The Orissa Co-operative Societies (Elections to the Committees) Rules, 1992

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Rule

THE-ORISSA-CO-OPERATIVE-SOCIETIES-ELECTIONS-TO-THE-COMM of 1992

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The Orissa Co-operative Societies (Elections to the Committees) Rules, 1992Published vide Notification No. S.R.O. No. 1042/92, dated 3rd September, 1992Co-Operation DepartmentsS.R.O. No. 1042/92. - Whereas, the draft of the Orissa Co-operative Societies (Elections to the Committees) Rules, 1992 was published as required by Sub-Section (1) of Section 134 of the Orissa Co-operative Societies Act, 1962 (Orissa Act 2 of 1963) in the extraordinary issue of the Orissa Gazette No. 794, Dated the 3rd June, 1992, under notification of the Government of Orissa in the Co-operation Department No. 11792/Co-op. dated the 28th May, 1992 bearing S.R.O.No. 710/92 inviting objections and suggestions from all persons likely to be affected thereby till the expiry of a period of thirty days from the date of publication of the said notification. And whereas, objections or suggestions received within the period so specified, have been duly considered by the State Government; Now, therefore in exercise of powers conferred by Section 134, read with Section 28-A of the said Act, the State Government do hereby make the following rules, namely:

1. Short title and commencement.

(1)These rules may be called the Orissa Co-operative Societies (Elections to the Committees) Rules, 1992.(2)[They shall come into force on such date as the State Government may, by notification, appoint.] [Came into force on 11th day of 1992.]

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2. Definitions.

- In these rules, unless the context otherwise requires-(a)"Act" means the Orissa Co-operative Societies Act, 1962;(b)"Chief Executive" includes the Managing Director or the Secretary, or any other designated officer appointed by the Committee under Sub-Section (3-b) of Section 28 of the Act; [(b-1) A "Class" means the members of a Co-operative Society including the representatives of other Co-operative Societies affiliated to it belonging to Scheduled Castes, Scheduled Tribes, other Backward Classes and Women respectively.] [Substituted vide O.G.E. No. 1123 dated 14.7.2005.](c)"Constituency" means a constituency organised in accordance with Sub-rule (3) of Rule 6;(d)"Election Officer" includes Assistant Election Officer;(e)"Form" means a form appended to these rules;(f)"Public Servant" shall carry the same meaning as defined in Section 21 of the Indian Penal Code;(g)"Reserved constituency" or "specified constituency" means a constituency reserved for the members belonging to the Scheduled Castes, Scheduled Tribes, [other Backward Classes] [Inserted vide Orissa Gazette Extraordinary No. 390, dated 27.3.1997.] women, [* * *] [Omitted vide Orissa Gazette Extraordinary No. 1348, dated 23.8.2002.] as the case may be; [Note [Added vide O.G.E. No. 1123 dated 14.7.2005.] - The expression" Other Backward Classes" shall carry the same meaning as assigned to it under orders of the Government issued from time to time and includes the Socially and Educationally Backward Classes.](h)"Section" means a section of the Act.(2)Words and expression used but not defined in these rules, shall have the same meaning as respectively assigned to them in the Act and the Orissa Co-operative Societies Rules, 1965.

3. Election of the President and Members of the Committee.

(1) The election of the President [Vice-President] [Inserted vide Orissa Gazette Extraordinary No. 390, dated 27.3.1997.] and members of the Committee of a society shall be held in the manner specified hereinafter.(2) The appointment of Election Officers under Sub-Section (2) of Section 28-A shall be published in the Orissa Gazette and shall be communicated to -(a)Election Officers concerned;(b)Societies concerned;(c)the concerned person appointed under Section 3, in whose local limit the Head-quarters of the Societies is located.(3)(a)The Chief Executive of the Society shall send the intimations as required by Sub-Section (2) of Section 28-A to the Election Officer of the society by registered post under acknowledgment due, or in person under proper acknowledgment.(b)The Chief Executive shall, along with the intimation as specified under Clause (a) furnish, in case the membership of the Society has already been organised into constituencies by the Committee, full particulars of all such constituencies as well as the offices in respect of which elections are required to be held, duly supported by the resolution of the Committee and where no such constituency has been organised the Chief Executive shall send a requisition to the Election Officer for organisation of such constituencies under Sub-rule (3) of Rule 6 [along with the details of reservation of the Constituencies made for different categories of members of the Societies in the previous election and such other information as may be required by the Election Officer.] [Added vide O.G.E. No. 1123 dated 14.7.2005.]

4. Fixing of dates of election and polling station.

(a) The Election Officer of the society shall fix the date of election of the [* * *] [Deleted vide Orissa Gazette Extraordinary No. 390, dated 27.3.1997.] members of the Committee and, subject to the directions of the Chief Electoral Officer, if any, in that regards, publish the same atleast two months prior to the date of election so fixed either in the daily newspapers having wide circulation in the area of operation of the society or in the notice boards of the society, its branches if any, the offices of the Grama Panchayat, Panchayat Samiti, Tahasildar, Sub-Collector, Collector, Deputy Registrar of Co-operative Societies and Assistant Registrar of Co-operative Societies in the area of operation of the society or by beat of drums in the aforesaid area, whichever mode, or he may deem proper :Provided that where a directive has been issued by the State Government to a society or societies, as the case may be, to hold election to the Committee of any such society or societies on any particular date, the Election Officer shall fix that date for election to the Committee of these Societies accordingly. [(a-1) The Election Officer shall fix the date of election of the President within two days from the date of declaration of the result of the election of the Members of the Committee and, of the Vice-President within two days from the date of declaration of the result of the election of the President and publish the same along with the full particulars of the dates, place and hours between which: [Inserted vide Orissa Gazette Extraordinary No. 390, dated 27.3.1997.](i)nomination papers shall be filed; (ii) nomination papers shall remain open for scrutiny, filing of objections and furnishing of proof in support of the objections shall take place, and the objections shall be enquired into, heard and disposed of;(iii)the list of valid nomination shall be published;(iv)withdrawal of nomination shall be made;(v)list of contesting candidates shall be published;(vi)polling, if necessary, shall take place; and(vii)the counting of votes and the declaration of result of election shall be made; at least fifteen days prior to the date of election so fixed, in the notice boards of the Society and shall cause service of the same on the members of the Committee by Registered Post with due acknowledgment.](b)The Election Officer shall, after making necessary enquiries where deem proper, finalise the number and location of polling stations having regard to the general principle of allotting at least one polling station per one thousand voters.

5. Notice for various stages of election.

(1)The form of notice referred to in Clause (b) of Sub-Section (4) of Section 28-A of the Act [for election of the members of the Committee] [Inserted vide Orissa Gazette Extraordinary No. 390, dated 27.3.1997.] shall contain full particulars of the constituency, the offices in respect of which elections shall be held, and the dates, place and hours between which -(a)the provisional electoral roll shall be published;(b)objections concerning anything published, not published or wrongly published in the provisional electoral roll shall be filed, heard and disposed of;(c)the final electoral roll shall be published;(d)nomination papers shall be filed;(e)nomination papers shall remain open for scrutiny, filing of objections and furnishing of proof in support of the objections shall take place; and the objections shall be enquired into, heard and disposed of;(f)the list of valid nominations shall be published;(g)withdrawal of nominations shall be made;(h)list of contesting candidates shall be published;(i)polling, if necessary, shall take place; and(j)the counting of votes and the declaration of results of election shall be made.(2)On receipt of the form of notice, the Election Officer shall cause publication and service of the same on the members of the society excluding the nominal members,

by publishing it-in a daily Oriya Newspaper having wide circulation in the area of operation of the society or in the notice-boards of the society, its branches, if any, the offices of the Grama Panchayat, Panchayat Samiti, Tahasildar, Sub-Collector, Collector, Deputy Registrar of Co-operative Societies and Assistant Registrar of Co-operative Societies in the area of operation of the society or by beat of drums in the aforesaid areas, whichever mode he may deem proper at least thirty-five days prior to the date fixed for elections.

