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**HAND BOOK
OF
ELECTION OFFICER'S
FOR
CO-OPERATIVE ELECTION
IN ODISHA**

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(I) INTRODUCTION

After 97th amendment of the Constitution of India, Odisha Co-operative Societies Act, 1962 was amended in the year 2012. As per section 28 AA of the said amended Act the superintendence, direction, and control of the preparation of electoral rolls for and the conduct of elections to a Co-operative Society shall vest in the State Co-operative Election Commission consisting of a State Co-operative Election Commissioner. The office of the State Co-operative Election Commission has also Secretary, Deputy Secretary, Law Officer, Officer on Special Duty and other supporting staff.

The role of Election Officer is crucial in the process of election, as provided under the Act and the Rules. Smooth conduct of election mainly depends on the Election Officer for which he is required to be well versed with detailed procedures and legal provisions relating to preparation of electoral roll and conduct of elections. He is required to exercise due caution and care for conduct of election in a free and fair manner.

This Hand book tries to give broad outlines of duties and responsibilities of Election Officer for ready reference. This booklet, though not exhaustive, will be helpful to them at the time of conduct of elections. However the Election Officers are advised to refer to the relevant provisions under the Act and Rules framed there under, whenever the need arises.

(II) MAIN ITEMS OF WORK:

The Election Officer is required to discharge his duties relating to the following main items of work.

1. To ascertain and ensure intimation by the Chief Executive of the Society about expiry of the term of committee six months before such expiry. [Section 28- A (2)]
2. To ascertain and ensure about organisation of constituencies by the committee. [Sub-rule 3, (3-a) (3ab) of rule -6]

3. Fixation and publication of the date of election at least two months prior to the date of election subject to the direction of State Co-operative Election Commission. [Rule 4]
4. Finalisation of the number and location of polling stations. Rule- 4(5)
5. To publish notice for various stages of election at least thirty five days prior to the date of election. [Rule-5]
6. In case the constituencies are not organised by the Committee, it shall be lawful for the Election Officer to organise such constituencies on requisition by the Chief Executive.[Rule6 (3-a)].
7. Preparation of provisional electoral Roll (Constituency wise) and submission by the Chief Executive to the Election Officer prior to at least 40days of election date and publication thereof thirty days prior to the date of election.[Rule 6 (1& 4)]
8. To publish final electoral roll after hearing objections. Rule- 6 (6)
9. Issue of instruction to Chief Executive for supply of all election materials including Ballot box and Ballot papers. [Rule-16, 17, &18]
10. Appointment of polling and counting personnel.
11. Training to polling personnel & counting personnel.
12. Making transport arrangement for polling party.
13. Making police arrangement for the polling stations & counting places.
14. Filing of nomination papers. [Rule 7]
15. Scrutiny of nomination papers and recording of reasons for rejecting any nomination paper. [Rule 9]
16. Publication of list of valid nominations and symbols. [Rule 10]
17. Withdrawal of nominations [Rule11]
18. To notify list of contesting candidates on the notice board of the society. [Rule 11]
19. Printing of Ballot papers to be arranged and payment made by the society. [Section 28-A (8)] and Rule 18.

20. Procurement of Ballot boxes from places as per direction of Commission.
21. Polling, if necessary. [Rule 15]
22. Appointment of Election & Polling agent by the candidates and submission of letter of appointment to Election Officer. [Rule 12 & 13]
23. Supply of Ballot box, Ballot papers & election materials to the polling parties and deployment in polling station. [Rule 16, 17 & 18]
24. Adequate arrangement of safe transport and storage of ballot boxes in safe custody after completion of poll. Rule 35 (2)
25. After counting of votes and declaration of result, to send copies to Chief Executive of the Society, to the State Co-operative Election Commission and other concerned quarters. [Rule 46 (2)]
26. An account of election expenses by every contesting candidate to be lodged with the Election Officer within 30 days of declaration of result. Rule 47 (4)
27. If necessary, Election Officer within 2 days of lodging of the account shall cause a notice for inspection. [Rule 49]
28. After expiration of time for lodging the account, it shall be published by Election Officer in a statement. [Rule -51]
29. Hand over sealed pockets & other papers relating to election to the Chief Executive of the Society for safe custody. [Rule 52]
30. Over all supervision of election.

(III) POLL PROGRAMME :

The State Government shall, by one or more notifications, publish, in the Odisha Gazette, the date or dates as may be recommended by the State Co-operative Election Commission calling upon the Co-operative Societies to elect Members of the Committee of the Society in accordance with the provisions of the Act & Rules made there under. [Rule 3 (1-a)]

(IV) APPOINTMENT OF ELECTION OFFICER:

The State Co-operative Election Commission shall by general or special order, appoint one or more Election Officers for different Societies from out of the officers & the staff made available to him under sub-section (6) of section 28 AA and Rule -3 (2) the officers so appointed shall perform the duties as entrusted to them in accordance with the directives of the State Co-operative Election Commission.

