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STATE ELECTION COMMISSION, ORISSA
TOSHALI PLAZA, BLOCK B-2, 1ST FLOOR, SATYANAGAR, BHUBANESWAR-751007

ORDER

The 13th October 2008

No. 6248—Ele(ML)-81/2008-SEC.—Whereas, the State Election Commission vide Order No. 742, dated the 29th February 2008 has laid down the dates for preparation of Electoral Roll for General Elections to Cuttack Municipal Corporation (CMC) consequent upon the Notification No. 5874, dated the 18th February 2008 issued by the Government in Housing & Urban Development Department, Government of Orissa in dividing the area of the CMC into 54 Wards and reservation thereof ;

And, whereas, the Additional District Magistrate-*cum*-Election Officer, Cuttack Municipal Corporation in his Letter No. 1384, dated the 28th March 2008 sought for clarification regarding preparation of Electoral Roll of CMC in view of the orders passed on the 24th March 2008 by the Hon'ble High Court in W.P. (C) No. 4160 of 2008 ;

And, whereas, this Commission in Letter No. 1155-SEC., dated the 29th March 2008 clarified that the Electoral Roll of CMC shall not be published on the 29th March 2008 until further orders from the Hon'ble High Court of Orissa and the Commission in view of the orders of the Hon'ble High Court passed on the 24th March 2008 in W.P. (C) No. 4160 of 2008 and on the 27th March 2008 in W.P. (C) No. 4605 of 2008 that no further action in pursuance of the State Election Commission's Order, dated the 29th February 2008 on preparation of Electoral Roll shall be taken till next date;

And, whereas, the Hon'ble High Court in their Order, dated the 15th May 2008 disposed of the W.P. (C) No. 4159 of 2008 quashing the notification, dated the 18th February 2008 issued by the State Government and directed the State Government to proceed in the matter afresh;

And, whereas, this Commission filed W.P. (C) No. 12453 of 2008 before the Hon'ble High Court of Orissa seeking a direction to the State Government in Housing & Urban Development Department to complete the process of Division of Cuttack Municipal

Corporation into Wards and Reservation of Seats in respect of those Wards and the Hon'ble High Court in their Order, dated the 10th September 2008 both in W.P. (C) No. 12453 of 2008 and 12356 of 2008 directed the Government in Housing & Urban Development Department to publish the final Notification on Division of City into Wards and Reservation of Seats within a period of 25 days from the date of expiry of the period for filing objections;

And, whereas, the Government in Housing & Urban Development Department in their Notification No. 26484, dated the 10th October 2008 have divided the area of the CMC into 54 Wards and have also notified the Reservation of Seats of the said 54 Wards;

Now, therefore, the State Election Commission in exercise of powers vested in it under Article 243-ZA of Constitution and under Section 65 of Orissa Municipal Corporation Act, 2003, read with relevant provisions of Orissa Municipal Corporation (Division of City into Wards, Reservation of Seats and Conduct of Election) Rules, 2003 directs that wardwise Electoral Roll of the Cuttack Municipal Corporation shall be prepared as per the programme in Schedule-I in the manner prescribed in Schedule-II of this order;

The Commission directs that the qualifying date for enrolment as voter in the Electoral Roll of Municipal Corporations shall be the 1st January 2009. The Commission further directs that persons whose names do not find place in the Assembly Electoral Roll published on the 8th September 2008 prepared by the Election Commission of India but are eligible to be voters on the qualifying date, will be entitled to file claims for inclusion in the Electoral Roll for the purpose of ensuing General Election to Municipal Corporation, 2008.

SCHEDULE-I

PROGRAMME FOR PREPARATION OF ELECTORAL ROLL FOR GENERAL ELECTION TO CUTTACK MUNICIPAL CORPORATION, 2008

Sl. No.	Particulars	Date	Place/Remarks
(1)	(2)	(3)	(4)
1	Preparation of Preliminary Electoral Roll of all Municipal Wards in Form No. V comprising the name of the voters included in the Electoral Roll of Assembly Constituency relatable to the area of the Ward under Rule 5 of the Orissa Municipal Corporation (DCW, RS & CE) Rules, 2003.	16-10-2008 to 28-10-2008	
2	Publication of Preliminary Electoral Roll and notices in Form No. VI by the Election Officer inviting objections under Rule 8(1) and (2) (a) of all Wards of the Corporation, (b) of each Ward.	29-10-2008	(1) Noticeboard of the Election Officer, (2) Noticeboard of the Municipal Corporation Office, and (3) At a conspicuous place in the Ward.

