

BEFORE THE MAHARASHTRA STATE ADMINISTRATIVE

TRIBUNAL, MUMBAI BENCH

ORIGINAL APPLICATION NO. _____ OF 2024

BETWEEN

SHRI. TANAJI DILIP BARADE

APPLICANT

V/S.

STATE OF MAHARASHTRA AND OTHERS

RESPONDENTS

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PUNE :
DATED : 20/10/2024

(ADVOCATE FOR THE APPLICANT)
(PUNAM MAHAJAN)

**BEFORE THE MAHARASHTRA STATE ADMINISTRATIVE
TRIBUNAL, MUMBAI BENCH**

ORIGINAL APPLICATION NO. _____ OF 2024

BETWEEN

SHRI. TANAJI DILIP BARADE

APPLICANT

V/S.

STATE OF MAHARASHTRA AND OTHERS

RESPONDENT

SYNOPSIS AND LIST OF DATES

The Applicant is aggrieved by the order dated 15/10/2024 issued by the Election Commission of India, whereby the applicant is to be kept out of election duties and also the orders issued in pursuance of the order dated 15/10/2024, i.e 16.10.2024, 17/10/2024 and 20/10/2024,

12/03/1987 – Date of birth of the Applicant.

02/05/2015 – The Applicant joined the Government service as Deputy Superintendent of Police.

- 06/02/2024 – The Election Commission of India issued a direction to place the Applicant under suspension and initiate disciplinary proceedings.
- 08/02/2024 – The Applicant was suspended by the order of the Respondents.
- 15/02/2024 – The Hon'ble Tribunal directed the Respondents to keep the posts of the Applicant and the other two officers vacant.
- 19/03/2024 – The Hon'ble Tribunal heard Original Application Nos. 205, 206, and 207 of 2024.
- 02/04/2024 – The Hon'ble Tribunal delivered its judgment in favor of the Applicant, quashing the suspension order.
- 22/04/2024 – The Election Commission of India directed the Chief Secretary, Government of Maharashtra, to

implement the Tribunal's order regarding the reinstatement of the Applicant and other officers.

25/04/2024 – The Applicant was reinstated in service as per the Tribunal's direction in OA No. 207 of 2024.

26/04/2024 – The Hon'ble High Court of Bombay disposed of the petition, considering that the Applicant had been reinstated.

13/05/2024 – The Applicant was assigned election-related bandobast duty at the main gate of the strong room on 20/05/2024 and 30/05/2024.

23/05/2024 – The Election Commission of India issued an order stating that the Applicant should not be assigned any election-related duties.

03/06/2024 – The Respondents directed that the additional charge of the Applicant's election work be

handed over to Shri Bhausaheb Dhole, SDPO
Haveli Division.

23/08/2024 – The departmental enquiry against the Applicant
was closed, and it was decided that no further
action was required.

31/07/2024 – The Election Commission of India issued
guidelines for the 2024 Legislative Assembly
elections regarding the assignment of duties to
officers with pending disciplinary action.

21/09/2024 – The Respondents gave election responsibility to
the Applicant.

05/10/2024 – The Applicant was sent for election training as
per the order from the Respondents.

15/10/2024 – The Election Commission of India issued an
order to keep the Applicant out of election
duties.

16/10/2024 – The Chief Electoral Office informed the Divisional Commissioner, Pune, to take appropriate action as per the 15/10/2024 order.

20/10/2024 – The charge of the Applicant's election work was transferred to another Deputy S.P., Shri. Dilip Shinde.

Grave injustice and prejudice has been caused to the Applicant.

Hence this Petition.

(ADVOCATE FOR THE APPLICANT)
(PUNAM MAHAJAN)

PUNE :
DATED : 20/10/2024



20 OCT 2024

1

**BEFORE THE MAHARASHTRA STATE ADMINISTRATIVE
TRIBUNAL, MUMBAI BENCH**

ORIGINAL APPLICATION NO. _____ OF 2024

BETWEEN

SHRI. TANAJI DILIP BARADE

APPLICANT

V/S.

STATE OF MAHARASHTRA AND OTHERS

RESPONDENTS

1) DETAILS OF THE APPLICATION:

PARTICULARS OF THE APPLICANT

Shri.Tanaji Dilip Barade

Age-36 years

Working as Sub Divisional Police Officer,

Bhor, Pune Rural

Saswad, Tal. Purandar

Dist.Pune.

