

In the matter of elections to the Board of Governors of The Daly College Society

Order on the objections submitted by Mr. Rajesh Agrawal, Mr. Jayesh Patel, Mr. Neeraj Desai and Mr. Jai Singh Jhabua

Although the election nomination forms submitted by Mr. Rajesh Agrawal, Mr. Naresh Patel and Mr. Neeraj Desai were accepted, they were not required to be granted an opportunity of hearing against rejection of nomination papers on 03.05.2026 but they suo moto appeared on 03.05.2026 and submitted objections. Similarly, Mr. Jai Singh Jhabua who is not even a candidate and voter under the founder donor i.e., 2(b)(i) category also submitted objections on 03.05.2026.

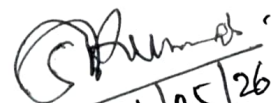
Though these objectors have no locus standi to prefer any objections qua rejection of nominations of candidates of 2(b)(i) Founder Donors Category, yet with a view to ensure transparency in the election process, I have requested the Secretary not to issue any outstation ballot papers today.

The objections submitted are to the following effect :-

Objections of Mr. Rajesh Agrawal -

1. Mr. Rajesh Agrawal did not submit any objection in writing, however, vide mail dated 03.05.2026 at 8.28 pm he has raised two points (1) the order of hearing dated 03.05.2026 has not been uploaded till 8.20 pm; and (2) he requested me to give appropriate direction to the concerned officer regarding the other matter raised during the hearing particularly about the


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- inspection of ballot papers being inserted in envelope and dispatched to post office.
2. During the hearing he has raised an issue regarding ballot paper as well as the guidelines not being uploaded on 27.04.2026 as also that nomination form availability and submissions dates were too close and difficult for outstation candidates to participate.
 3. As far as non-uploading the guidelines dated 27.04.2026 is concerned, I have passed a detailed order on 03.05.2026 wherein I have stated that in fact I have myself verified that said guidelines were uploaded but they were uploaded beneath the order dated 27.04.2026 which has created all this confusion. Further, I have relied upon Section 33 of the Representation of People Act 1951 and therefore, this objection has no basis.
 4. I would also like to point out here that as the nomination forms of Mr. Rajesh Agrawal have been accepted he has no locus standi to raise objection about election nomination form, yet with a view to ensure transparency in election process, I have heard him.
 5. So far as nomination form availability and submission dates being too close are concerned, the election programme was published on 21.04.2026 and objections were invited to it which were decided on 27.04.2026 and therefore, now such an objection cannot be raised. Further, it has to be borne in mind that the term of the present board has already expired on 13.12.2025 and was extended up to 13.6.2026 so the elections have to be

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conducted in such a manner that a new board is formed by or before 12.06.2026 and therefore, the said election schedule was framed by me.

6. His last objection is about ballot dispatch process. In order to maintain transparency in the matter, I have decided that I will be personally looking after the dispatch of all the outstation ballot papers. I have also directed the Secretary of the Society to maintain a register of dispatch of all postal ballot papers with name of person to whom the responsibility of dispatch of ballot papers is given. Further, I invite all the candidates contesting for new donor category i.e. 2(b)(ii) category to be present when postal ballots are issued.

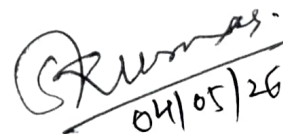
Objections of Mr. Jayesh Patel –

Now, coming to the objections raised by Mr. Jayesh Patel who was accompanied by his advocate Mr. Rohit Jain. At the outset, I must say that an ex-student of such a prestigious institute like the Daly College should understand the gravity of the words that he is using. Be that as it may, now I will deal with said objections and the objections raised by Mr. Jayesh Patel were to the following effect: -

- (i) Report of scrutiny of nomination papers were uploaded on 5.50 pm and not 5.00 pm. In this regard, it is pertinent to note that no time frame was fixed and immediately on scrutiny of nomination forms an order was dictated and thereafter it was uploaded.

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- (ii) That the election process was issued on 21.04.2026 whereas the order accepting the amendment of the society was passed by the Registrar on 24.04.2026 then how come the elections schedule is as per the amended by-laws. In this regard, it is pertinent to mention here that as already averred above, as the term of the board has already expired on 13.12.2025 and extended term of the board is also expiring on 13.06.2026 and therefore, considering all the facts and with a view to ensure that a new board is constituted before 12.06.2026, the election process and guidelines were prepared. Even otherwise, vide order dated 27.04.2026, I have already decided that elections will be held as per the amended by-laws of society.
- (iii) The next submission that the order passed allowing the amendment of the by-laws by Registrar is cryptic and two line order which I should not have accepted particularly when the matter is sub-judice. In this regard, I have already held in my order dated 27.04.2026 that the elections will be held as per the amended by-laws and that once the amendments are registered, they are deemed to be valid and have come into force. I, being the Election Officer, cannot go into the validity or legality of the amendments.
- (iv) Another objection has been raised that the guidelines have not been uploaded on 27.04.2026. This objection has already been decided vide my order dated 03.05.2026 as well as in this order while dealing with the objection of Mr. Rajesh Agrawal hence the same is not being decided again.
- (v) The other objection pertains to providing copies of all documents and all nominations received. In this regard, it is relevant to mention that a date i.e.

