

# 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**

**INDEX**

Section	Subject	Page No.
1.	Short title	.. 35
2.	Definition	.. 35
3.	Extension of Part-IX of Constitution to the Schedule Areas.	.. 35
4.	Exception & modification to Part-IX of Constitution.	.. 35
5.	Continuance of existing laws and Panchayat	.. 37

**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.

## EXTRACTS FROM THE ORISSA GRAMA PANCHAYAT ACT, 1964

### INDEX

Section	Subject	Page No.
<b>CHAPTER I</b>		
<b>PRELIMINARY</b>		
2.	Definitions	.. 40
<b>CHAPTER II</b>		
<b>GRAMA, GRAMA SASAN, GRAMA SABHA AND PALLI SABHA</b>		
3.	Constitution of Grama	.. 40
4.	Constitution and incorporation of Grama Sasan	.. 41
<b>CHAPTER III</b>		
<b>CONSTITUTION OF GRAMA PANCHAYATS</b>		
7.	Grama Panchayat to be the Executive Authority of the Grama Sasan.	.. 41
8.	Constitution and delimitation of Wards	.. 41
9.	Election Commission and the Electoral Rolls	.. 42
10.	Constitution of Grama Panchayat	.. 42
11.	Qualification for membership in the Grama Panchayat	.. 45
12.	General Election of members of Grama Panchayat	.. 45
13.	Nomination on failure of election	.. 45
14.	Election of Naib-Sarpanch	.. 46
15.	Publication of results of elections	.. 46
16.	Filling up of casual vacancies	.. 46
<b>CHAPTER IV</b>		
<b>OFFICE OF THE MEMBERS, SARPANCH AND NAIB-SARPANCH</b>		
17.	Term of office of members of Grama Panchayat	.. 47
23.	Resignation	.. 47
24.	Vote of no confidence against Sarpanch or Naib-Sarpanch	.. 48
25.	Disqualification for membership of Grama Panchayat	.. 49
26.	Procedure for giving effect to disqualifications	.. 51
<b>CHAPTER V</b>		
<b>CONDUCT OF ELECTIONS AND ELECTION DISPUTES</b>		
27.	Manner of holding elections	.. 52
28.	Bar against servants of State Government and local authorities canvassing at elections.	.. 53

Section	Subject	Page No.
29.	Penalty for misconduct at elections	.. 53
30.	Election petitions	.. 54
31.	Presentation of petitions	.. 54
32.	Parties to the petition	.. 54
33.	Contents of petition	.. 54
34.	Relief that may be claimed by the petitioner	.. 54
35.	Procedure before the Civil Judge (Junior Division)	.. 54
35-A.	Return of Security Deposit	.. 55
36.	Appearance before the Civil Judge (Junior Division)	.. 55
37.	Powers of Civil Judge (Junior Division)	.. 55
38.	Decision of Civil Judge (Junior Division)	.. 56
39.	Grounds for declaring election void	.. 56
40.	Grounds for which a candidate other than the returned candidate may be declared to have been elected.	.. 57
41.	Corrupt practices	.. 57
<b>CHAPTER XI</b>		
<b>CONTROL</b>		
115.	Suspension and removal of Sarpanch, Naib-Sarpanch and members.	.. 59
116.	Dissolution and reconstitution of Grama Panchayats	.. 59
117.	Supersession of Grama Panchayat	.. 60
119.	Collector's power to take action on the default of Grama Panchayat or its Sarpanch.	.. 61
120.	Power of State Government for review	.. 61
<b>CHAPTER XII</b>		
<b>ESTABLISHMENT AND CONDUCT OF BUSINESS</b>		
122.	Officers and servants of Grama Sasan	.. 61
123.	Powers, duties and functions of Secretary	.. 62
127.	Vacancy not to invalidate proceedings	.. 62
<b>CHAPTER XIV</b>		
<b>MISCELLANEOUS</b>		
143.	Members and servants of Grama Panchayat to be public servants.	.. 62
148.	Reconstitution of a Grama	.. 62
149.	Matters ancillary to abolition or reconstitution of Grama	.. 63
150.	Power to make rules	.. 64
151.	Power to make bye-laws	.. 65
152.	Issue of order and removal of difficulties	.. 65

# EXTRACTS FROM THE ORISSA GRAMA PANCHAYAT ACT, 1964\*

## 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 Orissa 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 Orissa 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 and Act of 9 of 2004. There might be omission and commissions : for authenticity reference must be made to the published Acts in the official Gazette.

Constitution and incorporation 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) As nearly as may be, but not less than, twenty-seven per centum of the seats of every Grama Panchayat shall be reserved in favour of

---

\* 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.

backward class of citizens as referred to in clause (6) of Article 243-D of the Constitution in the prescribed manner 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

(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, 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 after every two terms of 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 hereinbefore provided.

---

\* 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.

(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 Schedule Tribes:

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

(c) 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;

(d) 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

(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 Backward Class of citizens) of the total number of offices of Sarpanches in Grama Panchayats 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 after every two terms of general election; and

(b) after arranging the names of the Gramas within a Block in Oriya 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.

---

\* 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.

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 Oriya.

(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 Oriya; 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) 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 mebers 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) is a deaf mute, or is suffering from tuberculosis; or in the opinion of the District Leprosy Officer is suffering from the infectious type of Leprosy; or
- (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

Executive Officer of Grama Sasan.

**122.** (1) There shall be an Executive Officer for every Grama Sasan 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 VLWs. and VAWs. working in a district shall, for the purposes of sub-section (1), act as Executive Officers within the local area of such Grama or Gramas as may respectively be assigned to them by the Collector.

*Explanation*—For the purpose of sub-section (2) —

- (a) “VLWs.” shall mean the Village Level Workers appointed by the Collector for implementing different developmental schemes relating to different levels of Panchayats in the State; and
- (b) “VAWs.” shall mean the Village Agriculture Workers appointed for extension of agricultural activities in the State.

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

Secretary and other employees of Grama Sasan.

**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

Matters ancillary to abolition or reconstitution of Gramas.

only on the date following the date of expiry of the term, or as the 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 ORISSA GRAMA PANCHAYAT ELECTION RULES, 1965

## INDEX

Rules	Subject	Page No.
1.	Short title	70
2.	Definitions	70
<b>DIVISION OF WARDS</b>		
<b>PREPARATION OF ELECTORAL ROLL AND RESERVATION OF SEATS</b>		
3.	Division of Wards and Reservation of seats	71
4.	Commission's power to direct for preparation of Electoral Roll.	73
5.	Preparation of Preliminary Electoral Roll and Publication	73
6.	Registration of voters and filing of claims and objections	73
7.	Summary enquiry into claims and objections	74
8.	Publication of Final Electoral Roll and submission of authenticated copies to the Commission.	74
9.	Division of Electoral Roll into parts for each Polling Station	74
10.	Omitted	74
11.	Electoral Roll for By-election	74
12.	Omitted	74
12-A.	Omitted	74
13.	Issue of Election Programme by State Government and Commission and communication of the same to the Election Officer.	74
14.	Ballot box	74
15.	Enclosure for voting	75
16.	Placement of ballot box	75
17.	Election Symbols and use of coloured ballot papers	75
18.	Polling hour	75
19.	Location of polling station	75
20.	Assignment of symbols and additional symbols	75
21.	Marking of ballot papers	76
22.	Appointment of Presiding Officers & Polling Officers	76
23.	Appointment of Polling Agents	76

