

**MINUTES OF MEETING OF THE ELECTION COMMITTEE HELD ON 28.08.2024 AT  
04.00 PM IN THE CHAMBER OF THE HON'BLE CHAIRMAN, ELECTION  
COMMITTEE, R.C.B.A. ELECTION – 2024.**

**Chaired by :** Dr. Vijay Kumar Dahiya, Ld. Judge In-Charge, Mediation/Chairperson

**CORAM:-**

S.No.	NAME	DESIGNATION
1	Sh. Sanjeev Bisla	Advocate - Member
2	Sh. Aseem Bhardwaj	Advocate - Member

**In the presence of :**

Sh. Sunil Dutt, Nodal Officer, Election Committee, RCBA, Rohini.

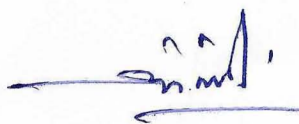
**AGENDA: To discuss about the publication of tentative list of eligible voters of RCBA Elections 2024.**

On 27.08.2024, Sh. P.K. Dash, Advocate was invited in the meeting in order to know the status of his application i.e. ***CM Appl. 47174/2024 in WP(C) 6338/2023 titled as P.K. Dash v. Saket Bar Association***, filed before the Hon'ble High Court of Delhi.

Sh. P.K. Dash, Advocate had informed the Committee that the said application has already been disposed off by the Hon'ble High Court of Delhi on 23.08.2024 itself.

Today, it has been reported by the Nodal officer that the process of scrutiny of the declaration forms has been completed, and the tentative list of eligible voters, with objections, for publication is ready. It has also been submitted that the scrutiny of the order sheets were done and the order sheets, which prima facie appears to be interpolated, were cross checked and some of the order sheets are even found to be interpolated. It is also submitted that due to huge number of order sheets totalling about 60000 and further on account of paucity of time, each and every order sheet could not be cross-checked. It has also been stated that there is no mechanism to cross verify the order sheets of Tribunals, POCSO Courts and Mahila Courts.

Now, this Committee proceeds to deal with the points/issues raised by Sh. P.K. Dash, Advocate in his representation.



1. *As per the mandate of the judgment i.e. **WP (C) 10363/2021 titled as Lalit Sharma & Ors. v. Union of India & Ors.** the Advocates who have atleast 12 appearances before the court in a span of one year are to be considered as bonafide Advocates, however, in multiple cases, presence of Advocates has been marked who were not even present in the court.*

The Committee has carefully gone through this issue.

The Committee is of the unanimous opinion that there is no mechanism available with the Committee, from which, it can be ascertained that whether the Advocate(s) whose presence has been marked in the order sheet were physically present before the court or not. However, if the order sheet is signed by the Id. Presiding Officer, there is no reason with the Committee to disbelief the same. Therefore, this issue raised by the applicant, stands disposed and the Advocate(s) whose presence is marked in the order sheet will be considered in the category of **"bonafide Advocates"**.

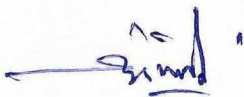
2. *That, in some matters bulk presence of the Advocates has been marked and, in one order sheet presence of 130 Advocates has been marked by one of the judicial officer. The Advocates have also fabricated the order sheets by editing their names to be considered as bonafide Advocates.*

The Committee has carefully gone through this issue which is a two fold issue.

So far as the first fold of issue is concerned, the Committee is of the unanimous opinion that, this Committee has no reason to disbelief the order sheet duly signed by Id. Presiding Officer, and the presence of Advocates recorded in the said order sheet. Therefore, this issue raised herein, also stands disposed off and the Advocate(s) whose presence is marked in the order sheet will be considered in the category of **"bonafide Advocates"**.

So far as the second fold of issues is concerned, regarding fabrication/interpolation of the order sheets is concerned, the Committee has took a serious view, however, for the reasons as stated in the foregoing paras, it will not be possible to cross-check each and every order sheet annexed with the declaration forms.

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Despite that, this committee has checked some order sheets, which, prima facie, appeared to be interpolated, and found interpolations in some of the order sheets, which will be shown in "objection" column of the tentative list. This issue raised herein is disposed off in the above terms. Both the issues are accordingly disposed off.

