



# The Odisha State Bar Council

(Statutory Body Constituted under the Advocates Act, 1961)

HIGH COURT ANNEX, CHANDINI CHOWK, CUTTACK - 753002

Ref. No. OSBC/.....<sup>(187)</sup>665/23.....

Date 27.3.23.....

From:

J. K. Samantasinghar,

M.A. LL. M

Secretary

Odisha State Bar Council

Dear Sir/Madam,

I am sending herewith the following instructions and materials for the Election scheduled to be held on (Election of the Members to the Orissa State Bar Council) on 15.04.2023.

1. Letter of the Returning Officer
2. Copy of the instructions to the Polling Officer
3. Instructions for the guidance of the voters.
4. Ballot Box bearing (.....) No.....
5. Lock with one key (No.....)  
(Other key is with the Secretary)
6. A match box and small piece of cloth for screening the booth.
7. One piece of sealing wax, one piece of candle.
8. Brass seal (one)
9. Electoral Roll (3 copies)
  - i) First copy to be displayed outside the Booth.
  - ii) In second copy voters shall sign against their names while receiving Ballot papers.
  - iii) Third copy for the reference of the Polling Officer.





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HIGH COURT ANNEX, CHANDINI CHOWK, CUTTACK - 753002

Phone : 0671-3510421 (Off.)  
E.mail : orissastatebarcouncil@gmail.com  
odishastatebarcouncil@gmail.com  
Web : www.odishabarCouncil.org

Ref. No. OSBC/...../.....

Date .....

10. One Banner (Flex) (Carrying instructions for the voters) to be displayed outside the Polling Area.
11. Ballot Papers.....  
(The Ballot papers are packed and sealed by the Secretary which can only be opened by the Polling Officer.)
12. One Envelope.
13. Report to be submitted by the Polling Officer in Form-V under Rule-22

**N.B.** We feel it convenient to remit the honorarium of Rs.4000/- (Rupees Four Thousand) only for you and Rs.1000/- (Rupees One Thousand) only and Rs.600/- (Rupees Six Hundred) only for the clerk and peon respectively as well as the transportation cost of ballot box from respective polling station to Odisha State Bar Council through the Special Messenger who will come here with the Ballot Box.

Thanking you.

To,

.....  
.....

Polling Officer,

Yours Sincerely,

(J. K. Samantasinghar)  
Secretary





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HIGH COURT ANNEX, CHANDINI CHOWK, CUTTACK - 753002

Ref. No. OSM.C/733/23 (167)

Date 27.3.23

**Hon'ble Sri Justice Pramath Patnaik**  
Judge, Orissa High Court (Retd.)  
Returning Officer,  
Odisha State Bar Council

Dear Sir/Madam,

Sub:- Request to act as Polling Officer.

Ref: i. Letter Received from Hon'ble High Court No. **4529(30)/OHC-APPT-MS-C-0002-2023/XXIX-03/2021, dated 20.03.2023.**

ii. Letter received from the learned District Judges No....., dated .....

With reference to the above noted letter issued by the learned District Judges, ..... you are requested to act as Polling Officer and conduct the Election of Members to the Odisha State Bar Council, scheduled to be held on 15.04.2023. The election shall be held from 10.00.A.M. to 5.00.P.M.

*P. Patnaik 27.03.2023*  
**Mr. Justice Pramath Patnaik,**  
**Former Judge, Orissa High Court,**  
**RETURNING OFFICER,**  
**ODISHA STATE BAR COUNCIL**

To,  
.....,  
.....,  
Polling Officer,  
.....,Booth.





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Ref. No.....

Date.....

Hon'ble Sri Justice Pramath Patnaik  
Judge, Orissa High Court (Retd.)  
Returning Officer,  
Odisha State Bar Council

## **ODISHA STATE BAR COUNCIL**

**(HIGH COURT ANNEX, CUTTACK-2)**

### **INSTRUCTIONS FOR THE POLLING OFFICERS**

The Polling Officers shall be in absolute control of their respective booths and to ensure free, fair and peaceful polling the Polling Officers can take immediate necessary steps. The Polling Officers are requested to arrange a room before hand, which will be used as Polling Booth for .....