Rules	Subject	Page No.
<b>FILING AND SCRUTINY OF NOMINATION</b>		
24.	Issue of notice calling for names of candidates	76
25.	Supply of nomination forms by Election Officer	76
26.	Presentation of nomination papers	76
26-A.	Deposit	76
26-B.	Forfeiture of deposit	76
26-C.	Return of the deposit	77
26-D.	Procedure for return of deposit	77
26-E.	Intimation on return and forfeiture of deposit to Panchayat	77
27.	Candidate for Ward Member/Proposer/Secunder to be an elector.	77
28.	Sarpanch and his/her Proposer & Secunder to be an elector.	77
29.	Scrutiny of nomination papers	77
30.	Fresh election in case of no nomination	77
31.	Declaration of results of uncontested election	78
32.	Publication of list of validly nominated candidates	78
33.	Countermanding of polls on the death of candidate	78
34.	Declaration of results in the event of death of candidates after the poll.	79
35.	By-election in the event of election of deceased candidate	79
<b>CONDUCT OF POLLING</b>		
36.	Supply of election materials to the Presiding Officer	79
37 & 38.	Arrangement at Polling Station	79
39.	Admission of the Polling Agents and local persons for identification of voter.	79
40.	Preparation of the ballot box for voting	79
41.	Voting Procedure	80
42.	Blind and incapacitate voters	80
43.	Marking in working copy of Electoral Roll	80
44.	Objection to identity of voters	80

Rules	Subject	Page No.
45.	Regulation of entry of voters	81
46.	Polling Officer to act as the Presiding Officer in certain circumstances.	81
46. A-F.	Voting by Electronic Voting Machine	81-83
47.	Procedure of Counting of votes	83
48.	Counting of votes for Ward Members	83
49.	Counting of votes for Sarpanch	83
50.	Result of counting to be recorded in Form No. 8-A	83
50. A&B.	Counting of votes conducted through Electronic Voting Machine.	84-85
51.	Declaration of results	85
52.	Publication of the names of Sarpanch and Ward Members	85
53.	Omitted	85
54.	Failure of Election for the second time	85
55.	Procedure for re-poll	86
56.	Retention of documents relating to election proceedings for three months.	86
57.	Submission of results of election to the Commission	86
58-72.	Omitted	86
73.	Special meeting of Grama Panchayat and appointment of Presiding Officer.	86
74.	Special meeting to be held at G.P. Headquarters	86
75.	Notice for special meeting	86
76.	Procedures for conduct of Election to Naib-Sarpanch	87
77.	Ballot paper for election to Naib-Sarpanch	88
78.	Voting procedure	88
79.	Counting of votes	88
80.	Declaration of result of election of Naib-Sarpanch	88
81.	Publication of the name of the Naib-Sarpanch	88
82.	Omitted	88
83.	Date of entering office	88

Rules	Subject	Page No.
<b>BY-ELECTIONS TO FILL UP CASUAL VACANCIES</b>		
84.	Report on casual vacancy	88
85.	By-election Programme for filling up of casual vacancy	89
86-87.	Omitted	89
<b>ELECTION PETITION</b>		
88.	Costs to be deposited along with election petition	89
<b>PROCEDURE FOR DECLARING PERSONS TO BE IN THE HABIT OF ENCOURAGING LITIGATION IN THE GRAMA</b>		
89.	Procedure for preparation & publication of list of habitual litigants.	89
<b>MISCELLANEOUS</b>		
90.	Omitted	90
91.	Bar against interference of Government servant in local body election.	90
92.	Prohibition of canvassing or propaganda thirty-six hours before poll.	90
92.A.	Postponement of the poll	90
92.B.	Adjournment of poll	90
92.C.	Fresh poll	90
92.D.	Countermanding of elections in the event of booth capturing.	91
92.E.	Extraordinary powers of the Commissioner	92
92.F.	Requisition of premises, vehicles, etc.	92
92.G.	Issue of Election Duty Certificate	92
93.	Interpretation of rules	93

## THE ORISSA GRAMA PANCHAYAT ELECTION RULES 1965\*

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

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

- (a) “Act” means Orissa 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 Orissa Panchayat Samiti and Zilla Parishad 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 Orissa 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 third 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 Orissa 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 Oriya 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 two Polling Agents 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 Oriya 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
- (f) Form No. 8 for recording the results of counting
- (g) Form No. 8-A for recording the results of counting of votes to the office of Sarpanch.

**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 it 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 proceed to take up counting of the votes polled in the presence of the candidates and their polling agents who may be present at the polling stations.

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 Presiding 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 Presiding Officer shall announce the votes polled by each contesting candidate.

**49.** The Presiding 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 Presiding 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 Presiding 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 Presiding Officer shall announce the votes polled by each contesting candidates.

(5) (i) The Presiding 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 Presiding 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 Presiding 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 Presiding 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, the Presiding Officer shall prepare separate bundles of all the papers, reports and unused ballot papers in respect of polling for the office of Sarpanch and polling for the membership of the Grama Panchayat and forward two packets duly sealed to the Election Officer for the local area. It will be open for the candidates or their polling agents to affix their seals to the aforesaid packets. On the date fixed for declaring the result of elections to the office of Sarpanch or Ward Member, as the case may be, the Election Officer shall carefully total the election results received from different Presiding Officers and count the ballot papers contained in the sealed packets received under Rule 92-G in the presence of the candidates concerned, their polling agents as may be present and declare the result in Form No. 8-B after recording 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.** If on the basis of the reports of the Presiding Officers of each Ward in regard to election of Ward Members and his own report relating to election of the Sarpanch, 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 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 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 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 ..... ଓ୍ଵାର୍ଡ ନଂ. ....

କ୍ରମିକ ସଂଖ୍ୟା	ଘର ନଂ.	ନାମ-ପିତା/ସ୍ଵାମୀଙ୍କ 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 ୨**

[ନିୟମ 5 (3) ଦୃଷ୍ଟବ୍ୟ]

..... ଗ୍ରାମ ଶାସନ ଅନ୍ତର୍ଗତ ଓ୍ଵାର୍ଡ 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 ଭୁଲ୍ ଅଛି, ତେବେ ତାହା ଉପରେ କରାଯିବାକୁ ଥିବା ଦାବି ତା ..... ପୂର୍ବରୁ ଦାଖଲ କରାଯିବା ଉଚିତ୍ ।

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

ପ୍ରାପ୍ତ ଆପତ୍ତିର ତଦନ୍ତ ..... (ସ୍ଥାନ) ତା ..... ରିଖ ପୂର୍ବାହ୍ନ/ଅପରାହ୍ନ  
..... ସମୟରେ କରାଯିବ । ତଦନ୍ତ 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 ଲୋଡାଯାଉଥିବା ନୋଟିସ୍  
ଓର୍ଡର ସଂଖ୍ୟା ..... ର ସଭ୍ୟ ।

ଏତଦ୍ୱାରା ନୋଟିସ୍ ଦିଆଯାଉଛି ଯେ —

- (1) ..... ଗ୍ରାମ ପଞ୍ଚାୟତର ସରପଞ୍ଚ ପଦ ନିମନ୍ତେ ଓର୍ଡର ସଂଖ୍ୟା .....  
ର ଓର୍ଡର ସଭ୍ୟ ନିମନ୍ତେ ନିର୍ବାଚନ ହେବ ।
- (2) ମନୋନୟନ ପତ୍ରର ଫାରମ କ୍ରମିକ ସଂଖ୍ୟା 6ରେ 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 କାର୍ଯ୍ୟାଳୟଠାରେ  
ତା ..... ରିଖରେ ପ୍ରାର୍ଥୀ ବା ତାଙ୍କ ପ୍ରସ୍ତାବକଙ୍କ 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 ..... ଓଡ଼ିଶା ସଂଖ୍ୟା .....  
କେଉଁ ପଦ ପାଇଁ ନିର୍ବାଚନ ହେବ ..... ଗ୍ରାମ ପଞ୍ଚାୟତ .....  
..... ଥାନା ..... ଜିଲ୍ଲା .....  
.....

(ପ୍ରସ୍ତାବକଙ୍କ ଦ୍ୱାରା ପୂରଣ ଲାଗି)

ମୁଁ ଏତଦ୍ୱାରା ..... କୁ ..... ଗ୍ରାମ ଶାସନର  
ଓଡ଼ିଶା ..... 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 / ସ୍ୱାମୀଙ୍କ ନାମ .....
4. ପ୍ରାର୍ଥୀଙ୍କ ପୂରା ଡାକ ଠିକଣା .....
5. ଭୋଟର ତାଲିକାରେ ପ୍ରାର୍ଥୀଙ୍କ କ୍ରମିକ ସଂଖ୍ୟା .....