6. Electoral roll.

(1) The Chief Executive of the Society shall prepare the provisional electoral roll for each constituency incorporating therein -(a)in case of individual members the names of persons who are members as on the date of publication of the date of election under Clause (a) of Sub-Section (4) of Section 28-A and are qualified to vote with their father address as entered in the membership Registrar, along with their father's or husband's names, as the case may be, sex and other particulars regarding whether they belong to the Scheduled Caste, Scheduled Tribes [other Backward Classes] [Inserted vide Orissa Gazette Extraordinary No. 390, dated 27.3.1997.] or or Landless Cultivators; and(b)in case of non-individual members like the local authorities, the societies, other body corporates or the State or the Central Government [who are members as on the date of publication of the date of election under Clause (a) of Sub-Section (4) of Section 28-A] [Inserted vide Orissa Gazette Extraordinary No. 390, dated 27.3.1997.] the names, registration numbers and such other particulars to facilitate identification along with the names [sex, class to which he or she belongs] [Inserted vide O.G.E. No. 1123 dated 14.7.2005] and addresses of the persons who shall respectively exercise the vote on behalf of such members as provided under Section 21 of the Act.(2)The non-individual members of the Society, shall intimate the names and address of the persons who shall exercise the vote on their behalf, along with the authority to do so, to the Chief Executive of the Society at least fifty days prior to the date fixed for election.(3)[The membership of a Society shall be organized Constituency-wise either on territorial or numerical membership basis as may be determined by the Committee and arrayed in the manner hereinafter provided so that where it is necessary to organize the Constituencies on membership basis, the Constituencies shall be organised chronologically as per the serial numbers of the members in the membership register of the Co-operative Society and where it is necessary to organise the Constituencies on territorial basis, the Constituencies, shall be serially numbered by taking the geographically contiguous areas :Provided that in the case where the Committee has not organised the membership of the Society into Constituencies it shall be lawful for the Election Officer of the Society to organise Constituencies as per the provisions of the Act and the Orissa Co-operative Societies Rules, 1965 and these Rules.(a)The unreserved Constituencies and the reserved Constituencies meant for Scheduled Tribes (Men and Women) in the case of large-sized Adivasi Multipurpose Co-operative Societies shall be organised in the following manner:

Sl. No. of	No. of Details of area/Sl. No. of members fromto in the Constitue					
Constituencies	membership register	earmarked as				
(1)	(2)	(3)				
1		Unreserved				

2				Scheduled Tribes
3				Scheduled Tribes (Women)
4				Unreserved
5				Scheduled Tribes
6				Scheduled Tribes (Women)
7				Unreserved
8				Scheduled Tribes
9				Scheduled Tribes (Women)
10				Unreserved
11				Scheduled Tribes
12				Scheduled Tribes (Women)
13				Unreserved
14				Scheduled Tribes
15				Scheduled Tribes (Women)
(1.)m1	10 11	. 1.1	1.0	

(b)The unreserved Constituencies and the reserved Constituencies meant for Scheduled Castes, Scheduled Tribes, Other Backward Classes and Women in the case of Primary Co-operative Societies (Other than largesized Adivasi Multipurpose Co-operative Societies) and Central Co-operative Societies, as the case may be, shall be organised in the following manner:

Sl. No. of	Details of area/Sl. No. of members fromto in	
Constituencies	the membership register	as
(1)	(2)	(3)
1		Unreserved
2		Scheduled Caste (Men)
0		Scheduled Tribes
3		(Women)
4		Unreserved
_		Other Backward Classes
5		(Men)
6		Women
7		Unreserved
8		Scheduled Tribes (Men)
9		Scheduled Caste (Women)
10		Unreserved
11		

		Other Backward Classes (Women)
12		Women
13		Unreserved
· ·		Other Backward Classes
14		(Men)
15		Unreserved
(c)The unreserved Co	onstituencies and the reserved Constituencies mean	t for Scheduled Castes,
Scheduled Tribes, Ot	her Backward Classes and Women in the case of Ap	ex Co-operative Societies,
_	the following manner:	
Sl. No. of	Details of area/Sl. No. of members fromto in	
Constituencies	the membership register	as
(1)	(2)	(3)
1		Unreserved
2		Scheduled Caste (Men)
3		Scheduled Tribes
5		(Women)
4		Unreserved
5		Other Backward classes (Men)
6		Women
7		Unreserved
8		Scheduled Tribes (Men)
9		Scheduled Castes (Women)
10		Unreserved
11		Other Backward Classes (Women)
12		Women
13		Unreserved
· ·		Other Backward Classes
14		(Men)
15		Unreserved
16		Scheduled Castes (Men)
17		Scheduled Tribes (Men)
18		Unreserved
19		Women
20		Other Backward Classes (Women)

21 Unreserved

Explanation: The term 'Unreserved' shall mean the Constituency which is not reserved for the Scheduled Castes, Scheduled Tribes, Other Backward Classes and Women members of the Co-operative Society.] [Substituted vide O.G.E. No. 1123 dated 14.7.2005] [(3-a) The Constituencies shall be arranged in the manner as specified in Sub-rule (3) at the first instance and shall thereafter rotate in the descending order at every subsequent election.] [Inserted vide O.G.E. No. 1123 dated 14.7.2005.](4)The Chief Executive shall furnish authenticated copies of the provisional electoral rolls to the Election Officer at least forty days prior to the date fixed for elections and the Election Officer or any person authorised by him in that behalf, shall publish the same by affixing it on the notice-boards of the head office of the society and its branches, if any, thirty days prior to the date of election. (5) Objections to the provisional electoral rolls published under Sub-rule (4) shall be filed before the Election Officer in writing showing therein the details of the objections, and full particulars of the objectors within four days from the date of publication of the said electoral rolls, and the same shall be heard and decided by the Election Officer after such enquiry as he may deem necessary. The Election Officer shall correct the electoral roll after deciding all claims and objections and finalise the same within three days from the last date of receipt of objections. (6) The electoral rolls finalised under Sub-rule (5) shall be displayed by the Election Officer on the notice-boards of head office of the Society, within two days immediately following the day the electoral roll is so finalised.(7)Copies of the final electoral roll shall be supplied by the Chief Executive to any member of the society on payment of such fees as may be specified by him from time to time.

7. Nomination of candidates.

(1) Subject to Sub-rule (4) nomination [for the election of the members of the Committee] [Inserted vide Orissa Gazette Extraordinary No. 390, dated 27.3.1997.] shall be filed in Form I before the Election Officer by the candidate or through the proposer within three days from the date of publication of the final electoral roll. The forms shall, on application to the Chief Executive, be supplied on payment of such fees as may be fixed by the Chief Electoral Officer from time to time :[Provided that in case of joint membership as provided in the Explanation to Sub-clause (i) of Clause (b) of Sub-Section (2) of Section 6 of the Act, the nomination first filed either by husband or wife shall be acceptable.(1-a) The nomination for the office of President and Vice-President shall be filed in Form-1 before the Election Officer by the candidate or through the proposer within the time fixed by the Election Officer. The forms shall, on application to the Chief Executive, be supplied on payment of such fees as may be fixed by the Chief Electoral Officer from time to time.] [Inserted vide Orissa Gazette Extraordinary No. 390, dated 27.3.1997.](2)The Election Officer shall specify the symbols which may be allotted to the candidates but he shall not allot any symbol which are associated with political parties.(3)All nominations shall be filed alongwith the fees and security deposits fixed, if any, by the Chief Electoral Officer, duly filled in, complete in all respects, and signed by the Candidate, his proposer and seconder.(4)[(i) A voter belonging to Scheduled Castes/Scheduled Tribes/Other Backward Classes and Women, whether in his/her individual or representative capacity, whose name appears in the final electoral roll of any Constituency shall be eligible to become a candidate for the office of member of Committee from any of the Constituencies reserved for the category of members to which he/she belongs. Provided that a voter whether in his/her individual or representative capacity, whose name appears in the final electoral roll of any

Constituency of the Society shall be eligible to become a candidate for the office of member of the Committee from any of the unreserved Constituencies. Provided further that a voter shall not be eligible to contest at an election from more than one Constituency.(ii) A voter, whose name appears in the final electoral roll of any particular Constituency shall be eligible to become a proposer or seconder for a candidate for the said office from that Constituency. Provided that a candidate shall not be a proposer and seconder for any other candidate of the same Constituency, and that no voter shall be either a proposer or seconder for more than one candidate.] [Substituted vide O.G.E. No. 1123 dated 14.7.2005.](5)[* * *] [Deleted vide Orissa Gazette Extraordinary No. 390, dated 27.3.1997.] where the number of candidates for the office of member from any particular constituency becomes equal to the number of voters [or where the number of voters are less than six] [Inserted vide O.G.E. No. 1123 dated 14.7.2005.] in the final electoral roll for that constituency, the requirements of Sub-rules (3) and (4) in regard to signing of the nomination by the proposer and the seconder shall be waived by the Election Officer after recording the reasons therefor. (6) Notwithstanding anything contained in these rules, a voter shall not be a candidate in the election if he is ineligible for being chosen as a member or president of the society under the Act and rules framed thereunder.

8. Register of nomination.

- The Election Officer shall maintain a register in which all nomination papers received by him shall be entered strictly chronologically as soon as they are received, and he shall acknowledge receipt thereof if demanded by the candidate concerned. No nomination paper shall be entertained after the specified date and time. The register shall ordinarily reflect the following information:(i)Name [and number] [Inserted vide O.G.E. No. 1123 dated 14.7.2005] of the constituency and the office for which the nomination is filed;(ii)Name of the candidate;(iii)Name of the proposer;(iv)Name of the seconder;(v)Date and time of receipt of the nomination paper;(vi)[Whether the nomination is in respect of reserved seat, and if so the category and number of Constituency; [Substituted vide O.G.E. No. 1123 dated 14.7.2005](vii)Signature of the Election Officer in the relevant columns thereof.(2)At the expiry of the time specified for the receipt of the nomination papers, the Election Officer shall draw up a horizontal line under the last nomination paper received in the register, and write underneath "Nominations Closed" and affix his signature with the date and time. No nomination papers shall be accepted after the nominations have been closed.(3)As soon as may be after the closure of the nominations, the Election Officer shall cause to be affixed in some conspicuous place, of the place fixed for filing of nomination papers, a list of nominations entered in the register under Sub-rule (1) in Form 1-A.

