

The Orissa Panchayat Samiti Election Rules, 1991

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Rule THE-ORISSA-PANCHAYAT-SAMITI-ELECTION-RULES-1991 of 1991

- Published on 4 December 1991
- Commenced on 4 December 1991
- [This is the version of this document from 4 December 1991.]
- [Note: The original publication document is not available and this content could not be verified.]

The Orissa Panchayat Samiti Election Rules, 1991 Published vide Notification Orissa Gazette Extraordinary No. 1480/10.12.1991-Notification SRO No. 1220/91/dated 4.12.1991 S.R.O. No. 1220/91-The 4th December, 1991. - Whereas the draft of certain rules 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. 1231, dated the 9th October, 1991 of the Orissa Gazette under the notification of the Government of Orissa in the Panchayati Raj (Grama Panchayat, Department No. 18082 G.P., dated the 8th October, 1991 bearing S.R.O. No 803/91, inviting objections and suggestions from all persons likely to be affected thereby till the expiry of a period of fifteen days from the date of publication of the said notification in the Orissa Gazette; And whereas, objections and suggestions have been received and duly considered by the State Government. 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 :Part-I

1. Short title and commencement.

(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.

2. Definitions.

(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";] [Substituted vide O.G.E. No. 1264 dated 15.11.1995.] (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 does 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] [Inserted vide O.G.E. No. 1264 dated 15.11.1995.];(e)["Election Officer" means, unless the Commissioner otherwise directs the Collector of the district or 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] [Substituted vide O.G.E. No. 1264 dated 15.11.1995.];(f)"Form" means a form appended to these rules;(g)"Grama Panchayat Act" means the Orissa Grama Panchayats Act, 1964 (Orissa Act 1 of 1965);(h)"Panchayats Election Rules" means the Orissa Grama Panchayats 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;(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 Panchayats 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

3. [Eligibility of candidate proposer and seconder [Substituted vide O.G.E. No. 1264 dated 15.11.1995.]

(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.]

4. Date of election.

- [(1) The Government shall, by one or more notification published in the Official Gazette on such date, or dates as may be recommended by the Commissioner call upon 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 [and notify] [Substituted vide O.G.E. No. 1264 dated 15.11.1995.] the programme of election and communicate the same to all Election Officers :Provided that where the election of the Samiti is held simultaneously with the Grama Panchayat, 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 Subsection (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.]

5. Election symbol.

- The symbols to be used in the election of the Samiti by the candidates shall be notified by the [Commissioner] [Substituted vide O.G.E. No. 1264 dated 15.11.1995.] 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.

6. Electoral roll.

- [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 from the final electoral roll of that Samiti Constituency :] [Substituted vide O.G.E. No. 1264 dated 15.11.1995.] Provided that where the election of the Member of the Samiti is held separately than that of the election of the Gramas the procedures laid down for preparation and final publication of electoral roll under the Panchayat Election Rules shall apply mutatis mutandis for the preparation and final publication of electoral roll in respect of election of the Member of the Samiti.

7. [[Omitted vide O.G.E. No. 1264 dated 15.11.1995.]

* * * [Part-II-A] [Inserted vide O.G.E. No. 1264 dated 15.11.1995.] Division and Reservation of Samiti Constituencies

7A.

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.

7B.

(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.

7C.

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 for candidates, other

than those reserved for the 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 the required quota is completed.

7D.

(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.

7E.

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.

7F.

After making such alteration, 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.

7G. [[Substituted vide SRO No. 867/2001, Orissa Gazette Extraordinary No. 2481 dated 21.12.2001.]

The Collector shall submit the list and statement of constituencies in Form No. 19, together with the list of offices of Chairman of Samitis including those reserved for the Scheduled Caste, 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.

7H.

