calling for the names of the candidates desirous for the office of the Vice-President.
 - (3) The procedure outlined for the conduct of election to the office of the President under the foregoing rules shall *mutatis mutandis* be applicable to the election of the Vice-President.

Preparation of
record of
proceeding.

- 56.** (1) Immediately after the meeting referred to in Rule 48 or 55, the Election Officer shall—
- (a) prepare a record of the proceedings at the meeting, sign it and attest, with his initial on every correction made therein and permit any member present at the meeting to affix his signature to such record, if he expresses his desire to-do-so; and
 - (b) forward the record of the proceeding to the Collector, in case Collector is not the Election Officer.

Publication
of the names
of the
President
and Vice-
President.

- 57.** (1) The Commissioner shall notify the names of the President and Vice-President in his Notice Board, forward a copy of such notification to the Government Press for publication in the Official Gazette and shall also forward a copy of the notification to the Government, Collector and to the person elected as President and the Vice-President.
- (2) Copies of the notification published under sub-rule (1) shall also be communicated to the Chief Executive Officer of the Parishad and the Revenue Divisional Commissioner within whose jurisdiction the Parishad is situated.

PART VII MISCELLANEOUS

Death of a
candidate
before poll.

- 58.** (1) If at an election—
- (a) a validly nominated candidate who has not withdrawn his candidature under sub-rule (6) of Rule 14 dies and a report of his death is received by the Election Officer before publication of the list of contesting candidates; or

(b) a candidate dies after the publication of list of contesting candidates under sub-rule (7) of Rule 14 the Election Officer shall, upon being satisfied of the fact of the death of the candidate, countermand the poll and report the fact to the Commissioner.

- (2) If at an election, a candidate dies at any time on or after the date of poll but before publication of the result under Rule 39, there shall no countermanding and the result shall be declared as if the candidate has not died :

Provided that in case upon declaration of result of the election, the deceased candidate is declared to have been duly elected, the Election Officer shall forthwith issue a notification to the effect that a casual vacancy has occurred and the provisions of these rules for conducting by-elections to fill up the casual vacancy shall be applicable in such cases.

Extraordinary power of the Commissioner.

- 59. (1)** If at any time or in any case it appears to the Commissioner that circumstances exist for his satisfaction that conduct of free and fair election is likely to be or has been affected, the Commissioner may issue general or special order as the circumstances may require to ensure free and fair election.

- (2) Omitted
(3) Omitted
(4) Omitted

Requisition of vehicles, premises etc.

- 59-A.** If it appears to the Collector that in connection with an election held under these rules—

- (a) any premises are needed or are likely to be needed for the purpose of being used as a polling station or for storage of ballot boxes before or after the poll is taken; or
(b) any vehicle, vessel or animal is needed or is likely to be needed for the purpose of transport of ballot boxes to or from any polling station, or transport of members of the police force for maintaining order during the conduct of or in connection with such election or other person for performance of any duties in connection with such election he may by order in writing requisition such premises or vehicles, vessel or animal, as the case may be, and may make such further orders as may appear to him to be necessary or expedient in connection with such requisitioning :

Provided that no vehicle, vessel or animal which is being lawfully used by a candidate or his agent for any purpose connected with the election of such candidate shall be requisitioned under this sub-rule until the completion of the poll at such election.

Procedure of dereservation.

- 59-B.(1)** On receipt of the report from the Election Officer under Rule 13 regarding failure of election for second time on the ground that no person belonging to any particular category, for which the seat of the member has been reserved, is available in the voter list of any of the Parishad Constituencies, even for nomination under

sub-section (1) of Section 35, the Collector shall send his recommendation as required under the sub-section (2) of the said section to the Government for dereservation of such seat.

- (2) The recommendation of the Collector shall comprise the following—
- (i) working copy of the voter lists of all the Parishad Constituencies;
 - (ii) statement showing the reservation status of the membership;
 - (iii) a certificate to be signed jointly by the Election Officer and the Collector in the following form certified that we have carefully verified the voter lists of all the Parishad Constituencies and found that no person belonging to the reserved category is available in the said voter lists for nomination under sub-section (1) of Section 35.

We, therefore, recommended that the seat of the Parishad Member of Parishad Constituency under Zilla Parishad be dereserved under sub-section (2) of the said section.

Election Officer

Collector

- (3) On receipt of the recommendation from the Collector under sub-rule (1), the voter lists shall be scrutinized and after having been satisfied on the correctness of the recommendation of the Collector, the Government shall dereserve the seat under sub-section (2) of Section 35 by publishing a notification to that effect.
- (4) Copy of the notification published under sub-rule (3) shall forthwith be communicated to the Commissioner for filling up of the seat by fresh election and a copy of such notification shall also be forwarded to the Collector, Sub-Collector, Election Officer and the concerned Zilla Parishad.

Resignation of any elected member or President or Vice-President.

60. (1) The President or Vice-President of the Parishad or any elected member thereof may resign his office by giving notice in writing addressed to the Chief Executive Officer of the Parishad who shall lay the letter of resignation before the Parishad for information.

(2) The resignation shall be effective from the date on which it is received by the Chief Executive Officer.

Filling up of casual vacancies.

61. (1) [Unless the Commissioner otherwise directs]¹ in the case of vacancy occurring on account of removal, resignation, death or otherwise of an elected member, President or Vice-President of the Parishad, the Chief Executive Officer of the Parishad shall

forthwith report the fact to the Commissioner who shall appoint as soon as practicable the date and place for holding a by-election to fill the vacancy.

(2) Omitted

(3) The Provisions of Parts I, II, III, IV, V and VI of these rules shall *mutatis mutandis* apply to such by-election :

Provided that in case of a by-election to the office of an elected member, the electoral roll utilised at the time of election to such office shall be utilised and, unless the Commissioner otherwise directs, it shall not be necessary either to publish the electoral roll or to invite objections :

Provided further that the Commissioner may, if the circumstances so warrant, fix up different dates for different stages of election proceedings to fill up casual vacancies.

Interest in any contract with the Parishad.

62. A person shall not be deemed to have any interest in a contract made with or any work being done for the Parishad as specified under clause(p) of sub-section (1) of Section 33 by reason only of his having a share or interest in—

- (i) any lease, sale or purchase of immovable or any agreement for the same; or
- (ii) any agreement for the loan of money or any security for the payment of money only; or
- (iii) any newspaper in which any advertisement relating to the affairs of the Parishad is inserted; or
- (iv) the sale to the Parishad of any article in which he regularly trades or the purchase for the Parishad of any article of a value in either case not exceeding fifteen hundred rupees in the aggregate in any year during the period of the contract of work; or
- (v) any development work taken up not as a contractor but as a member of committee formed by the Panchayat Samiti or Parishad as such from amongst its members to which such work may be entrusted directly by any of above bodies.

Procedure for removal of disqualification.

63. (1) A person suffering from the disqualification under clause (h) or clause (i) of sub-section (1) of Section 33 may represent Government for removal of such disqualification.

(2) The Government may, after such enquiry as they deem necessary, by notification remove such disqualification.

Persons in the habit of encouraging litigation.

64. (1) The Collector of a District may frame and published list of persons proved to his satisfaction or to the satisfaction of any Subordinate Officer not below the rank of Sub-Collector, by evidence of general repute or otherwise to be in the habit of encouraging litigation in the village and may from time to time alter or amend such lists.

- (2) The name of a person shall not be included in any such lists until he is given an opportunity of showing cause against such inclusion.
- (3) A copy of every such list shall be hung up in the noticeboard of the Collectorate and in the office of all Revenue Officers subordinate to the Collector.
- (4) Every person whose name is included in such list shall be deemed to be in the habit of encouraging litigation in the villages for the purpose of clause (o) of sub-section (1) of Section 33.

65. Omitted

Prohibition for discussion in the meeting.

- 66. (1)** No action taken by the Collector or Officer duly authorised or appointed by him under these rules, shall be called in question, or discussed in any manner whatsoever, in the meetings of the Parishad.
- (2) No order or instruction issued by the Commissioner shall be called in question or discussed in any manner whatsoever in the meeting of the Parishad.

Interference of Government servants.

- 67.** Any servant of a local body or any Government servant shall not interfere or in anyway use his influence in an election.

Closure of propaganda.

- 68.** All canvassing or propaganda, public meetings, use of loudspeakers at any public place by any candidate within the local areas of the Parishad is prohibited before thirty-six hours of commencement of the poll.

Interpretation of the rules.

- 69.** If any question arises as to the interpretation of any of the provisions of these rules the question shall be referred to the Commissioner for decision.

Determination of disputes.

- 70.** Any dispute arising out of any of the provisions of these rules except those in Part II shall be deemed to be an election dispute under the Act.

FORM No. 1

(See Rule 4)

Notification calling for names of candidates for the office of Members of Parishad of
.....Zilla Parishad of

Notice is hereby given that—

(1) an election is to be held for the office of every Members of Parishad of
..... Zilla Parishad.

(2) Forms of nomination papers may be obtained from the office of the Officer specified in serial No. 6 between the hours of and on (date) at(place).

(3) Nomination papers may be delivered between the hours of 11 in the morning and 3 in the afternoon by a candidate or his proposer or seconder to the Officer specified below, at his office on any date not later than day of

(4) The nomination papers will be taken up for scrutiny at hours on (date) at (place).

(5) Notice of withdrawal of candidature may be delivered by a candidate, to the Officer specified below at his office before on

TABLE

Designation of Officer

Location of Office

(6) Election Officer

(7) In the event of the election being contested, the poll will take place on between the hours of

Date:

Place:

Election Officer

ଫାରମ ସଂଖ୍ୟା 1

(ନିୟମ 4 ଦ୍ରଷ୍ଟବ୍ୟ)

..... ଜିଲ୍ଲାର ଜିଲ୍ଲା ପରିଷଦ ସଭ୍ୟପଦ
ନିମନ୍ତେ ପ୍ରାର୍ଥୀଙ୍କ ନାମ ଲୋଡ଼ାଯାଉଥିବା ଅଧିସୂଚନା ।

ଏତଦ୍ୱାରା ନୋଟିସ୍ ଦିଆଯାଉଛି ଯେ—

- (1) ଜିଲ୍ଲା ପରିଷଦର ପ୍ରତ୍ୟେକ ସଭ୍ୟପଦ ନିମନ୍ତେ ନିର୍ବାଚନ ଅନୁଷ୍ଠିତ ହେବ ।
- (2) ମନୋନୟନ ପତ୍ରର ଫାରମ କ୍ରମିକ ସଂଖ୍ୟା 6 ରେ ଉଲ୍ଲିଖିତ ଅଧିକାରୀଙ୍କ କାର୍ଯ୍ୟାଳୟରେ ଘଟିକା ଠାରୁ
..... ଘଟିକା ମଧ୍ୟରେ ତା ରିଖରେ (ସ୍ଥାନ) ଠାରେ
ମିଳିପାରିବ ।
- (3) ମନୋନୟନ ପତ୍ର ପୂର୍ବାହ୍ନ 11 ଘଟିକା ଠାରୁ ଅପରାହ୍ନ 3 ଘଟିକା ମଧ୍ୟରେ ନିମ୍ନଲିଖିତ ଅଧିକାରୀଙ୍କ କାର୍ଯ୍ୟାଳୟଠାରେ
ତା ରିଖ ମଧ୍ୟରେ ପ୍ରାର୍ଥୀ କିମ୍ବା ତାଙ୍କ ପ୍ରସ୍ତାବକ କିମ୍ବା ତାଙ୍କ ସମର୍ଥକଙ୍କ ଦ୍ୱାରା ଦିଆଯାଇପାରିବ ।
- (4) ମନୋନୟନ ପତ୍ରଗୁଡ଼ିକ (ସ୍ଥାନ) ଠାରେ ତା ରିଖରେ
..... ଘଟିକା ବେଳେ ଯାଞ୍ଚ କରାଯିବ ।
- (5) ପ୍ରାର୍ଥୀଙ୍କ ଦ୍ୱାରା ପ୍ରାର୍ଥୀତ୍ୱ ପ୍ରତ୍ୟାହାର ନୋଟିସ୍ ତଳେ ଉଲ୍ଲିଖିତ ଅଧିକାରୀଙ୍କୁ ତାଙ୍କ କାର୍ଯ୍ୟାଳୟରେ
ତାରିଖ ମଧ୍ୟରେ ପୂର୍ବରୁ ଦିଆଯାଇପାରିବ ।

ଟେବୁଲ

ଅଧିକାରୀଙ୍କ ପଦବୀ

କାର୍ଯ୍ୟାଳୟର ଅବସ୍ଥାନ

.....

.....

- (6) ନିର୍ବାଚନ ଅଧିକାରୀ.....
- (7) ନିର୍ବାଚନରେ ପ୍ରତିଯୋଗିତା ହେଲେ ଭୋଟ ଗ୍ରହଣ ଦିନ
..... ଘଟିକା ମଧ୍ୟରେ ଅନୁଷ୍ଠିତ ହେବ ।

ତାରିଖ

ସ୍ଥାନ

ନିର୍ବାଚନ ଅଧିକାରୀ

FORM No. 3

[See Rule 12 (3)]

Receipt for deposit amount

(Office copy)

(Depositor's copy)

No.Dated.....

No.Dated.....

Received from Smt./Shri

Received from Smt./Shri

Rs.

Rs.

(Rupees.....)

(Rupees.....)

on account of security deposit for
candidature for the office of the
member of Parishad of.....

on account of security deposit for
candidature for the office of the
member of Parishad of.....

.....Zilla Parishad

.....Zilla Parishad

Place.....

Place.....

Election Officer

Election Officer

ଫାରମ ସଂ. 3

[ନିୟମ 12 (3) ଦ୍ରଷ୍ଟବ୍ୟ]

ଜମା ପରିମାଣର ରସିଦ୍

(କାର୍ଯ୍ୟାଳୟ ନକଲ)

ସଂଖ୍ୟା,ତାରିଖ.....,

ଶ୍ରୀ/ଶ୍ରୀମତୀ ଠାରୁ

ପରିଷଦର ସଭ୍ୟପଦର ପ୍ରାର୍ଥୀତ୍ୱ ନିମନ୍ତେ ଜମା ଦିଆ

ଯାଇଥିବା ଅମାନ୍ତ ଟ.....(ଅକ୍ଷରରେ

ଟଙ୍କା.....)

ମାତ୍ରଜିଲ୍ଲା ପରିଷଦ ପାଇଁ

ଗ୍ରହଣକଲୁ ।

ନିର୍ବାଚନ ଅଧିକାରୀ

ଫାରମ ସଂ. 3

[ନିୟମ 12 (3) ଦ୍ରଷ୍ଟବ୍ୟ]

ଜମା ପରିମାଣର ରସିଦ୍

(ଜମାକାରୀଙ୍କ ନକଲ)

ସଂଖ୍ୟା,ତାରିଖ.....,

ଶ୍ରୀ/ଶ୍ରୀମତୀଠାରୁ

ପରିଷଦର ସଭ୍ୟପଦର ପ୍ରାର୍ଥୀତ୍ୱ ନିମନ୍ତେ ଜମା ଦିଆ

ଯାଇଥିବା ଅମାନ୍ତ ଟ.....(ଅକ୍ଷରରେ

ଟଙ୍କା.....)

ମାତ୍ରଜିଲ୍ଲା ପରିଷଦ ପାଇଁ

ଗ୍ରହଣକଲୁ ।

ନିର୍ବାଚନ ଅଧିକାରୀ

FORM No. 3-A

[See Rule 31 (5)]

Receipt for deposit of objection fee

No. Dated Received
from Shri/Shrimati

Rs. (Rupees) on account of objection
fee being forfeited during election to Parished Constituency.

Polling Station

Presiding Officer

ଫାରମ ସଂ. 3-A

[ନିୟମ 31 (5) ଦ୍ରଷ୍ଟବ୍ୟ]

ଜମା ଦିଆଯାଇଥିବା ଆପତ୍ତି ଫିସର ରସିଦ୍

ସଂଖ୍ୟା....., ତାରିଖ....., ଶ୍ରୀ/ଶ୍ରୀମତୀ

..... ଠାରୁ ପରିଷଦ

ନିର୍ବାଚନମଣ୍ଡଳୀର ନିର୍ବାଚନ କାଳରେ ଗ୍ରହଣ କରାଯାଇଥିବା ଆପତ୍ତି ଫିସ୍ ଟ.

(ଟଙ୍କା ଅକ୍ଷରରେ.....) କୁ ଏତଦ୍ୱାରା ହରାଇଲେ ।

ଭୋଟ କେନ୍ଦ୍ର

ପ୍ରିଜାଇଡିଂ ଅଧିକାରୀ

FORM No. 4

[See Rule 12 (10)]

Nomination Paper

ELECTION TO THE ZILLA PARISHAD OF DISTRICT

I nominate the following person as a candidate for election to the Zilla Parishad from the Parishad Constituency.

Candidate's name

Father's/Husband's name

His/Her postal address

His/Her name is entered at Serial No. of the electoral roll for the Parishad Constituency.

My name is and it is entered at Serial No. of the electoral roll for the Parishad Constituency.

Date

Signature of the Proposer

My name is and it is entered at Serial No. of the electoral roll for the Parishad Constituency.

Date

Signature of the Seconder

I, the above-mentioned candidate, assent to this nomination and hereby declare—

(a) that I have completed years of age

*(b) that I am (set up) at this election by the Party

(c) that the symbols I have chosen are, in order of preference (i) (ii) and (iii)

(d) that my name and my father's/husband's name have been correctly spelt out above in (Name of the language).

(e) that to the best of my knowledge and belief, I am qualified and also not disqualified for being chosen to fill the seat in the Zilla Parishad of (District).

I further declare that I am a member of **caste/tribe belonging to the scheduled castes/scheduled tribes/backward class of citizens in the State of Orissa.

Date

Signature of candidate

*Score out this paragraph, if not applicable

**Score out the word not applicable

(TO BE FILLED BY THE ELECTION OFFICER)

Serial No. of nomination paper This nomination was delivered to me at my office at (hour) on (date) by "candidate/proposer".

Date

Election Officer

Decision of Election Officer accepting or rejecting the Nomination Paper

I have examined this nomination paper in accordance with the provisions of the Orissa Zilla Parishad Act, 1991 and the rules made thereunder, and decide as follows :—

*Nomination Accepted/Rejected

Date

Election Officer

*Score out the word not applicable

REASONS OF REJECTION

Election Officer

RECEIPT FOR NOMINATION PAPER AND NOTICE OF SCRUTINY

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

Serial No. of nomination paper

The nomination paper of a candidate for election from the Parishad Constituency was delivered to me at my office at (hour) on (date) by the *candidate/proposer. All nomination paper will be taken up for scrutiny at (hour) on (date) at (place).

Date

Election Officer

ଫାରମ ସଂଖ୍ୟା 4

[ନିୟମ 12 (10) ଦ୍ରଷ୍ଟବ୍ୟ]

ମନୋନୟନ ପତ୍ର

..... ଜିଲ୍ଲାର ଜିଲ୍ଲା ପରିଷଦ ନିମନ୍ତେ ନିର୍ବାଚନ ।

ମୁଁ ଜିଲ୍ଲା ପରିଷଦ ନିର୍ବାଚନ ନିମନ୍ତେ ପରିଷଦ ନିର୍ବାଚନ ମଣ୍ଡଳୀରୁ ନିମ୍ନଲିଖିତ ବ୍ୟକ୍ତିଙ୍କୁ ପ୍ରାର୍ଥୀ ଭାବରେ ମନୋନୀତ କରୁଅଛି ।

ପ୍ରାର୍ଥୀଙ୍କ ନାମ

ପିତା/ପତିଙ୍କ ନାମ

ତାଙ୍କର ଡାକ ଠିକଣା

..... ପରିଷଦ ନିର୍ବାଚନ ମଣ୍ଡଳୀର ଭୋଟର ତାଲିକାରେ ତାଙ୍କ ନାମ ଦରଜ ହୋଇଥିବା କ୍ରମିକ ସଂଖ୍ୟା

ମୋର ନାମ ଅଟେ ଏବଂ

ପରିଷଦ ନିର୍ବାଚନ ମଣ୍ଡଳୀର ଭୋଟର ତାଲିକାର କ୍ରମିକ ସଂଖ୍ୟା ରେ ତାହା ଦରଜ କରାହୋଇଅଛି ।

ତାରିଖ

ପ୍ରସ୍ତାବକଙ୍କ ସ୍ୱାକ୍ଷର

ମୋର ନାମ ଅଟେ ଏବଂ

ପରିଷଦ ନିର୍ବାଚନ ମଣ୍ଡଳୀର ଭୋଟର ତାଲିକାର କ୍ରମିକ ସଂଖ୍ୟାରେ ତାହା ଦରଜ ହୋଇଅଛି ।

ତାରିଖ

ସମର୍ଥକଙ୍କ ସ୍ୱାକ୍ଷର

ମୁଁ ଉପରି ମନୋନୀତ ପ୍ରାର୍ଥୀ ମନୋନୟନ ପ୍ରତି ସମ୍ମତ ଜଣାଉଛି ଏବଂ ଏତଦ୍ୱାରା ଘୋଷଣା କରୁଅଛି ଯେ –

(କ) ମୋର ବୟସ ବର୍ଷ ସଂପୂର୍ଣ୍ଣ ହୋଇଅଛି ।

* (ଖ) ମୁଁ ଦଳଦ୍ୱାରା ଏହି ନିର୍ବାଚନରେ ଛିଡା ହୋଇଛି ।

(ଗ) ପସନ୍ଦ ହେଉଥିବା ସଂକେତ, ପସନ୍ଦ କ୍ରମରେ (i)
(ii) ଏବଂ (iii)

(ଘ) ମୋର ଏବଂ ମୋର ପିତା/ପତିଙ୍କର ନାମ ଉପରେ
..... (ଭାଷାର ନାମ) ଠିକ୍ ଭାବରେ ବନାନ କରାଯାଇଛି ।

(ଙ) ମୋର ଜ୍ଞାନ ଓ ବିଶ୍ୱାସ ଅନୁଯାୟୀ ମୁଁ ପ୍ରାର୍ଥୀ ହେବା ପାଇଁ ଯୋଗ୍ୟ ଏବଂ ଯଦି ମୋତେ
..... ଜିଲ୍ଲାର ଜିଲ୍ଲା ପରିଷଦର ଆସନ ପୂରଣ ନିମନ୍ତେ ପସନ୍ଦ କରାଯାଏ ତେବେ ମୁଁ
ଅଯୋଗ୍ୟ ନୁହେଁ ।

ପୁନଶ୍ଚ ମୁଁ ଘୋଷଣା କରୁଅଛି ଯେ ମୁଁ

**ଜାତି/ଜନ ଜାତିର ସଦସ୍ୟ ଯାହାକି ଓଡ଼ିଶା ରାଜ୍ୟର ଅନୁସୂଚିତ ଜାତି/ଅନୁସୂଚିତ ଜନ ଜାତି/ପଛୁଆବର୍ଗ ନାଗରିକ ଅଟେ ।

ତାରିଖ

ପ୍ରାର୍ଥୀଙ୍କ ସ୍ୱାକ୍ଷର

* ପ୍ରଯୋଜ୍ୟ ହେଉନଥିବା ପାରାକୁ କାଟି ଦିଅନ୍ତୁ ।

** ପ୍ରଯୋଜ୍ୟ ହେଉନଥିବା ଶବ୍ଦକୁ କାଟି ଦିଅନ୍ତୁ ।

(ନିର୍ବାଚନ ଅଧିକାରୀଙ୍କଦ୍ୱାରା ପୂରଣ ଲାଗି)

ମନୋନୟନ ପତ୍ର କ୍ରମିକ ସଂଖ୍ୟା
ଏହି ମନୋନୟନ ପତ୍ର ମୋତେ ମୋର କାର୍ଯ୍ୟାଳୟଠାରେ
ତାରିଖରେ ସମୟରେ ପ୍ରାର୍ଥୀ/ପ୍ରସ୍ତାବକଙ୍କ ଦ୍ୱାରା ଦିଆଗଲା ।

ତାରିଖ ନିର୍ବାଚନ ଅଧିକାରୀ

ନିର୍ବାଚନ ଅଧିକାରୀଙ୍କର ମନୋନୟନ ପତ୍ର ମଞ୍ଜୁର କରିବା ବା ନାମଞ୍ଜୁର କରିବା ନିଷ୍ପତ୍ତି

ମୁଁ ଓଡ଼ିଶା ଜିଲ୍ଲା ପରିଷଦ ଅଧିନିୟମ, 1991ର ବ୍ୟବସ୍ଥା ଅନୁସାରେ ଏବଂ ତଦଧୀନ ପ୍ରଣୀତ ନିୟମାବଳୀ ଅନୁଯାୟୀ ଏହି ମନୋନୟନ ପତ୍ରଟିକୁ ପରୀକ୍ଷା କରି ଦେଖୁଅଛି ଏବଂ ନିମ୍ନମତେ ନିଷ୍ପତ୍ତି କରୁଅଛି :-

*ମନୋନୟନ ପତ୍ର ଗ୍ରାହ୍ୟ/ଅଗ୍ରାହ୍ୟ

ତାରିଖ ନିର୍ବାଚନ ଅଧିକାରୀ

ଅଗ୍ରାହ୍ୟ ହେବାର କାରଣ :

ନିର୍ବାଚନ ଅଧିକାରୀ

* ଯେଉଁ ଶିକ୍ଷାଗୁଡ଼ିକ ପ୍ରଯୋଜ୍ୟ ନୁହେଁ ତାହା କାଟିଦିଅ ।

ମନୋନୟନ ପତ୍ର ଲାଗି ରହିବ ଏବଂ ଯାଞ୍ଚ ନିମନ୍ତେ ନୋଟିସ
(ମନୋନୟନ ଦାଖଲ କରୁଥିବା ବ୍ୟକ୍ତିଙ୍କୁ ଦିଆଯିବ)

ମନୋନୟନ ପତ୍ର କ୍ରମିକ ସଂଖ୍ୟା

..... ପରିଷଦ ନିର୍ବାଚନ ମଣ୍ଡଳୀର ନିର୍ବାଚନ
ନିମନ୍ତେ ପ୍ରାର୍ଥୀ କର ମନୋନୟନ ପତ୍ରଟି ପ୍ରାର୍ଥୀ/ପ୍ରସ୍ତାବକଙ୍କ
ଦ୍ୱାରା (ତାରିଖ) ଦିନ (ସମୟ)
ବେଳେ ମୋତେ ମୋର କାର୍ଯ୍ୟାଳୟଠାରେ ଦିଆଗଲା । ସବୁ ମନୋନୟନ ପତ୍ରଗୁଡ଼ିକ
..... (ସ୍ଥାନ) ଠାରେ
..... (ତାରିଖ) ଦିନ (ସମୟ) ବେଳେ
ଯାଞ୍ଚ କରାଯିବ ।

ତାରିଖ ନିର୍ବାଚନ ଅଧିକାରୀ

FORM No. 5

[See Rules 12 (11) and 14 (8)]

Declaration of result for uncontested candidate

I do hereby declare that Shri/Shrimati has been elected uncontested as the Member of Parishad from Parishad Constituency of Zilla Parishad.

Election Officer

ଫାରମ ସଂଖ୍ୟା 5

[ନିୟମ 12 (11) ଓ 14 (8) ଦ୍ରଷ୍ଟବ୍ୟ]

ନିର୍ଦ୍ଦିଷ୍ଟରେ ନିର୍ବାଚନ ପ୍ରାର୍ଥୀଙ୍କର ଫଳ ଘୋଷଣା

ମୁଁ ଏତଦ୍ୱାରା ଘୋଷଣା କରୁଅଛି ଯେ
ଜିଲ୍ଲା ପରିଷଦର ପରିଷଦ ନିର୍ବାଚନ ମଣ୍ଡଳୀରୁ
ଶ୍ରୀ/ଶ୍ରୀମତୀପରିଷଦର ସଭ୍ୟ ଭାବରେ ନିର୍ଦ୍ଦିଷ୍ଟରେ ନିର୍ବାଚିତ ହେଲେ ।

ନିର୍ବାଚନ ଅଧିକାରୀ

FORM No. 6

[See Rule 14 (1)]

List of validly nominated candidates for election as the Member of Parishad for
Parishad Constituency of Zilla Parishad.

Sl. No.	Name and Description of Candidate	Address of Candidate	Political Party	REMARKS
1				
2				
3				
4				
5				

Date :

Place :

Signature of Election Officer

ଫାରମ ସଂ. 6

[ନିୟମ 14 (1) ଦ୍ରଷ୍ଟବ୍ୟ]

..... ଜିଲ୍ଲା ପରିଷଦର.....
..... ପରିଷଦ ନିର୍ବାଚନ ମଣ୍ଡଳୀ ପାଇଁ ପରିଷଦର ସଭ୍ୟ ପଦ ନିର୍ବାଚନ ନିମନ୍ତେ ବିଧିବଦ୍ଧ
ମନୋନୀତ ପ୍ରାର୍ଥୀମାନଙ୍କର ତାଲିକା ।

କ୍ରମିକ ସଂଖ୍ୟା	ପ୍ରାର୍ଥୀଙ୍କ ନାମ ଓ ବିବରଣୀ	ପ୍ରାର୍ଥୀଙ୍କ ଠିକଣା	ରାଜନୈତିକ ଦଳ	ମନ୍ତବ୍ୟ
1	2	3	4	5
1				
2				
3				
4				
5				

ତାରିଖ :

ସ୍ଥାନ :

ନିର୍ବାଚନ ଅଧିକାରୀଙ୍କ ସ୍ୱାକ୍ଷର

FORM No. 7

[See Rule 14 (3)]

Statement showing the election symbols allotted to the candidates for the election of the Member of Parishad of Zilla Parishad.

Sl. No.	Name of the Candidates	Symbols allotted
1	2	3

Election Officer

ଫାରମ ସଂ. 7

[ନିୟମ 14 (3) ଦ୍ରଷ୍ଟବ୍ୟ]

.....ଜିଲ୍ଲା ପରିଷଦ ନିର୍ବାଚନ ମଣ୍ଡଳୀର ପରିଷଦ ସଭ୍ୟ ପଦର ନିର୍ବାଚନ ନିମନ୍ତେ ପ୍ରାର୍ଥୀ ମାନଙ୍କୁ ଆବଶ୍ୟକ ନିର୍ବାଚନ ସଙ୍କେତ ଦର୍ଶାଉଥିବା ବିବରଣୀ ।

କ୍ରମିକ ସଂଖ୍ୟା	ପ୍ରାର୍ଥୀ ମାନଙ୍କର ନାମ	ଆବଶ୍ୟକ ସଙ୍କେତ
1	2	3

ନିର୍ବାଚନ ଅଧିକାରୀ

FORM No. 8

[See Rules 14 (5) and (7)]

* List of validly nominated/final list of contesting candidates for election as the Member of Parishad for Parishad Constituency Zilla Parishad.

Sl. No.	Name and Description of Candidates	Address of Candidates	REMARKS
1	2	3	4
1			
2			
3			
4			
5			

Date :

Place :

Election Officer

N.B. :- *Strike out which is not applicable

ଫାରମ ସଂ. 8

[ନିୟମ 14 (5) ଓ (7) ଦ୍ରଷ୍ଟବ୍ୟ]

..... ଜିଲ୍ଲା ପରିଷଦର.....

..... ପରିଷଦ ନିର୍ବାଚନ ମଣ୍ଡଳୀ ପାଇଁ ପରିଷଦର ସଭ୍ୟପଦ ନିମନ୍ତେ *ବିଧିବଦ୍ଧ ମନୋନୀତ ପ୍ରାର୍ଥୀ/ପ୍ରତିଦ୍ୱନ୍ଦ୍ୱୀ ପ୍ରାର୍ଥୀମାନଙ୍କର ତୃତୀୟ ତାଲିକା ।

କ୍ରମିକ ସଂଖ୍ୟା	ପ୍ରାର୍ଥୀଙ୍କ ନାମ ଓ ବିବରଣୀ	ପ୍ରାର୍ଥୀଙ୍କ ଠିକଣା	ମନ୍ତବ୍ୟ
1	2	3	4
1			
2			
3			
4			
5			

ତାରିଖ :

ସ୍ଥାନ :

ନିର୍ବାଚନ ଅଧିକାରୀ

ବି :ଦ୍ର :-*ଯାହା ପ୍ରଯୋଜ୍ୟ ନୁହେଁ ତାହା କାଟିଦିଅ ।

FORM No. 9
[See Rule 14 (6)]
Notice of Withdrawal

Election to the

To

The Election Officer

I a candidate nominated at the above election do hereby give notice that I withdraw my candidature.

Date

Place

Signature of the Candidate

This notice was delivered to me at my office at (hour) on(date) by (Name)

Date

Election Officer

Receipt of notice of withdrawn

(To be handed over to the person delivering the notice)

The notice of withdrawal of candidature by a candidate at the election to the was delivered to me at my office at (hours) on (date)

Election Officer

ଫାରମ ସଂ. ୨

[ନିୟମ 14 (6) ଦ୍ରଷ୍ଟବ୍ୟ]

ପ୍ରତ୍ୟାହାର ନୋଟିସ୍

..... ପଦ ନିମିତ୍ତ ନିର୍ବାଚନ

ନିର୍ବାଚନ ଅଧିକାରୀଙ୍କ ପ୍ରତି -

ମୁଁ.....ଉପରୋକ୍ତ ପଦ ନିମିତ୍ତ ମନୋନୀତ ପ୍ରାର୍ଥୀ, ଏତଦ୍ୱାରା ନୋଟିସ୍ ଦେଉଅଛି ଯେ,
ମୁଁ ମୋର ପ୍ରାର୍ଥୀତ୍ୱ ପ୍ରତ୍ୟାହାର କରୁଛି ।

ତାରିଖ

ସ୍ଥାନ.....

ପ୍ରାର୍ଥୀଙ୍କର ସ୍ୱାକ୍ଷର

ଏହି ନୋଟିସ୍ ମୋତେ ମୋର କାର୍ଯ୍ୟାଳୟରେ ଶ୍ରୀ/ଶ୍ରୀମତୀ
..... ଙ୍କ ଦ୍ୱାରା ତା.ରିଖ.....ଘଟିକା
ସମୟରେ ଦିଆ ଯାଇଥିଲା ।

ନିର୍ବାଚନ ଅଧିକାରୀ

ପ୍ରତ୍ୟାହାର ନୋଟିସର ରସିଦ୍
(ନୋଟିସ୍ ଦେଉଥିବା ବ୍ୟକ୍ତିଙ୍କୁ ଦିଆଯିବ)

.....ପଦ ନିମିତ୍ତ ନିର୍ବାଚନରେ ପ୍ରାର୍ଥୀଙ୍କ ଦ୍ୱାରା
ପ୍ରାର୍ଥୀତ୍ୱ ପ୍ରତ୍ୟାହାର ନୋଟିସ୍ ଙ୍କ ଦ୍ୱାରା ମୋତେ ମୋର
କାର୍ଯ୍ୟାଳୟରେ(ତାରିଖ)(ଘଟିକା) ସମୟରେ
ଦିଆ ଯାଇଥିଲା ।

ନିର୍ବାଚନ ଅଧିକାରୀ

[Counterfoil]

..... Zilla Parishad Election
..... Parishad Constituency.

Signature or T.I. of the elector

FORM No. 10

(See Rule 18)

BALLOT PAPER

..... Zilla Parishad Election
..... Parishad Constituency.

Signature with Seal of the Presiding Officer

Name of the Candidate	Election Symbol
1	2

FORM No. 11

[See Rule 22 (v)]

Ballot Paper Account

Election to the Office of the Member of Parishad of Parishad
Constituency of Zilla Parishad

Total number

1. Ballot papers received
2. Ballot papers not used
3. Ballot papers issued to the voters

Name of Polling Station

Date

Signature of the Presiding Officer

ଫାରମ୍ ନଂ. 11

[ନିୟମ 22 (V) ଦ୍ରଷ୍ଟବ୍ୟ]

ଭୋଟ କାଗଜର ହିସାବ

..... ଜିଲ୍ଲା ପରିଷଦର ପରିଷଦ ନିର୍ବାଚନ ମଣ୍ଡଳୀର ପରିଷଦର
ସଭ୍ୟ ପଦ ନିମିତ୍ତ ନିର୍ବାଚନ ।

ମୋଟ ସଂଖ୍ୟା

1. ମିଳିଥିବା ଭୋଟ କାଗଜ . .
2. ବ୍ୟବହୃତ ହୋଇ ନ ଥିବା ଭୋଟ କାଗଜ . .
3. ଭୋଟଦାତାଙ୍କୁ ଦିଆଯାଇଥିବା ଭୋଟ କାଗଜ . .

ଭୋଟ ଗ୍ରହଣ କେନ୍ଦ୍ରର ନାମ

ତାରିଖ

ପ୍ରକାଶିତ ଅଧିକାରୀଙ୍କ ଦ୍ଵାରା

FORM No. 11-A

(See Rule 37)

Result of counting of votes for election to the office of the Member

Name of the Parishad Constituency

Name of the Zilla Parishad

Sl. No.	Name of the Candidate	Total No. of valid Votes cast in the polling station
1	2	3

- 1
- 2
- 3
- 4
- 5

Total number of ballot papers rejected

Total number of ballot papers found in the ballot box or total number of votes recorded as per voting machine

Date :

Place :

Signature of Election Officer

ଫାରମ ସଂ. 11-କ

(ନିୟମ 37 ଦ୍ରଷ୍ଟବ୍ୟ)

ପରିଷଦ ସଭ୍ୟ ପଦ ନିମନ୍ତେ ନିର୍ବାଚନର ଭୋଟ ଗଣତି ଫଳ

ପରିଷଦ ନିର୍ବାଚନ ମଣ୍ଡଳୀର ନାମ ଜିଲ୍ଲା ପରିଷଦର ନାମ

କ୍ରମିକ ସଂଖ୍ୟା	ପ୍ରାର୍ଥୀଙ୍କ ନାମ	ଭୋଟ କେନ୍ଦ୍ରରେ ବିଧିବଦ୍ଧ ମିଳିଥିବା ଭୋଟର ମୋଟ ସଂଖ୍ୟା
1	2	3

- 1
- 2
- 3
- 4
- 5

ଅଗ୍ରାହ୍ୟ ହୋଇଥିବା ଭୋଟ କାରକର ମୋଟ ସଂଖ୍ୟା

ଭୋଟ ବାକ୍ସରୁ ମିଳିଥିବା ଭୋଟ କାରକର ମୋଟ ସଂଖ୍ୟା

ଭୋଟିଂ ମେସିନ୍‌ରେ ଲିପିବଦ୍ଧ ହୋଇଥିବା ଭୋଟ ସଂଖ୍ୟା.....

ତାରିଖ :

ସ୍ଥାନ :

ନିର୍ବାଚନ ଅଧିକାରୀଙ୍କ ସ୍ୱାକ୍ଷର

FORM No. 12

(See Rules 39 and 52)

Result after counting of votes for election to the Office of the Member of Parishad

Name of Parishad Constituency

Name of the Zilla Parishad

Sl. No.	Name of the Candidates	Total No. of valid Voters cast in all the polling stations
1	2	3

1

2

3

4

5

6

7

8

9

10

Total number of ballot papers rejected

Total number of ballot papers found in the ballot boxes of polling stations or total number of votes recorded as per voting machine.

Shri/Smt. Son/Daughter/Wife* of
..... is declared to have been duly elected as
Member/Parishad/Vice-President* of Zilla Parishad Constituency.

Date :.....

Place :.....

Signature of Election Officer

*Strike out whichever is not applicable

ଫାରମ ସଂ. 12

(ନିୟମ 39 ଓ 52 ଦ୍ରଷ୍ଟବ୍ୟ)

ପରିଷଦ ସଭ୍ୟ ପଦ ନିର୍ବାଚନର ଭୋଟ ଗଣତି ପରେ ଫଳ

ପରିଷଦ ନିର୍ବାଚନ ମଣ୍ଡଳୀର ନାମ :

ଜିଲ୍ଲା ପରିଷଦର ନାମ :

କ୍ରମିକ ସଂଖ୍ୟା	ପ୍ରାର୍ଥୀଙ୍କ ନାମ	ସମସ୍ତ ଭୋଟ କେନ୍ଦ୍ରରେ ମିଳିଥିବା ବିଧିବଦ୍ଧ ଭୋଟର ମୋଟ ସଂଖ୍ୟା
1	2	3
1		
2		
3		
4		
5		
6		
7		
8		
9		
10		

ଅଗ୍ରାହ୍ୟ ହୋଇଥିବା ଭୋଟ କାର୍ଗଜର ମୋଟ ସଂଖ୍ୟା.....

ଭୋଟ କେନ୍ଦ୍ରଗୁଡ଼ିକର ଭୋଟ ବାକ୍ସରୁ ମିଳିଥିବା ମୋଟ ଭୋଟ କାର୍ଗଜର ସଂଖ୍ୟା.....

ଭୋଟିଂ ମେସିନ୍‌ରେ ଲିପିବଦ୍ଧ ହୋଇଥିବା ଭୋଟ ସଂଖ୍ୟା.....

ଶ୍ରୀ/ଶ୍ରୀମତୀ

*ପିତା/ପତି

ଜିଲ୍ଲା ପରିଷଦ ନିର୍ବାଚନ ମଣ୍ଡଳୀ ରୁ *ସଭ୍ୟ/ଅଧ୍ୟକ୍ଷ/ଉପାଧ୍ୟକ୍ଷ

ଭାବେ ଯଥାଯଥ ନିର୍ବାଚିତ ହେଲେ ବୋଲି ଘୋଷଣା କରାଯାଉଛି ।

ସ୍ଥାନ :

ତାରିଖ :

ନିର୍ବାଚନ ଅଧିକାରୀଙ୍କ ସ୍ଵାକ୍ଷର

ବି : ଦ୍ର :-ଯାହା ପ୍ରଯୁଜ୍ୟ ନୁହେଁ ତାହା କାଟି ଦିଅନ୍ତୁ

FORM No. 13

[See Rule 48 (1) (i)]

NOTICE

Notice is hereby given that the first meeting of the _____
Zilla Parishad shall be held at the place mentioned below on _____
(date) at _____(time).

PLACE OF MEETING

AGENDA : To elect the President of the Parishad.

Election Officer

ଫାରମ ସଂ. 13

[ନିୟମ 48 (1)(i) ଦ୍ରଷ୍ଟବ୍ୟ]

ନୋଟିସ୍

ଏତଦ୍ଦ୍ୱାରା ନୋଟିସ୍ ଦିଆଯାଉଛି ଯେ
ଜିଲ୍ଲା ପରିଷଦର ପ୍ରଥମ ବୈଠକ ନିମ୍ନଲିଖିତ ସ୍ଥାନରେ
ତାରିଖ..... ଘଟିକା ସମୟରେ ଅନୁଷ୍ଠିତ ହେବ ।
ବୈଠକର ସ୍ଥାନ.....

କାର୍ଯ୍ୟସୂଚୀ :

ପରିଷଦର ଅଧ୍ୟକ୍ଷ ନିର୍ବାଚନ

ନିର୍ବାଚନ ଅଧିକାରୀ

FORM No. 14

[See Rule 48 (1) (ii)]

**Notice calling for nomination of candidates for the office of the
*President/Vice-President of _____ Zilla Parishad.**

Notice is hereby given—

1. An election is to be held for the office of the President/Vice-President of _____ Zilla Parishad.
2. Forms of nomination papers may be obtained at the office of the officer specified in Serial No. 6 between the hours of _____ and _____ (date) _____ at _____ (place).
3. Nomination paper may be delivered on the date _____ and during the hours _____ (as specified by the Commission).
4. The nomination papers will be taken up for scrutiny at _____ hours on _____ (date) at _____ (place).
5. Notice of withdrawal of candidature may be delivered by a candidate, to the officer specified below at his office on the date _____ and during the hours _____ (as specified by the Commissioner).

TABLE

Designation of the Officer

Location of Office

6. Election Officer
7. In the event of the election being contested, the poll will take place on _____ between the hours of _____
8. The office of the President/Vice-President has been reserved for the Members of Women/Scheduled Caste/Scheduled Tribe.

Place :

Date :

Election Officer.....

Samiti.....

N.B.— *Strike out which are not applicable

ଫାରମ ସଂଖ୍ୟା 14

[ନିୟମ 48 (1) (ii) ଦ୍ରଷ୍ଟବ୍ୟ]

..... ଜିଲ୍ଲା ପରିଷଦର *ଅଧକ୍ଷ/ଉପାଧକ୍ଷ ପଦ ନିମନ୍ତେ
ପ୍ରାର୍ଥୀଙ୍କ ନାମ ଲୋଡା ଯାଉଥିବା ନୋଟିସ ।

ଏତଦ୍ଦ୍ୱାରା ନୋଟିସ ଦିଆଯାଉଅଛି ଯେ—

- (1) ଜିଲ୍ଲା ପରିଷଦର ଅଧକ୍ଷ/ଉପାଧକ୍ଷ ପଦ ନିମନ୍ତେ ନିର୍ବାଚନ ହେବ ।
- (2) ମନୋନୟନ ପତ୍ରର ଫାରମ କ୍ରମିକ ସଂ. 6 ରେ ଉଲ୍ଲିଖିତ ଅଧିକାରୀଙ୍କ କାର୍ଯ୍ୟାଳୟରେ
ଘଟିକାଠାରୁ ଘଟିକା ମଧ୍ୟରେ ତାରିଖ ଦିନ
..... (ସ୍ଥାନ) ଠାରେ ମିଳିପାରିବ ।
- (3) ମନୋନୟନ ପତ୍ର ତାରିଖର ଘଟିକାଠାରୁ ଘଟିକା ମଧ୍ୟରେ
ଦାଖଲ କରାଯିବ (ରାଜ୍ୟ ନିର୍ବାଚନ କମିଶନ ଦ୍ୱାରା ସ୍ଥିରୀକୃତ) ।
- (4) ମନୋନୟନ ପତ୍ରଗୁଡ଼ିକ (ସ୍ଥାନ) ଠାରେ ତା ରିଖରେ
..... ଘଟିକା ବେଳେ ଯାଞ୍ଚ କରାଯିବ ।
- (5) ପ୍ରାର୍ଥୀଙ୍କ ଦ୍ୱାରା ପ୍ରାର୍ଥୀତ୍ୱ ପ୍ରତ୍ୟାହାର ନୋଟିସ ତଳେ ଉଲ୍ଲିଖିତ ଅଧିକାରୀଙ୍କୁ ତାଙ୍କ କାର୍ଯ୍ୟାଳୟରେ ତାରିଖ
ଦିନ ଓ ସମୟ ମଧ୍ୟରେ ଦିଆଯାଇପାରିବ (ରାଜ୍ୟ ନିର୍ବାଚନ
କମିଶନଙ୍କ ଦ୍ୱାରା ନିର୍ଦ୍ଧାରିତ) ।

ଟେବୁଲ

ଅଧିକାରୀଙ୍କ ପଦବୀ	କାର୍ଯ୍ୟାଳୟର ଅବସ୍ଥାନ
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- (6) ନିର୍ବାଚନ ଅଧିକାରୀ
- (7) ନିର୍ବାଚନରେ ପ୍ରତିଦ୍ୱନ୍ଦ୍ୱିତା ହେଲେ ଭୋଟ ଗ୍ରହଣ ଦିନ
ଘଟିକାରୁ ଘଟିକା ମଧ୍ୟରେ ଅନୁଷ୍ଠିତ ହେବ ।
- (8) *ଅଧକ୍ଷ/ଉପାଧକ୍ଷ ପଦ ମହିଳା/ଅନୁସୂଚିତ ଜାତି/ଅନୁସୂଚିତ ଜନଜାତିର ସଭ୍ୟଙ୍କ ନିମନ୍ତେ ସଂରକ୍ଷିତ ।

ସ୍ଥାନ ନିର୍ବାଚନ ଅଧିକାରୀ

ତାରିଖ ଜିଲ୍ଲା ପରିଷଦ

ବି. ବ୍ର.- *ଯାହା ପ୍ରଯୁଜ୍ୟ ନୁହେଁ ତାହା କାଟିଦିଅ ।

FORM No. 15

[See Rule 49 (I)]

Nomination paper for election of President/Vice-President _____ Zilla Parishad

We (name) (1) Proposer _____

(2) Seconder _____

Members of Parishad do hereby nominate Shri _____
son of/wife of Shri _____ of village _____
Post Office _____ P.S. _____
District _____ and who is member of Parishad
from _____ Parishad Constituency as a candidate for election as
President/Vice-President _____ Zilla Parishad.

Signature of Seconder _____

Date _____

Signature of the Proposer _____

Date _____

I, the undersigned _____ a person duly qualified for election as above
_____ hereby record my willingness for being nominated as a
candidate for the election.

Signature of the Candidate _____

Date _____

ENDORSEMENT BY THE ELECTION OFFICER

Serial No. _____

This nomination paper was presented to me by _____
(name) _____ (date and hour).

Date :

Place :

Signature of the Election Officer

ORDERS OF THE ELECTION OFFICER

Accepted/Rejected : _____

Reasons for rejection : _____

Date :

Place :

Signature of the Election Officer

ଫାରମ ସଂଖ୍ୟା 15

[ନିୟମ 49 (i) ଦ୍ରଷ୍ଟବ୍ୟ]

..... ଜିଲ୍ଲା ପରିଷଦର ଅଧ୍ୟକ୍ଷ/ଉପାଧ୍ୟକ୍ଷ ନିର୍ବାଚନ ନିମନ୍ତେ ମନୋନୟନ ପତ୍ର

ଆମ୍ଭେ (ନାମ) (1) ପ୍ରସ୍ତାବକ

(2) ସମର୍ଥକ

ପରିଷଦ ସଭ୍ୟଦ୍ୱୟ ଏତଦ୍ୱାରା ଶ୍ରୀ
..... ପିତା/ପତି ଗ୍ରାମ ଡାକଘର
..... ଜିଲ୍ଲା ଯିଏକି ପରିଷଦ ନିର୍ବାଚନ
ମଣ୍ଡଳୀର ପରିଷଦ ସଭ୍ୟ, ଜିଲ୍ଲା ପରିଷଦର ଅଧ୍ୟକ୍ଷ/ଉପାଧ୍ୟକ୍ଷ ପଦ
ପାଇଁ ନିର୍ବାଚନର ପ୍ରାର୍ଥୀରୂପେ ମନୋନୀତ କରୁଅଛୁ ।

ସମର୍ଥକଙ୍କ ସ୍ୱାକ୍ଷର

ପ୍ରସ୍ତାବକଙ୍କ ସ୍ୱାକ୍ଷର

ତାରିଖ

ତାରିଖ

ମୁଁ ନିମ୍ନ ସ୍ୱାକ୍ଷରକାରୀ ଉପରୋକ୍ତ ନିର୍ବାଚନ ନିମନ୍ତେ
ଯଥାଯୋଗ୍ୟ ବ୍ୟକ୍ତିରୂପେ ଏତଦ୍ୱାରା ମୋର ପ୍ରାର୍ଥୀ ମନୋନୟନ ପ୍ରତି ସମ୍ମତି ଜଣାଉଛି ।

ପ୍ରାର୍ଥୀଙ୍କ ସ୍ୱାକ୍ଷର

ତାରିଖ

ନିର୍ବାଚନ ଅଧିକାରୀଙ୍କଦ୍ୱାରା ପୃଷ୍ଠାଙ୍କନ

କ୍ରମିକ ସଂଖ୍ୟା

ଏହି ମନୋନୟନ ପତ୍ର ମୋତେ

..... (ନାମ)ଙ୍କଦ୍ୱାରା (ତାରିଖ ଓ ସମୟ)

ଦିଆଗଲା ।

ତାରିଖ

ସ୍ଥାନ

ନିର୍ବାଚନ ଅଧିକାରୀଙ୍କ ସ୍ୱାକ୍ଷର

ନିର୍ବାଚନ ଅଧିକାରୀଙ୍କ ଆଦେଶ

ଗ୍ରାହ୍ୟ/ଅଗ୍ରାହ୍ୟ

ଅଗ୍ରାହ୍ୟ ହେବାର କାରଣ

ତାରିଖ

ସ୍ଥାନ

ନିର୍ବାଚନ ଅଧିକାରୀଙ୍କ ସ୍ୱାକ୍ଷର

FORM No. 16

[See Rule 55 (1)]

NOTICE

Notice is hereby given that a meeting of the _____
Zilla Parishad shall be held at the place mentioned below on date _____
at _____(time)

PLACE OF MEETING

AGENDA

To elect the Vice-President of the Parishad.

N.B.—*The Office of the Vice-President is reserved for Women members of the Parishad

*Strike out if not applicable

Election Officer

ଫାରମ ସଂଖ୍ୟା 16

[ନିୟମ 55 (1) ଦ୍ରଷ୍ଟବ୍ୟ]

ନୋଟିସ୍

ଏତଦ୍ଦ୍ୱାରା ନୋଟିସ୍ ଦିଆଯାଉଛି ଯେ
ଜିଲ୍ଲା ପରିଷଦର ଏକ ବୈଠକ ନିମ୍ନରେ ଦର୍ଶାଯାଇଥିବା ସ୍ଥାନରେ(ତାରିଖ)
..... (ସମୟ) ରେ ଅନୁଷ୍ଠିତ ହେବ ।

ବୈଠକର ସ୍ଥାନ

କାର୍ଯ୍ୟସୂଚୀ – ପରିଷଦର ଉପାଧ୍ୟକ୍ଷ ନିର୍ବାଚନ

ନିର୍ବାଚନ ଅଧିକାରୀ

* ବି: ଦ୍ର: – ଉପାଧ୍ୟକ୍ଷ ପଦ ପରିଷଦର କେବଳ ମହିଳା ସଭ୍ୟାଙ୍କ ନିମନ୍ତେ ସଂରକ୍ଷିତ ।

* ଯଦି ପ୍ରମୁଖ୍ୟ ନୁହେଁ ତେବେ କାଟି ଦିଅନ୍ତୁ ।

FORM No. 17

(See Rule 7)

To

The Secretary to the State Election Commission, Orissa, Bhubaneswar-7

Sub : Zilla Parishad Election-Authorisation of persons to sponsor names of the Party's candidates for allotment of symbols etc.

Sir,

In pursuance of sub-rule (3) of Rule 7 of the Orissa Zilla Parishad Election Rules, 1994, I do hereby authorise the following persons to sponsor candidates for the ensuing Zilla Parishad Elections and endorse his/her/their specimen signatures duly attested by me against each.

Name of the person (s) authorised to sponsor candidates on behalf	Zilla Parishad in respect of which he has been authorised	Specimen signature of the person authorised	Attested of the signature by the President/General Secretary
1	2	3	4
1.			
2.			
3.			
4.			

Yours faithfully,

President/General Secretary of the
State Level/National Political Party
Name of the Party.....
(Seal of the Party)

NOTE—To be submitted in quadruplicate to the State Election Commission

ପାରମ ସଂଖ୍ୟା 17

[ନିୟମ 7 ଦ୍ରଷ୍ଟବ୍ୟ]

ପ୍ରାପକ :

ରାଜ୍ୟ ନିର୍ବାଚନ କମିଶନଙ୍କ ସଚିବ ମହୋଦୟ, ଓଡ଼ିଶା, ଭୁବନେଶ୍ୱର

ବିଷୟ : ଜିଲ୍ଲା ପରିଷଦ ନିର୍ବାଚନ – ସଂକେତ ଆବେଦନ ନିମିତ୍ତ ଦଳୀୟ ପ୍ରାର୍ଥୀଙ୍କ ନାମ ବାଛିବା ନିମନ୍ତେ ପ୍ରାଧିକୃତ ବ୍ୟକ୍ତି ବୃନ୍ଦ ମହାଶୟ,

ଓଡ଼ିଶା ଜିଲ୍ଲା ପରିଷଦ ନିର୍ବାଚନ ନିୟମାବଳୀ, 1994ର ନିୟମ 7ର ଉପନିୟମ (3)ର ପ୍ରୟୋଗ କ୍ରମେ ମୁଁ ଏତଦ୍ୱାରା ଚଳିତ ଜିଲ୍ଲା ପରିଷଦ ନିର୍ବାଚନ ପାଇଁ ଦଳୀୟ ପ୍ରାର୍ଥୀ ବାଛିବା ନିମନ୍ତେ ନିମ୍ନଲିଖିତ ବ୍ୟକ୍ତିମାନଙ୍କୁ ପ୍ରାଧିକୃତ କରୁଅଛି ଏବଂ ପ୍ରତ୍ୟେକଙ୍କର ନମୁନା ସ୍ୱାକ୍ଷର ମୋ ଦ୍ୱାରା ସାକ୍ଷ୍ୟାକୃତ ହୋଇଅଛି ।

ପ୍ରାର୍ଥୀ ବାଛିବା ନିମନ୍ତେ ପ୍ରାଧିକୃତ ବ୍ୟକ୍ତିମାନଙ୍କ ନାମ	କେଉଁ ଜିଲ୍ଲା ପରିଷଦ ନିମନ୍ତେ ପ୍ରାଧିକୃତ ହୋଇଅଛି	ପ୍ରାଧିକୃତ ବ୍ୟକ୍ତିଙ୍କର ନମୁନା ସ୍ୱାକ୍ଷର	ଅଧକ୍ଷ/ସାଧାରଣ ସଂପାଦକଙ୍କ ଦ୍ୱାରା ସାକ୍ଷ୍ୟାକୃତ
1	2	3	4
1			
2			
3			
4			

ଆପଣଙ୍କର ବିଶ୍ୱସ୍ତ,

ଅଧକ୍ଷ/ସାଧାରଣ ସଂପାଦକ, ରାଜ୍ୟସ୍ତରୀୟ/ଜାତୀୟ
ରାଜନୈତିକ ଦଳ

ଦଳର ନାମ

ଦଳର ମୋହର

ଟିପ୍ପଣୀ – ରାଜ୍ୟ ନିର୍ବାଚନ କମିଶନଙ୍କୁ ଚାରି କିତା ନକଲ ଦିଆଯିବ ।

FORM No. 18

[See Rule 14 (4)]

To

The Election Officer

In respect of

Zilla Parishad Constituency

Sir,

Having been authorised by the President/General Secretary of the State Level/
National Political Party, namely _____ Party, I hereby give
notice that the following person(s) has/have been sponsored by _____
party as its candidate(s) at the ensuing Zilla Parishad Election and
that _____ Symbol be allotted to him/her.

Sl. No.	Name of the Zilla Parishad Constituency	Name of the candidate sponsored	Father's/Husband's name of the candidate	Address of the candidate
1	2	3	4	5
1.				
2.				
3.				
4.				
5.				

Yours faithfully,

(Name and signature of the person
who has been authorised by the
State Level/National Political
Parties to sponsor candidates)

NOTE : This must be delivered to the Election Officer on or before the date and time fixed for scrutiny of nomination papers.

ଫାରମ ସଂଖ୍ୟା 18

[ନିୟମ 14(4) ଦ୍ରଷ୍ଟବ୍ୟ]

ପ୍ରାପକ,

ନିର୍ବାଚନ ଅଧିକାରୀ

..... ଜିଲ୍ଲା ପରିଷଦ ନିର୍ବାଚନ ମଣ୍ଡଳୀ

ମହାଶୟ,

ରାଜ୍ୟସ୍ତରୀୟ/ଜାତୀୟ ରାଜନୈତିକ ଦଳ ଯଥା

..... ଦଳର ଅଧ୍ୟକ୍ଷ/ସାଧାରଣ ସଂପାଦକଙ୍କ ଦ୍ୱାରା ପ୍ରାଧିକୃତ ହୋଇ ମୁଁ

ଏତଦ୍ୱାରା ନୋଟିସ ଦେଉଅଛି ଯେ ଚଳିତ ଜିଲ୍ଲା ପରିଷଦ ନିର୍ବାଚନ ପାଇଁ

ଦଳର ପ୍ରାର୍ଥୀ ଭାବରେ ନିମ୍ନଲିଖିତ ବ୍ୟକ୍ତିଙ୍କୁ (ମାନଙ୍କୁ) ବଛାଗଲା ଏବଂ

..... ସଂକେତ ତାଙ୍କୁ ପ୍ରଦାନ କରାଯାଉ ।

କ୍ରମିକ ସଂଖ୍ୟା	ଜିଲ୍ଲା ପରିଷଦ ନିର୍ବାଚନ ମଣ୍ଡଳୀର ନାମ	ଦଳଦ୍ୱାରା ବଛା ଯାଇଥିବା ପ୍ରାର୍ଥୀଙ୍କ ନାମ	ପ୍ରାର୍ଥୀଙ୍କର ପିତା, ପତିଙ୍କ ନାମ	ପ୍ରାର୍ଥୀଙ୍କ ଠିକଣା
1	2	3	4	5
1				
2				
3				
4				

ଆପଣଙ୍କର ବିଶ୍ୱସ୍ତ,

ରାଜ୍ୟସ୍ତରୀୟ/ଜାତୀୟ ରାଜନୈତିକ ଦଳର ଦଳୀୟ ପ୍ରାର୍ଥୀ
ବାଛିବା ନିମନ୍ତେ ପ୍ରାଧିକୃତ ବ୍ୟକ୍ତିଙ୍କ ନାମ ଓ ସ୍ୱାକ୍ଷର

ଟିପ୍ପଣୀ – ମନୋନୟନ ପତ୍ର ଯା'ତ ନିମନ୍ତେ ଧାର୍ଯ୍ୟ ତାରିଖ ଓ ସମୟ ପୂର୍ବରୁ ନିର୍ବାଚନ ଅଧିକାରୀଙ୍କ ନିକଟରେ ଏହା ନିଶ୍ଚିତ ପହଞ୍ଚିବା ଆବଶ୍ୟକ ।

FORM No. 18-A

[See Rule 28-A(2)]

REGISTER OF VOTES

Election to the Parishad Constituency/Office of the President/Vice-President of Zilla Parishad.

Sl.No.	Sl. No. of elector in the electoral roll	Signature/Thumb Impression of elector	REMARKS
1	2	3	4

FORM No. 18-B

ACCOUNT OF VOTES RECORDED

[See Rule 28-A(2)]

PART-I

Election to the _____ Parishad Constituency/Office of the President/Vice-President of _____ Zilla Parishad.

Identification No. of Voting Control Unit ;

1. Total No. of Elector assigned to the Polling Station :
2. Total No. of Voters as entered in the Register for voters(Form 18-A).
3. Total No. of votes recorded as per voting machine :
4. Whether the total No. of voters as shown against item 3 tallies with the total No. of votes as shown against item 2 or any discrepancy noticed.

5. Account of paper seals

Sl. Nos.

From To

Signature of Presiding Officer

1. Serial Numbers of Paper Seals Supplied
From _____ To _____
2. Total Numbers supplied
3. Number of papers seals used
4. Number of unused paper seals returned to Election Officer (Deduct item 3 from item 2).
5. Serial number of damaged paper seal if any.

- 1.
- 2.
- 3.
- 4.
- 5.
- 6.

Date :

Place :

Signature of Presiding Officer

Polling Station No.

PART-II
RESULTS OF COUNTING

Sl. No.	Name of candidate	No. of votes recorded
1	2	3
1		
2		
3		
4		
etc.		
Total		

Whether the total nos. of votes shown above tallies with the total No. of votes shown against item 3 of Part I or any discrepancy noticed between the two totals.

Signature of Election Officer

Place :

Date :

Name of Candidate/Polling Agent/Counting Agent
Full Signature

1.

2.

3.

4.

etc.

Place :

Date :

Signature of Election Officer

EXTRACTS FROM THE REPRESENTATION OF PEOPLE ACT, 1951

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EXTRACTS FROM THE REPRESENTATION OF PEOPLE ACT, 1951

CHAPTER III

Disqualifications for Membership of Parliament and State Legislatures

7. Definition-In this Chapter—

- (a) “Appropriate Government” means in relation to any disqualification for being chosen as or for being a member of either House of Parliament, the Central Government, and in relation to any disqualification for being chosen as or for being a member of the Legislative Assembly or Legislative Council of a State, the Government;
- (b) “disqualified” means disqualified for being chosen as, and for being a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State.

8. Disqualification on conviction for certain offences—(1) A person convicted of an offence punishable under—

- (a) Section 143-A (offence of promoting enmity between different groups on ground of religion, race, place of birth, residence, language, etc., and doing acts prejudicial to maintenance of harmony) or Section 171-E (offence of bribery) or Section 171-F (offence of under influence or personation at an election) or sub-section (1) or sub-section (2) of Section 376 or Section 376-A or Section 376-B or Section 376-C or Section 376-D (offences relating to rape) or Section 498-A (offences of cruelty towards of women by husband or relative of a husband) or sub-section (2) or sub-section (3) of Section 505 (offence of making statement creating or promoting enmity or ill-will between classes or offence relating such statement in any place of worship or in any assembly engaged in the performance of religious worship of religious ceremonies) of the Indian Penal Code (45 of 1860); or
- (b) the Protection of Civil Rights Act, 1955 (22 of 1955), which provides for punishment for the preaching and practice of “untouchability” and for the enforcement of any disability arising therefrom; or
- (c) Section 11 (offence of importing or exporting prohibited goods) of the Customs Act, 1962 (52 of 1962); or
- (d) Sections 10 to 12 (offence of being a member of an association declared unlawful, offence relating to dealing with funds of an unlawful association or offence relating to contravention of an order made in respect of a notified place) of the Unlawful Activities (Prevention) Act, 1967 (37 of 1967); or
- (e) the Foreign Exchange (Regulation) Act, 1973 (46 of 1973); or
- (f) the Narcotic Drugs and Psychotropic Substances Act, 1985 (61 of 1985); or

- (g) Section 3 (offence of committing terrorist acts) or Section 4 (offence of committing disruptive activities) or the Terrorist and Disruptive Activities (Prevention Act), 1987 (28 of 1987); or
 - (h) Section 7 (offence of contravention of the provisions of Sections 3 to 6) of the Religious Institutions (Prevention of Misuse) Act, 1988 (41 of 1988); or
 - (i) Section 125 (offence of promoting enmity between classes in connection with the election) or Section 135 (offence of removal of ballot papers from polling stations) or Sections 135-A (offence of booth capturing) or clause (a) of sub-section (2) of Section 136 (offence of fraudulently defacing or fraudulently destroying any nomination paper) of this Act, shall be disqualified for a period of six years from the date of such conviction.
- (2) A person convicted for the contravention of—
- (a) any law providing for the prevention of hoarding or profiteering; or
 - (b) any law relating to the adulteration of food or drugs; or
 - (c) any provisions of the Dowry Prohibition Act, 1961 (28 of 1961); or
 - (d) any provisions of the Commission of Sati (prevention) Act, 1937 (3 of 1988) and sentenced to imprisonment for not less than six months, shall be disqualified from the date of such conviction and shall continue to be disqualified for a further period of six years since his release.
- (3) A person convicted of any offence and sentenced to imprisonment for not less than two years [other than any offence referred to in sub-section (1) or sub-section (2) shall be disqualified from the date of such for a further period conviction and shall continue to be disqualified of six years since his release.]
- (4) Notwithstanding anything [in sub-section (1), sub-section (2) and sub-section (3)] a disqualification under either sub-section shall not, in the case of a person who on the date of the conviction is a member of Parliament or the Legislature of a State, take effect until three months have elapsed from date, or, if within that period an appeal or application for revision is brought in respect of the conviction or the sentence, until that appeal or application is disposed of by the Court.

Explanation—In this section—

- (a) “law providing for the prevention of the hoarding or profiteering” means any law, or any order, rule or notification having the force of law, providing for—
 - (i) the regulation of production or manufacture of an essential commodity,
 - (ii) the control of price at which any essential commodity may be bought or sold,
 - (iii) the regulation of acquisition, possession, storage, transport, distribution, disposal, use or consumption of any essential commodity,

- (iv) the prohibition of the withholding from sale of any essential commodity ordinarily kept for sale.
- (b) “drug” has the meaning assigned to it in the Drugs and Cosmetics Act, 1940 (23 of 1940);
- (c) “essential commodity” has the meaning assigned to it in the Essential Commodities Act, 1955 (10 of 1955);
- (d) “food” has the meaning assigned to it in the Prevention of Food Adulteration Act, 1954 (37 of 1954).

8-A. Disqualification on ground of corrupt practices—(1) The case of every person from guilty of a corrupt practice by an orders under Section 99 shall be submitted, as soon as may be after such order takes, effect, by such authority as the Central Government may specify in the behalf, to the President for determination of the question as to whether such person shall be disqualified and if so, for what period :

Provided that the period of which any person may be disqualified under this sub-section shall in no case exceed six years from the date on which the order made in relation to under Section 99 takes effect.

- (2) Any person who stands disqualified under Section 8-A of this Act as it stood immediate before the commencement of the Election Laws (Amendment) Act, 1975 (40 of 1975), may, be period of such disqualification has not expired submit a petition to the President for the removal of such disqualification for the unexpired portion of the said period.
- (3) Before giving this decision on any question mentioned in sub-section (1) or on any petition submitted under sub-section (2), the President shall obtain the opinion of the Election Commission on such question or petition and shall act according to such opinion.

9. Disqualification for dismissal for corruption or disloyalty—(1) A person who having held an office under the Government of India or under the Government of any State has been dismissed for corruption or for disloyalty to the State shall be disqualified for a period of five years from the date of such dismissal.

- (2) For the purpose of sub-section (1) a certificate issued by the Election Commission to the effect that a person having held office under the Government of India or under the Government of a State, has or has not been dismissed for corruption or for disloyalty to the State shall be conclusive proof of that fact :

Provided that no certificate to the effect that a person has been dismissed for corruption or for disloyalty to the State shall be issued unless an opportunity of being heard has been given to the said person.

9-A. Disqualification for Government contracts, etc.—A person shall be disqualified if, and for so long as, there subsists a contract entered into by him in the course of his trade or business with the appropriate Government for the supply of goods to, or for the execution of any work undertaken by, the Government.

Explanation— For the purpose of this section, where a contract has been fully performed by the person by whom it has been entered into with the appropriate Government the contract shall be deemed not to subsist by reason only of the fact that the Government has not performed its part of the contract either wholly or in part.

10. Disqualification for office under Government company—A person shall be disqualified if, and for so long as, he is a managing agent, manager or secretary of any company or corporation (other than a co-operative society) in the capital of which the appropriate Government has not less than twenty-five per cent share.

10-A. Disqualification for failure to lodge account of election expenses-If the Election Commission is satisfied that a person—

- (a) has failed to lodge an account of election expenses within the time and in the manner required by or under this Act; and
- (b) has not good reason or justification for the failure.

The Election Commission shall, by order published in the Official Gazette, declare him to be disqualified and any such person shall be disqualified for a period of three years from the date of the order.

11. Removal or reduction of period of disqualification—The Election Commission may, for reasons to be recorded, remove any disqualification under this Chapter (except under Section 8-A) or reduce the period of any such disqualification.

CHAPTER IV

DISQUALIFICATIONS FOR VOTING

11-A. Disqualification arising out of conviction and corrupt practices—(1) If any person, after the commencement of this Act—

*** is convicted of an offence punishable under Section 171-E or Section 171-F of the Indian Penal Code (45 of 1860), or under Section 125 or Section 135 or Clause (a) of sub-section (2) of Section 136 of this Act. ***

he shall, for a period of six years from the date of the convictions or from the date on which the order takes effect, be disqualified for voting at any election.

(2) Any person disqualified by a decision of the President under sub-section (1) of Section 8-A for any period shall be disqualified for the same period for voting at any election.

(3) The decision of the President on a petition submitted by any person under sub-section (2) of Section 8-A in respect of any disqualification for being chosen, as, and for being, a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State shall, so far as may be, apply in respect of the disqualification for voting at any election incurred by him under (b) of sub-section (1) of Section 11A of this Act as it stood immediately before the commencement of the Election Laws (Amendment) Act, 1975 (40 of 1975), as if such decision were a decision in respect of the said disqualification for voting also.

11-B. Removal of disqualification—The Election Commission may, for reasons to be recorded, remove. [any disqualification under sub-section (1) of Section 11-A].

**THE ELECTION SYMBOLS
(RESERVATION AND ALLOTMENT) ORDER, 1968**

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THE ELECTION SYMBOLS (RESERVATION AND ALLOTMENT) ORDER, 1968

AN ORDER

to provide for specification, reservation, choice and allotment of symbols at elections in Parliamentary and Assembly Constituencies, for the recognition of political parties in relation thereto and for matters connected therewith.