ତାରିଖ .....

ପ୍ରସ୍ତାବକଙ୍କ ସ୍ୱାକ୍ଷର

ସମର୍ଥକଙ୍କ ସ୍ୱାକ୍ଷର

(ପ୍ରାର୍ଥୀଙ୍କ ଦ୍ୱାରା ପୂରଣ ଲାଗି)

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

ତାରିଖ .....

ପ୍ରାର୍ଥୀଙ୍କ ସ୍ୱାକ୍ଷର

(ପ୍ରାର୍ଥୀଙ୍କ ଦ୍ୱାରା ଘୋଷଣା)

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

ତାରିଖ ..... ପ୍ରାର୍ଥୀଙ୍କ ସ୍ୱାକ୍ଷର

ମନୋନୟନ ପତ୍ର କ୍ରମିକ ସଂଖ୍ୟା ..... ମୋଡେ ମୋର (କାର୍ଯ୍ୟାଳୟ) ଠାରେ  
..... ତାରିଖରେ ..... ସମୟରେ ପ୍ରାର୍ଥୀ/ପ୍ରସ୍ତାବକଙ୍କ ଦ୍ୱାରା 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 ରହିବ  
(ମନୋନୟନ ପତ୍ର ଦାଖଲ କରୁଥିବା ବ୍ୟକ୍ତିଙ୍କୁ ଦିଆଯିବ)

ମନୋନୟନ ପତ୍ରର କ୍ରମିକ ସଂଖ୍ୟା .....  
..... ଗ୍ରାମ ଶାସନର ..... ସରପଞ୍ଚ/ଓ୍ୱାର୍ଡ ସଂଖ୍ୟା.....  
ଓ୍ୱାର୍ଡ ସଭ୍ୟ ପଦ ଲାଗି ନିର୍ବାଚନ ନିମନ୍ତେ ପ୍ରାର୍ଥୀ ..... କର ମନୋନୟନ ପତ୍ରଟି ପ୍ରାର୍ଥୀ/  
ପ୍ରସ୍ତାବକଙ୍କ ଦ୍ୱାରା ..... (ତାରିଖ) ଦିନ ..... (ସମୟ) ବେଳେ ମୋଡେ  
ମୋର କାର୍ଯ୍ୟାଳୟଠାରେ ଦିଆଗଲା । ସବୁ ମନୋନୟନ ପତ୍ରଗୁଡ଼ିକ ..... (ସ୍ଥାନ) 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

(ବର୍ତ୍ତମାନା 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 ପ୍ରିଜାଇଡିଂ ଅଧିକାରୀମାନଙ୍କର ରିପୋର୍ଟଗୁଡ଼ିକୁ ..... ଦିନ ..... (ସ୍ଥାନ) ଠାରେ ..... ଠାରୁ ..... ଘଟିକା ମଧ୍ୟରେ ଯାଂଚ କରାଯିବ ଏବଂ ବୃତ୍ତାନ୍ତ 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 elector	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.

- Total No. of electors assigned to the Polling Station
- Total No. of voters as entered in the Register for Voters (Form 7A)
- Total No. of votes recorded as per voting machine.
- 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.
- Account of papers seals

Sl. Nos.

From

To

Signature of Presiding Officer

- Serial Numbers of papers seal supplied From ..... To.....
- Total numbers supplied
- Number of paper seals used
- Number of unused paper seal returned  
To Election Officer (Deduct item 3 from item 2).
- 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 Presiding Officer

Place : .....

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

1.

2.

3.

4.

Etc.

Date : ..... Signature of Election Officer<sup>1</sup>

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 Presiding 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-୫

[ ନିୟମ 48, 51 (1) ଦ୍ରଷ୍ଟବ୍ୟ ]

ଭୋଟ ଗଣତିର ଫଳ

ଗ୍ରାମ ଶାସନର ନାମ ..... ଥାନା .....

ଓଡ଼ି ସଂଖ୍ୟା .....

ଜିଲ୍ଲା .....

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

ତାରିଖ .....

ପ୍ରିକାଳିତ ଅଧିକାରୀଙ୍କ ସ୍ୱାକ୍ଷର

ଶ୍ରୀ/ଶ୍ରୀମତୀ .....

ପିତା/ପତି .....

ଗ୍ରାମ ଶାସନ ..... ର ଓଡ଼ି 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 Presiding Officer

**ଫାରମ ସଂଖ୍ୟା 8-କ**

(ନିୟମ 50 ଦ୍ରଷ୍ଟବ୍ୟ)

**ଭୋଟ ଗଣତିର ଫଳ**

ଗ୍ରାମ ଶାସନର ନାମ .....

ଓ୍ଵାର୍ଡ ସଂଖ୍ୟା .....

ଜିଲ୍ଲା .....

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

ଅଗ୍ରାହ୍ୟ ହୋଇଥିବା ଭୋଟ କାଗଜ

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

ତାରିଖ .....

ପ୍ରକାଶିତ ଅଧିକାରୀଙ୍କ ସ୍ଵାକ୍ଷର

**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 51 ଦ୍ରଷ୍ଟବ୍ୟ)

**ଭୋଟ ଗଣତିର ଫଳ**

ଗ୍ରାମ ଶାସନର ନାମ .....

ପଞ୍ଚାୟତ ସମିତିର ନାମ .....

ଜିଲ୍ଲା .....

ପ୍ରାର୍ଥୀଙ୍କ ନାମ	ମିଳିଥିବା ବିଧିବଦ୍ଧ 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 କରାଯାଇଛି ।

ତାରିଖ .....

ନିର୍ବାଚନ ଅଧିକାରୀଙ୍କ ସ୍ଵାକ୍ଷର

**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,

ଏତଦ୍ୱାରା 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 ..... କ

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

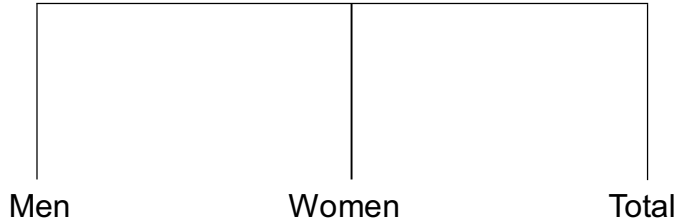
Name of the Grama Sasan

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 କାନୁଆରୀ 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 ବାଦ୍ ଦିଆଯାଉ ।

ସ୍ଥାନ .....

ତାରିଖ .....

ଦାବି କରିଥିବା ବ୍ୟକ୍ତିଙ୍କର  
 ଦସ୍ତଖତ କିମ୍ବା ବୃକ୍ଷାଙ୍କୁଳି ଛାପ

**ଦରଖାସ୍ତ ପାଇଁ ରସିଦ୍**

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)

ଏତଦ୍ୱାରା 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

## INDEX

Section	Subject	Page No.
<b>CHAPTER I</b>		
<b>PRELIMINARY</b>		
3.	Definitions	121
<b>CHAPTER III</b>		
<b>CONSTITUTION OF PANCHAYAT SAMITIS AND THEIR FUNCTIONS</b>		
15.	Constitution of Block	122
16.	Constitution of the Panchayat Samiti	122
16-A.	No person to hold more than one elected office	127
16-B.	Superintendence, direction and control of elections to vest in the Election Commission.	128
19.	Chairman of the Samiti to be the Executive Authority.	128
<b>CHAPTER VI</b>		
<b>CONTROL</b>		
40-A.	Removal of Chairman and Vice-Chairman of Samiti	129
41.	Dissolution and reconstitution of Samiti	129
42.	Supersession of Samiti	130
<b>CHAPTER VI A</b>		
<b>ELECTION DISPUTES</b>		
44-A.	Election petitions	130
44-B.	Presentation of petition	130
44-C.	Parties to the petition	131
44-D.	Contents of petition	131
44-E.	Relief that may be claimed by the petitioner	132
44-F.	Procedure before Civil Judge (Senior Division)	132
44-G.	Appearance before Civil Judge (Senior Division)	133

