



ਰਾਜ ਚੋਣ ਕਮਿਸ਼ਨ, ਪੰਜਾਬ
STATE ELECTION COMMISSION, PUNJAB

✉: secpb@punjab.gov.in
🌐 <https://sec.punjab.gov.in>

ਐਸ.ਸੀ.ਓ: 49 ਸੈਕਟਰ 17-ਈ, ਚੰਡੀਗੜ੍ਹ,
☎: 0172- 2771226, 2710162.

No. PA/SEC/2024/ 17

Dated: 11.10.2024

ORDER

In Re: Complaint regarding alleged illegalities and irregularities committed in the Nomination Process pertaining to Gram Panchayat Elections in Block Gidderbaha, District Sri Muktsar Sahib.

Whereas, complaints have been received in the Commission on account of various Political Parties having approached the Commission with allegations of widespread irregularities and illegalities in the nomination processes being conducted by the Returning Officers of Block Gidderbaha, District Sri Muktsar Sahib. It has been alleged inter-alia that the nomination papers of even those candidates, which have been found correct during scrutiny, have been later wrongfully rejected after allotment of symbol in an illegal manner. It has also been alleged that the Returning Officers have rejected the nominations of several candidates by issuing revised lists even though these nominations were accepted vide earlier published lists. It has been prayed that all the papers of nominations of this Block may be got re-examined and that the matter be inquired into and nominations papers rejected illegally be restored and the candidates be allowed to contest elections.

2. And whereas, in order to inquire into the matter, the Commission has summoned the concerned officers of the District in addition to the concerned Returning Officers of the 5 clusters of the Block, and the same have appeared before the Commission, namely:

- i. Sh. Surinder Singh Dhillon, ADC(D), Sri Muktsar Sahib
- ii. Sh. Jaspal Singh Brar, SDM Gidderbaha
- iii. Sh. Rankit Kumar, XEN PWD
- iv. Sh. Parpooran Singh, ARCS
- v. Sh. Sukhjot Singh, XEN Water Resources
- vi. Sh. Devinder Singh, SDE, PWD (B&R)
- vii. Sh. Arshdeep Singh, SDO, Water Resources.

The relevant record regarding the nominations for various Gram Panchayats of the Block was also called for and examined on 9.10.2024 in the office of the Commission.

3. And whereas, the Commission has carefully scrutinized the documents pertaining to the Nomination, Scrutiny, Withdrawals, alongwith the nomination forms and annexures attached thereto including Self-Declaration Forms. In addition, the Notarized affidavits which have been submitted from several complainant candidates was also taken on record wherein these candidates have denied that they withdrew their Nomination papers for Gram Panchayat election, as the major complaint which was received was that their nomination papers, though complete, still led to unexpected rejection by the Returning Officers, which they came to know later.

4. The detail of Gram Panchayats of Block Gidderbaha of which record was scrutinized and irregularities observed (i.e. all shown as having withdrawn their nomination forms) is as under:

