

To

Sri Sharad Pawar garu
 Hon'ble Union Minister for Agriculture
 Govt.of India
 New Delhi

Sir

Sub : Elections for the members of the Veterinary Council of India, 2009-
 certain deficiencies in the election process and certain lapses while
 conducting the elections-Single Judge and Division Bench orders of
 Hon'ble High Court of Andhra Pradesh-submitted-regarding.

We are herewith submit that the elections for the 11 members to
 Veterinary Council of India initiated vide notification Dt 12.10.2009 after
 publication of the Final Electoral Roll by VCI.

Schedule of Election :

1.Date of Election Notification in the Gazette of India	12.10.09
2.Last date for submission of Nominations	19.10.09
3.Date of Scrutiny of Nominations	24.10.09
4.Last date for Withdrawl of Nominations	26.10.09
5.Posting of Ballot Papers at New Delhi by the Returning Officer..	31.10.09
6.Scheduled Date of Poll	30.11.09

The time gap between the date of posting of Ballot papers at New Delhi and
 the Scheduled date of poll is **30 days only**. In this mean time the posted
 Ballot papers should reach the electors all over India including North-
 Eastern States and the same have to be returned after voting ,to the
 Returning Officer at New Delhi before 30.11.09 by the elector.

A.P.Veterinary Association, Andhra Pradesh and the A.P.Veterinary
 Council, Andhra Pradesh have received thousands of complaints from the
 Registered Veterinary Practitioners of A.P.regarding the non-receipt of
 ballot papers. Then both the associations have represented to the Returning
 Officer on 17.11.2009(i.e.16 days after the posting of ballot papers at New
 Delhi and 14 days prior to the scheduled date of poll) about the non-receipt
 of ballot papers and also expressed their suspicion of rigging the election
 process. But the response is nil from the Returning Officer for such
 representations. After observing the insensitiveness to the issue, Dr.K.Krishna
 Kumar, one of the contestant from A.P.has approached the Hon'ble High
 Court, Andhra Pradesh on 24.11.2009(23 days after the posting of ballot
 papers at New Delhi and 7 days prior to the scheduled date of poll)
 regarding the non-receipt of ballot papers by majority of the Registered

Veterinary Practitioners of Andhra Pradesh. Hon'ble High Court has passed orders to update the addresses of electors of Andhra Pradesh and to send fresh ballot papers to the updated addresses of Registered Veterinary Practitioners of Andhra Pradesh. The writ appeal filed in front of the Division Bench of Hon'ble High Court by the Returning Officer is dismissed and the writ appeal filed by the Secretary, Veterinary Council of India has been admitted and the Division Bench of Hon'ble High Court passed interim order to comply with the Single Judge order which is pending.

FACTS OF THE ISSUE :

1. More than 70% of the Registered Veterinary Practitioners of Andhra Pradesh have not received their Ballot Papers. Similar complaints are also from Gujarat Veterinary Council, Gujarat and Karnataka Veterinary Association, Karnataka.

2. VCI has not updated the addresses of Registered Veterinary Practitioners of Andhra Pradesh not even a single time for the past 14 years under the shield of Section 28 of IVC Act 1984 and Rule 7 of IVC Rules 1985 due to which more than 70% of the Registered Veterinary Practitioners addresses of Andhra Pradesh are wrong in the Final Electoral Roll published by the VCI.

**A.P. Veterinary Council, Andhra Pradesh sent a detailed list of 405 pages containing the change of addresses, deletion of names due to non-renewal and also due to death vide letter No.28/APVC/VCI-e-roll/2006, Dt.25.05.2006 but not considered by the VCI.

**A.P. Veterinary Council, Andhra Pradesh sent the whole list of Registered Veterinary Practitioners of A.P. with changed addresses in the form of C.D. vide Lr.No.706/T/2009, Dt.20.08.2009 for updation of addresses of thousands of Registered Veterinary Practitioners of A.P., but not considered by the VCI.