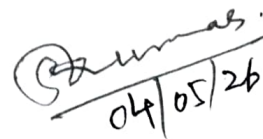

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02.05.2026 was fixed for scrutiny of nomination papers and on that day all nomination papers were available for scrutiny of all candidates, but no one appeared despite having knowledge that scrutiny of nomination papers is going to take place. So now if they want copies of said documents they should apply under the process known to law so that certified copy of documents can be provided to them.

- (vi) The objection that I should have rejected the nomination of all who has taken more than two nomination form cannot be raised by candidate whose nomination has been accepted. Further, it is not germane to be decided here and scrutiny of nominations is complete and order dated 03.05.2026 is passed.
- (vii) As regards objection or in fact an allegation that the complainant has indisputable evidence that the guidelines are afterthought and they are forged and manufactured guidelines specially to target certain candidates are without any basis and are therefore denied. I strongly object to the language used by Mr. Jayesh Patel who appears to be an educated person and dismiss his objection adjudicating that firstly he has no locus to object because his election nomination form has been accepted. Secondly, it appears that he has filed objection at the behest of some person whose election nomination form have been rejected and raising allegations without substantiating the same calls for no adjudication.

Objections of Mr. Neeraj Desai –

Mr. Neeraj Desai has raised an objection that he should be provided with complete


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documents of nomination received. This objection has been raised by all and it is to bring into their kind notice that in the election schedule it was categorically mentioned that nomination would be scrutinized by Election Officer then the least that was expected of the candidate was to remain present at the time of scrutiny of nominations. Having missed the train now asking for documents and nomination received is an afterthought but I would like to advise them though it is not my duty that they should follow the process for getting these documents as prescribed under the law. Further, during oral hearing Mr. Neeraj Desai has raised objection about delay in uploading report dated 02.05.2026 on scrutiny of election forms. In this regard, as per election schedule, the scrutiny of nomination was to be done on 02.05.2026 and thereafter this office has passed an order and uploaded it on the website of the Daly College on 02.05.2026. The process of hearing, dictating the order, checking the order etc. took time still the order has been uploaded on the same day and no time for its uploading was fixed and only date was fixed. Hence this objection is without any basis and is hereby rejected.

Objections of Mr. Jai Singh Jhabua –

The objection of Mr. Jai Singh Jhabua is to the effect that he has taken two forms in the name of his father who was the proposer of Mr. Anirudh Pratap Singh Dotriya. In this regard, he was informed about the provisions of Section 33 of the Representation of Peoples Act, 1951 as well as the fact that the candidate either himself or proposer has to come to present the election nomination form. He has also raised an objection that the election schedule was published in Dainik Bhaskar which is not widely circulated newspaper and 80% of the candidates of Founder Donors i.e., 2(b)(i) category are outstation candidates who could not have probably seen the election schedule. This objection is baseless for obvious reasons because

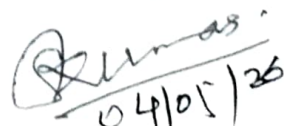
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none of the said outstation voters have come forward to raise objection. Further, Dainik Bhaskar is one of the most circulated newspapers and in any case, the election schedule was also available on the website of the Society. He has also raised an objection on Mr. Om Singh Chouhan who is an employee of the Society and is engaged in the election duty to the effect that that he is influencing a candidate. In this regard, the said allegation is vague and is not supported by any evidence whatsoever. Hence, this office cannot take cognizance of any such vague allegations.

Mr. Jai Singh Jhabua has also submitted that one nomination paper was issued on 27.04.2026 whereas the date of issuance of nomination paper was to start from 28.04.2026. Again the said allegation is baseless as no evidence whatsoever in support of said allegation has been made and I have checked the form issuance register wherein the election nomination papers were commenced from 28.04.2026.

The objection raised that the team of Election Officer after deliberation with undersigned had allowed to submit the nomination forms to candidates who have not appeared in person or through their proposer is also a baseless and vague allegation.

Thus, all the objections raised by **Mr. Rajesh Agrawal, Mr. Jayesh Patel, Mr. Neeraj Desai and Mr. Jai Singh Jhabua** are rejected. Further, it is directed that this office has permitted all candidates to remain present at the time of dispatch of outstation ballots. The work of dispatch of outstation ballots will now commence from 05.04.2026 from 10 am to 5 pm and any candidate or his duly authorized agent carrying original authorization of the candidate can oversee the said dispatch of ballot papers. Further, I direct the Secretary of the Society to make arrangements


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JUSTICE SUSHIL KUMAR GUPTA
Former Judge, Madhya Pradesh High Court
Election Officer

Office: Darbar Hall
The Daly College, Indore

for video graphing the process of dispatch of ballot papers as also to inform all candidates by dropping a message on their WhatsApp.

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JUSTICE SUSHIL KUMAR GUPTA (RETD.)

ELECTION OFFICER

04/05/2026