(1)	(2)	(3)	(4)
3	Date upto which the Preliminary Electoral Roll to be kept open for inspection by public under Rule 8 (3).	29-10-2008 to 5-11-2008 (Except public Holiday)	(1) Noticeboard of the Election Officer, (2) Noticeboard of the Municipal Corporation Office, and (3) At a conspicuous place in the Ward.
4	Filing of claims and objections to the Election Officer u/r 9(2).	29-10-2008 to 10-11-2008 (Except public Holiday)	The office of the Election Officer.
5	Enquiry and correction before hearing of claims and objections by Election Officer u/r 10.	11-11-2008 to 15-11-2008	..
6	Publication of list of claims and objections received in Form No. IX under Rule 11.	19-11-2008	(1) In the office of Municipal Corporation. (2) In the office of the Election Officer.
7	Hearing and disposal of claims and objections by Election Officer u/r 12.	24-11-2008 to 1-12-2008	As may be fixed by the Election Officer.
8	Date of publication of final Electoral Roll u/r 16(1).	4-12-2008 to 6-12-2008	(1) Noticeboard of the Election Officer, (2) Noticeboard of Municipal Corporation Office, and (3) At a conspicuous place in the Ward.
9	Publication of proposed list of polling stations/booths.	4-12-2008 to 6-12-2008	(1) Noticeboard of the Election Officer, (2) Noticeboard of Municipal Corporation, and (3) At a conspicuous place in in the Ward.
10	Finalisation of polling stations/ booths.	By 8-12-2008	..

(1)	(2)	(3)	(4)
11	Submission of booth list to state Election Commission by the Election Officer for approval.	By 10-12-2008	..
12	Approval of booth list by State Election Commission.	By 11-12-2008	..
13	Submission of printed copy of final Electoral Roll to the Commission.	18-12-2008	..

N.B.— The rules referred herein refer to the Orissa Municipal Corporation (Division of City into Wards, Reservation of Seats and Conduct of Election) Rules, 2003.

SCHEDULE-II

PROCEDURE FOR PREPARATION OF ELECTORAL ROLL

1. The District Magistrate as Election Officer shall be in overall charge of preparation of Electoral Rolls for the Cuttack Municipal Corporation.

2. The Election Officer separately appointed for the Corporation will be responsible for preparation and finalization of the Wardwise Electoral Rolls of the concerned Corporation.

3. For this Municipal Corporation more Election Officers can be appointed with approval of the Commission for specific and limited purpose of receiving claims and objections, causing enquiry and hearing of claims and objections, should the number of such claims and objections become large in number and if the District Magistrate feels that the services of such additional officers are essentially required for smooth preparation of Electoral Rolls.

4. The Electoral Roll of the Assembly Constituency prepared and published last by the Election Commission of India on the 8th September 2008 and currently in force shall be the basis for preparation of Preliminary Wardwise Electoral Rolls of the Corporations.

5. Preliminary Electoral Roll for each Ward shall be prepared in Form No. V prescribed under Rule 5 of the Orissa Municipal Corporation (DCW, RS & CE) Rules, 2003 and be published in accordance with Rule 8 of said Rules. The Election Officer shall publish a notice in Form No. VI specifying the mode in which and the time within which claims and objections are to be preferred and the date on which and the place at which he will begin to sit for their disposal. It should be ensured that the copies of Preliminary Electoral Roll or the portion thereof, as the case may be, relating to each Ward shall be kept open for inspection by the public for a period indicated in the programme drawn up by the Commission vide Schedule-I. An Assistant /Clerk may be entrusted to help the public in inspection of the Preliminary Electoral Roll during the period.