9. Scrutiny of nomination.

(1)At the place, and on the date and time fixed under [Sub-rule (a-1) of Rule 4 and] [Inserted vide Orissa Gazette Extraordinary No. 390, dated 27.3.1997.] Sub-rule (1) of Rule 5 for scrutiny of nomination papers, the candidates or their election agents or one proposer of each candidate may remain present, and the Election Officer shall give them all reasonable facilities for examining the nomination papers and raising objections, if any writing to the validity thereof, with proof in that regard within two days from the last date fixed for filing nomination.(2)The Election Officer shall

examine the nomination papers and shall decide all objections which have been made to any nomination and may either on such objection or on his own motion, after such summary inquiry, if any, as he thinks necessary, give his decision on the day immediately following the last date fixed for filing objections. He may where considered necessary defer his decision to one day more and give his decision after affording the candidate concerned an opportunity to rebut the objections. (3) The Election Officer shall endorse on each nomination paper his decision accepting or rejecting the same, as the case may be, and if the nomination paper is rejected, he shall record in writing a brief statement of the reasons for such rejection. (4) The Election Officer shall be the final authority to accept or reject a symbol proposed in any nomination and to allot any symbol to any candidate.

10. Valid nomination and symbols.

- The list of valid nominations and symbols allotted to the candidates shall be displayed on the notice boards of the Head Office of the Society concerned by the Election Officer in Form II on the date immediately next to the last date of disposal of objections to the nominations.

11. Withdrawal of nominations.

(1)Any nomination may be withdrawn by the candidate concerned by written application addressed and delivered to the Election Officer either in person or through his proposer and under his signature during the office hours of the date next to the date of publication of the list of valid nomination. An application for withdrawal of nomination once delivered to the Election Officer shall be final and irrevocable.(2)The Election Officer, on being satisfied as to the genuineness of a notice of withdrawal shall permit the same on the date next to the date fixed for filing of application for withdrawal of nominations under Sub-rule (1) and notify the final list of contesting candidates on the notice-boards of the head office of the society. The nomination so withdrawn shall cease to be a nomination for the purpose of these rules.

12. Appointment of election agents and revocation of such appointment.

(1)If a contesting candidate desires to appoint any person to be his election agent, such appointment shall, subject to the provisions of Sub-rule (3) be made by him in Form III. The candidate shall give notice of such appointment to the Election Officer delivering or forwarding the letter of appointment to the Election Officer at any time before filing of nominations. The candidate shall also deliver a duplicate copy of the letter or appointment to the election agent so appointed.(2)Appointment of the election agent may be revoked by the candidate at any time by a declaration in writing signed by him and lodged with the Election Officer. Such revocation shall take effect from the date on which it is so lodged. In the event of such revocation or the death of an election agent, the candidate may appoint another person to be his election agent, and notice thereof shall be given to the Election Officer, in the same manner as provided in Sub-rule (1).(3)No person, whose name does not appear in the final electoral roll of the constituency from which the candidate is contesting, shall be appointed as an election agent by the candidate.

13. Appointment of polling agents and counting agents.

(1)At an election at which a poll is to be taken, any contesting candidate may appoint one agent and one relief agent to act as Polling Agents of such candidate for each Polling Station. Such appointment shall be made by a letter in Form IV signed by the candidate.(2)The candidate shall deliver the letter of appointment to the Polling Agent who shall, on the date fixed for the Poll, Present it to, and sign the declaration contained therein, before the Presiding Officer. The Presiding Officer shall retain the letter presented to him, in his custody.(3)The Polling Agent may also work as Counting Agent as per the authority if given by the candidate in Form IV.(4)Each contesting candidate may appoint not more than four agents to act as Counting Agents of such candidate by a letter in writing in duplicate in Form IV signed by the candidate. Before the commencement of the counting of votes, the candidate shall be given notice of the appointment of such Counting Agents to the Election Officer by forwarding him the letter of appointment. The candidate shall also deliver the duplicate copy of the letter of appointment to the Counting Agent who shall, on the date fixed for the counting of votes, present it to, and sign the declaration contained therein before the Election Officer. The Election Officer shall retain the duplicate copy presented to him in his custody.

14. Uncontested elections.

- After publication of the list of valid nominations under Rule 10 if the number of candidates in the constituency is found to be equal to or less than the number of seats to be filled, the Election Officer shall forthwith declare such candidates to be duly elected and shall complete and certify the declaration in Form V. A signed copy of the declaration shall be sent forthwith to the Chief Electoral Officer, Deputy Registrar of Co-operative Societies and Assistant Registrar of Co-operative Societies in whose jurisdiction the head office of the Society is located.

15. Manner of voting at elections.

- At every election where a poll is taken, votes shall be given by secret ballot in the manner hereinafter provided and no votes shall be received by proxy.

16. Supply of election materials.

- The Chief Executive of the Society shall supply the required number of ballot boxes, ballot papers, copies of the final electoral rolls and all other materials required for conducting the elections, to the Election Officer or such other person as the Election Officer may direct.

17. Ballot Box.

- Every ballot box shall be of such design as may be approved by the Chief Electoral Officer.

18. Form of ballot papers.

(1)Every ballot paper shall be in Form VI or VI-A, as the case may be.(2)The names of the candidates shall be arranged on the ballot paper in alphabetical order.(3)It two or more candidates bear the same name, they shall be distinguished from each other by the addition of their occupations or residences or in some other manner.

19. Arrangement at polling stations.

(1)Outside each polling station, there shall be displayed prominently -(a)a notice, specifying the polling area, the list of voters entitled to vote at the polling station and where the polling station has more than one polling booth, at each of such booth, the description of the voters allotted to such booth, and(b)a copy of the list of contesting candidates alongwith the symbols allotted to each of them.(2)At each polling station, there shall be set up a voting compartment in which voters can record their votes screened from observation.(3)The Election Officer shall provide at each polling station sufficient number of ballot boxes, ballot papers, copies of the list of voters in respect of the polling area or areas, the voters of which are entitled to vote at such polling station, instruments for stamping the distinguishing mark on ballot papers and articles necessary for voters to mark the ballot papers. The Election Officer shall also provide at each polling station such other equipments and accessories as may be required for taking the poll at such polling station.

20. Admission to polling station.

- The Presiding Officer shall regulate the number of votes to be admitted at any one time inside the polling station and shall exclude therefrom all persons other than -(a)Polling Officers(b)public servants on duty in connection with the election;(c)persons authorised by the Election Officer;(d)candidates, their Election Agents, and subject to the provisions of Rule 12 one Polling Agent, of each candidate;(e)a child in arms carried by a voter;(f)a person accompanying a blind or infirm voter who cannot move without help;(g)such other persons as the Election Officer or the Presiding Officer may employ for the purpose of identifying the voters.

21. Preparation of ballot boxes for the poll.

(1)Where a paper seal is used for securing a ballot box, the Presiding Officer shall affix his own signature on the paper seal and obtain thereon the signature of such of the Polling Agents as are present and desirous of affixing the same.(2)The Presiding Officer shall thereafter fix the paper seal so signed in the space meant therefor in the ballot box and then secure and seal the box in such manner that the slit for insertion of ballot papers thereinto remains open.(3)The seals used for securing a ballot box shall be affixed in such manner that after the box has been closed, it is not possible to open it without breaking the seals.(4)Where it is not necessary to use paper seals for securing the ballot box, the Presiding Officer shall secure and seal the ballot box in such manner that the slit for the insertion of ballot papers remains open and shall allow the Polling Agents present to affix, if they so desire, their seals.(5)Every ballot box used at a polling station shall bear a

label both inside and outside marked with -(a)the serial number, if any, and the name of the constituency;(b)the serial number and name of the polling station;(c)the serial number of the ballot box (to be filled in at the end of the poll on the label outside the ballot box only); and(d)the date of poll, under the signature and seal of the Presiding Officer.(6)Immediately before the commencement of the poll, the Presiding Officer shall demonstrate to the Polling Agents and other persons present that the ballot box is empty and bears the labels referred to in Sub-rule (5).(7)The ballot box shall then be closed, sealed and secured and placed in full view of the Presiding Officer and the Polling Agents.

22. Identification of Voters.

(1)The Presiding Officer may employ at the polling station such person as he thinks fit to help in identification of the voters or to assist him otherwise, in conducting the poll.(2)As each voter enters polling station, the Presiding Officer or the Polling Officer authorised by him in this behalf, shall check the voter's name and other particulars with the relevant entry in the copy of the final electoral roll with him, and then call out the serial number, name and other particulars of the voter, and if satisfied that the voter fulfils the description read out and there is no challenge to his identity, shall, issue ballot paper [of the Constituency to which he/she belongs] [Substituted vide O.G.E. No. 1123 dated 14.7.2005.]:[* * *] [Deleted vide Orissa Gazette Extraordinary No. 390, dated 27.3.1997.](3)In deciding the right of a person to obtain a ballot paper, the Presiding Officer or the Polling Officer, as the case may be, shall over look merely clerical or printing errors in any entry in the final electoral roll if he is satisfied that such person is identical to the voter to whom such entry relates.

23. Challenging of identity.

(1) Any Polling Agent may challenge the identity of a person claiming to be any particular voter, by first depositing a sum of rupees five in cash with the Presiding Officer for each such challenge.(2)On such deposit being made, the Presiding Officer shall-(a)warn the person challenged of the penalty for personation; (b) read the relevant entry in the final electoral roll in full and ask him whether he is the person referred to in that entry;(c)enter his name and address in the list of challenged voters in Form VII; and(d)require him to affix his signature in said roll.(3)The Presiding Officer shall thereafter, hold a summary inquiry into the challenge and may for that purpose-(a) require the challenger to adduce evidence in proof of the challenge and the person challenged to adduce evidence in proof of his identity; (b) put to the person challenged any question necessary for the purpose of establishing his identity, and require him to answer them on oath; and(c)administer oath to the person challenged and any other person offering to give evidence.(4)If, after the inquiry, the Presiding Officer considers that the challenge has not been established, he shall allow the person challenged to vote and if he considers that the challenge has been established, he shall debar the person challenged from voting.(5)If the Presiding Officer is of the opinion that the challenge is frivolous or has not been made in good faith, he shall direct that the deposit made under Sub-rule (1) be forfeited to the society concerned, and in other case, he shall return it to the challenger at the conclusion of the inquiry.