The order of appointment shall be published in the Odisha Gazette and communicated to said officers, the Society concerned and the concerned person appointed under section 3 in whose local limit the Headquarters of the Society is located.

The Election Officer so appointed shall be responsible for conduct of the elections and perform the duties as provided in the Act, the Rules, and directives issued by the Election Commission from time to time.

(V) PRELIMINARY WORKS TO BE ATTENDED BY ELECTION OFFICER:

(a) Soon after appointment, the Election Officer shall ascertain from the Chief Executive of the Society whether intimation of date of expiry of Committee sent to the Commission in time or not (six months before such expiry) as required under section 28 A (2) and Rule 3 (3-a) of Election Rules.

(b) Secondly, it should also be ascertained whether intimation as required under Rule 3(3-b) of election Rules regarding organisation of constituencies by the Committee sent by the Chief Executive supported by resolution of Committee at least forty days prior to date of election or not. In case constituencies are not organised, the Chief Executive shall send a requisition to the Election Officer for organisation of such constituencies and it shall be lawful for the Election Officer under Rule 6(3-a) to organise the constituencies in accordance with the provisions of the Act & Rules framed there under.

(VI) POLLING STATION:

As per Rule 4 (5) of OCS (Elections to Committees) Rules, 1992 the Election Officer shall finalise the number & location of polling stations having regard to following principles and subject to direction of State Co-operative Election Commission in this regard.

- (a) To allot at least one polling station per one thousand voters Rule 4(5).
- (b) Polling booth may be located preferably in Society premises. If Society premises are not available or unsuitable, alternative suitable public building may be located as deemed proper.
- (c) Polling booth should not be in police station, hospital, or religious institutions.

(VII) FIXATION OF DATE OF ELECTION AND ISSUE OF TWO MONTHS NOTICE:

The Election officer, shall fix the date of election of the Members of Committee and published by the Chief Executive of the concerned society in the manner prescribed under Rule 4, at least two months prior to date of election, in accordance with the programme communicated by the State Co-operative Election Commission

The Election Officer shall ensure that publication is made by the Chief Executive and in case of failure, the matter be brought to the notice of State Co-operative Election Commission. Provisional Electoral Roll to be submitted by the Chief Executive at least forty days prior to the date of election.

(VIII) NOTICE FOR VARIOUS STAGES OF ELECTION:-

(Notice prior to thirty five days of the date of poll):-

The Election Officer on receipt of form of notice shall cause service of notice of various stages of election on the members of the society (excluding nominal members) by publishing in the manner as prescribed under Rule 5 at least thirty five days prior to the date of election. The form of notice to be furnished by the Chief

Executive shall contain details of particulars of date, time & place of various stages of election relating to the following items of works.

1. Publication of provisional electoral Roll.
2. Filing of objections on provisional electoral Roll, hearing and disposal of objections.
3. Publication of final electoral Roll.
4. Filing of nomination along with fees and security deposit.
5. Scrutiny of nomination paper and filing of objection, if any, hearing, and disposal thereof.
6. Publication of the list of valid nominations.
7. Withdrawal of nominations.
8. Publication of list of contesting candidates with symbols.
9. Polling, if necessary.
10. Counting of votes and declaration of result of election.

The form of notice shall contain full particulars of constituencies and the offices in respect of which election shall be held. The form of notice shall be signed by the Election Officer with date and published in the manner prescribed and copies sent to the concerned quarters with copy affixed in the notice board of their office and branches if any.

The programme and period of time prescribed in OCS (Elections to Committees) Rules, 1992 (As amended) is mentioned as under for ready reference.

Programme	Period of Required
1. The Chief Executive of the society shall furnish authenticated copies of the provisional voter list to the Election officer, under E.R. 6 (4).	At least forty days prior to the date fixed for election.
2. The Election officer to cause publication and service of the form of notice containing full particulars of the constituency, the offices in	At least thirty five days prior to the date fixed for election.

respect of which elections shall be held and the dates, place and hours between which various items of works of election process to be under taken.	
3. Publication of Provisional Electoral Roll. E.R 6 (4)	Thirty days prior to the date fixed for election.
4. i) Filing of objection to the provisional electoral roll before Election officer under E.R. 6 (5).	Within four days from the date of publication of the provisional electoral roll.
(i) Hearing of the objections filed, and finalisation of the same by the Election Officer under E.R.6 (5).	Within three days from the date of receipt of objection.
5. Display of the final electoral roll by the Election officer on the notice board of the head office of the society under ER 6(6).	Within two days immediately following the day the electoral roll so finalised
6. i) Filing of nomination paper before Election officer by candidate or through proposer under ER7 (1).	Within three days from the date of publication of the final electoral roll.
ii) Affixture of a list of nomination papers entered in the register in some conspicuous place of the place fixed for filing of nomination under E.R 8 (3).	As soon as may be, after closer of the nominations.
7. Scrutiny and examination of nomination papers raising objection thereon, by the candidates, their Election agent or one proposer of each candidate under E.R 9 (1).	Within two days from the last date fixed for filing nominations.