S.O. 2959, dated the 31st August, 1968 - WHEREAS, the superintendence, direction and control of all elections to Parliament and to the Legislature of every State are vested by the Constitution of India in the Election Commission of India;

AND WHEREAS, it is necessary and expedient to provide, in the interest of purity of elections to the House of the People and the Legislative Assembly of every State and in the interest of the conduct of such elections in a fair and efficient manner, for the specification, reservation, choice and allotment of symbols, for the recognition of political parties in relation thereto and for matters connected therewith;

NOW THEREFORE, in exercise of the powers conferred by Article 324 of the Constitution [read with section 29A of the Representation of the People Act, 1951 (43 of 1951)] and rules 5 and 10 of the Conduct of Elections Rules, 1961 and all other powers enabling it in this behalf, the Election Commission of India hereby makes the following Order

1. **Short title, extent, application and commencement** -(1) This Order may be called the Election Symbols (Reservation and Allotment) Order, 1968.
 - (2) It extends to the whole of India and applies in relation to elections in all Parliamentary and Assembly Constituencies other than Assembly Constituencies in the State of Jammu & Kashmir.
 - (3) It shall come into force on the date of its publication in the Gazette of India which date is hereinafter referred to as the commencement of this Order.
2. **Definitions and interpretation** -(1) In this Order, unless the context otherwise requires -
 - (a) "clause" means a clause of the paragraph or sub-paragraph in which the word occurs;
 - (b) "Commission", means the Election Commission of India constituted under Article 324 of the Constitution;
 - (c) "Constituency", means a parliamentary constituency or an assembly constituency;

¹Substituted by Notification No. O.N. 56(E), dated 15.6.1989.

- (d) "contested election" means an election in a parliamentary or an assembly constituency where a poll is taken;
- (e) "election" means an election to which this Order applies;
- ¹[(ee) "form" means a form appended to this Order;]
- (f) "general election" means any general election held after the commencement of this Order for the purposes of constituting the House of the People or the Legislative Assembly of a State and includes a general election whereby the House of the People or the Legislative Assembly of a State in existence and functioning at such commencement, has been constituted;
- (g) "paragraph" means a paragraph of this Order;
- ²[(h) "political party" means an association or body of individual citizens of India registered with the Commission as a political party under Section 29A of the Representation of the People Act, 1951;]
- ³[(i) "State" includes the National Capital Territory of Delhi and the Union Territory of Pondicherry;]
- (j) "Sub-paragraph" means a sub-paragraph of the paragraph in which the word occurs;
- ⁴[(jj) "Union Territory" means Union Territory other than the National Capital Territory of Delhi and the Union Territory of Pondicherry; and]
- (k) Words and expressions used but not defined in this Order but defined in the Representation of the People Act, 1950, or the rules made thereunder or in the Representation of the People Act, 1951, or the rules made thereunder shall have the meanings respectively assigned to them in those Acts and Rules.

(2) The General Clauses Act, 1897 shall, as far as may be, apply in relation to the interpretation of this Order as it applies in relation to the interpretation of a Central Act.

⁵[3. * * * *]

4. **Allotment of symbols** - In every contested election a symbol shall be allotted to a contesting candidate in accordance with the provisions of this Order and different symbols shall be allotted to different contesting candidates at an election in the same constituency

5. **Classification of symbols** - (1) For the purpose of this Order symbols are either reserved or free.

(2) Save as otherwise provided in this Order, a reserved symbol is a symbol which is reserved for a recognised political party for exclusive allotment to contesting candidates set up by that party

(3) A free symbol is a symbol other than a reserved symbol.

¹ Inserted by Notification No. 56/97/JudUH, dated 15.12.1997.

² Substituted by Notification No. O.N.56(E), dated 15.06.1989.

³ Substituted by Notification No. O.N.56/99/Judl.III, dated 08.06.1999.

⁴ Inserted by Notification No. 56/99/Judl.III, dated 08.06.1999.

⁵ Paragraph 3 omitted by Notification No. O.N.21(E), dated 23.3.1992 (w.e.f. 25.3.1992)

¹{**6. Classification of political parties** -(1) For the purposes of this Order and for such other purposes as the Commission may specify as and when necessity therefore arises, political parties are either recognised political parties or unrecognised political parties.

(2) A recognised political party shall either be a National party or a State party.

²[**6A. Conditions for recognition as a State Party**- A political party shall be eligible for recognition as a State party in a State, if, and only if, any of the following conditions is fulfilled:

- (i) At the last general election to the Legislative Assembly of the State, the candidates set up by the party have secured not less than six percent of the total valid votes polled in the State; and, in addition, the party has returned at least two members to the Legislative Assembly of that State at such general election; or
- (ii) At the last general election to the House of the People from that State, the candidates set up by the party have secured not less than six percent of the total valid votes polled in the State; and, in addition, the party has returned at least one member to the House of the People from that State at such general election; or
- (iii) At the last general election to the Legislative Assembly of the State, the party has won at least three percent of the total number of seats in the Legislative Assembly, (any fraction exceeding half being counted as one), or at least three seats in the Assembly whichever is more; or
- (iv) At the last general election to the House of the People from the State, the party has returned at least one member to the House of the People for every 25 members or any fraction thereof allotted to that State;] or
- ³{(v) At the last general election to the House of the People from the State, or at the last general election to the Legislative Assembly of the State, the candidates set up by the Party have secured not less than eight percent of the total valid votes polled in the State.}

6B. Conditions for recognition as a National Party- A political party shall be eligible to be recognized as National party if, and only if, any of the following conditions is fulfilled:

- (i) The candidates set up by the party in any four or more States, at the last general election to the House of the People, or to the Legislative Assembly of the State concerned, have secured not less than six percent of the total valid votes polled in each of those States at that general election; and, in addition, it has returned at least four members to the House of the People at the aforesaid last general election from any State or States; or
- (ii) At the last general election to the House of the People, the party has won at least two percent of the total number of seats in the House of the People, any fraction exceeding half being counted as one; and the party's candidates have been elected to that House from not less than three States; or
- (iii) The party is recognized as State party in at least four States.]

¹Substituted by Notification No. 56/2000/Judl.iii, dated 0 1.12.2000.

²Substituted by Notification No. 56/2005/Judl.iii, dated 14.05.2005.

³Inserted by Notification No. 56/2011/PPS-II, dated 16. 09.2011.

6C. Conditions for continued recognition as a National or State Party. – (1) Notwithstanding anything in Paragraph 6A and Paragraph 6B, if a political party recognized as a State Party or National Party fails to fulfill the conditions of Paragraph 6A or, as the case may be, Paragraph 6B, at next general election to the House of the People or, as the case may be, to the Legislative Assembly of the State, following the general election to the House/Assembly concerned on the basis of which it got recognition (hereinafter referred to as “ the next election”, it shall continue to be treated as recognized State Party or National Party, as the case may be.

(2) If a recognized political party continues to be treated as recognized National Party or State Party after next election to the House of the People or, as the case may be, to the Legislative Assembly of the State the provisions of sub-paragraph(1), the question whether it shall further continue to be so recognized after any subsequent general election to the House of the People or, as the case may be, to the Legislative Assembly of the State concerned , shall be subject to the fulfillment by the party of the conditions specified in Paragraph 6A or 6B, as the case may be.

[7. Savings and Interpretation - {(1) Notwithstanding anything contained in paragraph 6A, 6B or 6C, if any political party got recognized, whether before or after the commencement of the Election Symbols (Reservation and Allotment) (Amendment) Order, 2005, either as a National Party or as a State party on satisfying the conditions for such recognition as they existed prior to such commencement, the said party shall continue to have and enjoy the status of such National or State party for the purposes of the next general election to the House of the People or, as the case may be, to the Legislative Assembly of the State concerned, depending on the election(s) which formed the basis for such recognition, and its continued recognition as such National or State party shall thereafter be dependent upon fulfillment by it of the conditions now specified in paragraph 6A or 6B, as the case may be:

Provided that nothing herein shall preclude the Commission from withdrawing the recognition of a party either as a National Party or as a State Party, if it failed to satisfy any of the conditions for such recognition as they existed prior to, and also after, the commencement of the Election Symbols (Reservation and Allotment) (Amendment) Order, 2005.}

(2) For the removal of doubt, it is hereby clarified that the conditions in paragraph 6A or paragraph 6B shall not be deemed to have been satisfied by a political party -

(i) if it is newly formed, whether as a result of split in a recognised National or State party or otherwise, and registered with the Commission under section 29A of the Representation of the People Act, 1951, after the last general election to the House of the People or, as the case may be, to the Legislative Assembly of the State concerned; or

(ii) on the joining or taking the membership of that party by a member of the House of the People, or the Legislative Assembly of a State, after his election to that House or, as the case may be, that Assembly].

8. Choice of symbols by candidates of National and State Parties and allotment thereof -

(1) A candidate setup by a National Party at any election in any constituency in India shall choose, and shall be allotted, the symbol reserved for that party and no other symbol.

(2) A candidate set up by a State Party at an election in any constituency in a State in which such party is a State Party, shall choose, and shall be allotted the symbol reserved for that Party in that State and no other symbol.

- (3) A reserved symbol shall not be chosen by or allotted to, any candidate in any constituency other than a candidate setup by a National Party for whom such symbol has been reserved or a candidate set up by a State Party for whom such symbol has been reserved in the State in which it is a State Party even if no candidate has been set up by such National or State Party in that constituency.

[9. Restriction on the allotment of Symbols reserved for State Parties in States where such parties are not recognised - A symbol reserved for a State Party in any State-

{(a) shall not be included in the list of free symbols for any other State or Union Territory; and

- (b) shall not be reserved for any other party which subsequently becomes eligible, on fulfillment of the conditions specified in paragraph 6A, for recognition as a State Party in any other State:

Provided that nothing contained in clause (b) shall apply in relation to a political party for which the Commission has, immediately before the commencement of the Election Symbols (Reservation and Allotment) (Amendment) Order, 1997, already reserved the same symbol which it has also reserved for some other State Party or Parties in any other State or States.}]

²[10 Concession to candidates set up by a State Party at elections in other States or Union Territories:

If a political party which is recognised as a State Party in some State or States, sets up a candidate at an election in a constituency in any other State or Union Territory in which it is not a recognised State party, then such candidate may to the exclusion of all other candidates in the constituency, be allotted the symbol reserved for that party in the State or States in which it is a recognised State Party, notwithstanding that such symbol is not specified in the list of free symbols for such other State or Union Territory, on the fulfillment of each of the following conditions, namely :-

- (a) that an application is made to the Commission by the said party for exclusive allotment of that symbol to the candidate set up by it, not later than the third day after the publication in the Official Gazette of the notification calling the election;
- (b) that the said candidate has made a declaration in his nomination paper that he has been set up by that party at the election and that the party has also fulfilled the requirements of clauses (b), (c), (d) and (e) of paragraph 13 read with paragraph 13A in respect of such candidate; and
- (c) that in the opinion of the Commission there is no reasonable ground for refusing the application for such allotment.

Provided that nothing contained in this paragraph shall apply to a candidate setup by a State Party at an election in any constituency in a State in which that party is not a State Party and where the same symbol is already reserved for some other State Party in that State.]

¹Substituted by Notification No. 56/97/ Judl.iii, dated 15. 12. 1997.

²Substituted by Notification No. 56/99 Judl.iii, dated 8.6.99.

[10A. Concession to candidates set up by an unrecognised party which was earlier recognised as a National or State party - If a political party which is unrecognised at present but was a recognised National or State party in any State or Union territory not earlier than six years from the date of notification of the election, sets up a candidate at an election in a constituency in any State or Union territory, whether such party was earlier recognised in that State or Union territory or not, then such candidate may to the exclusion of all other candidates in the constituency, be allotted the symbol reserved earlier for that party when it was a recognised National or State party notwithstanding that such symbol is not specified in the list of free symbols for such State or Union territory, on the fulfillment of each of the following conditions, namely:-

- (a) that an application is made to the Commission by the said party for the exclusive allotment of that symbol to the candidate set up by it, not later than the third day after the publication in the Official Gazette of the notification calling the election;
- (b) that the said candidate has made a declaration in his nomination paper that he has been set up by that party at the election and that the party has also fulfilled the requirements of clauses (b), (c), (d) and (e) of paragraph 13 read with paragraph 13A in respect of such candidate; and
- (c) that in the opinion of the Commission there is no reasonable ground for refusing the application for such allotment:

Provided that nothing contained in this paragraph shall apply to a candidate setup by the said party at an election in any constituency in a State or Union territory where the same symbol is already reserved for some other National or State party in that State or Union Territory].

10B - Concession to candidates set up by registered (unrecognized) parties and to unrecognized parties which were earlier recognized parties more than 6 years back.

“Subject to the provisions of clause(b) of sub-paragraph (3) of paragraph 12, the candidates set up by a registered unrecognized political party at the general election to the Legislative Assembly of a State or to the House of the People, may be allotted a common symbol, subject to fulfilment of the following conditions

(A) At a general election to the Legislative Assembly-

- (i) The party sets up candidates at least in 5% (five percent) of the assembly constituencies in the State, subject to a minimum of three constituencies in States having forty or less seats;
- (ii) In the case of election on expiry of the normal term of the Legislative Assembly, the intimation with regard to its intention to contest election under sub-clause (i) is given by the party to the Commission at any time during the period commencing from the date six months prior to the date of expiry of the term of the Assembly and latest by five clear days before the date on which the notification (or the first of the notifications in the case of a phased election) of the election is scheduled to be issued;

- (iii) In the case of dissolution of the Legislative Assembly before the expiration of its normal term, the intimation with regard to its intention under sub-clause (i) is given by the party to the Commission at any time from the date of dissolution of the Legislative Assembly and latest by five clear days before the date on which the notification (or the first of the notifications in the case of a phased election) of the election is scheduled to be issued;
- (iv) The party shall give the names of ten symbols, in order of preference, from out of the list of free symbols notified by the Commission under paragraph 17 of this Order:

Provided that a party may, if it so desires, also propose three new symbols of their choice, with the names and clear design and drawings of symbol, in the order of preference, for allotment to its candidates, which the Commission may consider for allotment as its common symbol if there is, in its opinion, no objection in allotting such symbol:

Provided further that the symbols proposed by the parties shall have no resemblance to the existing reserved symbols or free symbols, nor shall have any religious or communal connotation or depict any bird or animal;

Provided also that no proposal for a new symbol shall be entertained by the Commission unless it is made at least three months before the date of expiry of term of the Assembly concerned, or within one month of the premature dissolution of the Assembly, as the case may be;

- (v) The party also gives an undertaking that if the party does not set up candidates in the minimum number of the constituencies as prescribed in condition (i) above, its candidates shall not be entitled to allotment of a common symbol on the date of allotment of symbols to them; and, in addition, the party shall be liable for such punitive action as the Commission may consider appropriate;
- (vi) The list containing the serial numbers and names of the constituencies where the party is setting up candidates is submitted to the Commission latest by 5 clear days before the date on which the notification (or first of the notifications in the case of a phased election) of the election is scheduled to be issued.

(B) At a general election to the House of the People -

- (i) The party sets up candidates at least in a minimum of two parliamentary constituencies in the State, in which it seeks allotment of a common symbol to its candidates;
- (ii) In the case of States with single parliamentary constituency, a party which applies for common symbol in terms of clause (i) above in another State, may also apply for allotment of the same symbol in such States with single parliamentary constituency;
- (iii) In the case of election on expiry of the normal term of the House of the People, the intimation with regard to its intention to contest election under sub-clauses (i) and (ii) is given by the party to the Commission at any time

during the period commencing from the date six months prior to the date of expiry of the term of the House of the People and latest by five clear days before the date on which the notification (or the first of the notifications in the case of a phased election) of the election is scheduled to be issued;

- (iv) In the case of dissolution of the House of the People before the expiration of its normal term, the intimation with regard to its intention under sub-clauses (i) and (ii) is given by the party to the Commission at any time from the date of dissolution of the House of the People and latest by five clear days before the date on which the notification (or the first of the notifications in the case of a phased election) of the election is scheduled to be issued;
- (v) The party shall give the names of ten symbols, in order of preference, from out of the list of free symbols notified by the Commission under paragraph 17 of this Order;

Provided that a party may, if it so desires, also propose three new symbols of their choice, with the names and clear design and drawings of symbol, in the order of preference, for allotment to its candidates, which the Commission may consider for allotment as its common symbol if there is, in its opinion, no objection in allotting such symbol;

Provided further that the symbols proposed by the parties shall have no resemblance to the existing reserved symbols or free symbols, nor shall have any religious or communal connotation or depict any bird or animal:

Provided also that no proposal for a new symbol shall be entertained by the Commission unless it is made at least three months before the date of expiry of term of the House of the People, or within one month of the premature dissolution of the House, as the case may be;

- (vi) The party also gives an undertaking that if the party does not set up candidates in the minimum number of the constituencies as prescribed in condition (i) above, its candidates shall not be entitled to allotment of a common symbol on the date of allotment of symbols to them; and, in addition, the party shall be liable for such punitive action as the Commission may consider appropriate
- (vii) The list containing the serial numbers and names of the constituencies where the party is setting up candidates is submitted to the Commission latest by 5 clear days before the date on which the notification (or first of the notifications in the case of a phased election) of the election is scheduled to be issued.

Explanation -

For the removal of doubt, it is hereby clarified that –

- (i) The concession of allotment of common symbol to the candidates of a registered unrecognized party under this paragraph shall be available to a party at any two general elections to the House of the People, or any two general elections to a State Legislative Assembly or at one general election

to the House of the People and the other at a general election to a State Legislative Assembly, as the party may choose.

- (ii) A party that has availed of this concession on two occasions shall, however, be eligible for the concession in any subsequent general election subject to the condition that on the previous occasion when the party availed of the facility, the votes polled by all the contesting candidates set up by the party at the general election in the State concerned was not less than one percent of the total valid votes polled in that State.
- (iii) The free symbol allotted as a common symbol to the candidates of a party under this paragraph shall be available for allotment to candidates set up by the other parties or independent candidates in those other constituencies in which that party has not set up its candidates.
- (iv) Allotment of common symbol under this paragraph shall be done on 'first-come-first-served' basis:

Provided that if applications of two or more parties giving preference for the same symbol are received in the Commission on the same date, then the question of allotment of the symbol to one of such parties shall be decided by draw of lots in such manner as may be directed by the Commission:

Provided further that if out of the two or more such parties giving preference for the same symbol whose applications are received on the same date, one party is such that it had been allotted the said symbol at the previous occasion in the State concerned and the other was not allotted that symbol in the previous election, then the symbol shall be allotted to the former: Provided also that if out of the two or more such parties giving preference for the same symbol whose applications are received on the same date, both or all such parties had been allotted the said symbol on the previous occasion in the State concerned, and one among the parties is such that it has Member(s) elected to the House of the People or the Legislative Assembly of the State concerned on the symbol for which preference has been given by the party, then the symbol shall be allotted to that party to the exclusion of the other parties;

- (v) If it is not possible for the Commission for any reason to allot a common symbol to the candidates of a party from out of the list of symbols for which it has given its preference under this paragraph, some other symbol from the list of free symbols may be allotted to that party in consultation with that party;
- (vi) Notwithstanding anything contained in paragraph 10A, a political party which was earlier a recognized political party and which lost its recognition more than 6 years back will also be eligible under this paragraph to the concession of allotment of the symbol which was earlier reserved for the party, at a general election to the House of the People or to the Legislative Assembly of a State, held after expiry of six years since the party lost its recognition, subject to the fulfilment of each of the conditions specified under clause(A) or (B), as the case may be, except the condition in sub-clause (iv) of clause (A) and sub-clause (v) of clause (B)."

11. Restrictions on the choice and allotment of symbols allotted under paragraph 10 [or paragraph 10A] -

Notwithstanding anything contained in any of the foregoing provisions where elections are held simultaneously in a parliamentary constituency and in the assembly constituencies comprised in such parliamentary constituency then-

- (a) if a symbol has been exclusively allotted under paragraph 10 [or paragraph 10A] to a candidate set up by a political party at any election in the parliamentary constituency, that symbol shall not be allotted to any candidate at any election in any of the said Assembly Constituencies unless such candidate is a candidate set up by that political party; and
- (b) if a symbol has been exclusively allotted under paragraph 10 [or paragraph 10A] to a candidate set up by a political party at any election in any of the said Assembly Constituencies that symbol shall not be allotted to any candidate at the election in the said Parliamentary Constituency unless such candidate is a candidate set up by that political party.

12. Choice of symbols by other candidates and allotment thereof- (1) Any candidate at an election in a constituency in any State or Union territory, other than-

- (a) a candidate setup by a National party or
 - (b) a candidate set up by a political party which is a State party in that State, or
 - (c) a candidate referred to in paragraph-10 or paragraph-10A or paragraph-10B,
- shall choose, and shall be allotted, in accordance with the provisions hereafter set out in this paragraph, one of the symbols specified as free symbols for that State or Union territory by notification under paragraph 17.

(2) Where any free symbol has been chosen by only one candidate at such election, the returning officer shall allot that symbol to that candidate, and to no one else.

(3) Where the same free symbol has been chosen by several candidates at such election, then –

- (a) if, of those several candidates, only one is a candidate set up by an unrecognised political party and all the rest are independent candidates, the returning officer shall allot that free symbol to the candidate set up by the unrecognised political party and to no one else; and, if, of those several candidates, two or more are set up by different unrecognised political parties and the rest are independent candidates, the returning officer shall decide by lot to which of the two or more candidates set up by the different unrecognised political parties that free symbol shall be allotted, and allot that free symbol to the candidate on whom the lot falls, and to no one else:

Provided that where of the two or more such candidates set up by such different unrecognised political parties, only one is, or was, immediately before such election, a sitting member of the House of the People, or, as the case may be, of the Legislative

Assembly (irrespective of the fact as to whether he was allotted that free symbol or any other symbol at the previous election when he was chosen as such member), the returning officer shall allot that free symbol to that candidate, and to no one else;

- (b) if, of those several candidates, no one is set up by any unrecognised political party and all are independent candidates, but one of the independent candidates is, or was, immediately before such election a sitting member of the House of the People, or, as the case may be, of the Legislative Assembly, and was allotted that free symbol at the previous election when he was chosen as such member, the Returning Officer shall allot that free symbol to that candidate, and to no one else; and
- (c) if, of those several candidates, being all independent candidates, no one is, or was, a sitting member as aforesaid, the returning officer shall decide by lot to which of those independent candidates that free symbol shall be allotted, and allot that free symbol to the candidates on whom the lot falls, and to no one else.]

13. When a candidate shall be deemed to be set up by a political party - For the purposes of an election from any parliamentary or assembly constituency to which this Order applies, a candidate shall be deemed to be set up by a political party in any such parliamentary or assembly constituency, if, and only if,-

- (a) the candidate has made the prescribed declaration to this effect in his nomination paper;
- (aa) the candidate is a member of that political party and his name is borne on the rolls of members of the party;
- (b) a notice by the political party in writing, in Form B, to that effect has, not later than 3 p.m. on the last date for making nominations, been delivered to the Returning Officer of the constituency;
- (c) the said notice in Form B is signed by the President, the Secretary or any other office bearer of the party, and the President, Secretary or such other office bearer sending the notice has been authorised by the party to send such notice;
- (d) the name and specimen signature of such authorised person are communicated by the party, in Form A, to the Returning Officer of the constituency and to the Chief Electoral Officer of the State or Union Territory concerned}, not later than 3 p.m. on the last date for making nominations; and
- (e) Forms A and B are signed, in ink only by the said office bearer or person authorised by the party: Provided that no facsimile signature or signature by means of rubber stamp, etc., of any such office bearer or authorised person shall be accepted and no form transmitted by fax shall be accepted.

13A. Substitution of a candidate by a political party :-

For the removal of any doubt, it is hereby clarified that a political party which has given a notice in Form B under paragraph 13 in favour of a candidate may rescind

that notice and may give a revised notice in Form B in favour of another candidate for the constituency:

Provided that the revised notice in Form B, clearly indicating therein that the earlier notice in Form B has been rescinded, reaches the Returning Officer of the constituency, not later than 3 p.m. on the last date for making nominations, and the said revised notice in Form B is signed by the authorised person referred to in clause (d) of paragraph 13:

Provided further that in case more than one notice in Form B is received by the Returning Officer in respect of two or more candidates, and the political party fails to indicate in such notices in Form B that the earlier notice or notices in Form B, has or have been rescinded, the Returning Officer shall accept the notice in Form B in respect of the candidate whose nomination paper was first delivered to him, and the remaining candidate or candidates in respect of whom also notice or notices in Form B has or have been received by him, shall not be treated as candidates set up by such political party.

14. Power of Commission to issue instructions to un-recognised political parties for their expeditious recognition on fulfillment of conditions specified in [paragraph 6A or paragraph 6B]. -

The Commission may issue for the benefit of unrecognised political parties such instructions as it may think necessary for their expeditious recognition when they have [fulfilled any of the conditions for such recognition specified in paragraph 6A or paragraph 6B].

15. Power of Commission in relation to splinter groups or rival sections of a recognised political party -

When the Commission is satisfied on information in its possession that there are rival sections or groups of a recognised political party each of whom claims to be that party, the Commission may after taking into account all the available facts and circumstances of the case and hearing such representatives of the sections or groups and other persons as desire to be heard, decide that one such rival section or group or none of such rival sections or groups is that recognised political party and the decision of the Commission shall be binding on all such rival sections or groups.

16. Power of Commission in case of amalgamation of two or more political parties-

(1) When two or more political parties, one or some or all of whom is a recognised political party or are recognised political parties join together to form a new political party the Commission may after taking into account all the facts and circumstances of the case, hearing such representatives of the newly formed party and other persons as desire to be heard and having regard to the provisions of this Order, decide-

- (a) whether such newly formed party should be a National party or a State Party; and
- (b) the symbol to be allotted to it.

- (2) The decision of the Commission under sub-paragraph (1) shall be binding on the newly formed political party and all the component units thereof.

16A. Power of Commission to suspend or withdraw recognition of a recognised political party for its failure to observe Model Code of Conduct or follow lawful directions and instructions of the Commission-

Notwithstanding anything in this Order, if the Commission is satisfied on information in its possession that a political party recognised either as a National party or as a State party under the provisions of this Order, has failed or has refused or is refusing or has shown or is showing defiance by its conduct or otherwise (a) to observe the provisions of the 'Model Code of Conduct for Guidance of Political Parties and Candidates' as issued by the Commission in January 1991 or as amended by it from time to time, or (b) to follow or carry out the lawful directions and instructions of the Commission given from time to time with a view to furthering the conduct of free, fair and peaceful elections or safeguarding the interests of the general public and the electorate in particular, the Commission may, after taking into account all the available facts and circumstances of the case and after giving the party reasonable opportunity of showing cause in relation to the action proposed to be taken against it, either suspend, subject to such terms as the Commission may deem appropriate, or withdraw the recognition of such party as the National Party or, as the case may be, the State Party.

17. Notification containing lists of political parties and symbols -

(1) The Commission shall by one or more notifications in the Gazette of India publish lists specifying- (a) the National Parties and the symbols respectively reserved for them;

(b) the State Parties, the State or States in which they are State Parties and the symbols respectively reserved for them in such State or States;

[(b) xxxxxxxxx

(c) the un-recognised political parties and the addresses of their headquarters registered with the Commission;] and

(d) the free symbols for each State and Union Territory.]

(2) Every such list shall, as far as possible, be kept up-to-date.

18. Power of Commission to issue instructions and directions. The Commission, may issue instructions and directions-

(a) for the clarification of any of the provisions of this Order;

(b) for the removal of any difficulty which may arise in relation to the implementation of any such provisions; and

(c) in relation to any matter with respect to the reservation and allotment of symbols and recognition of political parties, for which this Order makes no provision or makes insufficient provision, and provision is in the opinion of the Commission necessary for the smooth and orderly conduct of elections.

[19. * * *]

**MODEL CODE OF CONDUCT AND EXTRACT FROM RELEVANT LAWS
REGARDING CORRUPT PRACTICES AND ELECTORAL OFFENCES AND
PUNISHMENTS PRESCRIBED THEREFOR**

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MODEL CODE OF CONDUCT FOR OBSERVANCE BY POLITICAL PARTIES AND CANDIDATES DURING ELECTIONS TO THREE TIER P. R. Is. IN ODISHA

CHAPTER-I

GENERAL CONDUCT

- (1) No political party or candidate shall use any words either spoken or written, or commit any act or otherwise, which shall, on grounds of religion, sex, place of birth, residence, language, caste or community, create any disharmony or feelings of enmity or hatred or ill-will between different groups or communities.
- (2) No political party or candidate shall use, or encourage use, overtly or covertly, of criminal force or violence which is likely to cause fear or alarm or feeling of insecurity amongst any group of voters or disturb public peace or tranquility.
- (3) No place of worship, or building / offices / accommodation belonging to Government or educational institutions shall be used for election meeting /propaganda /workers' meet, etc.
- (4) No obstruction or intimidation shall be caused to a prospective candidate which shall prevent him in filing his nomination.
- (5) All political parties and candidates shall co-operate with officers on election duty.
- (6) All parties and candidates shall avoid scrupulously all activities which are corrupt practices and offences under the election-Law.

CHAPTER-II

Meeting & Procession : Canvassing & Propaganda

- (1) No political party or Candidate shall give any gratification to any voter or group of voters which may prevent the voter(s) from exercising their electoral right freely.
- (2) No election meeting shall be disturbed in any way by any rival political party or its candidate(s) or sympathisers.
- (3) Permission from competent authority shall be taken in advance to hold public meetings in public places and for taking out processions on public roads. Prohibitory orders in force in public places shall be respected. Permission to use public places for holding election meetings and to take out procession on public roads shall be given by the appropriate authority **on first come first serve basis**. Local police and Magistracy shall be kept informed of public meetings /processions and their directions/instructions/ restrictions shall be obeyed.
- (4) Character assassination of candidates / leaders which creates ill-feelings and tension, shall be avoided.
- (5) Burning of effigies of leaders of political parties is prohibited. Criticism of rival candidates on aspects of private life or of political parties on the basis of unverified allegations shall be avoided. No demonstration or picketing in any form before the residence of any individual or before Government offices shall be allowed.
- (6) Permission from competent authority shall be obtained for use of loudspeakers and in any case, such loudspeakers must not be used **between 8 P.M. of the night to 7**

A.M. next morning. Use of loudspeakers shall be completely **stopped 36 hours** before the beginning of the poll.

- (7) Display of posters / pamphlets / hoardings / banners or writings on the walls of Government buildings / Educational / Religious institutions/ Shrines / Public roads are prohibited. Such display and writings can however be made on private buildings or lands or space with the written permission of the owners concerned.
- (8) All printed materials connected with electioneering shall bear the name of the printer and publisher, so that responsibility can be fixed in case of publication of any documents containing illegal, offending and objectionable materials.
- (9) No party or candidate shall convene, hold or attend any public meeting in any polling area during the period of **thirty-six hours preceding** the time fixed for the commencement of the poll.
- (10) All those candidates contesting for the offices where election is being conducted on non-political party basis shall not use the name and symbol of any political party during campaigning.

CHAPTER III

Polling Area & Polling Day

- (1) All political parties and candidates shall co-operate with the officers on Poll duty.
- (2) No party or candidate shall, on the date on which a poll is taken, commit any of the following acts within the polling stations or in any public or private place within a radius of one hundred meters of the polling station, namely :—
 - (a) canvassing for votes ;
 - (b) soliciting the vote of any elector ;
 - (c) persuading any elector not to vote for any particular candidate ;
 - (d) exhibiting any notice or sign (other than official notice) relating to election.
- (3) No obstruction, annoyance or intimidation shall be caused to the voters which will prevent them from exercising their free choice.
- (4) No liquor or intoxicant shall be served by any political party or candidate to their workers/supporters on the Polling Day and during **the 36 hours preceding** it.
- (5) All political parties and candidates shall supply to their authorised workers suitable badges or identity card.
- (6) Identity slips supplied by the political parties and candidates to voters shall be on plain white paper and shall not contain any symbol, name of the candidate or name of the party.
- (7) The camps set up by a candidate beyond 100 meters of the polling station shall not display any poster, flag, symbol or any other propaganda material. No eatables shall be served or crowds allowed at the camps.
- (8) All political parties and candidates shall co-operate with the authorities in complying with the restrictions to be imposed on the plying of vehicles on the Polling Day and

obtain permits for them which should be displayed prominently on those vehicles. Conveyance of voters to and from a polling station by or on behalf of a party or candidate is prohibited.

- (9) Except the voters and authorised persons, no one else shall enter into any polling booth without permission from the State Election Commissioner/District Magistrate. Ministers, Ministers of State and Dy. Ministers, Chief Whip, Dy. Chief Whip, Leader of the Opposition, M.P., M.L.A., Presidents and Vice-Presidents of Zilla Parishads, Chair person and Vice-Chairpersons of Municipal Bodies shall not enter any polling station or place of counting except in their capacity as a candidate or voter or authorised agent.
- (10) Any political party or candidate which/who faces any difficulty shall be free to approach the State Election Commission, the Election Observers (if any) in charge of the area or the Election Officer concerned for redressal of their grievances within the parameters of the existing Law.

CHAPTER IV

Party/Parties in Power and Persons holding public offices

The Party/Parties in power whether in the Centre or in the State shall ensure that no cause is given for any complaint that it/they has/have used its/their official position for the purpose of its/their election campaign, and in particular—

- (1) Ministers, Ministers of State and Deputy Ministers, Government Chief Whip, Dy. Chief Whip and Leader of the Opposition, President and Vice-President of Zilla Parishad, M.Ps. & M.L.As. and persons holding public offices who are provided with official perquisites and transport, shall not combine their official visits with electioneering work and shall not also make use of the official machinery or personnel or transport or Circuit House, Dak Bungalows, etc. for election campaigning directly or indirectly.
- (2) Whenever the dignitaries specified in Para (1) above decide to address election meeting(s) in any area for political work connected with electioneering, the journey to such places shall not be performed in Government transport. The role of officials will be limited to maintenance of law and order and affording normal security to them.
- (3) Except for normal development works and programmes which have already commenced, relief and restoration works as a sequel to natural calamities and emergent nature of works, expenditure for which have been voted by the State Legislature, will continue ; no new schemes/ programmes/ works/projects of any kind shall be started nor any financial concession be promised or announced by Government or any official agency which would have the effect of influencing, directly or indirectly, the voters in favour of the candidate (s) of the party in power.
 - (i) No policy decision shall be taken or announced by the Government which will help the Party in power to influence the voters.
 - (ii) Any project sanctioned in the budget of any department of Government for which work orders have already been issued prior to Poll Notification but work not started shall not be taken up during the period of enforcement of Code of Conduct.

In case of doubt, all concerned are advised to seek a clarification from the Commission.

- (4) No "Bhumi Puja", . laying of foundation stones or inaugural ceremonies in respect of works/projects/programmes, funded partly or wholly by Government, or out of M.P/ M.L.A. LAD fund shall be undertaken by Ministers or any public dignitary in any constituency. Such functions and ceremonies, even if organised in urban areas, are prohibited if such works/projects/programmes are primarily intended for the benefit of the rural areas and to influence the rural voters.
- (5) No assurance influencing voters nor any proposal for sanction of projects out of M.P./ M.L.A. LAD fund shall be given during the operation of model code of conduct.
- (6) Government accommodation, viz. Rest Houses, Inspection Bungalows, Circuit Houses or Guest Houses of Government undertakings (Central or State) and the like, whether in Urban or Rural areas, shall be afforded in fair manner to leaders of all political parties or their candidates as per respective occupation rules. But such accommodation facilities shall not be used or allowed to be used as a campaign office or for holding party workers' meeting for the purpose of election propaganda.
- (7) No advertisement or publication at the cost of Central or State Government/Public undertakings/Corporations/Co-operatives, etc. highlighting achievements, which will have the effect of influencing the voters in elections shall be issued/published.
- (8) Mass media viz. Radio/Television shall not be used to broadcast/telecast any news/ visuals which will have the effect of influencing the voters in favour of any political party/candidate.
- (9) The directions and restrictions contained in this Chapter shall also apply, *mutatis mutandis*, to Central and State Ministers so far as these relate to them/to non-official Chairpersons and non-official Directors of Government, Companies and Corporations, whether State or Central/Non-official Chairpersons and Vice-Chairpersons/Presidents and Vice-Presidents of Panchayati Raj Institutions and Urban Local Bodies/Presidents of Co-operative Societies including Apex Bodies and other Bodies and Authorities in which public funds are invested or to whom public funds are granted, notwithstanding the quantum of such funds.

The Model Code of Conduct shall become operational from the date of issue of election notification by the State Election Commission, Odisha and shall remain in force till completion of counting to the three-tier P.R.Is.

CORRUPT PRACTICES

The following are the extracts from the relevant Panchayat Acts on corrupt practices during elections and penalties thereof.

I. ODISHA GRAMA PANCHAYAT ACT, 1964.

CHAPTER V

"Section 41—The following shall be deemed to be **corrupt practices** for the purposes of this chapter, namely :—

- (1) **bribery**, that is to say, any gift, offer or promise by a candidate or by any other person on his behalf or any gratification to any person whomsoever—
- (i) with the object, directly or indirectly of inducing—
 - (a) a person to stand or not to stand as or to withdraw from being a candidate, or to retire from contest at such election ; or
 - (b) an elector to vote or refrain from voting at such election ; or
 - (ii) as reward to—
 - (a) a person for standing or refraining from standing as candidate, or for having withdrawn his candidature or for having retired from contest ; or
 - (b) an elector for having voted or for refraining from voting.

Explanation— For the purpose of this clause, the term gratification includes all forms of entertainment and all forms of employment for rewards but does not include the payment of any expenses incurred *bona fide* for the purpose of such election.

- (2) **Undue influence**, that is to say, any direct or indirect interference or attempt to interfere on the part of a candidate or any other person on his behalf with free exercise of the electoral right of any person ;
- (a) without prejudice to the generality of the provisions of this clause, any such person as is referred to therein, who –
 - (i) threatens any candidate or any elector or a person in whom a candidate or an elector is interested, with injury of any kind including social ostracism and excommunication or of expulsion from any caste or community ; or
 - (ii) induces or attempts to induce a candidate or an elector to believe that he, or any person in whom he is interested will become or will be rendered an object or divine displeasure or spiritual censure, shall be deemed to interfere with the free exercise of the electoral right of such candidate or elector within the meaning of this clause ; and
 - (b) a declaration of public policy or, a promise of public action or the mere exercise of a legal right without intent to interfere with an electoral right shall not be deemed to be interference within the meaning of this clause.
- (3) The **systematic appeal** by a candidate or by any other person on his behalf to vote or refrain from voting on grounds of caste, race, community or religion or of the use of national symbols such as the National Flag or the National Emblem, for the furtherance of the prospects of the candidate's election.
- (4) The **Publication** by the candidate or by any other person on his behalf of any statement of fact which is false and which he either believes to be false or does not believe to be true in relation to the personal character or conduct of any candidate, or in relation to the candidature or withdrawal or retirement from contest of any candidate, being a statement reasonably calculated to prejudice the prospect of that candidate's election.

- (5) **The hiring or procuring** whether on payment or otherwise, of any vehicle or vessel by a candidate or by any other person on his behalf for the conveyance of any elector, other than the candidate or any member of his family to or from any polling station or place fixed for the poll.

Explanation—In this clause, the expression "vehicle" means any vehicle used or capable or being used for the purpose of road transport whether propelled by mechanical power or otherwise and whether used for drawing other vehicles or otherwise.

- (6) The **obtaining or procuring** or abetting or attempting to obtain or procure by a candidate or by any other person on his behalf **of any assistance**, other than the casting of a vote, for the furtherance of the prospects of the candidate's election from any person in the service of the State Government or in the employ of the Local Authority.

Section 39 (1) –The Civil Judge (Junior Division) shall declare the election of a returned candidate void, if he is of the opinion—

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- (b) **that corrupt practice has been committed by the candidate"**

ODISHA PANCHAYAT SAMITI ACT, 1959

CHAPTER VI-A

"Section 44-N—The following shall be deemed to be **corrupt practices** for the purposes of this Chapter, namely :—

- (1) **bribery**, that is to say, any gift, offer or promise by a candidate or by any other person on his behalf or any gratification to any person whomsoever—
- (i) with the object, directly or indirectly of inducing—
 - (a) a person to stand or not to stand as or to withdraw from being a candidate ; or to retire from contest at such election ; or
 - (b) an elector to vote or refrain from voting at such election ; or
 - (ii) **as a reward** to —
 - (a) a person for standing or refraining from standing as a candidate, or for having withdrawn his candidature or for having retired from contest ; or
 - (b) an elector, for having voted or for refraining from voting.

Explanation—For the purpose of this clause, the term "gratification" includes all forms of entertainment and all forms of employment for rewards ; but it does not include the payment of any expenses *bona fide* incurred for the purposes of such election ;

- (2) **undue influence**, that is to say, any direct or indirect interference or attempt to interfere on the part of a candidate or any other person on his behalf, with the free exercise of the electoral right of any person ;

Provided that —

- (a) without prejudice to the generality of the provisions of this clause, any such person as is referred to therein, who—

- (i) threatens any candidate or any elector or a person in whom a candidate or an elector is interested, with injury of any kind including social ostracism and ex-communication or of expulsion from any caste or community ; or
 - (ii) induces or attempts to induce a candidate or an elector to believe that he, or any person in whom he is interested will become or will be rendered an object of divine displeasure or spiritual censure, shall be deemed to be interference with the free exercise of the electoral right of such candidate or elector within the meaning of this clause ; and
- (b) a declaration of public policy, or a promise of public action or mere exercise of a legal right without intent to interfere with an electoral right, shall not be deemed to be interference within the meaning of this clause ;
- (3) the **systematic appeal** by candidate or by any other person on his behalf to vote or refrain from voting on ground of caste, race, community or religion or of the use of national symbols, such as, the National Flag or the National Emblem, for the furtherance of the prospects of the candidate's election ;
- (4) the **publication** by the candidate or by any other person on his behalf of any statement of fact which is false and which he either believes to be false or does not believe to be true in relation to the personal character or conduct of any candidate, or in relation to the candidature or withdrawal or retirement from contest of any candidate, being a statement reasonably calculated to prejudice the prospect of that candidate's election ;
- (5) the **hiring or procuring** whether on payment or otherwise of any vehicle or vessel by a candidate or by another person on his behalf for the conveyance of any elector, other than the candidate or any member of this family to or from any polling station or place fixed for the poll.

Provided that the hiring of vehicle or vessel by an elector or by several electors at their joint cost for purpose of conveying him or them to or from any such polling station or place fixed for the poll, shall not be deemed to be a corrupt practice under this clause if the vehicle or vessel so hired is a vehicle or vessel not propelled by mechanical power :

Provided further that the use of any public transport vehicle or railway carriage by an elector at his own cost for the purpose of going to or coming from any polling station or place, shall not be deemed to be a corrupt practice under this clause.

Explanation– In this clause the expression "vehicle" means any vehicle used or capable of being used for the purpose of road transport whether propelled by mechanical power or otherwise and whether used for drawing other vehicles or otherwise ;

- (6) the obtaining or procuring or abetting or attempting to obtain or procure by a candidate or by any other person on his behalf of any assistance, other than the casting of a vote for the furtherance of the prospects of the candidate's election from any person in the service of the Government or in the employ of any Local Authority."

"Section 44-L. Grounds for declaring election void ; (1) The Civil Judge (Senior Division) shall declare the election of returned candidate void, if he is of the opinion—

- (a) **that such person committed during or in respect the election proceedings a corrupt practice as specified in Section 44-N....."**

III. ODISHA ZILLA PARISHAD ACT, 1991

CHAPTER-V

"Section 32 (1) No election of a person either as a member or as the President or Vice-President of a Parishad held under this Act shall be called in question except by an election petition presented before the District Judge having jurisdiction over the place at which the office of the Parishad is situated.

- (2) For the purposes of sub-section (1), the provisions contained in Chapter VI-A (hereinafter referred to in this Section as the said Chapter) of the Orissa Panchayat Samiti Act, 1959 shall *mutatis mutandis* apply....."

ELECTION OFFENCES

The following are the extracts of the relevant Panchayat Acts/Indian Penal Code, 1860 on Election offences and penalties thereof.

I. ODISHA GRAMA PANCHAYAT ACT, 1964

CHAPTER V

"Section 28 : No person who is in the service of the State Government or of any local authority shall, by canvassing on behalf of any candidate or otherwise, interfere or in any way use his influence in an election and a breach of the provisions of this Section shall render the person **liable to have his services terminated**.

Section 29 : A person shall be guilty of an election offence, if he ;

- (a) fraudulently defaces, or otherwise alters or tampers or destroys any nomination paper or ballot papers ; or
- (b) fraudulently defaces, injures, disturbs, destroys or removes any list, notice or other documents affixed or otherwise published in accordance with the provisions of this Act and the rules made thereunder ; or
- (c) without due authority supplies any ballot paper to any person or receives any ballot paper from any person or is in possession of any ballot paper ; or

- (d) fraudulently puts into any ballot box anything other than the ballot paper which he is authorised by law to put in ; or
 - (e) without due authority destroys, takes, opens or otherwise interferes with any ballot box or ballot paper then in use for the purposes of the election ; or
 - (f) obstructs or in any way interferes in the performance of the duties of any officer or servant appointed or employed for the purpose of holding and conducting elections ; or
 - (g) being required by the provisions of this Act and the rules made thereunder to do any act or take any proceedings, neglects, or refuses to do any such act or to take any such proceedings.
- (2) **Any person guilty of an election offence under this Section shall be punishable on conviction with fine which may extend to rupees one hundred and when the offence is a continuing one, with a further fine which may extend to five rupees for every day after the date of the first conviction, during which the offender is proved to be a persistent committer of the offence."**

II. ODISHA PANCHAYAT SAMITI ACT, 1959

CHAPTER III

"Section 16-B (2) : In the absence of any provision in this Act or the rules made thereunder the provisions contained in the Representation of the People Act, 1950 and the Representation of People Act, 1951 shall *mutatis mutandis* apply for the purposes of election to Samitis in the following matters, namely :—

- (i) preparation, revision and updating of electoral roll ;
- (ii) appointment of Electoral Registration Officers, Presiding Officers and Polling Officers ;
- (iii) qualifications and disqualifications for registration as voters ;
- (iv) such other matters which have to be or may be required to be, dealt with for the purpose of conduct free and fair election.

III. ODISHA ZILLA PARISHAD ACT, 1991

CHAPTER-II

Section 6 (4) (b) : In the absence of any provision in this Act or the rules made thereunder the provisions contained in the Representation of the People Act, 1950 and the Representation of People Act, 1951 shall *mutatis mutandis* apply for the purposes of election to Samitis in the following matters, namely :—

- (i) preparation, revision and updating of electoral roll ;
- (ii) appointment of Electoral Registration Officers, Presiding Officers and Polling Officers ;

- (iii) qualifications and disqualifications for registration as voters;
- (iv) such other matters which have to be or may be required to be, dealt with for the purpose of conduct free and fair election.

IV. INDIAN PENAL CODE, 1860

CHAPTER IX-A

Offences Relating to Elections

171-A. "Candidate" "Electoral right" defined— For the purposes of this Chapter "candidate" means a person who has been nominated as a candidate at any election ;

- (b) "electoral right" means the right of a person to stand, or not to stand as, or to withdraw from being a candidate or to vote or refrain from voting at an election.

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171-B. Bribery (1) Whoever— (i) gives a gratification to any person with the object of inducing him or any other person to exercise any electoral right or of rewarding any person for having exercised any such right ; or

- (ii) accepts either for himself or for any other person any gratification as a reward for exercising any such right or for inducing or attempting to induce any other person to exercise any such right, commits the **offence of bribery** :

Provided that a declaration of public policy or a promise of publication shall not be an offence under this Section.

- (2) A person who offers, or agrees to give, or offers or attempts to procure, a gratification shall be deemed to give a gratification.
- (3) A person who obtains or agrees to accept or attempts to obtain a gratification shall be deemed to accept, a gratification, and a person who accepts a gratification, as a motive for doing what he does not intend to do, or as a reward for doing what he has not done, shall be deemed to have accepted the gratification as reward.

171-C. Undue influence at elections—(1) Whoever voluntarily interferes or attempts to interfere with the free exercise of any electoral right commits the **offence of undue influence** at an election.

- (2) Without prejudice to the generality of the provisions of sub-section (1), whoever—
 - (a) **threatens any candidate or voter**, or any person in whom a candidate or voter is interested with injury of any kind, or
 - (b) **induces or attempts to induce** a candidate or voter to believe that he or any person in whom he is interested will become or will be rendered an object of divine displeasure or of spiritual censure ;
 shall be deemed to interfere with the free exercise of the electoral right of such candidate or voter, within the meaning of sub-section (1).

- (3) A declaration of public policy or a promise of publication or the mere exercise of a legal right without intent to interfere with an electoral right, shall not be deemed to be interference within the meaning of this Section.

171-D. Personation at elections—Whoever at an election applies for a voting paper or votes in the name of any other person, whether living or dead, or in a fictitious name, or who having voted once at such election applies at the same election for a voting paper in his own name, and whoever abets, procures or attempts to procure the voting by any person in any such way, commits the **offence of personation** at an election.

171-E. Punishment for bribery—Whoever commits the offence of bribery shall be punished with imprisonment of either description for a term which may extend to one year, or with fine, or with both :

Provided that **bribery by treating shall be punished with fine only.**

Explanation—"Treating" means that form of bribery where the gratification consists in food, drink, entertainment, or provision.

171-F. Punishment for undue influence or personation at an election—Whoever commits the offence of undue influence or personation at an election shall be punished with imprisonment of either description for a term which may extend to one year, or with fine, or both.

171-G. False statement in connection with an election—Whoever with intent to affect the result of an election makes or publish any statement purporting to be a statement of fact which is false and which he either knows or believes to be false or does not believe to be true, in relation to the personal character or conduct of any candidate shall be punished with fine.

171-H. Illegal payment in connection with an election—Whoever without the general or special authority in writing of a candidate incurs or authorizes expenses on account of the holding of any public meeting, or upon any advertisement, circular or publication, in any other way whatsoever for the purpose of promoting or procuring the election of such candidate, shall be punished with fine which may extend to five hundred rupees :

Provided that if any person having incurred any such expenses not exceeding the amount of ten rupees without authority obtains within ten days from the date on which such expenses were incurred the approval in writing of the candidate, he shall be deemed to have incurred such expenses with the authority of the candidate.

171-I. Failure to keep election accounts—Whoever being required by any law for the time being in force or any rule having the force of law to keep accounts of expenses incurred at or in connection with an election fails to keep such accounts shall be punished with fine which may extend to five hundred rupees.

ପରିଶିଷ୍ଟ

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ସାଧାରଣ ଆଚରଣ ବିଧି

୧ । କୌଣସି ରାଜନୈତିକ ଦଳ କିମ୍ବା ପ୍ରାର୍ଥୀ ମୌଖିକ ବା ଲିଖିତଭାବେ ଏପରି କୌଣସି ଭାଷା ବ୍ୟବହାର କରିବେ ନାହିଁ କିମ୍ବା ଏଭଳି କୌଣସି କାର୍ଯ୍ୟ କରିବେ ନାହିଁ ଯାହାକି ବିଭିନ୍ନ ଗୋଷ୍ଠୀ ଓ ସଂପ୍ରଦାୟ ମଧ୍ୟରେ ଧର୍ମ, ଲିଙ୍ଗ, ଜନ୍ମସ୍ଥାନ, ଭାଷା, ଜାତି କିମ୍ବା ଗୋଷ୍ଠୀଭିତ୍ତିରେ ଅସ୍ୱାଭାବ, ଶତ୍ରୁତା ବା ଘୃଣାଭାବ ସୃଷ୍ଟି କରିବ ।

୨ । କୌଣସି ରାଜନୈତିକ ଦଳ କିମ୍ବା ପ୍ରାର୍ଥୀ ପ୍ରକାଶ୍ୟ ବା ଗୁପ୍ତ ଭାବରେ ଏଭଳି କୌଣସି ହିଂସାମୂଳକ କାର୍ଯ୍ୟକଳାପର ଆଶ୍ରୟ ନେବେ ନାହିଁ ବା ସେସବୁକୁ ଉତ୍ସାହିତ କରିବେ ନାହିଁ ଯଦ୍ୱାରା ସାଧାରଣ ଶାନ୍ତିଶୃଙ୍ଖଳା ଭଙ୍ଗ ହେବା ସହିତ ଭୋଚରମାନଙ୍କ ମନରେ ଭୟ ବା ନିରାପତ୍ତା ବିପନ୍ନ ଆଶଙ୍କା ସୃଷ୍ଟି କରିବ ।

୩ । କୌଣସି ଧାର୍ମିକ ସ୍ଥାନ, ସରକାରୀ ଭବନ ବା କାର୍ଯ୍ୟାଳୟ ବା ଶିକ୍ଷାନୁଷ୍ଠାନ ପରିସରରେ ନିର୍ବାଚନ ପ୍ରଚାର/ସଭା/କର୍ମୀ ସମ୍ମିଳନୀ ଇତ୍ୟାଦି କରାଯାଇପାରିବନାହିଁ ।

୪ । ଜଣେ ଆଶାୟୀ ପ୍ରାର୍ଥୀଙ୍କୁ ଏପରି କୌଣସି ପ୍ରକାରର ବାଧା କିମ୍ବା ଭୟ ପ୍ରଦାନ କରାଯାଇପାରିବନାହିଁ ଯାହାକି ତାଙ୍କୁ ପ୍ରାର୍ଥୀପତ୍ର ଦାଖଲ କରିବାରେ ଅନ୍ତରାୟ ସୃଷ୍ଟି କରିବ ।

୫ । ସମସ୍ତ ରାଜନୈତିକ ଦଳ ଓ ପ୍ରାର୍ଥୀ ନିର୍ବାଚନ ଦାୟିତ୍ୱରେ ଥିବା କର୍ମଚାରୀଙ୍କୁ ସହଯୋଗ କରିବେ ।

୬ । ନିର୍ବାଚନ ଆଇନ ଅନୁଯାୟୀ “ଦୁର୍ନୀତି” ଏବଂ “ଅପରାଧ” ବିବେଚିତ ସମସ୍ତ କାର୍ଯ୍ୟରୁ ସମସ୍ତ ରାଜନୈତିକ ଦଳ ଏବଂ ପ୍ରାର୍ଥୀ ନିବୃତ୍ତ ରହିବେ ।

ପରିଚ୍ଛେଦ-୨

ସଭାସମିତି, ଶୋଭାଯାତ୍ରା, ଭୋଟ ପ୍ରାର୍ଥନା ଓ ପ୍ରଚାର

୧ । କୌଣସି ରାଜନୈତିକ ଦଳ ବା ପ୍ରାର୍ଥୀ କୌଣସି ଭୋଟର ବା ଭୋଟର ଗୋଷ୍ଠୀଙ୍କୁ କୌଣସି ପ୍ରକାର ପ୍ରଲୋଭନ ଦେଇପାରିବେନାହିଁ ଯାହାକି ଭୋଟରମାନଙ୍କୁ ସେମାନଙ୍କର ଭୋଟଦେବା ଅଧିକାରକୁ ମୁକ୍ତ ଭାବରେ ସାବ୍ୟସ୍ତ କରିବାରେ ବାଧା ସୃଷ୍ଟି କରିବ ।

୨ । କୌଣସି ରାଜନୈତିକ ଦଳ ପ୍ରାର୍ଥୀଙ୍କ ନିର୍ବାଚନ ସଭା ଚାଲିଥିବାବେଳେ ବିରୋଧୀ ରାଜନୈତିକ ଦଳ ବା ସେମାନଙ୍କ ସମର୍ଥକ କୌଣସି ପ୍ରକାର ବିଶୃଙ୍ଖଳା ବା ବାଧା ସୃଷ୍ଟି କରିବେ ନାହିଁ ।

୩ । ସର୍ବସାଧାରଣ ସ୍ଥାନରେ ନିର୍ବାଚନ ସଭା କରିବା ଓ ସର୍ବସାଧାରଣ ରାସ୍ତାରେ ଶୋଭାଯାତ୍ରା ନେବା ନିମନ୍ତେ ଉପଯୁକ୍ତ କର୍ତ୍ତୃପକ୍ଷଙ୍କଠାରୁ ଆଗୁଆ ଅନୁମତି ନେବା ଆବଶ୍ୟକ । ଯେଉଁ ଅଞ୍ଚଳରେ କୌଣସି ପ୍ରକାର ନିଷେଧାଜ୍ଞା ବଳବତ୍ତର ଥିବ, ତାହା କଡ଼ାକଡ଼ିଭାବେ ପାଳନ କରିବାକୁ ହେବ । ସାଧାରଣ ସ୍ଥାନମାନଙ୍କରେ ନିର୍ବାଚନ ସଭା ଓ ସର୍ବସାଧାରଣ ରାସ୍ତାରେ ଶୋଭାଯାତ୍ରା ନେବା ନିମନ୍ତେ ଅନୁମତି ଦେବା ସମୟରେ ସମ୍ପୃକ୍ତ କର୍ତ୍ତୃପକ୍ଷ ‘ପ୍ରଥମ ଯିଏ ଆସିବେ ତାଙ୍କୁ ପ୍ରଥମେ ଅନୁମତି ଦିଆଯିବ’ ଭିତ୍ତିରେ ଅନୁମତି ଦେବେ । କୌଣସି ସାଧାରଣ ସଭା ବା ଶୋଭାଯାତ୍ରା ଆୟୋଜନ କରିବାବେଳେ ସ୍ଥାନୀୟ ପୁଲିସ୍ ଓ ମାଜିଷ୍ଟ୍ରେଟ୍‌ଙ୍କୁ ଆଗତୁରା ଜଣାଇବା ଏବଂ ସେମାନଙ୍କର ନିର୍ଦ୍ଦେଶ, ଆଦେଶ ଓ ବାରଣ ମାନିବା ଆବଶ୍ୟକ ।

୪ । ଅନ୍ୟ ଦଳର ନେତା ତଥା ପ୍ରାର୍ଥୀମାନଙ୍କର ଚରିତ୍ର ସଂହାରଦ୍ୱାରା ମନ୍ଦ ମନୋଭାବ ଓ ଉଦ୍‌ଭେଜନା ସୃଷ୍ଟି ହେବାର ସମ୍ଭାବନା ଥିବାରୁ ସେଥିରୁ ସମସ୍ତେ ନିବୃତ୍ତ ରହିବେ ।

୫ । ସର୍ବସାଧାରଣରେ ରାଜନୈତିକ ଦଳ ନେତାଙ୍କର କୁଶପୁଞ୍ଜଳିକା ଦାହ କରିବା, ପ୍ରତିଦ୍ୱନ୍ଦ୍ୱୀ ପ୍ରାର୍ଥୀଙ୍କର ବ୍ୟକ୍ତିଗତ ଜୀବନ ଏବଂ ଅପ୍ରମାଣିତ ଅଭିଯୋଗ ଭିତ୍ତିରେ କୌଣସି ରାଜନୈତିକ ଦଳକୁ ସମାଲୋଚନା କରିବାରୁ ସମସ୍ତେ ବିରତ ରହିବେ । କୌଣସି ନାଗରିକଙ୍କ ବାସସ୍ଥାନ କିମ୍ବା ସରକାରୀ ଅଫିସ୍ ଆଗରେ କୌଣସି ପ୍ରକାରର ବିଶୋଭା କିମ୍ବା ଧାରଣା ପ୍ରଦର୍ଶନ କରାଯାଇପାରିବ ନାହିଁ ।

୬ । ଡାକବାଜି ଯନ୍ତ୍ର ବ୍ୟବହାର ନିମନ୍ତେ ସଂପୂର୍ଣ୍ଣ କର୍ତ୍ତୃପକ୍ଷକଠାରୁ ଆଗୁଆ ମଞ୍ଜୁରୀ ଆଣିବାକୁ ହେବ । ରାତି ୮ ଘଟିକା ପରେ ଏବଂ ସକାଳ ୭ ଘଟିକା ପୂର୍ବରୁ ଯେକୌଣସି ପରିସ୍ଥିତିରେ ମଧ୍ୟ ଡାକବାଜି ଯନ୍ତ୍ର ବ୍ୟବହାର କରାଯାଇପାରିବନାହିଁ । ଭୋଟ ଗ୍ରହଣ ପାଇଁ ଧାର୍ଯ୍ୟ ସମୟର ୩୬ ଘଣ୍ଟା ପୂର୍ବରୁ ଡାକବାଜି ଯନ୍ତ୍ର ବ୍ୟବହାର ସଂପୂର୍ଣ୍ଣରୂପେ ନିଷିଦ୍ଧ ।

୭ । ସରକାରୀ ଅଫିସ୍ ଏବଂ ଶିକ୍ଷା ଓ ଧାର୍ମିକ ଅନୁଷ୍ଠାନ/ପାଠମାନଙ୍କର କାନ୍ଥବାଡ଼ ଓ ସର୍ବସାଧାରଣ ରାସ୍ତା ଆଦିରେ ବିଜ୍ଞାପନ, ପ୍ରଚାରପତ୍ର, ପ୍ରଚାର ପତାକା ଲଗାଇବା କିମ୍ବା ପ୍ରଚାର ଘୋଷ ଲେଖିବା ନିଷିଦ୍ଧ । ଘରୋଇ କାନ୍ଥବାଡ଼ କିମ୍ବା ଖାଲି ସ୍ଥାନରେ ଘର/ଜମି ମାଲିକଙ୍କ ଲିଖିତ ଅନୁମତି ନେଇ ପ୍ରଚାରପତ୍ର ଲଗାଯାଇପାରେ ବା ଲେଖାଯାଇପାରେ ।

୮ । ନିର୍ବାଚନ ପ୍ରଚାରରେ ବ୍ୟବହୃତ ହେଉଥିବା ସମସ୍ତ ପ୍ରକାର ପ୍ରଚାରପତ୍ରରେ ମୁଦ୍ରାକର ଓ ପ୍ରକାଶକଙ୍କର ନାମ ଲିପିବଦ୍ଧ ହେବା ଆବଶ୍ୟକ ଯାହାଦ୍ୱାରା ଆପତ୍ତିଜନକ/ଅସମ୍ମାନସୂଚକ ଏବଂ ବେଆଇନ ଲେଖା ସମ୍ବଳିତ ପ୍ରଚାରପତ୍ର ପାଇଁ ମୁଦ୍ରାକର ଓ ପ୍ରକାଶକଙ୍କୁ ପରବର୍ତ୍ତୀ ସମୟରେ ଉତ୍ତରଦାୟୀ କରାଯାଇପାରିବ ।

୯ । ଭୋଟ ଗ୍ରହଣ ଆରମ୍ଭ ପାଇଁ ଧାର୍ଯ୍ୟ ସମୟର ୩୬ ଘଣ୍ଟା ପୂର୍ବରୁ କୌଣସି ଭୋଟ ଗ୍ରହଣ କେନ୍ଦ୍ର ନିକଟରେ ରାଜନୈତିକ ଦଳ ବା ପ୍ରାର୍ଥୀମାନେ ସାଧାରଣ ସଭା ଆୟୋଜନ କରିବେ ନାହିଁ କିମ୍ବା ସେଥିରେ ଯୋଗଦେଇପାରିବେନାହିଁ ।

୧୦ । ନିର୍ଦ୍ଦଳୀୟ ଭିତ୍ତିରେ ଯେଉଁ ପଦବୀଗୁଡ଼ିକ ପାଇଁ ନିର୍ବାଚନ ଅନୁଷ୍ଠିତ ହେଉଛି ସେହି ପଦବୀ ପାଇଁ ପ୍ରତିଦ୍ୱନ୍ଦ୍ୱିତା କରୁଥିବା ପ୍ରାର୍ଥୀମାନେ କୌଣସି ରାଜନୈତିକ ଦଳର ନାମ କିମ୍ବା ଚିହ୍ନ ବ୍ୟବହାର କରି ନିର୍ବାଚନ ପ୍ରଚାର କରିବେ ନାହିଁ ।

ପରିଚ୍ଛେଦ-୩

ଭୋଟ ଗ୍ରହଣ ଅଞ୍ଚଳ ଓ ଭୋଟ ଗ୍ରହଣ ଦିବସ

୧ । ସମସ୍ତ ରାଜନୈତିକ ଦଳ ଓ ପ୍ରାର୍ଥୀ ଭୋଟ ଗ୍ରହଣ ଦାୟିତ୍ୱରେ ଥିବା କର୍ମଚାରୀମାନଙ୍କୁ ସହଯୋଗ କରିବେ ।

୨ । ଭୋଟଦାନ ଦିବସରେ ସମସ୍ତ ରାଜନୈତିକ ଦଳ ଏବଂ ପ୍ରାର୍ଥୀମାନେ ପ୍ରତ୍ୟେକ ଭୋଟ ଦାନ କେନ୍ଦ୍ରର ୧୦୦ ମିଟର ଦୂରତା ମଧ୍ୟରେ ଅବସ୍ଥିତ ସର୍ବସାଧାରଣ କିମ୍ବା ଘରୋଇ ସ୍ଥାନରେ ନିମ୍ନୋକ୍ତ କାର୍ଯ୍ୟମାନ କରିବେ ନାହିଁ :—

- (କ) ଭୋଟ ପାଇଁ ପ୍ରଚାର
- (ଖ) କୌଣସି ଭୋଟରଙ୍କୁ ଭୋଟ ପାଇଁ ପ୍ରାର୍ଥନା
- (ଗ) କୌଣସି ନିର୍ଦ୍ଦିଷ୍ଟ ପ୍ରାର୍ଥୀଙ୍କୁ ଭୋଟ ନ ଦେବାକୁ ଭୋଟରଙ୍କୁ ପ୍ରବର୍ତ୍ତାଇବା
- (ଘ) ସରକାରୀ ନୋଟିସ୍ କିମ୍ବା ସଙ୍କେତ ବ୍ୟତୀତ ନିର୍ବାଚନ ସଂକ୍ରାନ୍ତୀୟ ଅନ୍ୟ କୌଣସି ନୋଟିସ୍ ବା ଚିହ୍ନ ପ୍ରଦର୍ଶନ ।

୩ । କୌଣସି ଭୋଟରଙ୍କ ମୁକ୍ତ ମତଦାନ ଅଧିକାର ସାବ୍ୟସ୍ତିରେ ଅନ୍ତରାୟ ହେବା ଭଳି ବାଧା, ଧମକ କିମ୍ବା ବିରକ୍ତିଭାବ ପ୍ରଦର୍ଶନ କରାଯାଇପାରିବନାହିଁ ।

୪ । କୌଣସି ରାଜନୈତିକ ଦଳ କିମ୍ବା ପ୍ରାର୍ଥୀ ସେମାନଙ୍କର କର୍ମୀ ବା ସମର୍ଥକଙ୍କୁ ଭୋଟଗ୍ରହଣ ଦିନ ଏବଂ ତା'ର ୨୪ ଘଣ୍ଟା ପୂର୍ବରୁ ମଦ କିମ୍ବା ଅନ୍ୟ କୌଣସି ନିଶାଦ୍ରବ୍ୟ ସେବନ କରିବାକୁ ଦେବେନାହିଁ ।

୫ । ସମସ୍ତ ରାଜନୈତିକ ଦଳ ଓ ପ୍ରାର୍ଥୀ ସେମାନଙ୍କର କ୍ଷମତାପ୍ରାପ୍ତ କର୍ମୀମାନଙ୍କୁ ଚିହ୍ନଟ ବ୍ୟାଜ୍ ଅଥବା ପରିଚୟପତ୍ର ପ୍ରଦାନ କରିବେ ।

୬ । ରାଜନୈତିକ ଦଳ ଓ ପ୍ରାର୍ଥୀମାନେ ଭୋଟଦାତାମାନଙ୍କୁ କେବଳ ସାଧା ଧଳା କାଗଜରେ ପରିଚୟପତ୍ର ଦେଇପାରିବେ । ଉକ୍ତ ପରିଚୟପତ୍ରରେ ପ୍ରାର୍ଥୀ ବା ରାଜନୈତିକ ଦଳର ନାମ କିମ୍ବା ଚିହ୍ନ ରହିବନାହିଁ ।

୭ । ପ୍ରାର୍ଥୀମାନଙ୍କ ଦ୍ୱାରା ଭୋଟ ଗ୍ରହଣ କେନ୍ଦ୍ରର ୧୦୦ ମିଟର ବାହାରେ ସ୍ଥାପିତ କ୍ୟାମ୍ପରେ କୌଣସି ପ୍ରକାର ପ୍ରଚାରପତ୍ର, ପତାକା, ସଂକେତ ଅଥବା ଅନ୍ୟ କୌଣସି ପ୍ରଚାର ସାମଗ୍ରୀ ପ୍ରଦର୍ଶିତ ହୋଇପାରିବନାହିଁ । ଉକ୍ତ କ୍ୟାମ୍ପରେ କୌଣସି ପ୍ରକାର ଖାଦ୍ୟଦ୍ରବ୍ୟ ପରିବେଷଣ ହୋଇପାରିବ ନାହିଁ କିମ୍ବା ଲୋକ ଜମାହେବାକୁ ଦିଆଯିବନାହିଁ ।

୮ । ସମସ୍ତ ରାଜନୈତିକ ଦଳ ଓ ପ୍ରାର୍ଥୀ ଭୋଟ ଗ୍ରହଣ ଦିନ ଯାନବାହନ ଚଳାଚଳ ପାଇଁ ଯେଉଁ କଟକଣା ଧାର୍ଯ୍ୟ କରାଯିବ, ସେସବୁକୁ ପାଳନ କରିବା ଦିଗରେ କର୍ତ୍ତୃପକ୍ଷଙ୍କ ସହିତ ସହଯୋଗ କରିବେ । ସେମାନଙ୍କର ଅଧିକୃତ ଯାନବାହନ ଚଳାଚଳ ନିମନ୍ତେ

ସଂପୂର୍ଣ୍ଣ କର୍ତ୍ତୃପକ୍ଷକଠାରୁ ପର୍ଯ୍ୟନ୍ତ ସଂଗ୍ରହ କରି ଉଚ୍ଚ ଯାନବାହନରେ ପ୍ରଦର୍ଶନ କରିବେ । ରାଜନୈତିକ ଦଳ ଓ ପ୍ରାର୍ଥୀଙ୍କ ତରଫରୁ ଯାନବାହନରେ ଭୋଟରମାନଙ୍କୁ ଭୋଟ ଗ୍ରହଣ କେନ୍ଦ୍ରକୁ ନେବା ଓ ଆଣିବା ସଂପୂର୍ଣ୍ଣ ନିଷିଦ୍ଧ ।

୯ । ଭୋଟର ଏବଂ ପ୍ରାଧିକୃତ ବ୍ୟକ୍ତିଙ୍କ ବ୍ୟତୀତ ଅନ୍ୟ କୌଣସି ବ୍ୟକ୍ତି ରାଜ୍ୟ ନିର୍ବାଚନ କମିସନ ବା ଜିଲ୍ଲା ମାଜିଷ୍ଟ୍ରେଟଙ୍କ ବିନା ଅନୁମତିରେ ଭୋଟ ଗ୍ରହଣ କେନ୍ଦ୍ରରେ ପ୍ରବେଶ କରିପାରିବେନାହିଁ । କୌଣସି ମନ୍ତ୍ରୀ, ରାଷ୍ଟ୍ରମନ୍ତ୍ରୀ, ଉପମନ୍ତ୍ରୀ, ମୁଖ୍ୟ ସଚେତକ, ଉପମୁଖ୍ୟ ସଚେତକ, ବିରୋଧୀଦଳ ନେତା, ପାର୍ଲିଆମେଣ୍ଟ ତଥା ବିଧାନସଭା ସଦସ୍ୟ, ଜିଲ୍ଲା ପରିଷଦ ଅଧ୍ୟକ୍ଷ ଓ ଉପାଧ୍ୟକ୍ଷ, ପୌର ସଂସ୍ଥାର ଅଧ୍ୟକ୍ଷ ଓ ଉପାଧ୍ୟକ୍ଷ ସଂପୂର୍ଣ୍ଣ ଭୋଟ ଗ୍ରହଣ କେନ୍ଦ୍ର ନିମନ୍ତେ ନିଜେ ପ୍ରାର୍ଥୀ କିମ୍ବା ଭୋଟଦାତା ଅଥବା କ୍ଷମତାସମ୍ପନ୍ନ ଏଜେଣ୍ଟ ନ ହୋଇଥିଲେ, ଉଚ୍ଚ କେନ୍ଦ୍ରକୁ ଭୋଟ ଗ୍ରହଣ ଚାଲିଥିବାବେଳେ ଯାଇପାରିବେନାହିଁ ।