#### **BEFORE POLLING STARTS:**

- (I) The Polling Officer shall peruse the Voters' list supplied by the Secretary, Orissa State Bar Council and Returning Officer.
- (II) Considering the number of voters in the booths he shall make necessary arrangements, so that at a time more than one voter can cast his/her vote inside the room without affecting the secrecy of vote.
- (III) The Polling Officer shall record the number of ballot papers received from the Council Office.
- (IV) The Polling Officer shall verify the Ballot Box in presence of the candidates or their authorized representatives (two allowed, but one at a time remaining present) and then close the lid and put a lock thereon and seal the same by cloth and sealing wax and put the Brass seal and ensure that the lock can not be opened without breaking the seal.





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Judge, Orissa High Court (Retd.)

Returning Officer,

Odisha State Bar Council

(V) The Polling Officer shall issue an identity card to the authorized representative of the candidate to be used by the representative present inside the booth.

### POLLING STARTS:

THE POLLING SHALL START SHARP AT 10.00 A.M AND CLOSE AT 5.00 P.M

### VOTING IN PERSON :

A. A voter while going inside the Polling Booth shall produce one of the Photo identity cards as mentioned below:

1. Identity card issued by the State Bar Council.
2. Voter identity card issued by Election Commission of India.
3. PAN card issued by the Income Tax Department.
4. Driving license.
5. Aadhaar Card.

- N.B.:-**
1. IN THE EVENT, AN INTENDING VOTER FAILS TO PRODUCE A PHOTO IDENTITY CARD, THE POLLING OFFICER MAY ON PERSONAL SATISFACTION OF THE IDENTITY OF THE VOTER PERMIT HIM TO CAST VOTE AFTER RECORDING REASONS IN WRITING.
  2. WHERE THERE IS ANY MISTAKE EITHER IN THE NAME OR TITLE OR ENROLMENT NUMBER OF THE VOTER, THE POLLING OFFICERS MAY ALLOW THE VOTER TO CAST HIS/HER VOTE SUBJECT TO VERIFICATION OF HIS/HER I-CARD ISSUED BY ODISHA STATE BAR COUNCIL.





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## METHOD OF VOTING

- (I) The Polling Officer on being satisfied with the identity of the voter shall issue Ballot paper chronologically to each voter in his Polling Booth and obtain his/her full signature against his/her name in the voters' list in proof of receipt of ballot paper by the voter.
- (II) A voter after receiving the ballot paper shall retire/go to the place/ compartment fixed for the purpose and mark his/her preference in the manner prescribed.
- (III) A voter shall mention on his/her voting paper the figure **'1', '2', '3', '4', '5'** and so on in the space opposite the name of the candidate while exercising his/her preferences. **Every voter has to exercise atleast 5(FIVE) preferences on his/her ballot paper failing which the ballot may be declared invalid.**
- (IV) The voter shall then put the same in the Ballot box kept for the purpose
- (V) No voter shall be allowed to take Ballot paper outside the Polling Booth.
- (VI) Any Voter present inside the Polling Booth at 5.00 P.M may be permitted to exercise his/her franchise.





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## BALLOT BOX (ES)

- (I) As soon as practicable after the Polling is over, the Polling Officer shall ensure that the slit is covered properly (long cut on the top of the Ballot Box) by means of a thick paper and sealing wax and put the Brass seal thereon. The Polling Officer shall put his signature and may obtain signature of the candidate(s) or their authorized representative present on the said paper fixed to cover the slit.
- (II) If during the Polling it is necessary to use a second Ballot box the first shall be closed, sealed and secured and then the second Ballot Box is to be put into use.

## TRANSMISSION OF BALLOT BOX (ES)

The Polling Officer, immediately after the closure of the Polling and after completion of necessary formalities shall send the following to the Secretary by Special Messenger preferably by the next available bus or other means of transport.

- (I) Sealed Ballot Box (ES) containing the used Ballot papers.  
(Put the Ballot Box in the Cotton Bag tie with rope and sealing wax and put the Brass Seal thereon)
- (II) Detailed account of the Ballot papers both used and unused, marked copy of the Electoral Roll, Key, brass seal and any other material in the sealed packet and ensure the packet can not be opened by anybody before it reaches the Secretary/Returning Officer.





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Judge, Orissa High Court (Retd.)

Returning Officer,

Odisha State Bar Council

A letter may be issued by the Polling Officer to the Secretary/Returning Officer stating that the packet is properly sealed.

If situation so demands, the Polling Officer may go for requisition of Police assistance in order to ensure that the Polling is held peacefully and as per law.

THE POLLING OFFICERS ARE REQUESTED TO GIVE A CERTIFICATE WITH REGARD TO THE ELECTION.