8. i) Examination of nomination papers, enquiry and decision on objections under E.R9 (2).	On the day immediately following the last date fixed for filing objection.
ii) When Election officer defers his decision and provides opportunity to rebut objection, under E.R.9 (2).	One day more.
9. Display of list of valid nominations on the notice board of head office of the Society by the Election officer, under E.R .10.	On the date immediately next to the last date of disposal of objections to the nomination.
10.i) Filing of application for withdrawal nomination by candidates under E.R. 11 (1).	During office hour on the date next to the date of publication of the list of valid nomination.
ii) Permission by the Election officer for such withdrawal, and publication of the final list of contesting candidates on the notice boards of the head office of the Society, under E.R.11 (2).	On the date next to the date fixed for filing application for withdrawal of nomination.
11. Polling.	Date fixed for holding election. Hours- 7 A.M. to 4 P.M.
12. Counting.	Immediately after completion of polling

(IX). ELECTORAL ROLL:

As provided under rule 6 (1): The Chief Executive of the society subject to the direction of State Co-operative Election Commission shall prepare the Provisional Electoral for each constituency incorporating there in.

a. In case of Primary Co-operative Societies, the name of individual members and head of Self Help Group except the nominal members, who are members as on the date of publication of the notification are qualified to vote, with their address as entered in

the membership Register, alongwith their father/mother or husbands name, as the case may be, sex and other particulars regarding whether they belong to the SC/ST/Other Backward Classes and

b. In case of Central or Apex Co-operative Society, the name of the member of the electoral college as on he date of publication of notification and are qualified to vote, with their address alongwith their father/mothers name as the case may be, sex, alongwith the name of the society, body corporate or local authority to which he represents in the Electoral College and whether he belongs to SC/ST/OBC.

c. The authenticated copies of provisional electoral roll of each constituency organised by the committee in the manner prescribed under the Act & Rules shall be furnished to the Election Officer **at least 40 days prior to the date of election.** The Election Officer or any person authorised by him shall publish the Electoral Roll by affixing it on the Notice Board of the Society and its branches, **thirty days prior to the date of election Rule 6 (4)**

d. Objection, if any, shall be filed on the provisional electoral roll in writing showing details of objections & full particulars of objections **within four days from the date of publication** before the Election Officer [Rule 6 (5)]

e. The Election Officer after hearing shall finalise and correct the Electoral Roll **within three days from the last date of receipt of objections.** [Rule 6 (5)]

f. The final Electoral Roll shall be displayed in the notice board of head office of the society **within two days of finalisation of Electoral Roll.** Rule 6(6)

(X) NOMINATION:

a. Nomination shall be filed by the Candidate or through his proposer for election of the Member of the Committee in form I, (to be supplied by Chief Executive of the society on application & payment of fees) before the Election Officer **within three days of publication of final Electoral Roll** [Rule 7] along with security deposit and fees fixed by the State Co-operative Election Commissioner. The nomination form

shall be duly filled in all respects by the candidate and signed by him and his proposer & seconder with date and time

b. The Election Officer shall maintain a register in which all nomination papers received are entered chronologically and category wise in the manner prescribed under Rule (8). The Election Officer shall acknowledge receipt on demand by the candidate The Election Officer shall draw a horizontal line under the last nomination paper received and write “Nomination closed” with signature, date & time. List of nominations received and entered in form I-A shall be affixed in a conspicuous place, of the place fixed for filing of nomination papers.

c. On the date & time fixed, the Election Officer shall allow the candidate or his election agent or one proposer to examine the nomination papers and file objections, if any, in writing with proof in that regard **within two days from last date fixed for filing nomination.** [Rule 9 (1)]

d. Election Officer shall examine the nomination papers & decide all objections after hearing and summary inquiry and endorse on each nomination paper his decision accepting or rejecting the same with brief statement of reason for such rejection. [Rule 9 (2) & (3)] while examining the nominations, the Election Officer shall keep in mind the following points for checking.

i). Whether nomination paper filed by the candidate duly filled in, complete in all respects and signed by the candidate, his proposer and seconder & filed along with fees & security deposit or not. Rule 7(3)

ii). Whether name of the candidate of reserved category appear in final electoral roll of any constituency as he can file nomination for the constituency reserved for his category. [Rule 7(4) (i)]

iii). Whether name of the candidate appears in the final electoral roll of any constituency as he can file nomination for unreserved seat. [Rule7 (4) (i)]

iv). Whether the candidate filing nomination for more than one seat as he is not eligible for the same. [Proviso to Rule7 (4) (i)]

v). Whether the name of the proposer & seconder appear in the electoral roll of the particular constituency or not, since voter of any other constituency is not eligible to be the proposer or seconder for the said office for that constituency. [Rule7 (4) (ii)]

vi) Whether the voter is a proposer or seconder for more than one candidates as he is not eligible for the same [Provisio to Rule7 (4) (ii)]

vii) Whether the candidate is ineligible for being chosen a Member of the Committee as provided under the Act, Rules & byelaws. The Election Officer shall keep in view the following for ready reference.