6. It has been provided in Rule 8 (4) of Orissa Municipal Corporation Election Rules, 2003 that the fact of publication of Preliminary Electoral Roll shall be notified in one or more Oriya newspaper circulating in the district. A model format in Oriya is enclosed in Appendix-A of this Schedule which may be published in one newspaper.

7. (i) Any person whose name is already enrolled in Assembly Electoral Roll, 2008 published on the 8th September 2008 but does not figure in the Preliminary Wardwise Electoral Roll or is entered in an incorrect place or with incorrect particulars on the Preliminary Electoral Roll and who objects to the inclusion of his own name or the name of any other person in the said roll may prefer a claim or objection before the Election Officer for correction or deletion of the entry in Form Nos. VII & VIII, as the case may be, prescribed under Orissa Municipal Corporation Election Rules, 2003. The Election Officer shall give receipts to the applicants in support of their claims and objections.

(ii) Besides, the Commission has determined the qualifying date as the 1st January 2009 for enrolment of new voters who have attained 18 years of age by this date. Hence, all other persons residing in the Municipal Corporation area and attaining 18 years as on the 1st January 2009 can be entitled to prefer claims in the appropriate forms prescribed under the Orissa Municipal Corporation Election Rules.

8. The Election Officer shall notify the date, time and place for disposal of claims and objections received.

9. The claims and objections shall be enquired into by the Election Officer. He can also take steps for correction of clerical/accidental mistakes U/R 10 of Orissa Municipal Corporation Election Rules, 2003 :

- (i) An Elector shall be registered as a Voter only in one place. If in course of preparation of Electoral Roll it is brought to the notice of the Election Officer by way of objection or otherwise that a certain person's name finds place in any other Urban Local Body (ULB) in the Assembly Electoral Roll published on the 8th September 2008, an enquiry shall be conducted to find out his/her ordinary place of residence during the period under consideration i.e. not less than 185 days of the preceding 12 months. If his *bona fide* residence is established in another ULB, the Election Officer will not register him as a voter in the electoral roll of Cuttack Municipal Corporation (CMC). On the contrary, if his *bona fide* residence is established in CMC, the Election Officer will register him as a voter in the relevant Ward and will inform the District Magistrate of the District to delete his name from the Electoral Roll of that ULB.
- (ii) It may so happen that a person who is elected as a Corporator and continuing as such and his/her name finds place in the Electoral Roll of that ULB, then under no circumstances the said voter's name shall be allowed to be included in the Electoral Roll of any other ULB even if his/her name occurs in the relevant extract of the Assembly Electoral Roll.

- (iii) Similarly, an elector who is an elected representative in a Panchayati Raj Institution (PRI) and continuing as such and his/her name finds place in the Electoral Roll of the CMC, then under no circumstances the said voter's name shall be allowed to be included in the Electoral Roll of the CMC even if his/her name occurs in the relevant extract of the Assembly Electoral Roll.
- (iv) During the process of preparation of Electoral Roll if it is brought to the notice of the Election Officer by way of an objection or otherwise that a voter's name is registered both in the Urban area and Rural area in Assembly Electoral Roll, 2008 published on the 8th September 2008 then the ordinary residence of that voter is to be established by way of an enquiry for the period under consideration i.e. residing for not less than 185 days and after his *bona fide* residence is established his/her name shall be deleted from the Electoral Roll of other ULB/GP.
- (v) In all such cases the Election Officer concerned should send his order to delete the name of that voter to the Collector & District Magistrate of the concerned District with request to delete the name of the voter from the Electoral Roll either from the Rural area or Urban area. The Collector and District Magistrate pertaining to the ULB and GP after getting such intimation will take prompt steps for deletion the name of the voter from the Electoral Roll and will attest it under his hand and seal on the relevant page of the voter list after striking out the name.

10. After disposal of claims and objections filed as per paragraph 7 (i) & (ii) above by the Election Officer U/R 12, the Election Officer will prepare a Final Electoral Roll and publish the same as per the programme issued by the Commission.

