

**WEST BENGAL STATE ELECTION COMMISSION**

**18, Sarojini Naidu Sarani,**

**(Rawdon Street)**

**Kolkata-700 017**

**Ph. No. 2280-5805; FAX- 2280-7373**

**No. 833-SEC/2M-38/2016**

**Date. 27.09.2016.**

From : The Secretary,  
West Bengal State Election Commission

To : The District Municipal Election Officer  
& District Magistrate  
Hooghly

Sir,

I am directed to send herewith Notification No. 832-SEC/2M-38/2016, dated.27.9.2016 for favour of your kind information and necessary action.

Necessary arrangement may kindly be made to serve the same by today to :—

- (1) Smt. Rekha Singh Mahato
- (2) Smt. Rekha Kumari Paswan

and others concerned.

Service return may kindly send to this end.

Yours faithfully,

  
Secretary

West Bengal State Election Commission

**No. 833/1(1)-SEC/2M-38/2016**

**Date. 27.09.2016.**

Copy forwarded for information and necessary action to the S.D.O., Chandernagore & Returning Officer for Ward No 12 of Champdani Municipality, Dist. Hooghly.

  
Secretary

West Bengal State Election Commission

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**Kolkata** **Gazette**  
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PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

**WEST BENGAL STATE ELECTION COMMISSION**

18, Sarojini Naidu Sarani,  
Kolkata -700 017

No. 832-SEC/2M-38/2016

Dated : 27.09.2016.

**NOTIFICATION**

**Whereas**, Smt. Rekha Singh Mahato, resident of 36/1, South East Khanpukur, P.O. Angus, P.S. Bhadreswar, Hooghly-712221 was a Contesting candidate for Municipal General Election in 2015 from Ward No. 12 (reserved for Scheduled Caste Candidate) of Champdani Municipality, Dist. Hooghly, by submitting SC Certificate

(No. WB1202SC201500965 dated 11-03-2015 issued by Sub-Divisional Officer, Chandernagore, Hooghly)

And,

**Whereas**, said Smt. Rekha Singh Mahato got the highest no. of votes and declared elected by the Returning Officer & Sub-Divisional Officer, Chandernagore on 28-04-2015 and the Commission Notified it on 05-05-2015 (Notification No. 1909-SEC/1E-85/2015 dated 05.05.2015 of this Commission)

And,

**Whereas**, Smt. Rekha Kumari Paswan, another contesting candidate from the said ward filed a Writ Petition (No. WP 26621 (W) of 2015 in the Hon'ble High Court, Calcutta challenging the SC Certificate of Smt. Rekha Singh Mahato;

And,

**Whereas**, Hon'ble High Court, Calcutta ordered on 10-12-2015 to refer the matter before the State Scrutiny Committee constituted under the West Bengal SC & ST (Identification) Act, 1994, and directed the authority to take decision about the matter,

And,

**Whereas**, the State Scrutiny Committee constituted under the West Bengal SC & ST (Identification) Act, 1994 upon due enquiry and upon compliance of all formalities passed an order on 20-07-2016 that the SC Certificate was obtained by Smt. Rekha Singh Mahato by practicing fraud and directed SDO Chandernagore to cancel the SC Certificate and to lodge appropriate FIR against Smt. Rekha Singh Mahato;

And,

**Whereas**, SDO Chandernagore cancelled the said SC Certificate of Smt. Rekha Singh Mahato on 10-08-2016 following the procedure and lodged FIR against her with Bhadreswar Police Station,

And,

**Whereas**, the report of the DM & DMEO Hooghly corroborates the facts ;

And,

**Whereas**, as per Section 29A of the West Bengal Municipal Elections Act, 1994, a person shall not be qualified for being chosen to fill a seat in a municipality unless - (a) in the case of a seat reserved for Scheduled Castes or Scheduled Tribes, such person is a member of Scheduled Castes or Scheduled Tribes as the case may be,

And,

**Whereas**, section 5 of the Representation of people Act, 1951, a person shall not be qualified to be chosen to fill a seat in the Legislative Assembly of a State unless - (a) in the case of a seat reserved for the Scheduled Castes or for the Scheduled Tribes of that State, he is member of any of those castes or of those tribes, as the case may be and it is a clear disqualification of membership of a municipality under Section 30(2) of the West Bengal Municipal Elections Act, 1994,

**Now, therefore**, in exercise of power conferred upon Sec. 31(1) of the West Bengal Municipal Elections Act, 1994, the Commission hereby declares the election of Smt. Rekha Singh Mahato as void with immediate effect.

The Casual Vacancy arising out thereof will be filled up in accordance with the provision 83 of this Act.

By order of the  
State Election Commissioner

OSMAN GANI  
*Secretary*  
*West Bengal State Election Commission.*