

**MINUTES OF THE MEETING OF ELECTION COMMITTEE HELD ON 21.01.2020 IN THE COMMITTEE ROOM NO. 1, 1ST FLOOR, SAKET COURT COMPLEX, NEW DELHI.**

**In Chair:-** Ms. Vineeta Goyal, Addl. Sessions Judge, Special Fast Track Court (South)/ Chairperson

**Quorum:-** Mr. D.K.Rai, Advocate/Member  
Mr. Dharmendra Singh, Advocate/Member

This is 9th follow up meeting of the Election Committee , SBA

S.No	Agenda	Remarks
1.	Submission of Declaration Forms by the Saket Bar Association before the Election Committee	<p>Pursuant to the Minutes of the Meeting dt. 10.01.2020, Office has submitted report vide noting dt. 11.01.2020, stating that the seal of two Cartons, received from Saket Bar Association was opened in the presence of authorized official namely Sh. Aftab of SBA on 11.01.2020 and 4120 Declaration Forms were found as mentioned in their forwarding letter dt. 09.01.2020.</p> <p>Vide this report, the Office has also apprised to the Committee that the Declaration Forms so received are not proper serialized and being voluminous record, it may take some more time for preparation of computerized list and till date 1,000 Declaration Forms have been computerized.</p> <p>Report is accepted by the Committee and it is resolved that Office be directed to expedite the process of serialization and preparation of computerized list of the Declaration Forms.</p>
2.	Representation dt. 21.01.2020 of Sh. Lalit Parshad Besoya, Enrolment No. D/1799/2009, Chamber No. 862, Patiala House	<p>The Office has placed a representation of Sh. Lalit Parshad Besoya, Enrolment No. D/1799/2009, Chamber No. 862, Patiala House Courts, New Delhi regarding withdrawal of their Declaration Form.</p>

S.No	Agenda	Remarks
	Courts, New Delhi regarding withdrawal of their Declaration Form	<p>Vide this representation, Sh. Besoya has apprised to the Committee that he is a member of Saket Bar Association and it has come to his knowledge that somebody has submitted Declaration Form on his behalf without his knowledge and consent thus he has requested to the Election Committee that the said Declaration Form may not be accepted and his name may be deleted from the Election List, if prepared.</p> <p>After deliberation, the office is directed to check his Declaration Form and be placed before the Committee for consideration of the same.</p>
3.	Status of the final voter list and replies received from Other Districts/Bars	<p>The list of candidates who had casted their votes in last election conducted by Bar Association's was called from the following Court Complexes/Tribunals/ Bars:-</p> <ul style="list-style-type: none"> <li>• Hon'ble High Court of Delhi, Delhi</li> <li>• Tis Hazari Court</li> <li>• Karkardooma Court</li> <li>• Dwarka Courts</li> <li>• Patiala House Courts</li> <li>• Rohini Courts</li> <li>• Delhi Tax Bar Association</li> <li>• National Green Tribunal Bar Association</li> <li>• Debts Recovery Tribunal Bar Association.</li> <li>• Armed Forces Tribunal Bar Association</li> <li>• Central Administrative Tribunals Bar Association</li> </ul> <p>The Office has informed that requisite List/Documents have been received except the following:</p> <ul style="list-style-type: none"> <li>• National Green Tribunal Bar Association,</li> <li>• Debts Recovery Tribunal Bar Association</li> </ul>

S.No	Agenda	Remarks
		<p>Thus Committee is in observation that no election has been conducted in the preceding year in these Courts/Bar Associations, therefore, no list has been prepared so far.</p> <p>It is further informed that hard copy of voter list of last election are received from Delhi Tax Bar Association and Central Administrative Tribunals Bar Association and a letter is also received from Armed Forces Tribunal Bar Association, stating that there is no record of election in the preceding years.</p> <p>Discussion held and it is resolved that the process for scrutiny of Declaration Forms to be initiated with the indulgence of Committee members who agree to make themselves available for sometime every day till the process of preparation of list after scrutiny of Declaration Forms is completed.</p>
4.	Writ Petition (c ) bearing No. 12429/2019 titled as Anju Singh V/s Saket Bar Association & Another	<p>It is informed by Sh. D.K. Rai and Sh. Dharmendera Singh, Members of the Committee that a Writ Petition (c ) bearing No. 12429/2019 titled as Anju Singh V/s Saket Bar Association &amp; Another was listed for hearing on 14.01.2020 and 15.01.2020 before Hon'ble High Court of Delhi, Delhi, therein, Hon'ble High Court of Delhi has allowed the said petition with the directions that the SBA shall include the name of the petitioner in the voter list also of such other members who complete the minimum period of one year on the rolls of the Saket Bar Association as on the date of declaration of the schedule of the</p>

S.No	Agenda	Remarks
		<p>general election. Copy of the said order yet to be received.</p> <p>It is also apprised by Sh. D.K. Rai, member of the Committee that he will not be available on till 23.01.2020 since he is out of station, thus, considering the submission of the aforesaid Members, the next meeting be convened on 25.01.2020.</p>

Minutes of this meeting be displayed on the website of District Courts. Minutes of meeting be also sent to Hony Secretary, SBA with a request to display the minutes of meeting on the Notice Board of SBA. Minutes of meeting be also displayed on the Notice Boards of Saket Court Complex.