୧୦ । ଯଦି କୌଣସି ରାଜନୈତିକ ଦଳ ଅଥବା ପ୍ରାର୍ଥୀ ନିର୍ବାଚନ ସଂକ୍ରାନ୍ତୀୟ କୌଣସି ନିର୍ଦ୍ଦିଷ୍ଟ ସମସ୍ୟାର ସମ୍ମୁଖୀନ ହୁଅନ୍ତି, ସେସବୁର ସମାଧାନ ନିମନ୍ତେ ରାଜ୍ୟ ନିର୍ବାଚନ ଆୟୋଗ ସଂପୂର୍ଣ୍ଣ ଅଞ୍ଚଳ ଦାୟିତ୍ଵରେ ଥିବା ନିର୍ବାଚନ ପର୍ଯ୍ୟବେକ୍ଷକ କିମ୍ବା ନିର୍ବାଚନ ଅଧିକାରୀଙ୍କ ଦୃଷ୍ଟିକୁ ଆଣିପାରିବେ ।

ପରିଚ୍ଛେଦ-୪

କ୍ଷମତାସୀନ ଦଳ ଏବଂ ଉଚ୍ଚ ପଦପଦବୀରେ ଥିବା ବ୍ୟକ୍ତିବିଶେଷ

କେନ୍ଦ୍ରରେ କିମ୍ବା ସମ୍ବନ୍ଧିତ ରାଜ୍ୟରେ କ୍ଷମତାରେ ଥିବା ରାଜନୈତିକ ଦଳ/ଦଳମାନେ ନିର୍ବାଚନ ପ୍ରଚାର କାର୍ଯ୍ୟରେ ସରକାରୀ କ୍ଷମତାର ବ୍ୟବହାର ସଂପର୍କରେ ଯେପରି କୌଣସି ଅଭିଯୋଗ ନ ଆସେ, ସେଥିପ୍ରତି ତୀକ୍ଷଣ ଦୃଷ୍ଟି ଦେବେ, ବିଶେଷ କରି :—

୧ । ମନ୍ତ୍ରୀ, ରାଷ୍ଟ୍ରମନ୍ତ୍ରୀ ଓ ଉପମନ୍ତ୍ରୀ, ସରକାରୀ ମୁଖ୍ୟ ସଚେତକ, ଉପମୁଖ୍ୟ ସଚେତକ, ବିରୋଧୀଦଳ ନେତା, ପାର୍ଲିଆମେଣ୍ଟ ତଥା ବିଧାନସଭା ସଦସ୍ୟ, ଜିଲ୍ଲା ପରିଷଦ ଅଧ୍ୟକ୍ଷ, ଉପାଧ୍ୟକ୍ଷ ଏବଂ ଅନ୍ୟ ଯେଉଁମାନଙ୍କୁ ସରକାରୀ ସୁବିଧାସୁଯୋଗ ଓ ସରକାରୀ ଗାଡ଼ି ଯୋଗାଇ ଦିଆଯାଇଛି, ସେମାନେ ସରକାରୀ ଗସ୍ତରେ ଯିବା ସମୟରେ ତାହା ସହିତ ନିର୍ବାଚନ ପ୍ରଚାର କାର୍ଯ୍ୟକୁ ସାମିଲ କରିବେନାହିଁ । ସେମାନେ ସରକାରୀ କଳ କିମ୍ବା ସରକାରୀ କର୍ମଚାରୀ କିମ୍ବା ସରକାରୀ ଯାନବାହନ କିମ୍ବା ସର୍କିଟ୍ ହାଉସ୍, ଡାକବଜ୍ଜା ଇତ୍ୟାଦି ପ୍ରତ୍ୟକ୍ଷ କିମ୍ବା ପରୋକ୍ଷ ଭାବେ ନିର୍ବାଚନ ପ୍ରଚାର କାର୍ଯ୍ୟରେ ବ୍ୟବହାର କରିପାରିବେ ନାହିଁ ।

୨ । ଉପରୋକ୍ତ ଅନୁଚ୍ଛେଦ (୧) ରେ ଉଲ୍ଲିଖିତ ପଦାଧିକାରୀମାନେ ନିର୍ବାଚନ ସଭାରେ ଭାଷଣ ଦେବା କିମ୍ବା ନିର୍ବାଚନ ସଂକ୍ରାନ୍ତୀୟ ରାଜନୈତିକ କାର୍ଯ୍ୟରେ କୌଣସି ଅଞ୍ଚଳକୁ ଗସ୍ତ କରିବା ସମୟରେ ସରକାରୀ ଗାଡ଼ି ବ୍ୟବହାର କରିପାରିବେନାହିଁ । ସେମାନଙ୍କର ଏହି ଗସ୍ତ ସମୟରେ ସରକାରୀ ଅଧିକାରୀମାନଙ୍କର କାର୍ଯ୍ୟ କେବଳ ଆଇନଶୃଙ୍ଖଳା ରକ୍ଷା କରିବା ଓ ଉପରୋକ୍ତ ପଦାଧିକାରୀଙ୍କୁ ନିୟମାନୁଯାୟୀ ନିରାପତ୍ତା ଯୋଗାଇ ଦେବାରେ ସୀମିତ ରହିବ ।

୩ । କାର୍ଯ୍ୟକାରୀ ଅବସ୍ଥାରେ ଥିବା ସାଧାରଣ ଉଚ୍ଚତମ କାର୍ଯ୍ୟ ଏବଂ ଯୋଜନାମାନ, ରିଲିଫ୍ ଓ ପ୍ରାକୃତିକ ବିପର୍ଯ୍ୟୟ ଦ୍ଵାରା କ୍ଷତିଗ୍ରସ୍ତ ଅଞ୍ଚଳର ପୁନରୁଦ୍ଧାର କାର୍ଯ୍ୟ, ମରୁଡ଼ି ପ୍ରପାଡ଼ିତ ଅଞ୍ଚଳରେ ଶ୍ରମଭିତ୍ତିକ କାର୍ଯ୍ୟକ୍ରମ ଏବଂ ବିଧାନସଭା ଦ୍ଵାରା ଖର୍ଚ୍ଚ ଅନୁମୋଦିତ ହୋଇଥିବା କାର୍ଯ୍ୟଗୁଡ଼ିକ ଚାଲୁରହିବ । କୌଣସି ନୂତନ କାର୍ଯ୍ୟକ୍ରମ, ଯୋଜନା ଓ ପ୍ରକଳ୍ପ ଆରମ୍ଭ କରାଯାଇପାରିବନାହିଁ କିମ୍ବା ସରକାରଙ୍କଦ୍ଵାରା କୌଣସି ପ୍ରକାର ଆର୍ଥିକ ପ୍ରୋତ୍ସାହନ ସଂକ୍ରାନ୍ତୀୟ ପ୍ରତିଶ୍ରୁତି ବା ଘୋଷଣା ଯାହାକି କ୍ଷମତାସୀନ ଦଳ/ଦଳମାନଙ୍କର ପ୍ରାର୍ଥୀଙ୍କ ବିଜୟ ସମ୍ଭାବନାକୁ ବୃଦ୍ଧି କରିବାରେ ସହାୟକ ହେଉଥିବ, କରାଯାଇପାରିବନାହିଁ ।

- (i) ଭୋଟରଙ୍କୁ ପ୍ରଭାବିତ କଲାଭଳି କୌଣସି ନିଷ୍ପତ୍ତି ବା ଘୋଷଣାନାମା ଜାରି କରାଯିବନାହିଁ ଯାହାକି କ୍ଷମତାସୀନ ଦଳକୁ ସାହାଯ୍ୟ କରିବ ।
- (ii) ସରକାରଙ୍କଦ୍ଵାରା କୌଣସି ସରକାରୀ ବିଭାଗଦ୍ଵାରା ବଜେଟ୍‌ରେ ଅନୁମୋଦନ କଲାଭଳି କୌଣସି କାର୍ଯ୍ୟ ଆଦେଶନାମା ନିର୍ବାଚନ ବିଜ୍ଞପ୍ତି ପୂର୍ବରୁ ଜାରିହୋଇ ଯଦି ପ୍ରକୃତରେ କାମ ଆରମ୍ଭ ହୋଇ ନ ଥାଏ, ତେବେ ଆଦର୍ଶ ଆଚରଣ ବିଧି ବଳବତ୍ତର ଥିବା ସମୟରେ ତାହା ଆରମ୍ଭ ହୋଇପାରିବନାହିଁ ।

ଏ କ୍ଷେତ୍ରରେ କୌଣସି ସନ୍ଦେହ ଉପସ୍ଥିତଲେ ରାଜ୍ୟ ନିର୍ବାଚନ କମିସନଙ୍କଠାରୁ ସ୍ପଷ୍ଟୀକରଣ ଲୋଡ଼ିବାକୁ ପରାମର୍ଶ ଦିଆଯାଉଅଛି ।

୪ । କୌଣସି ନିର୍ବାଚନମଣ୍ଡଳୀରେ ସରକାରଙ୍କଦ୍ୱାରା ଅଥବା ପାର୍ଲିଆମେଣ୍ଟ ଓ ବିଧାନସଭା ସଦସ୍ୟଙ୍କ ଆଞ୍ଚଳିକ ଉନ୍ନୟନ ପାଣ୍ଠିଦ୍ୱାରା ସମ୍ପୂର୍ଣ୍ଣ ବା ଆଂଶିକ ଆର୍ଥିକ ସହାୟତାରେ କାର୍ଯ୍ୟକାରୀ ହେଉଥିବା ଯୋଜନା, ପ୍ରକଳ୍ପ ବା କାର୍ଯ୍ୟର ଭୂମି ପୂଜା, ଭିଡିପ୍ରସର ସ୍ଥାପନ ବା ଉଦ୍‌ଘାଟନ ଆଦି ଉତ୍ସବ, ମନ୍ତ୍ରୀ ବା କୌଣସି ପଦବୀଧାରୀଙ୍କଦ୍ୱାରା କରାଯାଇପାରିବନାହିଁ । ଗ୍ରାମାଞ୍ଚଳ ଅଧିବାସୀଙ୍କ ନିମନ୍ତେ ମୁଖ୍ୟତଃ ଉଦ୍ଦିଷ୍ଟ ଯଦି କୌଣସି କାର୍ଯ୍ୟ, ପ୍ରକଳ୍ପ ବା ଯୋଜନା ସମ୍ପର୍କୀୟ ଉତ୍ସବାନୁଷ୍ଠାନ ସହରାଞ୍ଚଳରେ ଆୟୋଜନ କରାଯାଉଥାଏ, ସେପରି କ୍ଷେତ୍ରରେ ମଧ୍ୟ ଏହିଭଳି ଉତ୍ସବାନୁଷ୍ଠାନ ନିଷିଦ୍ଧ ।

୫ । କୌଣସି ପ୍ରକାର ଆର୍ଥିକ ଅନୁଦାନର ଘୋଷଣା ବା ପ୍ରତିଶ୍ରୁତି କିମ୍ବା ପାର୍ଲିଆମେଣ୍ଟ ଓ ବିଧାନସଭା ସଦସ୍ୟଙ୍କ ଆଞ୍ଚଳିକ ଉନ୍ନୟନ ପାଣ୍ଠିରୁ ପ୍ରକଳ୍ପ ମଞ୍ଜୁରୀ ନିମନ୍ତେ ସୁପାରିଶ କରିପାରିବେନାହିଁ ।

୬ । ଉତ୍ତମ ସହର ଓ ଗ୍ରାମାଞ୍ଚଳରେ ଅବସ୍ଥିତ ଅତିଥି ଭବନ, ଡାକବଙ୍ଗଳା, ସର୍କିଟ୍ ହାଉସ୍, କେନ୍ଦ୍ର ଓ ରାଜ୍ୟ ସରକାରଙ୍କ ସଂସ୍ଥାଦ୍ୱାରା ପରିଚାଳିତ ଅତିଥିଶାଳା ବ୍ୟବହାର ନିମନ୍ତେ ସେଗୁଡ଼ିକର ସଂରକ୍ଷଣ ନିୟମ ଅନୁଯାୟୀ ସମସ୍ତ ରାଜନୈତିକ ଦଳର ନେତା ବା ପ୍ରାର୍ଥୀମାନଙ୍କୁ ନିରପେକ୍ଷ ଭାବେ ପ୍ରଦାନ କରାଯାଇପାରିବ । କିନ୍ତୁ ଏହି ସୁବିଧାକୁ ସେମାନେ ପ୍ରଚାର କାର୍ଯ୍ୟ ବା କର୍ମୀ ସମ୍ମିଳନୀ ଆଦି ନିର୍ବାଚନ ପ୍ରଚାର କାର୍ଯ୍ୟରେ ବ୍ୟବହାର କରିପାରିବେନାହିଁ ।

୭ । ଭୋଟରମାନଙ୍କୁ ନିର୍ବାଚନରେ ପ୍ରଭାବିତ କରିବା ଭଳି ବିଜ୍ଞାପନ ବା ପ୍ରଶସ୍ତିପତ୍ର କେନ୍ଦ୍ର କିମ୍ବା ରାଜ୍ୟ ସରକାର ଅଥବା କୌଣସି ସରକାରୀ ଉଦ୍ୟୋଗ, ସମବାୟ ସମିତି ବା ସରକାରୀ ନିଗମ ପ୍ରକାଶ କରିପାରିବେନାହିଁ ।

୮ । ଗଣମାଧ୍ୟମ, ଯଥା ରେଡିଓ, ଟେଲିଭିଜନ ଏପରି କୌଣସି ସମ୍ବାଦ ବା ଦୃଶ୍ୟ ପ୍ରଚାର ବା ପ୍ରସାରଣ କରିବେ ନାହିଁ ଯାହାକି ଏକ ନିର୍ଦ୍ଦିଷ୍ଟ ରାଜନୈତିକ ଦଳ ବା ପ୍ରାର୍ଥୀଙ୍କ ସପକ୍ଷରେ ଭୋଟରମାନଙ୍କୁ ପ୍ରଭାବିତ କଲାଭଳି ହେବ ।

୯ । ଏହି ପରିଚ୍ଛେଦ ଅନ୍ତର୍ଗତ ସମସ୍ତ ନିର୍ଦ୍ଦେଶ ଓ କଟକଣା ଉତ୍ତମ କେନ୍ଦ୍ର ଓ ରାଜ୍ୟ ସରକାରଙ୍କ ମନ୍ତ୍ରୀ, ସରକାରୀ ନିଗମ ଓ କମ୍ପାନୀଗୁଡ଼ିକର ବେସରକାରୀ ଅଧ୍ୟକ୍ଷ ଓ ନିର୍ଦ୍ଦେଶକ, ପଞ୍ଚାୟତରାଜ ଅନୁଷ୍ଠାନ, ପୌର ପରିଷଦମାନଙ୍କର ଅଧ୍ୟକ୍ଷ ଏବଂ ଉପାଧ୍ୟକ୍ଷ ଏବଂ ଶୀର୍ଷ ସମବାୟ ସମିତି ସମେତ ଅନ୍ୟ ସମସ୍ତ ସମବାୟ ସମିତିର ଅଧ୍ୟକ୍ଷ ଏବଂ ସରକାରୀ ଅର୍ଥ ବିନିଯୋଗ ହୋଇଥିବା କିମ୍ବା ସରକାରୀ ଅର୍ଥ ଅନୁଦାନ ପାଉଥିବା ସମସ୍ତ ବିନିଯୋଗ ହୋଇଥିବା କିମ୍ବା ସରକାରୀ ଅର୍ଥ ଅନୁଦାନ ପାଉଥିବା ସମସ୍ତ ସଂସ୍ଥା ଓ ତା'ର କର୍ତ୍ତୃପକ୍ଷଙ୍କ କ୍ଷେତ୍ରରେ ଲାଗୁହେବ ।

ଏହି ଆଦର୍ଶ ଆଚରଣ ବିଧି ରାଜ୍ୟ ନିର୍ବାଚନ ଆୟୋଗଙ୍କ ଦ୍ୱାରା ନିର୍ବାଚନ ବିଜ୍ଞପ୍ତି ପ୍ରକାଶନ ହେବା ଦିନଠାରୁ ଲାଗୁ ହେବ ଏବଂ ତ୍ରିସରୀୟ ପଞ୍ଚାୟତ ଅନୁଷ୍ଠାନଗୁଡ଼ିକ ପାଇଁ ଭୋଟ ଗଣତି ସମାପ୍ତି ହେବା ପର୍ଯ୍ୟନ୍ତ ବଳବତ୍ତର ରହିବ ।

ନିର୍ବାଚନ ଦୁର୍ନୀତି

ପଞ୍ଚାୟତ ଆଇନରେ ନିର୍ବାଚନ ଦୁର୍ନୀତି ଏବଂ ତତ୍‌ସଂକ୍ରାନ୍ତୀୟ ଦଣ୍ଡବିଧି ବ୍ୟବସ୍ଥାର ଉଚ୍ଚତାଂଶ

୧ । ଓଡ଼ିଶା ଗ୍ରାମପଞ୍ଚାୟତ ଆଇନ, ୧୯୭୪

ପଞ୍ଚମ ଅଧ୍ୟାୟ

ଦଫା ୪୧—ଏହି ଅଧ୍ୟାୟର ଉଦ୍ଦେଶ୍ୟରେ ନିମ୍ନଲିଖିତମାନଙ୍କୁ ଦୁର୍ନୀତିରୂପେ ଗଣ୍ୟ କରାଯିବ :—

୧ । ଉଲ୍ଲୋଚ ଅର୍ଥାତ୍ ପ୍ରାର୍ଥୀଙ୍କଦ୍ୱାରା କିମ୍ବା ତାଙ୍କ ଚରଫରୁ ଅନ୍ୟ କୌଣସି ବ୍ୟକ୍ତିଙ୍କ ଦ୍ୱାରା ଦିଆଯାଉଥିବା ଯେକୌଣସି ଉପହାର ପ୍ରସାଦ କିମ୍ବା ଅଙ୍ଗୀକାର କିମ୍ବା କୌଣସି ବ୍ୟକ୍ତିଙ୍କୁ ଯେକୌଣସି ଲାଞ୍ଜି :—

- (i) ପ୍ରତ୍ୟକ୍ଷ ଅଥବା ପରୋକ୍ଷ ଭାବରେ ମତେଇବା ବା ପ୍ରବର୍ତ୍ତାଇବା ଉଦ୍ଦେଶ୍ୟରେ—
 - (କ) ନିର୍ବାଚନରେ ଛିଡା ହେବାକୁ ଅଥବା ନ ହେବାକୁ କିମ୍ବା ନିର୍ବାଚନରୁ ଓହରି ଯିବାକୁ ଅଥବା ପ୍ରତିଦ୍ୱନ୍ଦ୍ୱିତାରୁ ଓହରି ଯିବାକୁ କୌଣସି ବ୍ୟକ୍ତିଙ୍କୁ ପ୍ରତ୍ୟକ୍ଷ ବା ପରୋକ୍ଷ ଭାବରେ ପ୍ରବର୍ତ୍ତାଏ ।
 - (ଖ) ଭୋଟଦାତାଙ୍କୁ ଭୋଟ ଦେବାକୁ ଅଥବା ଭୋଟ ନ ଦେବାକୁ କୌଣସି ବ୍ୟକ୍ତିଙ୍କୁ ପ୍ରତ୍ୟକ୍ଷ ବା ପରୋକ୍ଷରେ ପ୍ରବର୍ତ୍ତାଏ ।
- (ii) ପାରିତୋଷିକ ଦେଇ—
 - (କ) କୌଣସି ବ୍ୟକ୍ତିଙ୍କୁ ପ୍ରାର୍ଥୀରୂପେ ନିର୍ବାଚନରେ ଛିଡା ହେବାକୁ ଅଥବା ନ ହେବାକୁ କିମ୍ବା ପ୍ରାର୍ଥୀପତ୍ର ପ୍ରତ୍ୟାହାର କରିବାକୁ କିମ୍ବା ପ୍ରତିଦ୍ୱନ୍ଦ୍ୱିତାରୁ ଓହରି ଯିବାକୁ ପାରିତୋଷିକ ଦିଏ ।

(ଖ) କୌଣସି ଭୋଟଦାତାଙ୍କୁ ଭୋଟ ଦେବାକୁ ଅଥବା ଭୋଟ ନ ଦେବାକୁ ବିରତ କରାଇବାକୁ ପାରିତୋଷିକ ଦେଇଥାଏ ।

ସ୍ୱତ୍ୱାକରଣ—ଏହି ପ୍ରକରଣ ଉଦ୍ଦେଶ୍ୟରେ “ଲାଞ୍ଚ” କହିଲେ ସମସ୍ତ ପ୍ରକାର ଆମୋଦପ୍ରମୋଦ ଏବଂ ପାରିତୋଷିକ ପାଇଁ ସମସ୍ତ ପ୍ରକାର ଚାକିରି ଏଥିରେ ଅନ୍ତର୍ଭୁକ୍ତ ଅଟେ । କିନ୍ତୁ ସେପରି ନିର୍ବାଚନ ଉଦ୍ଦେଶ୍ୟରେ ଯଥାର୍ଥ ଉପାୟରେ ଖର୍ଚ୍ଚ ପାଇଁ ଦିଆଯାଇଥିବା ଅର୍ଥ ଏଥିରେ ଅନ୍ତର୍ଭୁକ୍ତ ନୁହେଁ ।

୨ । ଅବୈଧ ପ୍ରଭାବ ଅର୍ଥାତ୍ କହିବାକୁ ଗଲେ ଯେକୌଣସି ବ୍ୟକ୍ତିଙ୍କର ଭୋଟ ଦେବାର ଅଧିକାର ପ୍ରତି ଯେକୌଣସି ପ୍ରାର୍ଥୀ ଅଥବା ତାଙ୍କ ତରଫରୁ ଅନ୍ୟ କୌଣସି ବ୍ୟକ୍ତିଙ୍କର ପ୍ରତ୍ୟକ୍ଷ ଅଥବା ପରୋକ୍ଷ ହସ୍ତକ୍ଷେପ କରିବାକୁ ଚେଷ୍ଟାକରିବ ।

ଉଲ୍ଲେଖ ଥାଉକି—

(କ) ଏହି ପ୍ରକରଣର ବ୍ୟବସ୍ଥା ପ୍ରତି ପ୍ରତିକୂଳ ପ୍ରଭାବ ନ ପକାଇ ସେଥିରେ ବର୍ଣ୍ଣିତ ସେପରି କୌଣସି ବ୍ୟକ୍ତି :—

(i) ଯଦି ଜଣେ ପ୍ରାର୍ଥୀ ଅଥବା ଭୋଟରଙ୍କ ପକ୍ଷ ସମର୍ଥନ କରୁଥିବା ଯେକୌଣସି ପ୍ରାର୍ଥୀ ଅଥବା ଭୋଟର ଅଥବା ଜଣେ ବ୍ୟକ୍ତିଙ୍କୁ କ୍ଷତି ଘଟାଇବା ପାଇଁ ଧମକାଏ ଅଥବା ସାମାଜିକ ବାଛନ୍ଦ ଏବଂ ସମାଜରୂପତ କରିବା ବା ଏକଘରିକିଆ କରିବା ଅଥବା କୌଣସି ଜାତି ଅଥବା ଗୋଷ୍ଠୀରୁ ବିତାଡ଼ିତ କରିବାକୁ ଧମକାଏ, ଅଥବା

(ii) ଜଣେ ପ୍ରାର୍ଥୀ ଅଥବା ଜଣେ ଭୋଟରଙ୍କୁ, ସେ ଅଥବା ଯେକୌଣସି ବ୍ୟକ୍ତି ଯାହାଙ୍କ ପକ୍ଷ ସେ ସମର୍ଥନ କରୁଛନ୍ତି ।

(ଖ) ଭୋଟରଙ୍କ ଅଧିକାର ଉପରେ ହସ୍ତକ୍ଷେପ ବ୍ୟତୀତ ସର୍ବସାଧାରଣ ନୀତି ଅଥବା ସର୍ବସାଧାରଣ କାର୍ଯ୍ୟର ଅଙ୍ଗୀକାର ଅଥବା ଆଇନତଃ ଅଧିକାରର ପ୍ରୟୋଗ ଏହି ପ୍ରକରଣ ଅର୍ଥାନ୍ତୁଯାଉ ନାହିଁ ହସ୍ତକ୍ଷେପ ବୋଲି ବିବେଚିତ ହେବନାହିଁ ।

୩ । ପ୍ରାର୍ଥୀଙ୍କ ନିର୍ବାଚନର ଭବିଷ୍ୟତ ଉନ୍ନତି ସାଧନ ନିମନ୍ତେ ଜାତି, ଧର୍ମ, ବର୍ଣ୍ଣ, ଗୋଷ୍ଠୀ ଅଥବା ଜାତୀୟ ଚିହ୍ନ ଯଥା ଜାତୀୟ ପତାକା ଅଥବା ଜାତୀୟ ନିଦର୍ଶନ କାରଣରୁ ଭିକ୍ତିକରି ପ୍ରାର୍ଥୀ ଅଥବା ତାଙ୍କ ତରଫରୁ କୌଣସି ବ୍ୟକ୍ତିଙ୍କଦ୍ୱାରା ଭୋଟ ଦେବାକୁ ଅଥବା ଭୋଟ ନ ଦେବାକୁ କ୍ରମବଦ୍ଧ ବା ସୁବ୍ୟବସ୍ଥିତ ଅପିଲ କରାଯିବ ।

୪ । କୌଣସି ପ୍ରାର୍ଥୀଙ୍କ ବ୍ୟକ୍ତିଗତ ଚରିତ୍ର ଅଥବା ଆଚରଣ ସମ୍ପର୍କରେ ପ୍ରାର୍ଥୀଙ୍କ ଦ୍ୱାରା ଅଥବା ତାଙ୍କ ତରଫରୁ ଯେକୌଣସି ବ୍ୟକ୍ତିଙ୍କ ଦ୍ୱାରା ତଥ୍ୟଗତ ବିଚ୍ଚୁତି ପ୍ରକାଶନ କରିବା ଯାହାକି ନିଥ୍ୟା ଅଟେ ଅଥବା ଯାହାକୁ ସେ ନିଥ୍ୟା ବୋଲି ବିଶ୍ୱାସ କରିଥାନ୍ତି ଅଥବା ସତ୍ୟ ବୋଲି ବିଶ୍ୱାସ କରି ନ ଥାନ୍ତି ଅଥବା ଯେକୌଣସି ପ୍ରାର୍ଥୀଙ୍କ ପ୍ରାର୍ଥୀପତ୍ର ପ୍ରତ୍ୟାହାରକରଣ ଅଥବା ପ୍ରତିଦ୍ୱନ୍ଦ୍ୱିତାରୁ ଓହରିଯିବା ସମ୍ପର୍କୀୟ ବିଚ୍ଚୁତି ଯଦି ସେହି ପ୍ରାର୍ଥୀଙ୍କ ନିର୍ବାଚନ ଉପରେ ପ୍ରତିକୂଳ ପ୍ରଭାବ ପକାଇଥାଏ ।

୫ । ପ୍ରାର୍ଥୀଙ୍କ ଅଥବା ତାଙ୍କର ପରିବାରବର୍ଗଙ୍କ ଭିନ୍ନ ଯେକୌଣସି ଭୋଟରଙ୍କୁ ଭୋଟ ଗ୍ରହଣ କେନ୍ଦ୍ର ଅଥବା ଭୋଟ ପାଇଁ ଧାର୍ଯ୍ୟ କରାଯାଇଥିବା ସ୍ଥାନରୁ ନେବାଆଣିବା କରିବା ଉଦ୍ଦେଶ୍ୟରେ କୌଣସି ପ୍ରାର୍ଥୀଙ୍କ ଦ୍ୱାରା ଅଥବା ତାଙ୍କ ତରଫରୁ ଯେକୌଣସି ବ୍ୟକ୍ତିଙ୍କ ଦ୍ୱାରା ଯଦି ପେମେଣ୍ଟ କରିହେଉ ଅଥବା ଅନ୍ୟଥା ହେଉ କୌଣସି ଯାନବାହନ ଇତ୍ୟାଦି ଉପରେ ନିଆଯାଏ ଅଥବା ସଂଗ୍ରହ କରାଯାଏ ।

ସ୍ୱତ୍ୱାକରଣ—ଏହି ପ୍ରକରଣର ଉଲ୍ଲିଖିତ “ଯାନବାହନ” ପଦସଂହତି କହିଲେ ମେକାନିକାଲ ପାଞ୍ଜର ଦ୍ୱାରା ପ୍ରପେଲଡ ହୋଇଥାଉ ଅଥବା ଅନ୍ୟଥା ହୋଇଥାଉ ଅଥବା ଅନ୍ୟାନ୍ୟ ଯାନବାହନ ବୋହି ନେବାକୁ ହେଉ ଅଥବା ଅନ୍ୟଥା ହେଉ ରାଷ୍ଟ୍ରରେ ପରିବହନ ଉଦ୍ଦେଶ୍ୟରେ ବ୍ୟବହୃତ ହେଉଥିବା ଯାନବାହନକୁ ବୁଝାଇବ ।

୬ । ରାଜ୍ୟ ସରକାରଙ୍କ ସେବା ଅଥବା ଯେକୌଣସି ସ୍ଥାନୀୟ କର୍ତ୍ତୃପକ୍ଷଙ୍କ ଅଧୀନରେ ନିଯୁକ୍ତି ଯେକୌଣସି କର୍ମଚାରୀଙ୍କଠାରୁ ପ୍ରାର୍ଥୀଙ୍କ ନିର୍ବାଚନର ଉନ୍ନତିକ୍ଷେତ୍ର ଭୋଟ ଦେବା ବ୍ୟତୀତ ପ୍ରାର୍ଥୀଙ୍କ ଦ୍ୱାରା ଅଥବା ତାଙ୍କ ତରଫରୁ ଯେକୌଣସି ବ୍ୟକ୍ତିଙ୍କ ଦ୍ୱାରା ସହାୟତା ଗ୍ରହଣ, ପ୍ରାପ୍ତ କରିବା ଅଥବା ପ୍ରବର୍ତ୍ତାଇବା ।

ଦତ୍ତା ୩୯-ନିର୍ବାଚନ ଅସିଦ୍ଧ ଘୋଷଣା ପାଇଁ କାରଣମାନ (i) ସିଭିଲ୍ ଜଜ୍ (କୁନିଅର ଡିଭିଜନ) ଜଣେ ନିର୍ବାଚିତ ପ୍ରାର୍ଥୀଙ୍କର ନିର୍ବାଚନକୁ ଅସିଦ୍ଧ ଘୋଷଣା କରିବେ, ଯଦି ସେ ମତବ୍ୟକ୍ତ କରନ୍ତି ଯେ :

XXXX XXXX XXXX XXXX

(ଖ) ପ୍ରାର୍ଥୀଙ୍କ ଦ୍ଵାରା କୌଣସି ଦୁର୍ନୀତି ସଂଘଟିତ ହୋଇଥିଲା :

୨ । ଓଡ଼ିଶା ପଞ୍ଚାୟତ ସମିତି ଆଇନ୍, ୧୯୫୯

କ୍ଷେତ୍ର (କ) ଅଧ୍ୟାୟ

ଧାରା ୪୪-ଡ-ନିର୍ବାଚନରେ ଅସାଧୁ ପନ୍ଥା ବା ଦୁର୍ନୀତିମୂଳକ କାର୍ଯ୍ୟ :

ଏହି ପରିଚ୍ଛେଦର ଉଦ୍ଦେଶ୍ୟାର୍ଥେ ନିମ୍ନବର୍ଣ୍ଣିତ ବିଷୟମାନ ନିର୍ବାଚନରେ ଅସାଧୁ ବା ଦୁର୍ନୀତିମୂଳକ କାର୍ଯ୍ୟ ରୂପେ ବିବେଚିତ ହେବ, ଯଥା କୌଣସି ବ୍ୟକ୍ତିଙ୍କୁ ଦିଆଯାଇଥିବା ବା ଦିଆଯିବାକୁ ସମ୍ମତି ଦିଆଯାଇଥିବା ବା ଦିଆଯିବାକୁ ପ୍ରତିଶ୍ରୁତି ଦିଆଯାଇଥିବା ଉପହାର ବା ଉପହୈକନ, ଲାଞ୍ଜ ବା ଉଲ୍ଲୋଚ ; ଯାହାକି :—

୧ । ନିର୍ବାଚନରେ ପ୍ରତିଦ୍ଵନ୍ଦ୍ଵିତା କରୁଥିବା ପ୍ରାର୍ଥୀଙ୍କ ଦ୍ଵାରା କିମ୍ବା ତାଙ୍କ ତରଫରୁ ଅନ୍ୟ କୌଣସି ବ୍ୟକ୍ତିଙ୍କ ଦ୍ଵାରା କୌଣସି ବ୍ୟକ୍ତିଙ୍କୁ ଦିଆଯାଇଥିବା ବା ଦିଆଯିବାକୁ ସମ୍ମତି ଦିଆଯାଇଥିବା ବା ଦିଆଯିବାକୁ ପ୍ରତିଶ୍ରୁତି ଦିଆଯାଇଥିବା ଉପହାର ବା ଉପହୈକନ, ଲତ୍ୟାଦି ଲାଞ୍ଜ ବା ଉଲ୍ଲୋଚ ; ଯାହାକି—

(i) ପ୍ରତ୍ୟକ୍ଷ କିମ୍ବା ପରୋକ୍ଷ ଭାବରେ ନିମ୍ନବର୍ଣ୍ଣିତ ଉଦ୍ଦେଶ୍ୟମାନ ସାଧନ ପାଇଁ ଅଥବା ନିମ୍ନବର୍ଣ୍ଣିତ ଉଦ୍ଦେଶ୍ୟରେ ପ୍ରଭାବିତ କରିବା ପାଇଁ ଦିଆଯାଇଥିବ :—

(କ) କୌଣସି ବ୍ୟକ୍ତି ସେପରି ନିର୍ବାଚନରେ ଠିଆ ହେବା ପାଇଁ କିମ୍ବା ନ ଠିଆ ହେବା ପାଇଁ କିମ୍ବା ପ୍ରାର୍ଥୀପତ୍ର ପ୍ରତ୍ୟାହାର କରିବାପାଇଁ କିମ୍ବା ନିର୍ବାଚନରୁ ଓହ୍ଲରିଯିବା ପାଇଁ, କିମ୍ବା

(ଖ) କୌଣସି ଭୋଟଦାତା ସେପରି ନିର୍ବାଚନରେ ଭୋଟ ଦେବା ପାଇଁ, କିମ୍ବା

(ii) ପୁରସ୍କାର ସ୍ଵରୂପ—

(କ) କୌଣସି ବ୍ୟକ୍ତି ସେପରି ନିର୍ବାଚନରେ ଠିଆ ହୋଇଥିବାରୁ କିମ୍ବା ନ ଠିଆ ହୋଇଥିବାରୁ କିମ୍ବା ତାଙ୍କର ପ୍ରାର୍ଥୀପତ୍ର ପ୍ରତ୍ୟାହାର କରିଥିବାରୁ କିମ୍ବା ପ୍ରତିଦ୍ଵନ୍ଦ୍ଵିତାରୁ ଓହ୍ଲରି ଯାଇଥିବାରୁ, କିମ୍ବା

(ଖ) ଜଣେ ଭୋଟଦାତା ସେପରି ନିର୍ବାଚନରେ ଭୋଟ ଦେଇଥିବାରୁ ଅଥବା ଭୋଟ ନ ଦେଇଥିବାରୁ, କିମ୍ବା

ବିଶ୍ଳେଷଣ—ଏହି ପ୍ରକରଣ ଉଦ୍ଦେଶ୍ୟରେ, ଲାଞ୍ଜ ବା ଉଲ୍ଲୋଚ କହିଲେ, ପୁରସ୍କାର ସ୍ଵରୂପ ବ୍ୟବସ୍ଥା କରାଯାଇଥିବା ସମସ୍ତ ଆମୋଦପ୍ରମୋଦ ଏବଂ ପ୍ରଦାନ କରାଯାଇଥିବା ସମସ୍ତ ପ୍ରକାର ନିଯୁକ୍ତି ଏଥିମଧ୍ୟରେ ଅନ୍ତର୍ଭୁକ୍ତ ହେବ କିନ୍ତୁ ସେପରି ନିର୍ବାଚନରେ ଯୁକ୍ତିଯୁକ୍ତ ଭାବେ କରାଯାଇଥିବା ସମସ୍ତ ଖର୍ଚ୍ଚ ପାଇଁ ପ୍ରାପ୍ୟ ଏଥିମଧ୍ୟରେ ଅନ୍ତର୍ଭୁକ୍ତ ହେବ ନାହିଁ ।

୨ । ନିର୍ବାଚନରେ ଅବୈଧ ପ୍ରଭାବ ପକାଇବା ଅର୍ଥାତ୍ କୌଣସି ପ୍ରାର୍ଥୀ କିମ୍ବା ତାଙ୍କ ତରଫରୁ ଅନ୍ୟ କୌଣସି ବ୍ୟକ୍ତି ପ୍ରତ୍ୟକ୍ଷ କିମ୍ବା ପରୋକ୍ଷ ଭାବରେ କୌଣସି ବ୍ୟକ୍ତିଙ୍କର ନିର୍ଦ୍ଦିଷ୍ଟ ବା ମୁକ୍ତ ଭାବରେ ଭୋଟ ଦାନ ଅଧିକାରରେ ହସ୍ତକ୍ଷେପ କରିବା କିମ୍ବା ହସ୍ତକ୍ଷେପ କରିବା ପାଇଁ ଉଦ୍ୟମ କରିବାକୁ ବୁଝାଇବ :

ଉଲ୍ଲେଖ ଆଉକି —

(କ) ଏହି ପ୍ରକରଣର ବ୍ୟବସ୍ଥାମାନଙ୍କ ପ୍ରତି ସାଧାରଣ ଭାବେ କୌଣସି ପ୍ରତିକୂଳ ପ୍ରଭାବ ନ ପକାଇ, କୌଣସି ବ୍ୟକ୍ତି ଯେ ନିମ୍ନଲିଖିତ କାର୍ଯ୍ୟମାନ କରିବେ, ତାହା ସେ କୌଣସି ପ୍ରାର୍ଥୀ ବା ଭୋଟଦାତାଙ୍କର ନିର୍ଦ୍ଦିଷ୍ଟ ଭାବରେ ଭୋଟ ଦାନ ଅଧିକାରରେ ହସ୍ତକ୍ଷେପ କରିବା ଉଦ୍ଦେଶ୍ୟରେ କରିଛନ୍ତି ବୋଲି ବିବେଚିତ ହେବ—

(i) କୌଣସି ପ୍ରାର୍ଥୀ କିମ୍ବା ଭୋଟଦାତା ଯାହାଙ୍କ ପ୍ରତି ଅନ୍ୟ ଜଣେ ପ୍ରାର୍ଥୀ କିମ୍ବା ଭୋଟଦାତା ଅନୁରକ୍ତ, ତାଙ୍କୁ କୌଣସି ପ୍ରକାର ଆତ୍ମୀୟତା ଦେବା ଅଥବା ସାମାଜିକ ବାସନ୍ଦ ଓ ସମାଜରୂପତ କରିବା ଅଥବା ଜାତି ବା ଗୋଷ୍ଠାରୁ ବିଚାଳିତ କରିବା ଆଦି ଭୟ ପ୍ରଦର୍ଶନ କରନ୍ତି, କିମ୍ବା

(ii) କୌଣସି ପ୍ରାର୍ଥୀ କିମ୍ବା ଭୋଟଦାତା ଯାହାଙ୍କ ପ୍ରତି ସେ କିମ୍ବା ଅନ୍ୟ କୌଣସି ବ୍ୟକ୍ତି ଅନୁରକ୍ତ ସେ ଦୈବୀ ଅସତ୍ୟତା ବା କ୍ରୋଧର ଶିକାର ହେବେ ବୋଲି ଧାରଣା ସୃଷ୍ଟି କରନ୍ତି ।

(ଖ) କିନ୍ତୁ ସରକାରୀ ନୀତି, ନିୟମ ଘୋଷଣା କରିବା କିମ୍ବା ସରକାରଙ୍କ ଦ୍ୱାରା କାର୍ଯ୍ୟାନୁଷ୍ଠାନ ଗ୍ରହଣ କରାଯିବା ପାଇଁ ପ୍ରତିଶ୍ରୁତି ଦେବା କିମ୍ବା ଆଇନଗତ ଅଧିକାରର ପ୍ରୟୋଗ ଯାହାକି ଭୋଟ ଅଧିକାର ପ୍ରତି କୌଣସି ହସ୍ତକ୍ଷେପ ସୃଷ୍ଟି କରେନାହିଁ, ତାହା ଏହି ପ୍ରକରଣର ଅର୍ଥାନୁଯାୟୀ ନିର୍ବାଚନରେ ହସ୍ତକ୍ଷେପ ରୂପେ ବିବେଚିତ ହେବ ନାହିଁ ।

୩ । ପ୍ରାର୍ଥୀ କିମ୍ବା ତାଙ୍କ ତରଫରୁ କୌଣସି ବ୍ୟକ୍ତି, ଜାତି, ଗୋଷ୍ଠୀ, ସମ୍ପ୍ରଦାୟ ଅଥବା ଧର୍ମଗତ କାରଣରୁ ଭୋଟଦେବା କିମ୍ବା ଭୋଟ ନ ଦେବା ପାଇଁ ଯଦି କାହାକୁ ପ୍ରବର୍ତ୍ତାନ୍ତି କିମ୍ବା ପ୍ରାର୍ଥୀ ନିର୍ବାଚନରେ ଜିତିବା ଉଦ୍ଦେଶ୍ୟରେ ଜାତୀୟ ପତାକା କିମ୍ବା ଅନ୍ୟାନ୍ୟ ଜାତୀୟ ସଙ୍କେତମାନ ବ୍ୟବହାର କରନ୍ତି ; ତେବେ ଏପରି କାର୍ଯ୍ୟମାନ ନିର୍ବାଚନରେ ଅବୈଧ ପ୍ରଭାବ ବା ହସ୍ତକ୍ଷେପ ରୂପେ ବିବେଚିତ କରାଯିବ ।

୪ । ଯଦି କୌଣସି ପ୍ରାର୍ଥୀ କିମ୍ବା ତାଙ୍କ ତରଫରୁ କୌଣସି ବ୍ୟକ୍ତି ଅନ୍ୟ ଜଣେ ପ୍ରାର୍ଥୀଙ୍କର ବ୍ୟକ୍ତିତ୍ୱ, ଚରିତ୍ର ବା ଆଚରଣ ସମ୍ବନ୍ଧରେ ମିଥ୍ୟା ବା କୁସ୍ୱାରଚ୍ଚନମୂଳକ ଉକ୍ତି ପ୍ରକାଶ କରନ୍ତି ବା ପ୍ରକାଶିତ କରାନ୍ତି କିମ୍ବା ସେପରି ପ୍ରାର୍ଥୀଙ୍କୁ ନିର୍ବାଚନରେ ହରାଇବା ଉଦ୍ଦେଶ୍ୟରେ, ସେପରି ପ୍ରାର୍ଥୀ ପ୍ରାର୍ଥୀପତ୍ର ପ୍ରତ୍ୟାହାର କଲେଣି ଅଥବା ନିର୍ବାଚନ ପ୍ରତିଦ୍ୱନ୍ଦ୍ୱିତାରୁ ଓହ୍ଲରି ଗଲେଣି ବୋଲି ମିଥ୍ୟା ସମ୍ବାଦ ପରିବେଷଣ କରନ୍ତି ବା କରାନ୍ତି, ତେବେ ତାହା ନିର୍ବାଚନରେ ଅବୈଧ ପ୍ରଭାବ ବା ହସ୍ତକ୍ଷେପ ରୂପେ ବିବେଚିତ ହେବ ।

୫ । ଯଦି ପ୍ରାର୍ଥୀ କିମ୍ବା ତାଙ୍କ ତରଫରୁ ଅନ୍ୟ କୌଣସି ବ୍ୟକ୍ତି ଭୋଟରଙ୍କୁ ସେ ନିଜେ କିମ୍ବା ତାଙ୍କର ପରିବାରର ସଭ୍ୟଙ୍କ ବ୍ୟତୀତ ତାଙ୍କ ସପକ୍ଷରେ ଭୋଟ ଦେବା ଉଦ୍ଦେଶ୍ୟରେ ଭୋଟ କେନ୍ଦ୍ରକୁ ନେବା ଓ ଭୋଟ କେନ୍ଦ୍ରରୁ ଆଣିବା ଉଦ୍ଦେଶ୍ୟରେ ଯାନବାହନ ବା ନୌକା ଇତ୍ୟାଦି ଭିତରେ ଆଣି ସେ ଉଦ୍ଦେଶ୍ୟରେ ବ୍ୟବହାର କରନ୍ତି, ତେବେ ଏହି ନିର୍ବାଚନରେ ଅବୈଧ ପ୍ରଭାବ ବା ହସ୍ତକ୍ଷେପ ସୃଷ୍ଟି ରୂପେ ବିବେଚିତ ହେବ ।

ଉଲ୍ଲେଖ ଆଉକି, ଜଣେ ଭୋଟଦାତା ବା କେତେକ ଭୋଟଦାତା ଭୋଟ କେନ୍ଦ୍ରକୁ ଯିବା ଓ ଭୋଟ କେନ୍ଦ୍ରରୁ ଆସିବା ଉଦ୍ଦେଶ୍ୟରେ ଯାନବାହନ ଭିତରେ ଆଣି ବ୍ୟବହାର କଲେ, ଯଦି ଏହା ଯନ୍ତ୍ରଚାଳିତ ଯାନବାହନ ହୋଇ ନ ଥାଏ, ତେବେ ଏହାକୁ ନିର୍ବାଚନରେ ଦୁର୍ନୀତିମୂଳକ ପଦ୍ଧତ୍ୱରୂପେ ବିବେଚନା କରାଯିବ ନାହିଁ :

ପୁନଶ୍ଚ ଉଲ୍ଲେଖ ଆଉକି, କୌଣସି ଭୋଟଦାତା ଭୋଟ କେନ୍ଦ୍ରକୁ ଯିବା ଓ ଭୋଟ କେନ୍ଦ୍ରରୁ ଆସିବା ନିମିତ୍ତ ନିଜ ଖର୍ଚ୍ଚରେ ସର୍ବସାଧାରଣ ଯାନବାହନ ବା ରେଳଗାଡ଼ିରେ ଯାତାୟାତ କରିବାକୁ ନିର୍ବାଚନରେ ଦୁର୍ନୀତିମୂଳକ ପଦ୍ଧତ୍ୱରୂପେ ବିବେଚିତ କରାଯିବ ନାହିଁ ।

ବିଶ୍ଳେଷଣ—ଏହି ପ୍ରକରଣରେ ‘ଯାନବାହନ’ କହିଲେ ରାସ୍ତାରେ ପରିବହନ ଉଦ୍ଦେଶ୍ୟରେ ବ୍ୟବହୃତ ଯାନବାହନ କିମ୍ବା ପରିବହନଯୋଗ୍ୟ ଯାନବାହନକୁ ବୁଝାଇବ । ତାହା ଯନ୍ତ୍ରଚାଳିତ ଦ୍ୱାରା ଚାଳିତ ହୋଇଥାଉ ବା ଅନ୍ୟ କୌଣସି ପ୍ରକାରେ ଚାଳିତ ହୋଇଥାଉ ଏବଂ ଅନ୍ୟ କୌଣସି ଯାନବାହନ ଚାଣିବା କାର୍ଯ୍ୟରେ ବ୍ୟବହୃତ ହୋଇଥାଉ କିମ୍ବା ଅନ୍ୟ ପ୍ରକାରେ ବ୍ୟବହୃତ ହୋଇଥାଉ ।

୬ । କୌଣସି ସରକାରୀ କର୍ମଚାରୀ ଅଥବା ତାଙ୍କ ତରଫରୁ ଅନ୍ୟ କୌଣସି ବ୍ୟକ୍ତି କୌଣସି ସରକାରୀ କର୍ମଚାରୀ ବା ସ୍ଥାନୀୟ କର୍ତ୍ତୃପକ୍ଷଙ୍କ ଅଧୀନସ୍ଥ କର୍ମଚାରୀଙ୍କୁ କେବଳ ଭୋଟ ଦେବାକୁ ଅନୁରୋଧ କରିବା ବ୍ୟତୀତ, ଯଦି ନିର୍ବାଚନରେ ଅନ୍ୟ କୌଣସି ପ୍ରକାରେ ସାହାଯ୍ୟ ନେଇଥାନ୍ତି, ତାହା ନିର୍ବାଚନରେ ଦୁର୍ନୀତିମୂଳକ ପଦ୍ଧତ୍ୱରୂପେ ବିବେଚିତ ହେବ ।

ଧାରା ୪୪-ଓ-କେଉଁସବୁ କାରଣମାନଙ୍କୁ ଭିତ୍ତିକରି ନିର୍ବାଚନ ରଦ୍ଦ କରାଯାଇପାରିବ :

(୧) ସିଭିଲ୍ ଜର୍ଜ (ସିନିଅର ଡିଭିଜନ) ନିର୍ବାଚନରେ ଜିଣିଥିବା ପ୍ରାର୍ଥୀଙ୍କର ନିର୍ବାଚନକୁ ରଦ୍ଦ କରିପାରିବେ, ଯଦି ସେ ନିମ୍ନବର୍ଣ୍ଣିତ ପ୍ରକାରେ ସିଦ୍ଧାନ୍ତରେ ପହଞ୍ଚନ୍ତି ଯେ—

(କ) ସେପରି ପ୍ରାର୍ଥୀ ନିର୍ବାଚନ ଅନୁଷ୍ଠିତ ହେଉଥିବା ସମୟ ମଧ୍ୟରେ ନିର୍ବାଚନ ସଂକ୍ରାନ୍ତୀୟ ଅନ୍ୟାନ୍ୟ କାର୍ଯ୍ୟାନୁଷ୍ଠାନମାନଙ୍କ କ୍ଷେତ୍ରରେ ଧାରା ୪୪-ଡ଼’ର ବ୍ୟବସ୍ଥାମତେ କୌଣସି ପ୍ରକାର ଦୁର୍ନୀତି ବା ଅସାଧୁ ପଦ୍ଧତ୍ୱ ଅବଲମ୍ବନ କରିଛନ୍ତି :

୩ । ଓଡ଼ିଶା ଜିଲ୍ଲା ପରିଷଦ ଆଇନ୍, ୧୯୯୧

ପଞ୍ଚମ ପରିଚ୍ଛେଦ

ଧାରା ୩୨—ନିର୍ବାଚନ ବିବାଦ :

୧ । ପରିଷଦର କାର୍ଯ୍ୟାଳୟ ଅବସ୍ଥିତ ଥିବା ସ୍ଥାନ ଉପରେ କ୍ଷେତ୍ରାଧିକାରୀ ଥିବା ଜିଲ୍ଲା ନ୍ୟାୟାଧୀଶଙ୍କ ସମକ୍ଷରେ ନିର୍ବାଚନ-ଦରଖାସ୍ତ ଉପସ୍ଥାପନ କରା ନ ଯାଇ ଏହି ଆଇନ ଅନୁଯାୟୀ କୌଣସି ବ୍ୟକ୍ତିଙ୍କର ପରିଷଦର ସଦସ୍ୟରୂପେ ବା ଅଧ୍ୟକ୍ଷ ବା ଉପାଧ୍ୟକ୍ଷରୂପେ ଅନୁଷ୍ଠିତ ନିର୍ବାଚନ ଉପରେ ପ୍ରଶ୍ନ ଉଠାଯାଇପାରିବନାହିଁ ।

୨ । ଉପଧାରା (୧) ଉଦ୍ଦେଶ୍ୟରେ ୧୯୫୯ ମସିହା ଓଡ଼ିଶା ପଞ୍ଚାୟତ ସମିତି ଆଇନର ଷଷ୍ଠ-‘କ’ ଅଧ୍ୟାୟରେ ସମ୍ମିଳିତ (ଏହାପରେ ଉପରୋକ୍ତ ଅଧ୍ୟାୟ ଭାବେ ସୂଚିତ) ବ୍ୟବସ୍ଥାବଳୀ ନିମ୍ନରେ ସୂଚିତ ବ୍ୟତିକ୍ରମ ସହିତ ଯଥା ଆବଶ୍ୟକ ପ୍ରଯୁଜ୍ୟ ହେବ ।

XXXX XXXX XXXX XXXX

(ଉତ୍ତ-ଲିଗାଲ ମିସିଲେନିଜ୍ ଦ୍ୱାରା ପ୍ରକାଶିତ ଓଡ଼ିଶା ଗ୍ରାମପଞ୍ଚାୟତ ମାନୁଏଲ୍ ଓ ପଞ୍ଚାୟତ ସମିତି ମାନୁଏଲ୍ ଓ ଓଡ଼ିଶା ‘ଲ’ ରିଭ୍ୟୁଜ୍ଙ୍କ ଦ୍ୱାରା ମୁଦ୍ରିତ ଓଡ଼ିଶା ଜିଲ୍ଲା ପରିଷଦ ମାନୁଏଲ୍)

ନିର୍ବାଚନ ଅପରାଧ

ପଞ୍ଚାୟତ ଆଇନ୍ ଓ ଭାରତୀୟ ଦଣ୍ଡବିଧି ଆଇନ୍ରେ ନିର୍ବାଚନ ଅପରାଧ ଓ ତତ୍ସମ୍ବନ୍ଧୀୟ ଦଣ୍ଡବିଧିର ଉଦ୍ଦିଷ୍ଟତା ଶ ।

୧ । ଓଡ଼ିଶା ଗ୍ରାମପଞ୍ଚାୟତ ଆଇନ୍, ୧୯୬୪

ପଞ୍ଚମ ଅଧ୍ୟାୟ

ଦଫା ୨୮—ରାଜ୍ୟ ସରକାର ଏବଂ ସ୍ଥାନୀୟ କର୍ତ୍ତୃପକ୍ଷଙ୍କ କର୍ମଚାରୀମାନେ ନିର୍ବାଚନରେ ପ୍ରଚାର କରିବାରେ ବାଧା—ରାଜ୍ୟ ସରକାର କିମ୍ବା ଯେକୌଣସି ସ୍ଥାନୀୟ କର୍ତ୍ତୃପକ୍ଷଙ୍କ କୌଣସି କର୍ମଚାରୀ ଯେକୌଣସି ପ୍ରାର୍ଥୀଙ୍କ ତରଫରୁ ନିର୍ବାଚନରେ ପ୍ରଚାର କରିପାରିବେ ନାହିଁ କିମ୍ବା ଅନ୍ୟଥା ହସ୍ତକ୍ଷେପ କରିବେ ନାହିଁ କିମ୍ବା କୌଣସି ଉପାୟରେ ତାଙ୍କର ପ୍ରଭାବ ବ୍ୟବହାର କରିବେ ନାହିଁ ଏବଂ ଏହି ଦଫାରେ ବ୍ୟବସ୍ଥାସମୂହର ଲଂଘନ କଲେ ସେପରି ବ୍ୟକ୍ତି ଚାକିରିରୁ ବହିଷ୍କୃତ ହେବେ ।

ଦଫା ୨୯—ନିର୍ବାଚନରେ ଅସଦାଚରଣ ନିମନ୍ତେ ଦଣ୍ଡ—(୧) ଏକ ବ୍ୟକ୍ତି ନିର୍ବାଚନ ଅପରାଧରେ ଦୋଷୀ ସାବ୍ୟସ୍ତ ହେବେ, ଯଦି ସେ—

- (କ) କୌଣସି ପ୍ରାର୍ଥୀପତ୍ର କିମ୍ବା ଭୋଟ କାଗଜ ପ୍ରଚାରଣାପୂର୍ବକ ବିକୃତି କରେ କିମ୍ବା ଅନ୍ୟ ଉପାୟରେ ବଦଳ କିମ୍ବା ଜାଲ କିମ୍ବା ନଷ୍ଟ କରେ, କିମ୍ବା
- (ଖ) ଏହି ଆଇନ୍ ଏବଂ ତଦନୁଯାୟୀ ପ୍ରଣୀତ ନିୟମାବଳୀ ଅନୁଯାୟୀ ନଥିବା କିମ୍ବା ଅନ୍ୟ ପ୍ରକାରେ ପ୍ରକାଶିତ କୌଣସି ତାଲିକା, ନୋଟିସ୍, ଅନ୍ୟାନ୍ୟ ଦଲିଲ ଦସ୍ତାବିଜକୁ ଚଞ୍ଚଳତାକୁମ୍ଭେ ବା ପ୍ରଚାରଣା ପୂର୍ବକ ବିକୃତ, କ୍ଷତି, ନଷ୍ଟ କିମ୍ବା ଅପସାରଣ କରେ, କିମ୍ବା
- (ଗ) ପ୍ରାଧିକାର ନ ଥାଇ ବା କ୍ଷମତାପ୍ରାପ୍ତ ନ ଥାଇ କୌଣସି ଭୋଟ କାଗଜକୁ ସେ କୌଣସି ବ୍ୟକ୍ତିଙ୍କୁ ଯୋଗାଏ ଅଥବା ଭୋଟ କାଗଜ କୌଣସି ବ୍ୟକ୍ତିଙ୍କଠାରୁ ଗ୍ରହଣ କରେ କିମ୍ବା ଯେକୌଣସି ଭୋଟ କାଗଜ ନିଜ ପାଖରେ ରଖେ, କିମ୍ବା
- (ଘ) ଭୋଟ କାଗଜ ଭିନ୍ନ ଅନ୍ୟ କିଛି ଚଞ୍ଚଳତାକୁମ୍ଭେ ଭୋଟ ବାକ୍ସରେ ପକାଏ, କିମ୍ବା
- (ଙ) ପ୍ରାଧିକାର ବା କ୍ଷମତାପ୍ରାପ୍ତ ନ ଥାଇ ନିର୍ବାଚନ ଉଦ୍ଦେଶ୍ୟରେ ବ୍ୟବହାର କରାଯାଉଥିବା ଭୋଟବାକ୍ସ କିମ୍ବା ଭୋଟ କାଗଜ ନଷ୍ଟ କରେ, ନେଇଯାଏ, ଖୋଲେ କିମ୍ବା ଅନ୍ୟ ପ୍ରକାରେ ହସ୍ତକ୍ଷେପ ପକାଏ, କିମ୍ବା
- (ଚ) ନିର୍ବାଚନ ପରିଚାଳନା କରିବା ଉଦ୍ଦେଶ୍ୟରେ ସ୍ଥିରୀକୃତ କିମ୍ବା ନିୟୁକ୍ତ ଯେକୌଣସି ଅଫିସର କିମ୍ବା କର୍ମଚାରୀଙ୍କର କର୍ତ୍ତବ୍ୟ ନିର୍ବାହରେ ବାଧା ସୃଷ୍ଟିକରେ କିମ୍ବା ଅନ୍ୟ କୌଣସି ପ୍ରକାରେ ହସ୍ତକ୍ଷେପ କରେ, କିମ୍ବା
- (ଛ) ଏହି ଆଇନ୍ କିମ୍ବା ତଦନୁଯାୟୀ ପ୍ରଣୀତ ନିୟମାବଳୀ ଅନୁଯାୟୀ କୌଣସି କାର୍ଯ୍ୟ କରିବାକୁ ଏବଂ କୌଣସି କାର୍ଯ୍ୟାନୁଷ୍ଠାନ ଗ୍ରହଣ କରିବାକୁ ଆବଶ୍ୟକ ଥାଇ ସେପରି କାର୍ଯ୍ୟ କିମ୍ବା କାର୍ଯ୍ୟାନୁଷ୍ଠାନ ଗ୍ରହଣ କରିବାକୁ ଅବହେଳା କିମ୍ବା ଅସ୍ୱୀକାର କରେ :

(୨) ଏହି ଦଫାନୁଯାୟୀ ନିର୍ବାଚନ ଅପରାଧରେ ଦୋଷୀ ସାବ୍ୟସ୍ତ ହୋଇଥିବା ଯେକୌଣସି ବ୍ୟକ୍ତି ଏକଶହ ଟଙ୍କା ପର୍ଯ୍ୟନ୍ତ ଅର୍ଥଦଣ୍ଡରେ ଦଣ୍ଡନୀୟ ହେବେ ଏବଂ ସେପରି ଅପରାଧ ଯଦି କ୍ରମାଗତ ଭାବେ କରାଯାଏ ତେବେ ପ୍ରଥମ ଦଣ୍ଡାଦେଶ ତାରିଖ ପରେ

ପ୍ରତ୍ୟେକ ଦିନ ପାଇଁ ପାଞ୍ଚ ଟଙ୍କା ପର୍ଯ୍ୟନ୍ତ ଅର୍ଥଦଣ୍ଡ ଦିଆଯିବ । ସେହି ସମୟ ମଧ୍ୟରେ ଅପରାଧୀକୁ ଅପରାଧ ଅଭ୍ୟନ୍ତର ସଂଘଠନକାରୀ ରୂପେ ପ୍ରମାଣିତ କରାଯିବ ।

୨ । ଓଡ଼ିଶା ପଞ୍ଚାୟତ ସମିତି ଆଇନ୍, ୧୯୫୯

ତୃତୀୟ ଅଧ୍ୟାୟ

ଧାରା ୧୬-ଖ (୨)—ଏହି ଆଇନ୍‌ରେ କିମ୍ବା ଏହା ଅଧୀନରେ ପ୍ରଣୀତ ନିୟମରେ କୌଣସି ବିଧିବ୍ୟବସ୍ଥା ନ ଥିଲେ, ଲୋକ ପ୍ରତିନିଧିତ୍ୱ ଅଧିନିୟମ, ୧୯୫୦ ଏବଂ ଲୋକ ପ୍ରତିନିଧିତ୍ୱ ଅଧିନିୟମ, ୧୯୫୧ରେ ଅନ୍ତର୍ଗତ ବିଧିବ୍ୟବସ୍ଥା ଆବଶ୍ୟକ ପରିବର୍ତ୍ତନ ସହ ସମିତି ନିର୍ବାଚନ ଉଦ୍ଦେଶ୍ୟରେ ନିମ୍ନଲିଖିତ ବିଷୟରେ ପ୍ରଯୁଜ୍ୟ ହେବ :—

- (i) ଭୋଟର ତାଲିକା ପ୍ରସ୍ତୁତି, ସଂଶୋଧନ ଏବଂ ଆଧୁନିକୀକରଣ
- (ii) ଲଲେକ୍ଟୋରାଲ୍ ରେଜିଷ୍ଟ୍ରେସନ ଅଫିସର, ପ୍ରଜାକର୍ତ୍ତି ଅଫିସର ଓ ପୋଲିଂ ଅଫିସର ନିଯୁକ୍ତି ।
- (iii) ଭୋଟରମାନେ ପଞ୍ଜିକୃତ ହେବା ପାଇଁ ଯୋଗ୍ୟତା ଏବଂ ଅଯୋଗ୍ୟତା
- (iv) ମୁକ୍ତ ଏବଂ ଅବାଧ ନିର୍ବାଚନ ପରିଚାଳନା କାର୍ଯ୍ୟ ପାଇଁ ଦରକାରୀ ଏବଂ ଦରକାର ପଡୁଥିବା ଏହିପରି ଅନ୍ୟ ସମସ୍ତ ବିଷୟ ।

୩ । ଓଡ଼ିଶା ଜିଲ୍ଲା ପରିଷଦ ଆଇନ୍, ୧୯୯୧

ଦ୍ୱିତୀୟ ଅଧ୍ୟାୟ

ଧାରା ୬-ଖ (୨)—ଏହି ଆଇନ୍‌ରେ କିମ୍ବା ଏହା ଅଧୀନରେ ପ୍ରଣୀତ ନିୟମରେ କୌଣସି ବିଧିବ୍ୟବସ୍ଥା ନ ଥିଲେ, ଲୋକ ପ୍ରତିନିଧିତ୍ୱ ଅଧିନିୟମ, ୧୯୫୦ ଏବଂ ଲୋକ ପ୍ରତିନିଧିତ୍ୱ ଅଧିନିୟମ, ୧୯୫୧ରେ ଅନ୍ତର୍ଗତ ବିଧିବ୍ୟବସ୍ଥା ଆବଶ୍ୟକ ପରିବର୍ତ୍ତନ ସହ ଜିଲ୍ଲା ପରିଷଦ ନିର୍ବାଚନ ଉଦ୍ଦେଶ୍ୟରେ ନିମ୍ନଲିଖିତ ବିଷୟରେ ପ୍ରଯୁଜ୍ୟ ହେବ :—

- (i) ଭୋଟର ତାଲିକା ପ୍ରସ୍ତୁତି, ପୁନଃଭିକ୍ଷଣ ଏବଂ ଆଧୁନିକୀକରଣ
- (ii) ଲଲେକ୍ଟୋରାଲ୍ ରେଜିଷ୍ଟ୍ରେସନ ଅଫିସର, ପ୍ରଜାକର୍ତ୍ତି ଅଫିସର ଓ ପୋଲିଂ ଅଫିସର ନିଯୁକ୍ତି ।
- (iii) ଭୋଟରମାନେ ପଞ୍ଜିକୃତ ହେବା ପାଇଁ ଯୋଗ୍ୟତା ଏବଂ ଅଯୋଗ୍ୟତା
- (iv) ମୁକ୍ତ ଏବଂ ଅବାଧ ନିର୍ବାଚନ ପରିଚାଳନା କାର୍ଯ୍ୟ ପାଇଁ ଦରକାରୀ ଏବଂ ଦରକାର ପଡୁଥିବା ଏହିପରି ଅନ୍ୟ ସମସ୍ତ ବିଷୟ ।

୪ । ଭାରତୀୟ ଦଣ୍ଡବିଧି ଆଇନ୍, ୧୮୬୦

ନବମ-(କ) ଅଧ୍ୟାୟ

(ନିର୍ବାଚନ ସଂକ୍ରାନ୍ତୀୟ ଅପରାଧ)

୧୭୧-କ—“ପ୍ରାର୍ଥୀ”, “ନିର୍ବାଚନ ଅଧିକାର” ସଂଜ୍ଞାୟାତ : ଏହି ଅଧ୍ୟାୟ ଉଦ୍ଦେଶ୍ୟରେ :

- (କ) (“ପ୍ରାର୍ଥୀ” ଅର୍ଥ, କୌଣସି ନିର୍ବାଚନ ନିମନ୍ତେ ପ୍ରାର୍ଥୀଭାବେ ମନୋନୀତ କରାଯାଇଥିବା କୌଣସି ବ୍ୟକ୍ତି) ।
- (ଖ) “ନିର୍ବାଚନ ଅଧିକାର” ଅର୍ଥ, କୌଣସି ନିର୍ବାଚନରେ କୌଣସି ବ୍ୟକ୍ତିର ଠିଆହେବା କିମ୍ବା ନ ଠିଆହେବା ଅଧିକାର, କିମ୍ବା ପ୍ରାର୍ଥୀତ୍ୱ ପ୍ରତ୍ୟାହାର କରିବା କିମ୍ବା ଭୋଟ୍ ପ୍ରଦାନ କରିବା କିମ୍ବା ଭୋଟ୍ ପ୍ରଦାନରୁ ବିରତ ରହିବା ଅଧିକାର ।

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୧୭୧-ଖ—ଲାଞ୍ଚ ପ୍ରଦାନ କରିବା :

୧ । ଯଦି କୌଣସି ବ୍ୟକ୍ତି—

- (i) କୌଣସି ନିର୍ବାଚନ ସଂକ୍ରାନ୍ତୀୟ ଅଧିକାର ପରିଚାଳନା କରିବା ନିମନ୍ତେ କିମ୍ବା ଏପରି ଅଧିକାର ପରିଚାଳନା କରିଥିବା ବ୍ୟକ୍ତିକୁ ପୁରସ୍କୃତ କରିବା ଉଦ୍ଦେଶ୍ୟରେ କୌଣସି ବ୍ୟକ୍ତିକୁ ଲାଞ୍ଚ ପ୍ରଦାନ କରନ୍ତି, କିମ୍ବା
- (ii) ଏପରି ଅଧିକାର ପରିଚାଳନା କରିଥିବାରୁ କିମ୍ବା ଅନ୍ୟ କୌଣସି ବ୍ୟକ୍ତିକୁ ଉକ୍ତ କାର୍ଯ୍ୟ ପରିଚାଳନା କରିବା ନିମନ୍ତେ ପ୍ରଚ୍ଛଦ କରି କିମ୍ବା ପ୍ରଚ୍ଛଦ କରିବାକୁ ଚେଷ୍ଟାକରି, ନିଜେ କିମ୍ବା ଅନ୍ୟ ବ୍ୟକ୍ତି ନିମନ୍ତେ କୌଣସି ଲାଞ୍ଚକୁ ପୁରସ୍କାର ରୂପେ ଗ୍ରହଣ କରନ୍ତି ।

ଉଲ୍ଲେଖ ଥାଉ ଯେ କୌଣସି ସର୍ବସାଧାରଣ ନୀତିର ଘୋଷଣା କିମ୍ବା ସର୍ବସାଧାରଣ କାର୍ଯ୍ୟ ନିମନ୍ତେ ପ୍ରତିଜ୍ଞା, ଏହି ଦଫା ଅନୁଯାୟୀ ଅପରାଧ ହେବ ନାହିଁ ।

୨ । କୌଣସି ବ୍ୟକ୍ତି ଯଦି ଅର୍ପଣ କରନ୍ତି କିମ୍ବା ଦେବା ପାଇଁ ସମ୍ମତ ହୁଅନ୍ତି, କିମ୍ବା ଅର୍ପଣ କରନ୍ତି କିମ୍ବା କୌଣସି ଲାଞ୍ଜ ଅର୍ପଣ କରିବାକୁ ଚେଷ୍ଟା କରନ୍ତି, ସେ ଲାଞ୍ଜ ପ୍ରଦାନ କରିଛନ୍ତି ବୋଲି ଧରାଯିବ ।

୩ । କୌଣସି ବ୍ୟକ୍ତି ଯଦି ଲାଞ୍ଜ ଗ୍ରହଣ କରନ୍ତି କିମ୍ବା ଗ୍ରହଣ କରିବା ନିମନ୍ତେ ସମ୍ମତ ହୁଅନ୍ତି, କିମ୍ବା ଗ୍ରହଣ କରିବା ନିମନ୍ତେ ଚେଷ୍ଟା କରନ୍ତି, ସେ ଲାଞ୍ଜ ଗ୍ରହଣ କରିଛନ୍ତି ବୋଲି ଧରାଯିବ ଏବଂ ଯଦି କୌଣସି ବ୍ୟକ୍ତି କୌଣସି କାର୍ଯ୍ୟ କରିବା ଉଦ୍ଦେଶ୍ୟରେ ଲାଞ୍ଜ ଗ୍ରହଣ କରନ୍ତି, ଯାହା କରିବା ଉଦ୍ଦେଶ୍ୟ ତାଙ୍କର ନ ଥାଏ କିମ୍ବା ଯାହା ସେ କରିନାହାନ୍ତି, ତାହା କରିବାପାଇଁ ପୁରସ୍କାର ଭାବେ ତାହା ଗ୍ରହଣ କରନ୍ତି, ସେ ଉକ୍ତ ଲାଞ୍ଜକୁ ପୁରସ୍କାର ଭାବେ ଗ୍ରହଣ କରିଛନ୍ତି ବୋଲି ଧରାଯିବ ।

୧୭୧-ଗ-ନିର୍ବାଚନ ସମୟରେ ଅଯଥା ପ୍ରଭାବ :

୧ । ଯେକୌଣସି ବ୍ୟକ୍ତି ଯଦି ସ୍ୱେଚ୍ଛାକୃତ ଭାବେ ଏବଂ ମୁକ୍ତ ଭାବେ କୌଣସି ନିର୍ବାଚନ ଅଧିକାର ପରିଚାଳନାରେ ହସ୍ତକ୍ଷେପ କରନ୍ତି କିମ୍ବା ହସ୍ତକ୍ଷେପ କରିବା ନିମନ୍ତେ ଚେଷ୍ଟା କରନ୍ତି, ସେ ନିର୍ବାଚନରେ ଅଯଥା ପ୍ରଭାବ ପକାଇବା ଅପରାଧ ସଂଘଟନ କରନ୍ତି ।