3. *The bulk presence of Advocates has been marked by Reader/Ahlmad, when the Presiding Officer was on leave.*

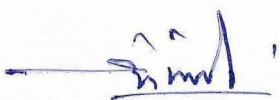
The Committee has gone through this issue.

The Committee is of the unanimous opinion that, whenever a Presiding Officer happens to be on leave, the Reader/Ahlmad is duty bound to mark the presence of the Advocate(s) present in the said case. There is no reason, that the Reader/Ahlmad can deny any Advocate(s) to mark his/her presence. Therefore, this Committee is of the unanimous opinion that the presence of the Advocate(s) marked in the order sheets, by the Reader/Ahlmad, shall also be considered in the category of "**bonafide Advocates**". This issue raised herein is disposed off in the above terms.

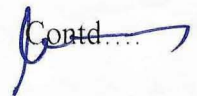
4. *Bulk presence of the Advocates has been marked as assisting counsel in the matters in which the main counsel, whose assisting counsel such Advocates have claimed, is not associated in any manner.*
5. *The presence of Advocates have been marked in the matters, who are not connected with the main counsel in any manner.*

Both these issues raised by the applicant/representationist are common, therefore, the committee shall decided both the issues no. 4 & 5 together.

These issues are also in consonance with the issue raised by the applicant at serial no.1. Therefore, this Committee is of the unanimous opinion that there is no mechanism available with the Committee, from where it could be ascertained/checked that the Advocate(s) whose presence/bulk presence has been marked as an assisting counsel, is/are



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not associated with the main counsel in any manner or not and further, whether the main counsel is associated with the case/matter in any manner cannot be ascertained. Therefore, both these issues raised herein, stands disposed off and the Advocate(s) whose presence is marked in the order sheets will be considered in the category of "**bonafide Advocates**".

6. *The proposed candidates had put the hoardings/bills/pamphlets/stickers in and around the Rohini Court Complex, the notices have already been given to such candidates to get removed the same.*

The Committee has gone through this issue.

The Committee, through various communications, has previously requested the probable candidates, through Rohini Court Bar Association and also through individual notices served upon the violators, to get removed the hoardings/bills/pamphlets/stickers installed in and around Rohini Court Complex in terms of the directions passed in the judgment titled as **Lalit Sharma (supra)**.

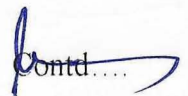
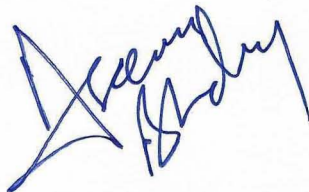
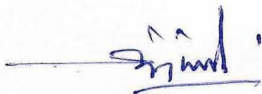
In terms of the minutes of meeting dated 27.08.2024, report has been furnished by the Caretaking Branch, Rohini Courts, wherein the list of members with photographs of their hoardings/bills/pamphlets/stickers has been filed as **Annexure B**.

Some of the prospective contesting candidates have still not removed their hoardings/bills/pamphlets/stickers, pasted in and around Rohini Court Complex, despite earlier intimations and separate notices served upon them, which is the clear violation of the judgment **Lalit Sharma (supra)**. The list be sent to Hony. Secretary, for displaying the same and also to put the list before the Returning Officer, as and when appointed, for appropriate action as per law.

It is submitted by the Members that, besides the above mentioned issues there are some other points, which needs to be considered and clarified :

- A. Whether the Member who had paid dues/subscription on behalf of some other Advocates, whether his/her declaration form should be rejected or not.

The Committee has carefully gone through this issue and discussed about the same, on the basis of the list of members provided by RCBA, of the Advocates, who have cleared dues/subscription of more than one Member.



