

OFFICE OF THE DISTRICT & SESSIONS JUDGE, NEW DELHI DISTRICT
PATIALA HOUSE COURTS, NEW DELHI

No. 12402-12907
/EC/NDBA/NDD/2018

Dated, New Delhi 19-5-18

To

1. Sh. Suresh C. Sharma, Advocate/Member
2. Sh. Kishan Nautiyal, Advocate/Member
3. The PS to District & Session Judge, NDD, PHC, New Delhi.
4. The Reader to Sh. Arun Bhardwaj, Ld. Spl. Judge (CBI-05)/Chairperson, Committee for Election of NDBA, PHC, New Delhi.
5. Incharge, Computer Branch, PHC, New Delhi with the directions to upload the same alongwith draft list of Voter's on the New Delhi District Court Website, immediately.
- ✓ 6. Sh. S.C. Chawla, Advocate/Returning Officer, NDBA with the request to display these minutes with draft Voter's list on the Website of NDBA and by displaying on all the Notice Boards of NDBA besides sharing the same by Whatsapp/Email etc. with the members of NDBA. *Soft Copy of the same. along with*

Sir/Madam,

I have been directed to forward herewith a copy of minutes of the meeting of the Election Committee held on 17.05.2018 under the Chairmanship of Sh. Arun Bhardwaj, Ld. Spl. Judge(PC Act), CBI-05/ Chairperson, Committee for Election of NDBA, PHC, New Delhi to your goodself for your kind information and necessary action please.

Thanking you.

Yours Sincerely,

Sh. S.C. Chawla
Incharge, General Branch
Patiala House Courts, New Delhi

MINUTES OF THE MEETING OF THE ELECTION COMMITTEE HELD ON 17.05.2018 (Thursday) AT 05:00 PM IN THE CHAMBER OF SH. ARUN BHARDWAJ, LD. SPL. JUDGE, (PC ACT), CBI-05, ROOM NO.35, MAIN BUILDING, PATIALA HOUSE COURTS COMPLEX, NEW DELHI DISTRICT REGARDING ELECTIONS OF THE NEW DELHI BAR ASSOCIATION.

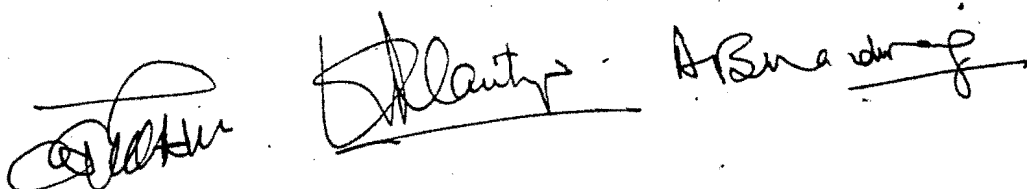
CORAM :-

- Sh. Arun Bhardwaj, Ld. Spl. Judge (PC Act), CBI-05/Chairperson
- Sh. Suresh C. Sharma, Advocate, (Member)
- Sh. Kishan Nautiyal, Advocate, (Member)

In attendance :-

- Sh. Puneet Luthra, J.A., General Branch, PHC, ND.

S. No.	Agenda	Minutes of Meeting
1.	<p>1. Letter dated 16.05.2018 from the Hony. Secretary, NDBA forwarding the request letters received from the members for the withdrawals of Declaration Forms.</p> <p>2. Another letter dated 16.05.2018 from the Hony. Secretary, NDBA forwarding the request letters received from the members for the withdrawals of Declaration Forms.</p> <p>3. Letter dated 17.05.2018 from Sh. Shiv Dulare, Office Superintendent of NDBA forwarding request letters from the members for withdrawal of Declaration Forms.</p> <p>4. Letter dated 17.05.2018 from Sh. Sandeep Sharma</p>	<p>1. Vide this letter, the Hony. Secretary has forwarded letters dated 16.05.2018 from Sh. Ravi Kumar Tomar, Advocate Sh. Ombir Sangwan, Advocate and Sh. S. C. Sagar, Advocate seeking withdrawal of their Declaration Forms. Sh. Ravi Kumar Tomar, Advocate has written that he has misunderstood and misinterpreted 'P.K. Dash's judgment' and now he has realised that the Declaration is contrary to the abovesaid judgment and has requested to withdraw the Declaration Form. Sh. Ombir Sangwan, Advocate and Sh. S. C. Sagar, Advocate have stated that they are not sure whether they have given Declaration Forms with other Bars in respect of voting right and have requested for withdrawal of their Declaration Forms.</p> <p>The Committee has unanimously decided that any request for withdrawal of Declaration Forms after the cut off date for submitting the Declaration Forms i.e. 23.04.2018 cannot be entertained. Hence, the request of all the three members is</p>