୨ । ଉପ ଦଫା (୧) ର ସାଧାରଣ ବ୍ୟବସ୍ଥାବଳୀରେ କୌଣସି କ୍ଷତି ନ ପହଞ୍ଚାଇ, ଯଦି କୌଣସି ବ୍ୟକ୍ତି —

- (କ) କୌଣସି ପ୍ରାର୍ଥୀ କିମ୍ବା ଭୋଟରକୁ କିମ୍ବା କୌଣସି ବ୍ୟକ୍ତି, ଯାହାଙ୍କ ପ୍ରତି କୌଣସି ପ୍ରାର୍ଥୀ କିମ୍ବା ଭୋଟର ଇଚ୍ଛୁକ, ତାଙ୍କୁ ଯେକୌଣସି କ୍ଷତି ପ୍ରଦାନ କରିବାକୁ ଧମକାନ୍ତି, କିମ୍ବା
- (ଖ) କୌଣସି ପ୍ରାର୍ଥୀ କିମ୍ବା ଭୋଟରକୁ ପ୍ରଭୁତ୍ୱ କରାନ୍ତି କିମ୍ବା କରିବାକୁ ଚେଷ୍ଟା କରନ୍ତି, ଏହା ବିଶ୍ୱାସ କରିବାକୁ ହେବ ଯେ, ସେ କିମ୍ବା ଯେଉଁ ବ୍ୟକ୍ତିଙ୍କ ପାଇଁ ସେ ଇଚ୍ଛୁକ ସେ, ଐଶ୍ୱରୀକ ଶକ୍ତିର ଅସତ୍ୟୋପଲବ୍ଧି ଲାଭ କରିବେ, ସେ, ଉପ ଦଫା (୧)ର ଅର୍ଥାନୁଯାୟୀ ଏପରି ପ୍ରାର୍ଥୀ କିମ୍ବା ଭୋଟରର ନିର୍ବାଚନ ଅଧିକାରରେ ହସ୍ତକ୍ଷେପ କରୁଅଛନ୍ତି ବୋଲି ଧରାଯିବ ।
- (୩) କୌଣସି ନିର୍ବାଚନ ଅଧିକାରରେ ହସ୍ତକ୍ଷେପ ନ କରିବା ଉଦ୍ଦେଶ୍ୟରେ, କୌଣସି ସର୍ବସାଧାରଣ ନୀତିର ଘୋଷଣା କିମ୍ବା ସର୍ବସାଧାରଣଙ୍କ ନିମନ୍ତେ କାର୍ଯ୍ୟ କରିବା ପ୍ରତିଜ୍ଞା, ଏହି ଦଫାର ଅର୍ଥ ଅନୁଯାୟୀ, ହସ୍ତକ୍ଷେପ ବୋଲି ଧରାଯିବନାହିଁ ।

୧୭୧-ଘ-କୌଣସି ନିର୍ବାଚନରେ ଅନ୍ୟ ନାମ ଧାରଣ କରିବା :

କୌଣସି ନିର୍ବାଚନରେ ଯଦି କୌଣସି ବ୍ୟକ୍ତି ଭୋଟ୍ କାଗଜ ନିମନ୍ତେ ଆବେଦନ କରନ୍ତି, କିମ୍ବା ଜୀବିତ କିମ୍ବା ମୃତ ଅନ୍ୟ ଯେ କୌଣସି ବ୍ୟକ୍ତି ନାମରେ ଭୋଟ ପ୍ରଦାନ କରନ୍ତି, କିମ୍ବା କୌଣସି କାଳ୍ପନିକ ନାମରେ, କିମ୍ବା ଏପରି ନିର୍ବାଚନରେ ଥରେ ଭୋଟ ପ୍ରଦାନ ପରେ, ଆଉ ଥରେ ନିଜ ନାମରେ ଭୋଟ ପ୍ରଦାନ କାଗଜ ନିମନ୍ତେ ଆବେଦନ କରନ୍ତି ଏବଂ ଚେଷ୍ଟାରେ ପ୍ରୋତ୍ସାହନ ପ୍ରଦାନ କରନ୍ତି, ସେ ଉକ୍ତ ନିର୍ବାଚନରେ, ଅନ୍ୟର ନାମ ଗ୍ରହଣ କରିବା ଅପରାଧ ସଂଘଟନ କରନ୍ତି ।

୧୭୧-ଙ-ଲାଞ୍ଜ ପ୍ରଦାନ କରିବା ନିମନ୍ତେ ଦଣ୍ଡ :

ଯଦି କୌଣସି ବ୍ୟକ୍ତି ଲାଞ୍ଜଦେବା ଅପରାଧ ସଂଘଟନ କରନ୍ତି, ତା’ହେଲେ ସେ ଉଭୟ ବର୍ଷନାୟ କାରାଦଣ୍ଡ ମଧ୍ୟରୁ ଯେ କୌଣସି କାରାଦଣ୍ଡ ଯାହାକି ଏକ ବର୍ଷ ପର୍ଯ୍ୟନ୍ତ ପରିବର୍ତ୍ତିତ ହୋଇପାରେ, କିମ୍ବା ଜୋରିମାନା ସହିତ କିମ୍ବା ଉଭୟ ଦଣ୍ଡରେ ଦଣ୍ଡିତ ହେବେ ।

ଉଲ୍ଲେଖ ଥାଉ ଯେ, ବ୍ୟବହାର ଦ୍ୱାରା ଲାଞ୍ଜ ପ୍ରଦାନ କରିବା, କେବଳ ଜୋରିମାନାରେ ଦଣ୍ଡିତ କରାଯିବ ।

ସ୍ୱତ୍ୱାକରଣ—“ବ୍ୟବହାର ଦ୍ୱାରା” ଅର୍ଥ, ସେହି ପ୍ରକାର ଲାଞ୍ଜ ପ୍ରଦାନ ଯେଉଁଠାରେ ଲାଞ୍ଜ ପ୍ରଦାନ, ଖାଦ୍ୟ, ପେୟ, ଆମୋଦପ୍ରମୋଦ କିମ୍ବା ଅନ୍ୟ ପ୍ରକାର ବ୍ୟବହାରକୁ ବୁଝାଏ ।

୧୭୧-ଚ-କୌଣସି ନିର୍ବାଚନରେ ଅଯଥା ପ୍ରଭାବ କିମ୍ବା ଅନ୍ୟର ନାମ ଗ୍ରହଣ କରିବା ନିମନ୍ତେ ଦଣ୍ଡ :

ଯଦି କୌଣସି ବ୍ୟକ୍ତି କୌଣସି ନିର୍ବାଚନରେ, ଅଯଥା ପ୍ରଭାବ କିମ୍ବା ଅନ୍ୟର ନାମ ଗ୍ରହଣ କରିବା ଅପରାଧ କରନ୍ତି, ତାଙ୍କୁ ଉଭୟ ବର୍ଷନାୟ କାରାଦଣ୍ଡ ମଧ୍ୟରୁ ଯେକୌଣସି କାରାଦଣ୍ଡ ଯାହାକି ଏକ ବର୍ଷ ପର୍ଯ୍ୟନ୍ତ ପରିବର୍ତ୍ତିତ କରାଯାଇପାରିବ, କିମ୍ବା ଜୋରିମାନା ସହିତ କିମ୍ବା ଉଭୟ ଦଣ୍ଡରେ ଦଣ୍ଡିତ କରାଯିବ ।

୧୭୧-ଛ—କୌଣସି ନିର୍ବାଚନ ସଂପର୍କରେ ମିଥ୍ୟା ବିବରଣୀ ପ୍ରଦାନ କରିବା :

ଯଦି କୌଣସି ବ୍ୟକ୍ତି, କୌଣସି ନିର୍ବାଚନର ଫଳାଫଳକୁ ପ୍ରଭାବିତ କରିବାପାଇଁ କୌଣସି ବିବରଣୀ ପ୍ରସ୍ତୁତ କରନ୍ତି କିମ୍ବା ଏପରି ବିବରଣୀକୁ ପ୍ରକାଶ କରନ୍ତି, ଯାହାକି ମିଥ୍ୟା ହୋଇଥାଏ ଏବଂ ଯାହାକୁ ସେ ମିଥ୍ୟା ବୋଲି ଜାଣନ୍ତି କିମ୍ବା ବିଶ୍ୱାସ କରନ୍ତି ଏବଂ ତାହା ସତ୍ୟବୋଲି ବିଶ୍ୱାସ କରନ୍ତି ନାହିଁ ଏବଂ ତାହା କୌଣସି ପ୍ରାର୍ଥୀଙ୍କ ବ୍ୟକ୍ତିଗତ ଚରିତ୍ର ଉପରେ ହୋଇଥାଏ, ତା'ହେଲେ ଉକ୍ତ ବ୍ୟକ୍ତିଙ୍କୁ କେବଳ ଜୋରିମାନାରେ ଦଣ୍ଡିତ କରାଯିବ ।

୧୭୧-ଜ—କୌଣସି ନିର୍ବାଚନ ସଂପର୍କରେ ଅବୈଧ ଅର୍ଥ ପ୍ରଦାନ କରିବା :

କୌଣସି ପ୍ରାର୍ଥୀଙ୍କର, ସାଧାରଣ କିମ୍ବା ବିଶେଷ କ୍ଷମତା ଲିଖିତ ଭାବେ ଗ୍ରହଣ ନ କରି, ଯଦି କୌଣସି ବ୍ୟକ୍ତି କୌଣସି ସର୍ବସାଧାରଣ ସଭା କିମ୍ବା କୌଣସି ବିଜ୍ଞାପନ, ସର୍କୁଲାର କିମ୍ବା ପ୍ରକାଶନ କିମ୍ବା ଅନ୍ୟ କୌଣସି ପ୍ରକାର କାର୍ଯ୍ୟରେ ଅର୍ଥ ବିନିଯୋଗ କରନ୍ତି କିମ୍ବା ଅର୍ଥ ବିନିଯୋଗ କରିବା ନିମନ୍ତେ କ୍ଷମତା ପ୍ରଦାନ କରନ୍ତି, ଯାହାର ଉଦ୍ଦେଶ୍ୟ ହେଉଛି ପ୍ରାର୍ଥୀଙ୍କୁ ଜୟଯୁକ୍ତ କରାଇବା, ତା'ହେଲେ ଉକ୍ତ ବ୍ୟକ୍ତିଙ୍କୁ ପଞ୍ଚଶତ ଟଙ୍କା ଜୋରିମାନାରେ ଦଣ୍ଡିତ କରାଯିବ ।

ଉଲ୍ଲେଖ ଥାଉ ଯେ, ଯଦି କୌଣସି ବ୍ୟକ୍ତି ଏପରି ଖର୍ଚ୍ଚ କରିଥାନ୍ତି ଏବଂ ଏହା ଦଶ ଟଙ୍କାରୁ ଉର୍ଦ୍ଧ୍ୱ ହୋଇ ନ ଥାଏ ଏବଂ ଏହି ଟଙ୍କା ଖର୍ଚ୍ଚ କରିବାର ଦଶଦିନ ମଧ୍ୟରେ ପ୍ରାର୍ଥୀଙ୍କର ଲିଖିତ ଅନୁମୋଦନ ଗ୍ରହଣ କରନ୍ତି, ତା'ହେଲେ ସେ ପ୍ରାର୍ଥୀଙ୍କ କ୍ଷମତା ବଳରେ ଉକ୍ତ ଅର୍ଥ ଖର୍ଚ୍ଚ କରିଛନ୍ତି ବୋଲି ଧରାଯିବ ।

୧୭୧-ଝ— ନିର୍ବାଚନ ହିସାବ ରଖିବାରେ ଅକୃତକାର୍ଯ୍ୟତା :

ବଳବତ୍ତର ଆଇନ ବଳରେ କିମ୍ବା କୌଣସି ନିୟମ ବଳରେ, କୌଣସି ବ୍ୟକ୍ତି ଯଦି କୌଣସି ନିର୍ବାଚନରେ ଖର୍ଚ୍ଚ ହୋଇଥିବା ଅର୍ଥର ସଠିକ୍ ହିସାବ ନ ରଖନ୍ତି, ତାଙ୍କୁ ପଞ୍ଚଶତ ଟଙ୍କା ଜୋରିମାନାରେ ଦଣ୍ଡିତ କରାଯିବ ।

(ଉତ୍ତ-ଲିଗାଲ ମିସିଲେନୀଙ୍କ ଦ୍ୱାରା ପ୍ରକାଶିତ ଓଡ଼ିଶା ଗ୍ରାମପଞ୍ଚାୟତ ମାନୁଏଲ୍ ଓ ପଞ୍ଚାୟତ ସମିତି ମାନୁଏଲ୍, ଓଡ଼ିଶା ଲ ରିଭ୍ୟୁଏଙ୍କ ଦ୍ୱାରା ମୁଦ୍ରିତ, ଓଡ଼ିଶା ଜିଲ୍ଲା ପରିଷଦ ମାନୁଆଲ୍ ଓ “ଦି” ‘ଲ’ ହାଉସ୍‌ଙ୍କ ଦ୍ୱାରା ପ୍ରକାଶିତ ଭାରତୀୟ ଦଣ୍ଡବିଧି ଆଇନ୍)

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**STATE ELECTION COMMISSION, ODISHA,
TOSHALI BHAWAN, B-2, 1ST FLOOR, SATYANAGAR,
BHUBANESWAR-751007.**

E-mail ID – stateelectioncommission.odisha@gmail.com

Fax No. 0674-2573494

No. 2816/SEC.,

Dated the 08.10.2021

From

Sri R.N. Sahu, I.A.S.
Secretary.

To

All Collectors.

Sub: **General Elections to PRIs, 2022 –
Appointment of Electoral Registration Officer.**

Madam/Sir

In inviting a reference to the subject cited above, I am directed to say that in pursuance to the provisions under Rule 2(d-1) of the Odisha Gram Panchayat Election Rules, 1965, State Election Commissioner, Odisha has been pleased to direct that the Collector of the District shall, while authorising other responsible officers to act as Electoral Registration Officers for the purpose of preparation of Electoral Roll for election to Gram Panchayats herself/himself continues to function as Electoral Registration Officer under the said Rules and as such is in overall charge of supervision regarding preparation and publication of the Electoral Roll.

2. Rule 6 of the Odisha Panchayat Samiti Election Rules, 1991 and Rule 5 of Odisha Zilla Parishad Election Rules, 1994 provide that the final Electoral Roll of every Grama prepared under Odisha Gram Panchayat Election Rules, 1965 shall form the final Electoral Roll of the Samiti Constituency and Zilla Parishad Constituency respectively,

3. The Commission is pleased to further direct that the Block Development Officer of the local Block shall ordinarily be authorised to act as Electoral Registration Officer. The local Tahasildar / Addl. Tahsildar of the area can also be authorised as Electoral Registration Officer as a measure of 'stand-by' arrangement so that she/he can step in and discharge the functions of the Electoral Registration Officer if the services of the Block Development Officer are not available due to unavoidable reasons.

4. While the various functions assigned to Electoral Registration Officer can be discharged by the Block Development Officer in the said capacity, there might be need for appointing more Officers as Electoral Registration Officers for the purpose of conducting enquiries and hearings in respect of claims and objections for addition, deletion and alteration etc. to the Electoral Roll during the period prescribed. The Commissioner is pleased to direct that the Collector may appoint such other officers as may consider appropriate and in such numbers as may consider expedient, as Electoral Registration Officers for the purpose of these functions under intimation to the Commission.

5. The name of Electoral Registration Officer along with their designation and contact number shall be communicated to the Commission by **25.10.2021**.

6. After the final Electoral Roll is published by the Block Development Officer as Electoral Registration Officer, the Ward-wise Electoral Roll for the entire District will have to be printed at the District level.

The Commissioner is pleased to direct that **the work of printing of Electoral Roll in required numbers shall be done under the direct supervision of the Collector as Electoral Registration Officer.**

The letter is available in Commission's website- www.secodisha.gov.in

Yours faithfully,

Secretary

Memo No.2817 /SEC., Dated the 08.10.2021

Copy forwarded to the Principal-Secretary to Govt., Panchayati Raj and D.W. Department, Odisha Bhubaneswar for favour of information.

Secretary

Memo No. 2818 /SEC., Dated the 08.10.2021

Copy forwarded to the all District Panchayat Officers / Sub- Collectors / Block Development Officers for information and necessary action.

Secretary

**STATE ELECTION COMMISSION, ODISHA,
TOSHALI BHAWAN, B-2, 1st FLOOR, SATYANAGAR,
BHUBANESWAR-751007**

E-mail ID – stateelectioncommission.odisha@gmail.com

Fax No. 0674-2573494

ORDER

No. 3484 /SEC.,

Date 08.11.2021

Whereas Article 243-E of the Constitution of India provides that, election to every Panchayat shall be completed before the expiry of their term of five years from the date appointed for their first meeting and the first meetings of the Grama Panchayats, Panchayat Samities and Zilla Parishads in the State were held as follows;

1. Gram Panchayat - 10.03.2017
2. Panchayat Samiti - 11.03.2017
3. Zilla Parishad - 12.03.2017

Whereas, it is necessary to hold election to the Panchayati Raj Institutions before 10.03.2022, 11.03.2022 and 12.03.2022 respectively;

Whereas, the term of Dinkia Gram Panchayat under Ersama Panchayat Samiti in the District of Jagatsinghpur shall be completed 14.07.2024 as the first meeting of the said Gram Panchayat was held in 14.07.2019;

Whereas, all Collectors have submitted the final list of Reservation of Seats for Ward Member, Sarpanch, Panchayat Samiti Member and Chairman and the Government have submitted the Reservation of Zilla Parishad Member and President except Zilla Parishad Member of Balasore District to the State Election Commission;

Whereas, it is necessary to prepare Ward-wise electoral roll of all Grama Panchayats of all Districts except Balasore for conduct of the General Elections to the 3-tiers of Panchayati Raj Institutions including Ward-wise electoral roll of Dinkia Grama Panchayat as the electoral roll prepared under Odisha Gram Panchayat Rules shall form the final electoral roll of Panchayat Samiti and Zilla Parishad Constituency;

Whereas, the electoral roll prepared under the Odisha Grama Panchayat Election Rules including addition, deletion, revision or alteration, if any, shall be used as electoral roll for Panchayat Samiti and Zilla Parishad;

Now, therefore, the State Election Commission, in exercise of powers vested by virtue of Article 243-K of the Constitution of India read with relevant provisions

of Odisha Grama Panchayat Act, 1964, Odisha Panchayat Samiti Act, 1959 and Odisha Zilla Parishad Act, 1991 and Rules framed there under directs that Ward-wise electoral roll of all Grama Panchayats of all Districts except Balasore shall be prepared in Form No.1 as per the programme in **Schedule – I** appended herewith in accordance with the procedure given in **Schedule –II** of this Order.

The Commission also directs that **01.11.2021** shall be the qualifying date for enrollment of new voters. All persons eligible to be voters by the qualifying date i.e. 01.11.2021 shall have opportunity to file claims in appropriate form prescribed in Odisha Grama Panchayat Election Rules, 1965 for inclusion of their names in the electoral roll as per rules. The Commission further directs that claims of all qualified voters shall be disposed of in accordance with the procedure prescribed by the Commission and the new names to be added to the roll shall be entered in Form No.1-A appended to this order.

This order is available in the Commission's website www.secodisha.nic.in.

By order and in the name of
State Election Commission, Odisha

(R.N. Sahu)
Secretary

Memo No. 3485 /SEC., Date: 08.11.2021

Copy with enclosures forwarded to the Director, Printing, Stationery & Publication, Odisha, Cuttack with request to publish the order in the next extraordinary issue of Odisha Gazette and forward 500 copies thereof to the Commission.

Secretary

Memo No. 3486 /SEC., Date: 08.11.2021

Copy with enclosures forwarded to Chief Secretary, Odisha/ Principal Secretary to Government Panchayati Raj& D.W. Department/ All Revenue Divisional Commissioners for information and necessary action.

Secretary

Memo No. _____/SEC., Date:

Copy with enclosures forwarded to all Collectors & Electoral Registration Officers/ Sub-Collectors /District Panchayat Officers/Block Development Officers (except Balasore District) for information and necessary action.

Secretary

Memo No. _____/SEC., Date:

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

Secretary

Memo No. _____/SEC., Date:

Copy with enclosures forwarded to Private Secretary to State Election Commissioner for kind information of Commissioner/all Officers/all Sections of SEC for information and necessary action.

Secretary

Memo No. _____/SEC., Date:

Copy forwarded to Computer Programmer to upload it in Commission's website and transmit the same through e-mail.

Secretary

Schedule – I**PROGRAMME FOR PREPARATION AND PRINTING OF ELECTORAL ROLL
FOR GENERAL ELECTION TO PRIs,2022**

Sl. No.	Stages	Dates
1.	Splitting of electoral roll of Assembly Constituency relatable to the Ward under section 9(2) and Rule 5(1)	10.11.2021 to 15.11.2021
2.	Publication of preliminary Ward-wise electoral roll at Grama Panchayat headquarters u/r 5(3)	16.11.2021
3.	Filing of claims and objections u/r 5 (5).	Up to 23.11.2021
4.	Enquiry & disposal by Electoral Registration Officer u/r 7(1).	24.11.2021 to 26.11.2021
5.	Inspection of the draft electoral roll and filing of application if any, to the BDO against the decision of the ERO at 4 above.	29.11.2021 to 30.11.2021
6.	Disposal of the applications by the BDO-cum-ERO u/r 7 (2)	01.12.2021 to 02.12.2021
7.	Publication of Final electoral roll u/r 8(1).	04.12.2021
8.	Submission of authenticated final electoral roll to S.E.C. u/r 8(2) to the Commission.	06.12.2021
9.	Submission of printed copy to the Commission.	14.12.2021

** The Act/Rules referred to above are as prescribed in the Odisha Gram Panchayat Act, 1964 and Odisha Gram Panchayat Election Rules, 1965.*

Secretary

PROCEDURE FOR PREPARATION OF THE ELECTORAL ROLL

1. The Collector as Electoral Registration Officer will be in overall charge of preparation and finalisation of electoral roll of respective Grama Panchayat / Panchayat Samiti / Zilla Parishad Constituencies.
2. Ordinarily, the Collector shall authorize the Block Development Officers to function as Electoral Registration Officer in respect of the Gram Panchayat Wards, Panchayat Samiti & Zilla Parishad Constituencies coming within her/his area. She/he may also authorize Tahasildar as Electoral Registration Officer as a stand-by measure.
3. The electoral roll of Assembly Constituencies prepared and published by the Election Commission of India during January,2021 and currently in force shall be the basis for preparation of the preliminary ward-wise electoral roll. For this purpose, the electoral roll of Assembly Constituency relatable to the Ward shall have to be split up into separate electoral roll for every Ward as per Rule 5(1) of Odisha Gram Panchayat Election Rules, 1965. The preliminary electoral roll shall be prepared in Form No.1 prescribed by the Commission under the seal and signature of the Electoral Registration Officer.

The Commission has already sent Assembly Constituency-wise Electoral Roll database published in January, 2021 by the Election Commission of India in a C.D in Excel Format and detailed instructions for preparation of Ward wise Electoral Roll for the Panchayat Election out of the database in Excel format vide Commission's letter No.2859 dtd.11.10.2021.

4. Any person who is qualified under the provisions of the Representation of the People Act, 1950 or the Odisha Grama Panchayat Act, 1964 to be registered as a voter in any Grama, shall be eligible to be registered in the electoral roll of a Ward and the name of a person who is disqualified under the provisions of the said Acts shall be liable for removal from the electoral roll of the said Ward.
5. All qualified voters shall have the opportunity to file claims in Form No.16 prescribed under Odisha Grama Panchayat Election Rules, 1965 for inclusion of their names in the electoral roll and can file objections in Form No.17 to the entry as per rules. In all cases receipt appended to the Forms has to be given to the claimants/objectors.

6. The preliminary electoral roll of the Ward prepared in accordance with Rule 5(1) of Odisha Grama Panchayat Election Rules, 1965 shall be published by the Electoral Registration Officer at a conspicuous place at the headquarters of the Grama Sasan together with a notice in Form No.2, in accordance with the provisions under Rule 5(3). Such notice shall also be published in the Notice Board of Collector/Sub-Collector and in the concerned Panchayat Samiti.
- 6.1 It shall be ensured that the copies of preliminary electoral roll is kept open at Gram Panchayat Office for inspection by the public for entire period during filing of claims and objections.
7. The Electoral Registration Officers shall notify the date / time and place for disposal of the claims and objection received in Form No.16 & 17 under Odisha Grama Panchayat Election Rules, 1965.
- 7.1 The Electoral Registration Officer shall cause enquiry into all claims and objections u/r 7(1) in a summary manner which shall be kept on record. Normally, the disposal of claims and objections should begin after the last date of filing of claims and objections.
- 7.2 When large number of claims and objections are received, preliminary enquiry can as well begin even during the period of filing of claims and objections by engaging other Government Officials at the disposal.
- 7.3 Other field Officials of the Government under whose jurisdiction the area falls may as well be associated.
- 7.4 However, no decision will be taken simply on the basis of the enquiry report without hearing the person concerned who has filed claims or objections.
- 7.5 On the scheduled date of hearing, the Electoral Registration Officer shall take into account the materials of enquiry and hear the person concerned. The contents of hearing be recorded in a summary manner. If the person concerned does not turn up on the scheduled date and time of hearing, the Electoral Registration Officer shall take appropriate decision taking into account the materials available before him and the fact of his absence at the time of hearing can as well be recorded.
- 7.6 Final decision of the Electoral Registration Officer in respect of each claim and objection and to that effect findings in brief shall be kept in record.

8. After disposal of claims and objections filed before the Electoral Registration Officer, he will compile the same and will make necessary amendment to the Preliminary electoral roll. This draft electoral roll will be kept open for inspection in the office of Gram Panchayat as well as in the office of Panchayat Samiti for the period notified by the Commission.
9. Any person aggrieved to the decision of the ERO on his petition, can make an application to the Block Development Officer-cum-Electoral Registration Officer within the date given in Schedule-I. The application shall be received in the Block Office and to be acknowledged by giving receipt. A register should be maintained incorporating the name of the petitioner, name of the GP, Ward No. and date of receipt.
10. The Block Development Officer-cum-Electoral Registration Officer shall conduct further enquiry under Rule 7(2) of the Odisha Grama Panchayat Election Rules 1965. He shall peruse the record of the concerned Electoral Registration Officer and shall dispose of the application in the manner stated in para 7 of this instruction. Eligible names for enrollment shall appropriately be kept in Form No.1-A after which the draft electoral roll shall be made final.
- 10.1 The names figuring in Form I-A shall appear at the bottom of the names in Form – I (after deletions) in the Final roll of each Ward.
11. The name of the Polling Station shall be indicated in the electoral roll.
12. The final electoral roll of each Ward shall be published u/r 8(1) of the Odisha Grama Panchayat Election Rule 1965.
13. In addition to foot note as communicated in Commission's Instruction No.2134 dtd.26.08.2021 following certificate may also be given by the concerned Electoral Registration Officer at the end of each Ward.

“Certified that the electoral roll of Ward No. _____ of _____ Gram Panchayat have been published in accordance with Odisha Grama Panchayat Election Rules, 1965”.
14. Two bound copies of the final electoral roll as published by the Electoral Registration Officer Grama Panchayat-wise duly authenticated by him shall be kept in his office and one copy thereof shall be sent to the Commission as per the dateline fixed.
15. The electoral roll has to be prepared both in hard and soft copy. The Soft copy of electoral roll is to be prepared Block-wise in C.D.

16. Printed Ward wise electoral roll Gram Panchayat wise shall be duly authenticated by the Electoral Registration Officer in each page and submitted to the Commission along with CD through Special Messenger.
17. Each National Party/State party (Odisha) shall be supplied with a copy of the same free of cost.

Secretary

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[ଓଡ଼ିଶା ଗ୍ରା.ପ. ନିୟମ 7(4) ଦ୍ରଷ୍ଟବ୍ୟ]
ଭୋଟର ତାଲିକା

ଜିଲ୍ଲା ବିଧାନସଭା ନିର୍ବାଚନ ମଣ୍ଡଳୀ

ସବ୍ଡିଭିଜନ୍ ଜିଲ୍ଲାପରିଷଦ ନିର୍ବାଚନ ମଣ୍ଡଳୀ

ବ୍ଲକ୍/ପଞ୍ଚାୟତ ସମିତି ଗ୍ରାମ ପଞ୍ଚାୟତ

ଥାନା ଗ୍ରାମ

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(ଦସ୍ତଖତ ଓ ମୋହର)

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ସବ୍ଡିଭିଜନ୍ ଜିଲ୍ଲାପରିଷଦ ନିର୍ବାଚନ ମଣ୍ଡଳୀ

ବ୍ଲକ୍/ପଞ୍ଚାୟତ ସମିତି ଗ୍ରାମ ପଞ୍ଚାୟତ

ଥାନା ଗ୍ରାମ

ଭୋଟ କେନ୍ଦ୍ର ଅବସ୍ଥିତି ଷ୍ଟାର୍ଟ ନଂ.....

କ୍ରମିକ ସଂଖ୍ୟା	ଘର ନଂ	ନାମ-ପିତା/ସ୍ୱାମୀଙ୍କ ନାମ	ବୟସ	ବିଧାନ ସଭା ନିର୍ବାଚନମଣ୍ଡଳୀ ଭୋଟର ତାଲିକାରେ କ୍ରମିକ ସଂଖ୍ୟା	ମତବ୍ୟ
(1)	(2)	(3)	(4)	(5)	(6)

(ଦସ୍ତଖତ ଓ ମୋହର)

ଇଲେକ୍ଟୋରାଲ ରେଜିଷ୍ଟ୍ରେସନ ଅଫିସର

**NOTICE OF FINAL PUBLICATION OF ELECTORAL ROLL
(Prescribed by State Election Commission, Odisha)**

It is hereby notified that the Final Electoral Roll enclosed hereto prepared under Rule 7(4) of the Odisha Grama Panchayat Election Rules, 1965 with reference to **01.11.2021** as the qualifying date, is hereby published and available in the office of the undersigned.

ELECTORAL REGISTRATION OFFICER

Place

Date

Memo No. _____/SEC., Date

Copy of the notice along with the electoral roll of all Wards of _____ Grama Panchayat forwarded to the Notice Board of the undersigned/ concerned Grama Panchayat for publication.

ELECTORAL REGISTRATION OFFICER

ରାଜ୍ୟ ନିର୍ବାଚନ ଆୟୋଗ ,ଓଡ଼ିଶା
ତୋଶାଳୀ ଭବନ ,ବି-୨ ,ପ୍ରଥମ ମହଲା ,ସତ୍ୟ ନଗର,
ଭୁବନେଶ୍ୱର-୭୫୧୦୦୭

E-mail ID – stateelectioncommission.odisha@gmail.com
Fax No. 0674-2573494

ଆଦେଶ

ସଂଖ୍ୟା ୩୪୮୪/ ରା.ନି.ଆ ତା.୦୮.୧୧.୨୦୨୧ରିଖ

ଯେହେତୁ ଭାରତୀୟ ସଂବିଧାନର ଧାରା 243-E ଆନୁଯାୟୀ ପଂଚାୟତି ରାଜ ଅନୁଷ୍ଠାନ ଗୁଡ଼ିକର ଅବଧି ପ୍ରଥମ ବୈଠକ ଠାରୁ ୫ ବର୍ଷ ଶେଷ ହେବା ପୂର୍ବରୁ ପୁନଃଗଠନ ହେବା ଆବଶ୍ୟକ । ପଂଚାୟତି ରାଜ ଅନୁଷ୍ଠାନ ଗୁଡ଼ିକର ପ୍ରଥମ ବୈଠକ ନିମ୍ନାନୁସାରେ ଅନୁଷ୍ଠିତ ହୋଇଥିଲା;

- | | |
|-----------------|------------|
| ୧. ଗ୍ରାମ ପଂଚାୟତ | ୧୦.୦୩.୨୦୧୭ |
| ୨. ପଂଚାୟତ ସମିତି | ୧୧.୦୩.୨୦୧୭ |
| ୩. ଜିଲ୍ଲା ପରିଷଦ | ୧୨.୦୩.୨୦୧୭ |

ସୁତରାଂ ଉପରୋକ୍ତ ପଂଚାୟତି ରାଜ ଅନୁଷ୍ଠାନ ଗୁଡ଼ିକର ସାଧାରଣ ନିର୍ବାଚନ ତଥା ପୁନଃଗଠନ ଯଥାକ୍ରମେ ତା ୧୦.୦୩.୨୨, ୧୧.୦୩.୨୨ ଓ ୧୨.୦୩.୨୨ରିଖ ପୂର୍ବରୁ ହେବା ଆବଶ୍ୟକ ;

ଯେହେତୁ ଜଗତସିଂହପୁର ଜିଲ୍ଲାର ଏରସମା ବ୍ଲକ ଅନ୍ତର୍ଗତ ଢିଙ୍କିଆ ଗ୍ରାମ ପଂଚାୟତର ପ୍ରଥମ ବୈଠକ ସାଧାରଣ ନିର୍ବାଚନ ପରେ ତା ୧୪.୦୭.୨୦୧୯ରିଖରେ ଅନୁଷ୍ଠିତ ହୋଇଥିଲା ଏହାର ସାଧାରଣ ନିର୍ବାଚନ ତଥା ପୁନଃଗଠନ ଯଥାକ୍ରମେ ତା ୧୪.୦୭.୨୪ରିଖ ପୂର୍ବରୁ ହେବା ଆବଶ୍ୟକ ;

ଯେହେତୁ, ନିୟମାନୁସାରେ ସମସ୍ତ ଜିଲ୍ଲାପାଳମାନେ ଓଡ଼ିଆ ମେମ୍ବର, ସରପଂଚ, ପଂଚାୟତ ସମିତି ମେମ୍ବର ଓ ଅଧ୍ୟକ୍ଷ ପଦବୀ ପାଇଁ ଓ ରାଜ୍ୟ ସରକାର ବାଲେଶ୍ୱର ଜିଲ୍ଲା ବ୍ୟତୀତ ଅନ୍ୟ ସମସ୍ତ ଜିଲ୍ଲାର ଜିଲ୍ଲା ପରିଷଦ ସଭ୍ୟ ଓ ସମସ୍ତ ଜିଲ୍ଲାର ଜିଲ୍ଲା ପରିଷଦ ସଭାପତି ଆସନ ଆରକ୍ଷଣର ଚୁଡ଼ାନ୍ତ ତାଲିକା ରାଜ୍ୟ ନିର୍ବାଚନ ଆୟୋଗକୁ ପ୍ରଦାନ କରିଛନ୍ତି ;

ଯେହେତୁ, ସମସ୍ତ ଜିଲ୍ଲା (ବାଲେଶ୍ୱର ଜିଲ୍ଲା ବ୍ୟତୀତ) ଗୁଡ଼ିକର ସାଧାରଣ ନିର୍ବାଚନ ପାଇଁ ସମସ୍ତ ଗ୍ରାମ ପଂଚାୟତର ଓଡ଼ିଆ ଓଡ଼ିଆ ଭାଷାରେ ତାଲିକା ଢିଙ୍କିଆ ଗ୍ରାମ ପଂଚାୟତର ଓଡ଼ିଆ ଭାଷାରେ ତାଲିକା ସମେତ ଓଡ଼ିଶା ଗ୍ରାମ ପଂଚାୟତ ନିୟମ ଅନୁଯାୟୀ ପ୍ରସ୍ତୁତ କରାଯିବ, ଯାହାକି ମଧ୍ୟ ସମିତି ଓ ପରିଷଦ ନିର୍ବାଚନ ମଣ୍ଡଳୀ ପାଇଁ ମଧ୍ୟ ଚୁଡ଼ାନ୍ତ ଭାଷାରେ ତାଲିକା ହେବ ;

ଭାରତୀୟ ସଂବିଧାନର ଧାରା 243-K, ଓଡ଼ିଶା ଗ୍ରାମ ପଂଚାୟତ ଅଧିନିୟମ ୧୯୭୪, ଓଡ଼ିଶା ପଂଚାୟତ ସମିତି ଅଧିନିୟମ ୧୯୫୯ ଓ ଓଡ଼ିଶା ଜିଲ୍ଲା ପରିଷଦ ଅଧିନିୟମ ୧୯୯୧ ଏବଂ ତଦ୍ ସମନ୍ୱୟ ନିୟମ ଗୁଡ଼ିକ ଦ୍ୱାରା ଅର୍ପିତ କ୍ଷମତା ବଳରେ ରାଜ୍ୟ ନିର୍ବାଚନ ଆୟୋଗ ଗ୍ରାମ ପଂଚାୟତର ଓଡ଼ିଆ ଓଡ଼ିଆ ପ୍ରାଥମିକ

ଭୋଟ ତାଲିକା ସଂଲଗ୍ନ ଅନୁସୂଚୀ ନଂ-୧ରେ ଅନୁସୂଚୀ-୨ ଦ୍ୱାରା ଦର୍ଶାଯାଇଥିବା କ୍ରିୟାବିଧି ଅନୁସାରେ ପ୍ରସ୍ତୁତ କରିବା ପାଇଁ ନିର୍ଦ୍ଦେଶ ଦେଉଛନ୍ତି ;

ଯେହେତୁ, ଗ୍ରାମ ପଂଚାୟତର, ପଂଚାୟତ ସମିତି ଓ ଜିଲ୍ଲା ପରିଷଦର ନିର୍ବାଚନ ଏକ ସମୟରେ ହେଉଅଛି, ଗ୍ରାମ ପଂଚାୟତ ନିର୍ବାଚନ ନିୟମ ଅନୁଯାୟୀ ସଂଯୋଗ, ସଂଶୋଧନ ତଥା ପରିବର୍ତ୍ତନକୁ ବିଚାର କରି ଗ୍ରାମ ପଂଚାୟତ ପାଇଁ ପ୍ରସ୍ତୁତ ଖାର୍ଚ୍ଚାଂଶୁ ରୂପାନ୍ତ ଭୋଟର ତାଲିକା ମଧ୍ୟ ସମିତି ଓ ପରିଷଦ ନିର୍ବାଚନ ମଣ୍ଡଳୀର ରୂପାନ୍ତ ଭୋଟର ତାଲିକା (ବାଲେଶ୍ୱର ଜିଲ୍ଲା ବ୍ୟତୀତ) ରୂପେ ପରିଗଣିତ ହେବ ;

ରାଜ୍ୟ ନିର୍ବାଚନ କମିଶନଙ୍କ ନିର୍ଦ୍ଦେଶାନୁସାରେ ତା ୦୧.୧୧.୨୦୧୯ ରିଖ ସୁଦ୍ଧା ୧୮ ବର୍ଷ ସମ୍ପୂର୍ଣ୍ଣ ହୋଇଥିବା ଯୋଗ୍ୟ ବ୍ୟକ୍ତି ଓଡ଼ିଶା ଗ୍ରାମ ପଂଚାୟତ ନିର୍ବାଚନ ନିୟମାବଳୀ ୧୯୬୫ ଦ୍ୱାରା ନିର୍ଦ୍ଧାରିତ ଫାରମରେ ନିଜ ନାମ ଭୋଟର ତାଲିକାରେ ନିୟମାନୁସାରେ ଦରଜ କରିବା ନିମନ୍ତେ ଦାବୀ କରିପାରିବେ । କମିଶନ ପୁନର୍ବାର ନିର୍ଦ୍ଦେଶ ଦେଉଅଛନ୍ତି ଯେ ସମସ୍ତ ଯୋଗ୍ୟ ଭୋଟରମାନଙ୍କ ଦାବୀ କମିଶନଙ୍କ ଦ୍ୱାରା ନିର୍ଦ୍ଧାରିତ କ୍ରିୟାବିଧି ଅନୁସାରେ ଫାଇସଲା ହେବ ଏବଂ ନୂତନ ନାମ ଗୁଡ଼ିକ ଭୋଟର ତାଲିକାରେ ଏହି ଆଦେଶର ସଂଲଗ୍ନିତ ଫାରମ ନଂ-୧ A ରେ ଦରଜ ହେବ ।

ଭୋଟର ତାଲିକାର କାର୍ଯ୍ୟସୂଚୀ ଏହି ଆଦେଶର ଅନୁସୂଚୀ-୧ରେ ଦର୍ଶାଯାଇଅଛି ।

ଏହି ଆଦେଶ କମିଶନଙ୍କ ୱେବସାଇଟ୍ ରେ (www.secodisha.nic.in) ଉପଲବ୍ଧ ।

ରାଜ୍ୟ ନିର୍ବାଚନ କମିଶନଙ୍କ
ଆଦେଶାନୁସାରେ ଓ ନାମାନୁସାରେ

(ରବିନ୍ଦ୍ର ନାଥ ସାହୁ)

ସଚିବ

ଜ୍ଞାପକ ସଂଖ୍ୟା ୩୪୮୫/ରା.ନି.ଆ.

ତା ୦୮.୧୧.୨୦୧୯ ରିଖ

ଏହାର ନକଲ ସଂଲଗ୍ନକ ସହିତ ନିର୍ଦ୍ଦେଶକ, ମୁଦ୍ରଣ, ଲିଖନ ଓ ପ୍ରକାଶନ, ଓଡ଼ିଶା, କଟକକୁ ପଠାଯାଇ ଅସାଧାରଣ ଓଡ଼ିଶା ଗେଜେଟ୍ ରେ ପ୍ରକାଶନ କରି ୫୦୦ କିତା ନକଲ ଯୋଗାଇଦେବାକୁ ଅନୁରୋଧ ।

ସଚିବ

ଜ୍ଞାପକ ସଂଖ୍ୟା ୩୪୮୬/ରା.ନି.ଆ.

ତା . ୦୮.୧୧.୨୦୧୯ ରିଖ

ଏହାର ନକଲ ସଂଲଗ୍ନକ ସହିତ ମୁଖ୍ୟ ସଚିବ, ଓଡ଼ିଶା/ପ୍ରମୁଖ ସଚିବ, ପଂଚାୟତି ରାଜ ଓ ପାନୀୟ ଜଳ ବିଭାଗ/ସମସ୍ତ ରାଜସ୍ୱ ଆୟୋଗଙ୍କ ଅବଗତି ଓ କାର୍ଯ୍ୟାନୁଷ୍ଠାନ ନିମନ୍ତେ ପ୍ରେରଣ କରାଗଲା ।

ସଚିବ

ଜ୍ଞାପକ ସଂଖ୍ୟା ୩୪୮୭/ରା.ନି.ଆ.

ତା ୦୮.୧୧.୨୦୧୯ ରିଖ

ଏହାର ନକଲ ସଂଲଗ୍ନ ସହିତ ସମସ୍ତ ଜିଲ୍ଲାପାଳ/ଉପ-ଜିଲ୍ଲାପାଳ/ଜିଲ୍ଲା ପଂଚାୟତ ଅଧିକାରୀ/ ମଣ୍ଡଳ ଉନ୍ନୟନ ଅଧିକାରୀଙ୍କ (ବାଲେଶ୍ଵର ଜିଲ୍ଲା ବ୍ୟତୀତ) ଅବଗତି ଓ କାର୍ଯ୍ୟାନୁଷ୍ଠାନ ନିମନ୍ତେ ପ୍ରେରଣ କରାଗଲା ।

ସଚିବ

ଜ୍ଞାପକ ସଂଖ୍ୟା.୩୪୮୮/ରା.ନି.ଆ.

ତା ୦୮.୧୧.୨୦୨୧ରିଖ

ଏହାର ନକଲ ସଂଲଗ୍ନ ସହିତ ସମସ୍ତ ରାଜନୈତିକ ଦଳଙ୍କ ଅବଗତି ଓ କାର୍ଯ୍ୟାନୁଷ୍ଠାନ ନିମନ୍ତେ ପ୍ରେରଣ କରାଗଲା ।

ସଚିବ

ଜ୍ଞାପକ ସଂଖ୍ୟା ୩୪୮୯/ରା.ନି.ଆ.

ତା ୦୮.୧୧.୨୦୨୧ରିଖ

ଏହାର ନକଲ ସଂଲଗ୍ନ ସହିତ ରାଜ୍ୟ ନିର୍ବାଚନ ଆୟୋଗଙ୍କ ବ୍ୟକ୍ତିଗତ ସଚିବ/ସମସ୍ତ ଅଧିକାରୀ ଓ ସମସ୍ତ ବିଭାଗଙ୍କ ଅବଗତି ଓ କାର୍ଯ୍ୟାନୁଷ୍ଠାନ ନିମନ୍ତେ ପ୍ରେରଣ କରାଗଲା ।

ସଚିବ

ଜ୍ଞାପକ ସଂଖ୍ୟା ୩୪୯୦/ରା.ନି.ଆ.

ତା ୦୮.୧୧.୨୦୨୧ରିଖ

ଏହାର ନକଲ ସଂଲଗ୍ନ ସହିତ ରାଜ୍ୟ ନିର୍ବାଚନ କମିଶନଙ୍କ ୱେବସାଇଟ୍ ରେ ଅପ୍ଲୋଡ୍ ଓ ସମସ୍ତ ଜିଲ୍ଲା କୁ ଇ-ମେଲ ଯୋଗେ ପଠାଇବା ନିମନ୍ତେ କମ୍ପ୍ୟୁଟର ପ୍ରୋଗ୍ରାମରୁ ପ୍ରେରଣ କରାଗଲା ।

ସଚିବ

ପଂଚାୟତ ସାଧାରଣ ନିର୍ବାଚନ ୨୦୨୨ ପରିପେକ୍ଷାରେ ଭୋଟର ତାଲିକା ପୁସ୍ତକରଣର କାର୍ଯ୍ୟସୂଚୀ

କ୍ର. ନଂ	ବିଷୟ	ତାରିଖ
୧.	ବିଧାନସଭାର ଭୋଟର ତାଲିକାକୁ *ଧାରା ୯(୨) ଓ *ନିୟମ ୫(୧) ଅନୁଯାୟୀ ଓ୍ଵାର୍ଡ଼ିଂରୀ ବିଭକ୍ତି କରଣ (splitting) ।	୧୦.୧୧.୨୦୨୧ ଠାରୁ ୧୫.୧୧.୨୦୨୧ ପର୍ଯ୍ୟନ୍ତ
୨.	ପ୍ରାଥମିକ ଭୋଟର ତାଲିକା ନିୟମ ୫(୩) ଅନୁଯାୟୀ ଗ୍ରାମ ପଂଚାୟତ ସଦର ମହକୁମାରେ ପ୍ରକାଶନ ।	୧୬.୧୧.୨୦୨୧
୩.	ଦାବି ଓ ଆପି ନିୟମ ୫(୫) ଅନୁଯାୟୀ ଇଲେକ୍ଟୋରାଲ ରେଜିଷ୍ଟ୍ରେସନ ଅଫିସରଙ୍କ ପାଖରେ ଦାଖଲ ।	୨୩.୧୧.୨୦୨୧ ପର୍ଯ୍ୟନ୍ତ
୪.	ଦାବି ଓ ଆପି ଗୁଡ଼ିକର ନିୟମ ୬(୧) ଅନୁଯାୟୀ ଇଲେକ୍ଟୋରାଲ ରେଜିଷ୍ଟ୍ରେସନ ଅଫିସରଙ୍କ ଦ୍ଵାରା ତଦନ୍ତ ଓ ଫଇସଲା ।	୨୪.୧୧.୨୦୨୧ ଠାରୁ ୨୬.୧୧.୨୦୨୧ ପର୍ଯ୍ୟନ୍ତ
୫.	ଟିଠା ଭୋଟର ତାଲିକା ନିରୀକ୍ଷଣ ଓ ଉପର-୪ ରେ ଦର୍ଶାଯାଇଥିବା ଇଲେକ୍ଟୋରାଲ ରେଜିଷ୍ଟ୍ରେସନ ଅଫିସରଙ୍କ ନିଷ୍ପତ୍ତି ବିପକ୍ଷରେ, ଯଦିଥାଏ, ବି.ଡି.ଓ. କୁ ଦରଖାସ୍ତ ପ୍ରଦାନ ।	୨୯.୧୧.୨୦୨୧ ଠାରୁ ୩୦.୧୧.୨୦୨୧ ପର୍ଯ୍ୟନ୍ତ
୬.	ବି.ଡି.ଓ. ତଥା ଇଲେକ୍ଟୋରାଲ ରେଜିଷ୍ଟ୍ରେସନ ଅଫିସରଙ୍କ ଦ୍ଵାରା ନିୟମ ୬ (୨) ଅନୁଯାୟୀ ଦରଖାସ୍ତ ଫଇସଲା ।	୦୧.୧୨.୨୦୨୧ ଠାରୁ ୦୨.୧୨.୨୦୨୧ ପର୍ଯ୍ୟନ୍ତ
୭.	ଚୁଡ଼ାନ୍ତ ଭୋଟର ତାଲିକା ନିୟମ ୮ (୧) ଅନୁଯାୟୀ ପ୍ରକାଶନ ।	୦୪.୧୨.୨୦୨୧
୮.	ଅଧିଗୃହିତ ଚୁଡ଼ାନ୍ତ ଭୋଟର ତାଲିକା ରାଜ୍ୟ ନିର୍ବାଚନ କମିଶନଙ୍କୁ ପ୍ରେରଣ ।	୦୬.୧୨.୨୦୨୧
୯.	ମୁଦ୍ରିତ ଚୁଡ଼ାନ୍ତ ଭୋଟର ତାଲିକା ରାଜ୍ୟ ନିର୍ବାଚନ ଆୟୋଗଙ୍କ ପାଖକୁ ପ୍ରେରଣ ।	୧୪.୧୨.୨୦୨୧

* ଉପରୋକ୍ତ ଅଧିନିୟମ ଓ ନିୟମ ଗୁଡ଼ିକ ଓଡ଼ିଶା ଗ୍ରାମ ପଂଚାୟତ ଅଧିନିୟମ, ୧୯୬୪ ଓ ଓଡ଼ିଶା ଗ୍ରାମ ପଂଚାୟତ ନିର୍ବାଚନ ନିୟମାବଳୀ, ୧୯୬୫ ଅନ୍ତର୍ଭୁକ୍ତ ଅଟେ ।

ସଚିବ

ଭୋଟର ତାଲିକା ପ୍ରସ୍ତୁତି ପାଇଁ କ୍ରିୟାବିଧି

- ୧. ଜିଲ୍ଲାପାଳ ଇଲେକ୍ଟୋରାଲ ରେଜିଷ୍ଟ୍ରେସନ ଅଫିସର ଭାବେ ସଂପୃକ୍ତ ଗ୍ରାମ ପଂଚାୟତ, ପଂଚାୟତ ସମିତି ଓ ଜିଲ୍ଲା ପରିଷଦ ମଣ୍ଡଳୀର ଭୋଟର ତାଲିକା ପ୍ରସ୍ତୁତି ଓ ଚୁଡ଼ାନ୍ତ କାର୍ଯ୍ୟର ସାମୁହିକ ଭାବେ ଦାୟୀତ୍ୱ ତୁଲାଇବେ ।
- ୨. ସାଧାରଣତଃ ଜିଲ୍ଲାପାଳ, ବ୍ଲକ୍ ଉନ୍ନୟନ ଅଧିକାରୀମାନଙ୍କୁ ଇଲେକ୍ଟୋରାଲ ରେଜିଷ୍ଟ୍ରେସନ ଅଫିସର ଭାବେ ତାଙ୍କ ପରିସରଭୁକ୍ତ ଗ୍ରାମ ପଂଚାୟତ ଓ ଓଡ଼ିଶା ଗ୍ରାମ ପଂଚାୟତ ସମିତି, ଜିଲ୍ଲା ପରିଷଦ ମଣ୍ଡଳୀପାଇଁ ପ୍ରାଧିକୃତ କରିଥାନ୍ତି । ସେ ମଧ୍ୟ ତହସିଲଦାରମାନଙ୍କୁ ସହାୟ (Standby) ଭାବେ ପ୍ରାଧିକୃତ କରିପାରନ୍ତି ।
- ୩. ନିର୍ବାଚନ କମିଶନ, ଭାରତୀୟ ଦ୍ୱାରା ଜାନୁଆରୀ ୨୦୨୧ ରେ ପ୍ରସ୍ତୁତ ଓ ପ୍ରକାଶିତ ବିଧାନ ସଭାର ଭୋଟର ତାଲିକା ବର୍ତ୍ତମାନ ପ୍ରଚଳିତ, ଓଡ଼ିଶା ପ୍ରାଥମିକ ଭୋଟର ତାଲିକା ପ୍ରସ୍ତୁତ କରିବା ପାଇଁ ଆଧାର ରୂପେ ଗ୍ରହଣ କରାଯିବ । ଏହି ଉଦ୍ଦେଶ୍ୟରେ ସଂପୃକ୍ତ ବିଧାନ ସଭା ଭୋଟର ତାଲିକାକୁ ଓଡ଼ିଶା ଗ୍ରାମ ପଂଚାୟତ ନିର୍ବାଚନ ନିୟମାବଳୀ ୧୯୬୪ ଅର୍ତ୍ତଗତ ନିୟମ ୪ (୧) ଅନୁଯାୟୀ ପ୍ରତ୍ୟେକ ଓଡ଼ିଶା ପାଇଁ ପୃଥକ ଭୋଟର ତାଲିକା କରାଯିବ । ପ୍ରାଥମିକ ଭୋଟର ତାଲିକା କମିଶନଙ୍କ ଦ୍ୱାରା ସ୍ଥିରକୃତ ଫାରମ୍ ନଂ ୧ ରେ ଇଲେକ୍ଟୋରାଲ ରେଜିଷ୍ଟ୍ରେସନ ଅଫିସରଙ୍କ ମୋହର ଓ ସ୍ୱାକ୍ଷର ଥାଇ ପ୍ରସ୍ତୁତ ହେବ ।
 ନିର୍ବାଚନ କମିଶନ, ଭାରତୀୟ ଦ୍ୱାରା ଜାନୁଆରୀ ୨୦୨୧ ରେ ପ୍ରକାଶିତ ବିଧାନ ସଭା ନିର୍ବାଚନ ମଣ୍ଡଳୀ ଓଡ଼ିଶା ଭୋଟର ତାଲିକାର (Data base) C.D. ରେ Excel format ରେ ବିସ୍ତୃତ ନିର୍ଦ୍ଦେଶାବଳୀ ସହିତ ରାଜ୍ୟ ନିର୍ବାଚନ ଆୟୋଗଙ୍କ ପତ୍ର ସଂଖ୍ୟା ୨୮୪୯ ତା ୧୧.୧୦.୨୦୨୧ରିଖରେ ଜିଲ୍ଲାକୁ ପଠାଯାଇଛି । ଏଥିରୁ ପଂଚାୟତ ନିର୍ବାଚନ ପାଇଁ ଓଡ଼ିଶା ପ୍ରାଥମିକ ଭୋଟର ତାଲିକା ପ୍ରସ୍ତୁତ କରାଯିବ ।
- ୪. କୌଣସି ବ୍ୟକ୍ତି ଯେ କି ଲୋକ ପ୍ରତିନିଧି ଅଧିନିୟମ ୧୯୫୦ ଓ ଓଡ଼ିଶା ଗ୍ରାମ ପଂଚାୟତ ଅଧିନିୟମ ୧୯୬୪ ଅନୁସାରେ କୌଣସି ଗ୍ରାମ ପଂଚାୟତର ଭୋଟର ହିସାବରେ ତାଲିକାଭୁକ୍ତ ହେବା ପାଇଁ ଯୋଗ୍ୟ ଥିବେ, ସଂପୃକ୍ତ ଓଡ଼ିଶା ପ୍ରାଥମିକ ଭୋଟର ତାଲିକାରେ ତାଙ୍କର ନାମ ଦରଜ ହେବ ଓ ଯେଉଁ ବ୍ୟକ୍ତି ଉକ୍ତ ଅଧିନିୟମ ଅନୁସାରେ ଅଯୋଗ୍ୟ ଥିବେ ତାଙ୍କର ନାମ ସଂପୃକ୍ତ ଭୋଟର ତାଲିକାରୁ ବାଦ ଦିଆଯିବ ।
- ୫. ସମସ୍ତ ଯୋଗ୍ୟ ଭୋଟର ଓଡ଼ିଶା ଗ୍ରାମ ପଂଚାୟତ ନିୟମାବଳୀ ୧୯୬୪ ଦ୍ୱାରା ଉଦ୍ଦିଷ୍ଟ ଫାରମ୍ ୧୬ ଅନୁସାରେ ସେମାନଙ୍କର ନାମ ଭୋଟର ତାଲିକାରେ ଦରଜ କରିପାରିବେ ଓ କୌଣସି ଦରଜ ପାଇଁ ଆପତ୍ତି ଥିଲେ ନିୟମ ଅନୁସାରେ ଫାରମ୍ ୧୭ରେ ଆବେଦନ କରିପାରିବେ । ପ୍ରତ୍ୟେକ କ୍ଷେତ୍ରରେ ଫାରମ୍ରେ ସଂଯୁକ୍ତ ରସିଦକୁ ଅଭିଯୋଗକାରୀ/ଆବେଦନକାରୀକୁ ଦିଆଯିବ ।
- ୬. ଓଡ଼ିଶା ଗ୍ରାମ ପଂଚାୟତ ନିର୍ବାଚନ ନିୟମାବଳୀ ୧୯୬୪ ଅର୍ତ୍ତଗତ ନିୟମ ୪ (୧) ଅନୁସାରେ ପ୍ରସ୍ତୁତ ପ୍ରାଥମିକ ଭୋଟର ତାଲିକା ଇଲେକ୍ଟୋରାଲ ରେଜିଷ୍ଟ୍ରେସନ ଅଫିସରଙ୍କ ଦ୍ୱାରା ଗ୍ରାମ ପଂଚାୟତର ସଦର ମହକୁମାର ସମସ୍ତ ଦେଖିଯାରିଲା ଭଳି (conspicuous) ସ୍ଥାନରେ ନିୟମ ୪ (୩) ଅନୁଯାୟୀ ଫାରମ୍ ୨ ରେ ନୋଟିସ ଦିଆଯିବ । ଉକ୍ତ ନୋଟିସ ମଧ୍ୟ ଜିଲ୍ଲାପାଳ, ଉପ-ଜିଲ୍ଲାପାଳ ଓ ସଂପୃକ୍ତ ପଂଚାୟତ ସମିତିର ବିଜ୍ଞପ୍ତି ଫଳକ (ନୋଟିସ ବୋର୍ଡ)ରେ ପ୍ରକାଶିତ ହେବ ।

- ୧.୧ ଦାବୀ ଓ ଆପତ୍ତି ଆହ୍ୱାନ କରାଯାଉଥିବା ଉଦ୍ଦିଷ୍ଟ ସମଗ୍ର ମିଆଦକାଳରେ ପ୍ରାଥମିକ ଭୋଗର ତାଲିକାର ନକଲକୁ ସର୍ବସାଧାରଣଙ୍କ ନିରୀକ୍ଷଣ ପାଇଁ ଗ୍ରାମ ପଂଚାୟତ ଅଫିସରେ ରଖାଯିବ ।
୧. ଇଲେକ୍ଟ୍ରୋନିକ ରେଜିଷ୍ଟ୍ରେସନ ଅଫିସର ଓଡ଼ିଶା ଗ୍ରାମ ପଂଚାୟତ ନିର୍ବାଚନ ନିୟମାବଳୀ ୧୯୬୫ ଅନୁସାରେ ଫାରମ ୧୨, ୧୭ ଦ୍ୱାରା ଗ୍ରହଣ କରିଥିବା ଦାବୀ ଓ ଆପତ୍ତି ଗୁଡ଼ିକ କେଉଁ ତାରିଖ, ସମୟ ଓ ସ୍ଥାନରେ ଫଇସଲା କରାଯିବ ତାହା ଅଧିକୃତ କରିବେ ।
- ୧.୧ ଇଲେକ୍ଟ୍ରୋନିକ ରେଜିଷ୍ଟ୍ରେସନ ଅଫିସର ସମସ୍ତ ଆପତ୍ତି ଓ ଅଭିଯୋଗ ଗୁଡ଼ିକ ସଂକ୍ଷିପ୍ତ ଭାବେ ତଦନ୍ତ କରିବେ ଓ ସମସ୍ତ ନିଷ୍ପତ୍ତି ଲିଖିତ ଭାବେ ରଖିବେ । ସାଧାରଣତଃ ଦାବୀ ଓ ଆପତ୍ତି ଗୁଡ଼ିକର ଫଇସଲା ଦାବୀ ଓ ଆପତ୍ତି ଦାଖଲର ଶେଷ ତାରିଖ ପରେ ଆରମ୍ଭ ହେବ ।
- ୧.୨ ଯେତେବେଳେ ଗ୍ରହଣ କରାଯାଇଥିବା ଦାବୀ ଓ ଆପତ୍ତି ଗୁଡ଼ିକର ସଂଖ୍ୟା ଅଧିକ ହେବ, ସେ କ୍ଷେତ୍ରରେ ଦାବୀ ଓ ଆପତ୍ତି ଗ୍ରହଣ କରିବା ମିଆଦ କାଳରେ ମଧ୍ୟ ତାଙ୍କ ଅଧିନରେ ଥିବା ଅନ୍ୟ କର୍ମଚାରୀମାନଙ୍କ ଦ୍ୱାରା ପ୍ରାଥମିକ ତଦନ୍ତ କାର୍ଯ୍ୟ ଆରମ୍ଭ କରିପାରିବେ ।
- ୧.୩ ସରକାରୀ କ୍ଷେତ୍ର କର୍ମଚାରୀ ଯାହାଙ୍କ ଅଧିନରେ ଉଚ୍ଚ ଅଞ୍ଚଳ ଅର୍ତ୍ତଦୁଇ ତାଙ୍କୁ ଉଚ୍ଚ କାର୍ଯ୍ୟରେ ସମ୍ପୂର୍ଣ୍ଣ କରାଯାଇପାରିବ ।
- ୧.୪ ଦାଖଲ କରାଯାଇଥିବା ଦାବୀ ଓ ଆପତ୍ତି ଗୁଡ଼ିକୁ ବିନା ଶୁଣାଣିରେ ସାଧାରଣ ତଦନ୍ତକୁ ଭିତ୍ତି କରି କୌଣସି ନିଷ୍ପତ୍ତି ନିଆଯିବ ନାହିଁ ।
- ୧.୫ ଶୁଣାଣି ପାଇଁ ସ୍ଥିରକୃତ ତାରିଖରେ ଇଲେକ୍ଟ୍ରୋନିକ ରେଜିଷ୍ଟ୍ରେସନ ଅଫିସର ତଦନ୍ତ ଓ ବ୍ୟକ୍ତି ବିଶେଷଙ୍କ ଶୁଣାଣିକୁ ଗ୍ରହଣ କରିବେ । ଶୁଣାଣିର ବିଷୟ ସଂକ୍ଷିପ୍ତ ଭାବେ ଲିପିବଦ୍ଧ ହେବ, ଯଦି ଦାବୀ/ ଆପତ୍ତିକାରୀ ଶୁଣାଣିର ସ୍ଥିରକୃତ ତାରିଖ ଓ ସମୟରେ ଅନୁପସ୍ଥିତ ରହନ୍ତି, ତେବେ ଇଲେକ୍ଟ୍ରୋନିକ ରେଜିଷ୍ଟ୍ରେସନ ଅଫିସର ତାଙ୍କ ପାଖରେ ଥିବା ତଥ୍ୟ ଅନୁଯାୟୀ ଯଥାଯଥ ନିଷ୍ପତ୍ତି ନେବେ ଓ ଶୁଣାଣି ସମୟରେ ତାଙ୍କର ଅନୁପସ୍ଥିତ ବିଷୟ ଲିପିବଦ୍ଧ କରିବେ ।
- ୧.୬ ପ୍ରତ୍ୟେକ ଦାବୀ / ଆପତ୍ତିର ଚୂଡ଼ାନ୍ତ ନିଷ୍ପତ୍ତି ଇଲେକ୍ଟ୍ରୋନିକ ରେଜିଷ୍ଟ୍ରେସନ ଅଫିସର ଲିପିବଦ୍ଧ କରିବେ ।
୮. ଦାବୀ/ ଆପତ୍ତି ଗୁଡ଼ିକର ଫଇସଲା ପରେ ଇଲେକ୍ଟ୍ରୋନିକ ରେଜିଷ୍ଟ୍ରେସନ ଅଫିସର ସେ ଗୁଡ଼ିକୁ ସଂକଳନ କରିବେ ଓ ପ୍ରାଥମିକ ଭୋଗର ତାଲିକାରେ ଆବଶ୍ୟକୀୟ ସଂଶୋଧନ କରିବେ । ଏହି ଚିଠା ଭୋଗର ତାଲିକା ନିରୀକ୍ଷଣ ପାଇଁ କମିଶନ ଙ୍କ ଦ୍ୱାରା ସ୍ଥିରକୃତ ତାରିଖ ମଧ୍ୟରେ ଗ୍ରାମ ପଂଚାୟତ, ପଂଚାୟତ ସମିତି ଅଫିସରେ ରଖାଯିବ ।
୯. କୌଣସି ବ୍ୟକ୍ତି ଇଲେକ୍ଟ୍ରୋନିକ ରେଜିଷ୍ଟ୍ରେସନ ଅଫିସରଙ୍କ ନିଷ୍ପତ୍ତି ବିରୁଦ୍ଧରେ ଅସନ୍ତୁଷ୍ଟ ହେଲେ ବୁଦ୍ଧ ଉନ୍ମୁଦ୍ଧ ଅଧିକାରୀ ତଥା ଇଲେକ୍ଟ୍ରୋନିକ ରେଜିଷ୍ଟ୍ରେସନ ଅଫିସରଙ୍କୁ ଅନିସ୍ତ-୧ରେ ନିର୍ଦ୍ଧାରିତ ତାରିଖ ମଧ୍ୟରେ ଦରଖାସ୍ତ ଦେବେ । ଉଚ୍ଚ ଦରଖାସ୍ତ ବୁଦ୍ଧ ଅଫିସରେ ଗ୍ରହଣ କରାଯିବ ଓ ପ୍ରାପ୍ତି ସିକାର ପାଇଁ ରହିବ ପ୍ରଦାନ କରାଯିବ । ଆବେଦନକାରୀଙ୍କ ନାମ, ପଂଚାୟତର ନାମ, ଖୁର୍ଦ୍ଧ ନଂ ଓ ଗ୍ରହଣ କରାଯାଇଥିବା ତାରିଖ କୁ ଲିପିବଦ୍ଧ କରିବା ନିମନ୍ତେ ଏକ ରେଜିଷ୍ଟର ବ୍ୟବହାର କରାଯିବ ।

୧୦. ବ୍ଲକ୍ ଉନ୍ନୟନ ଅଧିକାରୀ ତଥା ଇଲେକ୍ଟ୍ରୋରାଲ୍ ରେଜିଷ୍ଟ୍ରେସନ ଅଫିସର ଗ୍ରାମ ପଂଚାୟତ ନିର୍ବାଚନ ନିୟମାବଳୀ ୧୯୬୪ର ନିୟମ ୭ (୨) ଅନୁଯାୟୀ ପୁନଃ ତଦନ୍ତ କରିବେ । ସେ ସଂପୂର୍ଣ୍ଣ ଇଲେକ୍ଟ୍ରୋରାଲ୍ ରେଜିଷ୍ଟ୍ରେସନ ଅଫିସରଙ୍କ କାଗଜ ପତ୍ର ଦେଖିବେ ଓ ଏହି ନିର୍ଦ୍ଦେଶାବଳୀର ୭ ଅନୁକ୍ଷେପ ଅନୁଯାୟୀ ଦରଖାସ୍ତ ଫାଇସଲା କରିବେ । ଯୋଗ୍ୟ ନାମ ଗୁଡ଼ିକ ଫାରମ ନଂ 1-A ରେ ଲିପିବଦ୍ଧ କରିବା ପରେ ଚିଠା ଭୋଟର ରୁଡାନ୍ତହେବ ।
- ୧୦.୧ ଭୋଟର ତାଲିକାରେ ଫାରମ 1-A ଥିବା ନାମ ଗୁଡ଼ିକ ଫାରମ 1 ରେ ଥିବା ନାମ ତଳେ ରହିବ ।
୧୧. ମତଦାନ କେନ୍ଦ୍ରର ନାମ ଭୋଟର ତାଲିକାରେ ସ୍ଥାନ ପାଇବ ।
୧୨. ଓଡ଼ିଶା ଗ୍ରାମ ପଂଚାୟତ ନିର୍ବାଚନ ନିୟମାବଳୀ ୧୯୬୪ ର ନିୟମ ୮ (୧) ଅନୁଯାୟୀ ପ୍ରତ୍ୟେକ ଖୁର୍ଦ୍ଦର ରୁଡାନ୍ତ ଭୋଟର ତାଲିକା ପ୍ରକାଶନ କରାଯିବ ।
୧୩. ରାଜ୍ୟ ନିର୍ବାଚନ କମିଶନଙ୍କ ପତ୍ର ସଂଖ୍ୟା ୨୧୩୪ ତା ୨୬.୦୮.୨୦୨୧ର ଶର ପାଦଚିହ୍ନି ବ୍ୟତୀତ ସଂପୂର୍ଣ୍ଣ ଇଲେକ୍ଟ୍ରୋରାଲ୍ ରେଜିଷ୍ଟ୍ରେସନ ଅଫିସରଙ୍କ ଦ୍ୱାରା ପ୍ରତ୍ୟେକ ଖୁର୍ଦ୍ଦର ଭୋଟର ତାଲିକା ପରେ ନିମ୍ନ ଲିଖିତ ପ୍ରମାଣ ପତ୍ର ଦିଆଯିବ ।
- ପ୍ରମାଣ ନ କରାଯାଉଅଛି ଯେ ----- ଗ୍ରାମ ପଂଚାୟତ ---- ଖୁର୍ଦ୍ଦର ଭୋଟର ତାଲିକା ଓଡ଼ିଶା ଗ୍ରାମ ପଂଚାୟତ ନିର୍ବାଚନ ନିୟମାବଳୀ ୧୯୬୪ ଅନୁସାରେ ପ୍ରକାଶିତ ।
୧୪. ରୁଡାନ୍ତ ଭୋଟର ତାଲିକାର ଗ୍ରାମ ପଂଚାୟତ ଖୁର୍ଦ୍ଦର ଦୁଇଟି ବକ୍ସେଇସହ ନକଲ ଅନୁ ପ୍ରମାଣିତ ହୋଇ ଇଲେକ୍ଟ୍ରୋରାଲ୍ ରେଜିଷ୍ଟ୍ରେସନ ଅଫିସରଙ୍କ ଅଫିସରେ ରହିବ ଓ ଗୋଟିଏ ନକଲ ଧାର୍ଯ୍ୟ ତାରିଖ ମଧ୍ୟରେ କମିଶନଙ୍କ ଦାଖଲ ପଠାଯିବ ।
୧୫. ଭୋଟର ତାଲିକା ଉଭୟ ହାର୍ଡ କପି ଓ ସଫ୍ଟ କପି (Hard copy & Soft copy) ପ୍ରସ୍ତୁତ କରାଯିବ । ଭୋଟର ତାଲିକାର ସଫ୍ଟ କପି ବ୍ଲକ୍- ଖୁର୍ଦ୍ଦର ସି.ଡି. ରେ ପ୍ରସ୍ତୁତ ହେବ ।
୧୬. ଗ୍ରାମ ପଂଚାୟତ ଖୁର୍ଦ୍ଦର ଭୋଟର ତାଲିକା ମୁଦ୍ରଣ ପରେ ଇଲେକ୍ଟ୍ରୋରାଲ୍ ରେଜିଷ୍ଟ୍ରେସନ ଅଫିସରଙ୍କ ଦ୍ୱାରା ପ୍ରତ୍ୟେକ ପୃଷ୍ଠାରେ ଅନୁପ୍ରମାଣିତ (Authenticated) ହୋଇ ଗୋଟିଏ ଲେଖାଏଁ ହାର୍ଡ କପି ଓ ସଫ୍ଟ କପି (Hard copy & Soft copy) ଧାର୍ଯ୍ୟ ତାରିଖ ମଧ୍ୟରେ ସତରଫ୍ ପତ୍ର ବାହକ ଦ୍ୱାରା କମିଶନଙ୍କ ଦାଖଲ ଦାଖଲ କରିବେ ।
୧୭. ପ୍ରତ୍ୟେକ ଜାତୀୟ ଓ ରାଜ୍ୟସ୍ତରୀୟ (ଓଡ଼ିଶା) ଦଳକୁ ଗୋଟିଏ ଲେଖାଏଁ ନକଲ ବିନା ମୂଲ୍ୟରେ ପ୍ରଦାନ କରାଯିବ ।

ସଚିବ

ଫର୍ମ ନଂ 1
[ଓଡ଼ିଶା ଗ୍ରା.ପ. ନିୟମ 7(4) ଦ୍ରଷ୍ଟବ୍ୟ]
ଭୋଟର ତାଲିକା

ଜିଲ୍ଲା ବିଧାନସଭା ନିର୍ବାଚନ ମଣ୍ଡଳୀ

ସବ୍ଡିଭିଜନ୍ ଜିଲ୍ଲାପରିଷଦ ନିର୍ବାଚନ ମଣ୍ଡଳୀ

ବ୍ଲକ୍/ପଞ୍ଚାୟତ ସମିତି ଗ୍ରାମ ପଞ୍ଚାୟତ

ଥାନା ଗ୍ରାମ

ଭୋଟ କେନ୍ଦ୍ର ଅବସ୍ଥିତି ଷ୍ଟାର୍ଟ ନଂ.....