Rule 8 (1) of IVC Rules 1985 clearly states that "The Secretary shall, after disposing of the claims and objections under Rule 7, prepare a list of amendments to carry out his decisions under the said rule and to carry out any clerical or printing error and other inaccuracies subsequently discovered or brought to his notice in the roll**"

**** Section 28 of IVC Act 1984 states that "Every person registered in the Indian veterinary practitioners register shall notify any transfer of the place of his residence or practice to the Council and the State Veterinary Council within ninety days of such transfer, failing which his right to participate in the election of members of the Council or a State Veterinary Council shall be liable to be forfeited by order of the Central Government either permanently or for such period as may be specified therein."**

With the information brought by the A.P.Veterinary Council vide Lr.No.706/T/2009,Dt.20.08.2009,VCI should have taken initiative either to update the changed addresses of the Registered Veterinary Practitioners under Rule 8(1) of IVC Rules 1985 or to forfeit their right to participate in the elections under Section 28 of IVC Act 1984. But nothing was done by the VCI leading to all the complications of post-election notification process.

3. It is a fact that the Returning Officer has allowed the following 17 candidates as contestants even after the addresses on the Nomination Forms(the Gazette of India Notification dated 27.10.2009) are not matching with the addresses of Final Electoral Roll which is contrary to the IVC Act 1984 and Rule 13(2) of IVC Rules 1985.

Sl. N o.	Electo ral. Numb er	Name of the Contestant	Address as per Final Electoral Roll-2009	Address as per the Gazette of India,Dt.27.10.2009
1	22711	Akhilesh Kamal	c/o Shanti Sori 42 Amritnagar Behind NDSE-I New Delhi 110003 Delhi	B-56,Krishna Enclave, West Model Town,Ghaziabad-UP 201001
2	23401	Bhuktar Vishwanath	A/P Moregaon Tal Pathre distt.Parbhani Maharashtra	House No.2538,1-Rajani Apt. Behind Shitole Market.Anandna -ar Old Sangvi,Pune-411027 M.S.Old Sangvi-411027
3	1158	Brijendra Singh Dahiya	Doctor's Residence Vet.Hosp Najafgarh N D 43 Delhi	38,Amba Enclave,Sector-9, Rohini,Delhi-110085
4	18395	Islamuddin	Veterinary Hospital,Jodhpur Rajasthan	227 Devpuri,Behind Eidgah, Meerut-250002
5	24968	Ingale Sandeep Vinayakrao	KV Deshmukh Behind Munibai SSCH Amborpeth Amravati Maharashtra	Narmada Niketan Beside SSD,Apartment,Near Samarth Health Club,Shankar Nagar Road,Suraj Nagar,Amaravati, Maharashtra-444607
6	7368	Kuldeep Ahlawat	19 Lake View Appts,Sector-9 Rohini,Delhi-85	B-1/702 Varun Apartment, Sector-9,Rohini,Delhi-82

7	11333	M.G.Govindiah	No.122, Wheeler Road, Coxtown, Bangalore 560005 Karnataka	19, Santhosh Vihar Phase-2, (18 th Cross Jakkur Layout), Jakkur Road, Sahakara Nagar Post, Bangalore-560092
8	13494	Nem Singh	Central Institute Research Goats, Makhdoom, PO Jarah Mathura Uttar Pradesh	1/2 Sem Road, Shipra Sun City, Indira Puram, Ghaziabad-201014 (UP)
9	4501	Balakrishnan P.P.	Associate Dean Veterinary College Pookotte Wyanad Lakkidi P.O.Kerala	33/924-A, Sourabyam Poolakada vu Road, Kozhikode (District), Marikunnu P.O.673012, Kerala
10	6526	Gajender Singh Jakhar	VPO Akeri (Rohtak) Haryana	755, Sector-4, Panchkula, Haryana 134112
11	7747	Mukhopadhyay Sunil kumar	31, Beni Banerjee Avenue Calcutta-31 West Bengal	HOD/Pathology, F/O VAS, WBUAFS, 37, K.B.Sarani, Kolkata, P.O.Belgachia-700090
12	3460	Binod Bihari Dash	VAS Baideswar Cuttack Orissa Orissa	150 P, Sector-IV, Pushpa Vihar, New Delhi-110017
13	17528	S.Yathiraj	8/5, 4 th A Main Road Obalappa Garden Jayanagar 560082 Karnataka	21, 4 th A, Main Road, Obalappa Gardens, Jayanagar, Bangalore-560082
14	14916	Sampath K.T	Director National Institute of Animal Nutrition and Physiology Adugodi Bangalore 560030 Karnataka	No.VI/I, NIANP Quarters Adugodi P.O.Bangalore-560030
15	29096	Srinivasa Reddy.M	Vety Asst Surgeon Vety Dispensary Vallabhapuram Guntur Dist Andhra Pradesh	Associate Professor & Member, board of Management, Sri Venkateshwara Veterinary University, Deptt. of Veterinary & AH Extension, College of Veterinary Science, Rajendranagar, Hyderabad-30, Andhra Pradesh
16	20081	Sushovan Roy	Asstt.Prof.Dept.of Medicine College of vety sci&AH Durg, Madhya Pradesh	MIG-647, Professor & Head, Deptt. Of Vet Med. Padmanabhpur, Durg-491001 (C.G.)
17	29808	Wankhade Vinod Narayanrao	A/P Mangrul Bhilapur Tal Morshi Dist Amravati 444901 Maharashtra	Sampada, Sraswati Colony, Rathi Nagar Amravati, Maharashtra, Shivaji Nagar Amravati-444603