Section	Subject	Page No.
44-H.	Powers of Civil Judge (Senior Division)	133
44-I.	Recrimination when seat claimed	133
44-J.	Decision of Civil Judge (Senior Division)	134
44-K.	Other orders to be made by Civil Judge (Senior Division)	134
44-L.	Grounds declaring election void	134
44-M.	Grounds for when a candidate other than a returned candidate may be declared to have been elected.	135
44-N.	Corrupt practices	135
44-O.	Withdrawal of petition	137
44-P.	Abatement of petition	138
44-Q.	Appeal	138
<b>CHAPTER VII</b>		
<b>MISCELLANEOUS</b>		
45.	Disqualification for becoming a member and continuing as a member.	139
45-A.	No person to stand from more than one Samiti	141
45-B.	District Judge to decide question of disqualification	141
45-C.	Failure of Election	142
46.	Resignation of Chairman, Vice-Chairman and Members	142
46-B.	Vote of no-confidence against Chairman and Vice-Chairman of Samiti.	142
47.	Casual vacancies	144
48.	Vacancy not to invalidate proceedings	145
49.	Duration of Samiti and Elections thereto	145
52.	Chairman, Vice-Chairman and employees to be public servants.	146
53.	Protection of action taken under the Act	146
57.	Power to make rules	146
57-A.	Power to make by-laws	146
58.	Issue of order and removal of difficulties	147

# 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 and 12 of 2001. 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) As nearly as may be, but not less than twenty-seven percentum of the total number of seats to be filled up by direct election in every Samiti shall be reserved in favour of backward class of citizens as referred to in clause (6) of Article 243-D of the constitution in the prescribed manner 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 Samiti, 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 percentum of the remaining seats shall be reserved in favour of such citizens in that Samiti.

- (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.

---

\* 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.

- (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 the end of every two terms\* of 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 Oriya 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]<sup>2</sup> 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.

---

\* 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.

(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 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) as nearly as may be, twenty-seven percentum of the offices of Chairmen in Samitis shall also be reserved in favour of Backward Class of Citizens as referred to in clause (6) of Article 243-D of the Constitution.

(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.

No person to hold more than one elected office.

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.

---

\* 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.

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 of the People Act, 1950 and the Representation of People Act, 1951 shall *mutatis mutandis* apply for the purposes of election to Samiti 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  
reconstitution 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.



- 42.(1)** If after the fresh election held under the last preceding section, the (\*\*) Samiti continues to be incompetent to perform or abuse its 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

**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.

**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.

Procedure before the Civil Judge (Senior Division).

**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.

Appearance before Civil Judge (Senior Division).

**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 like 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 thereunder.

(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 of 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.

Appeal.

- 44-Q.** Any person aggrieved by an order passed by the Civil Judge (Senior Division) under sub-section (1) or sub-section (2) of Section 44-J, may, within such period as may be prescribed, 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) is a deaf-mute or is suffering from leprosy or tuberculosis; or
  - (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 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.

**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.

No person to stand for more than one Samiti.

District Judge to decide question of disqualification.

- (3) Pending such decision the member shall be entitled to act as if he was not disqualified.

Nomination on failure of election and de-reservation in certain cases.

**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 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.

Resignation of Chairman, Vice-Chairman and Members.

**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 ORISSA PANCHAYAT SAMITI ELECTION RULES, 1991**  
**INDEX**

Rules	Subject	Page No.
PART I		
1.	Short title and commencement	.. 150
2.	Definition	.. 150
PART II		
<b>GENERAL</b>		
3.	Eligibility of candidate, proposer and seconder	.. 151
4.	Date of Election	.. 151
5.	Election Symbol	.. 152
6.	Electoral Roll	.. 152
PART II-A		
<b>DIVISION AND RESERVATION OF SAMITI CONSTITUENCY</b>		
7-A–H.	Division and Reservation of Samiti Constituency	.. 152-154
PART II		
<b>ELECTION OF MEMBERS OF PANCHAYAT SAMITI</b>		
8.	Inviting of names	.. 154
9.	Presentation of nomination paper	.. 154
10.	Supply of forms	.. 154
11.	Deposit of money	.. 154
PART IV		
<b>POLLING ARRANGEMENT</b>		
12.	Location of Polling Station	.. 156
13.	Presiding and Polling Officer	.. 156
14.	Ballot Boxes	.. 156
15.	Ballot Paper	.. 156
16.	Appointment of Polling Agents	.. 157
17.	Polling hour	.. 157
18.	System of marking ballot paper	.. 157
PART V		
<b>CONDUCT OF POLLING</b>		
19.	Supply of forms	.. 157
20.	Preparation by Presiding Officer	.. 157
21.	Permission to Polling Agents	.. 157
22.	Exhibition of list of candidates	.. 158
23.	Verification of Ballot Box	.. 158
24.	Voting Procedure	.. 158
24-A.	Voting by Electronic Voting Machine	.. 158
24-B.	Voting by Electronic Voting Machine	.. 159

Rules	Subject	Page No.
25.	Marking in the working copy of Electoral Roll	159
26.	Blind Voter	159
27.	Objection as to the identity of the voter	159
28.	Procedure for conducting the poll	159
29.	Polling Officer as the Presiding Officer	159
30.	Procedure of Counting of votes	159
31.	Submission of papers	160
32.	Omitted	161
33.	Publication of the election of the members	161
34.	Failure of Election	161
35.	Procedure for reelection	161
36.	Omitted	161
PART VI		
<b>ELECTION OF THE CHAIRMAN / VICE-CHAIRMAN OF PANCHAYAT SAMITI</b>		
37.	Place for holding the election	161
38.	First meeting of the Samiti	162
39.	Filing of nomination for Chairman and Vice-Chairman	162
40.	Procedure for conducting the election	163
41.	Voting and declaration of result	163
42.	Counting of votes	163
43.	Grounds for rejection of votes	163
44.	Declaration of the result of voting	164
44-A.	Election of the Vice-Chairman	164
45.	Proceedings of the meeting	164
PART VII		
<b>MISCELLANEOUS</b>		
46.	Filing up of the casual vacancies	165
46-A.	Postponement of Election	165
46-B.	Adjournment of poll in emergency	165
46-C.	Fresh poll in the case of destruction of ballot boxes etc.	166
46-D.	Adjournment of poll or countermanding of election on the ground of booth capturing.	166
46-E.	Extraordinary power of the Commissioner	167
46-F.	Requisition of premises, vehicles	167
46-G.	Countermanding of Poll	168
47.	Interest in any contract with the Samiti	168
48.	Procedure for removal of disqualification	169
49.	Manner of enquiry under Section 45 (1) (n)	169
50.	Interpretation of rules	169
51.	Determination of disputes	169
52.	Repeal and Savings	169

# THE ORISSA PANCHAYAT SAMITI ELECTION RULES, 1991\*

## PART I

Short title and commencement.

1. (1) These rules may be called “The Orissa 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 Orissa Grama Panchayat Act, 1964 (Orissa Act 1 of 1965);
- (h) “Panchayat Election Rules” means the Orissa 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 Orissa 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 *Orissa 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 Oriya 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 Orissa 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.

(2) Where the Election Officer decides that counting of votes shall be taken up by the Presiding Officer at the Polling Station, he shall also :-

- (i) authorise in writing, the Presiding Officer to that effect; and
- (ii) supply Form No. 13 to the Presiding Officer for recording the result of counting of votes at the Polling Station.

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.

**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 Electoral.

**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.

Procedure for counting of votes.

**30. (1)** After close of the polling in the Polling Station, the Presiding Officer shall proceed to take up the counting of the votes polled in the presence of the candidates or their polling agents, if any, present at the Polling Station.

(2) Each vote cast by the voters shall be scrutinized by the Presiding 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;

Submission  
of papers.