Residing at- At Post- Raogaon, Tal. Karmala

Dist. Solapur

Mob No - 9028456113.

E-mail: - tanaji-barade@rediffmail.com

Address for service of notice
Same as above

APPLICANT



2) PARTICULARS OF THE RESPONDENTS

1. State of Maharashtra

Through Additional Chief Secretary,
Home Department, Mantralaya,
Mumbai – 400 032.

2. The Collector,

Opposite Sassoon Hospital,
Station Road,
Pune- 411 001.

3. The Superintendent of Police,

Pune Rural, Chavan - nagar, Pashan Road
Pune-411 008.

Email- sp.pune.r@mahpolice.gov.in

4. Additional Chief Secretary & Chief Electoral Officer,

General Administration Department
5th Floor Mantralaya,



Mumbai -400032

5. Election Commission of India,

Nirvachan Sadan,

Ashoka Road,

New Delhi – 110001

Email – cec@eci.gov.in

*Address for service of notice
Same as above*

RESPONDENTS

**3) PARTICULARS OF THE ORDER AGAINST WHICH
THE APPLICATION IS MADE :**

DATE :

ORDER NO. :

SUBJECT IN BRIEF :

The Applicant is aggrieved by the order dated 15/10/2024 issued by the Election Commission of India, whereby the applicant is to be kept out of election duties and also the orders issued in pursuance of the order dated 15/10/2024, i.e 16.10.2024, 17/10/2024 and 20/10/2024.

4) JURISDICTION OF THE TRIBUNAL

The Applicant declares that the subject matter of the order against which he wants the redressal is within the jurisdiction of the Tribunal.

5) LIMITATION :

The Applicant further declares that the application is within the limitation period prescribed in section 21 of the Administrative Tribunal Act, 1985.

6) FACTS OF THE CASE :

6.1. The Applicant, a State Government employee, serves as a Sub Divisional Police Officer in Bhore, Saswad, Pune Rural, Saswad, Tal. Purandar, Dist. Pune, within the Home Department, the Applicant was born on 12/03/1987 and belongs to the Open Category. Commencing Government service on 02/05/2015, the Applicant began their journey as a Deputy Superintendent of Police.





6.2. The Applicant is aggrieved by the order dt. 15/10/2024, issued by the Respondent no. 5 to keep the applicant out of the election duties.

Copy of the order dt. 15/10/2024 is annexed and marked as **Annexure A1.**

6.3. The brief fact of the case are as under :-

The applicant submit that the Election Commission of India had directed by the letter dated 06/02/2024 to place the applicant under suspension immediately and also initiate disciplinary proceedings. This direction was given in reference to the applicant, Sub- Divisional officer and Sub Divisional police officer. This was in reference to the incidence of theft of control unit of E.V.M. from strong room in Pune District these were demo units.

Copy of the letter dated 06/02/2024 is annexed and marked as **Annexure-A2.**

6.4. The applicant submits that the Applicant was suspended by the order dated 08/02/2024.

Copy of the suspension order dated 08/02/2024 is marked as **Annexure A3.**

6.5. The applicant challenged the Suspension order before this Hon'ble Tribunal by filing O.A. 206/2024. It will be pertinent to note at this juncture that the order two officers who were suspended along with the applicant S.D.O Varsha Lange and SDPO Tanaji Barade, they had filed Original Application no. 205/2024 and 207/2024 respectively. The O.A. were heard on 15/02/2024.

- The Hon'ble Tribunal was pleased to direct the Respondents that the post on which the Applicant and other 2 officers were serving which were to be kept vacant.

Copy of the order dt. 15/02/2024 is annexed and marked as **Annexure A4.**

6.6. The applicant submits that the Hon'ble Tribunal was pleased to finally hear the Original Application No.206 of 2024, along with the other two Original Applications 205 of 2024 and 207 of 2024 dated 19/03/2024. The judgement in these Original Applications was pronounced on 02/04/2024. The Hon'ble Tribunal has given a very specific finding in favor of the



applicants. The relevant portion of the judgement is reduced here and below for the sake of the reference and convenience-

“...