24. Safeguards against personations.

(1)With a view to preventing personation of voters every voter about whose identity the Presiding Officer or the Polling Officer, as the case may be, is satisfied, shall allow his left forefinger to be inspected by the Presiding Officer or the Polling Officer and an indelible ink mark to be put on it.(2)If any voter refuses to allot his left forefinger to be inspected or marked in accordance with Sub-rule (1) or has already such a mark on his left forefinger or dose any act with a view to removing the ink mark, he shall not be supplied with any ballot paper or allowed to vote.(3)Any reference in this rule to the left forefinger of a voter shall, in the case where the voter has 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 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 reference to such extremity of his left or right arm as he possesses.

25. Issue of ballot papers.

(1)No ballot paper shall be issued to any voter before the hour fixed for the commencement of the poll.(2)No ballot paper shall be issued to any voter after the hour fixed for the closing of the poll except to those voters who are present at the polling station at the time of the closing of the poll. Such voters shall be allowed to record their voters even after the poll closes.(3)Every ballot paper shall before issue to a voter be -(a)stamped on its back with such distinguishing mark as the Chief Electoral Officer m&y direct, as well as the seal of the Society; and(b)signed in full on its back by the Presiding Officer.(4)At the time of issuing a ballot paper to a voter, the Polling Officer shall record the serial number thereof against the entry relating to the voter in the copy of the final electoral roll set apart for the purpose.(5)Save as provided in Sub-rule (4) no person in the polling-station shall note down the serial numbers of the ballot paper issued to particular voters.

26. Voting procedure.

(1)The voter, on receiving the ballot paper shall forthwith -(i)proceed to the polling compartment; (ii) there, make a mark on the ballot paper with the instrument supplied for the purpose on or near the name or symbol of the candidate for whom he intends to vote; (iii) fold the ballot paper so as to conceal his vote; (iv) if required, show to the Presiding Officer the distinguishing mark on the ballot paper; (v) insert the folded ballot paper into the ballot box; and (vi) quit the polling-station; (2) No voter shall be allowed to enter a polling compartment when another voter is inside it.

27. [Voter to cast vote against the candidate of his/her Constituency. [Substituted vide O.G.E. No. 1123 dated 14.7.2005.]

- A voter of a Constituency shall cast his/her vote against a candidate contesting election from his/her Constituency only.]

28. Recording of vote of blind or in firm voter.

(1)If the Presiding Officer is satisfied that owing to blindness or other physical infirmity, a voter is unable to recognise the symbols on the ballot paper or to make a mark thereon without assistance, the Presiding Officer shall permit the voter to take with him a companion of not less than eighteen years of age to the voting compartment for recording the vote on the ballot paper on his behalf and in accordance with his/her wishes, and, if necessary, for folding the ballot paper so as to conceal the vote and inserting it into the ballot box: Provided that, no person shall be permitted to act as the companion of more than one voter at any polling-station on the same day: Provided further that, before any person is permitted to act as the companion of a voter on any day under this rule he shall be required to declare in Form VIII that he will keep secret the vote recorded by him on behalf of the voter and that he has not already acted as the companion of any other voter at any polling-station on that day.(2)The Presiding Officer shall keep a record in Form IX of all cases under this rule.

29. Spoilt and returned ballot papers.

(1)A voter who has inadvertently dealt with his ballot paper in such manner that it cannot be conveniently used as a ballot paper may, on returning it to the Presiding Officer and on satisfying him of the inadvertence, be given another ballot paper, and the ballot paper so returned shall be marked "Spoilt-cancelled" by the Presiding Officer.(2)If a voter after obtaining a ballot paper decides not to use it he shall return it to the Presiding Officer and the ballot paper so returned shall be marked as "Returned-cancelled" by the Presiding officer.(3)All ballot papers cancelled under Sub-rules (1) and (2) shall be kept in a separate packet.

30. Tendered votes.

(1)If a person representing himself to be a particular voter applies for a ballot paper after another person has already voted as such voter, he shall, on satisfactorily answering such questions relating to his identity as the Presiding Officer may ask, be entitled, subject to Sub-rules (2), (3) and (4), to mark a ballot paper (hereinafter referred to as a 'tendered ballot paper') in the same manner as any other voter.(2)Every such person shall, before being supplied with a tendered ballot paper, sign his name against the entry relating to him in a list in Form X.(3)A tendered ballot paper shall be the same as the other ballot papers used at the polling-station, except that it shall be -(a)serially the last in the bundle of ballot papers issued for use at the polling-station; and(b)endorsed on the back with the words "tendered ballot paper" by the Presiding Officer in his own hand and signed by him.(4)The voter after marking a tendered ballot paper in the polling compartment and folding it shall, instead of putting it into the ballot box, give it to the Presiding Officer, who shall place it in a cover specially kept for the purpose.

31. Closing of poll.

(1) The Presiding Officer shall close a polling-station at the hour fixed in that behalf and shall not thereafter admit any voter into the polling-station: Provided that, all voters present at the

polling-station before it is closed shall be allowed to cast their votes.(2)If any question arises whether a voter was present at the polling-station before it was closed, it shall be decided by the Presiding Officer and his decision shall be final.

32. Sealing of ballot boxes after poll.

(1)As soon as practicable after the closing of the poll, the Presiding Officer shall, in the presence of any candidates or their election agents or polling agents present, if any at the time, close the slit of the ballot box and where the ballot box does not contain any mechanical device for closing the slit, he shall seal up the slit and also allow any polling agent to affix his seal thereon.(2)The ballot shall thereafter be sealed and secured.(3)Where it becomes necessary to use a second ballot box by reason of the first box getting full, the first box shall be closed, sealed and secured as provided in Sub-rules (1) and (2) before another ballot box is put into use.

33. Account of ballot papers.

(1) The Presiding Officer shall at the close of the poll, prepare a ballot paper account in Form XI and enclose it in a separate cover with the word "Ballot Paper Account" superscribed thereon.(2) The Presiding Officer shall permit a polling agent, who so desires, to take a true copy of the entries made in the ballot paper account and shall atleast it as "true copy".

34. Sealing of other packets.

(1)The Presiding Officer shall then make into separate packets -(a)the marked copy of the electoral roll;(b)the unused ballot papers;(c)the cancelled ballot papers;(d)the cover containing the tendered ballot papers and the list of the tendered ballot papers;(e)the list of challenged voters; and(f)any other papers directed by the Chief Electoral Officer to be kept in a sealed packet.(2)Each such packet shall be sealed with the seals of the Presiding Officer and those of the candidates and their election and polling agents present who may desire to affix their seals thereon.

35. Transmission of ballot boxes, packets etc. to the Election Officer.

(1)The Presiding officer shall then deliver or cause to be delivered the following to the Election Officer at such place as the Election Officer may direct -(a)the ballot boxes;(b)the ballot paper account;(c)the sealed packets, referred to in Rule 34; and(d)all other papers used in the poll.(2)The Election Officer shall make adequate arrangements for the safe transport of all ballot boxes, packets and other papers and for their safe custody until the commencement of the counting of votes.

36. Fresh poll in case of destruction, etc., of ballot boxes.

(1)If at any election -(a)any ballot box used at a polling-station is unlawfully taken out of the custody of the Presiding Officer or the Election Officer, or is accidentally or intentionally destroyed or lost, or is damaged or tampered with to such an extent that the result of the poll at the polling-station

cannot be ascertained; or(b)the election could not be conducted otherwise for any reason or for any error or irregularity in the procedure poll is likely to be vitiated at a polling-station, the Electoral Officer shall forthwith report the matter to the Chief Electoral Officer.(2)The Chief Electoral Officer upon receipt of such report, or on his own motion in the circumstances stated in Sub-rule (1) after taking all material circumstances into account either -(a)declare the poll at the polling-station to be void, appoint a day, and fix the hours for taking a fresh poll at that polling-station and notify the date so appointed and the hours so fixed in such manner as he may deem fit; or(b)issue such directions to the Election Officer, or take such action as he may deem proper for smooth completion of the election.(3)The provisions of the Act, the Orissa Co-operative Societies Rules, 1965, bye-laws made thereunder and these rules shall apply to every such fresh poll as they apply to the original poll.

37.

[* * *] [Deleted vide Orissa Gazette Extraordinary No. 390, dated 27.3.1997.]

38. Counting of votes.

- At every election where a poll is taken, votes shall be counted by or under the supervision and direction of the Election Officer and each contesting candidates, his Election Agent and his Counting Agents shall have a right to remain present during counting.

