

**ELECTION URGENT**

**TOP PRIORITY**

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**BY FAX/BY E-MAIL**  
**BY SPEED POST**

**STATE ELECTION COMMISSION, ODISHA**  
**TOSHALI BHAWAN, B-2, 1<sup>ST</sup> FLOOR, SATYANAGAR**  
**BHUBANESWAR-751007, FAX NO.0674-2573494**

No. Ele(ML)-01/2017- 5304      \*\*\*  
/SEC.,

Date 03.05.17

**ORDER**

Whereas, the State Election Commission in Order No.4846/SEC dated 07.04.2017 had issued schedule for holding by-election to the office of Councillor of Ward No. 19 of Sunabeda Municipality and the last date of filing of nomination was 24.04.2017;

Whereas, an allegation petition was received from the Bharatiya Janata Party, Odisha on 28.04.2017 along with a petition of Smt. Gupteswari Ambapadia, a candidate for the office of Councillor of Ward No.19 of Sunabeda Municipality alleging that the candidature of Smt. Ambapadia was illegally rejected by the Tehsildar-cum-Election Officer, Sunabeda Municipality during scrutiny of nomination on 26.04.2017;

Whereas, a factual report was called for on the allegation petition from the Collector, Koraput vide Commission's letter No.5266 dated 28.04.2017;

Whereas, the Collector, Koraput has submitted a report in letter No.194 dated 29.04.2017;

Whereas, on perusal of the report submitted by Collector, Koraput, it is seen that the candidate Smt. Ambapadia was issued Scheduled Tribe caste certificate by the Additional Tehsildar, Tehsil Office, Semiliguda on 22.04.2017 which was subsequently revoked by the same Additional Tehsildar and intimated to the person concerned on 25.04.2017;

Whereas, the Election Officer during the scrutiny of the nomination has rejected the nomination citing the reasons that as the caste certificate produced by the candidate is now not in force that means no caste certificate has been submitted;

Whereas, the Collector, Koraput vide letter No.201 dated 02.05.2017 has reported that as the caste certificate has been revoked beyond schedule last date of filing of nomination i.e. 24.04.2017 the Political Party concerned has been deprived of fielding another candidate and has requested the Commission for taking necessary action to up-hold free and fairness of election process;

Whereas, the Commission is satisfied that the conduct of free and fair poll has been affected due to revocation of the caste certificate resulting in rejection of the nomination paper;

Now, therefore, the State Election Commission in exercise of the powers conferred under Article 243ZA of the Constitution of India and Rule 79 of Odisha Municipal (Delimitation of Wards, Reservation of Seats and Conduct of Election) Rules, 1994 directs that the final list of contesting candidates published on 29.04.2017 in pursuance of the schedule issued in Order No.4846 dated 07.04.2017 shall remain valid and the Commission further appoints the following revised schedule, dates and time to conduct by-election to the office of Councillor of Ward No.19 of Sunabeda Municipality by inviting fresh nomination to be followed by subsequent stages of election.

Sl. No	Particulars	Date	Time	Place	
1.	Issue of notice by Election Officer U/R 24 calling for names of the candidates for Councillor in Oriya & English (in the Form Prescribed by the Commission)	05.05.2017		a.	Municipality Office
				b.	Election Officer's Notice Board
				c.	In conspicuous place in each Ward.
2.	Issue of nomination forms (Form No. VIII) and presentation of nominations U/R 25.	08.05.2017 09.05.2017 & 10.05.2017	11 AM to 3 PM on each day	Election Officer's Office.	
3.	Publication of list of nomination received in Form XI U/R 28	08.05.2017 09.05.2017 & 10.05.2017	5 PM on each day	Election Officer's Notice Board.	
4.	Scrutiny of nominations U/R 29.	12.05.2017	11 AM onwards till completion	Election officer' Office or such other place as specified in the notice U/R 24.	
5.	Publication of list of validly nominated candidates in Form No, XII U/R 30 (1) (a)	12.05.2017	After Scrutiny	Election Officer's Office or such other place as specified in the notice U/R 24.	
6.	Last date for withdrawal of candidature U/R 31	Up to 15.05.2017	By 3 PM	Election Officer's Notice Board.	
7.	Publication of final list of contesting candidates in Form No. XII (A) U/R 30 (1) (b) including the final list of contesting candidates published on 29.04.2017	15.05.2017	By 5 PM	Election Officer's Notice Board	
8.	<b>Date of Poll</b>	<b>25.05.2017</b>	<b>8 AM to 5 PM</b>	<b>Polling Station</b>	
9.	Date of Counting and declaration of results.	26.05.2017	8 AM onwards	As specified in the notice U/R 24.	