(viii). When the number of candidates for a particular constituency becomes equal to the number of voters (or where number of voters are less than six) in the final electoral roll for that Constituency, signing by the Proposer or the Seconder as per Sub rule 3 & 4 is not necessary.

(ix). Whether candidate in the election is eligible for being chosen as member or President of the Society under the Act & Rules framed there under.

(XI) DISQUALIFICATION AS MEMBER:

(Section 16, Section 16 A Section 19, Section -20, & section 28(3) of OCS Act, 1962 as amended from time to time)

(a) If the candidate has not attended three consecutive General meetings or abstains from attending General Body/ Special General Body of the Society continuously for 1 year and such absence has not been condoned by the members in the General Body meeting. [Sec 16 A (1) (a-1)]

(b) If the candidate has not used two consecutive years the services below the minimum level specified in the byelaws. [Section 16 A (1) (a-2)]

(c) If he has not deposited such amount for such period as may be specified by the Registrar from time to time. [Section 19 (1)]

As per the latest notification of RCS (O) vide No-5163 Dated 26.03.2012 a member belonging to other than SC/ ST category shall have a minimum deposit of Rs.500/- (Rupees five hundred) and a member belonging to SC/ ST category shall

have a minimum deposit of Rs 100/- (Rupees one hundred) only with the PACS/ LAMPCS/ SCS /FSCS for a minimum period of 4(four) months preceding the date of publication of election to the committee of that Society to have voting right.

(d) He is not adjudicated an insolvent or an un-discharged insolvent. [Section 28 (3)(a)]

(e) If he has been sentenced for an offence involving moral turpitude and such sentences not having been reversed.[Section 28(3)(b)]

(f) If he is of unsound mind or is a deaf –mute or is suffering from leprosy Section [(28 (3) (c)]

(g) If he is a family member of any paid employee of the society unless specifically permitted by the Registrar or Society composed exclusively of such employees.[Section 28 (3)(d)]

(h) If he has failed to pay any amount due, whether in cash or in kind, to the Society, it's Financing Bank or any other Society, on account of any loan or otherwise within three months from the date of notice by the Society the Financing Bank concerned for payment of such dues. However, if he makes payment of the dues before the date of filing his nomination he becomes eligible in this respect. [Section 28 (3) (e)]

(i) If he is directly or indirectly interested in any contract made with the Society or in any sale or purchase made by the Society or in any contract or transaction of the Society (other than investment & borrowings) or involving in any financial interests of the Society if the contract or transaction, sale or purchase be not complied.

[Section (3)(f)]

(j) If he has been expelled from a Society under section 21 (A). However, disqualification will not apply if; [Section 28 (3) (g)]

* Two years have elapsed from the date of such expulsion.

* Registrar has sanctioned the readmission or admission within the said period as a member of the said Society or any other Society.

(k) If convicted on charge of misappropriation or defalcation of funds of any Society or has been found liable in a surcharge proceeding until such conviction or liability is reversed. [Section 28 (3) (h)]

(l) If he has been dismissed, discharged or removed from service of Government, Public Sector Undertaking, Local Body, a Co-operative Society or any other body corporate as a result of disciplinary proceedings on charge of embezzlement, misappropriation or any other misconduct involving moral turpitude unless such dismissal, discharge or removal has been reversed. [Section 28 (3) (i)]

(m) If he is holding any office of profit under state or central Govt., Public Sector Undertakings, Local Authority, Educational Institution or a Co-operative Society unless such Society composed exclusively of such persons or nominated under subsection (1) of section 31 or appointed under the Act to manage the affairs of a Society. Section 28 (3) (j)]

(n) If he is debarred under Representation of peoples act 43 of 1951 to contest election. [Section 28 (3) (k)]

(o) If he is retained or employed as a legal practitioner against the Society or on behalf of the Society except in an honorary capacity. [Section 28 (3) (m)]

(p) Abstains from attending the meeting of the committee of a Society over a continuous period of 6 months without prior intimation or upon such intimation Committee disapproves the abstention unless two years elapsed following date of expiry of six months. [Section 28 (3) (n)]

(q) If he has more than two children provided that nothing in this clause shall apply to a person who has more than two children as on the first day of January 1995 or, as the case may be, within a period of one year of the said date, unless such person begets an additional child after the period of one year. [Section 28 (3) (p)]

(r) A representative of a Society or a body corporate shall not be eligible for being chosen or for continuing as a Member or president of the committee of any other society in cases where the society or the body corporate which he represents, [Section 28 (3-a)]

* Failed to pay any amount due, whether in cash or kind to the society, to financing bank or any other society on account of loan or otherwise within 3 months from the date of notice by the society or financing bank concerned for payment of such dues. This disqualification will not apply if payment of dues made before filing nomination at an election of society.

* If he leaves membership of the society.

* Is ordered to be wound up or dissolved.