39. Admission to the place fixed for counting.

(1)The Election Officer shall exclude from the place fixed for counting of the votes all persons except -(a)such persons as he may appoint to assist him in the counting;(b)persons authorised by the Chief Electoral Officer or Election Officer;(c)public servants on duty in connection with the election;(d)the candidates and their Election Agents and Counting Agents.(2)No person who has been employed by or on behalf of or has been otherwise working for a candidate in connection with the election shall be appointed under Clause (a) of Sub-rule (1).(3)The Election Officer shall decide which Agent shall watch the counting at which counting table or group of counting tables.(4)Any person who, during the counting of votes misconducts himself or fails to obey the directions of the Election Officer may be removed from the place where the votes are being counted by the Election Officer or by any Police Officer on duty or by any person authorised in this behalf by the Election Officer.

40. Scrutiny and opening of ballot boxes.

(1)The Election Officer may have the ballot boxes used at more than one polling-stations opened and their contents counted simultaneously.(2)Before any ballot box is opened at a counting table, the Counting Agents present at the table shall be allowed to inspect the paper seal or such other seal as might have been affixed thereon and to satisfy themselves that it is intact.(3)The Election Officer shall satisfy himself that none of the ballot boxes has in fact been tampered with.(4)If the Election Officer is satisfied that any ballot box has in fact been tampered with, he shall not count the ballot

papers contained in that box and shall follow the procedure laid down in Rule 36 in respect of that polling-station.

41. Scrutiny and rejection of ballot papers.

(1) The ballot papers taken out of each ballot box shall be arranged in convenient bundles of a fixed number of ballot papers and scrutinised bundlewise. (2) The Election Officer shall reject a ballot paper if(a)it bears any mark of writing by which the voter can be identified; or(b)no vote is recorded, thereon; or(c)votes are given on it in favour of more than one candidate where only one candidate is to be elected; or(d)the voter has recorded on the ballot paper more marks than he is required to make where more than one candidate is to be elected; or(e)the mark indicating the vote thereon is placed in such manner as to make it doubtful to which candidate the vote has been given; or(f)it is a spurious ballot paper; or(g)it is so damaged or mutilated that its identity as a genuine ballot paper cannot be established; or(h)it bears a serial number, or is of a design, different from the serial numbers or, as the case may be, design of the ballot papers authorised for use at the polling-station; or(i)it does not bear mark and signature which it should have borne under the provisions of Sub-rule (3), Rule 25: Provided where the Election Officer is satisfied that any such defect as is mentioned in Sub-clause (h) or (i) has been caused by any mistake or failure on the part of the Presiding Officer or the Polling Officer, the ballot paper shall not be rejected merely on the ground of such defect: Provided further that a ballot paper shall not be rejected merely on the ground that the mark indicating the vote is not distinct or made more than once, if the intention that the vote shall be for a particular candidate clearly appears from the way the paper is marked.(3)Before rejecting any ballot paper under Sub-rule (2) the Election Officer shall allow each candidate and his Election and Counting Agent present, a reasonable opportunity to inspect the ballot paper. (4) The Election Officer shall record on very ballot paper which he rejects the letter, "R" and the ground of rejection in abbreviated form either in his own hand, or by means of a rubber stamp.(5)All ballot papers rejected under this rule shall be bundled together.

42. Procedure for counting votes.

(1)Every ballot paper which is not rejected under Rule 41 shall be counted as one valid vote for the candidate for whom it has been recorded in the ballot paper: Provided that where more than one candidate are required to receive votes from the ballot paper used by a voter in a situation envisaged in Rule 27, the votes recorded in such ballot papers not so rejected, shall be counted as valid votes of the candidates in favour of whom they have been so recorded respectively: Provided further that no cover containing tendered ballot papers shall be opened and no such ballot papers shall be counted.(2) After the counting of all ballot papers, contained in all the ballot boxes used at all polling-stations, has been completed, the Election Officer shall make the entries in a result sheet in Form XII and announce the particulars.(3) The valid ballot papers shall thereafter be bundled together and kept alongwith the bundle of rejected papers in a separate packet, which shall be sealed and on which shall be recorded the following particulars, namely:(a) the name of the constituency;(b) the particulars of the polling-station where the ballot papers have been used; and(c) the date of counting.

43. Counting to be continuous.

- The Election Officer shall, as far as practicable, proceed continuously with the counting of votes and shall during any intervals when the counting has to be suspended, keep the ballot papers, packets and other papers relating to the election sealed with his own seal and the seals of such candidates or Election Agents or Counting Agents as may desire to affix their seals and shall cause adequate precautions to be taken for their safe custody during such intervals.

44. Recommencing of counting after fresh poll.

(1)If a fresh poll is held under Rule 36 or Rule 37 the Election Officer shall, after completion of that poll, recommence the counting of votes on the date, time and place which have been fixed by him in that behalf and of which notice has been previously given to the candidate.(2)The provisions of Rules 41 and 42 shall apply so far as may be to further counting of votes.

45. Recount of votes.

(1) After the completion of the counting, the Election Officer shall record in the result sheet in Form XII, the total number of votes polled by each candidate and announce the same : Provided that, when an equality of votes is found to exist between any candidate and the addition of one vote will entitle any of the candidate to be declared, the determination of the person or, persons to whom such an additional vote shall be deemed to have been given shall be made by lots to be drawn in the presence of the Election Officer and the candidates who may desire to be present, and in such manner as the Election Officer may determine.(2) After such announcement has been made, a candidate or, in his absence, his Election Agent may apply in writing to the Election Officer for a recount of all or any of the ballot papers already counted stating the grounds on which he demands such recount.(3)On such an application being made, the Election Officer shall decide the matter and may allow the application in whole or in part or may reject it into if it appears to him to be frivolous or unreasonable.(4) Every decision of the Election Officer under Sub-rules (3) shall be in writing and contain the reasons therefor. (5) If the Election Officer decides under Sub-rule (3) to allow an application either in whole or in part, he shall -(a)count the ballot papers again in accordance with his decision; (b) amend the result sheet in Form XII to the extent necessary after such recount; and(c)announce the amendment so made by him.(6)In case no application for recount under Sub-rule (2) is made, or after disposal of such application made, if any, in the manner specified under Sub-rules (3), (4) and (5), the Election Officer shall sign the result sheet in Form XII and no application of any further recount shall be entertained thereafter.

46. Declaration of result.

(1)The Election Officer shall then declare the candidate to whom the highest number of valid votes has been given, as having been elected and certify the return of election in Form XIII: Provided that where more than one candidate are required to be elected from any single constituency, that number of candidates as are found to be the highest receivers of votes within that number, shall be

declared as elected, and in case of equality of votes between the candidates for the last such seat, the procedure laid down in the proviso to Sub-rule (1) of Rule 45 shall be followed to decide which of the said candidates shall be declared elected for the said seat.(2)The Election Officer shall thereafter, forthwith, send copies of the Return of Election in Form XIII, under his signature and seal to the Chief Executive of the Society, the Chief Electoral Officer and the Deputy Registrar or Co-operative Societies and Assistant Registrar of Co-operative Societies in whose jurisdictions the head office of the Society is located.

47. Account of election expenses.

(1)Every candidate at an election shall, either by himself or by his Election Agent, keep a separate and correct account of all expenditure in connection with the election incurred, or authorised by him or by his Election Agent, between the date of publication of the date of election and the date of declaration of the result thereof, both dates inclusive.(2)The account shall contain such particular as are specified in Rule 48.(3)The total of the said expenditure shall not exceed such amount as may be notified by the State Government under Sub-para (5) of Para 1 of Schedule III to the Act.(4)Every contesting candidate at an election shall lodge with the Election Officer an account of his election expenses within thirty days of the date on which he is declared elected or not elected, as the case may be, in such election.

48. Particulars of account of election expenses.

(1)The account of election expenses to be kept by a candidate or his Election Agent under Rule 47 shall contain the following particulars in respect of each item of expenditure from day to day, namely:(a)the date on which the expenditure was incurred or authorised;(b)the nature of the expenditure as for example travelling, postage or printing and the like;(c)the amount of the expenditure-(i)the amount paid;(ii)the amount outstanding;(d)the date.of payment;(e)the name and address of the payee;(f)the serial number of voucher, in case of amount paid;(g)the serial number of bills, if any, in case of amount outstanding;(h)the name and address of the person to whom the amount outstanding is payable.(2)All vouchers shall be lodged alongwith the account of election expenses, arranged according to the date of payment and serially numbered by the candidate or his Election Agent and such serial numbers shall be entered in the account as provided under Clause (f) of Sub-rule (1).

49. Notice by Election Officer for inspection of account.

- The Election Officer shall, within two days from the date on which account of election expenses has been lodged by a candidate under Rule 47 cause a notice to be affixed to his notice board, specifying -(a)the date on which the account has been lodged;(b)the name of the candidate; and(c)the time and place at which such account can be inspected.

50. Inspection of account and the obtaining of copies thereof.

- Any member of the society shall, on payment of a fee of rupees five be entitled to inspect only such account and on payment of such fee as may be fixed by the Chief Electoral Officer in this behalf, be entitled to obtain attested copies of such account or of any part thereof.

51. Publication of the statement of lodging accounts of election expense by candidates.

(1)As soon as may be after the expiration of the time specified in Rule 47 for the lodging of the accounts of election expenses at any election, the Election Officer shall, publish a Statement under his signature and seal, showing therein -(a)the name of the each contesting candidates;(b)whether such candidate has lodged his account of election expenses and if so, the date on which such account has been lodged; and(c)whether in his opinion, such account has been lodged within the time and in the manner required by Rule 47,by displaying it on the notice-board of the head office of the Society.(2)The office-copy of the statement so published shall be kept in a packet on the day it is published under Sub-rule (1) and the packet sealed with the seal of the Election Officer and of such candidate, or agent as may be present at that time and desire to affix his seals.