- (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 Presiding 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 counting, 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.

Publication of the election of members.

**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.

Proceedings 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 contact 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 Orissa 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
------------------------	--------------------

(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
-----------------	---------------------

(୬) ନିର୍ବାଚନ ଅଧିକାରୀ  
.....

(୭) ନିର୍ବାଚନରେ ପ୍ରତିଦ୍ୱନ୍ଦ୍ୱିତା ହେଲେ ଭୋଟ ଗ୍ରହଣ ..... ଦିନ  
..... ଘଟିକା ମଧ୍ୟରେ ଅନୁଷ୍ଠିତ ହେବ ।

ସ୍ଥାନ : .....

ତାରିଖ : .....

ନିର୍ବାଚନ ଅଧିକାରୀ

..... ସମିତି

**FORM No. 4**

(See Rule 8)

**Statement showing the Samiti Constituencies for which election is to be held**

No. of Samiti Constituencies	Name of the Samiti Constituency	Name of the Grama Sasan constituting the Samiti Constituency indicating extent of such Constituency	If reserved, status of reservation
1	2	3	4

Election Officer

**FORM No. 5**

[See Rule 11 (3)]

**Receipt for deposit amount**

No.....dated.....  
Received from Shri.....  
.....Rs.....  
(Rupees.....  
.....)

On account of security deposits for candidature for the office of the member of Samiti of Panchayat Samiti .....

Place.....

**Election Officer**

No.....dated.....  
Received from Shri.....  
.....Rs.....  
(Rupees.....  
.....)

On account of security deposits for candidature for the office of the member of Samiti of Panchayat Samiti .....

Place.....

**Election Officer**

ଫାରମ ସଂଖ୍ୟା 5  
[ ନିୟମ 11 (3) ଦ୍ରଷ୍ଟବ୍ୟ ]  
ଜମା ପରିମାଣର ରସିଦ

ସଂଖ୍ୟା ..... ତାରିଖ .....

ଶ୍ରୀ .....

ଠାରୁ .....

ଟଙ୍କା (ଅକ୍ଷରରେ) .....

..... ଗ୍ରହଣ କଲୁ ।

.....

..... ପଞ୍ଚାୟତ ସମିତିର

ସମିତି ସଭ୍ୟ ପଦ ନିମିତ୍ତ ପ୍ରାର୍ଥୀତ୍ୱ ପାଇଁ ଜମା ଦିଆଯାଇଥିବା

ଅମାନତ ଟଙ୍କା ।

ସ୍ଥାନ .....

ନିର୍ବାଚନ ଅଧିକାରୀ

ଫାରମ ସଂଖ୍ୟା 5  
[ ନିୟମ 11 (3) ଦ୍ରଷ୍ଟବ୍ୟ ]  
ଜମା ପରିମାଣର ରସିଦ

ସଂଖ୍ୟା ..... ତାରିଖ .....

ଶ୍ରୀ .....

ଠାରୁ .....

ଟଙ୍କା (ଅକ୍ଷରରେ) .....

..... ଗ୍ରହଣ କଲୁ ।

.....

..... ପଞ୍ଚାୟତ ସମିତିର

ସମିତି ସଭ୍ୟ ପଦ ନିମିତ୍ତ ପ୍ରାର୍ଥୀତ୍ୱ ପାଇଁ ଜମା ଦିଆଯାଇଥିବା

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 ସ୍ୱିକୃତି**

ସଂଖ୍ୟା..... ତାରିଖ .....

ଶ୍ରୀ/ଶ୍ରୀମତୀ .....

ଠାରୁ ..... ସମିତି ନିର୍ବାଚନମଣ୍ଡଳୀର ନିର୍ବାଚନ ସମୟରେ

ଗ୍ରହଣ କରାଯାଇଥିବା ଆପତ୍ତି ଫିସ୍ ଟ. .... (ଟଙ୍କା ଅକ୍ଷରେ .....

.....)କୁ ଏତଦ୍ୱାରା ହରାଇଲେ ।

ଭୋଟ କେନ୍ଦ୍ର .....

ପ୍ରକାଶିତ 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 Seconder
- (13) Serial number of the Seconder in the Electoral Roll with Ward No.
- (14) Signature of the Seconder

**CANDIDATE'S DECLARATION**

I declare that I am willing to stand for election to the Office of the Member of Samiti of .....Panchayat 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 of .....Caste/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.....at  
.....on.....

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<br>ମନୋନୀତ ସେହି ନିର୍ବାଚନମଣ୍ଡଳୀର ନାମ | .. |
| ୨. ଯଦି ସଂରକ୍ଷିତ ସ୍ଥାନ ପାଇଁ ମନୋନୀତ ହୋଇଥାନ୍ତି<br>ତେବେ ତାହାର ସମ୍ପୂର୍ଣ୍ଣ ବିବରଣୀ   | .. |
| ୩. ପ୍ରାର୍ଥୀଙ୍କ ପୁରା ନାମ   | .. |
| ୪. ଖାର୍ଚ୍ଚ ସଂଖ୍ୟା ସହିତ ଭୋଟର ତାଲିକାରେ ପ୍ରାର୍ଥୀଙ୍କ<br>କ୍ରମିକ ସଂଖ୍ୟା             | .. |
| ୫. ପିତା ଅଥବା ପତିଙ୍କ ନାମ   | .. |
| ୬. ବୟସ  | .. |
| ୭. ଠିକଣା  | .. |
| ୮. ସମ୍ପ୍ରଦାୟ  | .. |
| ୯. ପ୍ରସ୍ତାବକଙ୍କ ପୁରା ନାମ  | .. |
| ୧୦. ଖାର୍ଚ୍ଚ ସଂଖ୍ୟା ସହିତ ଭୋଟର ତାଲିକାରେ<br>ପ୍ରସ୍ତାବକଙ୍କ କ୍ରମିକ ସଂଖ୍ୟା           | .. |
| ୧୧. ପ୍ରସ୍ତାବକଙ୍କ ସ୍ଵାକ୍ଷର   | .. |
| ୧୨. ସମର୍ଥକଙ୍କ ପୁରା ନାମ  | .. |
| ୧୩. ଖାର୍ଚ୍ଚ ସଂଖ୍ୟା ସହିତ ଭୋଟର ତାଲିକାରେ<br>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 ଆଇନତଃ 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/Shrimati .....has been elected  
uncontested as the Member of Samiti for..... Samiti Constituency of  
.....Panchayat 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 ଚୂଡ଼ାନ୍ତ 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 of .....Panchayat 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 the .....was 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, ଏତଦ୍ଦ୍ୱାରା 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 ରସିଦ୍**  
**(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
- 4. Ballot Papers cancelled

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
4. ରଦ୍ଦ କରାଯାଇଥିବା ଭୋଟ କାଗଜ

ଭୋଟ କେନ୍ଦ୍ର ନାମ .....

ତାରିଖ .....

ପ୍ରିକାଳିତ ଅଧିକାରୀଙ୍କ ସ୍ଵାକ୍ଷର

**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

[ ନିର୍ଦ୍ଦେଶ 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 କାଗଜର ମୋଟ ସଂଖ୍ୟା .....

ଭୋଟ ବାକ୍ସରୁ ମିଳିଥିବା ଭୋଟ କାଗଜର ମୋଟ ସଂଖ୍ୟା କିମ୍ବା ଭୋଟିଂ ମେସିନ୍‌ରେ ଲିପିବଦ୍ଧ ହୋଇଥିବା ମୋଟ ଭୋଟ ସଂଖ୍ୟା ..... ।

ତାରିଖ .....

ସ୍ଥାନ .....

ପ୍ରିକାଉଟିଂ/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 କାରଜର ମୋଟ ସଂଖ୍ୟା .....

ଭୋଟ ବାକ୍ସରୁ ମିଳିଥିବା ଭୋଟ କାରଜର 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**

ଏତଦ୍ଦ୍ୱାରା 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 of .....Panchayat Samiti.

