

Current Scenario with Questions and Answers on Organizational Matters

Some People in their quest to gain political mileage are trying to create confusion and trying to spread misinformation about delay in declaration of election while they themselves are responsible for today's situation.

We are giving some QUESTION & ANSWERS on this issue

Question (1). Why Elections could not be held on time ?

Answer : *After Amendments in May 2015 in CWC Mathura and its approval by Asstt. Registrar of Societies Allahabad Elections were duly notified on 29th June 2016 and Election Process were started. We followed the same procedure which was followed for approval of Amendments in 2013 and Elections in 2013 were conducted as per these byelaws.*

Question (2). Why the process was stopped ?

Answer : *Sh. Ashwani Dagar filed a civil suite in Hon'ble High Court New Delhi questioning the procedure of Amendments and its Approval. He also challenged the Amendment to increase the eligibility to contest from two terms to three terms.*

Question (3). When was the stay on election imposed ?

Answer : *In hearing of this suite on 11.09.2015, Hon'ble High Court Delhi, has directed that the amendments in the ARTEE Election Byelaw should be approved by General Board Meeting (GBM) of ARTEE as per clause 50 of the constitution of ARTEE with the prior Approval of bylaws by Department (copy enclosed). Till the next date of hearing i.e. 11.12.2016 the Election Process was stayed.*

On 20.11.2015, the General Body Meeting of ARTEE held in Allahabad and passed the Amendments including the three term eligibility for contesting elections. ARTEE submitted compliance report in High Court.

On Next date of hearing i.e. on 10.12.2015, Hon'ble Court transferred both the civil suite ie. By Ashwani Dagar and by Prokash Chakraborty to District Court Patiala House, New Delhi due to new legislation to deal suites only of value of more than 2 crores in Hon'ble High Court. (copy enclosed).

Question (4). Whether the stay is intact or Over ?

Answer : *In hearing of 11.09.2015 the stay was imposed till next date i.e. 11.12.2015. In the Court order of hearing dated 11.12.15 nothing was said about the stay. So the case is transferred as it means stay is intact.*

As mentioned in the beginning some people are unsuccessfully trying to spread confusion about stay and accusing us for delaying election.

My humble request to these people – Why did not they file an application in Hon'ble District Court to make the position clear "whether the stay is intact or not ?". Hon'ble Court will issue a direction.

My another question to these people is "Why they have not done this till now ?". But the purpose is to malign Central body even when they themselves are responsible for the stay.

They are trying to pressurize us through letters from few Members, through Passing Resolutions against Cenral Office and informing Authorities, but did not bother to ask the same question to the Hon'ble court. These are all Anti Association Activities.

Steps taken for Election by Central Office

[1]. Registration of ARTEE Renewed : As we know, the Registration of ARTEE was expired on 10th Oct 2015. We were not applying for Renewal because at the time of applying we have file an Affidavit that this Association is free from any litigation. So if we submit that two civil suites are pending in Court then they will ask for details and it will be tough to get the Registration Renewed.

When plaintiff quoted this in Court we were compelled to apply on 29.06.16. As we were apprehensive Asstt. Registrar of societies refused to Renew it due to civil suites filed by Ashwani Dagar & Prokash Chakraborty. Complaint of Sh. Prokash Chakraborty was also the hurdle. They called us for appearing on 29.07.16 but the date was postponed and again called on 23.09.16.

On 23.09.16, President appeared before Asstt. Registrar of societies, Allahabad, He convinced Registrar & he agreed to give conditional Approval of Renewal of Registration for 2015-2020. It is pertinent to mention that it is done despite two court cases against ARTEE & a complaint in Allahabad.

[2]. Submission of byelaws to Asstt. Registrar of Societies for Approval :

Byelaws approved by Prasar Bharati and General Body Meeting held at Allahabad are submitted to Asstt. Registrar Sociteies for Approval.

[3]. Preperation of Voter list : The work is going on as per data of RSA Subscriptions sent.

So we are ready to declare election on disposal of both the Civil Suites by Ashwani Dagar and Prokash Chankraborty and fulfilling Statuary Complainces. The same thing explained in Affidavit filed by me on 09th May 2016.

At the end I once again ask the Sh. Ashwani Dagar and Sh. Prokash Chakraborty :

If they think that stay is not intact and it has expired – Why they not filed an Application in Court of law to clear this point?

But their and their Supporter's purpose is to malign the Central Office of ARTEE and nothing else, while the themselves are the creator of these problems.

Umesh Chandra,

**President, ARTEE and Respondent 1 and 2 in
Civil Suites 111/2016 and 113/2016.
District Court, Patiala House, Delhi**