11. After disposal of claims and objections, the final Electoral Roll shall be prepared and published by the Election Officer for three consecutive days at the prescribed places as per the corresponding rule. The name of the qualified voters to be added to the roll shall be entered in Form No. VA (Addition list) appended to this schedule. The District Magistrate should check only 5% of the entries made in Form No. VA and shall append a certificate to that effect on the additional list indicating the detail particulars of entries checked in each Ward. The Commission has prescribed a model Form at Appendix-B of this Schedule to be used for final publication of Electoral Roll.

12. The final Electoral Roll shall be authenticated under signature of the Election Officer concerned with date and official stamp as follows on the last page :

“Certified that the Electoral Roll of Ward No.....of
.....Corporation has been duly published as per the provisions
of Orissa Municipal Corporation (DCW, RS & CE) Rules, 2003 on
.....”

Election Officer

Apart from appending the certificate at the last page, each page of the Electoral Roll is to be authenticated with the signature of the Election Officer along with the official seal.

13. After final publication of the Electoral Roll also any person may apply to the Election Officer for correction of the existing entry in the final Electoral Roll U/R 16 (2) of Orissa Municipal Corporation Election Rules and if the Election Officer is satisfied that the entry relates to the applicant and is erroneous or defective in any particular he may correct the roll accordingly and publish such correction in the same manner as the final Roll.

14. After final publication of Electoral Roll one copy of manuscript Electoral Roll shall be sent by the Election Officer to the Election Commission and District Magistrate concerned before printing.

15. After final publication of Electoral Roll, a draft list of polling stations/booths showing the polling area it covers and Serial No. of voters who are allotted to such polling stations/booths should be published in the form prescribed by the Commission by posting the same in the office of the Corporation/Election Officer and in a conspicuous place in the Ward. The Election Officer should have worked out the details for preparing such list of polling stations/booths before the final publication of Electoral Roll so that it will be convenient for him to publish the draft list of polling station promptly. A model format in Oriya for draft publication of polling stations has been appended in Appendix-C. Public objections, if any, on the location of polling stations may be received within three days from the draft publication of list of polling stations.

The draft list of polling stations so published shall be discussed with the representatives of recognized political parties (who may be noticed earlier). After taking into consideration the objections, if any, received from the public and views of the Political Parties, the Election Officer shall draw a list of polling stations and submit the same to the Commission for approval.

16. The final Electoral Roll so published shall be split up polling station/boothwise.

17. After splitting up the final Electoral Roll boothwise, 30 copies of the Electoral Roll of each Ward shall be printed boothwise locally at rates approved by the Commission. The Election Officer after printing shall ensure to check each and every entry in the printed Electoral Roll with reference to the manuscript in order to have error free final Electoral Roll. One copy of the printed Electoral Roll of the entire Municipal Corporation shall also be sent to the Commission. Each National/State Party of Orissa shall also be supplied with a copy of the same free of cost.

By order and in the name of
State Election Commission, Orissa
F. C. SATAPATHY
Secretary