39. *It appears that the protocol of EVM/VVPAT (i) during Non-election period and emergency-movement/shifting of EVMs with proper security and safety arrangement of EVMs warehouse/strong room and (ii) The protocol of EVM/VVPAT for training and awareness and storage protocol are different. In 36 O.A. 205, 206 & 207 all of 2024 terms of clause No. (a) of para No. 5.6, which is titled as „**Storage Protocol**’, the EVMs (Training & Awareness) shall be stored in a **separate designated warehouse**, not below the sub-division headquarters with proper security and lock. It appears that the strength of security has not been specifically directed and it is only prescribed as proper security and lock. Unfortunately, the applicants have been made prima-facie responsible for the lapses on their part in not following the security protocol, which is not meant for the VM/VVPAT for training and awareness.*



40. *It is well settled that the Government servant should not be suspended without their being any sufficient justification. The Disciplinary Authority should exercise their discretion with utmost care and caution. The general principle is that ordinarily the suspension should not be ordered unless the allegations made against the Government servant are of serious in nature and on the basis of evidence available there, a prima-facie case is made out for their dismissal or removal. It is also settled position that the suspension is a device to keep the delinquent out of the mischief range. The purpose is to complete the proceedings unhindered. Suspension is an interim measure in the aid of disciplinary proceedings so that the delinquent may not gain custody or control of papers or take any advantage of his position. In the instant case it appears that all the applicants have been suspended without any reasons and justification. The Election Commission of India has exercised the powers arbitrarily without application of mind. Prima-facie, no case is made out against the applicants for dereliction of duties and/or the negligence in performing the duties. In the given set of allegations, it is very*





unlikely that the case is made out against the applicants about their dismissal or removal. In the given set of allegations, if the departmental enquiry is initiated against the applicants, their suspension is not necessary in the aid of the departmental proceedings as there is no question that the applicants may gain custody or control of papers or take any advantage of their respective positions.

41. In the instant case, by any stretch of imagination, the applicants cannot be said to be a part of incidence of theft. It has been reported by the Superintendent of Police, Pune Rural that from the investigation it appears that breaking into the Taluka Treasury and stealing cash seems to be the motive of the thieves. In my considered opinion, the Election Commission of India has hastily directed the Chief Secretary, Government of Maharashtra to suspend the applicants. The said direction issued by respondent Election Commission of India appears to be without application of mind. The affidavit in reply filed by the respondent Election Commission of India particularly paragraph

No. 10 is reproduced herein below:-

"10. That the Answering Respondent submits that the incidence of the theft of the EVMs, is an offence under the Criminal law. It is highly sensitive issue, more so the circumstances and the timing of the theft have taken place when the Lok Sabha elections are round the corner. This would create a wrong impression in the eyes of the public and would have a negative impact on the forthcoming elections. It is also been the Election Commission's endeavor to ensure that all elections are done without any fear or favour. This theft has the capability to tarnish the reputation of the Commission which it is maintain unblemished. Further, the suspension order which is a subject matter of the application does not tantamount to punishment. It is temporary and subject to further investigation."

42. *It appears from the aforesaid paragraph that the Election Commission of India has directed the suspension of the officers to ensure that all the elections are done without any fear and favour and further to erase the negative impact on the forthcoming elections and also to maintain the reputation of the Commission. It appears that the Election Commission of India has issued suspension orders of the applicants for extraneous reasons by way*





of victimization. I agree with the submissions made on behalf of the applicants that the applicants have been made scapegoat in the entire process. To my mind, the impugned orders of the suspensions are punitive in nature. This is an arbitrary exercise of powers by the Election Commission of India, leave apart, that whether the Election Commission of India has power to direct the suspension of the offices when Section 28-A of the Representation of the People Act, 1951 prescribes that the Returning Officer, Presiding Officer, Polling Officer and any other officer appointed under this part or any police officer designated for the time being by the State Government, for the conduct of any election shall be deemed to be on deputation on Election Commission for the period commencing on and from the date of the notification calling for such election and ending with the date of declaration of the results of such election and accordingly, such officers, shall, during that period, be subject to the control, superintendence and discipline of the Election Commission.

Copy of the judgment in O.A. No. 205 to 207 is annexed and marked as **Annexure A5**.

6.7. The Hon'ble Tribunal was pleased to quash and set aside the suspension order of the applicant and direct the Respondents to reinstate the applicant on the original post of the SDPO, Bhore Divison Saswad, Purandar, District - Pune forthwith.

6.8. In the meantime, the Chief Electoral Officer filed a petition before the Hon'ble High Court of Bombay challenging the order of this Hon'ble Tribunal dated 02/04/2024. It will be relevant to note at this juncture that the Election Commission of India by its letter dated 22/04/2024 directed the Chief Secretary, Government of Maharashtra to implement the order of this Hon'ble Tribunal dated 02/04/2024 regarding reinstatement of the applicant as well as the SDO and Tahasildar. Copy of the letter dated 26/04/2024 is annexed and marked as **Annexure A6**.