*P. Patnaik*  
**Mr. Justice Pramath Patnaik,** 27.03.2023  
**Former Judge, Orissa High Court,**  
**RETURNING OFFICER,**  
**ODISHA STATE BAR COUNCIL**





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Ref. No.....

Date.....

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Judge, Orissa High Court (Retd.)

Returning Officer,

Odisha State Bar Council

## **ODISHA STATE BAR COUNCIL ELECTION - 2023**

**DATE: 15.04.2023**

### **INSTRUCTIONS FOR THE GUIDANCE OF VOTERS**

**Every Voter is required to exercise atleast 5 preferences/options on his/her Ballot Papers failing which the Ballot may be declared invalid.**

1. The number of members to be elected is 25
2. The voting is by single transferable preference vote
3. The mark should be so placed as to indicate clearly and beyond doubt to which candidate he/she is giving his/her vote. If the mark is so placed as to make it doubtful to which candidate the vote has been given, that vote will be invalid.
4. **METHOD OF VOTING :**
  - 1) A Voter while giving his vote
    - a. Shall place on his voting paper the figure '1', '2', '3', '4', '5' and so on in the space opposite the name of the candidate when he/she chooses to exercise his/her preference; and
    - b. Every Voter is required to exercise atleast **5(FIVE)** preferences/options on his/her Ballot Papers failing which the Ballot may be declared invalid
  - 2) A Voter shall not sign the voting paper nor place any mark thereon by which he/she can be identified.





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Date.....

## Hon'ble Sri Justice Pramath Patnaik

Judge, Orissa High Court (Retd.)

Returning Officer,

Odisha State Bar Council

### 5. VOTING PAPER WHEN INVALID

A voting paper shall be invalid on which

- (a) The figure '1' is not marked or
- (b) The figure '1' is set opposite the name of more than one candidate or is so placed as to render it doubtful to which candidate it is intended to apply; or
- (c) The figure '1' and some other figures are set opposite the name of the same candidate; or
- (d) There is any mark in writing by which the voter can be identified, or
- (e) The preference are indicated in words as "ONE" "TWO" etc; or
- (f) The marking in the voting paper is not in the inter-national form of Indian numerical, or
- (g) If there is any effacement, obliteration, erasure or mutilation as to make the first Preference ambiguous.

### 6. VOTER VOTING IN PERSON

After marking the Ballot paper, a voter in person shall put the ballot paper into the ballot box. Taking away and/or destruction of Ballot paper is an offence.

*P. Patnaik 27.03.2023*  
Mr. Justice Pramath Patnaik,  
Former Judge, Orissa High Court,  
RETURNING OFFICER,  
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HIGH COURT ANNEX, CHANDINI CHOWK, CUTTACK - 753002

Ref. No. OSBC/.....<sup>1167</sup>8649/.....<sup>23</sup>23

Date 10.4.23

From:

J. K. Samantasinghar,

M.A. LL. M

Secretary

Odisha State Bar Council

To,

All the Polling Officers,  
of Odisha.

Sub:- Prohibition of Mobile, Camera or any other Electronic gadgets inside the booth in the ensuing Bar Council Election scheduled to be held on 15.04.2023.

Sir,

As directed it is herewith informed that Advocates while casting their votes in the ensuing Bar Council Election 2023 shall not take Mobile set, Camera or any other Electronic gadgets inside the Polling Booths. Any deviation to this shall be construed as a ground for initiation of Disciplinary Proceedings for Professional misconduct as stipulated U/s 35 of the Advocates Act, 1961.

No person other than the voter is allowed entry inside the Polling booth. Canvassing inside Polling booth is an offence.

The learned Polling Officer is requested to make a report to that effect in the event of any such incident.

This is for information and strict compliance.

By order of  
Hon'ble Mr. Justice Pramath Patnaik,  
Former Judge, Orissa High Court,  
Returning Officer,  
Odisha State Bar Council

Yours sincerely,

(J. K. Samantasinghar)  
Secretary



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**Advocates while casting their votes in the ensuing Bar Council Election 2023 shall not take Mobile set, Camera or any other Electronic gadgets inside the Polling Booths. Any deviation to this shall be construed as a ground for initiation of Disciplinary Proceedings for Professional misconduct as stipulated U/s 35 of the Advocates Act, 1961. No person other than the voter is allowed entry inside the Polling booth. Canvassing inside Polling booth is an offence.**