**Sd/-**  
**(Sh. D.K. Rai)**  
 Advocate  
 Members Election Committee)

**Sd/-**  
**(Sh. Dharmendra Singh)**  
 Advocate  
 Member Election Committee

**Sd/-**  
**(Ms. Vineeta Goyal)**  
 Addl. Sessions Judge,  
 Special Fast Track Court (South)/Chairperson  
 South, Saket Courts, Delhi

**Sd/-**  
**(Ms. Poonam A. Bamba)**  
 District & Sessions Judge  
 South, Saket Courts, Delhi

**MINUTES OF THE MEETING OF ELECTION COMMITTEE HELD ON  
28.01.2020 AT 4.00 P.M. IN THE COMMITTEE ROOM NO. 1, 1ST FLOOR,  
SAKET COURT COMPLEX, NEW DELHI.**

**In Chair:-** Ms. Vineeta Goyal, Addl. Sessions Judge, Special Fast Track  
Court (South)/ Chairperson

**Quorum:-** Mr. D.K.Rai, Advocate/Member  
Mr. Dharmendra Singh, Advocate/Member

This is 11th follow up meeting of the Election Committee , SBA

It is informed that SBA has announced the schedule of election on  
i.e. 27.01.2020 and election polling will be held on 21.03.2020.

A downloaded copy of Judgment dt. 15.01.2020 titled "Anju Singh V/s  
Saket Bar Association & Another" bearing Writ Petition (c ) No. 12429/2019 has  
been placed before the Committee, wherein, Hon'ble High Court was pleased to  
observe as follows:

12. *The term of executive committee of the bar association is one year.  
No. valid reason has been provided by the Respondents as to fixing of the  
cut off date of eligibility as 31.08.2018. Fixing of cut off date of as  
31.08.2018 would imply that all members who are enrolled after  
31.08.2017. would be excluded from the election process, even though they  
may complete the minimum period of one year on the rolls of the Saket Bar  
Association as on the date of the declaration of the schedule of the general  
elections. There is no justifiable ground to exclude such members from the  
election process.*

13. *There mere fact that the scrutiny of the declaration forms is a time  
consuming process and members have to pay their subscription is no  
ground to deny the members, who became members after 31.08.2017 and  
would complete the period of one year on the rolls of the Saket Bar  
Association before the declaration of the Schedule of the General Election.*

14. Respondents shall include in the voters list the name of the petitioner and also of such other members who complete the minimum period of one year on the rolls of the Saket Bar Association as on the date of declaration of the schedule of the general election.

It is brought to the notice of the Committee that the Executive Committee of SBA has resolved that those new members who have completed one year on the day of announcement of schedule of Election i.e 27.01.2020, be given one opportunity and accordingly the dues and Declaration Forms can be deposited from 28.01.2020 till 07.02.2020 as last and final opportunity.

This issue has been deliberated again, as per judgment of Hon'ble High Court bearing Writ Petition (Civil) 8106/2010 titled as "*P.K. Dass, Advocate and Ors. Vs. Bar Council of Delhi and Ors*", the following tasks are to be performed by the Election Committee:-

1. Verifying the Declaration Forms submitted by the members;
2. Preparation of Provisional List of eligible voters;
3. Display of Provisional List so prepared for calling objections, if any; and
4. Preparation of Final List of voters four weeks before the date of election.

As per above, the Final List of eligible voters must be prepared in advance and in no case beyond the period of four weeks prior to the date of election.

It is deliberated that since the task mandated in "*P.K Dass, Advocate and Ors. Vs. Bar Council of Delhi and Ors*" judgment (supra) is to be completed on or before 20.02.2020 as it is informed that Executive Committee was resolved to invite Declaration Forms from 28.01.2020 till 07.02.2020, the Election Committee is of unanimous opinion that valuable democratic voting rights should not be taken away, so the SBA is directed to submit the Declaration Forms alongwith the copy of the ID of the members, in the light of the judgment titled "*Anju Singh V/s Saket Bar Association & Another*" bearing Writ Petition (c) No. 12429/2019 on 01.02.2020 at 5.00 P.M. in the Office of Election Committee i.e. Room No. 401, Forth Floor, Administrative Block, Saket Court Complex. It is clarified that no Declaration Forms will be accepted thereafter.

The SBA office shall inform the number of Declaration Forms received on each day by 11:00 AM on the next succeeding day and will deposit the same in the office of Election Committee for smooth preparation of voter list as mandated in judgment of Hon'ble High Court bearing Writ Petition (Civil) 8106/2010 titled as "*PK Dass, Advocate and Ors. Vs. Bar Council of Delhi and Ors*".

It is resolved that the schedule for this process shall be as under:-

Last date of submission of Declaration Forms in light of the Hon'ble High Court in judgment titled " <i>Anju Singh V/s Saket Bar Association &amp; Another</i> " bearing Writ Petition(C) No. 12429/2019	01.02.2020
Date of Display of Provisional List of eligible voters for objections	05.02.2020
Period for calling of objections	06.02.2020 to 10.02.2020
Date of displaying/uploading Final List of Voters	18.02.2020

It is a matter of record that SBA has not provided the list of members of SBA who have submitted their Declaration Forms meant for forthcoming Election in soft copy. The Committee was of the unanimous opinion that work of Election Committee cannot be made to suffer on account of non-providing the desired data, accordingly, it was resolved that required list be prepared as per the physical verification of Declaration Forms by the Election Committee. The office informed that list is under progress and it is also noticed that the member of the committee alongwith the court staff is working beyond the court hours to meet the deadline.

It is resolved that in order to take of the progress for preparation of Provision List, the members of the Committee resolved to meet regularly at 4.00 PM till the scrutiny of the Declaration Forms is completed.

Minutes of this meeting be displayed on the website of District Courts. Minutes of meeting be also sent to Hony Secretary, SBA with a request to display the minutes of meeting on the Notice Board of SBA. Minutes of meeting be also displayed on the Notice Boards of Saket Court Complex.

**Sd/-**  
**(Sh. D.K. Rai)**  
Advocate  
Members Election Committee)

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