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 OfficerCollector(3)On receipt of the 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 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

8. Inviting of names.

(1)The Election Officer shall, at least [four weeks] [Substituted vide SRO No. 261/2001 Orissa Gazette Extraordinary No. 991 dated 28.5.2001] before the date fixed for election, issue-(a)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 filling nominations; and(b)[* * *] [Omitted vide O.G.E. No. 1264 dated 15.11.1995.](2)Notices issued under Sub-rule (1) shall be published in the notice board of each of the Grama Panchayats of the concerned Samiti, the Panchayat Samiti Office/Sub-Collector's Office and also in the notice board of the Collector.

9. Presentation of nomination paper.

- 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.

10. Supply of forms.

- 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.

11. Deposit of money.

(1)On the date appointed for presentation of the nomination papers, 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 rupee 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 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 vote 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 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)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 candidates do 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 papers 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 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 vide SRO No. 261/2001 Orissa Gazette Extraordinary No. 991 dated 28.5.2001.](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 symbols 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 notice boards of the Election Officers and the Samiti concerned in Form No. 8 [at least [three weeks] [Added vide O.G.E. No. 1264 dated 15.11.1995.] 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.] [Inserted vide SRO No. 261/2001 Orissa Gazette Extraordinary No. 991 dated

28.5.2001.](16)[After withdrawal of candidature under Sub-rule (15), the final list of contesting candidates alongwith allotment symbol to each of them shall be published by the Election Officer in Form No. 8 in the notice boards of the Election Officer, Panchayat Samiti and the Grama Panchayat concerned at least two weeks before the date fixed for election.] [Substituted vide SRO No. 261/2001 Orissa Gazette Extraordinary No. 991 dated 28.5.2001.]Part-IV Polling Arrangement

12. Location of Polling Station.

(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 the more than one ward.(2)Inside the polling station, there shall be an enclosed space which shall be used by voters for making the ballot papers secretly.

13. Presiding and Polling Officer.

(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.

14. Ballot boxes.

- [(1) The Election Officer shall provide such number of ballot boxes to each polling station as may be required.] [Substituted vide O.G.E. No. 1264 dated 15.11.1995.](2)The ballot boxes shall be placed in a polling station in full view of the Presiding Officer at the time of polling.

15. Ballot paper.

(1)Only the printed ballot papers as contained in Form No. 11 shall be used for the election of the Member of Samiti.(2)The ballot papers for the election of the Member of the 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.

16. Appointment of Polling Agents.

- Each contesting candidate may appoint not more than one Polling Agents to remain present on his behalf at the polling station during the poll as well as at the time of counting of the votes.

17. Polling hour.

- The polling at each polling station may take place during such hours as may be fixed by the [Commissioner.] [Substituted vide O.G.E. No. 1264 dated 15.11.1995.]

18. System of marking ballot papers.

- The ballot papers shall be marked by the voters by means of a rubber stamp bearing [cross mark] [Substituted vide SRO No. 870/96 Orissa Gazette Extraordinary No. 1205 dated 18.11.1996.].Part-V
Conduct of Polling

19. Supply of forms.

(1)The Election Officer shall supply to the Presiding Officer appointed for 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 Voters' list relating to the polling station(s);(iii)Another copy of the Voters' list relating to 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.

20. Preparation by Presiding Officer.

- 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.] [Substituted vide O.G.E. No. 1264 dated 15.11.1995.]

21. Permission to Polling Agents.

(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.

22. Exhibition of list of candidates.

(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.

23. Verification of ballot box.

- 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.

24. Voting procedure.

(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 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 voters 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] [Substituted vide SRO No. 261/2001 Orissa Gazette Extraordinary No. 991 dated 28.5.2001.] 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] [Substituted vide SRO No. 261/2001 Orissa Gazette Extraordinary No. 991 dated 28.5.2001.] 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 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.

24A. [Voting by Electronic Machine. [Inserted vide SRO No. 261/2001 Orissa Gazette Extraordinary No. 991 dated 28.5.2001.]

(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.

24B. Voting by a voter on duty.

- 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.]

25. Marking in the working copy.

- 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.

26. Blind voter.

- 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.