Notice is hereby given that–

(1) An election is to be held for the Office of the Chairman and Vice-Chairman 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 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 .....,ଡାକଘର .....,ଜିଲ୍ଲା .....,  
ଯିଏକି ..... ସମିତି ନିର୍ବାଚନ ମଣ୍ଡଳୀର.....ସମିତି  
ସଭ୍ୟ, ତାଙ୍କୁ .....ପଞ୍ଚାୟତ ସମିତିର ସଭାଧ୍ୟକ୍ଷ/ଉପ-ସଭାଧ୍ୟକ୍ଷ ପଦ ପାଇଁ ନିର୍ବାଚନର ପ୍ରାର୍ଥୀ ରୂପେ  
ମନୋନୀତ କରୁଅଛୁ ।

ସମର୍ଥକଙ୍କ ସ୍ଵାକ୍ଷର  
ତାରିଖ .....

ପ୍ରସ୍ତାବକଙ୍କ ସ୍ଵାକ୍ଷର  
ତାରିଖ.....

ମୁଁ ନିମ୍ନ ସ୍ଵାକ୍ଷରକାରୀ ..... ଉପରେ.....  
ନିର୍ବାଚନ ନିମନ୍ତେ ଯଥାଯୋଗ୍ୟ ବ୍ୟକ୍ତି, ଏତଦ୍ଵାରା ମୋର ପ୍ରାର୍ଥୀ ମନୋନୟନ ପ୍ରତି ସମ୍ମତି ଜଣାଉଛି ।

ପ୍ରାର୍ଥୀଙ୍କ ସ୍ଵାକ୍ଷର  
ତାରିଖ.....

**ନିର୍ବାଚନ ଅଧିକାରୀଙ୍କ ଦ୍ଵାରା ପୃଷ୍ଠାକନ**

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 ସଭାଧକ୍ଷ/ଉପ-ସଭାଧକ୍ଷ ପଦର ନିର୍ବାଚନ ନିମନ୍ତେ ଭୋଟ ଗଣତି ଫଳ

ପଞ୍ଚାୟତ ସମିତିର ନାମ .....

କ୍ରମିକ ସଂଖ୍ୟା	ପ୍ରାର୍ଥୀଙ୍କର ନାମ	ବିଧିବଦ୍ ମିଳିଥିବା ମୋଟ ଭୋଟ 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 .....

ଶ୍ରୀ/ଶ୍ରୀମତୀ/କୁମାରୀ ..... ପିତା/ସ୍ୱା .....  
ସମିତି ସଭ୍ୟ ..... ସମିତି ନିର୍ବାଚନ ମଣ୍ଡଳୀ .....

..... ପଞ୍ଚାୟତ ସମିତିର ସଭାଧକ୍ଷ/ଉପ-ସଭାଧକ୍ଷ ଭାବରେ ବିଧିବଦ୍ ନିର୍ବାଚିତ ବୋଲି ଘୋଷଣା କରାଯାଉଛି ।

ତାରିଖ .....

ସ୍ଥାନ .....

ନିର୍ବାଚନ ଅଧିକାରୀଙ୍କ ସ୍ୱାକ୍ଷର

ଟିପ୍ପଣୀ—(1) ସଭାଧକ୍ଷ ଓ ଉପ-ସଭାଧକ୍ଷ 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 Presiding Officer**

**Name of Candidate/Polling Agent/Counting Agent Full Signature**

---

- 1.
- 2.
- 3.
- 4.
- etc.

Place.....

Date.....

**Signature of the Election Officer**

**ORISSA PANCHAYAT SAMITI (REMOVAL OF CHAIRMAN AND  
VICE-CHAIRMAN FROM OFFICE) RULES, 1986**

**INDEX**

Rules	Subject	Page No.
1.	Short title and commencement	.. 199
2.	Definition	.. 199
3.	Publication of order under Section 40-A (1)	.. 199
4.	Authority to publish Resolution under Section 46-B	.. 199
5.	Manner of publication of Resolution under Section 46-B.	.. 199
6.	Repeal and savings	.. 200

**ORISSA 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 Orissa 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 (Orissa Act 7 of 1960) in the extraordinary issue No. 685 of the *Orissa Gazette*, dated the 3rd June 1986 as S.R.O. No. 486/86 under the notification of the Government of Orissa 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 Orissa 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 Orissa 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 *Orissa 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 *Orissa 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 *Orissa 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. 13791-L.C.-II-27/86-L.C.-II ]

By order of the Governor

R. K. MISHRA

Deputy Secretary to Government

## EXTRACTS FROM THE ORISSA ZILLA PARISHAD ACT, 1991

## INDEX

Section	Subject	Page No.
<b>CHAPTER I</b>		
<b>PRELIMINARY</b>		
2.	Definitions	.. 203
<b>CHAPTER II</b>		
<b>CONSTITUTION OF ZILLA PARISHADS AND THEIR FUNCTIONS</b>		
3.	Constitution and function of Parishad	.. 203
6.	Members of Parishad	.. 203
6-A.	Superintendence, direction and control of election to vest in State Election Commission.	.. 208
7.	Duration of Parishad	.. 208
8.	Election of President and Vice-President	.. 208
9.	President to be executive authority	.. 210
13.	Chief Executive Officer and its function	.. 210
<b>CHAPTER III</b>		
<b>ZILLA PARISHAD FUND</b>		
18.	Review of Finance	.. 211
<b>CHAPTER IV</b>		
<b>CONTROL</b>		
24.	Extraordinary powers of Director	.. 211
25.	Government's power to take action in default of a Parishad or its President.	.. 211
26.	Removal of President and Vice-President of Parishad	.. 212
27.	Revival of removal proceedings	.. 212
28.	Dissolution and reconstitution of Parishads	.. 212
29.	Supersession of Parishad	.. 213



Section	Subject	Page No.
<b>CHAPTER V</b>		
<b>ELECTION DISPUTES</b>		
32.	Election disputes	.. 213
<b>CHAPTER VI</b>		
<b>MISCELLANEOUS</b>		
33.	Disqualifications for becoming a member and continuing as member.	.. 214
33-A.	No person to hold more than one elected office	.. 217
34.	District Judge to decide question of disqualification	.. 217
35.	Failure of election	.. 217
36.	Oath of allegiance	.. 218
37.	Resignation of President, Vice-President and Members	.. 218
38.	Cessation of membership of Chairman in the Samiti	.. 218
39.	Vote of no confidence against President and Vice-President.	.. 219
40.	Casual vacancies	.. 220
41.	Vacancy not to invalidate proceedings	.. 220
44.	President, Vice-President and employees to be public servants.	.. 221
45.	Protection of action taken under the Act	.. 221
51.	Power to make rules	.. 221
52.	Power to make bye-laws	.. 221
53.	Issue of order and removal of difficulties	.. 222

# EXTRACTS FROM THE ORISSA 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 Orissa 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 and 13 of 2001. 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) As nearly as may be, but not less than twenty-seven percentum of the total number of seats to be filled up by direct election in every Parishad shall be reserved in favour of backward class of citizens as referred to in clause (6) of Article 243-D of the Constitution in the prescribed manner 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 percentum 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 the end of every two terms\* of 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 Oriya 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. 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 Oriya 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 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 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 Parishad.

(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 ]<sup>2</sup> 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) as nearly as may be, twentyseven percentum of the 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;
- (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).

---

\*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.



(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 (Orissa 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 Orissa Co-operative Societies Act, 1962 (Orissa 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 Orissa 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.

(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.