(XII) VALID NOMINATIONS AND SYMBOLS: [Rule-10]

Immediately next to the last date of disposal of objections to the nominations the valid nominations along with the symbols allotted by the Election Officer shall be displayed in the notice board of the society. The Election officer shall not allot any symbol to the candidates which are associated with political parties as required under Rule 7(2) of OCS (Election to the Committees) Rules, 1992.

(XIII) WITHDRAWAL OF NOMINATIONS & FINAL LIST OF CONTESTING CANDIDATES :[Rule-11]

Any candidate may withdraw his nomination on a written application and deliver the same to the Election Officer by himself or through proposer during office hours on the next date of publication of valid nominations. Withdrawal once made is final & irrevocable. The Election Officer shall notify final list of contesting candidates on the notice board of the Society **on the next date of withdrawal of nominations.**

(XIV) UNCONTESTED ELECTION: [Rule-14]

After publication of valid nominations 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 declarations in Form-V. A signed copy of the declaration shall be sent forthwith to the State Co-operative Election Commissioner, DRCS and ARCS, under whose jurisdiction the head office of the Society is located. Where a

poll is taken, votes shall be given by secret ballot and no votes received by proxy. Every Member of a Society shall have one vote in the affairs of the Society (section -20).

(XV) ELECTION PROCEDURE: [Rule-15]

a) Polling party: - The Polling party will comprise of Presiding Officer, Polling Officers or any other person authorised by the Election Officer as per directions issued in this regard by the State Co-operative Election Commission.

b) Appointment of Election Agent:- If a contesting candidate desires to appoint any person to be his election agent, the candidate shall give notice of such appointment in Form- III delivering a copy to the Election Officer and a duplicate copy to the agent so appointed. [Rule 12]

c) Appointment of polling agent and a counting agents:- The candidate may appoint one polling agent and one relief agent in Form –IV duly signed by him. Similarly he may appoint not more than four agents to act as Counting Agents in Form –IV. [Rule 13]

(XVI) SUPPLY OF ELECTION MATERIALS: [Rule 16]

The Chief Executive shall supply the polling materials on the date of despatch of the polling parties to their respective Polling Stations to the Election Officer or such other person as the Election Officer may direct.

(XVII) BALLOT BOXES: [Rule 17]

Ballot boxes in required numbers may be procured by the Election Officer from DRCS / ARCS office or as directed by the State Co-operative Election Commission in this regard for supply to the Presiding Officers by the Chief Executive of the Society. Before supply, the boxes should be checked properly & ensured the same working properly or not.

(XVIII) FORMS & MATERIALS: [Rule 16 & 18] The Election Officer is required to use several Forms as prescribed in the Rules. The Election Officer shall direct the Chief Executive to arrange printing of Forms and purchase of polling materials as per provision under section 28 A (8) and deliver the same to the Election Officer sufficiently ahead and such other forms required to be supplied to the

candidates on application and payment of fees.

(XIX) FORMS:

- 1. Form I:** - Form of Nomination Paper (to be supplied to the candidate on application & payment of fees fixed by the State Co-operative Election Commission.)
- 2. Form I A:** - Form for Notice of nominations (to be used by the candidates and the Election Officer)
- 3. Form II:** - Form for publication of the list of valid nominations (to be used by Election Officer)
- 4. Form II A:** - Form for publication of final list of contesting candidates (to be used by Election Officer)
- 5. Form III:** - Appointment of the Election Agent (to be used by candidates.)
- 6. Form IV:** - Appointment of Polling Agent/ Counting Agent (to be used by candidates)
- 7. Form V:** - Form for Declaration of the result of uncontested Election (to be used by Election Officer)
- 8. Form VI:**-Ballot Paper to the office of President & Vice- President (to be supplied to Presiding Officer which is to be printed only after notice of list of contesting candidates published and where poll is taken up).
- 9. Form VI A:** - Ballot papers to Members of Committee (to be supplied to Presiding Officer which is to be printed only after notice of list of contesting candidates is published and where poll is taken up)
- 10 Form VII:** - Form for the list of Challenged Votes (to be supplied to the Presiding Officer for use on the day of poll)
- 11. Form VIII:** - Form of Deceleration by companion of Blind / Infirm voters. (to be used at polling station by Presiding Officer)
- 12. Form IX:** - Form for list of Blind /Infirm voters (to be used at polling station by Presiding Officer)
- 13. Form X:** - Form for list of tendered votes (to be used at polling station by

Presiding Officer)

14. Form XI: - Form for Ballot Paper Account (to be used at polling station by Presiding Officer)

15. Form XII: - Form for Result Sheet (to be used at polling station by Election Officer.)

16. Form XIII:- Form for Return of Election (to be used by Election Officer)

17. Copy of Electoral Roll.

(XX) ENVELOPES:

1. For marked copy of Electoral Roll.
2. For Ballot Paper Account.
3. For unused Ballot Papers.
4. For tendered Ballot Paper with list of Tendered Ballot Papers.
5. For appointment of Polling/Counting Agent
6. For Challenged Voters.
7. For blind companion voters.
8. For cancelled Ballot Papers.
9. For any other papers as directed by State Co-operative Election Commissioner.