27. Objection as to the identity of the voters.

(1)Any contesting candidate or his Polling Agent may object to the identity 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 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.] [Added vide O.G.E. No. 1264 dated 15.11.1995.]

28. Procedure for conducting the poll.

(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.

29. Polling Officer to act as the Presiding Officer.

- 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.

30. Procedure for counting of votes.

(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 scrutinised 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 is placed in such a manner so as to make it doubtful as to the candidates in whose favour the same has cast;(v)If the ballot paper is spurious;(vi)If the ballot paper is so damaged or mutilated that its genuineness cannot be established;(vii)If the ballot paper

does not bear the authentication mark of the Presiding officer as specified by Sub-rule (3) of Rule 15.(3)The Presiding officer shall record the reason (a) 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. Submission of papers.

(1)Immediately after close of the counting, the Presiding Officer shall prepare separate bundles of papers, reports, used and unused ballot papers in respect of the polling station of the Samiti, seal each packet, not thereon the polling station to which it relates and forward the packets to the Election Officer on the same day.(2)It will be operate to the candidates or their Polling Agents to affix their seal on the aforesaid packets, if so desired.(3)On the date fixed for declaring the results 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 the 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 into as it appears to him to be frivolous or unreasonable.(9)Every decision of the Election Officer under Sub-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 in Form No. 14 to the extent necessary after such recounting; and(c)announce the result on the basis of corrections so made by him.]

32.

[* * * *] [Omitted vide O.G.E. No. 1264 dated 15.11.1995.]

33. Publication of the result of the election of the members.

(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 notice board 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] [Substituted vide O.G.E. No. 1264 dated 15.11.1995.] and shall then, unless otherwise directed by a competent Court of Law be destroyed.(4)[The documents or records, referred to in

Sub-rule (3) retained in the custody of the Collector shall not be opened or inspected or produced save with prior permission of the Commissioner or of a Competent Court.] [Inserted vide O.G.E. No. 1264 dated 15.11.1995.]

34. Failure of election.

(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).

35. Procedure for re-election.

- [(1)] [Re-numbered vide SRO No. 867/2001, Orissa Gazette Extraordinary No. 2481 dated 21.12.2001.] 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 (4) of 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).] [Inserted vide SRO No. 867/2001, Orissa Gazette Extraordinary No. 2481 dated 21.12.2001.]

36.

[* * *] [Omitted vide SRO No. 867/2001, Orissa Gazette Extraordinary No. 2481 dated 21.12.2001.] Part-VI Election of the Chairman/Vice-Chairman of Panchayat Samiti

37. Place of election.

- The Election of 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 be determine.

38. First meeting of the Samiti.

- 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 to the offices of the Chairman of the Samiti. Note - (a) First meeting as referred to in Clause (i) of this Sub-rule shall

mean the first meeting as referred to Sub-section (3) of Section 16.(b)The notices under 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 Members of Samiti personally by delivering or tendering it to the Member 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 place of the locality.

39. Filling of nomination for Chairman and Vice-Chairman.

(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 vide O.G.E. No. 1264 dated 15.11.1995.](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 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.

40. Procedure for conducting the election.

- 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;] [Substituted vide O.G.E. No. 1264 dated 15.11.1995.](2)If there are two or more candidates who filed nomination 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.(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,

41. Voting and declaration of result.

(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 in Oriya.

Serial No.	Name of the candidate with the name of 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 members 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.

42. Counting of votes.

- 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 a statement in Form No. 18.

43. Grounds for rejection of votes.

- 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) of Rule 41; or (v) If no arrow cross mark is made against any candidate.

44. Declaration of the result of voting.

- Upon completion of the counting the Election Officer shall declare the result of the election of the 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 a lot in the presence of the members and the candidate whose name is first drawn shall be declared to have been duly elected.

44A. [Election of the Vice-Chairman. [Inserted vide O.G.E. No. 1264 dated 15.11.1995.]