କ୍ରମିକ ସଂଖ୍ୟା	ଘର ନଂ	ନାମ-ପିତା/ସ୍ୱାମୀଙ୍କ ନାମ	ବୟସ	ବିଧାନ ସଭା ନିର୍ବାଚନମଣ୍ଡଳୀ ଭୋଟର ତାଲିକାରେ କ୍ରମିକ ସଂଖ୍ୟା	ମତବ୍ୟ
(1)	(2)	(3)	(4)	(5)	(6)

(ଦସ୍ତଖତ ଓ ମୋହର)

ଇଲେକ୍ଟୋରାଲ ରେଜିଷ୍ଟ୍ରେସନ ଅଫିସର

ଫର୍ମ ନଂ 1 ଏ
[ଓଡ଼ିଶା ଗ୍ରା.ପ. ନିୟମ 7(4) ଦ୍ରଷ୍ଟବ୍ୟ]
ଯୋଗ ତାଲିକା

ଜିଲ୍ଲା ବିଧାନସଭା ନିର୍ବାଚନ ମଣ୍ଡଳୀ

ସବ୍ଡିଭିଜନ୍ ଜିଲ୍ଲାପରିଷଦ ନିର୍ବାଚନ ମଣ୍ଡଳୀ

ବ୍ଲକ୍/ପଞ୍ଚାୟତ ସମିତି ଗ୍ରାମ ପଞ୍ଚାୟତ

ଥାନା ଗ୍ରାମ

ଭୋଟ କେନ୍ଦ୍ର ଅବସ୍ଥିତି ଷ୍ଟାର୍ଟ ନଂ.....

କ୍ରମିକ ସଂଖ୍ୟା	ଘର ନଂ	ନାମ-ପିତା/ସ୍ୱାମୀଙ୍କ ନାମ	ବୟସ	ବିଧାନ ସଭା ନିର୍ବାଚନମଣ୍ଡଳୀ ଭୋଟର ତାଲିକାରେ କ୍ରମିକ ସଂଖ୍ୟା	ମତବ୍ୟ
(1)	(2)	(3)	(4)	(5)	(6)

(ଦସ୍ତଖତ ଓ ମୋହର)

ଇଲେକ୍ଟୋରାଲ ରେଜିଷ୍ଟ୍ରେସନ ଅଫିସର

ଚୂଡ଼ାନ୍ତ ଭୋଟର ତାଲିକା ପ୍ରକାଶନ ପାଇଁ ବିଜ୍ଞପ୍ତି

(ରାଜ୍ୟ ନିର୍ବାଚନ କମିଶନ, ଓଡ଼ିଶାଙ୍କ ଦ୍ଵାରା ବିହିତ)

ଏତଦ ଦ୍ଵାରା ସର୍ବସାଧାରଣଙ୍କ ଗୋଚରାର୍ଥେ ଅଧିକୃତ ହେଉଅଛି ଯେ ଓଡ଼ିଶା ଗ୍ରାମ ପଂଚାୟତ ନିର୍ବାଚନ ନିୟମାବଳୀ, ୧୯୬୪ ଅନ୍ତର୍ଗତ ନିୟମ ୭ (୪) ଅନୁଯାୟୀ ଓ ୦୧.୧୧.୨୦୨୧କୁ ଯୋଗ୍ୟ ତାରିଖକୁ ଗ୍ରହଣ କରି ପ୍ରସ୍ତୁତ ସଂଲଗ୍ନିତ ଚୂଡ଼ାନ୍ତ ଭୋଟର ତାଲିକା ପ୍ରକାଶିତ ହୋଇଅଛି ଏବଂ ନିମ୍ନ ସାକ୍ଷରକାରୀଙ୍କ କାର୍ଯ୍ୟାଳୟରେ ନିରୀକ୍ଷଣ ପାଇଁ ଉପଲବ୍ଧ ଅଟେ ।

ଇଲେକ୍ଟୋରାଲ ରେଜିଷ୍ଟ୍ରେସନ ଅଫିସର

ସ୍ଥାନ -

ତାରିଖ -

----- ଗ୍ରାମ ପଂଚାୟତର ସମସ୍ତ ଖଣ୍ଡର ଭୋଟର ତାଲିକା ବିଜ୍ଞପ୍ତିର ନକଲ ସହିତ ନିମ୍ନ ସାକ୍ଷରକାରୀଙ୍କ କାର୍ଯ୍ୟାଳୟର ବିଜ୍ଞପ୍ତି ଫଳକ/ସଂପୃକ୍ତ ଗ୍ରାମ ପଂଚାୟତକୁ ପ୍ରକାଶନ ନିମନ୍ତେ ପ୍ରେରଣ କରାଗଲା ।

ଇଲେକ୍ଟୋରାଲ ରେଜିଷ୍ଟ୍ରେସନ ଅଫିସର

STATE ELECTION COMMISSION, ODISHA
TOSHALI BHAWAN, B-2, 1ST FLOOR,
SATYANAGAR, BHUBANESWAR – 751 007
E-mail ID – stateelectioncommission.odisha@gmail.com
Fax No. 0674-2573494

No. 2134/SEC.,

Dated 26.08.2021

From

Sri R.N. Sahu , IAS
Secretary.

To

All Collectors.

Sub: Printing of Electoral Rolls for General Elections to
Panchayati Raj Institutions, 2022 -
Finalisation of printing firms.

Madam/ Sir,

I am directed to say that the work of printing of Electoral Rolls in required numbers shall be done under the direct supervision of the Collector as Electoral Registration Officer.

2. Sufficient time may not be available after publication of the final Electoral Roll for inviting quotations / tenders and completing the required formalities for awarding printing orders. The Commission therefore directs that as a measure of abundant caution the Collectors shall take advance action as follows:-

- I. The Electoral Roll for each Grama Panchayat is to be printed in 30 copies in 60 GSM Cream Wove paper. This shall be printed with 84 entries on first page with heading on the top and qualifying date, date of publication of Electoral Roll and page at the bottom. In the subsequent pages there shall be

96 entries with short heading at the top and qualifying date, date of publication of Electoral roll and page at the bottom.

The Electoral Roll shall be printed in Odia and each page of the Electoral Roll shall be of A-4 size.

- II. Quotations / Tenders as necessary may be floated inviting offers from local press(es)/DTP firms to undertake the printing work. One or more press(es)/DTP firms as may be expedient may be finally selected having regard to its / their reliability, printing capacity and quality of machines and past experience in successfully executing important printing works of Government. In case the work is assigned to more than one press, efforts should be made to award the work at an uniform rate. The entire printing work has to be as per instruction/date line issued by the Commission.
 - III. Before issue of the printing order, an agreement in the prescribed in Form (Annexure-I) will have to be executed and security amount of one percent of the total value in shape of cash shall be deposited by the selected press(es)/DTP firms).
 - IV. The press(es)/DTP firms shall be made responsible for cent percent accuracy of printing and asked to make its own arrangement for proof-reading. Some responsible Officers/ Staff shall also be assigned to supervise the printing work and asked to make check of proof corrections.
3. The press(es)/DTP firms) shall without fail print the name(s) of their press(es)/DTP firms) at the bottom of each page of the Electoral Roll.
 4. The rates of printing of Electoral Roll, cover page and index page and binding charges have been given in the enclosed statement (Annexure – II). The rate is applicable for one soft copy in CD, one master copy and 30 spare copies either by printing/DTP.

5. It is likely that the printing work of Electoral Roll may have to be undertaken during November 2021 and the printed Electoral Roll in requisite nos. shall be available with District by end of November 2021. Therefore, floating of Quotations / Tenders inviting offers from local press(es)/DTP firms to undertake the printing work shall be completed by **15 September,2021** and finalization of press(es)/DTP firms shall be completed by **5th October,2021** for smooth completion of printing of Electoral Roll under intimation to State Election Commission.

6. The press (es)/DTP firm(s) shall supply **one soft copy in CD, one master copy and 30 spare copies** either by printing/DTP.

7. The District shall supply one soft copy in CD for each Block to the Commission along with one set GP wise hard copy.

8. As per the guidelines of ECI the following foot note shall be printed in the final Electoral Roll.

ଏହି ଭୋଟର ତାଲିକା ପଂଚାୟତ ନିର୍ବାଚନ ନିମନ୍ତେ ଗ୍ରହଣୀୟ । ବିଧାନସଭା ଓ ଲୋକସଭାର ଭୋଟର ତାଲିକା ଭିନ୍ନ ଅଟେ ଓ ତାହା ନିର୍ବାଚନ କମିଶନ, ଭାରତୀୟ ଦ୍ଵାରା ପ୍ରକାଶନ କରାଯାଏ । ପ୍ରତ୍ୟେକ ବିଧାନସଭା ଓ ଲୋକସଭା ନିର୍ବାଚନ ପୂର୍ବରୁ ଭୋଟର ତାଲିକାରେ ଆପଣଙ୍କ ନାମ ଅଛି କି ନାହିଁ ଦୟାକରି ଚେକ୍ କରିବେ ।

Yours faithfully,

Secretary

Memo No. /SEC., Dated the

Copy with enclosures forwarded to all Sub-Collectors /District Panchayat Officers for information and necessary action.

Secretary

Encls.: (1) Form of agreement with the
Printing Press/DTP firms.

(2) *Rate prescribed for printing
of electoral roll.*

**FORM OF AGREEMENT PRESCRIBED BY THE
STATE ELECTION COMMISSION, ODISHA.**

AN AGREEMENT made on this theday of
.....Two thousand andBETWEEN.....of
the press(es)/DTP firms at(hereinafter
referred to as the press(es)/DTP firms Contractor which expression shall unless
repugnant to the context, including his heirs, administrators, executors or assignees)
of the one part and Collector.....(hereinafter referred to as the Collector) of the
other part, whereby it is mutually agreed as follows, that is to say :-

1. The press(es)/DTP firms contractor shall at the rates specified in the annexed schedule print and supply for the use of the Collector of the district which expression shall include any other authorized by him in that behalf) such number of copies of “Electoral Rolls” as specified in the said schedule shall from time to time be required and specified upon orders delivered to the press contractor signed by the Collector.
2. The number of pages stated in the said schedule shall be deemed to represent merely the approximate quantities estimated to be required by Collector of the Districts and the Collector shall not be liable to pay any compensation to the press contractor unless the number of pages required from him falls below the number stated in the schedule by more than twenty percent. The press(es)/DTP firms contractor shall, if required by the Collector of the Districts, print and supply not more than twenty percent of the number of pages stated in the schedule in excess of such number at the rates specified in the said schedule.
3. The press(es)/DTP firms contractor shall do his own proof reading without any additional remuneration and without reference to the Collector of District and shall

be responsible for supplying correct final copies in accordance with the manuscript press copy supplied to him. If the final copies are found to contain mistakes which did not occur in the press copy supplied to the press, these may be rejected or reprinted at the cost of the press(es)/DTP firms.

4. The Collector at his discretion may authorize any Officer or officers to supervise the proof corrections, printing and binding work, in which event the Contractor shall afford required facilities to such officer(s) for performing their duties.

5. The paper of the Electoral Roll should not be inferior to 60 GSM .If and whenever the press contractor fails to deliver the printed “Electoral Rolls” to be supplied by him within the due time for delivery, the Collector shall be at liberty to deduct at the rate of two percent of the amount of the press contractor’s bill for every days’ delay beyond the said time.

6. If the final copies be rejected under clause 3 hereof, the Collector may require the press contractor to reprint the “Electoral Roll” at his own cost or may arrange to have them reprinted/DTP by another press at the cost of the press(es)/DTP firms, and may cancel the contract in respect of any work of which the manuscripts are not already in the hands of the press contractor. If in the printed “Electoral Roll “ any matter has been omitted or incorrectly entered, with reference to the press copy supplied to the press(es)/DTP firms contractor, corrected copy shall be supplied by the press and entire cost of reprint shall be borne by the press.

7. The press(es)/DTP firms contractor shall not transfer, assign or sublet this present contract or any part thereof save with the consent of the Collector.

8. The press(es)/DTP firms shall admit to the premises of his press the Collector or any other Officer authorized by him with a view to ascertain the progress of the Work

9. The press(es)/DTP firms shall not give any copy of the “Electoral Roll” or any part thereof to any person other than the Collector nor shall print any copy in excess of the number ordered by the Collector, by any officer specially authorized for purposes of this clause in writing in this behalf by the Collector. He shall not also permit any unauthorized use to be made of any of the proofs of the “Electoral Roll” by any person whatsoever.

10. The press(es)/DTP firms shall give delivery of all the copies of “Electoral Roll” along with manuscript press copies duly arranged, to the person authorized by the Collector in his office. The press contractor shall be allowed two copies as wastage.

11. It is hereby expressly agreed that in case of default on the part of the press contractor to deliver the “Electoral Roll” along with manuscript press copies duly arranged, in time and there is reasonable apprehension that he would not be able to so deliver, the Collector shall be at liberty to cancel the contract without any notice whereupon the press contractor shall be bound to return the manuscripts immediately and the Collector shall be at liberty to get the work executed elsewhere and recover the additional cost, if any incurred thereby from the press contractor .

12. The press(es)/DTP firms hereby agrees to make a deposit of 1% of the total value as security towards printing of Electoral Rolls which shall be refunded to him after the delivery of the printed rolls.

13 If in the matter of this agreement any dispute or difference arises the same shall be referred to State Election Commission, Odisha whose decision shall prevail and be final and binding on the parties.

IN WITNESS WHEREOF the parties hereto put their hands and seals the day and year first above written.

Signature of the press(es)/
DTP firms Contractor.

In the presence of :-

Seal

Witness 1.

2.

**Signature of the Collector
Or any Officer authorized by Collector**

In the presence of :-

Seal

Witness 1.

2.

Annexure-II

Higher ceiling Rates prescribed for printing of Electoral Rolls

Item of work:

With 84 Entries on 1st Page with heading
and 96 entries in each subsequent Pages.

1	Full page	For 30+1 copies	Rs.50.00
2	Half page	-do-	Rs.25.00
3	Cover page	-do-	Rs.30.00
4	Index full page	-do-	Rs.32.00
5	Index half page	-do-	Rs.16.00
6.	Binding charges	Per Book Grama Panchayat wise	Rs.6.00

Besides above rates GST if applicable shall be taken into account.

ELECTION URGENT
BY FAX/E-MAIL

STATE ELECTION COMMISSION, ODISHA,
TOSHALI BHAWAN, B-2, 1ST FLOOR, SATYANAGAR,
BHUBANESWAR-751007

E-mail ID – stateelectioncommission.odisha@gmail.com

Fax No. 0674-2573494

No.3498/SEC.,

Date:08.11.2021

From

Shri R.N. Sahu, I.A.S.
Secretary.

To

All Collectors,
(Except Balasore).

Sub: Disposal of claims and objections u/r Rule 7 (1) and
application under Rule 7 (2) of O.G.P.E. Rules, 1965.

Madam/Sir,

I am directed to say that procedure for preparation of electoral roll has already been communicated in Commission's Order No. 3484/SEC dtd.08.11.2021. The Commission hereby clarifies the manner of disposal of claims and objections u/r 7 (1) and the application for further enquiry U/R 7 (2) as follows:

A. Procedure for disposal of application under Rule 7 (1)

1. The ERO should remain present at the designated place with Form No.16 and 17 and each application shall be acknowledged by granting receipt.
- 1.1 Every claim or objection shall be presented to the ERO within the scheduled period. In case, the ERO is indisposed, alternative arrangement be made to receive the claims and objections.

- 1.2 Individual application should only be accepted. However, if individual application relating to the members to the same household i.e. same family, are presented together, they may be accepted.
- 1.3 Claims and objections presented **in bulk** by any individual/ organisation or Political Party should be refused to be accepted.
- 1.4 The claims and objections should be completed in all respect. The claimant or objector may be asked to rectify the defects if any; and to submit the form in complete form.
- 1.5 No claims or objections shall be received after the date appointed for the purpose.
2. The ERO shall dispose of all claims and objections in a summary manner and shall record his decision thereon. For this, he may take assistance of any other person whom he considers fit viz School Teacher, Anganwadi Worker, Medical Officer in PHC/CHC etc.
 - 2.1 The ERO should personally hear the claimant or the objector as the case may be, and shall record his decision in each case and the brief reason for such decision.
 - 2.2 The claimant should satisfy either by production of documentary evidence or any such other particulars about his age as required by the ERO. In absence of any such evidence, the claims can be disposed of after summary enquiry to the satisfaction of the ERO.
 - 2.3 Since, claims and objections will be disposed of at the Grama Panchayat headquarter or at any conspicuous place within the Grama Panchayat, assistance of School teachers may be taken for verification of records relating to age, residence, membership of a particular household etc.

B. Procedure for disposal of application under Rule 7 (2)

1. Only those persons who have filed Form No. 16 and 17 earlier will be allowed to file application in plain paper before the B.D.O. No fresh application will be received by the B.D.O.
 - 1.1 Each application shall be acknowledged by granting a receipt and the same shall be entered in a Register to be maintained at the Block Office.
 - 1.2 The Block Development Officer before disposal of the application shall peruse the decision of the ERO and the reason recorded by him.
 - 1.3 The Block Development Officer shall record his decision after hearing the applicants.
 - 1.4 After the disposal of all applications, addition or alteration can be made to the voter list and the final voter list shall be published u/r 8 (1) of the O.G.P.E. Rules, 1965.

While the Commission gives scope to eligible persons for enrolment as voters, it is advised that adequate caution be taken to prevent inclusion of ineligible persons as voters.

The Commission therefore, desire that adequate precaution and proper monitoring be done at your level for preparation of error free electoral rolls for the Panchayat Elections.

The above instructions of the Commission shall be brought to the notice of all Block Development Officers immediately.

Yours faithfully,

Secretary

Memo No. 3499/SEC., Date: 08.11.2021

Copy forwarded to all District Panchayat Officers/Block Development Officers (Except Balasore District) for information and necessary action.

Secretary

STATE ELECTION COMMISSION, ODISHA,
TOSHALI BHAWAN, B-2, 1ST FLOOR, SATYANAGAR,
BHUBANESWAR-751007

Email ID – stateelectioncommission.odisha@gmail.com

Fax No. 0674-2573494

No.2901/SEC.,

Date: 21.10.2021

From

Shri R.N. Sahu, I.A.S.
Secretary.

To

All Collectors.

Sub: General Election to PRIs, 2022 –
Appointment of Election Officers.

Madam/Sir,

I am directed to draw attention to the provisions of Rule 2(d) of the Odisha Gram Panchayat Election Rules, 1965, 2(e) of Odisha Panchayat Samiti Election Rules, 1991 and 2(f) of Odisha Zilla Parishad Election Rules, 1994 and to state that in pursuance of the said Rules, the State Election Commissioner has been pleased to direct that the Collector of the District shall, while authorising other responsible officers as Election Officers (as per discussions in the following paragraphs) for the purpose of conduct of election to Grama Panchayats, Panchayat Samitis & Zilla Parishads continue to function as Election Officer under the said rules and remain in over-all change of supervision and conduct of elections to the 3-tier PRIs in his/her District, in accordance with the provisions of Art.243K of the Constitution, the Panchayat Election Laws of the State and the directions issued by the State Election Commission. She/he shall also perform some of the more sensitive functions of the Election Officer as discussed in the following paragraphs.

2. Election to Grama Panchayats:

(i) As regards authorising other officers as Election Officer u/r 2(d) of the Odisha Gram Panchayat Election Rules, 1965, the Commissioner is pleased to direct that ordinarily the Block Development Officer of the local Block shall be appointed as Election Officer for the purpose of election of Sarpanch and Ward Member of Grama Panchayat. The local Tahasildar can also be appointed as Election Officer as a measure of 'stand-by' arrangement so that he can step in and discharge the functions of the Election Officer if the services of the Block Development Officer are not available due to unavoidable reasons. Nomination forms for the office of Sarpanch and Ward Member are required to be issued from and received in the office of the concerned Grama Panchayat. It will not be possible for the Block Development Officer as Election Officer to issue and receive nomination forms at the office of all the Grama Panchayats during the same period. The State Election Commissioner has therefore been pleased to direct that Extension Officers of the Block may ordinarily be appointed as Election Officer for the limited purpose of issuing and receiving nomination forms for the offices of Sarpanch and Ward Member and their scrutiny. Other responsible supervisory personnel of the Block such as Assistant Engineer, Junior Engineer, Additional Block Development Officer, Progress Assistant, I.P.O., W.E.O., C.E.O., F.E.O and B.E.O/A.B.E.O can also be appointed as Election Officer to perform the above limited function as a measure of 'stand-by' arrangement. In case the above Officials are found insufficient the prior approval of the Commissioner shall be obtained for appointing any other Official as Election Officer for the limited purpose of issuing and receiving nominations and their scrutiny.

(ii) The Block Development Officer as Election Officer may be authorised to discharge the following functions.

(I) Issuing notice under Rule 24 of Odisha Gram Panchayat Election Rules,1965

calling for nominations to the offices of Sarpanch & Ward Members.

- (II) Scrutiny of the nominations
- (III) Publication of the list of validly nominated candidates
- (IV) Permitting withdrawal of candidature
- (V) Publication of the final list of contesting candidates
- (VI) Appointment of Presiding and Polling Officers
- (VII) Counting of result for the offices of Sarpanch and Ward Members
- (VIII) Declaration of result for the offices of Sarpanch and Ward Members
- (IX) Publication of the names of duly elected Sarpanches and Ward Members

Election of Naib-Sarpanch:

- (X) Issue of notice for convening special meeting of the Grama Panchayat for the purpose of election of Naib-Sarpanch
- (XI) Appointment of Presiding Officer for the said special meeting
- (XII) Declaration of results of election to the offices of Naib-Sarpanch and publication of the names of such Naib-Sarpanch in the notice board of the Block Office.

3. Election to Panchayat Samitis:

(i) The Commissioner is pleased to direct that the Block Development Officer of the local Block shall ordinarily be authorised to act as Election Officer u/r 2 (e) of Odisha Panchayat Samiti Election Rules, 1991 for the purpose of conducting election to Panchayat Samitis. The local Tahasildar can also be authorised to act as Election Officer as a measure of 'stand-by' arrangement so that he can step in and discharge the functions of the Election Officer if the services of the Block Development Officer are not available due to unavoidable reasons. The Block Development Officer as Election Officer may be authorised to discharge the following functions.

- (I) Issuing notice calling for nomination to the office of Member of Panchayat Samiti

- (II) Scrutiny of the nominations
- (III) Publication of the list of validly nominated candidates
- (IV) Permitting withdrawal of candidature
- (V) Publication of the final list of contesting candidates
- (VI) Appointment of Presiding & Polling Officers and
- (VII) Counting of result for the Member of Panchayat Samiti
- (VII) Declaration of results for the Member of Panchayat Samiti.

ii) Election of Chairman/Vice-Chairman:

The Commissioner is further pleased to direct that the Collector shall appoint an O.A.S. officer **other than the local Block Development Officer** as Election Officer under Rule 2 (e) of Odisha Panchayat Samiti Election Rules, 1991 to conduct elections to the office of the Chairman and Vice-Chairman and also declare and publish the results under Rules 38 to 45 of the said Rules. In case of non-availability of required number of officers for the above purpose, the Collector may appoint any Block Development Officer but not in his own Block. It may be noted that the Collector himself shall publish the names of duly elected Samiti Members, fix the venue of the meetings for election of the Chairman and Vice-Chairman u/r 37 and notify the names of the Chairman and Vice-Chairman in his notice board and arrange for publication in Gazette u/r 45 (2) of Odisha Panchayat Samiti Election Rules, 1991.

4. Election to Zilla Parishad:

(i) The Commissioner is pleased to direct that the Sub-Collector of the area shall ordinarily be authorised as Election Officer u/r 2 (f) of Odisha Zilla Parishad Election Rules, 1994 for the purpose of election to Zilla Parishads. The ADM/PD,DRDA/PA,ITDA/ other Senior OAS officer(s) can also be appointed as Election Officer as a measure of 'stand-by' arrangement so that he can step in and discharge the functions of the Election Officer if the services of the Sub-Collector

are not available due to unavoidable reasons. The Sub-Collector as Election Officer shall be authorised to discharge the following functions.

- (I) Issuing notice calling for nominations
- (II) Scrutiny of nominations
- (III) Publication of the list of validly nominated candidates and allotment of symbols
- (IV) Permitting withdrawal of candidature
- (V) Publication of the final list of contesting candidates.

(ii) The Block Development Officer of the local Block authorized for conduct of Election to the Gram Panchayat and Panchayat Samiti shall also be authorised to discharge the duties of Election Officer for Zilla Parishad at different stages after publication of final list of contesting candidates by the Sub-Collector concerned. Any other officer authorized by the Collector in place of B.D.O. to act as Election Officer for the Gram Panchayat and Panchayat Samiti shall also be the Election Officer for all other purposes after the final list of contesting candidates are published in the conduct of election to Zilla Parishad.

(iii) Election of President and Vice-President:

The Commission is pleased to further direct that the Collector shall issue notice for convening special meetings of the Parishad for the purpose of election of the President and the Vice-President and appoint any senior officer such as ADM/ PD, DRDA/PA, ITDA as Election Officer under Rule 2(f) of O.Z.P.E. Rules to conduct the said elections and also declare the results thereof. However, as per the provision of Rules 40(1), 57(1) & (2) of Odisha Zilla Parishad Election Rules, 1994 the Commissioner shall notify the names of the elected Zilla Parishad Member, President and Vice-President in the manner prescribed under the said Rule.

5. Postponement, Adjournment and Countermanding of Polls.

(i) In certain unforeseen circumstances such as interruption or obstructi any quarters, riots or open-violence, natural calamity and booth capturing etc.

polling at a polling station or group of polling stations may have to be postponed/ adjourned/ cancelled/ countermanded by the orders of the State Election Commissioner in the manner prescribed under Rule 92 A, B, C and D of Odisha Gram Panchayat Election Rules, 1965, Rule 46 A, B, C and D of Odisha Panchayat Samiti Election Rules, 1991 and Rule 43, 44, 45 and 46 of the Odisha Zilla Parishad Election Rules, 1994. The Commissioner will take such decision as he may consider appropriate on the basis of the report of the Election Officer.

In view of the importance of such steps, the Commissioner is pleased to direct that the Collector alone shall exercise the powers of Election Officer under the said rules. In case of adjournment and cancellation of the Poll, the Presiding Officer will be required to submit a report to the Election Officer at the Block stating the time and occurrence of the event that forced to take such drastic steps. The Election Officer of the Block may make a spot visit or obtain report from supervisory Officer and shall report to the Collector immediately. Further the Collector basing on the report of the Presiding Officer and the Election Officer and after satisfying himself being appraised of the situation shall recommend the Commission for re-poll. It is, therefore, directed to reserve the powers under these rules to yourself while authorising the Sub-Collector/ADM/PD, DRDA/PA, ITDA to exercise the powers and perform the duties as Election Officer under rule 2 (f) of Odisha Zilla Parishad Election Rules, 1994.

6. Appointment of Presiding and Polling Officer.

Since elections to Grama Panchayats, Panchayat Samitis & Zilla Parishads are held simultaneously and the same personnel are required to work as Presiding & Polling Officers for all these Elections, the Collector as Election Officer shall decide which of the Election Officers should exercise the power to appoint the Presiding & Polling Officers and delegate to him such authority accordingly or even himself exercise the said power.

The name of Election Officer along with their designation and contact number shall be communicated to the Commission by **15.11.2021**.

Earlier instructions regarding appointment of Election Officer to Grama Panchayats, Panchayat Samitis and Zilla Parishads issued by the Commission in Order No 3209/SEC dtd.27.08.2016 shall be deemed to have been modified to the extent as may be necessary to conform to the directions contained in this communication, from the date of its issue.

You are further requested to go through these instructions carefully and thoroughly and in case of any doubt, refer the same to this Commission within 15 days positively so that there shall be no room left for interpretation of the provisions of law/rules close to the elections.

Yours faithfully,

Secretary

Memo No. 2902/SEC., Date:21.10.2021

Copy forwarded to the Principal Secretary to Govt., Panchayati Raj & D.W. Department for information and necessary action.

Secretary

Memo No. 2903/SEC., Date: 21.10.2021

Copy forwarded to all Sub-Collectors/District Panchayat Officers/ Block Development Officers for information and necessary action.

Secretary

**STATE ELECTION COMMISSION, ODISHA,
TOSHALI BHAWAN, BLOCK-B2, 1ST FLOOR,
SATYANAGAR, BHUBANESWAR-751007**
E-mail ID – stateelectioncommission.odisha@gmail.com
Fax No. 0674-2573494

No.2931/SEC

Date:21.10.2021

ORDER

**Sub.-:Scrutiny of nominations for seats reserved for S.C./ S.T./ Backward
Class of Citizens-Procedure regarding.**

Seats have been reserved for Scheduled Castes, Scheduled Tribes and Backward Class of Citizens under the Odisha Grama Panchayat Act, 1964, Odisha Panchayat Samiti Act, 1959 and Odisha Zilla Parishad Act, 1991 in pursuance of Article 243-D of the Constitution of India. The list of Scheduled Castes for Odisha as per the Constitution (Scheduled Castes) Order, 1950 and of Scheduled Tribes as per Constitution (Scheduled Tribes) Order 1950 are indicated in Annexure I & II, respectively. The list of Backward Class of Citizens have not been given in the three state Acts and Rules.

(2) The Commission, therefore, in exercise of its power under Article 243-K of the Constitution and such other enabling powers in that behalf, has directed that the list of Socially and Educationally Backward Classes, notified by the Government of Odisha, ST and SC Development Department from time to time will be adopted for purpose of filling up the seats reserved for Backward Class of Citizens. The up-to-date list of such Socially and Educationally Backward Classes obtained from the Government of Odisha, is given in Annexure III.

(3) The Commission has further noted that in the Nomination Forms prescribed under the three election Rules, there is space for the candidate to declare

that he/she is a member of Scheduled Caste or Scheduled Tribes or Back Ward Classes of the State of Odisha.

(4) The following guidelines may be adopted while scrutinizing nominations for reserved seats of Ward Member, Sarapanch, P.S. Member and Z.P. Member.

(a) All those contesting to the seats reserved for SC/ST/BCC shall have to submit the caste certificate of that category issued by the competent authority along with nomination form.

(b) Photocopy of caste certificate shall be enclosed with nomination form and the candidate or his representative may be asked to submit the original certificate for verification during the time of scrutiny. 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) If a candidate has declared in the nomination form that he/she belongs to Scheduled Caste/Scheduled Tribes or Backward Class of Citizens, the same should first be verified with reference to the Annexure at I, II and III of this order as the case may be.

(e) On verification, the Election Officer is to satisfy himself that the candidate contesting for reserved seat belongs to SC /ST/BCC as the case may be.

(f) Where the certificate produced by the candidature 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/BCC candidates 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.

(g) If the Election Officer receives information in connection with change of religion of a person belonging to Scheduled Caste by which he has ceased to become a Member of Scheduled Caste or any objection filed with concrete evidence stating change of religion through which the concerned person is no more a member of the Scheduled Caste, the Election Officer after such summary enquiry shall decide the issue. As a measure of abundant caution, the Election Officer will urge upon the candidate where caste certificate is under challenge to file an affidavit duly sworn in before the Executive Magistrate or before Notary Public Stating that he continues to be a Member of the Scheduled Caste indicating his/her sub-caste. In case candidate declines to file affidavit during the period of scrutiny the Election Officer shall record the fact and take appropriate decision in the matter of acceptance of the nomination on the basis of his summary inquiry.

Earlier instructions regarding scrutiny of nominations for seats reserved for SC/ST/BCC issued by the Commission in order No.4534 dtd.18.11.2016 shall be deemed to have been modified to the extent as may be necessary to confirm the directions contained in this communication, from the date of it's issue.

By the order and in the name of
State Election Commission, Odisha

(R.N. Sahu)
Secretary

ରାଜ୍ୟ ନିର୍ବାଚନ ଆୟୋଗ, ଓଡ଼ିଶା

ତୋଷାଳି ଭବନ , ବି-୨, ପ୍ରଥମ ମହଲା, ସତ୍ୟ ନଗର

ଭୁବନେଶ୍ୱର-୭୫୧୦୦୭

ପତ୍ର ସଂଖ୍ୟା 2931/ରା.ନି.ଆ.

ତା 21.10.2021 ରିଖ

ଆଦେଶନାମା

ବିଷୟ :—ଅନୁସୂଚିତ ଜାତି, ଅନୁସୂଚିତ ଜନଜାତି ଏବଂ ପଛୁଆବର୍ଗ ପ୍ରାର୍ଥୀଙ୍କ ପାଇଁ ସଂରକ୍ଷିତସ୍ଥାନ ଯାଞ୍ଚ ପ୍ରକ୍ରିୟା ସମ୍ପର୍କରେ ।

ଭାରତୀୟ ସମ୍ବିଧାନର ଅନୁକ୍ଷେପ 243-D ଅନୁଯାୟୀ ଓଡ଼ିଶା ଗ୍ରାମ ପଞ୍ଚାୟତର ଅଧିନିୟମ, ୧୯୬୪, ଓଡ଼ିଶା ପଞ୍ଚାୟତ ସମିତିର ଅଧିନିୟମ, ୧୯୫୯ ଓ ଓଡ଼ିଶା ଜିଲ୍ଲା ପରିଷଦର ଅଧିନିୟମ, ୧୯୯୧ ରେ ଅନୁସୂଚିତ ଜାତି (Scheduled Caste), ଅନୁସୂଚିତ ଜନଜାତି (Scheduled Tribe) ଓ ପଛୁଆବର୍ଗଙ୍କ (Backward Class of Citizens) ପାଇଁ ସ୍ଥାନ ସଂରକ୍ଷଣ ବ୍ୟବସ୍ଥା କରାଯାଇଅଛି । ଓଡ଼ିଶା ପାଇଁ ଅନୁସୂଚିତ ଜାତିର ତାଲିକା ସମ୍ବିଧାନ (ଅନୁସୂଚିତ ଜାତି) ଆଦେଶ, ୧୯୫୦ ଅନୁଯାୟୀ ଏବଂ ଅନୁସୂଚିତ ଜନଜାତିର ତାଲିକା ସମ୍ବିଧାନ (ଅନୁସୂଚିତ ଜନଜାତି) ଆଦେଶ, ୧୯୫୦ ଅନୁଯାୟୀ ପରିଶିଷ୍ଟ - I ଏବଂ II ଯଥାକ୍ରମରେ ଦର୍ଶାଯାଇଅଛି ।

ଭାରତୀୟ ସମ୍ବିଧାନ ର ଧାରା 243-K ଓ ଓଡ଼ିଶା ପଞ୍ଚାୟତ ଆଇନଗୁଡ଼ିକରେ ଅର୍ପିତ କ୍ଷମତାବଳରେ ରାଜ୍ୟ ନିର୍ବାଚନ ଆୟୋଗ ନିର୍ଦ୍ଦେଶ ଦିଅନ୍ତି ଯେ ପଞ୍ଚାୟତ ନିର୍ବାଚନରେ ପଛୁଆବର୍ଗମାନଙ୍କ ପାଇଁ ସ୍ଥାନ ସଂରକ୍ଷଣ ଓଡ଼ିଶା ସରକାରଙ୍କ ଅନୁସୂଚିତ ଜନଜାତ ଏବଂ ଅନୁସୂଚିତ ଜାତି ଉନ୍ନୟନ ବିଭାଗ (ST & SC Development Department) ଦ୍ୱାରା ବିଭିନ୍ନ ସମୟରେ ପ୍ରକାଶିତ ସାମାଜିକ ଓ ଶିକ୍ଷାଗତ ଅନଗ୍ରସର ତାଲିକାଭୁକ୍ତ ଜାତିର ବ୍ୟକ୍ତିମାନଙ୍କ ଦ୍ୱାରା ପୂରଣ କରାଯିବ । ଓଡ଼ିଶା ସରକାରଙ୍କ ଦ୍ୱାରା ଅଦ୍ୟାବଧି ପ୍ରକାଶ ପାଇଥିବା ସାମାଜିକ ଓ ଶିକ୍ଷାଗତ ଅନଗ୍ରସର ଶ୍ରେଣୀ ଜାତିମାନଙ୍କ ତାଲିକା ପରିଶିଷ୍ଟ III ରେ ପ୍ରଦତ୍ତ କରାଯାଇଅଛି ।

ଆୟୋଗ ପୁନଶ୍ଚ ଚିତ୍ତଶୀଳ କରିଛନ୍ତି ଯେ ଏହି ଯାକ ନିର୍ବାଚନ ନିୟମରେ ନାମାଙ୍କନ ପତ୍ର ଦାଖଲ ସମୟରେ ସମ୍ପୂର୍ଣ୍ଣ ପ୍ରାର୍ଥୀ/ପ୍ରାର୍ଥନୀ ଅନୁସୂଚିତ ଜାତି/ଅନୁସୂଚିତ ଜନଜାତି କିମ୍ବା ପଛୁଆବର୍ଗର ନାଗରିକ ବୋଲି ଘୋଷଣାମାନା କରିବାପାଇଁ ବ୍ୟବସ୍ଥା ଅଛି ।

ଓଡ଼ିଶା ସରକାର, ସରପଞ୍ଚ, ସମିତିସଭା, ଜିଲ୍ଲାପରିଷଦ ସଭ୍ୟ ପାଇଁ ସଂରକ୍ଷିତ ସ୍ଥାନ ଗୁଡ଼ିକର ଯାଞ୍ଚ ନିମିତ୍ତ ନିମ୍ନଲିଖିତ ନିର୍ଦ୍ଦେଶାବଳୀ ଗୁଡ଼ିକ ପାଳନ କରାଯିବ ।

(କ) ଅନୁସୂଚିତ ଜାତି/ଅନୁସୂଚିତ ଜନଜାତି କିମ୍ବା ପଛୁଆବର୍ଗ ପାଇଁ ଉଦ୍ଦିଷ୍ଟ ସଂରକ୍ଷିତ ଆସନରେ ପ୍ରତିଦ୍ୱନ୍ଦ୍ୱିତା କରୁଥିବା ସମସ୍ତ ପ୍ରାର୍ଥୀ ମନୋନୟନ ପତ୍ର ସହ କ୍ଷମତାପତ୍ର ଅଧିକାରୀଙ୍କ ଦ୍ୱାରା ପ୍ରଦତ୍ତ ଜାତିଗତ ପ୍ରମାଣପତ୍ର ଦାଖଲ କରିବେ ।

(ଖ) ମନୋନୟନ ପତ୍ର ଦାଖଲ ସମୟରେ ଜାତିଗତ ପ୍ରମାଣପତ୍ରର ଅବିକଳ ନକଲ (Photocopy) ଦେବେ ଏବଂ ଯାଞ୍ଚ ସମୟରେ ପ୍ରାର୍ଥୀ କିମ୍ବା ତାଙ୍କର ପ୍ରତିନିଧି ଅସଲି (original) ଜାତିଗତ ପ୍ରମାଣପତ୍ର ଦାଖଲ କରିବେ । ଜାତିଗତ ପ୍ରମାଣପତ୍ର ଦାଖଲ ନ କଲେ ମନୋନୟନ ପତ୍ର ଖାରଜ କରାଯିବ ।

(ଗ) ଓଡ଼ିଶା ସରକାରଙ୍କ କ୍ଷମତାପତ୍ର ଅଧିକାରୀଙ୍କ ଦ୍ୱାରା ପ୍ରଦତ୍ତ ଜାତିଗତ ପ୍ରମାଣପତ୍ର ଗ୍ରହଣଯୋଗ୍ୟ ଅଟେ । କିନ୍ତୁ ଅନ୍ୟରାଜ୍ୟର ଜାତିଗତ ପ୍ରମାଣପତ୍ର ଗ୍ରହଣଯୋଗ୍ୟ ନୁହେଁ ।

- (ଘ) ପ୍ରାର୍ଥୀ ଯଦି ମନୋନୟନ ପତ୍ରରେ ଘୋଷଣା କରିଛନ୍ତି ଯେ ସେ ଜଣେ ଅନୁସୂଚିତ ଜାତି/ଅନୁସୂଚିତ ଜନଜାତି କିମ୍ବା ପଛୁଆବର୍ଗ ଶ୍ରେଣୀର ଅଟନ୍ତି ତାହା ପ୍ରାଥମିକ ଭାବରେ ସଂଲଗ୍ନକ I, II & III (ଯାହା ପ୍ରମୁଖ୍ୟ) ସହ ମେଳ କରାଯିବ ।
- (ଙ) ଯାଞ୍ଚ ସମୟରେ ନିର୍ବାଚନ ଅଧିକାରୀ ହୃଦବୋଧ ହେବା ଦରକାର ଯେ ସଂରକ୍ଷିତ ଆସନରେ ପ୍ରତିଦ୍ୱନ୍ଦ୍ୱିତା କରୁଥିବା ପ୍ରାର୍ଥୀ ଅନୁସୂଚିତ ଜାତି/ଅନୁସୂଚିତ ଜନଜାତି କିମ୍ବା ପଛୁଆବର୍ଗର (ଯାହା ପ୍ରମୁଖ୍ୟ) ଅଟନ୍ତି ।
- (ଚ) ପ୍ରାର୍ଥୀ ଦାଖଲ କରିଥିବା ପ୍ରମାଣପତ୍ର ଯଦି ଜାଲିଆତି କିମ୍ବା କ୍ଷମତାପତ୍ର ଅଧିକାରୀଙ୍କ ଦ୍ୱାରା ପ୍ରଦତ୍ତ ହୋଇନାହିଁ ବୋଲି ଅଭିଯୋଗ ହୁଏ, ସଂପୂର୍ଣ୍ଣ ପ୍ରାର୍ଥୀଙ୍କ ମନୋନୟନ ପତ୍ରର ବିଧିମାନ୍ୟତା ଉପରେ ନିଷ୍ପତ୍ତି ଦେବା ପୂର୍ବରୁ ନିର୍ବାଚନ ଅଧିକାରୀ ପ୍ରମାଣପତ୍ର ପ୍ରଦତ୍ତ କରିଥିବା ଅଧିକାରୀଙ୍କଠାରୁ ପରତାଳ (cross-cheeking)/ସତ୍ୟପ୍ରମାଣ (verification) ରେ ନିର୍ବାଚନ ଅଧିକାରୀ ସନ୍ତୁଷ୍ଟ ହୁଅନ୍ତି ଯେ ପ୍ରମାଣ ପତ୍ରଟି ଅସଲି (genuine) ନୁହେଁ, ସେ ନାମାଙ୍କନ ପତ୍ର ନାକଚ କରିବା ସହ ସଂପୂର୍ଣ୍ଣ ପ୍ରାର୍ଥୀ ଜାଲ ପ୍ରମାଣପତ୍ର ଉପସ୍ଥାପନ କରିଥିବା ଯୋଗୁଁ ତାଙ୍କ ବିରୋଧରେ ଫୈଜଦାରୀ ମକଦ୍ଦମା ଦାୟର କରିବାପାଇଁ ପଦକ୍ଷେପ ନେବେ ।
- (ଛ) ଯଦି ଅନୁସୂଚିତ ଜାତିର ବ୍ୟକ୍ତି ଧର୍ମ ପରିବର୍ତ୍ତନ କରି ଅନୁସୂଚିତ ଜାତିର ସଭ୍ୟରୁ ବିରତ ହେବା ନିର୍ବାଚନ ଅଧିକାରୀ ସୂଚନା ପାଆନ୍ତି କିମ୍ବା ବଳିଷ୍ଠ ପ୍ରମାଣସହ ଧର୍ମ ପରିବର୍ତ୍ତନର ଅଭିଯୋଗ ହୁଏ, ଯାହାଦ୍ୱାରା କି ସେ ବ୍ୟକ୍ତି ଅନୁସୂଚିତ ଜାତିର ସଭ୍ୟ ହିସାବରେ ବିବେଚନା କରାଯିବନାହିଁ, ସେ କ୍ଷେତ୍ରରେ ନିର୍ବାଚନ ଅଧିକାରୀ ସଂକ୍ଷିପ୍ତସାର ତଦନ୍ତ (summary enquiry) କରି ନିଷ୍ପତ୍ତି ନେବେ । ଯେଉଁଠାରେ ଜାତିପ୍ରମାଣପତ୍ରକୁ ନେଇ ଅଭିଯୋଗ ହୁଏ ନିର୍ବାଚନ ଅଧିକାରୀ ବିଶେଷ ସାବଧାନତା ସହ ସଂପୂର୍ଣ୍ଣ ପ୍ରାର୍ଥୀଙ୍କୁ ବର୍ତ୍ତମାନ ମଧ୍ୟ ସେ ଜଣେ ଅନୁସୂଚିତ ଜାତିର ସଭ୍ୟ ବୋଲି ନିର୍ଦ୍ଦିଷ୍ଟ ଜାତିର ନାମ ସହ ଏକ ସତ୍ୟ ପାଠ ଦାଖଲ କରିବାକୁ ନିର୍ଦ୍ଦେଶ ଦେବେ ଏବଂ ଏହା ଜଣେ କାର୍ଯ୍ୟନିର୍ବାହୀ ଦଣ୍ଡାଧିକାରୀ (Executive Magistrate) କିମ୍ବା ଦଲିଲ ଅଧିକାରୀ (Notary Public) କୁ ସମ୍ମୁଖରେ ପ୍ରମାଣିତ ହୋଇଥିବା ଆବଶ୍ୟକ । ପ୍ରାର୍ଥୀ ଯଦି ସଂପୂର୍ଣ୍ଣ ସତ୍ୟପାଠ ଯାଞ୍ଚ ସମୟରେ ଦେବାକୁ ମନା କରନ୍ତି, ତାହା ହେଲେ ନିର୍ବାଚନ ଅଧିକାରୀ ସେହି ବିଷୟବସ୍ତୁକୁ ଉଲ୍ଲେଖ କରି ଓ ସଂକ୍ଷିପ୍ତସାର (summary enquiry) କୁ ଆଧାର କରି ନାମାଙ୍କନ ପତ୍ରର ଗ୍ରହଣୀୟତା ଉପରେ ଆବଶ୍ୟକୀୟ ପଦକ୍ଷେପ ନେବେ ।

ରାଜ୍ୟ ନିର୍ବାଚନ ଆୟୋଗଙ୍କ ପତ୍ରସଂଖ୍ୟା 4534, ତା. 18.11.2016 ରେ ଅନୁସୂଚିତ ଜାତି/ଅନୁସୂଚିତ ଜନଜାତି କିମ୍ବା ପଛୁଆବର୍ଗଙ୍କ ପାଇଁ ଉଦ୍ଦିଷ୍ଟ ସଂରକ୍ଷିତ ଆସନ ମନୋନୟନପତ୍ରର ଯାଞ୍ଚପାଇଁ ଦିଆଯାଇଥିବା ପୂର୍ବ ନିର୍ଦ୍ଦେଶନାମା ନିର୍ଗମନ ତାରିଖଠାରୁ ଆବଶ୍ୟକୀୟ ରୁପାନ୍ତରିତ (modified) ହୋଇଥିବା ବିବେଚନା କରାଯିବ ।

ରାଜ୍ୟ ନିର୍ବାଚନ କମିଶନଙ୍କ ଆଦେଶ ଏବଂ ନାମରେ
ସଚିବ

GOVERNMENT OF ODISHA
ST & SC DEVELOPMENT, M & BC WELFARE DEPARTMENT

No. 19661 /SSD, Bhubaneswar
PTI-STSCD-PCR-STUDY-0003-2013

Dated 07/10/2021

From

Sri Laxman Kumar Mallick
Director, SC Welfare

To

The Secretary,
State Election Commission, Odisha, Toshali Bhawan,
B-2, 1st Floor, Satyanagar, Bhubaneswar-751007

Sub:- List of ST, SC and SEBC of Odisha.

Sir,

In inviting reference to the subject noted above I am directed to enclose herewith the list of ST, SC and SEBC of Odisha for your kind information and necessary action.

Yours faithfully,

Encl. as above.


7/10/2021
Director, SC Welfare

ANNEXURE - I

ODISHA - List of Scheduled Castes

List of Scheduled Castes notified (after addition/deletion) as per the Constitution (Scheduled Castes) Order, 1950, as amended vide Modification Order 1956, Amendment Act, 1976 and the Constitution (Scheduled Castes) Order (Amendment) Act 2002 No. 25 dated 27.5.2002. of Ministry of Law, Justice and Company Affairs, read with The Constitution (SCs) Order (Second Amendment) Act, 2002 No. 61 of 2002 dated 18.12.2002 of Ministry of Law & Justice republished vide Notification No. 7797-I- Legis-5/2002-L dated 7.6.2003 of Law Deptt, Govt. of Orissa and, vide Gazette of India No.381 dt.30.8.2007, Gazette of India No.40 dt.18.12.2014, Gazette of India No.7 dt.23.03.2015, Gazette of India No 27 dt 9.05.2016 & Gazette of India No 17 dt 01.05.2017 .

Sl. No.	Scheduled Castes
1.	Adi-Andhra
2	Amant, Amat, Dandachhatra Majhi, Amata, Amath
3.	Audhelia
4.	Badaik
5.	Bagheti, Baghuti
6.	Bajikar
7.	Bari
8.	Deleted vide Constitution (SCs) Order (Amendment) Act, 2016. No.24 of 2016
9.	Basor, Burud
10.	Bauri, Buna Bauri, Dasia Bauri
11.	Bauti
12.	Bavuri
13.	Bedia, Bejia, Bajia
14.	Beldar
15.	Bhata
16.	Bhoi
17.	Chachati
18.	Chakali
19.	Chamar, Mochi, Muchi, Satnami, Chamara, Chamar-Ravidas, Chamar-Rohidas..
20.	Chandala
21.	Chandhai Maru
22.	Deleted vide Constitution (SCs) Order (Amendment) Act, 2002. No. 25 of 2002
23.	Dandasi
24.	Dewar, Dhibara, Keuta, Kaibarta
25.	Dhanwar
26.	Dhoba, Dhobi, Rajak, Rajaka
27.	Dom, Dombo, Duria Dom, Adhuria Dom, Adhuria Domb
28.	Dosadha
29.	Ganda
30	Ghantaraghada Ghantra

Sl. No.	Scheduled Castes
31.	Ghasi, Ghasia
32.	Ghogia
33.	Ghusuria
34.	Godagali
35.	Godari
36.	Godra
37.	Gokha
38.	Gorait, Korait
39.	Haddi, Hadi, Hari
40.	Irika
41.	Jaggali, Jaggili, Jagli
42.	Kandra, Kandara, Kadama, Kuduma, Kodma, Kodama.
43.	Karua
44.	Katia, Khatia
45.	Kela, Sapua Kela, Nalua Kela, Sabakhia Kela, Matia Kela, Gaudia Kela
46.	Khadala, Khadal, Khodal
47.	Kodalo, Khodalo
48.	Kori
49.	Deleted vide Constitution (SCs) Order (Amendment) Act, 2016. No.24 of 2016
50.	Kurunga
51.	Laban
52.	Laheri
53.	Madari
54.	Madiga
55.	Mahuria
56.	Mala, Jhala, Malo, Zala, Malha, Jhola
57.	Mang
58.	Mangan
59.	Mehra, Mahar
60.	Mehtar, Bhangi
61.	Mewar
62.	Mundapotta
63.	Musahar
64.	Nagarchi
65.	Namasudra
66.	Paidi
67.	Painda
68.	Pamidi
69.	Pan, Pano, Buna Pana, Desua Pana, Buna Pano
70.	Panchama
71.	Panika
72.	Panka

Sl. No.	Scheduled Castes
73.	Pantanti
74.	Pap
75.	Pasi
76.	Patial, Patikar, Patratanti, Potua
77.	Rajna
78.	Relli
79.	Sabakhia , Sualgiri, Swalgiri
80.	Samasi
81.	Sanei
82.	Sapari
83.	Sauntia, Santia
84.	Sidhria
85.	Sinduria
86.	Siyal, Khajuria
87.	Tamadia
88.	Tamudia
89.	Tanla
90.	Deleted vide Constitution (SCs) Order(Amendment) Act, 2002 No. 25 of 2002
91.	Turi, Betra
92.	Ujia
93.	Valamiki, Valmiki
94.	Mangali (in Koraput&Kalahandi dist.) inserted vide Constitution (SCs) Order(Amendment) Act, 2002 No. 25 of 2002
95.	Mirgan (in Nowrangpur dist.) inserted vide Constitution (SCs) Order (Amendment) Act, 2002 No. 25 of 2002

ANNEXURE - II

List of Scheduled Tribes

List of Scheduled Tribes notified (after addition/deletion) as per the Scheduled Castes and Scheduled Tribes Order, 1950 as amended by Modification Order, 1956, Amendment Act, 1976 and The Scheduled Castes and Scheduled Tribes Order (Amendment) Act 2002 No. 10 dated 8.1.2003 of Ministry of Law & Justice republished by the Notification No. 7799/ L dated 7.6.2003 of Law Department, Govt. of Orissa.

Sl. No.	Scheduled Tribes
1.	Bagata, Bhakta
2.	Baiga
3.	Banjara, Banjari
4.	Bathudi, Bathuri
5.	Bhottada, Dhotada, Bhotra, Bhatra, Bhattara, Bhotora, Bhatara
6.	Bhuiya, Bhuyan
7.	Bhumia
8.	Bhumij, Teli Bhumij, Haladipokhria Bhumij, Haladi Pokharia Bhumija, Desi Bhumij, Desia Bhumij, Tamaria Bhumij
9.	Bhunjia
10.	Binjhal, Binjhar
11.	Binjha, Binjhoa
12.	Bihor
13.	Bondo Paraja, Bonda Paroja, Banda Paroja
14.	Chenchu
15.	Dal
16.	Desua Bhumij
17.	Dharua, Dhuruba, Dhurva
18.	Didayi, Didai Paroja, Didai
19.	Gadaba, Bodo Gadaba, Gutob Gadaba, Kapu Gadaba, Ollara Gadaba, Parenga Gadaba, Sano Gadaba
20.	Gandia
21.	Ghara
22.	Gond, Gondo, Rajgond, Maria Gond, Dhitr Gond
23.	Ho
24.	Holva
25.	Jatapu
26.	Juang
27.	Kandha Gauda
28.	Kawar, Kanwar
29.	Kharia, Kharian, Berga Kharia, Dhelki Kharia, Dudh Kharia, Erenga Kharia, Munda Kharia, Oraon Kharia, Khadia, Pahari Kharia
30.	Kharwar
31.	Khond, Kond, Kandha, Nanguli Kandha, Sitha Kandha, Kondh, Kui, Buda Kondh, Bura Kandha, Desia Kandha, Dungaria Kondh, Kutia Kandha, Kandha Gauda, Muli Kondh, Malua Kondh, Pengo Kandha, Raja Kondh, Raj Khond

32.	Kisan, Nagesar, Nagesia
33.	Kol
34.	Kolah Loharas, Kol Loharas
35.	Kolha
36.	Koli, Malhar
37.	Kondadora
38.	Kora, Khaira, Khayara
39.	Korua
40.	Kotia
41.	Koya, Gumba Koya, Koitur Koya, Kamar Koya, Musara Koya
42.	Kulis
43.	Lodha, Nodh, Nodha, Lodh
44.	Madia
45.	Mahali
46.	Mankidi
47.	Mankirdia, Mankria, Mankidi
48.	Matya, Matia
49.	Mirdhas, Kuda, Koda
50.	Munda, Munda Lohara, Munda Mahalis, Nagabanshi Munda, Oriya Munda
51.	Mundari
52.	Omanatya, Omanatyo, Amanatya
53.	Oraon, Dhangar, Uran
54.	Parenga
55.	Paroja, Parja, Bodo Paroja, Barong Jhodia Paroja, Chhelia Paroja, Jhodia Paroja, Konda Paroja, Paraja, Ponga Paroja, Sodia Paroja, Sano Paroja, Solia Paroja
56.	Pentia
57.	Rajuar
58.	Santal
59.	Saora, Savar, Saura, Sahara, Arsi Saora, Based Saora, Bhima Saora, Bhimma Saora, Chumura Saora, Jara Savar, Jadu Saora, Jati Saora, Juari Saora, Kampu Saora, Kampa Soura, Kapo Saora, Kindal Saora, Kumbi Kancher Saora, Kalapithia Saora, Kirat Saora, Lanjia Saora, Lamba Lanjia Saora, Luara Saora, Luar Saora, Laria Savar, Malia Saora, Malla Saora, Uriya Saora, Raika Saora, Sudda Saora, Sarda Saora, Tankala Saora, Patro Saora, Vesu Saora
60.	Shabar, Lodha
61.	Sounti
62.	Tharua, Tharua Bindhani

STATE LIST

STATE LIST OF SOCIALLY AND EDUCATIONALLY
BACKWARD CLASSES OF ORISSA

Sl No.	Name of the Castes/Communities	Resolution / Notification No. and Date of TW/HW/Welfare / M&BCW Deptt.
1.	Agharia, Agaria, Aghria	No. 25455 dt. 10.09.1993 (TW)
2.	Aranedan	-do-
3.	Asur	-do-
4.	Badhai, Barhai, Bindhania, Sutradhar, Badhira and Badhria	-do-
5.	Badasuda	-do-
6.	Baipani	-do-
7.	Baira, Barai	-do-
8.	Bairagi	-do-
9.	Banji or Barui, Tambuli, Tamali	-do-
10.	Barika, Bhandari, Napit and Nai	-do-
11.	Bellara	-do-
12.	Bentkar	-do-
13.	Bhatua	-do-
14.	Bania/Putulibandha Vaisya	No. 25455 dt. 10.09.1993 (TW)
	Sunari/ Sunarce/Viswa Brahman /Putuli Bania/Vasysa Bania/Vashya/ Vaishya/Vaishya Bania/Vaishya Bania /Vashya Banik/Potali Bania/Gandha Banik/Vaishya Putuli Bania	No. 18222 dt. 29.07.1996 (W)
	Paudar Bania/ Podar Bania	No. 26118 dt. 05.11.1996 (W)
	Kamila/ Astalohi/ Astalohi Karmakar/ Subarna Banik/ Sunari Bania/ Swarnakar/ Subarna Bania/ Sunari Banik	No. 8808 dt. 08.04.1997 (W)
	Astalohi Bania/Swarnakar Bania/Baisya Astalohi Karmakar	No. 479 11.10.2003 (M & BCW)
15.	Bhogta	No. 25455 dt. 10.09.1993 (TW)
16.	Bhokta	-do-
17.	Bhujan	-do-
18.	Bhuliya	-do-
19.	Birjha	-do-
20.	Bisoy-Barangi Jodia, Bennangi, Daduva, Franz, Hollar, Jhoriya, Kollai, Konde, Paranga, Pengajodia, Sodojodia and Takoara	No. 25455 dt. 10.09.1993 (TW)

Sl No.	Name of the Castes/Communities	Resolution / Notification No. and Date of TW/HW/Welfare / M&BCW Deptt.
21.	Binedhanies	No.25455 dt.10.09.1993 (TW)
22.	Bogada	-do-
23.	Bolodhia	-do-
24.	Buruashankar /Barna Suankar	-do-
25.	Byagari	-do-
26.	Chaupal	-do-
27.	Chasa	No.25455 dt.10.09.1993 (TW)
	Pradhan/ Padhan/Odapadhan/ Odachasa,	No.21863 dt.25.08.1995 (W)
28.	Chero	No. 25455 dt.10.09.1993 (TW)
29.	Cheruman	-do-
30.	Chikbaraik	-do-
31.	Chik	-do-
32.	Chitra, Chitrakar, Chitrasilpi	-do-
33.	Churia	-do-
34.	Dahalia	-do-
35.	Darji	-do-
36.	Damal	-do-
37.	Dangua	-do-
38.	Dehuri	-do-
39.	Dhakkada	-do-
40.	Dhaner	-do-
41.	Dumala, Dumal	-do-
42.	Ghatwar	-do-
43.	Girigiris	-do-
44.	Godda	-do-
45.	Gola, Golla ,Gope, Sadgope, Ahir, Gour, Gouda, Goudo, Mekala- Golla, Punnu-Golla, Yadav, Mathurapuria Gouda, Gopapuria Gouda, Nanda Gouda, Jhadua Gouda, Dumala Gouda, Naria Gouda, Bashya Gopa, Maha Bhoi, Gendu, Nepales, Gorkha	No. 25455 dt.10.09.1993 (TW)
	Gopal, Sholakhandia, Magadha Gouda	No.34905 dt.30.11.1994 (W)

State List

Page 2 of 11

Sl No.	Name of the Castes/Communities	Resolution / Notification No. and Date of TW/HW/Welfare / M&BCW Deptt.
	Laxminarayan-Gola, Goudia-Gola	No.32714 dt.16.12.1995 (W)
	Mahakul / Mahakud	No.18222 dt.29.07.1996 (W)
	Gopal Baishnab/ Kalanjia Gouda/ Karanjia Gouda/ Kanoujia Gouda/ Kanja Gouda	No.529 dt.24.12.2004 (M&BCW)
46.	Gudia or Guria, Gurja, Gunju	No.25455 dt.10.09.1993 (TW)
47.	Gosangi	-do-
48.	Gondu-Bato, Bhirthya, Dudho Kouriya, Hato, Jatako & Joria	-do-
49.	Habra	-do-
50.	Hansi, Dera, Dewanga, Kosta, Vina, Tula Bhina, Tanti, Patsalia, Buna, Rangani, Bunakara, Salia, Sukuli	No.25455 dt.10.09.1993 (TW)
	Saraka/ Saraka Tanti	No. 25958. dt.09.10.1995 (W)
	Bangali Tanti/ Bangiya Tanti./ Mativansa Tanti/Asina Tanti/Aswina Tanti/Ashani Tanti/Aswinna Tanti	No.32714 dt.16.12.1995 (W)
	Rangani Tanti/Rangani Tantee/Ranganee Tantee/Rangini Tanti/Ranguni Tanti	No.18222 dt. 29.07.1996(W)
	Rangani Hansi/Dewangulu/ Amila Tanti	No.592 dt.28.11.2003 (M&BCW)
	Kusta/ Kustha	No.529 dt.24.12.2004 (MBCW)
51.	Holeya	No.25455 dt.10.09.1993 (TW)
52.	Irula	-do-
53.	Jadapus	-do-
54.	Jaintrapans	-do-
55.	Jogi or Yogi	-do-
56.	Jyotish, Jyotisha Abadhan, Jyotish Navak	-do-

the List

Page 3 of 11

Sl No.	Name of the Castes/Communities	Resolution /Notification No. and Date of TW/HW/Welfare / M&BCW Deptt.
57.	Kadan	-do-
58.	Kalladi	No.25455 dt.10.09.1993 (TW)
59.	Kammara, Kamara, Kamar, Kammaro, Muli, Lohuru, Loharo	No. 25455 dt.10.09.1993 (TW)
	Astolohi Kamar	No. 8808 dt.08.04.1997 (W)
60.	Kanakkan .	No. 25455 dt.10.09.1993 (TW)
61.	Kandarpa .	-do-
62.	Kanjar .	-do-
63.	Kapudia	-do-
64.	Karhara/Kachara/Kachera	-do-
65.	Karimpalan	-do-
66.	Karmali	-do-
67.	Kattunayakan	-do-
68.	Khaira	Deleted by Notification No.238 Dt.23.04.05 (M&BCW)
69.	Thoria/ Khuria	No. 25455 dt.10.09.1993 (TW)
	Thodia/Thudia/Thuria	No.8808 dt.08.04.1997 (W)
70.	Khandals, Khandal, Khandual	No.25455 dt.10.09.1993 (TW)
71.	Khatti-Khatti	-do-
72.	Khatua	-do-
73.	Khodra/ Khadura	No.25455 dt.10.09.1993 (TW)
	Kharuda	No.32714 dt.16.12.1995 (W)

State List

Page 4 of 11

Sl No.	Name of the Castes/Communities	Resolution /Notification No. and Date of TW/HW/Welfare / M&BCW Deptt.
74.	Khetauri	No.25455 dt.10.09.1993 (TW)
75.	Koda, Kuda	Deleted vide Notification No. 238 dt.23.04.05 (M & BCW)
76.	Koilar	No.25455 dt.10.09.1993 (TW)
77.	Kolam	-do-
78.	Kend (Kul)	-do-
79.	Konda Kapu/ Gagula Kapu	No.25455 dt.10.09.1993 (TW)
	Kapu/ Kampo	No.32714 dt.16.12.1995 (W)
80.	Kondareddy, Reddy dhakas, Reddy	No.25455 dt.10.09.1993 (TW)
81.	Koraga	-do-
82.	Kosalya, Goudus, Bosotheriya Goudus, Chiti Goudus, Dangayath Goudus, Doddu Kamariya, Dudu Kamaro, Ladiya Goudus and Pullo Soriya Goudus	-do-
83.	Kota	-do-
84.	Kudiya	-do-
85.	Kudubi	-do-
86.	Kudumban	-do-
87.	Kumbhar, Kulal, Kumhar, Kumbharo,	No.25455 dt.10.09.1993 (TW)
	Kumbhakar	No.592 dt.28.11.2003 (M&BCW)
88.	Kundamatia	No. 25455 dt.10.09.1993 (TW)
89.	Kuita	-do-
90.	Kurariar	-do-
91.	Kuravan	-do-

State List

Sl No.	Name of the Castes/Communities	Resolution /Notification No. and Date of TW/HW/Welfare / M&BCW Deptt.
92.	Kurichchan	-do-
93.	Kuruman(Kurumba)	No.25455 dt.10.09.1993 (TW)
94.	Lakhra	-do-
95.	Lambadi	-do-
96.	Luhura	-do-
97.	Machua	-do-
98.	Maghi or Meghia	-do-
99.	Magura	-do-
100.	Mahunta	-do-
101.	Magatha Goudus, Bermia Goudus, Boodo Magatha, Dongayath Goudu, Ladya Goudu, Poona Magatha and Sana Magatha	-do-
102.	Magadhi Goral	-do-
103.	Maila	-do-
104.	Maladasu	-do-
105.	Malasar	-do-
106.	Mali, Phulia, Sagbaria, Bhajemali	No.25455 dt.10.09.1993 (TW)
	Muni	No.21863 dt.25.08.1995 (W)
107.	Malis-Korchia Malis, Paido Malis and Pedda Malis	No. 25455 dt.10.09.1993 (TW)
108.	Mal Paharia	-do-
109.	Manna Dhora	-do-
110.	Maure	-do-
111.	Marathi	-do-
112.	Matangi	-do-
113.	Mavilan	-do-
114.	Minka	-do-
115.	Moger	-do-
116.	Mukhadora-Mokka Dhora	-do-
117.	Muliya	-do-
118.	Mundala	-do-
119.	Muria	-do-
120.	Nahar	-do-
121.	Nalakeyava	-do-
122.	Nat	-do-

State List

Sl No.	Name of the Castes/Communities	Resolution /Notification No. and Date of TW/HW/Welfare / M&BCW Deptt.
123.	Nagavasam, Mahisya and Saunites	No.25455 dt.10.09.1993 (TW)
	----- Maheshya	No. 32714 dt.16.12.1995 (W)
124.	Nayadi	No. 25455 dt.10.09.1993 (TW)
125.	Nolia	-do-
126.	Nuhura, Nuhuraj	-do-
127.	Nuniya	-do-
128.	Ojulu or Metta, Kamasalie	-do-
129.	Omeyita	-do-
130.	Padaria, Pamaria, Pandara	-do-
131.	Pagadia	-do-
132.	Paigarapu	-do-
133.	Paltan	-do-
134.	Paky	-do-
135.	Pal	-do-
136.	Palasi	-do-
137.	Paliyan	-do-
138.	Paiko, Alia, Khandayat, Chasa-Paiko, Paikali-Khandayat, Kalingi Sudra Khandayat, Mahanayak Sudra, Baisya Karan	No.25455 dt.10.09.1993 (TW)
	Odia/ Odia Khandayat/ Mahanayak/ Mahalayak/ Chasa Mahanty/ Mahanty	No. 529 dt.24.12.2004 (M &BCW)
139.	Palli	No. 25455 dt.10.09.1993 (TW)
140.	Pulayan	-do-
141.	Pambada	-do-
142.	Paniyan	-do-
143.	Panjira	-do-
144.	Panniandi	-do-
145.	Paraiyan	-do-
146.	Paravan	-do-
147.	Parhaiya	-do-
148.	Pathuria	-do-

State List

Sl No.	Name of the Castes/Communities	Resolution /Notification No. and Date of TW/HW/Welfare / M&BCW Deptt.
149.	Patara	No.25455 dt.10.09.1993 (TW)
	Asini Patara/Aswini Patara/ Ashini Patara	No.34905 dt.30.11.1994 (W)
	Goudia Patara	No. 18222 dt.29.07.1996 (W)
150.	Pengua	No.25455 dt.10.09.1993 (TW)
151.	Pita	-do-
152.	Raneyar	-do-
153.	Ronas, Rana	-do-
154.	Routia	-do-
155.	Sagarpasha	-do-
156.	Samban	-do-
157.	Sankhari	-do-
158.	Sanyasi, Moembram	-do-
159.	Seerithi Goudu	-do-
160.	Semman	-do-
161.	Sholagar	-do-
162.	Sauria Paharia	-do-
163.	Sinke, Sinko	-do-
164.	Suda	-do-
165.	Sulia	-do-
166.	Sunri/Sundi	No. 25455 dt.10.09.1993 (TW)
	Sundhi	No.26118 dt.05.11.1996 (W)
167.	Tana	No.25455 dt.10.09.1993 (TW)
168.	Teli, Telli, Kubera, Talakar, Sahu, Babaldia,	No. 25455 dt.10.09.1993 (TW)
	Ekadas Teli, Tailik Baishya,	No.18222 dt.29.07.1996

State List

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Sl No.	Name of the Castes/Communities	Resolution /Notification No. and Date of TW/HW/Welfare / M&BCW Deptt.
	Baladia	(W) No.529 dt.24.12.2004 (M&BCW)
169.	Telaga, Pamula, Teloga	No. 25455 dt.10.09.1993 (TW)
	Telugu, Telanga, Telenga and Telugu Kachara,	No.26118 dt. 05.11.1996 (W)
170.	Thanu	No. 25455 dt.10.09.1993 (TW)
171.	Thatari/Kansari	-do-
172.	Thoti	-do-
173.	Tiruvalluvar	-do-
174.	Tivoro	-do-
175.	Toda	-do-
176.	Valluvan	-do-
177.	Vannan	-do-
178.	Vettuvan	-do-
179.	Yandi	-do-
180.	Yerna Golta	-do-
181.	Yerukula	-do-
182.	Kurmi, Kuruma Chasa, Kudumi, Kurma, Kurmi Mahto, Kurmi-Khetriya, Kurumi and Kudumi Kshyatriya,	No.11177 dt.1.05.1995 (W)
	Kurum	No.26118 dt.05.11.1996 (W)
	Mahanta/Mahat	No.529 dt.24.12.2004 (M&BCW)
183.	Bhanja-Puran	No.11177 dt.01.05.1995 (W)
184.	Bhopa, Raula	No.15306 dt.13.06.1995 (W)
185.	Mahla/Mahlar,	-do-
186.	Kalanji, Khandayat Kalanji, Odra Khandayat Kalanji,	No.32714 dt.16.12.1995 (W)

Sl No.	Name of the Castes/Communities	Resolution / Notification No. and Date of TW/HW/Welfare / M&BCW Deptt.
	Kalingi, Kaliji and Kalinga	No.26118 dt.5.11.1996 (W)
187.	Shudra	No.32714 dt.16.12.1995 (W)
188.	Belama	-do-
	Elama	No. 529 dt. 24.12.2004 (M&BCW)
189.	Dalapati/Dahua	No.18222 dt.29.07.1996 (W)
190.	Rajasri Balasi/Balasi	-do-
191.	Raju	-do-
192.	Segidi, Srisayan	-do-
193.	Dambo-Christian, Pano-Christian, Ganda-Christian	No.20325 dt. 22.08.1996 (W)
194.	Kandha-Kumbhar	No.26118 dt.05.11.1996 (W)
195.	Dalaxhandayat and Dalua-Paik	-do-
196.	Kapala Velama, Kapulu Elama, Koppala Velama, Koppala Elama, Kappula Elama, Kupala Velama, Kapala Elama and Kapala Elaga	-do-
197.	Banka	-do-
198.	Kshitibansa, Matibansa Ojha, Kshitibansa Naik, Ojhakaran, Kshitibansa Nayak, Matibansa, Matibansa Abadhan	-do-
199.	Arua	-do-
200.	Hatua	No.8808 dt.08.04.1997 (W)
201.	Kalar	-do-
202.	Banayat Oriya, Benayat Oriya, Beneyit Odia, Banayat, Banayat Odia, Odia and Udia	-do-
203.	Kalandi Baishnaha	No. 165 dt.08.03.2002 (M&BCW)
204.	Pallia/Agnikula Kshatriya	No.479 dt.11.10.2003 (M&BCW)

State List

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Sl No.	Name of the Castes/Communities	Resolution /Notification No. and Date of TW/HW/Welfare / M& BCW Deptt.
205.	Tamuli, Tamali, Tamili, Bangiya Tambuli, Tambuli, Tambili, Bangiya Tamboli, Bangadeshiya Tambili, Tamila, Bangiya Tamili, Tambila and Tambula	No.532 dt.24.12.2004 (M&BCW)
206.	Chattada Srivaishnab	No.529 dt.24.12.2004 (M&BCW)
207.	Sagua	-do-
208.	Majjula	-do-
209.	Goudia/Laxminarayan Goudia	-do-
210.	Baliji	No.14239 dt.09.08.2017 (M&BCW)

**LISTS OF NATIONAL PARTIES, STATE PARTIES AND
SYMBOLS RESERVED FOR THEM**

(Notification No.56/2021/PPS-III Dated 23-09-2021 of Election Commission of India)

**TABLE-I
NATIONAL PARTIES**

Sl.No.	Name of Party	Symbols reserved
(1)	(2)	(3)
1.	All India Trinamool Congress	Flower and Grass 
2.	Bahujan Samaj Party	Elephant 
3.	Bharatiya Janata Party	Lotus 
4.	Communist Party of India	Ears of Corn and Sickle 
5.	Communist Party of India (Marxist)	Hammer, Sickle and Star 
6.	Indian National Congress	Hand 
7.	Nationalist Congress Party	Clock 
8.	National People's Party	Book 

**TABLE-II
NATIONAL PARTIES**

Sl. No.	Name of the State	Name of the State Party	Symbol Reserved
(1)	(2)	(3)	(4)
18.	Odisha	Biju Janata Dal	Conch 

STATE ELECTION COMMISSION ODISHA
TOSHALI BHAWAN, BLOCK-B2, 1ST FLOOR,
SA TYANAGAR, BHUBANESWAR-751007
E-mail ID - stateelectioncommission.odisha@gmail.com
Fax No. 0674-2573494

No. 2479/SEC.