Sr.	Returning Officer Cluster No.	Name of Gram Panchayat	Post applied for	Name of Complainants/Objectors claiming wrongful rejection of
1.	RO-1	Assa Buttar	Sarpanch	Sarabjeet Kaur W/o Pargat Singh Vill Assa Butter Tehsil Gidderbaha.
2.	RO-1	Daddu Mohalla Mallan	Sarpanch	Sarabjeet Singh S/o Ram Nath, Ward No. 8, Daddu Mohalla Mallan
3.	RO-1	Khirkian Wala	Sarpanch	Khushwinder Singh Gill S/o Gurdeep Singh Vill, Khirkian Wala
4.	RO-1	Wara Kishanpura	Sarpanch	Manjit Kaur W/o Boota Singh Vill. Warra Kishanpura
5.	RO-2	Lohara	Sarpanch	Gurmeet Kaur W/o Kuldeep Singh Vill Lohara
6.	RO-2	Lohara	Sarpanch	Lakhbir Kaur W/o Iqbal Singh Vill Lohara
7.	RO-2	Lohara	Sarpanch	Gurwinder Kaur W/o Harmesh Singh Vill. Lohara
8.	RO-2	Lohara	Sarpanch	Binderpal Kaur W/o Satpal Singh, Vill Lohara
9.	RO-2	Buttar Sarih	Sarpanch	Harjeet Kaur W/o Gurpiar Singh Vill Butter Sarih
10.	RO-2	Kothe Hazure Wale	Sarpanch	Gurmail Singh S/o Milkhi Ram Vill Kothe Fumman Singh Wale
11.	RO-2	Kothe Dhaba	Sarpanch	Kaka Singh S/o Baldev Singh Vill Kothe Dhabba Wale
12.	RO-2	Kothe Kesar Singh wala	Sarpanch	Gurtej Singh S/o Jagtar Singh Vill Kothe Malooki wale Kotli Abloo

Sr.	Returning Officer Cluster No.	Name of Gram Panchayat	Post applied for	Name of Complainants/Objectors claiming wrongful rejection of nomination papers
13.	RO-3	Bharu	Sarpanch	Khushmeet Kaur W/o Kulwinder Singh Vill Bharu
14.	RO-3	Daula	Sarpanch	Sukhjeet Kaur W/o Shamsher Singh Ward No. 6, Vill. Daula
15.	RO-3	Kothe Himmatpura	Sarpanch	Baldev Singh S/o Mohinder Singh Vill Kothe Himmatpura (Kot Bhai)
16.	RO-4	Bhunder	Sarpanch	Mehma Singh S/o Bohar Singh Vill Bhunder
17.	RO-4	Lundewala	Sarpanch	Manveer Singh S/o Gurmeet Singh Vill Lundewala
18.	RO-5	Smagh	Sarpanch	Shivraj Singh S/o Mangal Singh Vill Samagh
19.	RO-5	Mannian Wala	Sarpanch	Harjinder Kaur W/o Jaskaran Singh Vill Mannian Wala
20.	RO-5	Sekha	Sarpanch	Sarbjeet Kaur W/o Harjinder Singh Vill Sekh
21.	RO-5	Khunnan Khurd	Sarpanch	Jaspreet Kaur W/o Jaspal Singh Vill Khunnan Khurd
22.	RO-5	Madhir	Sarpanch	Jageer Singh S/o Rattan Singh Vill Madhir
23.	RO-5	Madhir	Sarpanch	Janak Raj S/o Ram Parsad Vill Madhir
24.	RO-5	Buttar Bakhuan	Sarpanch	Angrej Singh S/o Mander Singh Vill Butter Bakuan

5. And whereas Sh. Manveer Singh s/o Gurmeet Singh r/o village Lundewala, Block Gidderbaha, mentioned at Serial No. 17, has come present during the enquiry and stated that he has not withdrawn his Nomination papers and he has denied his signatures on the withdrawal form. In Gram Panchayat Bhunder, the Returning Officer Cluster-4 has shown as many as 9 candidates for Sarpanch as having withdrawn their papers.

6. And whereas other candidates as mentioned in the list supra have filed their Affidavits duly attested by the Notary Public wherein each candidate has stated that they had filed the nomination papers for the post of Sarpanches on different dates for the election of their respective Gram Panchayat, but thereafter their opposite candidates have been declared winner uncontested and the Returning Officer concerned has withheld any information about the withdrawal of their Nomination Papers, thus denying them the chance to contest.

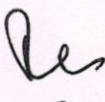
7. And whereas the concerned ROs were also given a hearing but they have denied the allegations leveled by the candidates. During the enquiry, on being asked, the ROs admitted that no videography or photography was carried out during the process of

filing nominations. The Returning officers have denied any wrongdoing and have stated that they have performed election duty in accordance with law.