52. Custody of papers relating to elections.

(1) The Election Officer shall handover the sealed packets and all other papers relating to the elections, to the Chief Executive of the Society as soon as may be after the statement referred to in Sub-rule (1) of Rule 51 is published securing them in a container duly locked and sealed with his seal and the seal of the Society, and such contesting candidates, or their agents as may be present at the time and desire to affix their seals thereon.(2) While in the custody of the Chief Executive of the Society, the said papers shall not be opened and their contents shall not be inspected by, or produced except before a Court or other authority having jurisdiction, or a person duly authorised by any such Court or other authority in that behalf.

53. Disposal of election papers.

- The election papers referred to in Rule 52 shall be retained for a period of six months and shall thereafter be destroyed subject to any direction to the contrary given by the Chief Electoral Officer or by any Court or other authority having jurisdiction in a proceeding in which any matter relating to the election may be at dispute.

54. Certified copies of election papers.

- Copies of orders passed by any competent authority during the course of election proceedings shall be supplied to the candidates concerned or their agents, and also to any member of the Society, on application and payment of the requisite fees, fixed if any, by the Chief Electoral Officer duly certified by the said authorities: Provided that no application for any such copy shall be entertained

after the said election papers are sealed in accordance with the provisions of these rules.

55. Assistance to Election Officer.

- The officers, office-bearers, employees or any members of the Society concerned, shall render every assistance to the Election Officer or any person appointed or authorised by the Election Officer, in the holding and conduct of the elections and shall make available any record or information in his custody or knowledge that may be required by him for the purpose.

56. Offences.

- Disobedience of any written order of the Chief Electoral Officer, Election Officer, or any person appointed or authorised by the Chief Electoral Officer or Election Officer to hold and conduct the election, issued under and subject to the provisions of the Act and these rules or personation of a voter by any person including another voter during the course of an election, shall be an offence for the purposes of Clause (b) of Sub-section (5) of Section 115 of the Act.

57. Election disputes.

- Subject to the provision of Section 28-B, disputes regarding any matter relating to election of the President or Members of the Committee of a society may be raised before any authority competent in that regard under the Act and in that case the provisions of the rules under Chapter VII of the Orissa Co-operative Societies Rules, 1965 shall mutatis mutandis apply in respect of such disputes.

58. Applicability of the bye-laws.

- The bye-laws of a society, not inconsistent with the provisions of these rules shall apply to elections held and conducted under these rules.

59. interpretation of rules.

(1)If any question arises relating to the interpretation of these rules it shall be referred to Government for decision.(2)The Government may from time to time, issue such orders not inconsistent with these rules, as occasion may require, for -(a)smooth implementation of these rules; and(b)removal of any doubt or difficulty out of implementation of these rules or otherwise.

60. Repeal and Savings.

(1)Rules 30-A, 30-B and 30-C and all other provisions not specifically mentioned here of the Orissa Co-operative Societies Rules, 1965 relating to the elections of the President and members of the Committee of Societies are hereby repealed.(2)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 I[Rule 7(1), [(1-a)] [Inserted vide Orissa Gazette Extraordinary No. 390, dated

27.3.1997.]]Form of Nomination Paper[Elections to the Office of President/Vice-President] [Inserted vide Orissa Gazette Extraordinary No. 390, dated 27.3.1997.]/Member of the Committee from Constituency of Co-operative Society Limited P.O in
Block/N.A.C./Municipality in district, Orissa, scheduled to be held onPart-II hereby nominate(Name of the candidate) as a candidate for the office of of the aforesaid Society
1. Name of the constituency against which nomination is filed
(To be indicated only if the nomination is in respect of office of member of the Committee)
2. Name of the constituency to which the candidate belongs
3. Serial No. at which the name of the candidate appears in the Electoral Roll of the said constituency
4. Father's/Husband's name of the candidate
5. In case candidate is representative of a society or other body corporate the name of the society or body corporate he/she represents
6. Full address of the candidate
7. (a) Name of the proposer
(b)Father's or Husband's name(c)Full address of the proposer(d)Name of the constituency he/she belongs to and the serial No. in the Electoral Roll of that constituency against which his/her name appears
8. (a) Name of the seconder
(b)Father's or husband's name(c)Full address of the seconder(d)Name the constituency he/she belongs to and the serial No. in the Electoral Roll of the constituency against which his/her name appears
9. [Symbol proposed by the candidate
(Maximum three in order of preference)] [Inserted vide Orissa Gazette Extraordinary No. 390, dated 27.3.1997.]
Signature of the seconder Signature of the proposer Place Place

Date Date
Part-II (Declaration by the Candidate)I declare that the particulars given in Part I are correct and
also do hereby give my willingness to serve as President/[Vice-President] [Inserted vide Orissa
Gazette Extraordinary No. 390, dated 27.3.1997.]/Member of the Committee of the Co-operative
Society Ltd if I am elected as such.PlaceDateSignature of the candidate(Further
declaration to be given in case the candidate is contesting for any office reserved for
S.C./S.T./Women/ [* * *] [Omitted vide Orissa Gazette Extraordinary No. 1348, dated
23.8.2002.]). I hereby declare that I-(a) am a female; (b) belong to Caste/Tribe/[Other Backward I-(a) am a female; (b) belong to
$Classes]\ [Inserted\ vide\ Orissa\ Gazette\ Extraordinary\ No.\ 390,\ dated\ 27.3.1997.]\ which\ is\ recognised$
as a Scheduled Caste/Scheduled Tribe/[Other Backward Classes] [Inserted vide Orissa Gazette
Extraordinary No. 390, dated 27.3.1997.] in(c)am a Small Farmer/Landless Cultivator within
the meaning assigned to the said terms in the Explanation to Clause (c) of Sub-Section (2) of Section
28.PlaceDateSignature of the candidatePart-III (Declaration as to receipt of
nomination paper)
1. Sl. No. of the Nomination Paper
O. This requirestion Demonstrate delivered to meet. (Disco of delivery) at
2. This nomination Paper was delivered to me at(Place of delivery) at
(Time) A.M./P.M. on (Date) by the Candidate
Plane Data Cinnelson of Election Office P. (Decision and allocated in a socialism
PlaceDateSignature of Election OfficerB. (Decision as to the acceptation or rejection of the Nomination Paper)I have examined this Nomination Paper in accordance with Sub-rule (3) of
Rule 9 and do hereby -(1)accept it as a valid Nomination Paper; or(2)reject it on the ground given
below; Grounds DateSignature of the Election Officer Part-IV (Acknowledgment of receipt of
the Nomination Paper)(To be handed over to the candidate immediately after he files the
Nomination Paper and the declaration in Part IV is signed).
Tromination Tupor and the declaration in Turt Trib Signed;
1. Sl. No. of the Nomination Paper
2. The Nomination Paper of a, candidate for election to the office of
President/[Vice-President] [Inserted vide Orissa Gazette Extraordinary No.
390, dated 27.3.1997.]/Member of the Committee of Society Ltd. (Name of
the Society) from (Place) constituency was delivered to me at my office
at (Time) A.M./P.M. on (Date) by the candidate
attimit (Time) / time (Date) by the danatate
DateSignature of the Election Officer(Strike off whatever is not applicable in this form). Form
1-ARule 8(3)Form for Notice of Nominations[Election to the Office(s) of
President/Vice-President/Member of the Committee (from Constituency) of Co-operative
-
Society Ltd P.O in Block/N.A.C./Municipality in district Orissa, scheduled to be held

President/[Vice-President] [Inserted vide Orissa Gazette Extraordinary No. 390, dated 27.3.1997.]/Member of the Committee has/have been received up to....... (Time) on...........

(Date)Part-I List of nomination for the office of President

Sl. No.	Sl. No. of the Nomination paper entered in theregister under Rule[8] [Substituted vide Orissa Gazette Extraordinary No. 390, dated 27.3.1997.]	Name of the candidate	Father's/ Husband's name	Address of the candidate	Electoral Roll No. and constituency of thecandidate	Name of	Electoral Roll No. and constituency of proposer
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
	PlaceDateSignature of Election OfficerPart-II List of Nominations for the Office of member of the Committee from Constituency Sl. No. of the						
Sl. No.	Nomination paper entered in theregister under Rule[8] [Substituted vide Orissa Gazette Extraordinary No. 390, dated 27.3.1997.]	Name of the candidate		Address of the candidate	Electoral Roll No. and constituency of thecandidate	Name of	Electoral Roll No. and constituency of proposer
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
PlaceDateSignature of Election OfficerForm-II[Rule 10]Form for Publication of the list of valid nominationPart-AElection to the office of President/[Vice-President] [Inserted vide Orissa Gazette Extraordinary No. 390, dated 27.3.1997.] of the Committee of Co-operative Society LtdP.Oin Block district, Orissa, Scheduled to be held on (Date) Sl. No. Name of the candidates Address of the candidate Symbol allotted to the candidate (1) (2) (3) (4)							
1.2.3	•		- 00				
	e Signature of -B Election to the C			of the afares	aid Sociates		
Sl.	Name of the		committee one of the	Address		Symbol allo	tted to the
No.	constituency		lidate	candida		candidate	tion to the
(1)	(2)	(3)		(4)		(5)	