<p>Advocate.</p> <p>5. Draft Voter's list of member of NDBA.</p> <p>6. Letter dated 11.05.2018 of Sh. C.K. Sharma, Advocate.</p> <p>7. Letter dated 17.05.2018 from Sh. Chandan Malik, Advocate.</p>	<p>rejected.</p> <p>2. Vide this letter, the Hony. Secretary has enclosed the request of Sh. Rahul Singh, Advocate and Sh. Bijan Kumar Singh, Advocate for permission to withdraw their Declaration Forms.</p> <p>These letters are dated 11.05.2018 and 14.05.2018. Since the request has been received after the cut off date for submitting the Declaration Forms, the Committee decided to reject these requests.</p> <p>3. Vide this letter, four letters of members of NDBA have been enclosed. The first letter is from Sh. Mahabir Singh, Advocate dated 12.04.2018 complaining the submission of Declaration Form on his behalf by some unauthorized person. In this letter, it is written that someone has played prank on him by submitting the abovesaid Declaration Form on his behalf. Since he is the voter of DHCBA, he has requested to handover the said Declaration Form so that he can take appropriate action by filing a complaint before the police most urgently so that such acts do not happen again.</p> <p>This request dated 12.04.2018 has been forwarded to this Committee on 17.05.2018 i.e. after the cut off date for submitting the Declaration Forms was over. The Declaration Form of this member cannot be returned to him till the election process for the Elections of</p>
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		<p>NDBA, 2018 is completed.</p> <p>Second letter is from Sh. Mohd. Ayub, Advocate. This is also dated 16.04.2018 and in this letter also it is mentioned that by some misunderstanding, he has given the Declaration Form and requested for permission to withdraw the same.</p> <p>Again, this request of 16.04.2018 has come before this Committee on 17.05.2018 i.e. after the date for withdrawal of Declaration Forms was over. Therefore, at this stage, the request of this member cannot be acceded to.</p> <p>The Third and fourth letters are undated. They are given by Sh. Shripal Ahluwalia, Advocate and Sh. Puneet Walia, Advocate. The request in both the letters is to withdraw their Declaration Forms. Both the letters are undated and have been placed before this Committee by the Office Superintendent of NDBA on 17.05.2018 i.e. after the date for withdrawal of Declaration Forms was over and hence, these requests cannot be entertained at this stage.</p> <p>The Committee has noticed that only two members had given their requests for withdrawal of Declaration Forms before the cut off date of 23.04.2018. Only those members have been given permission to withdraw their Declaration Forms who had made such a request on or before 23.04.2018.</p> <p>4. In this letter, it is written that the list for</p>
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that the Hony. Secretary of NDBA had informed that an Advocate who had transferred his Bar Council Enrollment from Delhi Bar Council to Punjab and Haryana Bar Council has also submitted a Declaration Form by attaching a copy of his old Delhi Bar Council registration certificate. The Hony. Secretary had requested that appropriate scrutiny be made to weed out bogus Declaration Forms.

Taking a serious note of this fact, this Committee has carefully scrutinized the Forms of those members whose names are not appearing in the Voter's list of the election conducted by Bar Council of Delhi in 2018.

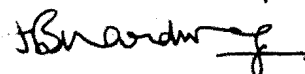
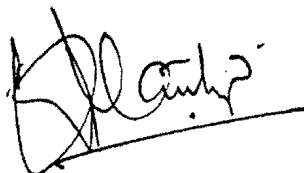
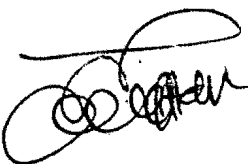
The Committee has found 152 members whose names are not existing in the voter's list of the BCD Elections, 2018.

These members have also not given any reason in their Declaration Forms why their names are not in the Voter's list of BCD.

The Committee has requested the Chairman/Secretary of BCD vide letter 14.05.2018 to confirm whether 152 Advocates are enrolled with BCD or not.

The response of BCD is awaited.

The Committee has decided to keep the names of those members of NDBA whose names are not in the Voter's list of Bar Council of Delhi under objections till clarification is received from BCD or



clarification is given by these members for absence of their names in the Voter's list of BCD.

6. In his letter dated 11.05.2018, Sh. C.K. Sharma, Advocate has requested that names of the Advocates in the preparation of the Voter's list of NDBA elections, 2018 be as per their names in BCD Voter's list. Otherwise, he has requested for an opportunity of being heard in person.

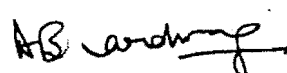
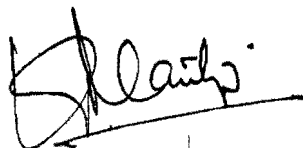
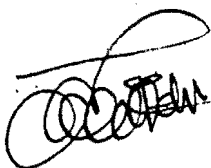
The Committee noted that every member of NDBA is entitled to file objections to the draft Voter's list.

7. In letter dt. 17.05.2018, Sh. Chandan Malik, Advocate has also requested for permission to withdraw his Declaration Form.

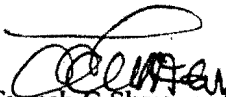
Since this request has come after the date for filing Declaration Forms is over, the same cannot be acceded to at this stage.


The Committee has prepared the draft Voter's list of the members of NDBA (list enclosed with these minutes) showing their entitlement or otherwise to vote in NDBA elections, 2018.

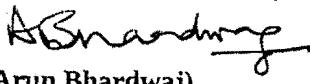
The Committee decided to invite objections to the draft Voter's list from the members of NDBA within 10 working days from the day these minutes along with draft Voter's list is displayed on the Website of New Delhi District and is sent to the Returning Officer Sh. S.C. Chawla, Advocate with a request to display these

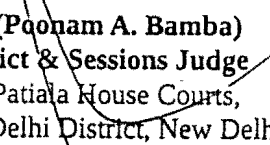


		<p>minutes with draft Voter's list on the Website of NDBA and by displaying on all the Notice Boards of NDBA besides sharing the same by Whatsapp/Email etc. with the members of NDBA.</p> <p>The objections may be submitted in the R&I Section of New Delhi District, Administrative Block by mentioning on its top <u>"OBJECTIONS TO THE DRAFT VOTER'S LIST"</u>.</p> <p>It is made clear that no extension will be given for filing objections under any circumstances.</p>
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Suresh C Sharma, Advocate
(Member)


Kishan Nauriyal, Advocate
(Member)


(Arun Bhardwaj)
Spl. Judge (PC Act), CBI-05/Chairman
Committee for Election of NDBA, New Delhi.


(Poonam A. Bamba)
District & Sessions Judge
Patiala House Courts,
New Delhi District, New Delhi.