

JUSTICE RAJESH TANDON

Senior Advocate, Supreme Court of India
Former Judge Uttrakhand High Court

Former Chairperson Cyber Appellate, Tribunal Govt. of India New Delhi
Former Chairman Law Commission Uttrakhand
Former Member Human Rights Commission Uttrakhand
Former Chairman Higher Technical Education (Fee and Admission Uttrakhand)

Reference to my recommendations date 03.12.2020 objections have been received from the respective states, The same are disposed of as under.

1. West Bengal

From the record it is evident that Mr. Swapan Banerjee, who has been recommended, is continuing as Secretary, whereas Mr. Inderjeet Singh being not an active member. Mr. Swapan Banerjee has also attended the last four AGM meetings. Therefore the representation in the matter of Mr. Swapan Banerjee cannot be interfered.

2. Tamil Nadu

It has been brought to my notice, order dated 09.06.2020 that the matter of the State of Tamil Nadu pending in O.S. No. 6561/2019 in C.S. No.840/2018 the details are quoted below.

"IV ADDITIONAL CITY CIVIL COURT CHENNAI-104

Hon'ble high Court in C.S No. 840/2018 as transfer to city Civil Court and renumbered has O.S.No. 6561/2019 pending before this court IV Additional City Civil Court. Hence, you are directed to appear before this Court for hearing on 17.09.2020 at 1030 a.m. without fail."

In view of the above according to the Returning Officer, the representation sent by the state shall be subject to the final result of the suit itself. However, let the representation of Tamil Nadu may remain as it is, as per recommendation dated 03.12.2020.

3. Dadra and Nagar Haveli and Daman and Diu(U.T)

Dadra and Nagar Haveli and Daman & Diu were two separate Permanent Member Union Territories prior to 2020. However, by virtue of Government of India notification dated 19th December, 2019 [S.O. 4542 (E) & S.O. 4543 (E)], the Dadra and Nagar Haveli and Daman & Diu (Merger of Union Territories) Act, 2019 was



notified and therefore proclaiming the two UTs as one. The provisions of the Act became effective from 26.01.2020.

In view of above, allowing 4 votes from the UT of Dadra & Nagar Haveli and Daman and Diu, will amount to violation of the NSDC, 2011 of Government of India.

Considering these facts and present circumstances, I therefore deem fit and proper to allow 1 representative each from Dadra & Nagar Haveli and Daman and Diu in the electoral college – Form-I.

My findings therefore are confirmed as under:

West Bengal

Mr. Asit Banerjee
Mr. Swapan Banerjee

Tamil Nadu

Mr. Pon Bhaskaran
Mr. Mohan. S

Dadra and Nagar Haveli and Daman and Diu(U.T)

Mr. Rajesh Desai
Mr. Amarjit Singh


Justice Rajesh Tandon
(Returning Officer)

Dated: 04.12.2020