

SANDEEP VIHAR (AWHO) SOCIETY, GHS-79, SECTOR-20, PANCHKULA

MINUTES OF THE MEETING OF THE ELECTION COMMITTEE TO EXAMINE AND RESOLVE THE OBJECTIONS RAISED BY LT COL SHAYAM SINGH CHAUHAN TO THE CANDIDATURE OF SOME MEMBERS ON 16 JUL 2023

1. A meeting of the Election Committee was held on 16 Jul 2023 at 10.00 AM to examine and resolve the objections raised by Lt Col Shayam Singh Chauhan, Retd to the candidature in the forthcoming elections of Col Parveen Ahluwalia, Retd , for the post of Treasurer.

2. The following were present:-

Election Committee

- (a) Brig S N Setia, Retd
- (b) Col V K Popli, Retd
- (c) Col Arun Dhawan, Retd

Complainant - Lt Col Shayam Singh Chauhan, Retd

3. Prior to the meeting, the objection message from Lt Col Shayam Singh Chauhan had been forwarded to Col Parveen Ahluwalia, Retd for seeking his response. Lt Col Shayam Singh Chauhan, was also asked to submit any provisions of the HRRS Act, HRRS Rules and Society Bye Laws which supported his objection.

4. The reply submitted by Col Parveen Ahluwalia was given to Lt Col Shayam Singh Chauhan, for perusal . Salient points mentioned by Col Parveen Ahluwalia in his reply are as Under: -

“Though I had conveyed my willingness to perform the duties of an Independent Member during the forthcoming elections, however, after a thorough deliberation, I took a decision to instead contest as a candidate for the appointment as the Treasurer of the new Management Committee due to following reasons:-

- a) I chose to offer my services to the Society, as I felt the need for the same.
- b) My commitment to the Society and its well being compelled me to offer my services for this noble cause.
- c) Lack of adequately experienced talent pool thrown up in the forthcoming elections and lack of sufficiently motivated volunteers, forced my change of mind.
- d) To consolidate on the achievements of the outgoing management and to ensure that the tremendous progress made is not frittered away.
- e) To ensure that habitual complainants in the Society who had tried to impede the progress of the outgoing management in an attempt to waste their time and make them digress from their righteous aim, did not sneak in through the backdoor.

Contesting Society elections is my legal right and NO body can keep me from contesting – if I wish to do the same. It is my incontrovertible right. I also have a right to change my mind, if I so decide - within the ambit of the prevalent rules/bye laws. I do not find anything in the rules/byelaws applicable that prohibit

me from contesting the forthcoming elections.

I wish to add here that during the Society election in year 2017, then planned to be held under the Collegiums System, the incumbent Management had unfairly cancelled my candidature for contesting the election. This had compelled me to lodge a complaint with the office of the District Registrar, who had gone on to dissolve the Management (then) and constitute an Adhoc Management Committee to conduct elections. I apprehend that objections to my candidature are probably an act of vindictiveness – otherwise why would anybody attempt to deprive me of my inalienable legal right?

Therefore, with due regard and most respectfully, I wish to submit that subject Complaint(s) against my candidature be set aside being frivolous and Mischievous”.

5. He was also asked whether he had any authority from the HRRS Act, HRRS Rules or the Society Bye Laws which specifically debarred a member who had volunteered to form part of the election team from standing for election. He stated that his objection was based on the Society Bye Laws of 2014. It was brought out that the Bye Laws currently applicable to the society were those approved by the District Registrar on 21 Nov 2021. Moreover, neither set of Bye Laws had any provision regarding the objection raised.
6. Lt Col Shayam Singh Chauhan was asked whether the candidature of Col Parveen Ahluwalia affected him in any way to which he replied that he was no personally affected.
7. Before conclusion of the meeting, he expressed full satisfaction with the proceedings. He asked for a copy of the letter from Col Parveen Ahluwalia, seeking to recuse himself, which has since been provided.

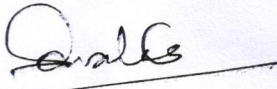
Findings by the Election Committee

8. After due deliberation, the Election Committee concluded that the objection was identical to the one submitted by Lt Col Kulwant Singh. Since no additional point in support of the objection had been provided, the findings of the election team remained common, as under: -
 - (a) The Managing Committee detailed members for the election committee according to the provisions of the Bye Laws, i.e., ensuring that they were not themselves standing for election **at that point of time**.
 - (b) Recognizing the fact that some members might have to recuse themselves from the commitment either due to personal reasons or due to a change of mind regarding standing for elections, adequate reserve of members was detailed.
 - (c) Standing for election is the unalienable right of every member.
 - (d) There is no restriction imposed by the HRRS Act, HRRS Rules or the Society Bye Laws which preclude a member from changing his / her decision not to stand for election after offering his / her services to form part of the election committee – **particularly when the option is given months in advance of the nominations**.

Decision of the Election Committee

9. Since there has been non contravention of the provisions of the HRRS Act, HRRS Rules and Society Bye Laws, the objections raised are found to be void of merit. The candidature of Col Parveen Ahluwalia is in order.

Date:- 16 Jul 2023


(Brig S N Setia, Retd)
Senior Returning Officer