(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. [Substituted vide SRO No. 870/96 Orissa Gazette Extraordinary No. 1205 dated 18.11.1996.]

45. Proceedings of the meeting.

(1) Immediately after declaration of the result under Rule 44, the Election Officer shall-(a)prepare a record of the proceeding 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 names 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.

46. Filling up of the casual vacancies.

(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] [Substituted vide SRO No. 261/2001 Orissa Gazette Extraordinary No. 991 dated 28.5.2001.] of the district who shall fix a date as soon as convenient for holding a bye-election to fill up the vacancy.(2)[* * *] [Omitted vide SRO No. 867/2001, Orissa Gazette Extraordinary No. 2481 dated 21.12.2001.](3)[Unless the Commissioner otherwise directs] [Added vide SRO No. 261/2001 Orissa Gazette Extraordinary No. 991 dated 28.5.2001.] the rules prescribed in Parts II, III, IV, V and VI shall apply mutatis mutandis to such bye-elections :[Provided that in case of bye-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.] [Inserted vide O.G.E. No. 1264 dated 15.11.1995.][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.] [Inserted vide SRO No. 261/2001 Orissa Gazette Extraordinary No. 991 dated 28.5.2001.]

46A. [Postponement of election. [Inserted vide O.G.E. No. 1264 dated 15.11.1995.]

(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 reasons 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.]

46B. Adjournment of poll in emergency.

(1) If the proceedings at any polling station 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 latter, 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 fact 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.

46C. Fresh poll in the case of destruction, etc., of ballot boxes.

(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 the 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 the further conduct and completion of the election. (3) The provision of these rules or orders made thereunder shall apply to every such fresh poll as they apply to the original poll.

46D. Adjournment of poll or countermanding of election on the ground of booth capturing.

(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 place) in such manner that the result of the poll at that Polling station or place cannot so 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 effect 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 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 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 a candidate.

46E. Extraordinary power of the Commissioner.

- [(1)] [Re-numbered vide SRO No. 261/2001 Orissa Gazette Extraordinary No. 991 dated 28.5.2001.] 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)[* * *] [Inserted vide SRO No. 261/2001, Orissa Gazette Extraordinary No. 991 dated 28.5.2001.]

46F. [[Inserted vide SRO NO. 870/96 Orissa Gazette Extraordinary No. 1205 dated 18.11.1996.]

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 to 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.]

46G. [Death of candidate. [Inserted vide SRO No. 261/2001 Orissa Gazette Extraordinary No. 991 dated 28.5.2001.]

(1) If at an election-(a) a validly nominated candidate who has not withdrawn his candidature under Sub-rule (1) 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 bye-elections to fill up the casual vacancy be applicable in such cases.]

47. Issue of contract of work.

- A person shall not be deemed to have an 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 of any security for the payment of money only; or (iii) any newspaper in which any advertisement relating to the affairs of the Panchayat Samiti is inserted; or (iv) the sale to the Panchayat Samiti of any article in which he regularly trades or the purchase for the Panchayat Samiti of, any article of a value in either case not exceeding fifteen hundred rupees in the aggregate in any year during the period of the contract of work; or (v) any development work taken up not as a contractor but as a member of a Committee formed by the Grama Panchayat or Samiti as such from amongst its members, to which such work may be entrusted directly by any of the above bodies.

48. Procedure for removal of disqualification.

(1) A person suffering from any of the disqualifications specified in Clause (h) or Cause (i) of Sub-section (1) of Section 46 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.

49. Manner of enquiry under Section 45 (1) (n).

(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 of showing cause against such inclusion. (3) The Collector may send that 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.

50. Interpretation of rules.

(1) If any question arises as to the interpretation of these rules the question shall be referred to the [Commissioner] [Substituted vide O.G.E. No. 1264 dated 15.11.1995.] for decision. (2) [* * *] [Omitted vide O.G.E. No. 1264 dated 15.11.1995.]