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.]<sup>2</sup>

**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
- (b) where the notification calling for general election to the Parishad has already been 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 ORISSA ZILLA PARISHAD (DIVISION AND RESERVATION  
OF CONSTITUENCIES) RULES, 1995**

**INDEX**

<b>Rule</b>	<b>Subject</b>	<b>Page No.</b>
1.	Short title and commencement	.. 224
2.	Definition	.. 224
3.	Name and number of the constituencies	.. 224
4.	Collector to prepare the list of constituencies	.. 224
5.	Reservation of Backward Class of Citizen	.. 224
6.	Publication of draft statement showing reservation of seats	.. 224
7.	Submission of final statement showing the division of area and reservation of constituencies.	.. 225
8.	Publication of final statement by Govt. in Official Gazette	.. 225
9.	Submission of list of constituencies and reservation of seats and offices by Govt. to the Commission.	.. 225
10.	Interpretation of rules	.. 225
11.	Repeal	.. 225

**THE ORISSA ZILLA PARISHAD (DIVISION AND  
RESERVATION OF CONSTITUENCIES) RULES, 1995**

1. (1) These rules may be called “The Orissa Zilla Parishad (Division and Reservation of Constituencies) Rules, 1995”.
- (2) They shall come into force on the date of their publication in the *Orissa Gazette*.
2. (1) In these rules, unless the context otherwise requires,—
  - (a) ‘Act’ means the Orissa 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 Orissa;
  - (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 Orissa 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 writting, within the period specified under sub-rule(1), either in person or such objection or suggestion may be sent to the Colellctor 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 Orissa 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 &amp; 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 Orissa  
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 ORISSA ZILLA PARISHAD ELECTION RULES, 1994

### INDEX

Rule	Subject	Page No.
PART I		
1.	Short title and commencement	.. 231
2.	Definition	.. 231
PART II <b>GENERAL</b>		
3.	Notification of election	.. 232
4.	Appointment of dates for election	.. 233
5.	Electoral Roll	.. 233
6.	Revision of electoral roll	.. 233
7.	Election symbol	.. 234
8.	Eligibility of a candidate	.. 234
9.	Eligibility of the proposer and seconder	.. 234
PART III <b>FILING OF NOMINATION, SCRUTINY AND WITHDRAWAL</b>		
10.	Presentation of nomination paper	.. 234
11.	Supply of forms	.. 234
12.	Deposit of money and process of election	.. 234
13.	Failure of election	.. 236
14.	Assignment of symbol & withdrawal of candidature	.. 236
PART IV <b>POLLING ARRANGEMENTS</b>		
15.	Location of Polling Stations	.. 237
16.	Presiding and Polling Officer	.. 237
17.	Ballot boxes	.. 237
18.	Ballot papers	.. 237
19.	Appointment of Polling Agents	.. 237
20.	Polling hour	.. 237
21.	Marking of Ballot paper	.. 237

<b>Rule</b>	<b>Subject</b>	<b>Page No.</b>
	<b>PART V</b>	
	<b>POLLING</b>	
22.	Supply of forms	238
23.	Preparation by the Presiding Officer	238
24.	Permission to Polling Agents	238
25.	Identity of voters	238
26.	Exhibition of list of candidates and their symbols	238
27.	Exhibiting the empty Ballot Box	238
28.	Voting procedure	238
	28-A & B Voting by Electronic Voting Machine	239
29.	Working copy of the voters list	239
30.	Blind incapable voters	239
31.	Objection for identity of a voter	239
32.	Procedure for conducting of poll	240
33.	Polling Officer to act as Presiding Officer	240
	34 & 35. Omitted	240
36.	Procedure for counting of votes	240
37.	Recording of counting	240
38.	Submission of papers	240
39.	Declaration of the result of the votes	240
40.	Publication of the result of the votes	241
41.	Failure of election	242
42.	Election for the 2nd time	242
43.	Postponement of election	242
44.	Adjournment of poll in Emergency	243
45.	Fresh poll in the case of destruction of Ballot Boxes etc.	243
46.	Adjournment of poll or countermanding of election on the ground of booth capturing.	244

<b>Rule</b>	<b>Subject</b>	<b>Page No.</b>
<b>PART VI</b>		
<b>ELECTION OF PRESIDENT/VICE-PRESIDENT OF ZILLA PARISHAD</b>		
47.	Place for holding the election	245
48.	Issue of notices and their publication	245
49.	Filing of nomination	245
50.	Procedure for conducting the election	246
51.	Manner of voting	246
52.	Counting of votes	247
53.	Rejection of ballot paper	247
54.	Declaration of result	247
55.	Election of Vice-President	247
56.	Preparation of record of proceeding	248
57.	Publication of names of the President and Vice-President	248
<b>PART VII</b>		
<b>MISCELLANEOUS</b>		
58.	Death of a candidate before poll	248
59.	Extraordinary Powers of the Commissioner	249
59-A.	Requisition of vehicles, premises etc.	249
59-B.	Procedure of dereservation	249
60.	Resignation of any elected member or President or Vice-President	250
61.	Filling up of the casual vacancies	250
62.	Interest in any contract with the Parishad	251
63.	Procedure for removal of disqualification	251
64.	Persons in the habit of encouraging litigation	251
65.	Omitted	251
66.	Prohibition for discussion in the meeting	251
67.	Interference of Government Servants	252
68.	Closure of Propaganda	252
69.	Interpretation of the rule	252
70.	Determination of dispute	252

# THE ORISSA ZILLA PARISHAD ELECTION RULES, 1994\*

## PART I

- Short title and commencement.. 1. (1) These rules may be called “the Orissa Zilla Parishad Election Rules, 1994”.
- (2) They shall come into force on the date of their publication in the *Orissa Gazette*.
- Definition. 2. (1) In these rules, unless the context otherwise requires :—
- (a) “Act” means the Orissa Zilla Parishad Act, 1991 (Orissa 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 Orissa Panchayat Samiti Act, 1959 ( Orissa 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 Orissa Grama Panchayat Act, 1964 (Orissa 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 Orissa 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 or for counting of votes;
  - (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 or to count the votes;
  - (p) "Sarpanch" means a person elected as such in accordance with the provisions of the Orissa Grama Panchayat Act, 1964 (Orissa 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 Oriya.

(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 two polling agents 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 Oriya 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 Orissa 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 &

(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 at the polling station, the Presiding Officer shall proceed to take up the counting of the votes polled in presence of the candidates or their polling agents, if any, present in the polling station.
- (2) Each ballot paper shall be scrutinised by the Presiding 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 Presiding 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 counting, 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 Oriya.

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 Oriya.

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.

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]<sup>1</sup> 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 ଅଧିବୃତ୍ତନ ।

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 ପୂର୍ବରୁ 11 ଘଟିକା ଠାରୁ ଅପରାହ୍ଣ 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)

No. ....Dated.....

Received from Smt./Shri .....

Rs. ....

(Rupees.....)

on account of security deposit for  
candidature for the office of the  
member of Parishad of.....  
.....Zilla Parishad

Place.....

Election Officer

(Depositor's copy)

No. ....Dated.....

Received from Smt./Shri .....

Rs. ....

(Rupees.....)

on account of security deposit for  
candidature for the office of the  
member of Parishad of.....  
.....Zilla Parishad

Place.....

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 ଅମାନତ ଟ.....(ଅକ୍ଷରରେ  
ଟଙ୍କା.....)  
ମାତ୍ର .....ଜିଲ୍ଲା ପରିଷଦ ପାଇଁ  
ଗ୍ରହଣକଲୁ ।

ନିର୍ବାଚନ ଅଧିକାରୀ

**ଫାରମ ସଂ. 3**

[ ନିୟମ 12 (3) ଦ୍ରଷ୍ଟବ୍ୟ ]

ଜମା ପରିମାଣର ରସିଦ୍

(ଜମାକାରୀଙ୍କ ନକଲ)

ସଂଖ୍ୟା .....,ତାରିଖ.....,  
ଶ୍ରୀ/ଶ୍ରୀମତୀ .....ଠାରୁ  
ପରିଷଦର ସଭ୍ୟପଦର ପ୍ରାର୍ଥୀତ୍ୱ ନିମନ୍ତେ ଜମା ଦିଆ  
ଯାଇଥିବା ଅମାନତ ଟ.....(ଅକ୍ଷରରେ  
ଟଙ୍କା.....)  
ମାତ୍ର .....ଜିଲ୍ଲା 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 ଏଡ଼ିଆ 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 ସ୍ଵାକ୍ଷର

ମୋର ନାମ ..... ଅଟେ ଏବଂ .....