The 24th September 2021

From

Shri R.N. Sahu, I.A.S.
Secretary.

To

All Collectors.

SUBJECT : General Elections to PRIs. 2022-Allotment Symbols.

Madam/Sir,

In inviting a reference to the subject cited above, I am directed to say that the free symbols for election to the Office of Zilla Parishad Member, symbols for election to the Office of Panchayat Samiti Member, and additional symbols for election to the Office of Sarpanch and Ward Member remain unchanged. These symbols notified earlier vide Notification/Order (copy enclosed) mentioned below shall be used in the coming General Elections to PRIs. 2022 and thereafter.

Sl. No.	Name of the Post	Commission's Notification/Order
(1)	(2)	(3)
1.	Zilla Parishad Member (Free Symbol)	Notification No. 2731 dated the 8th July 2016.
2.	Panchayat Samiti Member	Notification No. 3470 dated the 25th September 2006.
3.	Sarpanch (Additional Symbol)	Order No. 2727 dated the 8th July 2016.
4.	Ward Member (Additional Symbol)	Order No. 2250 dated the 1st July 2006.

You are, therefore, requested to intimate all the Election Officers to refer to above Notifications/ Orders of the Commission while allotting symbols to different category of candidates in the forthcoming General Election to PRIs, 2022 and thereafter.

Yours faithfully

Secretary

Memo No. 2480/SEC., Date : 24/09/2021

Copy forwarded to Principal Secretary to the Government, Panchayati Raj & D.W. Department for information and necessary action.

Secretary

Memo No. 2481/SEC., Date : 24/09/2021

Copy forwarded to all Sub-Collectors/District Panchayat Officer/Block Development Officers for information and necessary action.

Secretary

STATE ELECTION COMMISSION, ODISHA
TOSHALI BHAWAN, B-2, 1ST FLOOR, SATYANAGAR, BHUBANESWAR - 751 007

No. 2731/SEC.,

Date: 08-07-2016

NOTIFICATION

In supersession to Commission's Notification No. 2246, dated the 1st July 2006, in pursuance of Rule 7(1) of the Odisha Zilla Parishad Election Rules, 1994, the State Election Commission, Odisha hereby notifies the following free symbols for use in the election of Members of Zilla Parishad.

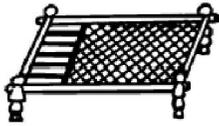
Sl. No.	Name of the Symbols	Sl. No.	Name of the Symbols
(1)	(2)	(1)	(2)
1	Cot	11	Boat
2	Boy & Girl	12	Table Lamp
3	Bucket	13	Top
4	Letter Box	14	Violin
5	Drum	15	Gas Stove
6	Bead Necklace	16	Harmonium
7	Jug	17	Road Roller
8	Ring	18	Television
9	Saw	19	Water Bottle
10	Sewing Machine		

By order and in the name of
State Election Commission, Odisha

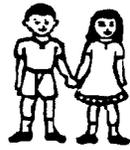
R. N. SAHU

Secretary

FREE SYMBOLS FOR CANDIDATES FOR ZILLA PARISHAD ELECTION



1. Cot



2. Boy & Girl



3. Bucket



4. Letter Box



5. Drum



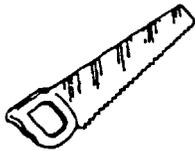
6. Bead Necklace



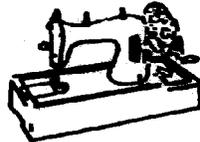
7. Jug



8. Ring



9. Saw



10. Sewing Machine



11. Boat



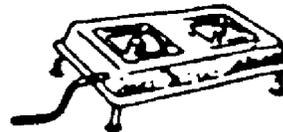
12. Table Lamp



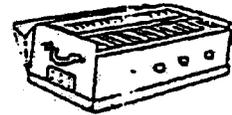
13. Top



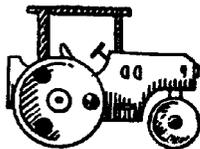
14. Violin



15. Gas Stove



16. Harmonium



17. Road Roller



18. Television



19. Water Bottle

STATE ELECTION COMMISSION, ODISHA
TOSHALI BHAWAN, B-2, 1ST FLOOR, SATYANAGAR, BHUBANESWAR - 751 007

No. 3470/SEC.,

Date: 25-09-2006

NOTIFICATION

In supersession to Commission's Notification No. 2254/SEC, dtd. 01.07.06 published in the Orissa Gazette dtd. 03.07.2006 vide SRO No. 401/2006 and in pursuance of Rule 5 of Orissa Panchayat Samiti Election Rules, 1991, the State Election Commission, Orissa hereby notifies the following symbols for use in the election of the Samiti by the Candidates.

Sl. No.	Name of the symbol
1	Kettle
2	Stool
3	Bus
4	Lock and Key
5	Spectacles
6	Hand Fan
7	Cup and Saucer
8	Earthen Pot
9	Pineapple
10	Bell
11	Baby Doll
12	Bats Man
13	Glass Tumbler
14	Foot Ball
15	Coat
16	Maize
17	Kite
18	Aeroplane
19	Flute

By order & in the name of
State Election commission, Odisha

F.C.Satapathy
SECRETARY

Memo No. 3471/SEC., Date:25.09.2006

Copy forwarded to Director, Printing, Stationery & Publication, Odisha, Cuttack for information and necessary action with a request to publish this statutory notification in an extraordinary issue of Odisha Gazette on 26.09.2006 and supply 500 (Five hundred) copies thereof to the Commission.

SECRETARY

Memo No. 3472/SEC., Date: 25.09.2006

Copy forwarded to the Commissioner-cum-Secretary to Govt., Panchayati Raj Department, Odisha, Bhubaneswar for information.

SECRETARY

Memo No. 3473SEC., Date:25.09.2006

Copy forwarded to All Collectors/Sub-Collectors/District Panchayat Officers/Block Development Officers for information and necessary action.

SECRETARY

SYMBOLS FOR PANCHAYAT SAMITI ELECTION



1. Kettle



2. Stool



3. Bus



4. Lock & Key



5. Spectacles



6. Hand Fan



7. Cup & Sancer



8. Earthen Pot



9. Pineapple



10. Bell



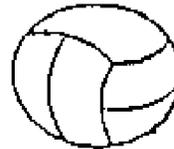
11. Baby Doll



12. Bats Man



13. Glass Tumbler



14. Foot Ball



15. Coat



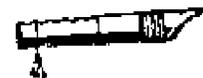
16. Maize



17. Kite



18. Aeroplane



19. Flute

STATE ELECTION COMMISSION, ODISHA
TOSHALI BHAWAN, B-2, 1ST FLOOR, SATYA NAGAR, BHUBANESWAR - 751 007

No. 2727/SEC.

Date : 08-07-2016

ORDER

In supersession to Commission's Order No. 2242, dated the 1st July 2006, in pursuance of Rule 20 of the Odisha Gram Panchayat Election Rules, 1965, the State Election Commission is pleased to order that the following additional symbols shall be allotted in the same order in which they are shown herein for election to the office of Sarpanch in the event of the number of candidates exceeds the six number of symbols prescribed under Rule 17 of Odisha Gram Panchayat Election Rules :—

Sl. No.	Name of the Symbols	Sl. No.	Name of the Symbols
(1)	(2)	(1)	(2)
1	Banyan Tree	14	Walking Stick
2	Motor Car	15	Wool
3	Lantern	16	Bangles
4	Brinjal	17	Blackboard
5	Basket	18	Table
6	Candles	19	Ceiling Fan
7	Balloon	20	Apple
8	Camera	21	Banana
9	Comb	22	Gas Cylinder
10	Motor Cycle	23	Fire Engine
11	Hat	24	Jeep
12	Pressure Cooker	25	Sabari
13	Whistle	26	Electric Bulb

By order and in the name of
State Election Commission, Odisha

R. N. SAHU

Secretary

SYMBOLS (ADDITIONAL) FOR GRAM PANCHAYAT (SARPANCH) ELECTIONS



1. Banyan Tree



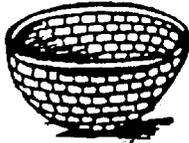
2. Motor Car



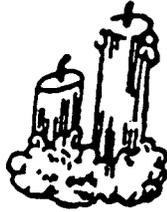
3. Lantern



4. Brinjal



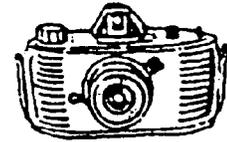
5. Basket



6. Candles



7. Balloon



8. Camera



9. Comb



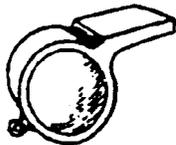
10. Motor Cycle



11. Hat



12. Pressure Cooker



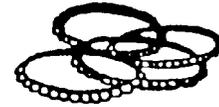
13. Whistle



14. Walking Stick



15. Wool



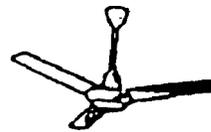
16. Bangles



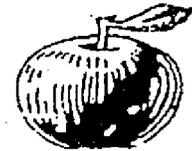
17. Blackboard



18. Table



19. Ceiling Fan



20. Apple



21. Banana



22. Gas Cylinder



23. Fire Engine



24. Jeep



25. Sabari



26. Electric Bulb

**STATE ELECTION COMMISSION, ORISSA
SAMABAYA BHAWAN, UNIT IX, JANPATH
BHUBANESWAR-22**

No-2250/SEC.,

Dated 01.07.2006

O R D E R

In supercession to Commission's Order No.5558 dtd.30.12.2001, in pursuance of Rule 20 of Orissa Gram Panchayat Election Rules, 1965, the State Election Commission has ordered the following additional symbols to be allotted in the same order in which they are shown herein for election to the office of Ward Member in the event of the number of candidates exceeds the six number of symbols prescribed under Rule 17 of Orissa Gram Panchayat Election Rules, 1965.

Sl. No.	Name of the symbol
1.	Carrot
2.	Scissors
3.	Chair
4.	Cottage
5.	Frock
6.	Spoon
7.	Battery Torch
8.	Cricket Bat
9.	Telephone

By order & in the name of
State Election Commission, Orissa

F.C. Satapathy
Secretary

**SYMBOLS (ADDITIONAL) FOR
GRAM PANCHAYAT (WARD MEMBER) ELECTIONS**



1. Carrot



2. Scissors



3. Chair



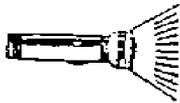
4. Cottage



5. Frock



6. Spoon



7. Battery Torch



8. Cricket Bat



9. Telephone

STATE ELECTION COMMISSION, ODISHA
TOSHALI BHAWAN, B-2, 1ST FLOOR, SATYANAGAR,
BHUBANESWAR-751007

E-mail ID - stateelectioncommission.odisha@gmail.com

Fax No. 0674-2573494

No. 4618 /SEC.,

Dated 28-11-2016

From

Sri R. N. Sahu,
Secretary.

To

All Collectors.

Sub :—**Allotment of symbols for Zilla Parishad Election.**

Madam/Sir,

I am directed to say that election to the office of Zilla Parishad Member will be contested on Political Party basis. Proviso to sub-section 4(a) of Section 6 of Odisha Zilla Parishad Act, 1991 provides that where election is contested on Political Party basis, the candidate contesting such election shall use their respective Party symbols. Since, the allotment of symbols for any election contested on Political Party basis is guided by election symbols (Reservation and Allotment) Order, 1968 of Election Commission of India, this Commission considers it appropriate to adhere to the same principle and for better guidance of the Election Officers the following procedure shall be adopted in allotment of symbol.

1. National Party/State Party—Candidate sponsored by National Party or State Party in Form No.18 shall be allotted symbols reserved by the Election Commission of India for such political party. A reserved symbol shall not be chosen by or allotted to any candidate other than a candidate set up by a National Party/State Party for whom such symbol is reserved even if no candidate has been set up by such Party.

2. Registered Unrecognised Political Party—Where a free symbol has been chosen by several contesting candidates of whom one is set up by a registered unrecognized Political Party, the Election Officer shall allot that free symbol to the candidate of the said registered unrecognized Political Party in preference to other independent candidates. If two or more candidates are set up by different registered unrecognized Political Parties and more than one candidates claim for the same symbol, the Election Officer shall decide by lot to which of the candidate set up by a Political Party will be allotted with the symbol.

3. Independent Candidates—Independent candidate will be allotted one of the free symbol notified by the Commission in Commission's Notification No. 2731, dated 08-07-2016.

Where more than one contesting independent candidates have indicated their choice for the same symbol, the Election Officer shall decide by lot and allot that free symbol to the candidate on whom the lot falls.

The above direction of the Commission may please be brought to the notice of the ADMs, PD, DRDAs, PA, ITDAs and Sub-Collectors of district whose services are likely to be used as Election Officer for the election to Zilla Parishads.

Commission's instructions No. 3995, dated 01-11-2006 issued earlier in connection with allotment of symbols are hereby superceded to that extent.

Any doubt on allotment of symbol shall be referred to the Commission for necessary clarification.

Yours faithfully,

Sd/-

Secretary

Memo No. 4619/SEC Date: 28-11-2016

Copy forwarded to Commissioner-cum-Secretary to Govt., Panchayti Raj Department for information and necessary action.

Secretary

Memo No. 4620/SEC Date: 28-11-2016

Copy forwarded to all District Panchayat Officers/Sub-Collectors/Block Development Officers for information and necessary action.

Secretary

STATE ELECTION COMMISSION, ODISHA,
TOSHALI BHAWAN, B-2, 1ST FLOOR, SATYANAGAR,
BHUBANESWAR-751007

E-mail ID – stateelectioncommission.odisha@gmail.com

Fax No. 0674-2573494

No. 2492 /SEC

Date: 24.09.2021

NOTIFICATION

In exercise of powers conferred under Article 243K of Constitution of India read with relevant provisions of the Odisha Gram Panchayat Election Rules, 1965, Odisha Panchayat Samiti Election Rules, 1991 and Odisha Zilla Parishad Election Rules, 1994 the State Election Commission hereby notify the colour of Ballot Paper of different categories to be used in the General Elections to PRIs, 2022 as follows:

Serial No	Particular	Colour
1	Ward Member	Yellow
2	Sarpanch	Pink
3	Panchayat Samiti Member	Blue
4	Zilla Parishad Member	White

By order and in the name of

State Election Commission, Odisha.

(R.N. Sahu)

Secretary

Memo No.2493/SEC., Date: 24.09.2021

Copy forwarded to Director, Printing Stationery and Publication, Odisha, Cuttack for publication of this notification in Odisha Gazette on 30.09.2021 and supply of one hundred copies to the Commission.

Secretary

Memo No.2494/SEC., Date: 24.09.2021

Copy forwarded to Principal Secretary to Government, Panchayati Raj and D.W.
Department for information and necessary action

Secretary

Memo No.2495/SEC., Date: 24.09.2021

Copy forwarded to All Collectors /Sub-Collectors / District Panchayat Officers/
Block Development Officers for information and necessary action.

Secretary

ELECTION URGENT

BY FAX/E-MAIL

**STATE ELECTION COMMISSION, ODISHA,
TOSHALI BHAWAN, B-2,1ST FLOOR, SATYANAGAR,
BHUBANESWAR-751007**

E-mail ID – stateelectioncommission.odisha@gmail.com

Fax No. 0674-2573494

No. 2905 /SEC.,

Date: 21.10.2021

From

Shri R.N. Sahu, I.A.S.
Secretary.

To

All Collectors.

Sub: **General Election to Panchayats – 2022
Used, Unused & Surplus Ballot Papers.**

Madam/Sir,

I am directed to say that Commission has changed the colour of the ballot papers except the ballot paper of Zilla Parishad and prescribed the following guidelines for use of the ballot papers used during the forthcoming General Elections to Panchayats in the State.

2. The ballot paper containing the water mark would be of different colours i.e. for Ward Member **yellow**, for Sarpanch **pink**, for P.S. Members **blue** and for ZP Member **white** (Colour unchanged). As before, ballot papers for Ward Member, Sarpanch and PS Member will bear symbols only and the ballot papers for ZP Member will bear both the names of the candidate and the symbol allotted. Each ballot paper will have a counterfoil. There would be space in the counterfoil for assigning Sl. No. by the Presiding Officer and for signature/T.I of the voter. Similarly, there will be space at the top of the ballot paper for assigning Sl. No. (which will naturally be the same as on the counterfoil) and for signature of the Presiding Officer. There will be horizontal lines between one symbol and another. The ballot papers shall be bound in bunches of 100

and 50. **No ballot paper will be considered valid without bearing both the Sl. No. and signature of the Presiding Officer on its face and the distinguishing mark seal at the back.**

3. Ballot papers shall be supplied to a Presiding Officer at the rate of **110 per cent** of the total number of voters of the polling station. The figure thus arrived at shall be rounded up to the nearest 50/100 as the case may be. This is explained by the following illustration.

The total number of voters of Polling Station 'A' is 520. 110 percent of this figure works out to 572. The Presiding Officer of polling station 'A' shall be supplied with 550 ballot papers. Total number of voters of polling Station 'B' is 760. 110 percent of this figure works out to 836. The Presiding Officer of polling station 'B' shall be supplied with 850 ballot papers. **The ballot papers shall be so supplied that each Presiding Officer shall have at least two bunches of 50 Nos.**

4. Going by the past experience, the average voter turn-out at a polling station is around 70 per cent. The Commission therefore directs that each Presiding Officer shall, before commencement of the poll, assign Sl. Nos. to 60% of ballot papers (of the total number of voters of the polling station) both on the counterfoil and on the body of the ballot paper put his signature on the body of these ballot papers and affix the distinguishing mark seal on their back to avoid possible pressure on him during the rush hour. Going by the same illustration cited in Para 2 above, the Presiding Officer of Polling Station 'A' shall assign Sl. Nos put his signature and affix distinguishing mark seal on 312 (60% of 520) ballot papers or say 300 ballot papers and Presiding Officer of Polling station 'B' on 456 (60% of 760) or say 450 ballot papers before beginning of the poll. As the poll progresses and when the last of the signed bunch of ballot papers is about to be exhausted the Presiding Officer shall take up a fresh bunch of 50/100 ballot papers having regard to the time of voting left and number of voters waiting in the queue, for assigning Sl. Nos., putting his signature and affixing distinguishing mark seal.

Sl. Nos. on the ballot papers shall be in one continuation, beginning with 1 in the first bunch and continuing up to the number actually issued.

5. At the end of the polling, there would be 3 types of ballot papers left with the Presiding Officer at the Polling Station;

- (i) used ballot papers [inside the ballot box (es)],
- (ii) unused ballot papers (those already signed and numbered, but could not be used as there were no voters) and
- (iii) Surplus ballot papers (un-numbered and without signature of the Presiding Officer; the difference between 110% of ballot papers supplied and the total of used and unused ballot papers). The unused and surplus ballot papers for Ward Member, Sarpanch, PS Member and ZP Member shall be put in separate covers and such covers should be properly **superscribed as unused ballot papers/ surplus ballot papers** as the case may be and sealed by the Presiding Officer and handed over to the Election Officer. After counting of Ballot Paper at Counting Hall the used ballot papers for Ward Member, Sarpanch, PS Member and ZP Member shall be put in separate covers and such covers should be properly **superscribed as used ballot papers** and sealed by the Counting Supervisor and handed over to the Election Officer.

6. As per instructions of the Commission vide Letter No.2901 Date:21.10.2021, BDO shall be authorized to function as Election Officer for Gram Panchayat, Panchayat Samiti and Zilla Parishad for counting of votes, compilation of the result sheet and to verify the arithmetical correctness of votes polled by different candidates after which he will declare the result. He can also order and undertake recounting of votes on cogent grounds and announce the final result of the said constituency.

7. The B.D.O. thus becomes the custodian of used, unused and surplus ballot papers and in fact all election related papers of all the Panchayats within the Block and

shall be responsible to produce the ballot papers and other election papers in appropriate courts in case of election petitions. He shall also be responsible for destruction of all used and unused ballot papers (which are not involved in any ongoing litigation) including the surplus ballot papers of Zilla Parishad after the statutory period of three months.

8. The surplus ballot papers received from the Presiding officers except the ballot papers of Zilla Parishad can be re-used for subsequent by-election. The Commission directs that the Block Development Officer shall return surplus ballot papers for Ward Member, Sarpanch, and Panchayat Samiti Member to the Collector- cum- Election Officer within 15 days of the date of declaration of the result, accompanied by a statement prescribed in Annexure-I of this instruction. The Collector shall arrange to preserve the surplus ballot papers in the strong room of the District Treasury/ Special Treasury. The Collector shall inform the Commission the number of surplus ballot papers returned by the Election Officers in the statement given in Annexure-II. The required number of ballot paper can be issued to the concerned Block Development Officer as per by- election schedule fixed by the Commission. Quarterly return of the surplus ballot paper shall be furnished to the Commission.

All instructions issued in this regard earlier shall be deemed to have been modified.

Yours faithfully,

Secretary

Memo No. 2906/SEC., Date: 21.10.2021

Copy forwarded to Principal Secretary to Government, Panchayati Raj & D.W. Department for information and necessary action.

Secretary

Memo No.2907/SEC., Date: 21.10.2021

Copy with enclosures forwarded to all District Panchayat Officers/Sub-Collectors/ Block Development Officers for information and necessary action.

Secretary

ANNEXURE-I

Used/Unused /Surplus ballot papers for

Description	No. of polling booth	Total No. of voters	Total No. of ballot papers received	No. of ballot papers issued to Presiding Officers	No. of ballot papers used	No. of unused ballot papers returned by the Presiding Officer	No. of surplus ballot papers returned by the Presiding Officers	No. of surplus ballot papers returned to Collector
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)

Ward
Member

Sarpanch

P.S.
Member

Ward member/Sarpanch/P.S. Member

Note: while stating the No. of Ballot Papers under Col 9 also furnish break up of No. of bunches of 100 Nos. & 50 Nos. e.g. if the figures under Col. 9 is 12750 comprising of 120 bunches of 100 Nos. & 15 bunches of 50 Nos of Ballot papers, describe the column thus $120 \times 100 + 15 \times 50 = 12750$

Signature & Seal of B.D.O.-cum-
Authorised Election Officer

ANNEXURE-II

Used/Unused /Surplus ballot papers for
Ward member/Sarpanch/P.S. Member

Description of P.R.I.	Total No. of polling stations in the District	Total No. of voters in the District	No. of Ballot papers supplied by S.E.C.	No. of Ballot papers issued to Election Officers	No. of Ballot papers used by the Presiding Officers	No. of unused ballot papers returned by Presiding Officers as reported by E.O.	No. of surplus Ballot papers returned by Election Officer	Remarks.
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)

Ward
Member

Sarpanch

P.S.
Member

Note: while stating the No. of Ballot Papers under Col 8 Pl. also furnish break up of No. of bunches of 100 Nos. & 50 Nos e.g. if the figures under Col. 8 is 12750 comprising of 120 bunches of 100 Nos. & 15 bunches of 50 Nos of Ballot papers, describe the column thus $120 \times 100 + 15 \times 50 = 12750$

Signature & Seal of the Collector

ELECTION URGENT

BY FAX/EMAIL

**STATE ELECTION COMMISSION, ODISHA
TOSHALI BHAWAN, BLOCK-B2, 1ST FLOOR,
SATYANAGAR, BHUBANESWAR**

E-mail ID – stateelectioncommission.odisha@gmail.com

Fax No. 0674-2573494

No.2904/SEC.,

Date: 21.10.2021

From

Sri R.N. Sahu, I.A.S.
Secretary.

To

All Collectors.

**Sub: General Elections to PRIs – 2022,
Collector's report to the Commission at the end of the Poll.**

Madam/Sir,

The State Election Commission in exercise of the plenary powers vested in it under Article 243-K of the Constitution of India, is pleased to direct that the Collector as Election Officer in over all charge of conduct and supervision of elections to the Panchayats shall send by Fax/E-mail a detailed report to the Commission in the format prescribed below pertaining to the polls held during the day by 5.00 PM on each day of the Poll during the forthcoming General Election to Panchayats-2022.

Format of the report

- i) Name of the District
- ii) Weather condition during the poll hours

- iii) Average percentage of votes polled in the District.
- iv) Instance of interruption or obstruction of polls due to riots, open violence, natural calamity or any other cause.
- v) Instances of vitiation of the poll by any of the ballot boxes having been unlawfully taken out of the custody of Presiding Officer/Polling personnel or unintentionally or accidentally lost or destroyed or damaged or tampered with.
- vi) Instances of Booth capturing.
- vii) Mistakes and irregularities, if any, committed by the Polling Personnel/Officer which have a bearing on the election.
- viii) Has the Collector in his capacity as Election Officer in charge of over all conduct of polls in his /her district/recommend /already recommended to the Commission for deferment or cancellation or countermanding of poll for any of the above ground. If the answer is 'yes' please give details.
- ix) Have the polling parties moved to their next polling station for conduct of polls/have the polling parties returned to the Head Quarters after completing the Poll and Counting.

The fax message may be sent in Fax No. 0674-2573494/ E-Mail and it should be followed up by dispatch of hard copy by post on the same day.

Yours faithfully,

Secretary

ELECTION URGENT

BY FAX/E-MAIL

STATE ELECTION COMMISSION, ODISHA,
TOSHALI BHAWAN, B-2, 1ST FLOOR, SATYANAGAR,
BHUBANESWAR-751007
E-mail ID – stateelectioncommission.odisha@gmail.com

Fax No. 0674-2573494

No. 3032/SEC.,

Date: 26.10.2021

ORDER

Whereas the superintendence, direction and control of all election to Panchayati Raj Institutions are vested with the State Election Commission;

And whereas, with a view to preventing impersonation at the election and in the interest of sanctity of elections and conduct of such elections in a fair and efficient manner, it is necessary to produce an **identity card** by the voters for facilitating their identification at the time of poll;

Now, therefore, in exercise of the powers conferred under Article 243-K of the Constitution of India read with relevant provisions of the Odisha Gram Panchayat Election Rules, 1965, Odisha Panchayat Samiti Elections Rules, 1991 and Odisha Zilla Parishad Election Rules, 1994 with regard to identification of the voters at the Polling Stations, the State Election Commission directs that during the General Election or by-election to Panchayati Raj Institutions at all levels, each voter at the time of the polling is required to produce any one of the following documents bearing his/ her identity.

1. Electors Photo Identity Card issued by the Election Commission of India
2. Aadhaar Card
3. Passport
4. Driving License

5. Service Identity Card with Photograph issued to employees by Central/State Government/Public Sector Undertaking, Local Bodies/ Public limited companies;
6. Pass-Book with photograph issued by Bank, Post Office;
7. PAN card;
8. Smart Card issued by RGI under NPR;
9. MNREGA job card
10. Pension document with photograph
11. Official Identity Cards issued to MPs, MLAs
12. Certificates of Disability
13. Freedom Fighter Identity Card
14. Any other documentary evidence establishing the Identity of the Voters to the satisfaction of the Presiding Officer.

It is clarified that any documents as enumerated above, which are available for the head of the family can also be considered for the purpose of identification of other members of the same family. Similarly an identification document in the name of one member of the family can also be considered for identification of any other member of the same family provided they are enlisted in the same household of the voter list.

It should be noted that possession of an Identity Card as specified above will not confer the right to vote unless/ his/her name finds place in the electoral roll supplied to the polling party.

This order supersedes all previous orders issued by the Commission in this regard.

By Order and in the name of
State Election Commission, Odisha

(R.N. Sahu)

Secretary

Memo No.3033/SEC., Date: 26.10.2021

Copy forwarded to Director, Printing, Stationery and Publication, Odisha, Cuttack with request to publish the order in the next extraordinary issue of Odisha Gazette and supply ten (10) copies to the Commission.

Secretary

Memo No.3034/SEC., 26.10.2021

Copy forwarded to Principal Secretary to Government, Panchayati Raj & D.W. Department for information and necessary action.

Secretary

Memo No.3035/SEC., 26.10.2021

Copy with forwarded to all Collectors/ Sub-Collectors/District Panchayat Officers/Block Development Officers for information and necessary action.

Secretary

Memo No. 3036/SEC., 26.10.2021

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

Secretary

**STATE ELECTION COMMISSION, ODISHA
TOSHALI BHAWAN, B-2, 1ST FLOOR,**

SATYANAGAR, BHUBANESWAR – 751 007

E-mail ID – stateelectioncommission.odisha@gmail.com

Fax No. 0674-2573494

No. 1181 / SEC.,

Date: 23.03.2021

From

Sri R.N. Sahu, IAS,
Secretary.

To

All Collectors.

Sub:- Revision of list of Habitual Litigants.

Madam/Sir,

I am directed to inform you that Section 25(1) of Odisha Gram Panchayat Act, 1964, Section 45(1)(4) of Odisha Panchayat Samiti Act 1959, Section 33(1)(o) Odisha Zilla Parishad Act 1991 disqualifies a habitual litigant declared by the concerned Collector to contest elections to PRIs.

1) Rule 89 of Odisha Gram Panchayat Election Rules 1965, Rule 49 of Odisha Panchayat Samiti Election Rules 1991 and Rule 64 of Odisha Zilla Parishad Election Rules 1994, provide that Collector of the District may publish a list of persons in the habit of encouraging litigation.

2) As per the Rules, this list once prepared remains in force till the next General Election to PRIs and six months prior to General Election, the Collector has to undertake a revision of this list. The list such prepared shall be applicable for purpose of disqualification of candidate for General Election.

3) In this connection it is informed that the District must have the list of litigants published before the last General Election to PRIs in 2017. Now it is

necessary to revise the same list following the rules and instructions of the Commission.

4) Before entering the name of any person in the list, a reasonable opportunity of showing cause should be given to the person concerned and the explanation received shall be enquired into either by the Collector or any person authorized by him not below the rank of Sub-Divisional Officer.

5) If after enquiry you are satisfied that the person concerned is in the habit of encouraging litigation, then the name of that person be incorporated in the list. This list prepared shall have to be published in the office notice board and copies of this shall be forwarded to the Election Officers of the area concerned.

You are, therefore, requested to revise the list in your District and publish the same before 31st July, 2021 in view of the General Election to PRIs to be held before 10.03.2022. A copy of the final list of such persons be forwarded to the Commission for record.

This may be treated as **most urgent**.

Yours faithfully

Secretary

Memo No. 1182 /SEC., Date: 23.03.2021

Copy forwarded to Director, Panchayati Raj and Addl. Secretary to Govt., Panchayati Raj Department for information and necessary action.

Secretary

Memo No.1183 /SEC., Date: 23.03.2021

Copy forwarded to all District Panchayat Officers/Block Development Officers for information and necessary action.

Secretary

**STATE ELECTION COMMISSION, ODISHA,
TOSHALI BHAWAN, B-2, 1st FLOOR, SATYANAGAR,
BHUBANESWAR--751007.**

Email ID – stateelectioncommission.odisha@gmail.com

Fax No. 0674-2573494

No. 2867 /SEC.,

Date: 11.10.2021

From

Sri R.N. Sahu, I.A.S.
Secretary.

To

All Collectors.

Sub: General Elections to PRIs- 2022
Identification of Polling Stations.

Madam/ Sir,

I am directed to say that preparation of ward-wise electoral roll for conduct of next General Elections to PRIs will commence soon after completion of the task of delimitation of wards and reservation of seats by the Collectors/ Government. The name of the polling stations shall be reflected in the electoral roll for which identification and finalisation of the polling stations must precede the publication of preliminary electoral roll of every Ward. The Commission is pleased to direct that the Officers authorized as Election Officer should now take up identification and finalisation of polling stations in their respective jurisdictions with following guide-lines.

(1) Rule 19 of Odisha Gram Panchayat Election Rules, 1965, Rule 12 of Odisha Panchayat Samiti Election Rules, 1991 and Rule 15 of Odisha Zilla Parishad Election Rules, 1994 provide that ordinarily there shall be a polling station for every Ward located within the area of the said Ward.

(2) The Polling Station for a Ward shall be located within the area of the Ward provided that the Election Officer may, if necessary have a single polling station for group of Wards in which case there shall be separate compartments for each Ward at the polling station.

(3) The location of Polling Stations should be carefully selected in advance and as far as possible they may be located in permanent fire proof buildings.

(4) Polling Stations should not be located in police stations, hospitals, religious institutions and private buildings.

(5) Polling Stations should ordinarily be located in Government or Government-aided Primary, ME, UGME, High Schools and other Government or Semi-Government institutions as the furniture and other logistic required for the poll would be readily available there and be made use of without any extra cost. Grama Panchayat Office having permanent building can also be utilized for Polling Station. The location of Polling Station in Anganwadi Centre may be avoided.

(6) In an area where no suitable public building is available even after exhaustive search of *pucca* premises of the types described in Para-5, Polling Station can be located as a last resort in a temporary structure. As far as possible, this option should be kept to the minimum as, apart from involving extra expenditure, such an arrangement is susceptible to rain and fire hazard etc. Such temporary structures shall be certified by the Sub- Collectors concerned which are proposed to be located in their respective jurisdictions.

(7) Before finalising the list of Polling Stations furnished by the Block Development Officers who have the original responsibility of inspection of all Polling Stations as regards to their suitability, test check of 5% of the Polling Stations shall be done through other officers other than the reporting officer such as ADMs, PDDRDA, PAITDAs, Sub- Collectors etc.

(8) A list of polling station finalized as per the above guide-lines may please be sent to the Commission by **05.11.2021** positively.

Yours faithfully,

Secretary

Memo No. 2868 /SEC., Date: 11.10.2021

Copy forwarded to all Block Development Officers/District Panchayat Officers for information and necessary action.

Secretary

STATE ELECTION COMMISSION, ODISHA,
TOSHALI BHAWAN, BLOCK-B2, 1ST FLOOR, SATYANAGAR
BHUBANESWAR.-751007

E-mail ID – stateelectioncommission.odisha@gmail.com

Fax No. 0674-2573494

No. 3456 /SEC.,

Date: 05.11.2021

From

Sri R.N. Sahu, I.A.S
Secretary.

To

All Collectors.

Sub: Remuneration to Polling & Counting Personnel, expenditure on booth
Arrangement - **Instructions regarding.**

Madam /Sir,

I am directed to say that after careful consideration the State Election Commission has been pleased to revise the remuneration to polling and counting personnel and for booth arrangement as follows for the election to Grama Panchayat, Panchayat Samities and Zilla Parishads.

(A) REMUNERATION TO POLLING /COUNTING PERSONNEL

Sl. No.	Personnel	Remuneration for the day of Poll and Counting	Other day
(1)	(2)	(3)	(4)
1.	Presiding Officer/Counting Supervisor	Rs.350/-	Rs.250/-
2.	1 st /2 nd Polling Officer/Counting Assistant	Rs.275/-	Rs.200/-
3.	Polling/Counting official of Group D category	Rs.200/-	Rs.150/-

- i. These rates are applicable for attending training classes.
- ii. The Commission has further ordered that road mileage at the rate prescribed in Orissa T.A. Rules shall also be paid in addition to the remuneration.
- iii. The reserved polling personnel meant to meet unforeseen contingencies shall be relieved as soon as their services are not required or in the afternoon of the last day of poll, whichever is earlier.
- iv. TA/DA for Constables/Home Guards etc. attached to each Polling Party would be paid at the above rate by the Collector concerned for which the Commission will place funds at their disposal.
- v. In the sensitive, hypersensitive booths if more Constables/Police Personnel are deployed for law and order duty (Other than the polling party) they would be paid remuneration by the D.G. Police for which funds will be placed separately. It is clarified that only one Police Personnel either ASI/Constable/Gram Rakhi/Home Guard will be paid by the Collector concerned for each booth.
- vi. Polling and counting personnel shall be paid Rs.100/- towards refreshment charges on the day of poll and counting/ declaration of result. Only those Polling and Counting Personnel who are actually deployed on poll/counting duty shall be paid refreshment charges. Those on Reserve shall not be paid refreshment charges.
- vii. The Executive Magistrates/Sector Officers and other staff deployed for maintenance of law and order and other supervisory arrangements during the election will be paid Rs.300/- per day.

- viii. The Drivers of Govt. vehicles requisitioned for election works shall be paid Rs.130/- per day.

(B) BOOTH ARRANGEMENT

(i)	Erection of temporary structure for setting up polling booth.	Rs.3,000/-
(ii)	Provision of drinking water in booth.	Rs.75/-
(iii)	Booth contingency for Presiding Officer (per booth)	Rs.75/-

1. In case of difficulty on part of the Presiding Officers to produce vouchers for the petty items of expenditure, a certificate (Certified that Rs..... has been spent to meet the various contingencies for the smooth conduct of poll, dated, signature of the Presiding officer with G.P. and Ward / Polling Station number) should be given.
2. The entitlement for attending training may be paid soon after the training is over.
3. The amount due to the polling personnel in respect of each polling station together with the Acquittance Roll prepared by the Election Officer will be made over to the Presiding Officers concerned from the respective dispersal counters. After the poll, the Election officer will receive back the Acquittance Rolls together with the un-disbursed amount, if any, from the Presiding Officers concerned along with other returnable polling materials.
4. The remuneration to the polling personnel will be disbursed by the Presiding Officer concerned after the close of the poll. The remuneration to the Reserve Polling Personnel who are not deployed for polling duty, will be disbursed to them at the dispersal center before they are relieved.
5. The Acquittance Roll for the remuneration for counting duty will be prepared by the Election Officer and the amount will be disbursed at the counting station at the end of the counting.
6. Necessary D.C. Bill in respect of the amount drawn in A.C. bill for this purpose will be submitted immediately after the elections are over and sent to State Election Commission for onward transmission to A.G., Odisha.
7. The expenditure on this head will be charged to "Demand No.17-2015 Elections-109- Charges for conduct Election to Panchayats/L. Bodies -0174-

Conduct of Zilla Parishad Election-13003-Expenditure other than Police Arrangement. In no case the expenditure should exceed the allotment.

8. Unspent balance, if any, shall be refunded into Treasury immediately after the elections under intimation to the Commission.

This rate will be given effect from the date of issue.

Yours faithfully,

Secretary

Memo No 3457/SEC., Date: 05.11.2021

Copy forwarded to Accountant General, Odisha, Bhubaneswar for information and necessary action.

Secretary

Memo No. 3458/SEC., Date: 05.11.2021

Copy forwarded to the Principal Secretary to Government, Panchayati Raj & D.W. Department, Bhubaneswar for information and necessary action.

Secretary

Memo No. 3459 /SEC., Date: 05.11.2021

Copy forwarded to all Sub-Collectors/ District Panchayat Officers/ Block Development Officers for information and necessary action.

Secretary

STATE ELECTION COMMISSION, ODISHA,
TOSHALI BHAWAN, BLOCK-B2, 1ST FLOOR, SATYANAGAR
BHUBANESWAR.-751007

Email ID – stateelectioncommission.odisha@gmail.com

Fax No. 0674-2573494

No 3460 /SEC.,

Date: 05.11.2021

From

Sri R.N. Sahu, I.A.S.
Secretary.

To

The Director General and Inspector General of Police, Odisha, Cuttack/
Commandant General, Home Guard, Odisha, Cuttack.

Sub: **Sanction of remuneration to the Police Personnel deployed in Panchayat Election duty.**

Madam /Sir,

I am directed to say that Commission has been pleased to approve the following rate of remuneration of various categories of Police Personnel, Home Guards deployed on poll duties and the manner of disbursement of such remuneration shall be as under:

(A) RATE OF REMUNERATION

Sl. No.	Category	On the day of poll and counting/ declaration of result	On the other day
(1)	(2)	(3)	(4)
1.	A.S.I. and above Officer	Rs.350/-	Rs.250/-
2.	Armed and Civil Police Constables	Rs.275/-	Rs.200/-
3.	Forest Guards/ Gram Rakhis/ Home Guards	Rs.200/-	Rs.150/-

The above rate of remuneration will be applicable to the officers and staff attached to the Polling Party at polling station and will also be applicable to the personnel deployed on mobile parties.

TA/DA for Constables/Home Guards etc. attached to each Polling Party would be paid at the above rate by the Collector concerned for which the Commission will place funds at their disposal.

In the sensitive, hypersensitive booths if more Constables/Police Personnel are deployed for law and order duty (Other than the polling party) they would be paid remuneration by the D.G. Police for which funds will be placed separately. It is clarified that only one Police Personnel either ASI/ Constable/ Gram Rakhi Home Guard will be paid by the Collector concerned for each booth.

B. Refreshment on polling day

Person deployed on polling booth duty shall be paid @ Rs.100/- per day towards refreshment cost on the day of poll by the Collector concerned.

C. Mode of payment of Remuneration

The above rate of remuneration will be applicable to the Officers and Staff deployed on election related duty at Polling Station and will also be applicable to the personnel deployed on Mobile Party. The payment of remuneration of persons belonging to categories 1 & 2 and Gram Rakhis (included in Category 3) who are attached to Polling Parties shall be made by the Collector through the Election Officer. Payment of remuneration of all other personnel who are on poll duty but are not attached to any polling party shall be made by the Director General of Police, Odisha through the District Superintendent of Police.

The number of persons belonging to each of the above categories who shall be attached to polling parties and who shall be assigned other poll related duties shall be worked out jointly by the Collector and the District Superintendent of Police.

The Superintendent of Police shall earmark an officer not below the rank of Inspector of Police from the District Establishment to liaise with the concerned Election Officer and furnish him name of persons belonging to each of the above

mentioned categories and details of the polling stations to which such persons are being attached to enable the latter to make advance payment to such persons towards their remuneration and refreshment cost before they proceed to their assigned Polling Station.

This supersedes all other earlier circulars issued on the subject.

Yours faithfully,

Secretary

Memo No. 3461 /SEC., Date: 05.11.2021

Copy forwarded to Accountant General, Odisha, Bhubaneswar for information and necessary action.

Secretary

Memo No. 3462 /SEC., Date: 05.11.2021

Copy forwarded to the Principal Secretary to Government, Panchayati Raj & D.W. Department, Bhubaneswar for information and necessary action.

Secretary

Memo No. 3463 /SEC., Date: 05.11.2021

Copy forwarded to all Collectors/ Superintendent of Police/District Panchayat Officers/Block Development Officers for information and necessary action.

Secretary

**STATE ELECTION COMMISSION, ODISHA
TOSHALI BHAWAN, B-2, 1ST FLOOR, SATYANAGAR,**

BHUBANESWAR-751007

E-mail ID – stateelectioncommission.odisha@gmail.com

Fax No. 0674-2573494

No. 3453/SEC.,

Date: 05.11.2021

ORDER

Sub: Rate of payment of requisition charges to private vehicles.

In supersession of all previous orders on the subject, the State Election Commission, Odisha, has been pleased to fix the rates of compensation for different types of privately owned vehicles taking into the rate fixed by the Home (Elections) Department for payment of the requisition for different types of private vehicles for Election/Bye-election to Panchayati Raj Institutions/Urban Local Bodies by the Collectors and District Magistrates within the State as indicated in the schedule below.

Sl. No	Types of vehicle	Compensation Amount per day
1.	10 Wheeler Truck (GVW 25,000 kg)	Rs.2,400/-(Rupees Two thousand Four hundred)
2.	Standard Truck	Rs.1,900/-(Rupees One thousand Nine hundred)
3.	Mini Truck (GVW upto 7,500 kg)	Rs.1,200/-(Rupees One thousand Two hundred)

4.	Tata Ace/Force/Mahindra Minidor (GVW up to 2,000 kg)	Rs.850/-(Rupees Eight hundred and Fifty)
5.	Bus (up to 20 seats)	Rs.1,600/-/-(Rupees One thousand and Six hundred)
6.	Bus (21to 31 seats)	Rs.2,200/-(Rupees Two thousand and Two hundred)
7.	Bus (32 to 40 seats)	Rs.3,000/-(Rupees Three thousand)
8.	Bus (41 seat and above)	Rs.3,800/-(Rupees Three thousand and Eight hundred)
9.	Non-AC(Tata Indica/ Ambassador/ Tata Indigo) Non-AC Vehicles(5Seat less)	Rs.900/-(Rupees Nine hundred)
10.	Non AC Bolero/Marshall/Jeep/ Trekker(More than 5 seat)	Rs.1,000/-(Rupees One thousand)
11.	AC Bolero/Marshall/Jeep/ Trekker(More than 5 seat)	Rs.1,100/- (Rupees One thousand One hundred)
12.	AC (Toyota Qualis/Chevrolet Tavera/Mahindra Scorpio)	Rs.1,300/- (Rupees One thousand Three hundred)
13.	AC (Toyota Innova/Tata Safari)	Rs.1,500/- (Rupees One thousand Five hundred)
14.	Auto Rickshaw	Rs.500/-(Rupees Five hundred)
15.	Tractor with Trailer	Rs.800/-(Rupees Eight hundred)
16.	Motor Cycle	Rs.300/-(Rupees Three hundred)

2. When a vehicle is detained for more than 12 hours in any day it will be treated as on duty for a full day and vehicles detained for less than 12 hours

will be treated as on duty for half a day, and compensation will be paid accordingly.

3. Before making the full payment, it should be certified that POL issued to the vehicles have been fully utilized for Election duty. In case of unutilized POL in a vehicle the value there-of should be deducted from the bill of the said vehicle.
4. Separate Log Book in duplicate should be maintained for each vehicle.
5. Requisition charges of vehicle used by the Police Personnel shall be borne by the Collector concerned but the cost of POL of the vehicle shall be paid out of the funds placed with the D.G. & I.G. of Police by the Commission.

By Order and in the name of
State Election Commission, Odisha

(R.N. Sahu)

Secretary

Memo No. 3454/SEC., Date: 05.11.2021

Copy forwarded to Accountant General, Odisha for information and necessary action.

Secretary

Memo No. 3455/SEC., Date: 05.11.2021

Copy forwarded to Principal Secretary to Govt. Panchayati Raj & D.W. Department/ H & U.D Department/ /Commerce & Transport Department/ Home Department /D.G. & I.G. of Police, Orissa/All Collectors & District Magistrates/All Superintendent of Police/All District Panchayat Officers /All Executive Officers for information and necessary action.

Secretary

STATE ELECTION COMMISSION, ODISHA,
TOSHALI BHAWAN, B-2, 1ST FLOOR, SATYANAGAR,
BHUBANESWAR-751007

E-mail ID – stateelectioncommission.odisha@gmail.com

Fax No. 0674-2573494.

No. 100/SEC.,

Date: 06.01.2021

From

Sri R.N.Sahu, IAS
Secretary.

To

All Collectors.

Sub: Destruction of old used, unused ballot papers (signed by Presiding Officers but not used) /other election related papers in connection with General Election to P.R.Is.

Madam/Sir,

In inviting a reference to the subject cited above, I am directed to say that some old used, unused ballot papers (signed by Presiding Officers but not used) /other election related papers of last General Election to P.R.Is are lying in the District/ other offices. As per Election Rules these papers of previous elections are to be disposed unless there is a court case pending pertaining to any election to 3 tier PRIs.

The Commission outlines the following procedures:

1. Unless there is court case the old used, unused ballot papers (signed by Presiding Officers but not used) shall be destroyed by burning in the presence of Executive Magistrate/Block Development Officer at the Block Headquarter and District Panchayat Officer at the District Headquarter. In case old used/unused the ballot papers are available in any other offices, the same shall be destroyed by an officer nominated by the Collector.

2. In case of other unwanted election related papers, unless there is court case these shall be destroyed by either burning or shredding in the presence of Executive Magistrate/Block Development Officer at the Block Headquarter and District Panchayat Officer at the District Headquarter. Incase these papers are available in any other offices, the same shall be destroyed by an officer nominated by the Collector.

3. Surplus ballot papers in respect of Ward Member, Sarpanch and Panchayat Samiti Member available with the District shall not be destroyed as the same will be utilized in the coming by-elections.

4. Rules 56 of Odisha Gram Panchayat Election Rules, 1965, Rules 33(3) of Odisha Panchayat Election Rules, 1991 and Rules 40(3) of Odisha Zilla Parishad Election Rules, 1994 shall be referred to.

A compliance on this may be communicated to the State Election Commission by **20.01.2021**.

Yours faithfully,

Secretary

Memo No. 101/SEC., Date: 06.01.2021

Copy forwarded to Principal Secretary to Govt. Panchayati Raj and Drinking Water Department for information and necessary action.

Secretary

Memo No. 102/SEC., Date: 06.01.2021

Copy forwarded to all District Panchayat Officers/Sub-Collectors/ Block Development Officers for information and necessary action.

Secretary

**STATE ELECTION COMMISSION, ODISHA,
TOSHALI BHAWAN, BLOCK-B2, 1ST FLOOR,
SATYANAGAR, BHUBANESWAR-751007.**

E-mail ID – stateelectioncommission.odisha@gmail.com

Fax No. 0674-2573494

**Guidelines for General Observers
for General Elections to Panchayats, 2022**

ORDER No. 4379, Dt. 01.12.2021

1. General Observers of the Election Commission are appointed under the plenary powers available to the Commission under the Constitution of India. They are the appointees of the Commission working under the superintendence, control and discipline of the Commission for the period from their appointment until they are relieved after the process of elections is complete.

- Appointment**
2. The Commission will appoint a General Observer in charge of one or more districts as may be considered expedient. By dint of their seniority and long experience in administrative service the Observers are expected to be in a position to assist the Commission in the conduct of free and fair polls to all Panchayati Raj Institutions, viz. G.P. Wards, Sarpanch, Panchayat Samiti & Zilla Parishad within the district(s) assigned to them. They will also be able to oversee the efficient and effective management of the electoral process at the field level. For all purposes, they will act as the eyes and ears of the Commission during the period of the election. They will provide direct inputs to the Commission from the field as an interface with the election machinery, the candidates, parties, and elections to ensure that the Acts, Rules, Procedures, Instructions and Guidelines relating to elections are

strictly and impartially complied with by all concerned.

**Briefing
Meeting**

3. It is compulsory for all General Observers to attend briefing meeting convened by the Commission.
4. Before the General Observers are sent to the District(s) allotted by the Commission, a letter of allotment of District(s) will be handed over to the General Observer at the time of the Briefing Meeting. Those who will be kept on Reserve list will also be intimated in the same meeting. Each General Observer will also be supplied with copies of the concerned Acts and Rules as are applicable to Panchayat Elections and also Directions, Instructions and Guidelines issued by the Commission on the subject.
5. The Commission will issue instructions to the District Collectors regarding the arrangements for boarding, lodging, security and transport of the General Observers. The arrangements will also cover the escort Officer, PSO, driver, and secretarial assistance. The General Observers are required to intimate their tour programmes in advance to the Commission and the concerned Collector(s).

Leave

6. No Officer appointed as General Observer or kept in a reserved list shall proceed on any kind of leave without prior approval of the Commission till the completion of the election in the District(s) in which they have been appointed as General Observers or have been kept in reserve. All correspondence in this regard shall be addressed to the Secretary, State Election Commission.

**Tours
and
absence
from
Head
quarters**

7. The Commission would like to make it clear that after appointment by the State Election Commission as an General Observer or kept in the reserve list, services of the concerned Officer are exclusively at the disposal of the Commission, even though, while at headquarters he may attend to his own

official duties for his basic post from which he has been deputed to the Commission. The Commission would like to impress upon the General Observers that during this crucial period of his deputation he shall not go on any other official tour relating to his basic post as his services may be required by the Commission at any time to cause enquiry into allegations and/ or to submit any report to the Commission. No General Observer is allowed to go on foreign visit (either personal or official) during the period intervening between the briefing session and completion of election process.

- Visit**
8. Each General Observer is expected to pay at least two visits to the District(s) in his charge. He may undertake more visits on his own should he feel that such visit is called for. The Commission can also ask a General Observer to undertake extra visit to the District(s) for specific tasks. The first visit will cover scrutiny of nomination papers. The General Observer shall be present in the District(s) on the date of scrutiny and shall stay on until the expiry of the date of withdrawal of nominations. The second visit will be during the campaign period, polling and counting covering the date(s) of poll and must be undertaken in such a way that the General Observer should reach the District(s) at least three clear days before the date of poll. He shall be present there on the dates of the poll and continue there till counting process is completed and results are declared. During this visit, the General Observer should take a close look at the arrangements at the polling stations, deployment of Magistrates and police forces, stoppage of campaign and closure of liquor shops, counting arrangements, enforcement of Model Code of Conduct, the state of readiness of ballot boxes, ballot papers and other polling materials, the polling personnel, Counting Centre arrangements, Strong room arrangements etc.

9. The Collector will hand over the General Observer a folder containing a map of the district, a list of Polling Stations and a copy of the Action Plan for managing the elections in the district and such other documents as are essential for supervision of the Poll-arrangements upon his arrival in the district on the first visit. The General Observer will inspect as many polling stations as possible and report feedback on deficiencies, if any to the concerned Collector for needful action.

**Review of
security
arrangement**

10. A formal meeting with the representative of Political Parties and the candidates for Z.P. elections should be convened by the Collector in the presence of the General Observer. Broad features of the Model Code of Conduct, Corrupt Practices and Electoral Offences should also be touched upon during this discussion. A general consensus should be evolved for making the elections in the area free and fair. The participants should be impressed upon to co-operate with the election machinery and the district administration to ensure a violence-free, clean and good election with fullest participation of the electorate. The general arrangements on how to reach the General Observers with complaints or information should be spelt out in the meeting and the fixed time during which the General Observers will be available in the base station and its location should be clearly indicated.

11. The General Observer should have a separate meeting with the Collector and the S.P. to take stock of the law and order and security situation. It is important that the Police forces, Home-Guards, Grama Rakhis, Forest Guards are deployed in such a manner as to optimize the scope of free and fair polls and provide a high level of confidence to the electors. An in depth review of the assessment of sensitive polling stations and polling arrangements for such stations should be conducted.

**Counting
of Votes**

12. In the coming General Elections to Panchayat, counting of votes shall be taken up centrally at Block level on the date and time fixed by the Commission. The General Observer should visit as many counting centres as possible and satisfy himself that counting of votes takes place strictly according to the rules and procedures laid down and instructions of the Commission and there is no intimidation and foul play in the counting of votes. If any incident affecting objectivity in counting comes to his notice, he shall forthwith draw attention of the concerned Election Officer and also of the Collector for immediate remedial action. In case the matter is not redressed to his satisfaction he shall report the matter to the Commission.

**Report
on
re poll**

13. The State Election Commissioner has been empowered under Rule 92 E (1) of O.G.P.E Rules, 1965, Rule 46-E(1) of O.P.S.E. Rules 1991 and Rule 59 (1) of O.Z.P.E. Rules, 1994 that if at any time or in any case it appears to the Commissioner that circumstances exist for his satisfaction that conduct of free and fair election is likely to be or has been affected, the Commissioner may issue general or special order for repoll as the circumstances may require to ensure free and fair election. Apart from the report of the Collector on the extraordinary circumstances where a repoll is to be held, the Commission would like to get an independent report from the observer on any proposal for repoll.

**Model
Code of
Conduct**

14. Enforcement of Model Code of Conduct in the District where the General Observer has been appointed becomes his prime concern. He should ensure the strict observance of the Model Code of Conduct and will keep a close watch during the campaigning period where there is every likelihood of breach of Model Code of Conduct of the political parties. In case of any violation of the Model Code of Conduct either by the political parties or by

the administrative functionaries it shall immediately be brought to the notice of the Commission.

Reporting of Major Irregularities

15. If the General Observer, during his visits on the day of the Poll, comes across any major irregularity in Polling/Counting which is likely to affect the impartiality of Elections, he shall forthwith report the matter to the Commission over telephone/fax/e-mail/Whatsup message etc.
16. The Collector will ensure that the place of stay, the phone number, the dates of visit of the General Observer are duly publicized throughout the District. The Collector shall render all necessary assistance to the General Observer in performing his duties and ask other offices of the District associated with Panchayat election to render similar assistance. The General Observer shall make himself easily accessible to whoever wants to meet him with election related complaint or information.

Observers Report

17. The General Observer shall submit to the Commission total five reports during different stages of the election process as per the proforma provided;

i.	GENERAL OBSERVER REPORT – 1	The First Report (immediately after the end of Scrutiny of Nomination papers).
ii.	GENERAL OBSERVER REPORT-2	The Second Report (immediately after the end of campaign period)
iii.	GENERAL OBSERVER REPORT –3	The Third Report (immediately after the end of poll).
iv.	GENERAL OBSERVER REPORT – 4	The Fourth Report (immediately after the Counting of Votes).
v.	GENERAL OBSERVER REPORT – 5	The Final General Observer’s Report

On receipt of the Reports, the Commission will relieve the officer concerned from his charge as General Observer by a formal communication.

18. The Political Parties, contesting candidates and the general public as a whole have got high expectation from the General Observer for his neutrality so as to ensure conduct of free and fair poll and for listening to their grievances. The steps taken by the General Observer should be a morale booster for all including administrative functionaries and shall give confidence to all those involved in the election process for smooth completion of the poll.

By order and in the name of the
State Election Commissioner, Odisha

(R.N. Sahu)
Secretary

Memo No. 4380/SEC., Date: 01.12.2021

Copy forwarded to Principal Secretary to Government Panchayati Raj & D.W. Department for information and necessary action.

Secretary

Memo No. 4381/SEC., Date: 01.12.2021

Copy forwarded to all Collectors for information and necessary action.

Secretary

The First Report (immediately after the end of Scrutiny of Nomination papers).

GENERAL OBSERVER REPORT – 1

General Observer's Name :	
District:	

SI No	Subject	General Observer's Report
1	Whether a copy of the electoral roll handed over to recognized political parties.	
2	Total number of nominations filed for Ward Member, Sarpanch, Panchayat Samiti Member, Zilla Parishad Member – Block wise.	
3	Total number of nominations filed for Ward Member, Sarpanch, Panchayat Samiti Member, Zilla Parishad Member – at the time of scrutiny – Block wise	
4	Whether Scrutiny has been done by the Election Officer as per the schedule fixed by the Commission.	
5	Whether scrutiny of nomination papers has been done properly in accordance with relevant rules	
6	Any complaint brought to the notice of General Observer during scrutiny of nomination paper.	
7	Local address with telephone/mobile no. of the General Observer, after arrival in the District	
8	Whether General Observer's name, contact No. and the meeting hours with venue has been notified in the notice board of Election Officer.	

Signature of the General Observer

The Second Report (immediately after the end of campaign period)

GENERAL OBSERVER REPORT – 2

General Observer's Name	
District:	

Sl No	Subject	General Observer's Report
1	Whether training schedule and contents were adhered to properly for polling personnel.	
2	Whether categorization of Polling Stations has been done and Sensitive & Hyper sensitive booths have been identified.	
3	Whether adequate preventive steps have been taken for maintenance of Law and Order	
4	Whether the security arrangement made for polling stations and poll personnel adequate.	
5	Whether strong room guarding plan is adequate	
6	Whether complaint received by the observer on violation of Model Code of Conduct and the action taken on it	

Signature of the General Observer

The Third Report (immediately after the end of poll).

GENERAL OBSERVER REPORT – 3

General Observer's Name	
State:	

Sl No	Subject	General Observer's Report
1	How many Polling Stations with CCTV/video coverage.	
2	Number and name of Polling Stations, where complaints of disruption poll were received during the course of poll. Describe the nature of complaints and action taken. could not continue (indicate the specific polling stations).	
3	No. of polling station, if any, where there is, in the opinion of observer, a need for repoll indicating the name of such Polling Station.	
4.	No. of polling stations with video cameras.	
5.	General Observation regarding law and order and any specific situation.	

Signature of the General Observer

The Fourth Report (immediately after the Counting of Votes).

GENERAL OBSERVER REPORT – 4

General Observer's Name	
District:	

Sl No	Subject	General Observer's Report
1	Whether arrangements for counting has been done as per the instruction of the Commission.	
2	Whether the seating arrangements of the counting agents were done as per the Commission's instruction?	
3	Whether Videography of counting was done?	
4	Whether there was any demand for re-counting? Indicate details..	
5	Whether any significant incident occurred during counting of votes? If yes, give details	
6	Is the observer satisfied about the counting arrangement, procedure, managements at the counting Centre & declarations of results?	

Signature of the General Observer

The Final General Observer's Report - 5

General Observer's Name	
District	

Sl. No.	Subject	General Observer's Report
1.	Whether the Poll and counting was peaceful and conducted as per the direction of the Commission.	
2	Whether there was any kind of interruption or any other situation affecting the poll or counting. :-	
3	Whether there was any law and order situation disrupting the poll and counting. :-	
4	Whether there was any violation of Model Code of Conduct,	
5	General Observation including suggestions for improvement.	

Signature of the General Observer

**STATE ELECTION COMMISSION, ODISHA,
TOSHALI BHAWAN, BLOCK-B2, 1ST FLOOR,
SATYANAGAR, BHUBANESWAR-751007.**

E-mail ID – stateelectioncommission.odisha@gmail.com

Fax No. 0674-2573494

**Guidelines for Expenditure Observers for
General Elections to Panchayats, 2022**

ORDER No. 4382, Dt. 01.12.2021

1. Expenditure Observers of the Commission are appointed under plenary powers available to the Commission under the Constitution of India. They are the appointees of the Commission working under the superintendence, control and discipline of the Commission for the period from their appointment until they are relieved after the process of election is complete.
- Appointment 2. Before the Expenditure Observers are sent to the district (s), a letter of appointment as Expenditure Observer and the district allotted will be handed over to them by the Commission. If any Expenditure Observer is kept on reserve list, that fact will also be intimated to him. Each Expenditure Observer will be supplied with copies of Act & Rules, Guidelines on the subject for performance of their work.
- Leave and absence from headquarters 3. No Officer, appointed as Expenditure Observer or kept in reserve shall proceed on leave without prior approval of the Commission within the period of their appointment for the above purpose.
4. The Commission would like to make it clear that after appointment by the State Election Commission as an Expenditure Observer or kept in the reserve list, services of the concerned officer are exclusively at the disposal of the Commission even though while at headquarters he may attend to his own official duties for his basic post from which he has been deputed to the Commission. It is made clear that during this period he shall not go on any other official tour relating to his basic post as his services at anytime may be required by the Commission to cause an enquiry into any allegation or to submit any report to the Commission.

Briefing
meeting

5. It is compulsory for all Expenditure Observers to attend briefing meeting convened by the Commission. The briefing meeting must be attended without exception whether the officer is allocated any district or put on the reserve list.

Ceiling and
maintenance
of Accounts

6. The Commission has prescribed a ceiling for the candidates contesting Zilla Parishads, Panchayat Samiti Members and Sarpanches. The ceiling limit at present has been fixed at Rs.5,00,000/- for Zilla Parishad Member and Rs.2,00,000/- for Panchayat Samiti Member and Sarpanches.

7. The Commission has also prescribed ceiling on use of vehicle in electioneering. A candidate contesting for Zilla Parishad Member can use five jeeps/cars and ten numbers of two wheelers. A candidate contesting for Panchayat Samiti Member and Sarpanch can use two cars or jeeps and five numbers of two wheelers. Any contesting candidate in lieu of four wheelers may use three wheelers within the maximum number prescribed.

8. Each contesting candidate will be supplied with the required forms in Odia for maintenance of day-to-day account and complete account. These forms will be supplied by the Election Officer i.e. Sub-Collector to the candidates for Zilla Parishad and Block Development Officer to the candidates for Panchayat Samiti and Sarpanch.

9. A register duly page numbered and authenticated by the Election Officer, Sub-Collector for the Zilla Parishad Member, Block Development Officer to the Candidates for Panchayat Samiti Member and Sarpanch will be maintained by each candidate after final publication of the list of contesting candidates. They will maintain the day-to-day account including the expenditure on vehicle in Form No. 1 to be entered in the said register. The copy signed by the Election Officer containing Registration Number, type of vehicle and name of the owner of the vehicle shall form part of the register. The contesting candidate shall also be told to furnish the complete account after declaration of the result in the Form No. 2 to be entered in the same register to one Collector/Block Development Officer.

10. The Expenditure Observer will scrutinize the day-to-day expenditure including vehicle expenditure to be maintained in the register at the place and hour to be published in the Notice board of Sub-Collector and BDO by putting the initial and the name of the person who produced the register.
11. The Commission has issued instructions that verification of expenditure can also be done by any other officers authorised by the Commission. The Expenditure Observer may take assistance of other Election Officers namely ADM, PD, DRDA, PA, ITDA, Sub-Collector and BDO for verification of the day-to-day account. In case, the candidate or his agent failed to produce the register on the appointed time and place the Election Officer i.e. Sub-Collector and Block Development Officer may be told to verify the register on a subsequent date.
12. All documents such as vouchers, receipts, bills, acknowledgements in support of the expenditure incurred or authorized are to be verified. They have to be properly maintained in the correct chronological order along with the aforesaid register.
13. As elections will be held in a phased manner taking Block(s) as unit, it is required to prepare the Schedule so that verification of day-to-day account of expenditure of the candidates for Zilla Parishad, Panchayat Samiti and Gram Panchayat coming under that Block can be done at the Block Headquarters.
14. The Expenditure Observers are to prepare schedule of inspection in such a manner that the day-to-day account can be verified at least twice during the period of electioneering.
15. The Commission will issue instructions to the District Collectors regarding the arrangement for boarding, lodging and transport of the Observers. Security and secretarial assistance, if necessary will be provided by the Collector. The Expenditure Observers are required to intimate their tour programme in advance to the concerned Collector.
16. The Expenditure Observer appointed will call on the Collector who as the Chief Election Officer of the district will brief him on the

Tours and
visit

intricacies of the election and will hand over the Master Plan containing the list of polling stations, route chart etc. and other documents as are essentials for supervision and scrutiny of the expenditure.

Report of
Expenditure
Observer

17. The Expenditure Observer appointed may attend the meeting of the political parties convened by the Collector or the General Observer after publication of the final list of contesting candidates. The political parties may be explained about the maintenance of day-to-day account in the register and submission for scrutiny. Mistake or omission noticed during the first verification should be mentioned in the register for not repeating the same in future.

Briefing to
contesting
candidates

18. If Expenditure Observer, during his visits, come across any major irregularity by any candidate/political party which is likely to affect the impartiality of the election, he shall forthwith apprise the Collector and report the matter to the Commission by fax or e-mail.

19. The Collector will ensure that the place of stay, the phone number and the date of visit of the Expenditure Observer is duly publicized throughout the district. All Sub-Collector(s)/BDO shall be suitably instructed to render all necessary assistance to the Expenditure Observer in performing his duties. The Expenditure Observer shall make himself easily accessible to any person who wants to meet him with complaint related to violation of the ceiling fixed by the Commission.

20. The Expenditure Observer will send a descriptive report as per format prescribed by the Commission covering salient aspects of his visit and verification of the expenditure register at the end of visit. Suggestion to improve the system can also be given. On receipt of the report, the Commission will relieve officer concerned from his charge as Observer by a formal communication.

By order and in the name of
State Election Commission, Odisha

(R.N. Sahu)
Secretary

Memo No.4383/SEC., Date 01.12.2021

Copy forwarded to Principal-Secretary to Government Panchayati Raj & D.W. Department. for information and necessary action.

Secretary

Memo No.4384/SEC., Date 01.12.2021

Copy to all Collectors/District Panchayat Officers for information and necessary action.

Secretary

The Expenditure Observer's Report

Name of Observer	
District	

Sl. No.	Subject	Observer's report
1.	Whether the Observer had prepared a schedule for inspection of Register (prescribed by the Commission) regarding maintenance of day-to-day accounts of election expenses of each of the candidates?	
2.	Total number of contesting candidates for Sarpanch, P.S. Member and Z.P. Member.	
3.	Whether a copy of the schedule was given to the candidates/their representative with instructions to bring the Register (prescribed by the Commission) for maintenance of accounts alongwith all evidence/documents, such as vouchers, receipts bills, acknowledgements etc. in support of the expenditure incurred	
4.	Whether the accounts of the Candidate were scrutinized by the Expenditure Observer?	
5.	Whether on the dates fixed for Scrutiny of accounts, the candidates made available, on demand, the Register alongwith documents pertaining to their account of expenditure incurred for inspection, to the Expenditure Observer at least two times during the process of election?	
6.	When was the date fixed for 1 st verification of election accounts? How many candidates produced vouchers for verification?	

7.	When was the date fixed for 1 st verification of election accounts? How many candidates produced vouchers for verification?	
8.	How many candidates failed to produce the register maintaining his/her daily account of election expenses?	
9.	Whether all documents such as vouchers, receipts, bills, acknowledgements etc. in support of expenditure incurred or authorized were maintained in correct chronological order in the aforesaid register.	
10.	In case default by the candidate, was the collector informed to get the expenditure verified by any of his representative?	
11.	Whether there was any occasion when the vouchers were not accepted by the Observer?	
12.	Name of the candidate, if any, who exceeded the prescribed ceiling of expenditure with details;	
13.	General observation/remarks;	

Signature of Observer

ରାଜ୍ୟ ନିର୍ବାଚନ ଆୟୋଗ ,ଓଡ଼ିଶା

ଡୋଷାଳୀ ଭବନ,ବି-୨,ପ୍ରଥମ ମହଲା,ସତ୍ୟ ନଗର,

ଭୁବନେଶ୍ୱର-୭୫୧୦୦୭

ଆଦେଶ

ସଂଖ୍ୟା ୩୬୬୫/ରା.ନି.ଆ.