51. Determination of disputes.

- 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] [Inserted vide O.G.E. No. 1264 dated 15.11.1995.] 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.

52. Repeal and savings.

- 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. Appendix [Form No. 1 [Omitted vide O.G.E. No. 1264 dated 15.11.1995.] Form No. 2] Form No. 3 [See Rule 8] Notice calling for nomination of candidate for the office of Member of Samiti of Samiti Constituency of.....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 Election 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 Samiti 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] [Substituted vide O.G.E. No. 1264 dated 15.11.1995.]
(1)	(2)	(3)	(4)

Election Officer Form No. 5 [See Rule 11 (3)] Receipt for deposit amount

No dated

No dated

received from Shri

received from Shri

Rs (Rupees

Rs (Rupees

On account of security deposits for candidature for the office of the Member of Samiti of Panchayat Samiti Place

On account of security deposits for candidature for the office of the Member of Samiti of Panchayat Samiti Place

Election Officer

Election Officer

[Form No. 5-A] [Inserted vide O.G.E. No. 1264 dated 15.11.1995.] [See Rule 27 (5)] Receipt for deposit of objection fee

No Dated

Received from Sbri/Shrimati Rs (Rupees) on account of objection fee being forfeited during election to Samiti Constituency. Polling

Station Presiding Officer 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 proposer on 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.] [Inserted vide SRO No. 261/2001 Orissa Gazette Extraordinary No. 991 dated 28.5.2001.][I further declare that I am a member of.....Caste/Tribe belonging to Scheduled Castes/Scheduled Tribe/Backward Class of citizens of the State of Orissa.] [Inserted vide SRO No. 867/2001 . Orissa Gazette Extraordinary No. 2481, dated 21.12.2001.]Signature of CandidateSerial Number.....Endorsement by the Election OfficerThe nomination of paper was presented to me by.....at.....on.....Decision after scrutinySignature of the Election Officer[Receipt for Nomination Paper and Notice of Scrutiny [Inserted vide SRO No. 261/2001 Orissa Gazette Extraordinary No. 991 dated 28.5.2001.](To be handed over to the person presiding 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.....(hour) on.....(date) at.....(Place)Date :Election Officer]Form No. 7[See Rule 11 (12)]Declaration of result for uncontested candidateI do hereby declare that Shri/Samiti.....has been elected uncontested as the Member of Samiti for.....Samiti Constituency of.....Panchayat Samiti.Election OfficerForm 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 (6)] [Substituted vide SRO No. 261/2001 Orissa Gazette Extraordinary No. 991 dated 28.5.2001.]
(1)	(2)	(3)	(4)

1.2.3.4.5.6.7.8.9.10.

Date.....Place.....N.B. - Strike out whichever is not applicable Election Officer 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 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 given notice that I withdraw my candidature. Place.....Date.....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.....(hours) on

date.....Election Officer [Counterfoil] [Substituted vide SRO No. 261/2001 Orissa Gazette Extraordinary No. 991 dated 28.5.2001.].....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

Serial No. Symbols allotted to the Candidate Voter's stamp of marking

(1) (2) (3)

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 Form No. 13[See Rule 19 (2) and 31] [Substituted vide O.G.E. No. 1264 dated 15.11.1995.]Result after counting of votes for election to the office of the Member of Samiti Name of Samiti Constituency.....Name of the Panchayat Samiti.....

Serial No. Name of the candidate Total number of valid votes cast in 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 station [or total number of votes recorded as per voting machine] [Inserted vide SRO No. 261/2001 Orissa Gazette Extraordinary No. 991 dated

28.5.2001.].....Date.....Place.....[Signature of Presiding/Election Officer] [Substituted vide O.G.E. No. 1264 dated 15.11.1995.]Form No. 14[See Rule 32 (3)]Result for 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 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] [Inserted vide SRO No. 261/2001 Orissa Gazette Extraordinary No. 991 dated

28.5.2001.].....Shri/Smt.....son/daughter/wife of.....is declared to have been duly elected as the Member of Samiti from.....Samiti