4. For any election identity of the voter is very important. Regarding General Elections, the identity of the voter will be confirmed by examining the identity proof (anyone of the 15 types of prescribed documents) of the voter before issuing the ballot paper to the voter to avoid rigging. Whereas in this election there are only two sources to confirm the identity of the voter :

1. Postal Address of the voter
2. Signature of the elector attested on the Declaration Paper which is sent to the Returning Officer along with the voted Ballot Paper.

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With regard to 'Postal Address of the voter'-it is a admitted fact by the Secretary, VCI that the updation of the changed addresses of the electors has not taken place. With this more than 70% of the voter's identity of Andhra Pradesh is in question mark.

With regard to the 'Signature of the elector attested on the Declaration Paper which is sent to the Returning Officer along with the voted Ballot Paper'-there is no mechanism with the Returning Officer to verify the signature of the voter attested on the Declaration Paper whether it is genuine or not. This is not limited to the voters of Andhra Pradesh only, but also to all the voters all over India.

It is clearly evident that the only two sources available to identify the voter in this election are totally failed to establish the identity of the voter.

So without a mechanism established for verifying the genuinity of the signature of the elector attested on the Declaration paper, there is no option left for the Returning Officer to comply the Rule 18(3) of IVC Rules 1985.

5. There is no accountability lies over the Returning Officer or on Postal authorities regarding the undelivered ballot papers since the ballot papers are sent under Certificate of Posting.

Hence there is each and every possibility of rigging of votes by forging the signature of the elector on declaration paper by grabbing the undelivered ballot papers by managing the Postal authorities at New Delhi.

6. As per the unidentified sources, the pattern of receipt of voted ballot papers by the Returning Officer at New Delhi is as follows :

- From 01.11.2009 to 26.11.2009 (26days).....2,000 ballots (approximately)
- On 27.11.2009 (single day)5,000 ballots (approximately)
- On 28.11.2009 (being a postal hoilday).....1,000 ballots (approximately)
through courier
- On 29.11.2009 (being a public holiday).....NIL ballots
- On 30.11.2009 (being the last day of polling)..12,000 ballots (approximately)

It is apparent that more than 16,000 ballots papers received from 27.11.2009 to 30.11.2009 are posted at New Delhi itself and all of them are suspected to

be forged and leading to the establishment of suspicion of rigging of election as expressed by the A.P.Veterinary Council,Andhra Pradesh and the A.P.Veterinary Association,Andhra Pradesh in their representations Dt.17.11.2009.

Hence we request the Hon'ble Union Minister to look into the matter and consider the following for a perfect and meaningful election.

- 1.Kindly implement the order of Hon'ble High Court of Andhra Pradesh
- 2.Kindly establish a mechanism/procedure to verify the genuinity of signatures of the electors attested on the Declaration Papers before the date of counting of votes in order to confirm the identity of the elector.
- 3.Kindly send the fresh ballot papers through Registered post only.

Thanking You Sir.

Yours sincerely,

Auth. 25.02.2010
 1. (Dr.K.KRISHNA KUMAR)
 Contestant with Sl.No.25
 VCI Elections-2009

A. Sitaram
 2. (Dr.Kuchewar A Sitaram)
 Contestant with Sl.No.27
 VCI Elections-2009

**Copy submitted to the Secretary, Dept.of A.H.,Dairying&Fisheries, Ministry of Agriculture,Krishi Bhavan,New Delhi.