ତା.୧୫.୧୧.୨୦୨୧ ରିଖ

ରାଜ୍ୟ ନିର୍ବାଚନ କମିଶନ, ଓଡ଼ିଶାଙ୍କ ଆଦେଶ ନଂ୫୪୧୩ ତା.୨୬.୧୧.୨୦୦୬, ୪୮୯୭ ତା.୨୮.୧୦.୨୦୧୧ ଓ ୪୪୮୩ ତା.୧୬.୧୧.୨୦୧୬ର ଆଂଶିକ ରୁପାନ୍ତରଣ କରି, ରାଜ୍ୟ ନିର୍ବାଚନ କମିଶନ, ଓଡ଼ିଶା ପଞ୍ଚାୟତ ନିର୍ବାଚନରେ ପ୍ରତିଦ୍ୱନ୍ଦ୍ୱିତା କରୁଥିବା ପ୍ରାର୍ଥୀ ମାନଙ୍କର ନିର୍ବାଚନ ଖର୍ଚ୍ଚ ନିମ୍ନ ପ୍ରକାରେ ସୀମାବଦ୍ଧ ହେବା ପାଇଁ ସ୍ଥିର କରିଛନ୍ତି ।

ଜିଲ୍ଲା ପରିଷଦ ସଭ୍ୟ	୫,୦୦,୦୦୦ ଟଙ୍କା
ପଞ୍ଚାୟତ ସମିତି ସଭ୍ୟ	୨,୦୦,୦୦୦ ଟଙ୍କା
ସରପଞ୍ଚ	୨,୦୦,୦୦୦ ଟଙ୍କା

ଉପରୋକ୍ତ ଆଦେଶର ଅନ୍ୟ ସର୍ତ୍ତ ଗୁଡ଼ିକ ଅପରିବର୍ତ୍ତିତ ରହିବ ।

ରାଜ୍ୟ ନିର୍ବାଚନ କମିଶନ, ଓଡ଼ିଶାଙ୍କ

ଆଦେଶ କ୍ରମେ

(ରବୀନ୍ଦ୍ର ନାଥ ସାହୁ)

ସଚିବ

ଜ୍ଞାପକ ସଂଖ୍ୟା ୩୨୨୭ /[ରା.ନି.ଆ](#)

ତା ୧୫.୧୧.୨୦୨୨ ରିଖ

ଏହାର ନକଲ ନିର୍ଦ୍ଦେଶକ, ମୁଦ୍ରଣ, ଲିଖନ ଓ ପ୍ରକାଶନ, ଓଡ଼ିଶା, କଟକକୁ ପଠାଯାଇ ଅସାଧାରଣ ଓଡ଼ିଶା ଗେଜେଟ୍ ରେ ପ୍ରକାଶନ କରି ୫୦୦ କିଟା ନକଲ ଯୋଗାଇଦେବାକୁ ଅନୁରୋଧ ।

ସଚିବ

ଜ୍ଞାପକ ସଂଖ୍ୟା ୩୨୨୭ /[ରା.ନି.ଆ](#).

ତା ୧୫.୧୧.୨୦୨୨ ରିଖ

ଏହାର ନକଲ ସମସ୍ତ ଜିଲ୍ଲାପାଳ/ଉପ-ଜିଲ୍ଲାପାଳ/ଜିଲ୍ଲା ପଞ୍ଚାୟତ ଅଧିକାରୀ/ମଣ୍ଡଳ ଉନ୍ନୟନ ଅଧିକାରୀଙ୍କ ଅବଗତ ଓ କାର୍ଯ୍ୟାନୁଷ୍ଠାନ ନିମନ୍ତେ ପ୍ରେରଣ କରାଗଲା । ରୂଡ଼ାନ୍ତ ପ୍ରାଥୀ ତାଲିକା ପ୍ରକାଶନ ପରେ ଏହାର ନକଲ ସମସ୍ତ ପ୍ରାଥୀଙ୍କୁ ଯୋଗାଇ ଦେବାକୁ ଅନୁରୋଧ ।

ସଚିବ

ଜ୍ଞାପକ ସଂଖ୍ୟା ୩୨୨୮ /[ରା.ନି.ଆ](#).

ତା ୧୫.୧୧.୨୦୨୨ ରିଖ

ଏହାର ନକଲ ସମସ୍ତ ରାଜନୈତିକ ଦଳଙ୍କ ଅବଗତ ଓ କାର୍ଯ୍ୟାନୁଷ୍ଠାନ ନିମନ୍ତେ ପ୍ରେରଣ କରାଗଲା ।

ସଚିବ

ରାଜ୍ୟ ନିର୍ବାଚନ କମିଶନ, ଓଡ଼ିଶା, ଭୁବନେଶ୍ୱର

ଆଦେଶ

ତାରିଖ ୨୬ ଡିସେମ୍ବର ୨୦୦୬

ସଂଖ୍ୟା ୫୪୧୩-ରା.ନି.ଆ.—ଯେହ୍ନେତୁ ସମସ୍ତ ତ୍ରି-ସ୍ତରୀୟ ପଞ୍ଚାୟତ ଅନୁଷ୍ଠାନର ନିର୍ବାଚନ ଅଧିକ୍ଷଣ, ନିର୍ଦ୍ଦେଶନାମା ଓ ନିୟନ୍ତ୍ରଣ କ୍ଷମତା ଭାରତ ସମ୍ବିଧାନର ଧାରା ୨୪୩-କେ ରେ ରାଜ୍ୟ ନିର୍ବାଚନ ଆୟୋଗଙ୍କ ଉପରେ ନ୍ୟସ୍ତ କରାଯାଇଅଛି ;

ଯେହ୍ନେତୁ, ରାଜ୍ୟ ନିର୍ବାଚନ ଆୟୋଗ ଏହା ପୂର୍ବରୁ ରାଜ୍ୟ ସରକାରଙ୍କୁ ଓଡ଼ିଶା ଗ୍ରାମ ପଞ୍ଚାୟତ ଆଇନ, ୧୯୬୪, ଓଡ଼ିଶା ପଞ୍ଚାୟତ ସମିତି ଆଇନ, ୧୯୫୯ ଏବଂ ଓଡ଼ିଶା ଜିଲ୍ଲା ପରିଷଦ ଆଇନ, ୧୯୯୧ରେ ଆବଶ୍ୟକୀୟ ସଂଶୋଧନ ପ୍ରସ୍ତାବ ବିଧାନ ସଭାରେ ଗୃହୀତ କରାଇ ନିର୍ବାଚନ ଖର୍ଚ୍ଚର ସୀମା ନିର୍ଦ୍ଧାରଣ କରିବା ନିମନ୍ତେ ପ୍ରସ୍ତାବ ଦେଇଥିଲେ ;

ଯେହ୍ନେତୁ, ଅଦ୍ୟାବଧି ଓଡ଼ିଶା ଗ୍ରାମ ପଞ୍ଚାୟତ ଆଇନ, ୧୯୬୪, ଓଡ଼ିଶା ପଞ୍ଚାୟତ ସମିତି ଆଇନ, ୧୯୫୯ ଏବଂ ଓଡ଼ିଶା ଜିଲ୍ଲା ପରିଷଦ ଆଇନ, ୧୯୯୧ ମାନଙ୍କରେ ନିର୍ବାଚନ ଖର୍ଚ୍ଚର ସୀମା ନିର୍ଦ୍ଧାରଣ ପରି କୌଣସି ବ୍ୟବସ୍ଥା ହୋଇନାହିଁ ;

ଯେହ୍ନେତୁ, ରାଜ୍ୟ ନିର୍ବାଚନ ଆୟୋଗ ହୃଦବୋଧ କରନ୍ତି ଯେ ସ୍ୱଚ୍ଛ ଓ ନିରପେକ୍ଷ ନିର୍ବାଚନ ନିମନ୍ତେ ସରପଞ୍ଚ, ପଞ୍ଚାୟତ ସମିତି ସଦସ୍ୟ ଓ ଜିଲ୍ଲା ପରିଷଦ ସଦସ୍ୟ ପାଇଁ ପ୍ରାର୍ଥୀମାନଙ୍କର ନିର୍ବାଚନ ଖର୍ଚ୍ଚର ସୀମା ନିର୍ଦ୍ଧାରଣ ହେବା ଉଚିତ୍ ;

ଯେହ୍ନେତୁ, ଜନ ପ୍ରତିନିଧି ଆଇନ, ୧୯୫୧ର ଧାରା ୭୭ରେ ବିଧାନ ସଭା ଓ ଲୋକସଭା ନିର୍ବାଚନରେ ପ୍ରତିଦୃଷ୍ଟିତା କରୁଥିବା ପ୍ରାର୍ଥୀମାନଙ୍କର ନିର୍ବାଚନ ଖର୍ଚ୍ଚ ଓ ତାହାର ସୀମା ସଂକ୍ରାନ୍ତରେ ବ୍ୟବସ୍ଥା ଅଛି ;

ଯେହ୍ନେତୁ, ଓଡ଼ିଶା ଗ୍ରାମ ପଞ୍ଚାୟତ ଆଇନ, ୧୯୬୪ର ଧାରା ୨୭(୩), ଓଡ଼ିଶା ପଞ୍ଚାୟତ ସମିତି ଆଇନ, ୧୯୫୯ର ଧାରା ୧୬-ବି(୨) ଏବଂ ଓଡ଼ିଶା ଜିଲ୍ଲା ପରିଷଦ ଆଇନ, ୧୯୯୧ର ଧାରା ୬(୪)(ବି)ରେ ବ୍ୟବସ୍ଥା ଅଛି ଯେ ନିର୍ବାଚନ ସଂକ୍ରାନ୍ତୀୟ କୌଣସି ପ୍ରସଙ୍ଗରେ ଯଦି ଉପରୋକ୍ତ ଆଇନ ଓ ନିୟମାବଳୀମାନଙ୍କରେ କୌଣସି ବ୍ୟବସ୍ଥା ନ ଥାଏ, ତାହାହେଲେ ଜନ ପ୍ରତିନିଧି ଆଇନ, ୧୯୫୧ର ଆବଶ୍ୟକୀୟ ପରିବର୍ତ୍ତନ ସହ ଅବାଧ ଓ ସ୍ୱଚ୍ଛ ନିର୍ବାଚନ ପାଇଁ ପ୍ରୟତ୍ନ ହେବ ;

ତେଣୁ ଓଡ଼ିଶା ଗ୍ରାମ ପଞ୍ଚାୟତ ଆଇନ, ୧୯୬୪, ଓଡ଼ିଶା ପଞ୍ଚାୟତ ସମିତି ଆଇନ, ୧୯୫୯ ଓ ଓଡ଼ିଶା ଜିଲ୍ଲା ପରିଷଦ ଆଇନ, ୧୯୯୧ ଓ ତତ୍ସମ୍ବନ୍ଧିତ ନିୟମାବଳୀମାନଙ୍କରେ ନିର୍ବାଚନ ଖର୍ଚ୍ଚ ଓ ତାହାର ସୀମା ନିର୍ଦ୍ଧାରଣ ପାଇଁ କୌଣସି ବ୍ୟବସ୍ଥା ନ ଥିବାରୁ ରାଜ୍ୟ ନିର୍ବାଚନ ଆୟୋଗ ସମ୍ବିଧାନର ଧାରା ୨୪୩-କେ ରେ ପ୍ରଦତ୍ତ କ୍ଷମତା ଅନୁସାରେ ନିର୍ଦ୍ଦେଶ ଦିଅନ୍ତି ଯେ, ଜିଲ୍ଲା ପରିଷଦ ସଦସ୍ୟ, ପଞ୍ଚାୟତ ସମିତି ସଦସ୍ୟ ଓ ସରପଞ୍ଚ ପଦବୀ ପାଇଁ ନିର୍ବାଚନରେ ପ୍ରତିଦୃଷ୍ଟିତା କରୁଥିବା ପ୍ରାର୍ଥୀମାନଙ୍କର ନିର୍ବାଚନ ଖର୍ଚ୍ଚ ନିମ୍ନ ପ୍ରକାରେ ସୀମାବଦ୍ଧ ରହିବ :-

ଜିଲ୍ଲା ପରିଷଦ ସଦସ୍ୟ	.. ୭୫,୦୦୦ ଟଙ୍କା
ପଞ୍ଚାୟତ ସମିତି ସଦସ୍ୟ	.. ୩୦,୦୦୦ ଟଙ୍କା
ସରପଞ୍ଚ	.. ୩୦,୦୦୦ ଟଙ୍କା

ସରପଞ୍ଚ, ପଞ୍ଚାୟତ ସମିତି ସଦସ୍ୟ ଏବଂ ଜିଲ୍ଲା ପରିଷଦ ସଦସ୍ୟ ପଦବୀ ପାଇଁ ପ୍ରତିଯୋଗୀ ପ୍ରାର୍ଥୀମାନେ ନିର୍ବାଚନ ଖର୍ଚ୍ଚର ହିସାବ ରଖିବେ ଯାହାକି ନିର୍ବାଚନ ପ୍ରକ୍ରିୟା ସମୟରେ ନିର୍ବାଚନ ପର୍ଯ୍ୟବେକ୍ଷକ (ଖର୍ଚ୍ଚ)ଙ୍କ ଦ୍ୱାରା ଅନୁଧ୍ୟାନ ଓ ତଦାରଖ କରାଯାଇ ପାରିବ ।

ସରପଞ୍ଚ ଏବଂ ପଞ୍ଚାୟତ ସମିତି ପ୍ରାର୍ଥୀମାନେ ସେମାନଙ୍କର ନିର୍ବାଚନ ସଂକ୍ରାନ୍ତୀୟ ସମସ୍ତ ଖର୍ଚ୍ଚର ହିସାବ ନିର୍ବାଚନ ଫଳ ଘୋଷଣାର ଏକ ମାସ ମଧ୍ୟରେ ସଂପୂର୍ଣ୍ଣ ଗୋଷ୍ଠୀ ଉନ୍ନୟନ ଅଧିକାରୀଙ୍କୁ ଦାଖଲ କରିବେ । ଜିଲ୍ଲା ପରିଷଦ ସଦସ୍ୟ ପାଇଁ ପ୍ରତ୍ୟେକ ପ୍ରାର୍ଥୀ ତାଙ୍କର ନିର୍ବାଚନ ଖର୍ଚ୍ଚର ହିସାବ ନିର୍ବାଚନ ଫଳ ଘୋଷଣାର ଏକ ମାସ ମଧ୍ୟରେ ଜିଲ୍ଲାପାଳଙ୍କ ପାଖରେ ଦାଖଲ କରିବେ । ପ୍ରାର୍ଥୀମାନେ ନିର୍ବାଚନ ଖର୍ଚ୍ଚର ବିବରଣୀ ଆୟୋଗଙ୍କ ଦ୍ଵାରା ନିର୍ଦ୍ଧାରିତ ଫାରମରେ ସମ୍ପୂର୍ଣ୍ଣ ଜିଲ୍ଲାପାଳ ଏବଂ ଗୋଷ୍ଠୀ ଉନ୍ନୟନ ଅଧିକାରୀଙ୍କୁ ଦେବେ । ଏହି କ୍ଷମତା ପ୍ରାପ୍ତ ଅଧିକାରୀମାନଙ୍କୁ ନିର୍ଦ୍ଧାରିତ ସମୟ ସୀମା ମଧ୍ୟରେ କୌଣସି ପ୍ରାର୍ଥୀ ନିର୍ବାଚନ ଖର୍ଚ୍ଚର ବିବରଣୀ ଦେବାର ଖିଲାପ କଲେ ତାହା ନିର୍ବାଚନ ଭ୍ରଷ୍ଟାଚାର ବୋଲି ଧରାଯିବ ।

ଏହି ଆଦେଶ ତତ୍ଵକ୍ଷଣାତ୍ କାର୍ଯ୍ୟକାରୀ ହେବ ।

ରାଜ୍ୟ ନିର୍ବାଚନ କମିଶନଙ୍କ ଆଦେଶକ୍ରମେ

ଫକୀର ଚରଣ ଶତପଥୀ

ସଚିବ

ପରିପତ୍ର ନଂ. ୫୪୧୪/ରା. ନି.ଆ.

ତାରିଖ ୨୭-୧୨-୨୦୦୭

ଏହାର ନକଲ ନିର୍ଦ୍ଦେଶକ, ମୁଦ୍ରଣ, ଲିଖନ ଏବଂ ପ୍ରକାଶନ, ଓଡ଼ିଶା, କଟକକୁ ପଠାଯାଇ ଅସାଧାରଣ ଓଡ଼ିଶା ଗେଜେଟର ୨୭-୧୨-୨୦୦୭ ରେ ପ୍ରକାଶନ କରି ୧,୦୦୦ କିଟା ନକଲ ଯୋଗାଇ ଦେବାକୁ ଅନୁରୋଧ ।

ଫକୀର ଚରଣ ଶତପଥୀ

ସଚିବ

ପରିପତ୍ର ନଂ. ୫୪୧୫/ରା. ନି.ଆ.

ତାରିଖ ୨୭-୧୨-୨୦୦୭

ଏହାର ନକଲ ସମସ୍ତ ଜିଲ୍ଲାପାଳ/ଉପଜିଲ୍ଲାପାଳ / ଗୋଷ୍ଠୀ ଉନ୍ନୟନ ଅଧିକାରୀଙ୍କ / ଜିଲ୍ଲା ପଞ୍ଚାୟତ ଅଧିକାରୀଙ୍କ ଅବଗତି ଓ କାର୍ଯ୍ୟାନୁଷ୍ଠାନ ନିମନ୍ତେ ପଠାଗଲା । ବୃତ୍ତାନ୍ତ ପ୍ରାର୍ଥୀ ତାଲିକା ପ୍ରକାଶନ ପରେ ଏହାର ନକଲ ସକମ୍ପନ୍ନ ପ୍ରାର୍ଥୀଙ୍କୁ ଯୋଗାଇ ଦେବାକୁ ଅନୁରୋଧ ।

ଫକୀର ଚରଣ ଶତପଥୀ

ସଚିବ

STATE ELECTION COMMISSION ODISHA
TOSHALI BHAWAN, BLOCK-B2, 1ST FLOOR,
SA TYANAGAR, BHUBANESWAR.
E-mail ID - stateelectioncommission.odisha@gmail.com
Fax No. 0674-2573494

ORDER

No. 3037/SEC.,

The 26th October 2021

SUBJECT : Appointment of Polling Agents.

The concept of appointment of Polling Agent by the candidates during voting and counting find place, Inter alia in Rule 39 of the Odisha Gram Panchayat Election Rules, 1965, Rule 16 of Odisha Panchayat Samiti Election Rules, 1991 and Rule 19 of Odisha Zilla Parishad Election Rules, 1994. But no form has been prescribed in these rules for appointment of Polling Agent by the contesting candidates.

(2) There will be simultaneous elections to the Offices of Ward Member, Sarpanch, Panchayat Samiti Member and Zilla Parishad Member during the ensuing elections to 3-tier Panchayats as per the day to day polling programme in different districts, It is necessary, in the interest of free and fair election, that the contesting candidates have their representative, designated as Polling Agent in the place of polling.

(3) In the back ground narrated above, the State Election Commission in exercise of powers vested in it under Article-243-K of the Constitution and such other enabling powers vested in that behalf, has directed as follows.

- (i) A contestant for the Office of Ward Member may have one Polling Agent. A contesting candidates for the Office of Z.P. Members/P.S. Member/ Sarpanch may have as many Polling Agent as the number of Polling Stations at which voting takes place within the Zilla Parishad Constituency/P.S. Constituency/Gram Panchayat area respectively.
- (ii) The form of appointment of Polling Agent is enclosed to this order. The said form duly filled in may be submitted in duplicate for each Polling Station to the concerned Election Officer i.e. Block Development Officer at least 3 days in advance of the date of poll as may be required by the contesting candidates. The number of Polling Agent which a candidate appoints shall not exceed the no. of Polling Stations within the Constituency at which polling takes place and for which the candidate is contesting.
- (iii) The Election Officer shall retain one copy of appointment form of his record and hand over the remaining copies to the contesting candidates to produce before the Presiding Officer at the Polling Station.

- (iv) The instruction given at the end of the Polling Agent appointment form shall be treated as part of this order.

By order of and in the name of
State Election Commission, Odisha
Secretary

Memo No. 3038/SEC., Date 26/10/2021

Copy forwarded to All Collectors/Sub-Collectors/District Panchayat Officers/Block Development Officer for information and necessary action.

Secretary

Memo No. 3039/SEC., Date 26/10/2021

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

Secretary

ପୋଲିଂ ଏଜେଣ୍ଟ ନିଯୁକ୍ତି ଫର୍ମ

(ରାଜ୍ୟ ନିର୍ବାଚନ କମିଶନଙ୍କ ଦ୍ୱାରା ନିର୍ଦ୍ଧାରିତ)

ପ୍ରାପ୍ତେଷୁ,

ବୁକ୍ ଉତ୍ତର ଅଧିକାରୀ ତଥା ନିର୍ବାଚନ ଅଧିକାରୀ,

..... ପଞ୍ଚାୟତ ସମିତି,

ଜିଲ୍ଲା

ମହାଶୟ,

ମୁଁ ଶ୍ରୀ/ଶ୍ରୀମତୀ ଠିକଣା

(ପୁରା ନାମ)

ଚଳିତ ତ୍ରିସରାୟ ପଞ୍ଚାୟତ ନିର୍ବାଚନରେ ଜିଲ୍ଲା ପରିଷଦ ସଭ୍ୟ / ପଞ୍ଚାୟତ ସମିତି ସଭ୍ୟ / ସରପଞ୍ଚ / ଓଡ଼ିଶା ପ୍ରତିଦ୍ୱନ୍ଦ୍ୱୀତା କରୁଅଛି ଏବଂ ନିମ୍ନ ବିବରଣୀମତେ ପୋଲିଂ ଏଜେଣ୍ଟ ନିଯୁକ୍ତି କରିବା ପାଇଁ ଚାହୁଁଅଛି ।

ବିବରଣୀ

ଜିଲ୍ଲା ପରିଷଦ ସଭ୍ୟ	ପଞ୍ଚାୟତ ସମିତି/ ସଭ୍ୟ	ସରପଞ୍ଚ	ଓଡ଼ିଶା ପ୍ରତିଦ୍ୱନ୍ଦ୍ୱୀତା

ନିର୍ବାଚନ ମଣ୍ଡଳୀର ନମ୍ବର ଏବଂ ନାମ
 କେଉଁ କେଉଁ ରୁଥ ପାଇଁ ପୋଲିଂ ଏଜେଣ୍ଟ
 ନିଯୁକ୍ତି କରୁଅଛି ।
 ପୋଲିଂ ଏଜେଣ୍ଟ ନାମ ଓ ଠିକଣା
 ପୋଲିଂ ଏଜେଣ୍ଟ ସମ୍ପର୍କିତ ଦସ୍ତଖତ

ପ୍ରତିଦ୍ୱନ୍ଦ୍ୱୀତା କରୁଥିବା ପ୍ରାର୍ଥୀଙ୍କ ଦସ୍ତଖତ

ପୋଲିଂ ଏଜେଣ୍ଟ ନିଯୁକ୍ତିର ଅନୁମୋଦନ କରାଗଲା

ନିର୍ବାଚନ ଅଧିକାରୀ
(ମୋହର)

ପୋଲିଂ ଏଜେଣ୍ଟ ଘୋଷଣାନାମା

ମୁଁ ଉପରୋକ୍ତ ରୁଥ ପାଇଁ ପୋଲିଂ ଏଜେଣ୍ଟ ନିଯୁକ୍ତିକୁ ସ୍ୱୀକାର କରି ଏହି ଘୋଷଣା କରୁଅଛି ଯେ ଲୋକ ପ୍ରତିନିଧି ଆଇନ୍ ୧୯୫୧ ର ୧୨୮ ଧାରାରେ ନିଷିଦ୍ଧ କୌଣସି କାର୍ଯ୍ୟ କିମ୍ବା ଅନ୍ୟାନ୍ୟ କୌଣସି ଅସଙ୍ଗତ କାର୍ଯ୍ୟ କରିବି ନାହିଁ କିମ୍ବା ପ୍ରୋକ୍ସାଇନ୍ ଦେବି ନାହିଁ ।
 ପୋଲିଂ ଏଜେଣ୍ଟ ସ୍ୱାକ୍ଷର

ଉପରୋକ୍ତ ଘୋଷଣାନାମା ମୋ ଆଗରେ ସ୍ୱାକ୍ଷରିତ ହୋଇଅଛି ।

ନିର୍ବାଚନ ଅଧିକାରୀ
(ମୋହର)

ବି.ପ୍ର.

- (୧) ଏହି ପୋଲିଂ ଏଜେଣ୍ଟ ନିଯୁକ୍ତି ଫର୍ମ ପ୍ରତ୍ୟେକ ରୁଥ ପାଇଁ ଦୁଇ କିତା ହିସାବରେ ନିର୍ବାଚନ ଅଧିକାରୀଙ୍କୁ ଭୋଟ ଗ୍ରହଣ ଅନ୍ତତଃ ତିନିଦିନ ଆଗରୁ ଦିଆଯିବ । ନିର୍ବାଚନ ଅଧିକାରୀ ଗୋଟିଏ କିତା ନିଜ ଦସ୍ତଖତରେ ରଖି ଅନ୍ୟ କିତାଟି ପ୍ରାର୍ଥୀଙ୍କୁ ଦେବେ ।
- (୨) ପୋଲିଂ ଏଜେଣ୍ଟ ଏହି ଫର୍ମଟି ପ୍ରଜାଲିତ ଅର୍ଥସରଙ୍କୁ ରୁଥରେ ପ୍ରବେଶ କରିବା ପୂର୍ବରୁ ଦାଖଲ କରିବେ ଏବଂ ପ୍ରଜାଲିତ ଅର୍ଥସରଙ୍କ ଅନୁମତି ନେଇ ଭୋଟ ଗ୍ରହଣ କେନ୍ଦ୍ରକୁ ପ୍ରବେଶ କରିବେ ।
- (୩) ଏହି ନିଯୁକ୍ତି ଆଦେଶ ପ୍ରଜାଲିତ ଅର୍ଥସର ନିଜ ପାଖରେ ରଖିବେ ଏବଂ ଭୋଟ ଗ୍ରହଣ/ଗଣତି ପରେ ଉକ୍ତ ଫର୍ମକୁ ଗୋଟିଏ ସାଧା ଲଫାପାରେ ରଖି (ଲଫାପା ଉପରେ ଲେଖାଯିବ 'ପୋଲିଂ ଏଜେଣ୍ଟ ଫର୍ମ') ଅନ୍ୟାନ୍ୟ କାରଗତ ସହ ନିର୍ବାଚନ ଅଧିକାରୀଙ୍କ ପାଖରେ ଦାଖଲ କରିବେ ।
- (୪) କୌଣସି ପ୍ରକାର ସନ୍ଦେହ ଉପୁଜିଲେ ପ୍ରଜାଲିତ ଅର୍ଥସର ନିଯୁକ୍ତି ଫର୍ମରେ ଦିଆଯାଉଥିବା ଦସ୍ତଖତ ସହ ଅନ୍ୟ ଏକ ଦସ୍ତଖତ ନେଇ ଉଭୟ ଦସ୍ତଖତ ମିଳାଇ ପାରବେ ।

ଯେଉଁଟି ପ୍ରଯୁଜ୍ୟ ହେଉନାହିଁ କାଟିଦିଅନ୍ତୁ । * ଛାପା ଫର୍ମ ନ ମିଳିଲେ ସାଇକ୍ଲୋଷ୍ଟାଇଲ/ଫଟୋକପି ହୋଇଥିବା ଫର୍ମ ମଧ୍ୟ ଗ୍ରହଣ କରାଯିବ ।

**STATE ELECTION COMMISSION, ODISHA
TOSHALI BHAWAN, BLOCK-B2, 1st FLOOR
SATYANAGAR, BHUBANESWAR**

No. 5172 /SEC.,
From

Dated 11.11. 2011

Sri M. D. Barik, IAS,
Secretary.

To

All Collectors.

Sub : Submission of affidavit during filing of nominations.

Madam/Sir,

I am directed to invite a reference to Commission's order No.1 dtd.01.01.04 on furnishing of affidavit along with nomination paper by the candidates contesting for the office of Sarpanch, Panchayat Samiti Member and Zilla Parishad Member. Since, non-furnishing of affidavit by the candidate shall lead to rejection of his candidature, the Election Officer should be careful to issue the format prescribed by the Commission at the time of issuing the nomination paper. The candidate shall be told to furnish the affidavit duly sworn in before a Magistrate of first class or a Notary Public or a Commissioner of Oath appointed by the Hon'ble High Court along with the nomination paper to avoid rejection at the time of scrutiny.

Further, the candidate shall be told to furnish a copy of the affidavit either typed / Xeroxed or hand written and signed by him which need to be compared by the Election Officer with the original affidavit and after his authentication, the same shall be displayed in the notice Board. In case of any shortcomings noticed in the affidavit, the Election Officer shall allow the candidate to take back the same for rectification and resubmission within the period prescribed for filing of nomination.

For the Ward Member candidate no affidavit is required. The Commission has prescribed a format and each candidate contesting for the post of Ward Member is required to give a declaration in the format. The Election Officer appointed for receiving and scrutiny of the nomination of Sarpanch will also receive the nomination for the Ward Member. He shall bear in mind that the nomination paper for Sarpanch and Ward Member should accompany affidavit and declaration respectively.

It is, therefore, requested that the above instructions may be brought to the notice of all Election Officers appointed to receive the nomination and scrutiny thereof for all direct elections.

Yours faithfully,
Sd/-
Secretary

Memo No. 5173/SEC Date: 11.11.2011

Copy forwarded to Commissioner-cum-Secretary to Govt., Panchayati Raj Department for information and necessary action.

Secretary

Memo No. 5174/SEC Date: 11.11.2011

Copy forwarded to all District Panchayat Officers/Sub-Collectors/Block Development Officers for information and necessary action.

Secretary

Memo No. 5175/SEC Date: 11.11.2011

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

Secretary

STATE ELECTION COMMISSION, ORISSA
SAMABAYA BHAWAN, JANAPATH
BHUBANESWAR-22

No.1/SEC.

Dated the 1st January 2004

ORDER

Whereas, the Hon'ble Supreme Court of India have, in two landmark judgements dated 02 May 2002 (Civil Appeal No.7178 of 2001. Union of India *vrs.* Association for Democratic Reforms and another) and 13 March 2003 (Writ Petition Numbers 490, 509 and 515 of 2002. Union of India *vrs.* PUCL/Lok Satta/ Association for Democratic Reforms), unambiously laid down the principle that in our Democratic Polity, every voter is entitled to receive full information about a candidate, especially pertaining to his criminal antecedents, assets and liabilities and educational qualification ; so as to be able to make 'informed judgement' in the choice of the person to represent him ;

And, whereas, the Hon'ble Court have further held that the jurisdiction of the Election Commission of India under Article 324 of the Constitution is wide enough to include powers to call for such information from any candidate in the absence of necessary provisions in the existing Laws to take care of this requirement ;

And, whereas, the E. C. I. have, in pursuance of the said Judgement of the Hon'ble Court, issued an Order vide No.3/ER/2003-JS-II dated the 27th March 2003 requiring every candidate seeking election to the Parliament or a State Legislature to furnish such information to the Returning Officer in the form of an affidavit in the format appended as Annexure-I to the said Order at the time of filing his nomination paper, and further ordered that non-furnishing of the affidavit shall render the nomination of the candidate liable for rejection by the Returning Officer and also mandated the Returning Officer to display a copy of the affidavit on his Notice board and to make available copies thereof freely and liberally to all other candidates and the print and electronic media for wide dissemination in order to ensure purity and transparency of the election process ;

And, whereas, Grama Sabha to Lok Sabha signifies a continuum in the electoral democracy of our country and thus the principle of 'disclosure of information' pertaining to criminal antecedents, assets and liabilities and educational qualifications enunciated by the Hon'ble Supreme Court is as much relevant in respect of candidates seeking election to Panchayats and Municipalities as to the Parliament and State Legislature ;

And, whereas, the Constitution of India has cast exactly the same responsibilities upon the State Election Commission in respect of Panchayat and Municipal Elections under Article 243-K and Article 243-ZA respectively as upon the E.C.I. under Article 324 in respect of elections to Parliament & State Legislature ;

And, whereas, in the absence of provisions relating to 'disclosure of information' in the Laws governing election to the Panchayats and Municipalities, the State Election Commission is duty bound to issue appropriate directions in the interest of purity and transparency of election to such Bodies in the State ;

Now, therefore, in exercise of the powers conferred on it under Article 243-K and Article 243-ZA of the Constitution and Section 9 of Orissa Gram Panchayat Act, 1964, Section 16-B of Orissa Panchayat Samiti Act, 1959, Section 6-A of Orissa Zilla Parishad Act, 1991, Section 11-A of Orissa Municipal Act, 1950 and Section 62 of Orissa Municipal Corporation Act, 2003 and of all other powers hereunto enabling it in this behalf, the State Election Commission hereby directs as follows :-

- (1) Every candidate seeking election to the office of Sarpanch, Member of Panchayat Samiti or Member of Zilla Parishad, Corporator of Municipal Corporation or Councillor of Municipality/N.A.C. in the State shall furnish information relating to his criminal antecedents, assets and liabilities and educational qualifications in the form of an affidavit in the format prescribed by the Commission and appended as Annexure-I to this Order, to the concerned Election Officer/Returning Officer at the time of filing of nomination paper.
- (2) The affidavit shall be duly sworn in before a Magistrate of First Class or a Notary Public or a Commissioner of Oath appointed by the Hon'ble High Court.
- (3) Non-furnishing of affidavit by the candidate shall be considered to be a violation of this Order and the nomination paper of the candidate concerned shall be liable to rejection at the time of scrutiny by the Election Officer/Returning Officer.
- (4) The information furnished by a candidate in the aforementioned affidavit shall be disseminated by the Election Officer/Returning Officer by displaying a copy of the affidavit on the Notice board of his office and also by making copies thereof available freely and liberally to all other candidates and the representatives of the print and electronic media.
- (5) If any rival candidate furnishes information to the contrary by means of a duly sworn affidavit, then such affidavit of the rival candidate shall also be disseminated along with the affidavit of the candidate concerned in the manner directed above.
- (6) The Election Officer/Returning Officer shall neither undertake verification of the correctness or otherwise of the information furnished in the above mentioned affidavit nor reject the nomination paper on the ground of furnishing wrong information or suppressing material information in the affidavit.
- (7) The Election Officer/Returning Officer shall ensure that the format of affidavit prescribed by the Commission is supplied to the candidate along with the form of nomination to enable him to file the nomination paper and the affidavit together. At the time of receiving nomination paper, he shall check the accompanying affidavit to verify that all the columns therein have been filled in, that the affidavit has been duly signed by the candidate and that it has been duly authenticated and sealed by the Competent Authority. In case of noticing any shortcoming as above in the affidavit, the Election Officer/Returning Officer shall allow the candidate to take back the same for rectification and re-submission within the period prescribed for filing of nomination.

This order shall come into force in respect of all elections including by-elections to Panchayats and Municipal Bodies that take place on or after 1st January 2004.

The Commission may, hereafter, issue a separate Order regarding application of the 'disclosure norm' in respect of a candidate seeking election as Ward-Member of a Gram Panchayat.

By order

A. RATH

State Election Commissioner, Orissa

Memo. No. 2/SEC.

Dated the 1st January 2004

Copy forwarded to Commissioner-*cum*-Secretary to His Excellency, Governor of Orissa for favour of information of the Governor.

Sd/

Secretary

Memo. No. 3/SEC.

Dated the 1st January 2004

Copy forwarded to Commissioner-*cum*-Secretary to Hon'ble Chief Minister, Orissa for favour of information of the Chief Minister.

Sd/

Secretary

Memo. No. 4/SEC.

Dated the 1st January 2004

Copy forwarded to Private Secretary to Hon'ble Minister to Panchayati Raj/Minister, Urban Development for favour of information of the Minister.

Sd/

Secretary

Memo. No..5/SEC.

Dated the 1st January 2004

Copy forwarded to Chief Secretary, Orissa /D. G., Police, Orissa, Cuttack for favour of information and necessary action.

Sd/

Secretary

Memo. No. 6/SEC.

Dated the 1st January 2004

Copy forwarded to Principal Secretary to Government, Housing & Urban Development Department/Secretary, Panchayati Raj Department for of information and necessary action.

Sd/

Secretary

Memo. No.7/SEC.

Dated the 1st January 2004

Copy forwarded to Secretary, Information and Public Relation Department for wide publication.

Sd/–

Secretary

Memo. No. 8/SEC.

Dated the 1st January 2004

Copy forwarded to All Revenue Divisional Commissioners/Collectors/Sub-Collectors/ B. D. Os./ D. P. Os./Executive Officers of U. L. Bs. for information and necessary action.

Sd/–

Secretary

Memo. No. 9/SEC.

Dated the 1st January 2004

Copy forwarded to Municipal Commissioner, Cuttack/Bhubaneswar Municipal Corporation for information and necessary action.

Sd/–

Secretary

Memo. No.10/SEC.

Dated the 1st January 2004

Copy to All recognized & registered Political Parties.

Sd/–

Secretary

FORMAT OF AFFIDAVIT

(To be submitted by candidate to the Election Officer/Returning Officer as an accompaniment to the Nomination Paper)

*For election to the office of Sarpanch of.....G. P. in.....Block of.....of District/Member of.....P. S. of.....of District/Member of.....Zilla Parishad of.....District/Corporator of.....Municipal Corporation.....District/Councillor of.....Municipality/N. A. C. of.....District.

*(Please strike off the ones not applicable to you)

I.....son/daughter/wife of.....candidate at the above election, do hereby solemnly affirm and state on oath as under :-

**1(A) I have in the past been convicted of criminal offence in the following case(s) and the details are as under :-

(i) Case No.....

(ii) Section of the Act and description of the offence for which convicted
.....

(iii) Date of conviction.....

(iv) Court by which convicted.....

(v) Punishment imposed (indicate period of imprisonment awarded and/or quantum of the fine imposed)
.....
.....

(vi) Details of appeal/revision etc., against conviction
.....
.....

(Repeat the above sequence in respect of each separate case of conviction)

(B) That I have in the past been discharged/acquitted in the following case(s)

(i) Section of the Act and description of the offence with which charged
.....
.....

(ii) The Court which had taken cognizance :

.....

(iii) Case No.....

(iv) Details of appeal/application for revision etc., if any, filed against above order taking cognizance :

.....
.....
.....

(Repeat the above sequence in respect of each separate case of discharge/ acquittal)

(C) The following case(s) is/are pending against me in which cognizance has been taken taken by the Court :

(i) Section of the Act and description of the offence for which cognizance taken :

.....
.....
.....
.....

(ii) The Court which has taken cognizance :

.....

(iii) Case No.....

(iv) Details of appeal/application for revision etc., if any, filed against above order taking cognizance :

.....
.....
.....

(Repeat the above sequence in respect of each separate case of discharge/ acquittal)

** If information against any of the columns at (A)/(B)/(C) is nil, state 'NIL' against the corresponding column and strike off the sub-columns below.

2. That, I/my spouse/my dependants***own the following immovable properties :-

(A)

Agricultural Land(s)	Location	Area	Approx. present market value according to you
Self name			
Spouse [Give name]			
Dependant son(s) [Give name(s)]			
Dependant daughter(s) (Give name(s))			
Dependant (others) (Give name and relationship)			
In Joint name(s) (Give names)			

(B)

Urban Land(s)	Location	Area	Approx. present market value according to you
Self name			
Spouse [Give name]			
Dependant son(s) [Give name(s)]			
Dependant daughter(s) (Give name(s))			
Dependant (others) (Give name relationship)			
In Joint name(s) (Give names)			

***'Dependant' means a person wholly dependant on the income of the candidate.

(A) That, I/my spouse/my dependants***own the following movable property :-

	Motor vehicle with description such as Car, Jeep, Truck Bus	Approx. present market value according to you	Gold & gold ornaments , other precious stone(s) (in tolas/gram/ carot)	Approx. present market value according to you	Silver & silver ornaments (in tolas/ grams)	Approx. present market value according to you
1	2	3	4	5	6	7
Self name						
Spouse (Give name)						
Dependant son(s) [Give name(s)]						
Dependant daughter(s) [Give name(s)]						
Dependant others(s) [Give name(s)]						
In joint name(s) [Give names]						

***'Dependant' means a person wholly dependant on the income of the candidate.

3. (B) That, I/my spouse/my dependants***have the following Bank balance/deposits :-

	Name of the Bank	Amount in fixed deposit	Name of the Bank/Post Office	Amount in Current/Savings Account	Name of the Company & No. of shares held	Face value of shares
1	2	3	4	5	6	7
Self name						
Spouse (Give name)						
Dependant son(s) [Give name(s)]						
Dependant daughter(s) [Give name(s)]						
Dependant others(s) [Give name(s)]						
In joint name(s) [Give names]						

***'Dependant' means a person wholly dependant on the income of the candidate.

4. That, I/my spouse/my dependants***are liable to pay the following dues to public, financial institutions and Government dues (Give details) :-

	Government Dues		Income Tax Dues	Dues to Financial Institutions	Any other Dues
	Details of the nature of demand/dues	Amount			
1	2	3	4	5	6
Self name					
Spouse (Give name)					
Dependant son(s) [Give name(s)]					
Dependant daughter(s) [Give name(s)]					
Dependant others [Give name(s)]					
In joint name(s) (Give names)					

***'Dependant' means a person wholly dependant on the income of the candidate.

5. My educational qualification are as under :

(Give the details of School & University Education)

I,.....do hereby verify and declare that the contents of this affidavit are true and correct to the best of my knowledge and belief, that no part of it is false and that nothing materials has been concealed therefrom.

Verified at.....this, the.....day of.....200.....

Witnesses

Deponent

- 1.
- 2.

**STATE ELECTION COMMISSION, ORISSA
SAMABAYA BHAWAN, JANAPATH, UNIT IX
BHUBANESWAR.**

No. 3998 /SEC.,
Ele-GP-108/06

Dated 01.11.2006

From

Sri F.C. Satapathy,
Secretary.

To

All Collectors.

Sub : Declaration by Ward Members..

Sir/Madam,

I am directed to invite a reference to Commission's order No.1 dtd.01.01.2004 communicating the procedure for furnishing information relating to criminal antecedents, assets, and liabilities and educational qualification in the form of an affidavit to be submitted along with the nomination paper by the candidates contesting for the office of Sarpanch, Panchayat, Samiti Member and Zilla Parishad Member. The Commission have not prescribed such affidavit for the post of Ward Member.

However, a candidate contesting for Ward member will be required to furnish information in shape of declaration in the format prescribed by the Commission. Two Copies of the format are to be issued to each candidate alongwith the nomination paper for the post of Ward Member. A copy of the format is enclosed herewith for perusal. The format can be Xeroxed/ cyclostyled in case there is shortage of printed form. Commission would like to make it clear that the candidates filing nomination for the post of Ward Member shall not be required to give any affidavit but only a declaration in the prescribed format. Therefore, no affidavit should be insisted. The candidate will be required to submit two declaration forms signed by him of which one to be kept in record and other to be displayed.

Any candidate while filing the nomination if does not file declaration in the prescribed format, then he should be told by the Election Officer that non-filing of such declaration will lead to rejection of the nomination paper. The Election Officer shall allow the candidate to take back the declaration for rectification and resubmission within the period prescribed for filing of nomination.

I would, therefore, request that the above instructions may be brought to the notice of Election Officer appointed to receive nomination of Sarpanch and ward Member.

Yours faithfully,

Secretary

Memo No_3999_/SEC Date: 01.11.2006

Copy forwarded to Commissioner-cum-Secretary to Govt., Panchayti Raj Department for information and necessary action.

Secretary

Memo No4000/SEC Date: 01.11.2006

Copy forwarded to all District Panchayat Officers/Sub-Collectors/Block Development Officers for information and necessary action.

Secretary

ପ୍ରାର୍ଥୀଙ୍କ ଦ୍ଵାରା ଘୋଷଣା

(ନାମାଙ୍କନ ପତ୍ର ସହିତ ଏହା ଦାଖଲ କରାଯିବ)

.....ପଞ୍ଚାୟତ ସମିତି.....ଗ୍ରାମ ପଞ୍ଚାୟତର.....ଓଡ଼ିଶା ।

ମୁଁ ଶ୍ରୀ/ଶ୍ରୀମତୀ/କୁମାରୀ.....ପିତା/ସ୍ଵାମୀ.....

.....ଉପରୋକ୍ତ ଓଡ଼ିଶା ନିମନ୍ତେ ପ୍ରାର୍ଥୀ ଅଟେ ଓ ନିମ୍ନମତେ ଘୋଷଣା କରୁଅଛି ।

୧ । ମୁଁ ପୂର୍ବରୁ ନିମ୍ନୋକ୍ତ ଫୌଜଦାରୀ ମୋକଦ୍ଦମାରେ ଦଣ୍ଡିତ ହୋଇଅଛି

- (i) ମୋକଦ୍ଦମା ସଂଖ୍ୟା
- (ii) ଅପରାଧ ବିବରଣୀ
- (iii) ଦଣ୍ଡ ବିଧାନ ଅବଧି
- (iv) ଦଣ୍ଡ ବିରୁଦ୍ଧରେ ଅପିଲ ବା ରିଭିଜନ

୨ । ମୁଁ ନିମ୍ନୋକ୍ତ ମୋକଦ୍ଦମାରେ ଅଦାଲତଙ୍କ ଦ୍ଵାରା ଖଲାସ/ନିର୍ଦ୍ଦୋଷ ସାବ୍ୟସ୍ତ ହୋଇଛି

- (i) ଅପରାଧ ବିବରଣୀ
- (ii) ବିଚାର କରିଥିବା ଅଦାଲତଙ୍କ ନାମ
- (iii) ମୋକଦ୍ଦମା ସଂଖ୍ୟା
- (iv) ଖଲାସ/ନିର୍ଦ୍ଦୋଷ ସାବ୍ୟସ୍ତ ତାରିଖ
- (v) ଉପରୋକ୍ତ ଆଦେଶ ବିରୁଦ୍ଧରେ ଅପିଲ/ରିଭିଜନ

୩ । ଅଦାଲତରେ ମୋ ବିରୁଦ୍ଧରେ ନିମ୍ନୋକ୍ତ ମୋକଦ୍ଦମା ଚାଲୁ ରହିଅଛି

- (i) ଅପରାଧ ବିବରଣୀ
- (ii) ବିଚାର କରିଥିବା ଅଦାଲତଙ୍କ ନାମ
- (iii) ମୋକଦ୍ଦମା ସଂଖ୍ୟା
- (iv) ଅପିଲ/ରିଭିଜନ ହୋଇଥିଲେ ତା'ର ବିବରଣୀ

ପ୍ରାର୍ଥୀଙ୍କ ସ୍ଵାକ୍ଷର

ବି.ଦ୍ର. : କୌଣସି ମୋକଦ୍ଦମାରେ ଜଡ଼ିତ ନ ଥିଲେ ଉପରୋକ୍ତ ବିବରଣୀରେ “ପ୍ରମୁକ୍ତ ନୁହେଁ” ଲେଖାଯିବ ।

୧ । ଶିକ୍ଷାଗତ ଯୋଗ୍ୟତା

- (କ) ପ୍ରାଥମିକ/ଉଚ୍ଚ ପ୍ରାଥମିକ ଶିକ୍ଷା
- (ଖ) ଉଚ୍ଚ ମାଧ୍ୟମିକ ଶିକ୍ଷା

(ଗ) ଯୁକ୍ତ ଦୁଇ ପରିଷଦ ଶିକ୍ଷା

(ଘ) ବିଶ୍ୱବିଦ୍ୟାଳୟ ଶିକ୍ଷା

(ଙ) ବୈଷୟିକ ଶିକ୍ଷା

୨ । ଶିକ୍ଷାନୁଷ୍ଠାନର ନାମ ଓ ଉତ୍ତର ବର୍ଷ

ମୋ ଦ୍ୱାରା ପ୍ରଦତ୍ତ ଉପରୋକ୍ତ ତଥ୍ୟ ସତ୍ୟ ଓ ନିର୍ଭୁଲ ଅଟେ ।

ପ୍ରାର୍ଥୀଙ୍କ ସ୍ୱାକ୍ଷର

**STATE ELECTION COMMISSION, ORISSA
SAMABAYA BHAWAN, JANPATH
UNIT IX, BHUBANESWAR**

No. 661-Elec-G.P.-4/96., dated the 20th April 1996

FROM

Shri M. Saran,
Special Secretary.

To

All Collectors.

SUB-Applicability of provisions of Representation of People Act, 1950 and R.P. Act, 1951 during Panchayat Elections.

Sir,

I am directed to say that section (27)(3) of the Orissa Grama Panchayat Act, 1964, section 16-B(2) of the Orissa Panchayat Samiti Act, 1959 and section 6(4) (b) of the Orissa Zilla Parishad Act, 1991 have similar provision according to which in the absence of any provision in the respective Acts or Rules made thereunder, the provisions of Representation of People Act, 1950 and R.P., Act, 1951 shall mutatis mutandis apply for the purpose of elections to Grama Panchayats, Panchayat Samitis and Zilla Parishads in the following matters, namely :-

- (i) Preparation, revision and updating of electoral roll;
- (ii) Appointment of Electoral Registration Officers, Presiding Officers and Polling Officers;
- (iii) Qualifications and disqualifications for registration of voters;
- (iv) Such other matters which have to be, or may be required to be, dealt with for the purpose of conducting free and fair elections.

2. A clarification in Commission's letter No.205, dated 8.2.1996 (copy enclosed) was sought for from Government, pertaining to requisitioning of staff, premises and vehicles etc. for purpose of elections to Zilla Parishad, Panchayat Samiti and Grama Panchayat. The State Government in their letter No.4907/G.P). dated 1.3.1996 (copy enclosed) have clarified that in the absence of any provision in the three State Acts the provisions as available R.P. Act, 1951 would come into play in view of savings provisions available (as indicated in para. 1 above) in three State Acts and as such it may not be necessary to further amend the State Acts to bring it at par with the provisions of R.P. Act. 1951.

3. It will be seen from the reference made by the Commission to Government and Government's reply thereto, that for requisitioning of staff, premises and vehicles etc. the provision in line with sections 159 to 167 of the R.P. Act, 1951 are available for use by you

for conduct of elections to the three-tier Panchayati Raj institutions by virtue of savings provisions in the three State Acts referred to in paragraph 1 above.

M.SARAN
Special Secretary.

Memo No.662/SEC., dated the 20th April, 1996.

Copy with enclosures forwarded to the Principal Secretary to Government, Panchayati Raj Department for information.

M.SARAN
Special Secretary.

Memo No.663/SEC., dated the 20th April, 1996

Copy with enclosures forwarded to all Sub-Collectors/ all District Panchayat Officers/ all Block Development Officers for information and necessary action.

M.SARAN
Special Secretary

Copy of letter No 4907 Ele-Gp-4/96 dated 11.03.1996 of Panchayati Raj Department addressed to the Special Secretary , State Election Commission.

From:

Shri S.N. Mishra, OSS
Under Secretary to Govt.

To

The Special Secretary
State Election Commission, Orissa

Sub: Requisitioning of Staff, premises, and Vehicles. etc. for purpose of elections to Zilla Parishad, Panchayat Samiti and Grama Panchayats.

Sir,

In inviting a reference to your letter No. 205 dtd. 08.02.1996 on the above subject, I am directed to intimate in absence of any provision in Grama Panchayat Act, Panchayat Samiti Act and Zill Parishad Act, the provisions as available in the Representation of Peoples Act, 1951 would come into play in view of the savings provisions available in the three State Acts. As such, it may not be necessary to further amend the Grama Panchayat act, Panchayat Samiti Act and Zilla Parishad acts to bring it at par with the provisions of R.P. Act, 1951.

Yours faithfully,
S.N.Mishra
Under-Secretary to Govt.

ରାଜ୍ୟ ନିର୍ବାଚନ ଆୟୋଗ, ଓଡ଼ିଶା
ତୋଷାଳି ଭବନ, ବି-୨, ପ୍ରଥମ ମହଲା
ସତ୍ୟନଗର, ଭୁବନେଶ୍ୱର-୭୫୧୦୦୭

ପତ୍ର ସଂଖ୍ୟା : ୬୬୧

ତାରିଖ ୨୦ ଅପ୍ରେଲ ୧୯୯୬

ପ୍ରେରକ :

ଶ୍ରୀ ମନୋରଞ୍ଜନ ଶରଣ,
ସ୍ୱତନ୍ତ୍ର ସଚିବ ।

ପ୍ରାପକ :

ସମସ୍ତ ଜିଲ୍ଲାପାଳ ।

ବିଷୟ-ପଞ୍ଚାୟତ ନିର୍ବାଚନ ସମୟରେ ଲୋକ ପ୍ରତିନିଧି ଆଇନ, ୧୯୫୦ ଓ ଲୋକ ପ୍ରତିନିଧି ଆଇନ, ୧୯୫୧ର ପ୍ରୟୋଗ ।

ମହାଶୟା/ମହାଶୟ,

ସଂଖ୍ୟା ୬୬୧-ରା.ନି.ଆ.-ମୁଁ ନିର୍ଦ୍ଦେଶାନୁସାରେ ଜଣାଉଅଛି କି, ଓଡ଼ିଶା ଗ୍ରାମ ପଞ୍ଚାୟତ ଅଧିନିୟମ, ୧୯୬୪ ଅନ୍ତର୍ଗତ ଧାରା ୨୭ (୩), ଓଡ଼ିଶା ପଞ୍ଚାୟତ ସମିତି ଅଧିନିୟମ, ୧୯୫୯ ଅନ୍ତର୍ଗତ ଧାରା ୧୭-ବି (୨) ଓ ଓଡ଼ିଶା ଜିଲ୍ଲା ପରିଷଦ ଅଧିନିୟମ, ୧୯୯୧ ଅନ୍ତର୍ଗତ ଧାରା ୬ (୪) (ବ) ଅନୁସାରେ ଯେଉଁ ବ୍ୟବସ୍ଥା ଉପରୋକ୍ତ ଅଧିନିୟମ ଓ ତତ୍ ସଂପୃକ୍ତ ନିୟମ ଉପଲକ୍ଷ୍ୟ ନ ଥାଏ ଗ୍ରାମ ପଞ୍ଚାୟତ ଓ ପଞ୍ଚାୟତ ସମିତି ଓ ଜିଲ୍ଲା ପରିଷଦ ନିର୍ବାଚନ ନିମନ୍ତେ ନିମ୍ନଲିଖିତ ବିଷୟରେ ଲୋକ ପ୍ରତିନିଧି ଆଇନ, ୧୯୫୦ ଓ ଲୋକ ପ୍ରତିନିଧି ଆଇନ, ୧୯୫୧ର ବ୍ୟବସ୍ଥାକୁ ଉପଯୋଗ କରାଯିବ ।

- (କ) ଭୋଟର ତାଲିକା ପ୍ରସ୍ତୁତି, ସଂଶୋଧନ ଓ ନବୀକରଣ
- (ଖ) ଇଲୋକ୍ଟ୍ରୋନିକ ରେଜିଷ୍ଟ୍ରେସନ ଅର୍ଦ୍ଧସର, ପ୍ରିଜାଇଡ଼ିଂ ଅର୍ଦ୍ଧସର/ପୋଲିଂ ଅର୍ଦ୍ଧସରଙ୍କର ନିୟୁକ୍ତି
- (ଗ) ଭୋଟରମାନଙ୍କ ରେଜିଷ୍ଟ୍ରେସନ ପାଇଁ ଯୋଗ୍ୟତା ଓ ଅଯୋଗ୍ୟତା ।

ଗ୍ରାମ ପଞ୍ଚାୟତ, ପଞ୍ଚାୟତ ସମିତି ଓ ଜିଲ୍ଲା ପରିଷଦ ନିର୍ବାଚନ ସକାଶେ କର୍ମଚାରୀ, ସ୍ଥାନ ଓ ଯାନବାହାନ ଅନ୍ୟାନ୍ୟ ବିଷୟ କମିଶନ ତାଙ୍କର ପତ୍ର ସଂଖ୍ୟା ୨୦୭, ତା ୦୮-୦୨-୨୦୧୨ତାରିଖ (ସଂଲଗ୍ନିତ) ସରକାରଙ୍କ ଠାରୁ ସ୍ୱତ୍ୱାଧିକାର ମାଗିଥିଲେ । ରାଜ୍ୟ ସରକାର ତାଙ୍କର ପତ୍ର ସଂଖ୍ୟା ୪୯୦୭-(ଗ୍ରା.ପ.), ତା ୦୧-୦୭-୧୯୯୬ତାରିଖ (ସଂଲଗ୍ନିତ)ରେ ସ୍ୱତ୍ୱ କରୁଛନ୍ତି ଯେ କୌଣସି ବ୍ୟବସ୍ଥା ଣତି ରାଜ୍ୟ ଅଧିନିୟମ ମଧ୍ୟରେ ନ ଥିଲେ ଉପରୋକ୍ତ ପାରା ୧ରେ ବର୍ଣ୍ଣିତ ବିଷୟ ପାଇଁ ଲୋକ ପ୍ରତିନିଧି ଆଇନ, ୧୯୫୧ ଅନୁସାରେ କରାଯିବ ଓ ଲୋକ ପ୍ରତିନିଧି ଆଇନ ଅନୁସାରେ ଉପରୋକ୍ତ ୩ ଅଧିନିୟମର କୌଣସି ସଂଶୋଧନ ଆବଶ୍ୟକ ନାହିଁ ।

କମିଶନଙ୍କ ଉପରୋକ୍ତ ପତ୍ର ଓ ସରକାରଙ୍କ ସ୍ୱତ୍ୱକରଣ ଦ୍ୱାରା ଏହା ଜଣାଇ ଦିଆଯାଉଅଛି ଯେ ଯଦିଓ ଗ୍ରାମ ପଞ୍ଚାୟତ ଅଧିନିୟମ, ପଞ୍ଚାୟତ ସମିତି ଅଧିନିୟମ ଓ ଜିଲ୍ଲା ପରିଷଦ ଅଧିନିୟମରେ ତ୍ରି-ସ୍ତରୀୟ ପଞ୍ଚାୟତ ନିର୍ବାଚନ ନିମନ୍ତେ କର୍ମଚାରୀ, ସ୍ଥାନ ଓ ଯାନବାହାନ ଅଧିଗ୍ରହଣ କରିବା ପାଇଁ କୌଣସି ବ୍ୟବସ୍ଥା ନାହିଁ ଏହା ଜନ ପ୍ରତିନିଧି ନିୟମ, ୧୯୫୦ ଓ ୧୯୫୧ ଅନୁଯାୟୀ କରାଯାଇ ପାରିବ ।

ଆପଣଙ୍କ ବିଶ୍ୱସ୍ତ

ସଚିବ

**STATE ELECTION COMMISSION, ODISHA
SAMABAYA BHAWAN, JANPATH
BHUBANESWAR**

No.1933/SEC., Bhubaneswar, Dated the 29th January, 1997.

From

Shri B. K. Dhal,
Secretary.

To

All District Magistrates.

Sub : Participation by persons under detention during indirect elections to the office of Naib Sarpanch, Chairman & Vice-Chairman of Panchayat Samiti, President and Vice-President of Zilla Parishad.

Sir,

I am directed to say that it has been brought to the notice of the Commission that some of the Ward Members/Sarpanches, Members of the Panchayat Samities and Members of Zilla Parishads who have been elected in the recent 3-tier Panchayat election are under judicial or police custody for different reasons in accordance with the provisions of law. During indirect elections to be held for the Office of Naib Sarpanch, Chairman and Vice-Chairman of Panchayat Samities and President and Vice-President of Zilla Parishads on the dates prescribed by the Commission in poll programme, the members elected have to take part in the said elections.

The Commission is of the view that since small number of elected members will contest or vote for these august offices and the winning or losing will be by a thin margin in many cases, it is in the interest of free and fair elections that all elected members who are eligible to take part in the indirect election should get a chance to contest or vote during such elections to the offices of Naib Sarpanch of Panchayat, Chairman and Vice-Chairman of Panchayat Samiti and President and Vice-President of Zilla Parishad.

In this background, the Commission has directed as follows :

- (a) On the date of election if the detainee is lodged in police or judicial custody in the same headquarters, then the Presiding Officer concerned along with an Executive Magistrate shall go to the place of custody, get his vote and seal the same in their presence and bring back the sealed packet to the place of counting and count the same. The District Magistrate shall take steps accordingly.
- (b) In case, the elected representative is detained at a place outside the headquarters at which the voting takes place, then the District Magistrate shall take appropriate steps in time to move the appropriate authority requesting the presence of the detainee at the place of election in the police custody to participate in the election and then to send him back soon after the election is over.
- (c) If there is no contest, which can be known only on the date of election, then soon after the time fixed for filing nomination is over the detainee shall be sent back to the appropriate custody under prescribed escort.
- (d) Notices for the meeting for such elections shall be sent to these detainees in accordance with the prescribed procedure through you.

You are requested to be alert and take timely action to implement the Commissioner's directions.

Yours faithfully,

**B. K. DHAL
Secretary**

ରାଜ୍ୟ ନିର୍ବାଚନ ଆୟୋଗ, ଓଡ଼ିଶା
ତୋଷାଳି ଭବନ, ବି-୨, ପ୍ରଥମ ମହଲା
ସତ୍ୟନଗର, ଭୁବନେଶ୍ୱର-୭୫୧୦୦୭

ତାରିଖ ୨୯ ଜାନୁଆରୀ ୧୯୯୩

(ନିର୍ବାଚନ-ଗ୍ରା.ପ.)

ପ୍ରାପକ :

ସମସ୍ତ ଜିଲ୍ଲାପାଳ ।

ବିଷୟ-ଗ୍ରାମ ପଞ୍ଚାୟତ ନାଏବ ସରପଞ୍ଚ, ପଞ୍ଚାୟତ ସମିତି ଅଧ୍ୟକ୍ଷ ଓ ଉପାଧ୍ୟକ୍ଷ, ଜିଲ୍ଲା ପରିଷଦ ସଭାପତି ଓ ଉପ-ସଭାପତି ପରୋକ୍ଷ ନିର୍ବାଚନରେ ଅଟକଥିବା ବ୍ୟକ୍ତିଙ୍କ ଅଂଶ ଗ୍ରହଣ ସମ୍ପର୍କରେ ।

ମହାଶୟା/ମହାଶୟ,

ସଂଖ୍ୟା ୧୯୩୩-ରା.ନି.ଆ.—ଏହା କମିଶନଙ୍କ ଦୃଷ୍ଟିକୁ ଆସିଅଛି ଯେ କେତେକ ଖାର୍ଡ଼ ମେମ୍ବର, ସରପଞ୍ଚ, ପଞ୍ଚାୟତ ସମିତି ସଭ୍ୟ ଓ ଜିଲ୍ଲା ପରିଷଦ ସଭ୍ୟ ବିଭିନ୍ନ କାରଣରୁ ଆଇନ ଅନୁଯାୟୀ ବିଚାର ବିଭାଗୀୟ କିମ୍ବା ପୂର୍ଣ୍ଣ ହାଜତରେ ଅଛନ୍ତି । କମିଶନଙ୍କ ଦ୍ୱାରା ଶ୍ରେଣୀକୃତ ତାରିଖରେ ନାଏବ ସରପଞ୍ଚ, ପଞ୍ଚାୟତ ସମିତି ଅଧ୍ୟକ୍ଷ ଓ ଉପାଧ୍ୟକ୍ଷ, ଜିଲ୍ଲା ପରିଷଦ ସଭାପତି ଓ ଉପ-ସଭାପତି ପଦ ପାଇଁ ପରୋକ୍ଷ ନିର୍ବାଚନରେ ନିର୍ବାଚିତ ସଭ୍ୟମାନେ ଅଂଶ ଗ୍ରହଣ କରିବେ ।

ଯେହ୍ନେତୁ ଉକ୍ତ ନିର୍ବାଚନରେ କମ୍ ସଂଖ୍ୟକ ନିର୍ବାଚିତ ପ୍ରତିନିଧି ମତଦାନ ଦେବେ ଓ ପ୍ରତିଦୃଷ୍ଟିତା କରିବେ ଏବଂ ଜିତିବାର ବ୍ୟବଧାନ ବହୁତ କ୍ଷେତ୍ରରେ ଖୁବ କମ୍, ନିର୍ବାଚନକୁ ଅବାଧ ଓ ନିରପେକ୍ଷ କରିବା ପାଇଁ ସମସ୍ତ ଯୋଗ୍ୟ ନିର୍ବାଚିତ ପ୍ରତିନିଧି ନାଏବ ସରପଞ୍ଚ, ପଞ୍ଚାୟତ ସମିତି ଅଧ୍ୟକ୍ଷ ଓ ଉପାଧ୍ୟକ୍ଷ, ଜିଲ୍ଲା ପରିଷଦ ସଭାପତି ଓ ଉପ-ସଭାପତି ପାଇଁ ପରୋକ୍ଷ ନିର୍ବାଚନରେ ପ୍ରତିଦୃଷ୍ଟିତା କରିବା କିମ୍ବା ମତଦାନ କରିବା ପାଇଁ ସୁଯୋଗ ଦେବା ଦରକାର ।

ଏହି ପରିପ୍ରେକ୍ଷାରେ କମିଶନ ନିମ୍ନଲିଖିତ ନିର୍ଦ୍ଦେଶ ଦେଉଛନ୍ତି :-

- (କ) ନିର୍ବାଚନ ଦିନ ଯଦି ଅଟକ ବ୍ୟକ୍ତି ସଂପୃକ୍ତ ସଦର ମହକୁମାରେ ବିଚାର ବିଭାଗୀୟ କିମ୍ବା ପୋଲିସ ହାଜତରେ ଥାଆନ୍ତି, ତେବେ ପ୍ରିଜାଇଡିଂ ଅଫିସର ଜଣେ କାର୍ଯ୍ୟ ନିର୍ବାହୀ ଦଣ୍ଡାଧିକାରୀ ସହିତ ଭୋଟ ନେବାକୁ ହାଜତ ପାଖକୁ ଯିବେ । ଉକ୍ତ ଭୋଟକୁ ମାଜିଷ୍ଟ୍ରେଟଙ୍କ ସାମନାରେ ମୁଦ୍ଦ ଦେଇ ଭୋଟ ଗଣତି ସ୍ଥାନକୁ ଆଣିବେ ଓ ଗଣନା କରିବେ । ଜିଲ୍ଲା ମାଜିଷ୍ଟ୍ରେଟ ତଦନୁଯାୟୀ ପଦକ୍ଷେପ ନେବେ ।
- (ଖ) ଯେଉଁ କ୍ଷେତ୍ରରେ ନିର୍ବାଚିତ ବ୍ୟକ୍ତି ଭୋଟ ଗଣନା କରାଯାଉଥିବା ସ୍ଥାନର ବାହାର ସଦର ମହକୁମାରେ ଅଟକ ଥାଆନ୍ତି, ସେ କ୍ଷେତ୍ରରେ ଜିଲ୍ଲା ମାଜିଷ୍ଟ୍ରେଟ ଯଥା ସମୟରେ ଉପଯୁକ୍ତ ପଦକ୍ଷେପ ନେବେ ଓ ସଂପୃକ୍ତ ନିର୍ବାଚିତ ପ୍ରତିନିଧିଙ୍କୁ ପୋଲିସ ତତ୍ତ୍ୱାବଧାନରେ ଆଣି ନିର୍ବାଚନରେ ଭାଗ କରାଇବେ ।
- (ଗ) ନିର୍ବାଚନ ପ୍ରତିଦୃଷ୍ଟିତା ହେବ ନାହିଁ ଜଣାପଡ଼ିଲେ ମନୋନୟନ ପତ୍ର ଗ୍ରହଣ ହେବା ପରେ ପରେ ସଂପୃକ୍ତ ନିର୍ବାଚନ ପ୍ରତିନିଧିଙ୍କୁ ସୁରକ୍ଷା ବଳୟରେ ଦୁରନ୍ତ ହାଜନକୁ ପଠାଇ ଦେବେ ।
- (ଘ) ଉକ୍ତ ନିର୍ବାଚନ ସକାଶେ ସଭା ପାଇଁ ନିର୍ଦ୍ଦେଶକୁ ପାଳନ କରି ଅଟକ ଥିବା ବ୍ୟକ୍ତିଙ୍କୁ ଉପଯୁକ୍ତ ପ୍ରକ୍ରିୟା ଦ୍ୱାରା ନୋଟିସ ଦିଆଯିବ ।

ଏ କ୍ଷେତ୍ରରେ ସକାଶ ରହିବା ଓ ସମୟାନୁଯାୟୀ ପଦକ୍ଷେପ ନେବା ନିମିତ୍ତ କମିଶନ ଅନୁରୋଧ କରୁଛନ୍ତି ।

ଆପଣଙ୍କ ବିଶ୍ୱସ୍ତ

ସଚିବ

**STATE ELECTION COMMISSION, ODISHA
SAMABAYA BHAWAN, JANPATH
UNIT-IX, BHUBANESWAR**

No 3005 /SEC Bhubaneswar dated 29.12.1996

Sub: Issue of certified copies of election related documents for ensuing Panchayat Election.

The Commission has received some complaints to the effect that certified copies of orders of ERO on addition/deletion/correction of entries in the Electoral Roll and of Election Officer on orders of rejection/ acceptance etc. of nomination papers filed by the Candidates for the Office of Ward Member, Sarpanch, Panchayati Samiti Member and Zilla Parishad Member are not being supplied to the applicant.

2. In this back ground, Commission has directed that since these are public documents and after receipt of the orders only, person can move the appropriate forum for seeking redressal, true and attested copies of orders/documents may be granted to the applicant after observing the following procedure.

- (i) The Sub-Collectors who are the Election Officers in respect of Zilla Parishad constituencies will issue certified copy as per the procedure laid down in Orissa Record Manual.
- (ii) The Block Development Officer who are the Election Officers in respect of Panchayat Samiti Member/ Sarpanch/ Ward Member will issue true and attested copies of the documents required by the concerned parties only on the parties making an application in accordance with the provisions of Chapter IX of Orissa Record Manual. The fees required for the purpose in the records manual shall be deposited by the concerned parties in cash for which a receipt shall be given by the office of BDO. The fees thus received will be credited in due course in the following head of account;

“0070- Other administrative Service”

02-Election-101-Sale Proceeds of election forms and documents-
Receipts from Grama Panchayat Election.

3. The copies of the required documents may be prepared manually or by making out Xerox copies of the same in case such facilities are available at block head quarters. In other cases, the documents should be attested as true copy original. The Commission has issued the above orders in exercise of the powers under Article 243-K of the Constitution of India.

By Order and in the name of
State Election Commission, Odisha
B.K.Dhal
Secretary

Memo No. 3006

Copy to all Sub-Collectors/District Panchayat Officers/Block Development Officers for information and necessary action.