6.9. The applicant in pursuance of the letter dated 22/04/2024 was immediately reinstated in service on 25/04/2024, as per the direction of the Tribunal in OA No. 207 of 2024 dated 02/04/2024. Copy of the reinstatement order of the applicant dated 25/4/2024 is annexed and marked as **Annexure A7**.





6.10. The Hon'ble High Court by order dated 26/04/2024 disposed of the petition by taking into consideration the order of the Election Commission of India dated 22/04/2024, and that the applicant has been reinstated. Copy of the order dated 26/04/2024 of the Hon'ble High Court of Bombay is annexed and is marked as **Annexure A8.**

6.11. The applicant by the order dated 13/05/2024 was assigned the election work of bandobast of the main gate of strong room on 20/05/2024 and 30/05/2024. The applicant accordingly discharged his duty and there was no untoward incident. Copy of the order dated 13/05/2024 is annexed and is marked as **Annexure A9.**

6.12. The applicant submits that all of a sudden on 23/05/2024, an order was issued by the Election Commission of India that the counting of votes is scheduled for June 4, 2024, it may be ensured that the said officers should not be assigned any election related duty. These officials may be assigned any other non-election related work as state administration deem fit. Copy of the letter dated 23/05/2024 is annexed and is marked as **Annexure A10.**

6.13. The Respondent, therefore by the order dated 03/06/2024 directed that the additional charge of the post of the applicant in relation to election work is to be given to Shri Bhausahab Dhole SDPO Haveli Divison of the letter dated 03/06/2024. Copy of the letter dated 03/06/2024 is annexed and marked as **Annexure A11**.

6.14. The applicant submits that the departmental enquiry of the applicant was closed by the order dt. 23/08/2024 considering the facts and circumstances of the case. It was decided that there was no necessity to proceed with the departmental enquiry. Copy of the closure of the department enquiry order dated 23/08/2024 is annexed and marked as **Annexure A12**.

6.16. The applicant submits that the guideline of the Election Commission of India for the general elections to Legislative Assemblies in the year 2024 is issued on 31/07/2024. The applicant crave leave of the Hon'ble Tribunal to refer to sub clause (iv) of clause (6) the same is reproduced here in below

“...

6. (iv) It is further directed that the officers/officials against whom the Commission had not recommended





disciplinary action in past and which is pending or which has resulted in a penalty or the officers who have been charged for any lapse in any election or election related work in the past, shall not be assigned any election related duty. However, an officer who was transferred during any past election under the Commission's order without any recommendation of disciplinary actions will not be, just on this ground, considered for transfer, unless specifically so directed by the Commission. A copy of the Commission's instruction number 464/INST/2008-EPS dated 23rd December 2008 regarding tracking of names of tainted officers is enclosed. CEOs must ensure its compliance.

...”

This category deals with the tainted officers. The applicant does not fall under this category as the departmental enquiry against the applicant is already closed by the order dated 23/08/2024, and therefore it cannot be said that the applicant has been charged for any lapse in any election or election related work

in the past, the applicant has once again, be victimized, which will be evident from the further factual data

Copy of the guidelines of ECI dated 31/7/2024 is annexed and marked as **Annexure A13**.

6.17. The applicant submits that the Applicant was sent by the Respondent no. 2 and Respondent no. 3 had given the Election Responsibility to the applicant by the order dt. 21/09/2024 and the applicant was sent by the order dt 05/10/2024 for training. Copy of the order dt. 21/09/2024 and 05/10/2024 is annexed and is marked as **Annexure A14**.

6.20. All of a sudden to the shock and dismay of the applicant, letter dated 15/10/2024 is issued by the Election Commission of India, whereby the applicant is to be kept out of election duties.

It will be pertinent to note that the SDO is allowed to continue at her present post and perform the election duties as Returning Officer of Purandar Assembly Constituency.





6.21. The applicant submits that the Chief Electoral Office has informed the Divisional Commissioner Pune Division Pune that in pursuance of the letter dated 15/10/2024, appropriate steps be taken. Copy of the letter dated 16/10/2024 sent to the Divisional Commissioner Pune is annexed and marked as **Annexure A15.**

6.21. The applicant further submits that by the letter dated 20/10/2024, the charge of the election work of the applicant is withdrawn and the same is given to another Deputy S.P. Dilip Shinde.