Date...... Signature of the Election Officer

		•	ĕ	ndidatesPart-AElection to the traordinary No. 390, dated
	•			2.O in Block
		a, Scheduled to be held	•	
				llotted to the candidate
(1)	(2)	(3)	(4)	
1.2.3.	4.			
		he Election Officer		
	_	ffice of Member of the (Committee of the afor	esaid Society
Sl.	Name of the	Name of the	Address of the	Symbol allotted to the
No.	constituency	candidate	candidate	candidate
(1)	(2)	(3)	(4)	(5)
Date.	Signature of t	he Election Officer		
Form	-III[Rule 12]Appoi	ntment of the Election	AgentElection to the o	office of
Presid	lent/[Vice-Preside	nt] [Inserted vide Oriss	sa Gazette Extraordina	ary No. 390, dated
27.3.1	997.]/Member of t	he Committee (From	Constituency) o	of the Co-operative Society
Ltd	P.O in	. Block district in (Orissa, scheduled to b	e held on (Date)(Strike off
				a candidate at the above
				he appointee) appearing at Sl.
		Roll of Constitue	ncy, as my Election A	gent from this day at the said
Electi	on.			
Place	Date Sign	ature of the candidate		
I do h	ereby accept the ab	ove appointment.		
Place	Date Sign	ature of Election Agen	t	
Form	-IV[Rule 13]Appoir	ntment of Polling Agen	t/Counting AgentElec	tion to the office of
Presid	lent/[Vice-Preside	nt] [Inserted vide Oriss	sa Gazette Extraordina	ary No. 390, dated
27.3.1	997.]/Member from	m Constituency of	the Committee of the.	P.O(Name of the
Head	quarters) in Bl	ock District, Oris	sa scheduled to be he	ld on(Strike of
		le)ToThe Election Offic	-	_
				ection, do hereby give notice
				Roll constituency as
	0 0			on at(b)Counting Agent to
	_	_	_	ce(Strike off what is not
		the candidatePlace		• •
	-		_	ateForm-V[Rule
		of the result of unconte		
	· ·	nt] [Inserted vide Oriss		
	· · · · ·			y Ltd P.O in
				pursuance of the provisions
		ocieties (Elections to th	•	y No. 390, dated 27.3.1997.] of
me O	ussa Cooperative S	ocieties (Fiechons to fl	ie Committees) Kules	, 1992, 1 ucciaie iliai

	•	•) and addresd of t		•	•
				office of the(i)Pre	• -		
		•	0,,	d 27.3.1997.](ii)M	,		
				erPlaceDat			
				ffice of President/	_		
		•		1997.] of the Com		•	
				ections to the offic		• –	_
				No. 390, dated 2			
	-	ty Lta P	'.O in Blo	ck/N.A.C./Munic	ipality in	Tanasıl	District of
Oris		data Cromba	ا ماامید ما				
	ne of the candid	•					
	••••••		••••••				
	•••••						
	••••••						
4	•••••	•••••	•••••				
	•••••						
			-	be used at Election			•
		•		Date of El			
				Co-operative			
Bloc	k/N.A.C./Mun	icipality	Tahasil i	n District of (Orissa from.	Constitu	uency.
Nan	ne of the candid	date Symbo	l allotted				
1		•••••	•••••				
2	•••••	•••••	•••••				
3	•••••	•••••	••••••				
4	•••••	•••••	••••••				
5		•••••	•••••				
Forn	n-VII[Rule 23(2)]Form for	the list of Ch	nallenged VotesEl	ection to the	e office of	
Pres	ident/[Vice-Pr	esident] [Ins	serted vide C	rissa Gazette Ext	raordinary N	No. 390, dat	ed
27.3	.1997.]/Membe	er or Membe	ers from	Constituency, to	the Commit	tee of S	ociety Ltd,
P.O.	in	Block/N.A.C	C./Municipal	ity in Tahasil i	n Distri	ct of Orissa,	Scheduled to
be h		e)Polling-sta		r of the polling-sta	ation, if any		
	Serial No. of		Signature			Order of	Signature/Thumb
	the voters	Name and		Name of the	Name and		impression of the
Sl.	_		-	dentifier, if any		_	challengerreceiving
No.		the voter	of the	of the	the	Officer on	refund of deposit
	Roll of the	challenged	-	er)oterchallenged	challenger		if any
	Constituency		challenged			challenger	•
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
Plac	eDate	e S	ignature of t	he OfficerPresidi	ng over theP	Polling	

	_	ule 28(1)]Form of D				•		
		resident/[Vice-Presi					•	
		Member of the Comr			• .	•		, P.O
	-	/N.A.C./Municipalit	•					•
	_	onI		_				
_		rs of Village,						
		panion of w		•				_
		Electoral Roll of Co	-			-	_	•
		t any polling-station foresaid.	on this da	ıy;(c)I will kee	ep secre	t the vote reco	raea by	me on benaif
Plac	e	Date Sig	gnature of	the companio	n			
Forn	ı-IX[Ru	le 28(2)]Form for lis	st of Blind,	Infirm voters	Electio	n to the office(s) of	
Presi	dent/[V	ice-President] [Inse	rted vide (Orissa Gazette	e Extrao	rdinary No. 39	o, date	ed
27.3.	1997.]/I	Member of the Com	nittee (fro	m Consti	ituency)	of Society	Ltd., P	.O in
Bloc	x/N.A.C	./Municipality in	. District, 0	Orissa held or	ı	. (Date)		
Nam	e and N	umber of						
Cons	stituency	y.						
								Signature or
	_	Electora	l Roll No. a	and Full n	ame]	Full name and		Thumb
Sl. N	0.		ency of vo				panion	impression of
			3				F	companion
(1)		(2)		(3)		(4)		(5)
_		the officer presiding	_	_				
		dered votesElection			-			
		aordinary No. 390, d		· · · · ·				
	•	y) of Society Ltd.		•	•	Municipality in	ı Di	strict, Orissa
held	on	(date)Name and nu	mber of P	olling-Station				
	Name	Flectoral Roll No		Sl. No. of		o. of ballot	Signat	ure or thumb
Sl.	of	Electoral Roll No. and constituency	Address	tendered	pape	r issued to the	_	ssion of voter
No.	voter	of voter	of voter	ballot paper	perso	on whohas	_	inColumn (2)
	votei	or voter		banot paper	alrea	dy voted	SHOWH	incolumn (2)
(1)	(2)	(3)	(4)	(5)	(6)		(7)	
Plac	2	Date Sig	gnature of	officerpresidi	ng over	the polling		
Forn	ı-XI[Ru	le 33]Form for Ballo	t Paper Ac	countElection	n to the	office(s) of		
	_	ice-President] [Inse	-				o, date	ed
		Member of the Comr						
in	Blo	ock/N.A.C./Municip	ality in	District, Oris	ssa held	on(Dat	e)Name	e and number
		ation	-	•		-		
	-							

1. Ballot papers received by the Presiding Officer of the Polling Station

2. Ballot papers unused (i.e. not issued to voters).

(a) With the signature of Presiding Officer(b) Without the signature of Presiding OfficerTotal: (a + b)....

3. Ballot papers used at the Polling-Station.....

(1-2=3)

4. Ballot papers used at the Polling-Station but NOT INSERTED INTO THE **BALLOT BOX:**

(a)Ballot papers cancelled for other reasons(b)Ballot papers used as tendered Ballot papersTotal: (a + b)....

5. Ballot papers to be found in the ballot box:

(3-4 = 5)(Serial Numbers need not be given)

Place......Date...... Signature of the officerpresiding over the polling Form-XII[Rules 42 and 45]Form for Result SheetElection to the office (s) of President/[Vice-President] [Inserted vide Orissa Gazette Extraordinary No. 390, dated 27.3.1997.]/Member of the Committee (from..... Constituency) of...... Society Ltd/..... P.O...... in...... Block/N.A.C./Municipality in..... District, Orissa held on(Date)

Number of the Number ballot Total for of Polling-Station papers polling-station tendered found in votes the ballotbox

C

Serial No. Name Valid Rejected Valid Rejected Valid Rejected Valid R 1 5 6 8 9 3 4 10 11

Total:

Α

N.B.: A B C D denote the names of candidates. Place..........Date..........Election OfficerForm-XIII[Rule 46]Form for Return of ElectionElection to the office(s) of President/[Vice-President] [Inserted vide Orissa Gazette Extraordinary No. 390, dated 27.3.1997.]/Member of the Committee (from...... Constituency) of...... Society Ltd. P.O...... in....... Block/N.A.C./Municipality in...... District, Orissa held on......(Date)Return of election Serial No. Name of the candidates Number of valid votes polled by the candidate