Secretary

ରାଜ୍ୟ ନିର୍ବାଚନ ଆୟୋଗ, ଓଡ଼ିଶା
ତୋଷାଳି ଭବନ, ବି-୨, ପ୍ରଥମ ମହଲା
ସତ୍ୟନଗର, ଭୁବନେଶ୍ୱର-୭୫୧୦୦୭

ପତ୍ର ସଂଖ୍ୟା ୩୦୦୫/ରା.ନି.ଆ.—ତା ୨୯ ଡିସେମ୍ବର ୧୯୯୬ରିଖ

ପ୍ରେରକ :

ଶ୍ରୀ ବିଜୟ କୁମାର ଧଳ ,
ସଚିବ ।

ପ୍ରାପକ :

ସମସ୍ତ ଜିଲ୍ଲାପାଳ ।

ବିଷୟ—ପଞ୍ଚାୟତ ନିର୍ବାଚନ ସଂକ୍ରାନ୍ତୀୟ ଦସ୍ତାବିଜର ପ୍ରମାଣିକୃତ ନକଲ ପ୍ରଦାନ ସମ୍ପର୍କରେ ।

ମହାଶୟା/ମହାଶୟ,

କମିଶନଙ୍କ ପାଖରୁ ଭୋଟର ତାଲିକାର ଯୋଗ/ବିଯୋଗ/ସଂଶୋଧନ ସଂକ୍ରାନ୍ତୀୟ ଇଲୋକୂରାଲ ରେଜିଷ୍ଟ୍ରେସନ ଅଫିସରଙ୍କ ଆଦେଶ ଓଡ଼ି ମେମ୍ବର, ସରପଞ୍ଚ, ପଞ୍ଚାୟତ ସମିତି ସଭ୍ୟ ଓ ଜିଲ୍ଲା ପରିଷଦ ସଭ୍ୟ ପ୍ରାର୍ଥୀ ପାଇଁ ଦାଖଲ କରାଯାଇଥିବା ମନୋନୟନ ପତ୍ରର ଗ୍ରାହ୍ୟ/ଅଗ୍ରାହ୍ୟ ସଂକ୍ରାନ୍ତୀୟ ଆଦେଶ ଦରଖାସ୍ତକାରୀଙ୍କୁ ଦିଆଯାଇ ନାହିଁ ବୋଲି କମିଶନଙ୍କ ପାଖରେ ଅଭିଯୋଗ ହେଉଅଛି ।

ଏହି ପରିପ୍ରେକ୍ଷାରେ କମିଶନ ନିର୍ଦ୍ଦେଶ ଦେଇଛନ୍ତି ଯେହେତୁ ଏ ଗୁଡ଼ିକ ସର୍ବସାଧାରଣଙ୍କ ଦସ୍ତାବିଜ ଏବଂ ଏହି ଆଦେଶଗୁଡ଼ିକ ପାଇଲା ପରେ ବ୍ୟକ୍ତିମାନେ ସମ୍ବନ୍ଧିତ ବିଚାରପୀଠ (Forum) ରେ ପ୍ରତିକାର ପାଇବା ନିମିତ୍ତ ଆଶ୍ରୟ ନେବେ । ଏହି ଆଦେଶ/ଦସ୍ତାବିଜଗୁଡ଼ିକର ଠିକ ଓ ଅନୁପ୍ରମାଣିତ ନକଲ (True & attested copies) ନିମ୍ନଲିଖିତ ପ୍ରକ୍ରିୟାକୁ ପାଳନ କରି ପ୍ରଦାନ କରାଯାଇପାରେ ।

- (କ) ଉପ-ଜିଲ୍ଲାପାଳ ଯେଉଁମାନେ ଜିଲ୍ଲା ପରିଷଦ ନିର୍ବାଚନ ମଣ୍ଡଳୀ ପାଇଁ ନିର୍ବାଚନ ଅଧିକାରୀ ପ୍ରମାଣିକୃତ ନକଲକୁ ଓଡ଼ିଶା ଅଭିଲେଖା ନିୟମ ବହି (Odisha Record Manual) ର ବ୍ୟବସ୍ଥା ଅନୁଯାୟୀ ପ୍ରଦାନ କରିବେ ।
- (ଖ) ବ୍ଲକ୍ ଉନ୍ନୟନ ଅଧିକାରୀ ଯେଉଁମାନେ ପଞ୍ଚାୟତ ସମିତି ସଭ୍ୟ/ସରପଞ୍ଚ/ଓଡ଼ି ମେମ୍ବର ପାଇଁ ନିର୍ବାଚନ ଅଧିକାରୀ ଦସ୍ତାବିଜ ଠିକ୍ ଓ ଅନୁପ୍ରମାଣିତ ନକଲ ସଂପୃକ୍ତ ପକ୍ଷକୁ ଆବେଦନ ଦ୍ୱାରା ଓଡ଼ିଶା ଅଭିଲେଖା ନିୟମ ମହିର ନବମ ପରିଚ୍ଛେଦ (IX Chapter)ର ବ୍ୟବସ୍ଥା ଅନୁସାରେ ପ୍ରଦାନ କରିବେ । ଅଭିଲେଖା ନିୟମ ବହି ଅନୁସାରେ ଆବଶ୍ୟକୀୟ ଦେୟ (fees) ସଂପୃକ୍ତ ପକ୍ଷ ଦ୍ୱାରା ଟଙ୍କା ଆକାରରେ ଜମା କରାଯିବ ଓ ଏଥି ପାଇଁ ବି.ଡି.ଓ. ଏକ ରସିଦ୍ ପ୍ରଦାନ କରିବେ । ଏହି ସଂଗୃହିତ ଦେୟ ନିମ୍ନଲିଖିତ ହିସାବ ଶୀର୍ଷକ (Head of Account) “0070-Other administrative Service” 02-Election-101-Sales Proceeds of election forms and documents Receipts from Gram Panchayat Electionରେ ଜମା ହେବ ।
- (ଗ) ଆବଶ୍ୟକୀୟ ଦସ୍ତାବିଜର ନକଲ ହାତଲେଖା କିମ୍ବା ଜେରକ୍ସ ଆକାରରେ ସୁବିଧା ଅନୁସାରେ ପ୍ରସ୍ତୁତ କରାଯିବ । ଅନ୍ୟ କ୍ଷେତ୍ରରେ ଦସ୍ତାବିଜଗୁଡ଼ିକ ଠିକ୍ ମୂଲ୍ୟ କପି ବୋଲି ଅନୁପ୍ରମାଣିତ ହେବା ଉଚିତ । ଭାରତୀୟ ସମ୍ବିଧାନର ଧାରା ୨୪୩-K କ୍ଷମତା ବଳରେ କମିଶନ ଉପରୋକ୍ତ ଆଦେଶ ଦେଇଅଛନ୍ତି ।

ରାଜ୍ୟ ନିର୍ବାଚନ କମିଶନ, ଓଡ଼ିଶାଙ୍କ
ଆଦେଶ କ୍ରମେ
ସଚିବ

ନିର୍ବାଚନ ସମ୍ବନ୍ଧୀୟ ଖର୍ଚ୍ଚର ହିସାବ ପ୍ରଦାନ ନିମନ୍ତେ ପତ୍ର
(ନିର୍ବାଚନ ଅଧିକାରୀ ପ୍ରାର୍ଥୀଙ୍କୁ ଦେବେ)

ପ୍ରାପ୍ତେଷୁ :

(ପ୍ରାର୍ଥୀଙ୍କର ନାମ ଓ ଠିକଣା)

ବିଷୟ—ନିର୍ବାଚନ ସମ୍ବନ୍ଧୀୟ ଖର୍ଚ୍ଚ ହିସାବ ପ୍ରଦାନ କରିବା

ମହାଶୟ/ମହାଶୟା,

ରାଜ୍ୟ ନିର୍ବାଚନ କମିଶନ, ଓଡ଼ିଶାଙ୍କ ଆଦେଶନାମା ସଂଖ୍ୟା ୫୪୧୩, ତା ୨୭-୦୨-୨୦୦୬ ରିଖ ଓ ୪୪୮୩, ତା ୧୬-୧୧-୨୦୧୬ ରିଖ ପ୍ରତି ଦୃଷ୍ଟି ଆକର୍ଷଣ କରି ଜଣାଇ ଦିଆଯାଉଅଛି ଯେ ଜିଲ୍ଲା ପରିଷଦ ସଭ୍ୟ, ସମିତି ସଭ୍ୟ ଏବଂ ସରପଞ୍ଚ ପଦବୀ ପାଇଁ ପ୍ରତିଦୃଷ୍ଟିତ କରୁଥିବା ପ୍ରତ୍ୟେକ ପ୍ରାର୍ଥୀ ସେମାନଙ୍କର ନିର୍ବାଚନ ସଂକ୍ରାନ୍ତୀୟ ଖର୍ଚ୍ଚର ହିସାବ ତଦାରଖ ନିମନ୍ତେ ରଖିବେ । ଫଳାଫଳ ଘୋଷଣା ପରେ ସଂପୂର୍ଣ୍ଣ ହିସାବର ବିବରଣୀ ଦାଖଲ କରିବେ ।

- (୧) ଆପଣ ପ୍ରତ୍ୟେକ ଦିନର ଖର୍ଚ୍ଚର ହିସାବ ସଂଲଗ୍ନ ହୋଇଥିବା ଫାରମ ନଂ. ୧ ଅନୁସାରେ ଏକ 36 cm. X 30 cm. ରେଜିଷ୍ଟରରେ ଲିପିବଦ୍ଧ କରିବେ ଓ ସମର୍ପିତ ଭାଉଚର, ବିଲ୍ ଇତ୍ୟାଦି କ୍ରମାନ୍ୱୟରେ ରଖିବେ ।
- (୨) ଏହି ରେଜିଷ୍ଟର ପର୍ଯ୍ୟବେକ୍ଷକଙ୍କ ତଦାରଖ ନିମନ୍ତେ ଉପଜିଲ୍ଲାପାଳ ଏବଂ ଗୋଷ୍ଠୀ ଉନ୍ନୟନ ଅଧିକାରୀଙ୍କ କାର୍ଯ୍ୟାଳୟରେ ନିର୍ଦ୍ଧାରିତ ତାରିଖରେ ଉପସ୍ଥାପନ କରିବେ । ନିର୍ଦ୍ଧାରିତ ତାରିଖ ଉପରୋକ୍ତ କାର୍ଯ୍ୟାଳୟର ନୋଟିସ ବୋର୍ଡରେ ପ୍ରକାଶନ କରାଯିବ । ଯେକୌଣସି ସମୟରେ ଆବଶ୍ୟକ ପଡ଼ିଲେ ଖର୍ଚ୍ଚର ସମର୍ପିତ ଭାଉଚର ମଧ୍ୟ ଉପସ୍ଥାପନ କରାଯିବ ।
- (୩) ସେହିପରି ଆବଶ୍ୟକ ପଡ଼ିଲେ ରେଜିଷ୍ଟର ଓ ତଦ୍‌ସମ୍ବନ୍ଧୀୟ ଭାଉଚର ରାଜ୍ୟ ନିର୍ବାଚନ କମିଶନଙ୍କ ଦ୍ୱାରା ନିୟୁକ୍ତ ହୋଇଥିବା କ୍ଷମତାପୂର୍ଣ୍ଣ ଅଧିକାରୀଙ୍କ ନିକଟରେ ମଧ୍ୟ ଉପସ୍ଥାପନା କରିବେ ।
- (୪) ଜିଲ୍ଲା ପରିଷଦ ସଭ୍ୟ ନିର୍ବାଚନ ସଂକ୍ରାନ୍ତୀୟ ଖର୍ଚ୍ଚର ସମ୍ପୂର୍ଣ୍ଣ ବିବରଣୀ ନିର୍ବାଚନ ଫଳ ଘୋଷଣା ହେବାର ୩୦ ଦିନ ମଧ୍ୟରେ ଜିଲ୍ଲାପାଳଙ୍କୁ ଓ ପଞ୍ଚାୟତ ସମିତି, ସରପଞ୍ଚ ପ୍ରାର୍ଥୀ ସଂପୂର୍ଣ୍ଣ ଗୋଷ୍ଠୀ ଉନ୍ନୟନ ଅଧିକାରୀଙ୍କୁ ଉପରୋକ୍ତ ଆଦେଶରେ ଥିବା ଫାରମ ୨ରେ ଦାଖଲ କରିବେ ।
- (୫) ଉଭୟ ଫାରମ (୧ ଏବଂ ୨) ଏହି ଚିଠି ସହିତ ସଂଲଗ୍ନ କରାଯାଇଅଛି ।

ଆପଣଙ୍କର ବିଶ୍ୱସ୍ତ,

ନିର୍ବାଚନ ଅଧିକାରୀ

ପ୍ରାପ୍ତପତ୍ର

ପ୍ରାପ୍ତେଷୁ :

ନିର୍ବାଚନ ଅଧିକାରୀ,

ଜିଲ୍ଲା ପରିଷଦ, ପଞ୍ଚାୟତ ସମିତି, ସରପଞ୍ଚ

ମହାଶୟ,

ମୁଁ ଶ୍ରୀ / ଶ୍ରୀମତୀ / କୁମାରୀ.....ନିର୍ବାଚନ ଖର୍ଚ୍ଚର ହିସାବ ପ୍ରସ୍ତୁତ ପାଇଁ ଆବଶ୍ୟକ ଫାରମ ପ୍ରାପ୍ତ ହେଲି ଓ ତଦନୁଯାୟୀ ନିର୍ବାଚନ ସଂକ୍ରାନ୍ତୀୟ ଖର୍ଚ୍ଚର ହିସାବ ଖର୍ଚ୍ଚ-ପର୍ଯ୍ୟବେକ୍ଷକଙ୍କ ନିକଟରେ ଉପସ୍ଥାପନା କରିବି ଓ ଫଳାଫଳ ଘୋଷଣା ପରେ ସଂପୂର୍ଣ୍ଣ ନିର୍ବାଚନ ଅଧିକାରୀଙ୍କ ନିକଟରେ ଦାଖଲ କରିବି ।

ଆପଣଙ୍କର ବିଶ୍ୱସ୍ତ,

ପ୍ରାର୍ଥୀଙ୍କର ଦସ୍ତଖତ ଏବଂ ତାରିଖ

ନିର୍ବାଚନ ଖର୍ଚ୍ଚର ବିବରଣୀ

୧ । ପ୍ରାର୍ଥୀଙ୍କର ନାମ :

୨ । (କ) ପ୍ରତିଦ୍ୱନ୍ଦ୍ୱିତା କରୁଥିବା ଜିଲ୍ଲା ପରିଷଦ ଜ୍ଞାନର ନମ୍ବର ଓ ନାମ :

(ଖ) ରାଜନୈତିକ ଦଳର ନାମ ଯଦି ଥାଏ :

(ଗ) ପ୍ରତିଦ୍ୱନ୍ଦ୍ୱିତା କରୁଥିବା ପଞ୍ଚାୟତ ସମିତିର ନିର୍ବାଚନ ମଣ୍ଡଳୀ ନାମ :

(ଘ) ପ୍ରତିଦ୍ୱନ୍ଦ୍ୱିତା କରୁଥିବା ଗ୍ରାମ ପଞ୍ଚାୟତର ନାମ :

ଫାରମ ୧ ପ୍ରତିଦିନର ହିସାବ

ତାରିଖ	କେଉଁ ପ୍ରକାରର ଖର୍ଚ୍ଚ	ଖର୍ଚ୍ଚର ପରିମାଣ		ବକେୟା ପରିଶୋଧ କରିବା ତାରିଖ	ଗ୍ରହଣୀତାଙ୍କର ନାମ ଏବଂ ଠିକଣା
(୧)	(୨)	(୩)	(୪)	(୫)	(୬)
	ପୈଠ କରାଯାଇଥିଲେ ଭାଉଚରର କ୍ରମିକ ନଂ.	ବକେୟା ଥିଲେ ବିଲର କ୍ରମିକ ନଂ.		ଗ୍ରହଣୀତାଙ୍କୁ ପୈଠ ହୋଇଥିଲେ ବା ବକେୟା ଥିଲେ ତାଙ୍କର ନାମ ଏବଂ ଠିକଣା	ମତ୍ତବ୍ୟ
(୭)		(୮)		(୯)	(୧୦)

ବି.ଦ୍ର.—ମୋଟର ଯାନ ଖର୍ଚ୍ଚ ସହିତ ନିର୍ବାଚନ ସଂକ୍ରାନ୍ତୀୟ ସମସ୍ତ ଖର୍ଚ୍ଚର ହିସାବ ଏହି ଫାରମାଟରେ ରଖାଯିବ ।

ପ୍ରାର୍ଥୀ କିମ୍ବା ତାଙ୍କ ଦ୍ୱାରା କ୍ଷମତାପ୍ରାପ୍ତ ବ୍ୟକ୍ତିଙ୍କର ସମ୍ପୂର୍ଣ୍ଣ ଦସ୍ତଖତ

ଫାରମ ୨
ସମୁଦାୟ ନିର୍ବାଚନ ଖର୍ଚ୍ଚର ହିସାବ

ଖର୍ଚ୍ଚର ଶୀର୍ଷକ	ପରିମାଣ ନମ୍ବର	ବ୍ୟକ୍ତିଙ୍କ ନାମ/ପରିମାଣ/ ରାଜନୈତିକ ଦଳ/ କିମ୍ବା ଖର୍ଚ୍ଚ କରିବା ପାଇଁ କ୍ଷମତାପ୍ରାପ୍ତ ସଂସ୍ଥା	ଖର୍ଚ୍ଚ ପରିମାଣ	ପୈଠ ତାରିଖ	ପୈଠ କରିବାର ପଦ୍ଧତି	ପୈଠ କରିବା ହିସାବର ପ୍ରମାଣ	ମତ୍ତବ୍ୟ
(୧)	(୨)	(୩)	(୪)	(୫)	(୬)	(୭)	(୮)

୧ । ଅମାନତ ଜମା

୨ । ଭୋଟର ଲିଷ୍ଟ
କିଣିବାର ଖର୍ଚ୍ଚ

୩ । ପୁସ୍ତକାଳୟ ଖର୍ଚ୍ଚ—

(a) ଘୋଷଣାପତ୍ର

(b) ବିଜ୍ଞାପନପତ୍ର

(c) ପ୍ରଚାରପତ୍ର

(d) ଅନ୍ୟାନ୍ୟ

୪ । ଇସ୍ତାହାର ସମ୍ବନ୍ଧୀୟ ଖର୍ଚ୍ଚ—

(a) ଘରୋଇ କାଢ଼ରେ
ବିଜ୍ଞାପନ ।

(b) ପ୍ରଚାରପତ୍ର ବ୍ୟୟ

(c) ପ୍ରଚାରପତ୍ର ଥିଆ
ଦ୍ୱାରା ଲଗାଇବା ।

(d) ପ୍ରକାଶନ

(e) ଅନ୍ୟାନ୍ୟ

(୧)	(୨)	(୩)	(୪)	(୫)	(୬)	(୭)	(୮)
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୫ । କାଗଜ କଲମ କିଣା

୬ । ନିର୍ବାଚନ ସଭା ଖର୍ଚ୍ଚ—

(a) ସଭାସ୍ଥଳ ଭଡା

(b) ମଣ୍ଡପ ଭଡା

(c) ଡାକବାଜି ଯନ୍ତ୍ର

୭ । ମୋଟର ଯାନ ଖର୍ଚ୍ଚ—

(a) ବ୍ୟବହୃତ ଗାଡ଼ି ସଂଖ୍ୟା
ଓ ପୈଠ ଭଡା ।

(b) ତେଲ କିଣା ଖର୍ଚ୍ଚ

୮ । ଖାଦ୍ୟପେୟ ବାବଦରେ ଖର୍ଚ୍ଚ—

(a) ନିର୍ବାଚନ ପ୍ରତିନିଧିଙ୍କ ନିମନ୍ତେ

(b) ପୋଲିଂ/ଗଣନାକାରୀ
ଏଜେଣ୍ଟଙ୍କ ନିମନ୍ତେ ।

୯ । ଅନ୍ୟାନ୍ୟ ଖର୍ଚ୍ଚ ଯାହାକି

ଉପରେ ଉଲ୍ଲେଖ

କରାଯାଇ ନାହିଁ ।

ପ୍ରାର୍ଥୀଙ୍କର କିମ୍ବା କ୍ଷମତାପତ୍ର ବ୍ୟକ୍ତିଙ୍କର ପୂର୍ଣ୍ଣ ସ୍ୱାକ୍ଷର

ବି. ଦ୍ର.—ନିର୍ବାଚନ ଫଳାଫଳ ଘୋଷଣା ହେବାର ଏକ ମାସ ମଧ୍ୟରେ ସମ୍ପୂର୍ଣ୍ଣ ବିବରଣୀ ଜିଲ୍ଲାପାଳ/ଗୋଷ୍ଠୀ ଉନ୍ନୟନ ଅଧିକାରୀଙ୍କୁ ଦାଖଲ କରାଯିବ ।

**ରାଜ୍ୟ ନିର୍ବାଚନ ଆୟୋଗ ,ଓଡ଼ିଶା
ଡୋଷାଳୀ ଭବନ,ବି-୨ ,ପ୍ରଥମ ମହଲା,ସତ୍ୟ ନଗର,
ଭୁବନେଶ୍ୱର-୭୫୧୦୦୭**

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Fax No. 0674-2573494

ଆଦେଶ

ସଂଖ୍ୟା ୩୬୬୯/ ରା.ନି.ଆ

ତା ୧୫.୧୧.୨୦୨୧ ରିଖ

ଯେହେତୁ ସମସ୍ତ ତ୍ରି-ସରାୟ ପଞ୍ଚାୟତ ଅନୁଷ୍ଠାନର ନିର୍ବାଚନ ଅଧିକ୍ଷଣ, ନିର୍ଦ୍ଦେଶନାମା ଓ ନିୟନ୍ତ୍ରଣ କ୍ଷମତା ଭାରତ ସମିଧାନର ଧାରା ୨୪୩-କେ ରେ ରାଜ୍ୟ ନିର୍ବାଚନ ଆୟୋଗଙ୍କ ଉପରେ ନ୍ୟସ୍ତ କରାଯାଇଅଛି ;

ଏବଂ ଯେହେତୁ ପଞ୍ଚାୟତ ନିର୍ବାଚନକୁ ଉଚିତ୍ ମାର୍ଗରେ ପରିଚାଳନା କରିବା ନିମନ୍ତେ ନିର୍ବାଚନ କମିଶନ ସମିଧାନର ୨୪୩-କେ ଧାରାରେ କ୍ଷମତାପ୍ରାପ୍ତ ହୋଇଅଛନ୍ତି, ତେଣୁ ଜିଲ୍ଲା ପରିଷଦ, ପଞ୍ଚାୟତ ସମିତି ଓ ସରପଞ୍ଚ ପଦବୀ ପ୍ରାର୍ଥୀଙ୍କ ନିର୍ବାଚନ ପ୍ରଚାର କାର୍ଯ୍ୟରେ ବ୍ୟବହାର କରୁଥିବା ଯାନ ଉପରେ ନିମ୍ନମତେ ସାମା ଧାର୍ଯ୍ୟ କରୁଛନ୍ତି ।

ପ୍ରାର୍ଥୀ	ବ୍ୟବହୃତ ହେବାକୁ ଥିବା ବାହନ	
	ଜିପ୍ ବା କାର	ମୋଟର ସାଇକଲ
ଜିଲ୍ଲା ପରିଷଦ ସଦସ୍ୟ	୫	୧୦
ପଞ୍ଚାୟତ ସମିତି ସଦସ୍ୟ	୨	୫
ସରପଞ୍ଚ	୨	୫

ଗାଡ଼ି ଓ ମୋଟର ସାଇକଲ ଧାର୍ଯ୍ୟ ସାମା ମଧ୍ୟରେ ଅଟେ ରିକ୍ସା ମଧ୍ୟ ବ୍ୟବହାର କରାଯାଇପାରିବ । ମୋଟର ଯାନ ବ୍ୟବହାର ଦିନଠାରୁ ଜିଲ୍ଲା ପରିଷଦ ପ୍ରାର୍ଥୀ ଯାନର ପ୍ରକାର, ତାହାର ପଞ୍ଜିକରଣ ନମ୍ବର, ଗାଡ଼ି ମାଲିକଙ୍କ ନାମ ଉପ-ଜିଲ୍ଲାପାଳଙ୍କୁ ଏବଂ ପଞ୍ଚାୟତ ସମିତି ଓ ସରପଞ୍ଚ ପ୍ରାର୍ଥୀ ସ୍ଥାନୀୟ ଗୋଷ୍ଠୀ ଉନ୍ନୟନ ଅଧିକାରୀଙ୍କୁ ଲିଖିତ ଭାବେ ଜଣାଇବେ । ଏହି ତଥ୍ୟର ତିନୋଟି ନକଲ ଦାଖଲ କରାଯିବ । ତଥ୍ୟର ଗୋଟିଏ ନକଲ ଉପ-ଜିଲ୍ଲାପାଳ /ଗୋଷ୍ଠୀ ଉନ୍ନୟନ ଅଧିକାରୀ ନିକଟସ୍ଥ ମୋଟର ଯାନ କର୍ତ୍ତୃପକ୍ଷଙ୍କୁ ଦେବେ ଓ ଅନ୍ୟଟି ନିଜ ପାଖରେ ରଖିବେ । ତୃତୀୟ ନକଲଟିରେ ଉପ-ଜିଲ୍ଲାପାଳ/ଗୋଷ୍ଠୀ ଉନ୍ନୟନ ଅଧିକାରୀ ବା ତାଙ୍କ କ୍ଷମତାସମ୍ପନ୍ନ ଅଧିକାରୀ ସାକ୍ଷର ଓ ଅସାକ୍ଷର ମୋହର ଲଗାଇ ପ୍ରାର୍ଥୀଙ୍କୁ ଫେରାଇ ଦେବେ । ମୋଟର ଯାନ ଅଧିକାରୀ ଗୋଟିଏ ରେଜିଷ୍ଟରରେ ସମସ୍ତ ତଥ୍ୟ ଲିପିବଦ୍ଧ କରିବେ । କୌଣସି ସମୟରେ ନିର୍ବାଚନ ଅଧିକାରୀ କିମ୍ବା ତାଙ୍କ ଦ୍ୱାରା କ୍ଷମତାସମ୍ପନ୍ନ ଅଧିକାରୀ ଏହି ତଥ୍ୟ ଆବଶ୍ୟକ କଲେ, ପ୍ରାର୍ଥୀ ତଦାବଶ ନିମନ୍ତେ ତାହା ଉପସ୍ଥାପନ କରିବେ । ମୋଟର ଯାନ ସଂକ୍ରାନ୍ତୀୟ ସମସ୍ତ ଖର୍ଚ୍ଚ, ନିର୍ବାଚନ ଖର୍ଚ୍ଚ ସାମା ମଧ୍ୟରେ ସୀମିତ ରହିବ । ପ୍ରଚାର କାର୍ଯ୍ୟରେ ବ୍ୟବହୃତ ମୋଟର ଯାନ ଚାଳକ ଆରମ୍ଭ ହେବାର ୩୬ ଘଣ୍ଟା ପୂର୍ବରୁ ମୁକ୍ତ କରାଯାଇ ନିର୍ବାଚନ ଅଧିକାରୀଙ୍କୁ ଜଣାଇ ଦିଆଯିବ ।

ଏହି ଆଦେଶ ଅବମାନନାକୁ କମିଶନଙ୍କ ଦ୍ୱାରା ଜାରି ହୋଇଥିବା ନିର୍ଦ୍ଦେଶ ଆଚରଣ ବିଧିର ଉଲ୍ଲଙ୍ଘନ ଧରାଯିବ । ଏହି ଆଦେଶ ନିର୍ଦ୍ଦେଶ ଦିନରୁ ଲାଗୁ କରାଯିବ ।

ରାଜ୍ୟ ନିର୍ଦ୍ଦେଶନା କମିଶନଙ୍କ
ଆଦେଶାନୁସାରେ ଓ ନାମାନୁସାରେ

(ରବୀନ୍ଦ୍ର ନାଥ ସାହୁ)

ସଚିବ

ଜ୍ଞାପକ ସଂଖ୍ୟା ୩୨୭୦ /[ରା.ନି.ଆ.](#)

ତା ୧୫.୧୧.୨୦୨୧ ରିଖ

ଏହାର ନକଲ ନିର୍ଦ୍ଦେଶକ, ମୁଦ୍ରଣ, ଲିଖନ ଓ ପ୍ରକାଶନ, ଓଡ଼ିଶା, କଟକକୁ ପଠାଯାଇ ଅସାଧାରଣ ଓଡ଼ିଶା ଗେଜେଟ୍ ରେ ପ୍ରକାଶନ କରି ୧,୦୦୦ କିଡ଼ା ନକଲ ଯୋଗାଇଦେବାକୁ ଅନୁରୋଧ ।

ସଚିବ

ଜ୍ଞାପକ ସଂଖ୍ୟା ୩୨୭୧ /[ରା.ନି.ଆ.](#)

ତା ୧୫.୧୧.୨୦୨୧ ରିଖ

ଏହାର ନକଲ ପ୍ରମୁଖ ସଚିବ, ପଞ୍ଚାୟତି ରାଜ ଓ ପାନାୟ ଜଳ ବିଭାଗଙ୍କ ଅବଗତ ଓ କାର୍ଯ୍ୟାନୁଷ୍ଠାନ ନିମନ୍ତେ ପ୍ରେରଣ କରାଗଲା ।

ସଚିବ

ଜ୍ଞାପକ ସଂଖ୍ୟା ୩୨୭୨ /[ରା.ନି.ଆ.](#)

ତା ୧୫.୧୧.୨୦୨୧ ରିଖ

ଏହାର ନକଲ ସମସ୍ତ ଜିଲ୍ଲାପାଳ/ଉପ-ଜିଲ୍ଲାପାଳ/ଜିଲ୍ଲା ପଞ୍ଚାୟତ ଅଧିକାରୀ/ ମଣ୍ଡଳ ଉନ୍ନୟନ ଅଧିକାରୀଙ୍କ ଅବଗତ ଓ କାର୍ଯ୍ୟାନୁଷ୍ଠାନ ନିମନ୍ତେ ପ୍ରେରଣ କରାଗଲା ।

ସଚିବ

ଜ୍ଞାପକ ସଂଖ୍ୟା ୩୨୭୩ /[ରା.ନି.ଆ.](#)

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STATE ELECTION COMMISSION, ODISHA
TOSHALI BHAWAN, B-2, 1ST FLOOR, SATYANAGAR
BHUBANESWAR-751007
E-mail ID - stateelectioncommission.odisha@gmail.com

No. 4903 /SEC., Dated the 09.12-2016

From

Sri R. N. Sahu,
Secretary.

To

All Collectors.

Sub: General Elections to Panchayats-2017.

Despatch of Fax Message by Election Officers to the Commission immediately after

(a) Publication of final list of contesting candidates &

(b) Declaration or results.

Madam/Sir,

I am desired to say that in exercise of powers vested in the State Election Commission under Article 243 of the Constitution, the Commission has been pleased to direct that immediately after publication of the final list of contesting candidates, the Election Officer shall, on the same day, send a Message in **Proforma-I** (appended) furnishing therein certain information pertaining to contesting candidates for compilation, monitoring and dissemination at the Commission's end. It may be noted that each of the required information has been assigned an alphabet such as A, B, C, C(1), C(2)P, P(1), P(2), P(3), P(4), P(5), P(6) & P(7). The information is required to be furnished against each alphabet only in the form of a **numerical figure**. This arrangement will enable the reporting officer to make his Fax message brief and also facilitate easy and speedy compilation of the reports in the Commission, However, while reporting figures against each alphabet, the reporting officer shall also **write the figures in words** to avoid scope of any mistake.

2. The Commission is further pleased to direct that the Election Officer shall immediately after declaration of results, send on the same day a Fax Message to the Commission in **Proforma-II** (appended) furnishing therein certain information pertaining to the results of the elections for compilation and dissemination by the Commission. This information is also to be furnished in the same manner as described in para supra.

3. Two separate keys for the alphabets used in proforma I & II are annexed to these orders as Schedules I & II for reference and use of the reporting officers.

4. The Commission has already issued instructions directing that the B.D.O. shall be authorised to function as Election Officer for GP, Sarpanch, PS and ZP Constituencies coming

within the Block. The Commission therefore directs that each BDO, in his capacity as Election Officer, shall transmit message in Proformas I & II by Fax Message to the Commission as required under these orders. He shall simultaneously endorse a copy of the Fax Message to the Collector of the District for his reference and record.

Yours faithfully,
Sd/-
Secretary

PROFORMA – I

From
B.D.O.-cum-Election Officer,
_____ Block _____ District.

To
The Secretary,
State Election Commission, Odisha,
Toshali Bhawan, B-2, 1st Floor, Satyanagar, Bhubaneswar-751 007

Sir,
I am furnishing the following information pertaining to contesting candidates in the ensuing General Elections to Panchayats in compliance of Commission's Orders vide No. _____ dtd. _____.

MESSAGE BEGINS:

A _____	B _____	C _____
C (1) _____	C (2) _____	C (3) _____
D _____	E _____	E (1) _____
E (2) _____	E (3) _____	E (4) _____
F _____	F (1) _____	F (2) _____
F (3) _____	G _____	H _____
H (1) _____	H (2) _____	H (3) _____
H (4) _____	I _____	J _____
J (1) _____	J (2) _____	J (3) _____
K _____	K (1) _____	K (2) _____
K (3) _____	K (4) _____	K (5) _____
L _____	M _____	M (1) _____
M (2) _____	M (3) _____	N _____
O _____	O (1) _____	O (2) _____
O (3) _____	O (4) _____	P _____
P (1) _____	P (2) _____	P (3) _____
P (4) _____	P (5) _____	P (6) _____
P (7) _____	MESSAGE ENDS (.)	

B.D.O.-Cum-Election Officer

To be despatched to the Commission by Fax Message on the same day immediately after publication of the final list of contesting candidates.

**SCHEDULE – I
KEY TO PROFORMA – I**

A	Total No. of	G.P. in the Block
B	“	GP Wards in the Block
C	“	GP Wards from which candidates have been elected unopposed.
C(1)	“	SC candidates elected unopposed
C(2)	“	ST candidates elected unopposed
C(3)	“	Women candidates elected unopposed.
D	“	Wards for which no nomination has been filed.
E	“	Wards in which two or more candidates are left in the field
E(1)	“	SC candidates contesting from the wards stated at E above.
E(2)	“	ST candidates contesting from the Wards stated at E above
E(3)	“	Women candidates contesting from the wards stated E above
E(4)	“	Other candidates contesting from the wards stated at E above
F	“	Sarpanches elected unopposed
F(1)	“	SC candidates elected as Sarpanch unopposed
F(2)	“	ST candidates elected as Sarpanch unopposed
F(3)	“	Women candidates elected as Sarpanch unopposed
G	“	Offices of Sarpanch for which no nominations has been filed
H	“	Officers of Sarpanch for which two or more candidates are left in the field
H(1)	“	SC candidates contesting for the offices of Sarpanch stated at H above
H(2)	“	ST candidates contesting for the Offices of Sarpanch stated at H above
H(3)	“	Women candidates contesting for the offices of Sarpanch stated at H above
H(4)	“	Other candidates contesting for the offices of Sarpanch stated at H above
I	“	Number of PS constituencies in the Block
J	“	PS constituencies for which candidates have been elected unopposed
J (1)	“	SC candidates elected unopposed from PS constituencies
J (2)	“	ST candidates elected unopposed from PS Constituencies
J(3)	“	Women candidates elected unopposed from PS constituencies
K	“	PS constituencies in which two or more candidates remain in the field.
K (1)	“	SC candidates contesting from PS constituencies stated at K above
K (2)	“	ST candidates contesting from PS constituencies stated at K above.

- K (3) “ Women candidates contesting from PS constituencies stated at K above.
- K(4) “ Other candidates contesting from PS constituencies stated at K above
- K (5) “ PS Constituencies for which no nomination filed.
- L “ ZP constituencies in the District
- M “ ZP Constituencies from which candidates have been elected unopposed
- M(1) “ SC candidate4s who have been elected unopposed from ZP constituencies
- M(2) “ ST candidates who have been elected unopposed from ZP constituencies
- M(3) “ Women candidates who have been elected unopposed from ZP constituencies.
- N “ ZP Constituencies from which no nominations has been filed.
- O “ ZP constituencies in which two or more candidates are left in the field.
- O(1) “ SC candidates contesting from the constituencies stated at O above.
- O(2) “ ST candidates contesting from the constituencies stated at O above
- O(3) “ Women candidates contesting from the constituencies stated at O above
- O(4) “ Other candidates contesting from the constituencies stated at O above
- P “ Candidates belonging to BSP (Bahujan Samaj Party) elected unopposed.
- P(1) “ Candidates belonging to BJP (Bharatiya Janata Party) elected unopposed.
- P(2) “ Candidates belonging to CPI (Communist Party of India) elected unopposed.
- P(3) “ Candidates belonging to CPI (M) (Communist Party of India (Marxist) elected unopposed.
- P(4) “ Candidates belonging to INC (Indian National Congress) elected unopposed.
- P(5) “ Candidates belonging to NCP (Nationalist Congress Party) elected unopposed.
- P(6) “ Candidates belonging to BJD (Biju Janata Dal) elected unopposed.
- P (7) “ Candidates belonging to TMC (All India Trinmool Congress) elected unopposed.

PROFORMA-II

From

B.D.O.-cum-Election Officer,

_____ Block _____ District

To

The Secretary,

State Election Commission, Odisha,

Toshali Bhawan, B-2, 1st Floor, Satyanagar, Bhubaneswar-751 007

Sir,

I am furnishing the following information pertaining to candidates declared elected in the ensuing General Elections to Panchayats in compliance of Commission's orders vide No. _____ /SEC., dated _____

MESSAGE BEGINS

A _____	B _____	C _____
D _____	E _____	F _____
G _____	H _____	I _____
J _____	K _____	L _____
M _____	N _____	O _____
P _____	Q _____	R _____
S _____	T _____	U _____
V _____	W _____	X _____
X(1) _____	X(2) _____	X(3) _____
X(4) _____	X(5) _____	X(6) _____
X(7) _____		

B.D.O.-cum-Election Officer

* To be despatched to the Commission by Fax Message on the same day immediately after declaration of results.

SCHEDULE - II
KEY TO PROFORMA - II

A.	Total No. of	G.Ps in the Block	
B.	"	G.P. Wards in the Block	
C.	"	SC candidates elected from the Wards	(including uncontested)
D.	"	ST	"
E.	"	BCC	"
F.	"	Women	"
G.	"	Other	"
H.	"	SC candidates elected as Sarpanch from G.Ps	(including uncontested)
I.	"	ST	"
J.	"	BCC	"
K.	"	Women	"
L.	"	Other	"
M.	"	SC candidates elected as PS constituency Members	(including uncontested)
N.	"	ST	"
O.	"	BCC	"
P.	"	Women	"
Q.	"	Other	"
R.	"	Z.P. Constituencies in the Block	
S.	"	SC candidates elected from the Constituencies	(including uncontested)
T.	"	ST	"
U.	"	BCC	"
V.	"	Women	"
W.	"	Other	"
X.	"	BSP candidates elected from Z.P. Constituencies	(including uncontested)
X(1).	"	BJP	"
X(2).	"	CPI	"
X(3).	"	CPI(M)	"
X(4).	"	INC	"
X(5).	"	NCP	"
X(6).	"	BJD	"
X(7).	"	TMC	"

**ELECTION URGENT
BY FAX/E-MAIL**

**STATE ELECTION COMMISSION, ODISHA,
TOSHALI BHAWAN, B-2, 1ST FLOOR, SATYANAGAR,
BHUBANESWAR-751007.**

E-mail ID – stateelectioncommission.odisha@gmail.com

Fax No. 0674-2573494

No. 2876 /SEC.,

Dated the 16.10.2021

From

Sri R.N. Sahu, I.A.S.
Secretary.

To

All Collectors.

Sub: Guidelines for counting of votes at the Block Headquarters in the elections to Panchayati Raj Institutions

Madam/Sir

In inviting a reference to the subject cited above, I am directed to enclose herewith the the guidelines for counting of votes at the Block Headquarters in the elections to Panchayati Raj Institutions for taking necessary action at your end.

Yours faithfully,

Secretary

Memo No. 2877 /SEC., Dated the

Copy forwarded to the D.G. Police, Odisha, Cuttack/All superintendent of Police for information and necessary action..

Secretary

Memo No. 2878 /SEC., Dated the

Copy forwarded to the Principal-Secretary to Govt., Panchayati Raj and D.W. Department, Odisha Bhubaneswar for favour of information.

Secretary

Memo No. 2879 /SEC., Dated the

Copy forwarded to the all Sub- Collectors/ District Panchayat Officers / Block Development Officers for information and necessary action.

Secretary

ENCLOSURE- 17 Pages.

**GUIDELINES FOR COUNTING OF VOTES AT THE BLOCK HEADQUARTERS
IN THE ELECTIONS TO PANCHAYATI RAJ INSTITUTIONS.**

GENERAL:

- Counting of votes is the most important event of the entire election process. The result of the entire election may be nullified by wrong, irregular or careless counting. Election Officer should therefore exercise great vigilance not only on actual counting of votes but also in maintenance of discipline inside the counting hall.
- The earlier practice of counting at the polling station has been done away with, with the amendment of the Panchayat Election Rules. Counting of Votes at the Block Headquarters will be done for the first time in General Elections to Panchayati Raj Institutions, 2022 for which adequate precautions and due diligence shall be exercised by the Election Officer.
- The Collector being the District Election Officer should personally supervise and monitor the counting of votes right from the selection of counting hall till the declaration of results are over.
- The instruction of the Commission in the matter of counting of votes shall be strictly followed in the interest of free and fair poll.

COUNTING CENTRE:

- The Election Officer shall identify the building where counting of votes will be done well before the announcement of the poll schedule.
- The counting hall should be spacious enough to accommodate the Election Officer and other officials required to assist him as well as the candidates and counting agents.
- The counting of votes will be done Zilla Parishad Constituency-wise. The votes polled in one Z.P. Constituency shall be counted in one big hall.
- The counting of votes will be done for a period of three days during which the votes of all the Z.P. Constituencies in a Block will be counted.
- The Election Officer has to identify the required number of counting hall(s) taking into account the number of Zilla Parishad Constituencies in the Block.
- If the number of Zilla Parishad Constituencies are more than three in any particular Block the requirement of the counting hall(s) will be more than one.

- The Election Officer will chalk out the necessary arrangement to finish the counting within three days.
- The counting centre most preferably be located in the Block Office. If adequate space is not available in the Block Office, any Government building preferably College/High school at the Block Headquarters shall be identified for the above purpose.
- Each counting hall should have sufficient space and preferably have a separate entry and exit. Counting of votes will be done at the counting centre comprising one or more counting halls. Each counting hall shall be a separate room walled on all sides preferably with separate exit and entry facility.
- Apart from the counting hall(s) there shall be separate rooms available for strong room(s), one or more rooms for storing other election materials and another Communication Room in the building identified for the purpose.
- Availability of furniture, toilet, ramp and drinking water facility shall be taken into consideration while identifying the counting centre.
- Counting of votes in temporary structure is strictly prohibited.
- Counting centre should have fire fighting arrangement with power back up.
- Proper arrangement of loud speaker should be made for dissemination of information.
- Counting of votes should be done on tables arranged in rows.
- Ideal size of one Counting Hall should be 35' X 20' assuming votes of 8 Gram Panchayat will be counted in one hall. **A model layout of the Counting Hall is enclosed for reference.**
- The number of counting tables in a counting hall should be the same as the number of Gram Panchayats coming under the Zilla Parishad Constituency and two more tables one for the Election Officer and another for the officials to assist the Election Officer shall be there.
- Sitting arrangement in long benches shall be made for the counting agents in front of each counting table.
- In each counting hall barricades should be provided for each counting table so that counting agents are prevented from handling the Ballot Boxes/ballot papers. However, the counting agents must be given all reasonable facilities to witness the whole counting process at the

counting table. This can be done by ensuring that barricades are transparent or that the space in between or above the bamboo or other materials used for the purpose for erecting barricades is adequate to permit full and unobstructed viewing of the counting process. The counting tables should be placed against the barricade of the woodlock and the wire-mesh behind which the agents of the candidates shall sit/stand. The Election Officer should ensure that agents do not get any opportunity of handling the Ballot Boxes/Ballot Papers in any manner to eliminate any chance of tampering by them.

- A 100 meter width periphery around the counting premises/centre should be demarcated as “Pedestrian zone”. No vehicles shall be allowed within this perimeter.

STRONG ROOM(S):

- There shall be one Strong Room for each Zilla Parishad Constituency for storing polled Ballot Boxes received from the Presiding Officers. Hence, the number of Strong Room(s) for a Block will be the same as the number of Zilla Parishad Constituencies in a Block.
- The Strong Room(s) shall preferably be located in the same campus/building where counting of votes will be taken up. In case the Counting Hall and the Strong Room(s) are located in different locations prior permission of the Commission shall be taken.
- Separate room(s) shall be earmarked for storing other election related materials, preferably in the same building/compound.
- The Strong Room(s) should necessarily be located in a pucca building closed from all sides except one entrance and certified by the Executive Engineer of the locality as per the Odisha Treasury Code.
- There should be uninterrupted power supply to the Strong Room(s) and the surrounding locations.
- The Strong Room(s) shall be kept under 24 hours CCTV Surveillance, one day before the receipt of the polled ballot boxes till counting of votes and declaration of result are over.
- The Election Officer should visit the campus **(upto the inner perimeter only)** everyday in the morning and evening and check the log book from the day polled Ballot Boxes are kept in the Strong Room(s) till the counting of votes and declaration of result are over.
- Adequate security arrangements shall be made outside the Strong Room(s). Two cordoned security arrangement should be made round the clock for the Strong Room(s).
- All contesting candidates should be intimated in writing to depute their representative to keep a close watch on the security arrangements of the Strong Room(s). They should be allowed to stay outside the inner

perimeter at a location which enable them to view the entry point of the Strong Room(s).

- There should be sufficient arrangement of fire extinguisher near and inside the Strong Room(s).
- A log book shall be maintained by the police personnel guarding the strong room(s) and any entry and exit shall be recorded and the officers/officials entering the Strong Room(s) shall have to sign in the Register.

COMMUNICATION ROOM

- As per instruction of the Commission a Communication Room may be set up in the Counting Centre for transmission of counting results/trends to the Commission's Office.
- For transmission of result to the Commission's office an Officer shall exclusively be earmarked for transmitting the result to the Commission. He shall be suitably instructed to transmit the result through Telephone/Fax/E-Mail to the Commission.

PLACE, DATE AND TIME OF COUNTING:

- The counting place shall be identified much in advance before the Commission issues the poll schedule and the list of the Counting Halls shall be intimated to the Commission with relevant information of counting centre by the dateline asked for.
- The contesting candidates shall be informed in writing about the commencement of the counting, date, time and place 72 hours before the time fixed for counting.
- Since, it is decided that there shall be one table for one GP the contesting candidates for the office of Ward Member may be intimated separate times for them or their agents arrival taking into consideration the Serial No. of the Ward. This may be done to avoid unnecessary rush at the counting hall and centre.

APPOINTMENT OF ELECTION OFFICER FOR COUNTING:

- Ordinarily the Block Development Officer is the Election Officer for the purpose of counting of votes and declaration of result. There are some Blocks where counting of votes will be required to be taken up in two halls on the same day of counting. In that event another OAS Officer in the rank of BDO may be appointed by the District Collector to assist the Election Officer on counting of votes.

- In such Blocks the local BDO will function as Election Officer in one counting hall and other OAS Officer will assist the Election Officer in counting in the 2nd hall. The Officer in the 2nd hall will discharge all the functions of Election Officer but the statutory work like Declaration of Result will be done under the signature of the B.D.O-Cum-Election Officer of the Block.

APPOINTMENT OF COUNTING PERSONNEL:

- The Election Officer shall appoint the following personnel for each counting table.
 - i) Counting Supervisor- 1
 - ii) Counting Assistant- 2
 - iii) Group 'D' employee- 1
- The Polling personnel who have been appointed for conducting the poll should not ordinarily be engaged for counting.
- In case it is absolutely essential in any particular Block, the Election Officer can appoint Polling Personnel as counting personnel with the approval of the Collector of the District.
- The counting personnel shall not be engaged for three days continuously. They shall be engaged on alternate days if the counting is spread over all three days in a Block.
- The number of counting teams should be the same as the number of Gram Panchayats coming under one Z.P. Constituency.
- 1-2 team(s) may be kept as reserve Counting Team(s).
- The teams shall be numbered serially (1, 2, 3,)
- One hour before the time fixed for counting the Election Officer shall draw lots to decide which team will be assigned to which table.
- This means the team whose lot is drawn first shall go to the Table No.1 and whose lot is drawn 2nd will go to Table No.2 and in similar manner till end of draw of lots.
- The Counting Supervisor shall necessarily be higher in grade as well as the pay scale to the Counting Assistant.
- The Counting Personnel will be paid remuneration at the rate prescribed by the Commission.
- Every Counting personnel may be issued with a Pass in the following format. They will remain seated in their respective Tables allotted till the completion of the counting and not roam inside the Hall or go to another table.

General Election to PRIs, 2022

Pass for Counting Supervisor/Counting Assistant.

Name & Designation:

Name of the Counting Centre:

Team No :

Signature
Authorised Officer

- For other officials engaged in Counting Hall for various election or other related duties may be issued with a Duty Pass.

General Election to PRIs, 2022

DUTY PASS

Name & Designation:

Name of the Counting Centre:

Nature of Duty:

Signature
Authorised Officer

- 5% of the total Counting Personnel may be kept as reserve as a stand by arrangement.

TRAINING OF COUNTING PERSONNEL

- Counting personnel shall be given one round intensive hands on training on counting of votes as well as filling up of different kinds of forms during the counting process.
- Similarly, the personnel in-charge of the Strong Room, sealing room and other rooms shall also be properly trained in order to avoid any future mistakes.
- A physical demonstration of the counting of votes including transportation of Ballot Boxes from the Strong Room to the counting table, opening of ballot boxes, demonstration to the counting agents, actual counting of votes, filling up of forms, preparation of broad sheet, sealing of votes as well as other materials after counting is over shall be properly demonstrated during training.
- The counting personnel shall also be asked to demonstrate themselves about the training imparted so that any error by the counting personnel can be minimized.

APPOINTMENT OF COUNTING AGENT:

- Each candidate is allowed to appoint one counting agent in each table. Since it is decided that counting of votes will be taken up G.P.wise, those contesting for the office of Ward Member, Sarpanch and Panchayat Samiti Member they are allowed to appoint one person as their counting agent for each post.
- Those contesting to the office of Zilla Parishad Member can appoint as many Counting Agents as the number of G.Ps in that particular Zilla Parishad Constituency.
- Apart from this all contesting candidates can appoint one more counting agent for the Election Officer's Table.
- In case the candidate is present in person, he/she can perform the duty of the counting agent.
- The contesting candidates shall apply for appointment of Counting Agent in the prescribed Format to the Election Officer at least 72 hours before the time fixed for counting alongwith Passport size photographs in duplicate of the person to be appointed as Counting Agent .
- The candidate has to specify the Ward /Gram Panchayat for himself/ agent to be assigned. Those allowed inside the counting hall shall report 15 minutes before the actual time for counting.

COMMENCEMENT OF COUNTING:

- The counting of votes shall be taken up at the time and date as specified by the Election Commission.
- All those authorized to be present inside the counting hall shall be present 15 minutes before the actual time for counting.
- Entire proceedings shall be videographed with proper date/time stamping.
- Everyone present in the counting hall should be instructed to maintain secrecy of vote. For that purpose the provisions of Section 128 of the Representation of Peoples Act, 1951 should be brought to the notice of everyone by reading that Section aloud.
- Section 128 of the Representation of Peoples Act,1951 is as follows:

"128. Maintenance of secrecy of voting. – (1) Every officer, clerk, agent or other person who performs any duty in connection with the recording or counting of votes at an election shall maintain, and aid in maintaining,

the secrecy of the voting and shall not (except for some purpose authorized by or under any law) communicate to any person any information calculated to violate such secrecy.

(2) Any person who contravenes the provisions of sub-section (1) shall be punishable with imprisonment for a term which may extend to three months or with fine or with both.

SECURITY ARRANGEMENT DURING COUNTING:

- Adequate security arrangements shall be made outside the Counting Hall as well as outside the Counting Centre.
- The security personnel will allow the candidates or their Counting Agents, Counting Personnel and person with Duty Pass having ID card issued by the Election Officer to the Counting Centre.
- Entry of the unauthorized persons into the Counting Centre shall be strictly prohibited.
- No mobile phone/tablet/Lap-top, or any such electronic device which can record audio or video are allowed in the Counting Hall. Proper arrangement shall be made at the Counting Centre for safe keeping of the mobiles of Counting Staff/Candidates/Counting Agents, if any.
- Smoking inside the Counting Hall is strictly prohibited.
- No person should leave the Counting Hall or enter the Counting Hall without prior permission of the Election Officer.

PERSONS ALLOWED INSIDE THE COUNTING HALL

- Only the following persons are allowed inside the Counting Hall.
 - (i) Election Officer, Counting Supervisor & Counting Assistants.
 - (ii) Persons authorized by the State Election Commission.
 - (iii) Public servants on duty in connection with the election (with Duty Pass).
 - (iv) Candidates or their Counting Agents.
- Election Officer should note that expression of “public servant on duty in connection with election” does not include police officers; such officers whether in uniform or in plain clothes should not, as a general rule, be allowed to enter inside the counting hall without any exception, unless Election Officer decide to call them in for the maintenance of law and order or some similar purpose. Their presence in the counting hall without any compelling reason has on occasion given rise to complaints

by some candidates or parties that their agents have been overawed by an unnecessary show of force.

- Election Officer should also note that the above expression “public servant on duty in connection with election” does not include the Ministers/State Ministers/Deputy Ministers of the Union Govt. or State Govt. They can come inside the counting hall only as candidate. They can’t be allowed to be appointed as counting agents as they have to be escorted by their security guards who are not be allowed entry into the counting hall. The Commission, has further clarified that even if they voluntarily decide to relinquish their security, they will not be allowed to become counting agent.

COUNTING MATERIALS:

- Generally, the following stationery would be required for one counting table.
 1. Knife for cutting and opening the seals, etc.
 2. Pencil/Ball Point Pen.
 3. Four sheets of plain paper
 4. Paper Weight
 5. Tray as per number of Candidates
 6. Rubber Band
 7. Water sponge
- All these above materials should be provided to the individual Counting Table before starting of the Counting.

TRANSPORTATION OF BALLOT BOXES:

- Normally the Strong Room(s) and counting hall shall be located in one building. If polled Ballot Boxes are stored in a place other than the Counting Centre, then proper security arrangement should be made while transporting Ballot Boxes from the Strong Room(s) to the Counting Centre.
- Polled Ballot Boxes stored in the Strong Room(s) shall have to be taken to the counting table and after the counting of the votes are over the polled votes shall be handed over to the sealing room and blank boxes be kept separately.
- The movement of polled Ballot Boxes from the Strong Room(s) to the counting table is most important and vital work for which trained personnel shall be deployed at the Strong Room(s) as well as in the entrance of the counting hall so that the Group ‘D’ staff handling the Ballot Boxes do not commit any mistake.
- A register has to be maintained at the Strong Room(s) as well as just at the entrance of the counting hall to avoid any mistake.

COUNTING OF VOTES:

- The counting of votes shall commence on the day and at the place and time fixed by the Commission under the supervision of Election Officer in the presence of the Candidates and their Counting Agents.
- Counting of votes should be continuous.
- In the extraordinary situation if the counting could not be completed before 8.00 AM of the next day the counting will continue till it is completed. The counting for the next Zilla Parishad Constituency can only commence only when the previous one is completed even though the time mandated is 8.00 AM.
- During the entire counting process complete discipline and decorum shall be maintained.
- The Election Officer has authority to ask anybody to go out of the counting centre if he disobeys any rightful direction of the Election Officer.
- Counting of votes shall be taken up as per the sequence of the Z P Constituency in a Block. It means the Z.P. Constituency coming first in Serial No. Shall be taken up for counting on the 1st day of counting. The counting on subsequent days shall be taken up sequentially.
- In Blocks where there is only 1 Z.P. Constituency the counting of votes in the said Blocks will be completed on the first day of counting in one hall.
- In Blocks where there are 2 Z.P. Constituencies the same shall be completed within first two days of counting in one hall each day.
- In Blocks where there are 3 Z.P. Constituencies one Z.P. constituency will be counted on each day of three day counting in one hall.
- In Blocks where there are more than 3 Z.P. Constituencies, the counting of votes shall be taken up in two separate halls.
- In Blocks where there are 4 Z.P. Constituencies, counting of votes in the 1st Z.P. Constituency will be taken up on the first day of counting followed by second one in the second day of counting and 3rd and 4th on the third day of counting.
- In Blocks where there are 5 Z.P. Constituencies, the counting of votes in the 1st Z.P. Constituency shall be taken up on the first day of counting and followed up 2nd and 3rd Z.P. Constituencies on the 2nd day and 4th and 5th constituencies on the third day of the counting.
- In Blocks where there are 6 Z.P. Constituencies, the counting of votes will be taken up for 2 Z.P. Constituencies on each day of counting.

COUNTING TABLE:

- There shall be one counting table for one GP and the number of tables for the purpose of counting would be the same as the number of GPs coming within the Z.P. Constituency. Apart from this there shall be a separate table for the Election Officer and another table for the officials engaged in tabulation work. All the counting tables shall be numbered and a register shall be maintained showing distribution of Ballot boxes to the Counting Table.
- Provided that there may be some Gram Panchayats having more number of Wards say 24-25. In that event the counting process will be held up till the counting of all the Wards are completed. In such a situation the Collector may make an assessment and if felt necessary the total votes polled in one GP can be counted in two Tables ward-wise (*one Table with Wards having odd number and other with even number*) with prior approval of the Collector subject to the availability of the space and other logistic arrangement.
- The number of tables for the purpose of counting of votes in one hall shall be equal to the maximum of the number of the Gram Panchayats coming under the Zilla Parishad Constituencies.
- This means if a Block has got three Z.P. Constituencies and the number of Gram Panchayats coming under these Z.P. Constituencies are 6, 8 & 10, then 10 tables shall be arranged for counting of votes.
- As per the earlier instruction the Sl.No. of the Z.P. Constituency appearing first for the Block shall be counted on the first day of counting. But, the counting hall should be prepared for the maximum Gram Panchayats even though the counting may be on the 3rd day.
- **ILLUSTRATION:** There are 3 Zilla Parishad Constituencies in a Block. On the 1st day counting the Z.P. Constituency 1 will be taken up where there are 8 Gram Panchayats. On the 2nd day of counting there are 6 Gram Panchayats coming under the 2nd Z.P. Constituency and on the 3rd day the counting for the 3rd Z.P. Constituency there are 10 GPs. In this event while finalizing the counting hall and preparing the same there should be 10 tables for counting of votes by the counting personnel. Some tables may remain idle in the 1st day and 2nd day of counting.

DISTRIBUTION OF BALLOT BOXES TO THE COUNTING TABLE:

- The polled Ballot Boxes shall be taken to the Counting Hall 15 minutes before the time fixed for counting.
- As counting will be done Zilla Parishad Constituency-wise, Gram Panchayats under the concerned Zilla Parishad Constituency shall be arranged in odia alphabetically. Distribution of Ballot Boxes to the Counting Tables shall be done in the serial order of the Gram Panchayat i.e. counting of Gram Panchayat placed at Serial No.1 shall be done at Counting Table No.1 and counting of Gram Panchayat placed at Serial No.2 shall be done at Counting Table No2.

Illustration – Suppose one Zilla Parishad Constituency has 8 Gram Panchayats. There shall be 8 Counting Tables. Counting of Gram Panchayat placed at Sl.No.1 shall be done at Counting Table No.1 and counting of Gram Panchayat placed at Sl.No.2 shall be done at Counting Table No2.For other Tables in similar manner.

- A register shall be maintained showing which Ballot Box is allotted to which Counting Table. The official in charge of strong room shall hand over the Ballot Box to the Group –D counting staff of the concerned Counting Table and after counting of votes of the concerned Ballot Box, the Counting Supervisor shall return the same through Group D staff to the Sealing Room.

COUNTING OF VOTES ON THE COUNTING TABLE:

- When the Ballot Box(es) is brought to the Counting Table, the Address Tag put thereon by the Presiding Officer at the Polling Station specifying the name of Gram Panchayat, Ward No. etc. should be verified to ascertain that the Ballot Box(es) is for the Table allotted.
- Before counting, Counting Supervisor shall satisfy himself that the Ballot Box(es) has not been tampered with.
- After Counting Supervisor is satisfied that the Ballot Box(es) is intact and not been tampered with, them counting shall be done by the Counting Assistants. If it is found that the Ballot Box(es) has been tampered with, the same should be kept aside and should not be counted. The matter should be reported to the Election Officer, who in turn will seek clarification from the Commission.
- Before counting, the Candidates or their Counting Agent present at the counting table shall be allowed to inspect the seal fixed by the Presiding Officer on the Ballot Box(es).

- The Seal of the Ballot Box(es) shall be removed in presence of Counting Supervisor.
- In the Ballot Box(es) there would be 4 ballot papers in different colours for Ward Member, Sarpanch, Panchayat Samiti Member and Zilla Parishad Member. The different varieties of ballot papers shall be segregated and be bundled in rubber band.
- Counting of votes in the Ballot Box(es) relating to the Membership of the Ward (Ward Member) shall be taken up first.
- A tray for each symbol and another for invalid ballot paper shall be kept and all ballot papers shall be segregated symbol wise and placed in the concerned tray.
- After segregation the ballot papers shall be counted and each Ballot Paper shall be carefully scrutinized by the Counting Assistant in the course of counting and a ballot paper shall be liable to rejection on one or more of the following grounds, namely:-
 - (a) If it bears any mark or writing by which the voter can be identified,
 - (b) If no vote is recorded thereon,
 - (c) If votes are recorded in favour of more than one candidate,
 - (d) If the mark indicating the votes is placed in such a manner so as to make it doubtful as to which candidate the votes has been given.
 - (e) If the ballot paper is spurious,
 - (f) If it is so damaged or mutilated that its genuineness can not be established,
 - (g) If it is of a design different from the one authorized for use at the polling station,
 - (h) If it does not bear the seal and signature of the Presiding Officer
- The counting Supervisor shall summarily decide at the time of scrutiny and in case of rejection shall endorse under his signature on the ballot paper itself. He shall also record the reason for each Ballot Paper so rejected in a separate paper.
-

- The total number of votes including invalid votes should tally with total number of votes polled in the concerned Ward for Ward-Member as reported by the Presiding Officer. After counting, the Counting Supervisor shall write down votes polled separately in respect of each Member in Form No.8 in case of Ward Member and announce the votes polled by each candidate and send this Form to the Election Officer. The Counting Assistant shall next proceed to count the Ballot Paper relating to the office of Sarpanch and then Panchayat Samiti Member and Zilla Parishad Member. After completion of counting the Counting Supervisor shall write down such votes polled separately in respect of each candidate in Form No.8A in case of Sarpanch, in Form No.13 in case of Panchayati Samiti Member and in Form No.11-A in case of Zilla Parishad Member and announce the votes polled by each contesting candidate and send these Forms to the Election Officer.

- After completion of counting of each ward, the Counting supervisor will send the result of counting to the Officer in charge of broad sheet for compilation.

- Broad sheet for recording the results of Wards for Sarpanch and Panchayat Samiti Member shall be maintained. Result of Sarpanch, and Panchayat Samiti Member is to be derived by correct totaling of votes secured by Candidates in different Wards arithmetically and then announced by the Election Officer.

- Two Broad sheets shall be maintained for recording the results of Zilla Parishad Member. One Broad Sheet for correct totaling of votes of secured by Candidates in different Wards within a Gram Panchayat of concerned Zilla Parishad constituency arithmetically. Second Broad Sheet for correct totaling of votes of secured by Candidates in different Gram Panchayats within the concerned Zilla Parishad constituency arithmetically. Result of Zilla Parishad Member to be derived by correct totaling of votes secured by Candidates in different Gram Panchayats of concerned Zilla Parishad constituency arithmetically and then announced by the Election Officer.

- The candidate securing the largest number of votes shall be declared duly elected. In the case of an equality of votes, the result shall be decided by drawing lots and the candidate whose name is drawn first shall be declared elected.

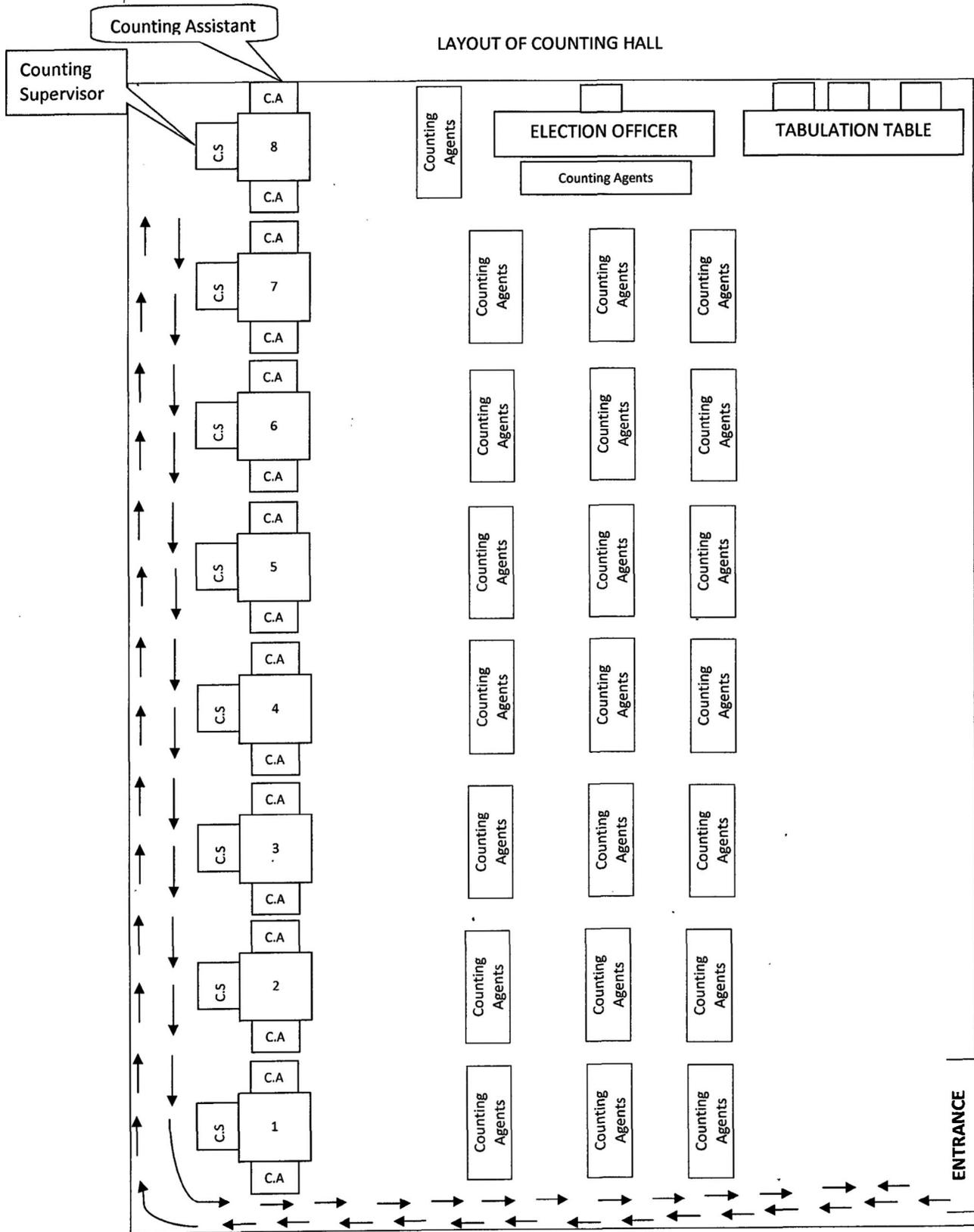
RECOUNTING:

- After declaration of result by the Election Officer has been made a candidate or in his absence, his counting agent may apply in writing to recount the votes either wholly or in part stating the grounds for such recounting.
- When the Election Officer declared the total number of votes polled by each candidate he should pause for a minute or two. If, during this period any candidate or in his absence his counting agent requested for recounting the Election Officer shall allow the time he would require for making an application for recounting in writing.
- If the Election Officer receives an application for recounting, he should consider the grounds urged and decide the matter judiciously. He may allow the application in whole or in part or may reject it in toto if it appears him to be frivolous or unreasonable.
- The right of a candidate to demand recounting does not mean that recounting can be granted for the mere asking. The candidate demanding recounting has to make a prima facie case that the counting was not accurate and recounting is necessary in the interest of justice.
- In every case the Election Officer should record a brief statement of reasons for the decision.
- The decision of Election Officer is final.
- If the Election Officer decides for recounting of the votes either wholly or in part, he shall take up the recounting in accordance with Rule 47 of the Odisha Gram Panchayat Election Rules, 1965. Rule 30 of the Odisha Panchayat Samiti Election Rules 1991 and Rule 52 of the Odisha Zilla Parishad Election Rules, 1994 is applicable for the Panchayat Samiti Member and Zilla Parishad Member respectively.
- After recounting the Election Officer shall make necessary corrections in the result sheet to the extent necessary after such recounting and announce the result on the basis of correction made by the Election Officer.
- No candidate/agent has right to demand recounting after the Election Officer has completed and signed the final result sheet. Any such demand should be rejected.
- Entire recounting process shall have to be videographed carefully.

SEALING:

- Soon after counting of votes are over the used Ballot Papers shall be sealed in packets (Not in Ballot Box) and stored in safe custody.
- Other important election documents shall be sealed properly and kept in the big trunk provided for each GP. and stored in safe custody.
- The Election Officer shall put a responsible official in charge the Sealing of all the packets as there is possibility of important documents being not available when a competent court orders the production of these materials.
- The documents relating to election proceedings received from the Presiding Officers and prepared by the Election Officer shall be retained in safe custody in the office of the Election Officer for a period of three months and shall then unless otherwise directed by a competent Court, be destroyed.
- The documents of records referred to above in the custody of the Election Officer shall not be opened or inspected or produced save with the prior permission of the Commissioner or of a competent Court.

N.B. *If, any of the above instructions come in conflict with the prescribed Rules for Conduct of Elections to Panchayati Raj Institutions, the prescribed Rules shall prevail over the above instructions. (2) The above guidelines are subject to modifications as and when required.*



**LIST OF MATERIALS TO BE SUPPLIED FOR EACH POLLING BOOTH FOR PANCHAYAT
ELECTION**

Sl. No.	Item	No./Quantity
1.	Ballot Box.	1 Big/2 Medium/3 small
2.	Metal trunk	1
3.	Indelible Ink	2 Phials.
4.	Seal	
	a) Distinguishing mark seal for polling booth to be stamped on the back of the ballot paper.	1
	b) Metal Seal for use by Presiding Officer for sealing of ballot box/envelopes, etc.	1
	c) Cross mark Rubber Seal for voting.	1
	d) Rubber Seal for Presiding Officer	1
5.	Forms for Validly nominated candidate's list.	
	a) For Sarpanch and Ward Member (Form No.5).	2 Nos.
	b) For Samiti Member (Form Nos.8 & 9)	2 Nos. each
	c) For Z.P.Member (Form No.8).	2 Nos.
6.	Electoral Roll of concerned ward for use as working copy, display at Polling Booth and reference of Presiding Officer)	3 copies
7.	Ballot Papers (10% of the total number of voters – must comprise of at least two bundles of 50 Nos.).	
	a) For Ward Member	
	b) For Sarpanch	
	c) For P.S. Member	
	d) For Z.P.Member.	
8.	Forms for Ballot Paper account.	
	a) For Sarpanch & Wad Member (form No.7)	6
	b) For P.S.Member (Form No.12)	3
	c) For Z.P.Member (form No.11).	3
9.	Envelops	
	a) For marked copy (working copy) of Electoral Roll	1
	b) For second copy of Electoral Roll (used by Presiding Officer for reference).	1
	c) For unused and surplus Ballot Paper (Ward Member-2, Sarpanch-2, P.S.Member-2 & Z.P.Member-2	8
	d) For challenged votes (Ward Member-1, Sarpanch-1, P.S.Member-1 & Z.P.Member-1).	4
	e) For blind and companion vote (Ward Member-1, Sarpanch-1, P.S.Member-1 & Z.P.Member-1).	4
	f) For appointment letter of Polling Agents.	1
	g) For Receipt Book of forfeited cash.	1
	h) For Presiding Officer's special report/diary	1
	i) Big cover.	2
	j) For any other paper that the SEC or Election Officer has directed to keep.	1

10	Receipt for deposit of challenged fee.	1 Book
11	Labels	
	a) Prohibited area	2
	b) Polling Area	2
	c) ପ୍ରବେଶ	1
	d) ପ୍ରସ୍ଥାନ	1
	e) ପ୍ରତୀକ୍ଷାସ୍ଥାନ (ପୁରୁଷ)	1
	f) ପ୍ରତୀକ୍ଷାସ୍ଥାନ (ମହିଳା)	1
	g) ଭୋଟଦାନ କକ୍ଷ	1
	h) ଭୋଟ ବାକ୍ସ	1
	i) Polling Agent	1
	j) Presiding officer	1
	k) Polling Officer	1
12	2 (two) metres of thick & coloured cotton cloth for using as Voting Compartment Screen.	
13	One small plastic container.	1
14	Copying pencil	2
15	Self inking pad	1
16	Ball pen/refill	3
17	Full scape paper	
18	Pin	
19	Sutuli	
20	Sealing Wax	
21	Gum paste	
22	Pusher	
23	Match box	
24	Blade	
25	Metal rule for detaching ballot paper	
26	Cloth for cleaning finger of voter.	
27	LED Lamp	
28	Flexible wire	
29	Carbon paper	
30	Candle	

Items are per Polling Party. The Polling Party will carry these items from one Polling Station to another and to the next and so on.