Copy of the order dated 20/10/2024 is annexed marked as **Annexure A16.**

6.22. Applicant is aggrieved by the order dated 15/10/2024, and also the orders issued in pursuance of the order dated 15/10/2024, i.e 16/10/2024, 17/10/2024 and 20/10/2024. The applicant is approaching on the following grounds amongst other grounds which are taken without Prejudice to one another.-

6.23.1 The impugned orders dated 15/10/2024, and subsequent orders on 16/10/2024, 17/10/2024, and 18/10/2024 are contrary to the findings of this Hon'ble Tribunal in O.A. Nos. 205, 206, and 207 of 2024, dated 02/04/2024. The Tribunal has explicitly held that there was no lapse on the part of the applicant, and yet, these orders have been issued arbitrarily and without any basis. The Respondents have completely ignored the Tribunal's binding directions, making the impugned orders illegal and liable to be quashed.

6.23.2 The Election Commission of India has treated the applicant arbitrarily by removing him from election duties while allowing similarly situated officers, such as the Sub-Divisional Officer (SDO), to continue their election-related responsibilities. This discriminatory treatment violates the applicant's fundamental right to equality guaranteed under Article 14 of the Constitution of India, as the applicant has been singled out without any valid justification.





6.23.3 The applicant's setting aside of the suspension by the Hon'ble Tribunal and the subsequent closure of the departmental enquiry by the Government (vide order dated 21/06/2024) clearly indicate that the applicant is not facing any charges or lapses related to his official duties. Therefore, the impugned orders issued under the pretext of "tainted officers" under the Election Commission guidelines are inapplicable to the applicant, further reinforcing that these orders are illegal and should be set aside.

6.23.4 The applicant has successfully conducted election duties for the Lok Sabha elections until 29/05/2024, without any complaints or lapses. The impugned orders imply unfounded concerns about the applicant's capability, despite his proven track record. These orders, therefore, lack merit and were passed without any objective assessment of the applicant's performance.

6.23.5 The impugned orders will tarnish the applicant's service record permanently, affecting future elections and his professional reputation. This unjust and arbitrary

decision will leave a scar on the applicant's career without any valid justification or procedural fairness.

6.23.6 The impugned orders appear to have been passed for extraneous reasons, unrelated to any alleged misconduct by the applicant. The removal of the applicant from election duties is punitive and intended to victimize him, as evidenced by the discriminatory treatment vis-a-vis other similarly situated officer.

6.23.7 The impugned orders are based on guidelines issued by the Election Commission, which pertain to "tainted officers." However, since the departmental enquiry against the applicant has been closed, these guidelines are not applicable to the applicant's case, making the impugned orders without legal basis.

6.23.8 The Election Commission of India, while issuing the impugned order dated 15/10/2024, has acted without applying its mind to the specific facts and circumstances of the applicant's case. The order has been passed in a mechanical manner, without considering the Tribunal's



earlier judgment or the applicant's clean service record. Such non-application of mind makes the order arbitrary and unsustainable in law.

6.23.9 The impugned orders were issued without following the established procedures for removal from election duties. The guidelines set by the Election Commission, particularly those concerning departmental enquiries and "tainted officers," have not been properly invoked or justified in this case. This procedural lapse renders the impugned orders illegal and arbitrary.

6.23.10 The applicant has an exemplary service record and has successfully carried out election-related duties in the past without any complaints or allegations. The impugned orders are in stark contradiction to the applicant's past performance and fail to provide any valid reasons for this sudden change. The orders, therefore, appear unjustified and motivated by extraneous reasons.

6.23.11 There is no adverse report or finding against the applicant that could justify his removal from election duties.




In the absence of any negative appraisal of the applicant's conduct, the impugned orders lack any factual or legal foundation, rendering them illegal.

6.23.12 The respondents have failed to observe administrative fairness in issuing the impugned orders. The decision to remove the applicant from election duties was taken without a proper inquiry or verification of facts, which violates the principles of fairness in administrative decision-making. This unfair treatment makes the impugned orders liable to be quashed.

6.23.13 The Election Commission of India has overstepped its authority by issuing the impugned orders. The removal of the applicant from election duties, in the absence of any pending enquiry or proven misconduct, is beyond the powers vested in the Election Commission under the Representation of the People Act, 1951. Therefore, the impugned orders are ultra vires and void ab initio.