(XXI) LABELS:

1. Entrance.
2. Exit.
3. Waiting space (Male).
4. Waiting space (Female).
5. Ballot Box.
6. Poll Compartment.
7. Presiding Officer.
8. Polling Officer.
9. Polling Area.

10. Prohibited Area

11. Polling / Election Agent.

12. List of contesting candidates.

(XXII) MATERIALS :

1. Cross mark rubber stamp:- (prepared by society or procured from District Election Office).

2. Indelible Ink:- (procured from District Election Office).

3. Sealing wax: – to be purchased by the Society.

4. Screen for voting compartment:-to be purchased by the Society.

5. Gum paste:- to be purchased by the Society

6. Lantern with Kerosine Oil: - to be arranged by the Society

7. Metal roll for detaching Ballot paper: – Arranged by Society.

8. Sutuli.

9. Cotton – String.

10. Self ink- pad.

11. Pencil.

12. Ball pen.

13. White Paper.

14. Pin.

15. Pusher.

16. Match box

17. Carbon paper.

18. Piece of cloth.

19. Tin.

20. Candle.

21. Rubber band.

22. Blade.

23. Needle.

24. Trunk with key.

25. Metal seal: - to be prepared or procured from District Election Office.

26. Seal :-(a) Presiding Officer (b) Polling Officer.-to be arranged by Society.

27. Distinguishing Mark: - to be prepared or procured from District Election Office.

(XXIII) POLICE ARRANGEMENT :

The Election Officer being in over all charge of election & responsible for smooth conduct of election, is required to keep a close watch of polling station and report to appropriate authority for attaching police personnel to the polling party to maintain law & order from beginning to end of election process wherever necessary.

(XXIV) MODEL CODE OF CONDUCT:

The Election Officer shall forthwith report to the SCEC in case of any violation as detailed in schedule –III of OCS Act 1962 of model code of conduct by the candidates.

(XXV) APPOINTMENT OF PRESIDING OFFICERS AND POLLING PERSONNEL:

The Presiding Officers and other Polling Personnel shall be appointed as per provision u/s 28AA (7) of OCS (Amendment) Act 2012 read with Rule 3(2) of OCS (Election to the Committees) Rules 1992 amended from time to time. The Election Officer shall ensure that all the polling materials are made available to the Presiding Officer for

smooth conduct of election. As per Rule 35 (I), the Presiding Officer shall deliver the following material to the Election Officer who shall be responsible for the safe custody of such materials as required Under Rule 35 (2)

- a. Ballot Boxes.
- b. Ballot Paper account.
- c. Sealed packets (Ref. to rule 34)
- d. All other papers used in the poll.

(XXVI) PRINTING OF BALLOT PAPER : [Rule 18]

The ballot papers are to be printed in form VI-A in consultation with the DRCS. The name of the candidates should be arranged in alphabetical order in the ballot paper. In case two or more candidates bear the same name, distinguish them from each other by the addition of their occupation or residence on the ballot paper. The constituency wise ballot papers may be distinguished from one another as per direction to be issued by State Co-operative Election Commissioner from time to time. Maintenance of secrecy of the printing of ballot papers and correction of the proof copy of the printing of ballot papers to avoid printing mistake are extremely important. No ballot paper other than printed ballot papers shall be used in election.

(XXVII) TRAINING OF POLLING PERSONNEL:

The Election Officer will arrange training for the Personnel to be deployed on poll duty as Presiding Officer and 1st Polling Officer in consultation with the concerned divisional DRCS and the Circle ARCS. It is necessary that the Polling Personnel are thoroughly acquainted with the procedure of conduct of elections, counting of votes and delivery of records and materials to the Election Officer.

(XXVIII) POLLING STATION:

Premises of the Society may be used for Polling Station. In case the space available in the society office is not sufficient enough to accommodate Polling Station or in case the same is not fit for Polling Station, the Election Officer will send requisition well in advance to the concerned authorities for use of the premises of the School/ College/

Gram Panchayat or any other Public Institution located nearby for use of Polling Station. No private premises shall be used for location of polling station.

(XXIX) DURATION OF POLL :

The Polling hours will be as fixed by State Co-operative Election Commissioner.

**(XXX) FRESH POLL IN CASE OF DESTRUCTION OF BALLOT BOXES
ETC:**

Fresh poll in case of destruction of ballot boxes etc shall be made as per Rule – 36 of the OCS (Election to the Committees) Rule- 1992 and the election officer shall after completion of that poll, recommend the counting of votes on the date, time place fixed for the purpose of which notice has been given previously to the candidates.

(XXXI) 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 candidate, his election agent and his counting agents shall have right to remain present during counting. [Rule-38].

No person other than the following shall be admitted to the place fixed for counting. [Rule-39]

- (a) Person appointed by the Election Officer to assist him.
- (b) Person authorized by the State Co-operative Election Commissioner.
- (c) Public servant on duty in connection with the election.
- (d) Candidates and their election agents and counting agents.

