

Bar Council of Punjab and Haryana

OFFICE OF
SECRETARY CUM-RETURNING OFFICER
Law Bhawan Sector 37-A, Chandigarh

Ref:- 4105 / BCE-2018

Dated. 7-10-2018

ORDER

I have issued instructions dated 19.9.2018 regarding compliance of Election Rules in order to avoid corrupt practices during the elections. However, it has been brought to my notice that some of the candidates are organizing lunch, dinner etc. to influence the voters. Three specific instances have been brought to my notice relating to function organizing at Utsav Resort, Bhiwani, Zimkhana Club, Karnal and third one is that the meeting was held at District Bar Association, Yamuna Nagar, but at the end of the meeting, the candidate is stated to have told/invited advocate(s) to join for lunch organized by him.

I am separately inquiring into these matters, so as to fix the responsibility of a particular candidate and take/recommend further action as per law.

However, it must be brought to the notice of all the candidates that the Hon'ble Supreme Court of India in TP (C) No. 1364 of 2015 titled as Ajayinder Sangwan, Vs. Bar Council of Delhi & others vide its order dated 23.3.2018 has approved the following Resolution passed by the Bar Council of India.

“a) The State Bar Councils/Returning Officers are further requested to provide CCTV Cameras or Video-coverage for the process of polling at sensitive polling booths. **It is further resolved that any candidate, if found using any sort of unfair means, corrupt practice, bribing the voters, throwing lunch, dinner parties, breakfast etc. in and around the polling booths (for getting votes) should be debarred from**


contesting elections and their candidatures will be cancelled by the Tribunal.”

In view of the above, if on inquiry, it is found that the above said dinner, lunch etc are being organized by any of the candidates the recommendations will be made for cancellation of candidature to the Elections Tribunal constituted as per the above directions of the Hon'ble Supreme Court of India.

Furthermore, it is decided that even if any person enrolled as an Advocate will facilitate the organization of such lunch, dinner, parties or even join them, they shall also be held responsible for committing "Other Misconduct" with the meaning of Section 35 of Advocates Act and the matter will be referred to the Bar Council to take appropriate action against such advocate/advocates. So all are required to comply with above directions, in order to ensure free, fair, impartial and transparent elections in accordance with rules, so as to maintain dignity of the profession.

Copy of this order be sent to all the contesting candidates through email/post and also be displayed on the website of the Bar Council.

Dated. 7.10.2018


(Gurinder Pal Singh)
Secretary-cum-Returning Officer
Secretary-cum-Returning Officer
Bar Council of Punjab & Haryana
Chandigarh