ପରିଷଦ ନିର୍ବାଚନ ମଣ୍ଡଳୀର ଭୋଟର ତାଲିକାର କ୍ରମିକ ସଂଖ୍ୟା .....ରେ ତାହା ଦରଜ ହୋଇଅଛି ।

ତାରିଖ .....

ସମର୍ଥକଙ୍କ ସ୍ଵାକ୍ଷର

ମୁଁ ଉପରି ମନୋନୀତ ପ୍ରାର୍ଥୀ ମନୋନୟନ ପ୍ରତି ସମ୍ମତି ଜଣାଉଛି ଏବଂ ଏତଦ୍ଵାରା ଘୋଷଣା କରୁଅଛି ଯେ –

- (କ) ମୋର ବୟସ ..... ବର୍ଷ ସଂପୂର୍ଣ୍ଣ ହୋଇଅଛି ।
- \* (ଖ) ମୁଁ ..... ଦଳଦ୍ଵାରା 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 ବିଶ୍ଵାସ 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 ସ୍ଵାକ୍ଷର

\* 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 ଶବ୍ଦଗୁଡ଼ିକ 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/ଶ୍ରୀମତୀ .....ପରିଷଦର 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 ରୂତାନ୍ତ 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 .....  
..... କି ଦ୍ୱାରା ତା. ....ରିଖ.....ଘଟିକା  
ସମୟରେ ଦିଆ ଯାଇଥିଲା ।

ନିର୍ବାଚନ ଅଧିକାରୀ

**ପ୍ରତ୍ୟାହାର ନୋଟିସର ରସିଦ୍**  
(ନୋଟିସ୍ ଦେଉଥିବା ବ୍ୟକ୍ତିଙ୍କୁ ଦିଆଯିବ)

.....ପଦ ନିମିତ୍ତ ନିର୍ବାଚନରେ ପ୍ରାର୍ଥୀଙ୍କ ଦ୍ୱାରା  
ପ୍ରାର୍ଥୀତ୍ୱ ପ୍ରତ୍ୟାହାର ନୋଟିସ୍ ..... କି 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
4. Ballot papers cancelled

Name of Polling Station .....

Date .....

Signature of the Presiding Officer

**ଫାରମ ସଂ. 11**

[ ନିୟମ 22 (V) ଦ୍ରଷ୍ଟବ୍ୟ ]

ଭୋଟ କାଗଜର ହିସାବ

..... ଜିଲ୍ଲା ପରିଷଦର ..... ପରିଷଦ ନିର୍ବାଚନ ମଣ୍ଡଳୀର ପରିଷଦର

ସଭ୍ୟ ପଦ ନିର୍ମୂଳ ନିର୍ବାଚନ ।

ମୋଟ ସଂଖ୍ୟା

- |                                    |    |
|------------------------------------|----|
| 1. ମିଳିଥିବା ଭୋଟ କାଗଜ               | .. |
| 2. ବ୍ୟବହୃତ ହୋଇ ନ ଥିବା ଭୋଟ କାଗଜ     | .. |
| 3. ଭୋଟଦାତାଙ୍କୁ ଦିଆଯାଇଥିବା ଭୋଟ କାଗଜ | .. |
| 4. ରଦ୍ଦ କରାଯାଇଥିବା ଭୋଟ କାଗଜ        | .. |

ଭୋଟ ଗ୍ରହଣ କେନ୍ଦ୍ରର ନାମ .....

ତାରିଖ .....

ପ୍ରକାଶିତ ଅଧିକାରୀଙ୍କ ସ୍ୱାକ୍ଷର

**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 Presiding 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 କାଗଜର ମୋଟ ସଂଖ୍ୟା .....

ଭୋଟ ବାକ୍ସରୁ ମିଳିଥିବା ଭୋଟ କାଗଜର ମୋଟ ସଂଖ୍ୟା .....

ଭୋଟିଂ ମେସିନ୍‌ରେ ଲିପିବଦ୍ଧ ହୋଇଥିବା ଭୋଟ ସଂଖ୍ୟା.....

ତାରିଖ : .....

ସ୍ଥାନ : .....

ପ୍ରିଜାଇଡିଂ 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 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 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 ସ୍ୱାକ୍ଷର

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 ଲୋଡ଼ା 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 ଯାଂଚ 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
-----------------	---------------------

---

- (6) ନିର୍ବାଚନ ଅଧିକାରୀ .....
- (7) ନିର୍ବାଚନରେ ପ୍ରତିଦ୍ୱନ୍ଦିତା 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. ଦ୍ର.- \*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  
ତାରିଖ .....

ପ୍ରସ୍ତାବକଙ୍କ ସ୍ୱାକ୍ଷର  
ତାରିଖ .....

ମୁଁ ନିମ୍ନ ସ୍ୱାକ୍ଷରକାରୀ ..... ଉପରୋକ୍ତ ..... ନିର୍ବାଚନ ନିମନ୍ତେ  
ଯଥାଯୋଗ୍ୟ ବ୍ୟକ୍ତିରୂପେ ଏତଦ୍ୱାରା ମୋର ପ୍ରାର୍ଥୀ ମନୋନୟନ ପ୍ରତି ସମ୍ମତ 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 ପ୍ରଯୁଜ୍ୟ 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

## ଫାରମ 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 ସାକ୍ଷ୍ୟାଙ୍କିତ ହୋଇଅଛି ।

ପ୍ରାର୍ଥୀ ବାଛିବା ନିମନ୍ତେ ପ୍ରାଧିକୃତ ବ୍ୟକ୍ତିମାନଙ୍କ ନାମ	କେଉଁ ଜିଲ୍ଲା ପରିଷଦ ନିମନ୍ତେ ପ୍ରାଧିକୃତ ହୋଇଛନ୍ତି	ପ୍ରାଧିକୃତ ବ୍ୟକ୍ତିଙ୍କର ନମୁନା ସ୍ୱାକ୍ଷର	ଅଧ୍ୟକ୍ଷ/ସାଧାରଣ ସଂପାଦକଙ୍କ ଦ୍ୱାରା ସାକ୍ଷ୍ୟାଙ୍କନ
1	2	3	4
1			
2			
3			
4			

ଆପଣଙ୍କର ବିଶ୍ୱସ୍ତ,

ଅଧ୍ୟକ୍ଷ/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 ପ୍ରାୟତ୍ନିତ 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 ପ୍ରାୟତ୍ନିତ ବ୍ୟକ୍ତିଙ୍କ ନାମ ଓ ସ୍ୱାକ୍ଷର

ଟିପ୍ପଣୀ – ମନୋନୟନ ପତ୍ର ଯାଂଚ 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**

<b>Sl. No.</b>	<b>Name of candidate</b>	<b>No. of votes recorded</b>
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 the Presiding 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

INDEX

<b>Section</b>	<b>Subject</b>	<b>Page No.</b>
CHAPTER III		
<b>DISQUALIFICATIONS FOR MEMBERSHIP OF PARLIAMENT AND STATE LEGISLATURE</b>		
7.	Definition	.. 285
8.	Disqualification on conviction for certain offences	.. 285
8-A.	Disqualification on ground of corrupt practices	.. 287
9.	Disqualification for dismissal for corruption or disloyalty	.. 287
9-A.	Disqualification for Government contracts, etc.	.. 288
10.	Disqualification for offices under Government company	.. 288
10-A.	Disqualification for failure to lodge account of election expenses.	.. 288
11.	Removal or reduction of period of disqualification	.. 288
CHAPTER IV		
<b>DISQUALIFICATION FOR VOTING</b>		
11-A.	Disqualification arising out of conviction and corrupt practices.	.. 288
11-B.	Removal of disqualification	.. 289

# 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 found guilty of a corrupt practice by an order 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 immediately before the commencement of the Election Laws (Amendment) Act, 1975 (40 of 1975), may, if the 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 ].