Before any ballot box is opened at a counting table, the counting agents present shall be allowed to inspect the seal for satisfying themselves that it is intact. [Rule-40]

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 of the OCS (Election to the committees) Rule - 1992 in respect of that polling station.

(XXXII) SCRUTINY AND REJECTION OF BALLOT PAPERS: [Rule 41]

The ballot papers shall be taken out from the ballot box and arranged in convenient bundle of fixed numbers and scrutinised bundle wise.

**(XXXIII) THE ELECTION OFFICER SHALL REJECT A BALLOT PAPER
IF : [Rule 41]**

- a. It bears any mark or writing by which the voter can be indentified; or
 - b. No vote is recorded there on; or
 - c. Votes are given in favour of more than one candidate (where only one candidate is to be elected); or
 - d. The voter has recorded 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 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 design different from the ballot paper used at the polling station; or
 - i. It does not bear the mark and the signature which it should have borne under the provisions of sub- rule3of Rule – 25 of OCS (Election to the Committee) Rules, 1992. However, the ballot paper shall not be rejected on the ground that the mark indicating the vote is not distinct or made more than once to a particular candidate or due to any mistake or failure on the part of presiding Officer or Poling Officer for any defect mentioned in (h) and
- (i). Before rejection of any ballot paper the Election Officer shall allow each candidate and his election agent and counting agent present a reasonable opportunity to inspect the ballot paper. The Election Officer shall record on every ballot paper which he rejects the letter ‘R’ and the grounds of rejection in abbreviated form in his own hand. All ballot papers rejected shall be bundled together.

(XXXIV) PROCEDURE FOR COUNTING OF VOTES: -[Rule-42]

- (a) Every ballot paper which is not rejected under Rule – 41 shall be counted as a valid vote for the candidate for whom it has been recorded in the ballot paper.
- (b) No cover containing tendered ballot paper shall be opened and no such ballot paper shall be counted.
- (c) After counting of all the ballot papers, contained in all the ballot boxes used at all polling station has been completed, the Election Officer shall make the entries in a result sheet in form- XII and announce the same.
- (d) When an equality of votes is found, the lots to be drawn in such manner as the Election Officer may decide in presence of the candidates who may desire to be present and announcement may be made according to the result of the lots.
- (e) The valid ballot papers shall thereafter be bundled together and kept along with the bundle of rejected ballot papers in separate packets which shall be sealed and packets should bear the particulars about the name of the constituency, particulars of Polling Station where the ballot papers have been used and the date of counting.

(XXXV) COUNTING TO BE CONTINUOUS:- [Rule -43]

The Election Officer shall as far as practicable proceed continuously with the counting of votes. During any intervals when the counting has to be suspended, he shall keep the ballot papers, packets and other papers relating to election sealed with his own seal and seal of the candidates or election agents or counting agents as may desire to affix their seal. Precautions should be taken by the election officer for their safe custody during such intervals.

(XXXVI) RECOMMENCING OF COUNTING AFTER FRESH POLL AND RECOUNTING OF VOTES:

Recommencing of counting after fresh poll and recounting of votes if required shall be made as per Rule – 44 – 45 of the OCS (Election to the Committees) Rules – 1992.

(XXXVII) DECLARATION OF RESULT: [Rule 46]

(i) The Election Officer shall 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.

(ii) 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, State Co-operative Election Commission, Odisha, RCS (O), & DRCS & ARCS concerned in whose jurisdiction the head office of the Society is located.

(XXXVIII) ELECTION OF THE PRESIDENT OF THE COMMITTEE

(A) Fixation of the date for election of President:- [Rule 4 (3)] Within two days from the date of the declaration of result of the election of the Members of the Committee the Election Officer shall fix the date of election of the President/ Chairman. In case of LAMPS, office of the President shall be reserved for Scheduled Tribes.

(B) Provision in the Bye –laws about designation of Head of the Committee:- Examine the provisions in the Registered Bye-laws of the Society and ascertain whether the designation of the Head of the Committee is President or Chairman. Prepare the election notice accordingly.

(C) Publication of notice and service thereof : [Rule 4 (3)& (4)]

(i) The Election Officer shall fix the date of election of President **within two days from the date declaration of result of election of the Members of the Committee and published at least fifteen days prior to the date of election so fixed** in the notice board of the Society and shall cause service of the same on the members of the committee by registered post with due acknowledgement.

(ii) The notice for election of the President/ Chairman shall contain the full particulars of the date, place & time for:

(a) Filing of nomination papers by the candidates.

(b) Scrutiny of nomination papers by the candidates.

- (c) Filing of objection and furnishing of proof in support of objection by the candidates.
- (d) Hearing of objection and disposal thereof by the Election Officer.
- (e) Publication of valid nomination by the Election Officer.
- (f) Withdrawal of nomination by the candidate.
- (g) Publication of list of contesting candidates by the Election Officer.
- (h) Polling (if necessary)
- (i) Counting of votes and declaration of result of election.

(D) Fees and security for filing of nomination:- [Rule 7 (3)]

The fees & security for filing of nomination for office of President are as fixed by the State Co-operative Election Commission.