D

В

12

Total number of electors......Total number of valid votes polled......Total number of rejected votes......Total number of tendered votes......I declare that -.....(name) of....(address) has been duly elected to the office of President/[Vice-President] [Inserted vide Orissa Gazette Extraordinary No. 390, dated 27.3.1997.]/Member of the Committee from...... Constituency.Place.......Date.......Election OfficerNotificationsOffice of The Registrar of Co-Operative Societies, OrissaNo. II 3/91 Legal 4/datedToAll the Divisional DeputyRegistrar of Co-op. Societies. Sub: Conferment of powers of the Registrar under Section 28-A (2) of O.C.S. Act, 1962 regarding appointment of Election Officer.Sir,Government of Orissa in Co-operation Department in their order No. 20350/Co-op. dated 19.10.1992 have conferred powers of the Registrar under Section 28-A(2) of the O.C.S. Act, 1962 on the district DRCS to be exercised within such local limits as may be assigned to them by the Registrar. Copy of-the aforesaid order has been communicated to you vide Memo No. 9352/ Co-op. Dated 19.10.1962 of the Co-op. Department. In pursuance of the aforesaid order of the Government, Registrar has assigned local limits to the DRCS of the districts vide Order No. 25333, dated 22.10.1992 in respect of societies (other than an apex) headquarters of which are located in their respective districts, and copy of the same has been communicated to you vide this office Memo No. 25336 (4737), dated 22.10.1992. You are therefore, requested to appoint Election Officers of the different societies (other than an apex Society) the Headquarters of which is located in your district. You as a local officer of the district for such election should convene meeting or the concerned district level officers of other directorates having administrative control over the societies like Textiles, Industries, Fisheries, A.H. and V.S., Indian Medicine and Homeopathics etc. for the purpose and appoint Election Officers in respect of those societies, besides the societies under your administrative control so that the process of election can be completed within the stipulated time. The progress in this regard also will be discussed in the meeting to be held on 30.10.1992. The master plan to be prepared by you should also include programmes of election to Co-operative Societies of other Departments. Yours faithfullyRegistrarGovernment of OrissaCO-Operative DepartmentNo. II Legal, 10/1983, 4319, Co-op.Bhubaneswar, dated the 3.3.1993FromShri D.R.DasUnder-Secretary to GovernmentToThe Registrar of Co-operative Societies, Orissa.Sub: Classification on the provision under Section 28(2)(b) of the O.C.S. Act, 1962 regarding reservation of the Post of President for S.T. in the LAMPS.I am directed to say that it had come to the notice of the Government that a doubt has been entertained by the Field Officer as to whether the post of President in the LAMPs shall be reserved for the S.T. as per the provisions under Section 28(2)(b) of the O.C.S. Act, 1962. The matter was referred to the Law Department for their clarification of this point. The Law Department have opined that the resident need not necessarily be a member of the S.T. Their opinions cited below :"Clause (b) of Sub-Section (2) of Section 28 of O.C.S. Act, 1962 provides the President to be one among the total elected members of the Committee to arrive at 2/3rd members for the purpose of reservation for the Scheduled Tribes. The President is directly elected under Clause (i) of Sub-Section (i) of Section 28(i) of the said Act, nevertheless he is one of the members of the Committee and including him the total membership is counted to without 2/3rd of them for the purpose of reservation under the aforesaid provisions of Section 28. The President need not necessarily be a member of the Scheduled Tribe."Yours faithfully, DR. Das Under-Secretary to GovernmentOffice of The Registrar of Co-Operative Societies, Orissa, BhubaneswarNo. II.9/92-5889-(13) Legal: 4/dated 18.3.1993. To All the Deputy Registrar of Co-operative SocietiesSub: Duration of Polling.Sir, Election in Primary Co-operative Societies, as you are aware,

is going to be held from 1.5.1993 to 10.5.1993. The Election Officer is required under Rule 5 of the Orissa Co-operative Societies (Election to the Committee) Rules, 1992, to indicate in the form of notice the date, place and hours between which polling shall take place. It is decided that the time for polling will be from 7.00 a.m. to 5.00 p.m. in respect of Primary Co-operative Societies where election is to be conducted. You are requested to inform to the Election Officers and all other concerned accordingly. Yours faithfully, Sd/-Co-operative Societies, Orissa and Chief Electoral officer of CSOffice of The Registrar of Co-Operative Societies Orissa, BhubaneswarNo. 6388, (13)-Legal-4Bhubaneswar the 23rd March, 1993ToAll the Deputy Registrar, Co-operative SocietiesSub: Commencement of counting of votes. Sir, Rule 5 (1) of the O.C.S. (Election to the Committees) Rules, 1992 other things provides that form of notice referred to in Clause (b) of Sub-Section (4) of Section 28-A of the O.C.S. Act, 1962 shall contain the date, place and hour between which counting of votes and the declaration is required to be published and served on the members of the Society excluding the nominal members in the manner as provided under Sub-rule (2) of Rule 5 of the aforesaid rules, at least 35 days prior to the date fixed for election. Rules do not specify any time for commencement of counting of votes and the same has been left to the Election Officer who shall indicate the same in the form of notice. The duration of polling has been fixed from 7.00 a.m. to 5.00 p.m. by the Chief Electoral Officer and the same has been Communicated in Letter No. 5889(13) dated 18.3.1993. In case, the number of polling booth of the Society is more and they are located at different places, the polling boxes from such places will be required to be collected a particular place before counting is commenced. This will take time, and in such cases, it may not be possible to commence counting of votes soon after closer of the polling. It is therefore left to Election Officer to decide as to the date, place and hour between which counting of votes will take place in respect of each Society. The Election Officer in consultation with the respective Divisional D.I.C.S. should decide the same after taking into consideration the facts and circumstances of the Society and accordingly fix the place, date and hours between which counting of votes will commence in respect of the Society. However you should ensure immediate completion of counting after polls are over as far as practicable and positively within 24 hours of completion of voting that is 5 p.m. of the day following the voting. Strictest care should be taken to ensure safety of ballot papers, etc. and you should keep close contact with district administration in the matter. Yours faithfully, Sd/-A.N.DASRegistrar, Co-op. Societies Orissa and Chief Electoral Officer, Co-operative Societies, Orissa.No. 11313/Co-op. dated 25.5.1999In exercise of the powers conferred by Sub-Section (2) of Section 1 of the Orissa Co-operative Societies (Amendment) Act, 1991 (Orissa Act 28 of 1991), the State Government do hereby appoint the 25th May, 1999 as the date on which the provisions of Sections 30, 31, 32, 47, 48 and 49 (ii) of the said Act shall come into force.

By Order of the GovernorR.N. DashDeputySecretary to Government

The 4th June, 1997S.R.O. No. 275/97 - In exercise of the powers conferred by Sub-Section (2) of Section 1 of the Orissa Co-operative Societies (Amendment) Act, 1991 (Orissa Act 28 of 1991), the State Government do hereby appoint the 10th June, 1997 as the date on which the provisions of Sections 7, 8, 19 (a)(xiii), 22 (O) and 40 of the said Act shall come into force.

[No. 10727-11, Legal-10/91-Co-op]By order of the GovernorR.N. DashDeputySecretary to Government

The 13th November, 1995S.R.O.No. 1248/95 - In exercise of the powers conferred by Sub-Section (2) of Section 1 of the Orissa Co-operative Societies (Amendment) Act, 1991 (Orissa Act 28 of 1991), the State Government do hereby appoint the 14th day of November, 1995 as the date on which the

provisions of Section 18 of the said Act shall come into force.

[No. 19063-11. Legal-10/91-Co-op]By order of the GovernorH.K.PATRADeputySecretary to Government

The 10th August, 1994S.R.O.No. 743/94 - In exercise of the powers confer,ed by Sub-Section (2) of Section 1 of the Orissa Co-operative Societies (Amendment) Act, 1991 (Orissa Act 28 of 1991), the State Government do hereby appoint the 12th day of August, 1994, as the date on which the provisions of Section 26 of the said Act shall come into force.

[No. 14576-11. Legal-10/91-Co-op]By order of the GovernorJ. P. AGRAWALADeputySecretary to Government

The 29th December, 1993S.R.O.No. 1194/93 - In exercise of the powers conferred by Sub-Section (2) of Section 1 of the Orissa Co-operative Societies (Amendment) Act, 1991 (Orissa Act 28 of 1991), the State Government do hereby appoint the 30th day of December, 1993 as the date on which the provisions of Section 36 of the said Act shall come into force.

[No. 25514-II.Legal-10/91 -Co-op.] By order of the GovernorRAAM BEHERASecretary to Government

The 5th January, 1993S.R.O.No. 18/93 - In exercise of the powers conferred by Sub-Section (2) of Section 1 of the Orissa Co-operative Societies (Amendment) Act, 1991 (Orissa Act 28 of 1991), the State Government do hereby appoint the 7th day of January, 1993 as the date on which the provisions of Sections 29 and 55 of the said Act shall come into force.

[No. 303-II-Legal-10/91-Co-op.] By order of the GovernorRAAM BEHERASecretary to Government

The 10th September, 1992S.R.O.No. 1065/92 - In exercise of the powers conferred by Sub-rule (2) of Rule 1 of the Orissa Co-operative Societies (Elections to the Committees) Rules, 1992, the State Government do hereby appoint the 1th day of September, 1992 as the date on which the said Rules shall come into force.

[No. 18429/Co-op]By order of the GovernorRAAM BEHERASecretary to Government The 9th September, 1992S.R.O.No. 1064/92 - In exercise of the powers conferred by Sub-Section (2) of Section 1 of the Orissa Co-operative Societies (Amendment) Act, 1991 (Orissa Act 28 of 1991), the State Government do hereby appoint the 11th day of September, 1992 as the date on which the provisions of Sections 1, 2, 4, 12, 13, 14, 15, 16, 17, 19(d) to 19(j), 19(1) to 19(n), 20, 21, 25, 51, 52 and 60 of the said Act shall come into force.

[No. 18372-Co-op.] By order of the Governor RAAM BEHERAS ecretary to Government