10.	Submission of results to the Commission by Election Officer	26.05.2017		
11.	Publication of names of duly elected Councillor by the Commission in the Official Gazette.	29.06.2017		

The Rules referred to above are as prescribed in the Odisha Municipal (Delimitation of Wards, Reservation of Seats and Conduct of Election) Rules, 1994.

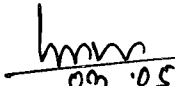
2. The Code of Conduct is applicable to the entire limits of aforesaid Urban Local Body from the date of notification issued by the Commission and shall remain in force till completion of counting, i.e. 26.05.2017.

3. The Political Parties except those whose candidate's name are finally published on 29.04.2017 are requested to deliver Form No. IX latest by 5 PM of 10.05.2017 and Form No. X latest by 5 PM of 11.05.2017 to the concerned Election Officer.

4. The candidates whose names have been finally published on 29.04.2017 shall not file nomination afresh.

5. The candidate who hadn't withdrawn candidature earlier can't withdraw as per the present schedule.

By order and in the name of  
State Election Commission, Odisha

  
03.05.17  
( R.N. Sahu )  
Secretary

Memo No. 5305 /SEC., Date: 03.05.17

Copy forwarded to Director, Printing, Stationery and Publication, Odisha, Cuttack for immediate publication of this statutory notification in an extraordinary issue of Orissa Gazette and supply ten (10) copies to the Commission.

  
Special Secretary

Memo No. 5306 /SEC., Date: 03.05.17

Copy forwarded to Commissioner-cum-Secretary to Govt., Housing and Urban Development Department for information and necessary action.

  
Special Secretary

Memo No. 5307/SEC., Date: 03.05.17

Copy forwarded to District Magistrate, Koraput for information and necessary action with a request to display this order in the District Office Notice Board.

  
Special Secretary

Memo No. 5308/SEC., Date: 03.05.17

Copy forwarded to Superintendent of Police, Koraput for information and necessary action.

  
Special Secretary

Memo No. 5309 /SEC., Date: 03.05.17

Copy forwarded to all Political Parties for information and necessary action. **The Political Parties except those whose candidate's name are finally published on 29.04.2017 are requested to deliver Form No. IX latest by 5 PM of 10.05.2017 and Form No. X latest by 5 PM of 11.05.2017 to the concerned Election Officer.**

  
Special Secretary

Memo No. 5310 /SEC., Date: 03.05.17

Copy forwarded to the Election Officer, Sunabeda Municipality / Executive Officer, Sunabeda Municipality for information and necessary action.

  
Special Secretary

Memo No. 5311 /SEC., Date: 03.05.17

Copy forwarded to OSD to SEC for information of the Commissioner / P.A. to Secretary/ Senior Steno to Special Secretary /all officer of SEC for information of the Officer concerned.

  
Special Secretary

Memo No. 5312 /SEC., Date: 03.05.17

Copy forwarded to Gazette Notification Seat / Shri Chandan Satpathy, Computer Programmer/ Allotment Seat, SEC/Store Section, SEC for information and necessary action.

  
Special Secretary

Memo No. 5313 /SEC., Date: 03.05.17

Copy to Notice Board of S.E.C., Odisha.

  
Special Secretary