8. And whereas, after examining the record of nomination forms and comparing it with the list of withdrawn candidates, it becomes apparent that the signatures of the said candidates on the withdrawal forms and Nomination Forms, filled by them, prima facie do not evenly match. No doubt, the matter can be clinched only through forensic analysis and investigation, but it is also noted that many of the alleged withdrawal forms also bear a photograph of the candidate, perhaps to try to buttress the identification of the person 'signing', whereas there is no need of this and it is rather improbable that a candidate would be carrying spare photographs in their pockets when submitting the alleged withdrawal forms. Rather, identification, if any called for by the Returning Officer, would be in the nature of Aadhaar Card, or some other photo-identity proof. From the perusal of the withdrawal forms, it is also observed that no date has been mentioned by the concerned Returning Officers. These actions also raise some doubt about the veracity of the withdrawal forms alleged to have been signed by the complainants. Such activity leads the Commission to come to a conclusion that there has likely been some manipulation in the acceptance of the alleged withdrawal forms, thus giving an undue advantage to the remaining candidate/candidates in the election process, and such action has the effect of vitiating the election process and needs to be quickly addressed by the Commission.

9. Therefore, after thorough examination of the record, comparison of signatures of the complainant candidates with those on the alleged withdrawal forms, the Commission is constrained to issue the following directions:-

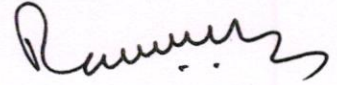
i. The election program of the Gram Panchayats mentioned at Serial No. 1 to 24, in Para 3 above, (i.e. Assa Buttar, Daddu Mohalla Mallan, Khirkian wala, Wara Kishanpura, Lohara, Buttar Sarih, Kothe Hazure Wale, Kothe Dhaba, Kothe Kesar Singh wala, Bharu, Daula, Kothe Himmatpura, Bhunder, Lundewala, Smagh, Mannian Wala, Sekha, Khunnan Khurd, Madhir, Buttar Bakhuan), all falling in Block Gidderbaha, stands cancelled with immediate effect, as there is strong probability that the candidature of the complainants for the post of Sarpanches of the mentioned Gram Panchayats were wrongfully shown to be withdrawn, thus leading indirectly to their inability to contest the elections for the post of Sarpanch, thereby negating the democratic process. Any declaration of candidates having been elected unopposed in these villages is declared to be null and void;

 ii. Since the election process is mid-way, with the period of filing nominations having elapsed, and polls fixed shortly for October 15, 2024, the Commission would issue a fresh election schedule for the Gram Panchayats mentioned in Serial Nos. 1 to 24, as given above in Para 9(i) above, at a later date,

after completion of the current general elections to the Gram Panchayats. In case any of the candidates have paid, as per the Punjab Panchayat Election Rules, 1994, the Nomination Fee of Rs. 100 (or Rs 50 in case of SC candidate), and they wish to contest afresh at a date to be announced later by the Commission, they would be exempted from paying the Nomination Fees.

iii. Notice of cancellation of election to Gram Panchayats mentioned in Para 4 above, be suitably complied with and duly publicized by the District Election Officer, Sri Muktsar Sahib, under intimation to the Commission.

Announced.



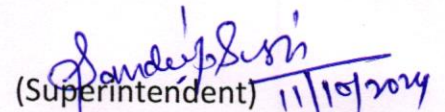
(Raj Kamal Chaudhuri)
State Election Commissioner

Endst. No. PA/SEC/2024/18-19

Dated: 11.10.2024

A copy is forwarded to:

- i. ✓ The Deputy Commissioner-cum-District Election Officer, Sri Muktsar Sahib, for compliance, information to the concerned Returning Officers, and publicity regarding the cancellation of the election program pertaining to these gram panchayats;
- ii. The Director, Rural Development & Panchayats, Punjab, SAS Nagar, for information.



(Superintendent) 11/10/2024

State Election Commission