(E) On the day of Poll:- [Rule 21]

The Election Officer should reach the polling station one hour before the commencement of the poll with Polling Personnel and arrange for polling compartment, sitting arrangement and keep the ballot papers ready for voting by putting his full signature with date & seal of the society on the back side of each and every ballot paper. The Election Officer shall start preparation of the ballot box before the poll commences after demonstrating the ballot box to the candidates if present at the time that the ballot box is empty.

Then the Election Officer shall prepare the ballot box to balloting position by affixing his seal and that of the candidates if they so desire and keep the ballot box in full view of the election officer.

(F) Commencement of Poll:-

Procedure regarding verification of identity of voters, marking of indelible ink and issue of ballot paper to the voters, ballot paper account etc. shall be followed as it was followed in case of election of Members to the Committee.

(G) Closing of Poll: -

The Presiding Officer shall close the polling at the hour fixed and shall not allow any voter to cast his vote except the voters who are present in the polling station before closing of the poll.

As soon as practicable after closing of the poll, the Election Officer shall close the slit of the ballot box in presence of the candidates if any present at that time and allow them to affix their seal, keep the sealed ballot box in safe custody and make necessary arrangement for counting of the votes.

(H) Counting of Votes: - [Rule 42]

The Election officer shall start counting of votes in presence of the candidates or their proposers if they are present. Before the ballot box is opened at a counting table, the candidates present shall be allowed to inspect the seal to satisfy themselves that it is intact.

(I) Declaration of result:- [Rule 46]

After the counting of all the ballot papers contained in the ballot box has been completed the election officer shall make the entries in a result sheet in form XII. Recounting of voters if demanded by the candidate shall be disposed of as per Rule-45 of the O.C.S. (Election to the Committees) Rule,1992.

The Election Officer shall 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 and send copies of the return of election in form XIII, under his signature and seal to the Chief Executive of the society, the State Co-operative Election Commission, RCS (O) and the DRCS & ARCS in whose jurisdiction the head office of the Society is located. In case of equality of votes, provision under Rule 45 (1) shall apply.

(XXXIX) ELECTION OF VICE – PRESIDENT OF THE COMMITTEE.

(A) Fixation of date of election of Vice- President:

Within two days from the date of declaration of result of election of the President/ Chairman, the Election Officer shall fix the date of election of the Vice-President/ Vice-Chairman. In case of LAMPCS office of the Vice- President shall the reserved for Scheduled Tribes.

(B) Reservation of the office of Vice- president for Women. [Section 28A (i) (iii)]
Where the elected President of the Committee of the Society is not a woman the office of Vice- President/ Vice- Chairman shall be reserved for woman.

(C) Provision in the Bye – laws about designation

Examine provisions in the registered byelaws of the Society and ascertain whether designation is Vice- President or Vice Chairman, prepare the notice accordingly.

(D) Publication of Election notice and service thereof:

The notice fixing the date of election of the Vice- President shall be published at least fifteen days prior to the date of election so fixed in the notice board of the society

(E) Procedure to be followed in the election of Vice- President/ Vice Chairman.

Election procedure followed in the election of President/ Chairman shall be followed for the election of Vice- President/ Vice- Chairman and result shall be declared accordingly.

(XXXX). ACCOUNT OF ELECTION EXPENSES: [RULE 47, 48, 49, 50, 51, 52]

Every contesting candidate at an election shall lodge with Election Officer an account in Rule 48 of his election expenses containing particulars of each item as per Rule 48 between the date of publication of date of election and the date of declaration of result thereof. The total of said expenditures shall not exceed such amount as may be notified by Government. The Election Officer shall within two days of lodging of accounts by the candidates cause a notice specifying date, time & place for inspection. The Election Officer on payment of requisite fees may supply attested copy of such accounts to any member. The Election Officer shall also publish

statement of accounts of election expenses of candidates immediately after expiration of time for lodging of the accounts.

The Election Officer shall handover papers relating to elections to the Chief Executive of the Society duly covered and sealed with his seal and seal of Society and contesting candidates.

(XLI) 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 (Rule 55).

(XLII) OFFENCES AND PENALTIES :-

a) Any person willfully indulging in any corrupt practice, prohibited act, disorderly conduct or misconduct within the meaning of section 28 AA shall be punishable with fine which may extend to (eighteen thousand rupees), or with imprisonment which may extend to one year, or both (Sub Section 12 of Section 115).

b) An officer or Member of a Society or any other person who does any act or omission declared by the rules to be an offence shall be punishable with fine which may extend to (ten thousand rupees) clause (b) of Sub Section 5 of Section 115.

Rule 56 of OCS (Election to Committees) Rules, 1992 envisages “Disobedience of any order of the State Co-operative Election Commission, or any officer authorised by him to hold, conduct and supervise the election, under the provisions of the Act, and the Rules framed there under or personation of a voter by any person including another voter, during the course of an election, shall be an offence for the purpose of clause (b) of Sub Section 5 of Section 115 of the Act.