ConstituencyDate.....Place.....Election OfficerN.B. - Separate form shall be used for every

Samiti Constituency.Form No. 15[See Rule 38(1)]NoticeNotice 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 OfficerForm No. 16[See Rule 39(1)(ii)]Notice calling for nomination of candidates for the office of the Chairman and Vice-Chairman of.....Panchayat

SamitiNotice 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).] [Substituted vide SRO No. 261/2001 Orissa Gazette Extraordinary No. 991 dated 28.5.2001.](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)] [Substituted vide SRO No. 261/2001 Orissa Gazette Extraordinary No. 991 dated 28.5.2001.]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.....SamitiForm No. 17[See Rule 39]Nomination paper for election of Chairman and Vice-Chairman of Panchayat Samiti

We (name) (1) Proposer.....

Secunder.....

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 Secunder Signature of Proposer

Date.....

Date.....

I, the undersigned.....person duly qualified for election as above.....hereby record my willingness for being nominated.Signature of the candidateDate.....Endorsement by the Election

OfficerSerial No.....This nomination paper was presented to me by.....(name).....(date and hour)Date.....Place.....Signature of the Election OfficerOrders of the Election

OfficerAccepted/rejected.....Reasons for rejection.....Date.....Place.....Signature of the Election OfficerForm No. 18[See Rule 42]Result of counting of vote for election to the office of

Chairman/Vice-Chairman, Panchayat SamitiName 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 rejectedTotal 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 Election OfficerNote - (i) Separate form shall be used for the election of Chairman and Vice-Chairman.(ii)Strike out which is not applicable.[Form No. 19] [Inserted vide O.G.E. No. 1264 dated 15.11.1995.][See Rule 7-B, 7-D, and 7-F](List/Statement of Constituencies)

Name of the Block : Total number of Constituencies :
Men Women

Constituencies reserved for { S.C.S.T.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)

CollectorForm No. 20[See Rule 7-B]NoticeNotice 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] [Inserted vide SRO No. 261/2001 Orissa Gazette Extraordinary No. 991 dated 28.5.2001.][See Rule 24-A(2)]Register of VotersElection to the.....Samiti Constituency

Sl. No.	Sl. No. of elector in the electoral roll	Signature/Thumb Impression of elector	Remarks
(1)	(2)	(3)	(4)

Form No. 20-B[See Rule 24-A (2)]Account of voters recordedPart-IElection to the.....Samiti ConstituencyIdentification 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 papers seals

Sl. Nos.	From	To
		Signature of Presiding Officer
1.	Serial Numbers of Paper Seals supplied From..... To.....	12345

2. Total Numbers supplied
3. Number of paper 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

Date : Signature of Presiding Officer

Place : 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 of Part I or any discrepancy noticed between the two totals.

Signature of the Presiding OfficerPlace

Date :

Name of candidate/Polling Agent/Counting Agent Full Signature

1.2.3.4.etc.

PlaceDate :Signature of Election Officer]State Election Commission, Orissa, Samabaya Bhawan, Janapath, Bhubaneswar-751 022[Notification] [Published vide Orissa Gazette Extraordinary No. 940 dated 3.7.2006.]The 1st July 2006S.R.O. No. 401/200. - In supersession to Commission's Notification No.3072, dated the 25th June 2001, in pursuance of Rule 5 of the Orissa Panchayat Samiti Election Rules, 1991, the State Election Commission, Orissa hereby notifies the following symbols for use in the election of the Samities by the candidates :

Sl. No. Name of the Symbols

(1)	(2)
1	Kettle
2	Stool
3	Axe
4	Bus
5	Lock & Key
6	Spectacles
7	Hand Fan
8	Cup & Saucer
9	Earthen Pot
10	Pineapple
11	Aeroplane
12	Kite
13	Bell
14	Baby Doll
15	Batsman
16	Glass Tumbler
17	Football
18	Coat
19	Maize