APPENDIX-A TO SCHEDULE-II

.....ପୌର ନିଗମ

ପ୍ରେସ୍ ବିଜ୍ଞପ୍ତି

.....ପୌର ନିଗମର ନିର୍ବାଚନ ନିମନ୍ତେ ଭୋଟର ତାଲିକା ପ୍ରସ୍ତୁତି ପାଇଁ ରାଜ୍ୟ ନିର୍ବାଚନ କମିଶନ ନିର୍ଦ୍ଦେଶ ପ୍ରଦାନ କରିଛନ୍ତି । ତା ୦୮-୦୯-୨୦୦୮ରିଖରେ ପ୍ରକାଶିତ ବିଧାନସଭା ଭୋଟର ତାଲିକାକୁ ଭିତ୍ତିକରି, ପ୍ରାଥମିକ ଭୋଟର ତାଲିକା..... ପୌର ନିଗମ କାର୍ଯ୍ୟାଳୟରେ ପ୍ରକାଶନ କରାଯାଇଛି ଏବଂ ସର୍ବସାଧାରଣଙ୍କ ପରିଦର୍ଶନ ପାଇଁ ଉକ୍ତ ଭୋଟର ତାଲିକା..... କାର୍ଯ୍ୟାଳୟରେ ତାରିଖ ୨୦୦୮ରୁ ତାରିଖ.....୨୦୦୮ ପର୍ଯ୍ୟନ୍ତ ଉନ୍ମୁକ୍ତ ରହିବ । ଭୋଟରମାନଙ୍କୁ ଜଣାଇ ଦିଆଯାଇଛି ଯେ, ତାଙ୍କର ନାମ ସଂପୃକ୍ତ ଖାର୍ତ୍ତରେ ଠିକ୍ ଭାବେ ଭୋଟର ତାଲିକାଭୁକ୍ତ ହୋଇଛି କି ନାହିଁ ତନଖି କରିନିଅନ୍ତୁ । ଯଦି କୌଣସି ଭୋଟରଙ୍କ ନାମ ବିଧାନସଭା ଭୋଟର ତାଲିକାଭୁକ୍ତ ଥାଇ ଖାର୍ତ୍ତଖାରୀ ପ୍ରସ୍ତୁତ ହୋଇଥିବା ପୌର ନିଗମ ଭୋଟର ତାଲିକାରେ ସ୍ଥାନ ପାଇ ନଥାଏ ତେବେ ଭୋଟର ତାଲିକାରେ ନାମ ଅନ୍ତର୍ଭୁକ୍ତ, ସଂଶୋଧନ କରିବା ପାଇଁ ଫାରମ ନଂ. VII ରେ ଦରଖାସ୍ତ ନିମ୍ନ ସ୍ଵାକ୍ଷରକାରୀଙ୍କ କାର୍ଯ୍ୟାଳୟରେ ତାରିଖ.....୨୦୦୮ ରୁ ତାରିଖ.....୨୦୦୮ ମଧ୍ୟରେ ଦାଖଲ କରିପାରିବେ । ଏତଦ୍‌ବ୍ୟତୀତ ତା ୧-୧-୨୦୦୯ରିଖ ସୁଦ୍ଧା ୧୮ ବର୍ଷ ସଂପୂର୍ଣ୍ଣ ହୋଇଥିବା ଏହି ପୌର ନିଗମର କୌଣସି ନାଗରିକ ମଧ୍ୟ ଭୋଟର ତାଲିକାରେ ନାମ ଅନ୍ତର୍ଭୁକ୍ତ କରିବା ପାଇଁ ଫାରମ ନଂ. VII ରେ ଦରଖାସ୍ତ ତାରିଖ.....୨୦୦୮ରୁ ତାରିଖ.....୨୦୦୮ ମଧ୍ୟରେ ଦାଖଲ କରିପାରିବେ । ଅନୁରୂପଭାବେ ପ୍ରାଥମିକ ଭୋଟର ତାଲିକାରେ ଅନ୍ତର୍ଭୁକ୍ତ ହୋଇଥିବା କୌଣସି ଭୋଟରଙ୍କ ନାମ ସମ୍ପର୍କରେ ଆପଣ ଫାରମ ନଂ. VIII ଉପରୋକ୍ତ ତାରିଖ ମଧ୍ୟରେ ଦାଖଲ କରିପାରିବେ । ଫାରମ ନଂ. VII ଓ VIII ନିର୍ବାଚନ ଅଧିକାରୀଙ୍କ କାର୍ଯ୍ୟାଳୟରୁ ବିନା ମୂଲ୍ୟରେ ମିଳିପାରିବ । ଯଦି ନିର୍ଦ୍ଧାରିତ ଛପା ଫାରମ ନ ମିଳେ, ତେବେ ତାହାର ଅବିକଳ ନକଲ ହାତରେ ଲେଖି ଅଥବା ଟାଇପ, ଫଟୋକପି କିମ୍ବା ସାଇଲୋଷ୍ଟାଇଲ କରି ନିର୍ଦ୍ଧାରିତ ସମୟସୀମା ମଧ୍ୟରେ ଦାଖଲ କରିପାରିବେ ।