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It is submitted by the Members that when an Advocate is paying dues/subscription for other members, besides his immediate family members/immediate blood relatives, the Member whose dues are paid, is aware as to who has paid his dues/subscription amount at the time of submission of his declaration form, and as such, it shows that he/she has intentionally and knowingly conceded and accepted the amount paid towards his/her dues/subscription from the other Member, which is in clear violation of the mandate of the judgment i.e. **Lalit Sharma (supra)**. Therefore, it has been unanimously resolved that the Advocate(s) who had paid dues dues/subscription for his/her immediate family members/immediate blood relatives, shall be considered as “**bonafide Advocate**”, whereas, the declaration form of the Member whose dues have been paid by some other Members, their declaration forms shall be rejected as the same are in violation of the judgment titled as **Lalit Sharma (supra)**.

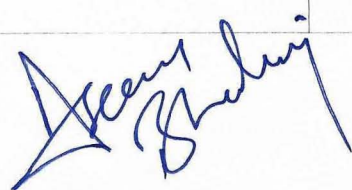
The Committee has further resolved that as the tentative list of the eligible voters with list of objections is complete, the same may be displayed today itself on the official portal of the court.

Hard copy of the list be sent to Hony. Secretary RCBA for displaying the same on the notice Board of RCBA.

Hard Copy of the list be also sent to the Caretaker, Rohini Courts for displaying the same on the notice board of the Rohini Court Complex.

It is further directed that the Members whose name appears in the list of objection, shall approach in person at **Room no. 503, 5<sup>th</sup> Floor, Rohini Court Complex**, for removing the objections thereof, as per the schedule annexed herewith **between 11.00 AM to 04.00 PM (excluding lunch time)**, in the manner as follows:

File no. 1 to File no. 15	29.08.2024 from 11.00 AM to 04.00 PM
File no. 16 to File no. 30	30.08.2024 from 11.00 AM to 04.00 PM
File no. 31 to File no. 45	31.08.2024 from 11.00 AM to 04.00 PM
File no. 46 to File no. 60	02.09.2024 from 11.00 AM to 04.00 PM
File no. 61 to File no. 75	03.09.2024 from 11.00 AM to 04.00 PM



File no. 76 to File no. 90	04.09.2024 from 11.00 AM to 04.00 PM
File no. 91 to File no. 105	05.09.2024 from 11.00 AM to 04.00 PM
File no. 106 to File no. 120	06.09.2024 from 11.00 AM to 04.00 PM
File no. 121 to File no. 135	07.09.2024 from 11.00 AM to 04.00 PM
File no. 136 to File no. 150	09.09.2024 from 11.00 AM to 04.00 PM
File no. 151 to File no. 165	10.09.2024 from 11.00 AM to 04.00 PM
The remaining objections, if any left, shall be cleared on <b>11.09.2024, 12.09.2024 &amp; 13.09.2024</b> from 11.00 AM to 04.00 PM i.e. open days for all the forms/files numbers.	

\* File numbers are mentioned in the Tentative list.

It is hereby clarified that the last date of filing and removing the objections by Members in the tentative list of voters is **13.09.2024 by 04.00 PM**.

It is further clarified that in case of any dispute regarding any objection, the respective Member, in person, can approach the Id. Chairman, Election Committee-RCBA-2024, between 04.00 PM to 04.30 PM on that particular day.

The Committee shall take up the further course of action in the next meeting i.e. on **04.09.2024 at 04.00 PM** in the chamber of Id. Chairman.

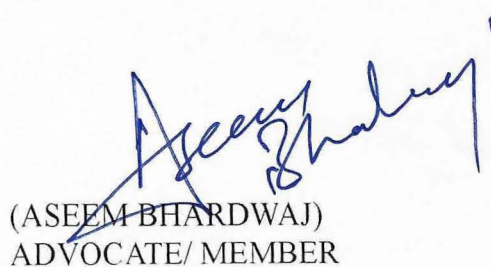
Minutes of the meeting be uploaded on the Website of Rohini Court, Delhi.

Meeting ended with a vote of thanks to the Chair.


Thanking You,



(SANJEEV BISLA)  
ADVOCATE/ MEMBER



(ASEEM BHARDWAJ)  
ADVOCATE/ MEMBER



(DR. VIJAY KUMAR DAHIYA)  
JUDGE INCHARGE MEDIATION CENTRE, ROHINI  
CHAIRMAN, ELECTION COMMITTEE, RCBA