ନିର୍ବାଚନ ଅଧିକାରୀ

ଫାରମ ନଂ. V-A

ଯୋଗ ତାଲିକା

କ୍ରମିକ ନଂ.	ଘର ନଂ.	ପିତା ବା ସ୍ଵାମୀଙ୍କ ନାମ ସହିତ ନିର୍ବାଚକଙ୍କ ନାମ	ବୟସ	ଲିଙ୍ଗ	ବିଧାନସଭା ନିର୍ବାଚନ ମଣ୍ଡଳୀର ଭାଗ ସଂଖ୍ୟା/ଭୋଟର ତାଲିକା କ୍ରମିକ ନଂ.
୧	୨	୩	୪	୫	୬

APPENDIX-B TO SCHEDULE-II

ଚୁଡ଼ାନ୍ତ ଭୋଟର ତାଲିକା ପ୍ରକାଶନର ନୋଟିସ
(ରାଜ୍ୟ ନିର୍ବାଚନ କମିଶନଙ୍କ ଦ୍ଵାରା ନିର୍ଦ୍ଧାରିତ)

ଏତଦ୍ଵାରା ସର୍ବସାଧାରଣଙ୍କ ଗୋଚରାର୍ଥେ ଜଣାଇ ଦିଆଯାଉଅଛି ଯେ ଓଡ଼ିଶା ପୌର ନିଗମ ନିର୍ବାଚନ ନିୟମ, ୨୦୦୩ର ଧାରା ୧୬ ଅନୁଯାୟୀ ପ୍ରସ୍ତୁତ ସଂଲଗ୍ନ ଚୁଡ଼ାନ୍ତ ଭୋଟର ତାଲିକା ପ୍ରକାଶ କରାଯାଇଛି ଏବଂ ଏହା ନିମ୍ନ ସ୍ଵାକ୍ଷରକାରୀଙ୍କ କାର୍ଯ୍ୟାଳୟ ଓ ପୌର ନିଗମ କାର୍ଯ୍ୟାଳୟରେ ତା.....ରିଖରୁ ତା.....ରିଖ ପର୍ଯ୍ୟନ୍ତ ଉପଲବ୍ଧ ଅଟେ ।

ସ୍ଥାନ.....

ନିର୍ବାଚନ ଅଧିକାରୀ

ତାରିଖ.....

.....

ପୌର ନିଗମ

APPENDIX-C TO SCHEDULE-II

ଭୋଟ ଗ୍ରହଣ କେନ୍ଦ୍ର ତାଲିକା

ଜିଲ୍ଲା.....

ଅଧିସୂଚିତ କ୍ଷେତ୍ର ପରିଷଦ/ପୌର ପରିଷଦ/

ସବ୍-ଡିଭିଜନ.....

ପୌର ନିଗମ.....

ଓ୍ଵାର୍ଡ ନଂ.	ଭୋଟ ଗ୍ରହଣ କେନ୍ଦ୍ର/ରୁଥ ଅବସ୍ଥିତି	ଅନ୍ତର୍ଭୁକ୍ତ ଭୋଟଗ୍ରହଣ ଅଞ୍ଚଳ	ଆବଣ୍ଟିତ ଭୋଟରଙ୍କ କ୍ରମିକ ନଂ.	ମତ୍ତବ୍ୟ ଯଦି କିଛି ଥାଏ
୧	୨	୩	୪	୫

ମୋଟ ଓ୍ଵାର୍ଡ ସଂଖ୍ୟା—

ମୋଟ ଭୋଟଗ୍ରହଣ କେନ୍ଦ୍ର/ରୁଥ ସଂଖ୍ୟା—

ମୋଟ ଭୋଟର ସଂଖ୍ୟା—

ତାରିଖ.....

ନିର୍ବାଚନ ଅଧିକାରୀଙ୍କ ସ୍ଵାକ୍ଷର

ବି.ଦ୍ର.—ଯାହାର ଯଦି କୌଣସି ଆପତ୍ତି ବା ଅଭିଯୋଗ ଥାଏ ସେମାନେ ତାଲିକା ପ୍ରକାଶନର ୩ଦିନ ମଧ୍ୟରେ ତାହା ଦାଖଲ କରିବେ ।