6.23.14 The applicant had a legitimate expectation to continue his election duties based on his successful performance and





clean service record. The sudden removal without cause or explanation has violated this legitimate expectation, which is a recognized ground for challenging arbitrary administrative decisions.

6.23.15 The arbitrary removal of the applicant from election duties will not only damage his current standing but also affect his ability to be assigned crucial responsibilities in future elections. This action, therefore, has far-reaching consequences, causing irreparable harm to the applicant's professional career.

Grave injustice and prejudice has been caused to the Applicant.

Hence this petition.

7) DETAILS OF THE REMEDIES EXHAUSTED :

The Applicant says that there is no statutory remedy available to the Applicant, under the Service Rules. Therefore, except this application, there is no other alternative and efficacious remedy available to the Applicant herein.

**8) MATTER NOT PREVIOUSLY FILED OR PENDING
WITH ANY OTHER COURT :**


The Applicant further declares that he has not previously filed any application regarding the matter except those which are mentioned in this original application in respect of this application been made before any Court of law or any other authority or any bench of Tribunal.

9) RELIEF SOUGHT :

In view of the facts mentioned in paragraph (6) above Applicant pray for the following relief :

- a) That this Hon'ble Tribunal be pleased to quash and set order dated 15/10/2024, and also the orders issued in pursuance of the order dated 15/10/2024, i.e 16.10.2024, 17/10/2024 and 20/10/2024 and direct the Respondents to allow the Applicant to work on the original post of the Sub





Divisional Police Officer, Bhore, Pune Rural Saswad,
Purandar Dist. Pune, with all consequential service benefits
and allow to discharge the election duty.

b) That such orders as justice and convenience may demand
from time to time be passed in favour of the Applicant.

10) INTERIM RELIEF IF ANY PRAYED FOR :

a) That this Hon'ble Tribunal be pleased to stay the effect
and operation of the order dated 15/10/2024, i.e 16.10.2024,
17/10/2024 and 20/10/2024 till the final decision of this
original application and allow the applicant to continue to
work on the post of Sub Divisional Police Officer, Bhore,
Pune Rural Saswad, Purandar Dist. Pune

b) That pending the admission of this matter the Hon'ble
Tribunal be pleased to issue ad-interim order in terms of
prayer 10(a) and (b).

11) PARTICULARS OF THE POSTAL ORDER :

- 1) Number of the Postal Order :
- 2) Amount of the Postal Order : Rs. 50/-
- 3) Name of the Post Office : Pune
- 4) Date of the Postal Order :



12) LIST OF ENCLOSURES : AS PER
INDEX ABOVE.

(ADVOCATE FOR THE APPLICANT)
(PUNAM MAHAJAN)

PUNE
DATED: 20/10/2024



20 OCT 2024

VERIFICATION

I, Shri. Tanaji Dilip Barade, Age-37 years, working as Sub Divisional Police Officer, Bhore, Pune Rural, Saswad, Tal. Purandar, Dist. Pune. Residing at- At Post - Raogaon, Tal. Karmala Dist. Solapur. Applicant as stated in the title of the Original application, do hereby verify that the contents of paragraph nos. 1 to 6, of the original application are true to my personal knowledge and that the contents of paragraph nos. 7, 10, 11, 12 being grounds and prayers are believed to be true on legal advice and that I have not suppressed any material facts.

SIGNATURE OF THE APPLICANT

(ADVOCATE FOR THE APPLICANT)
(PUNAM MAHAJAN)

PUNE :
DATE : 20/10/2024



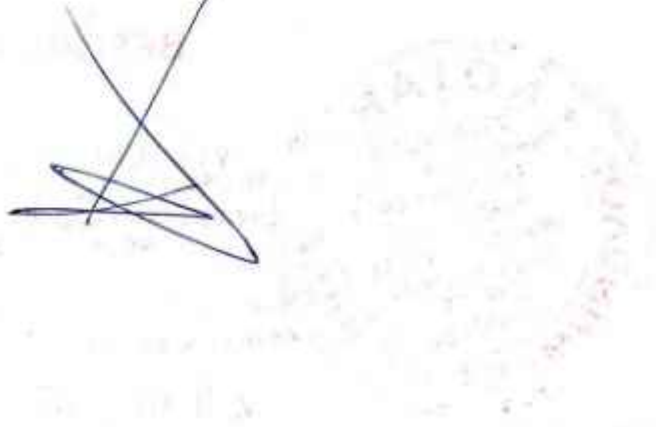
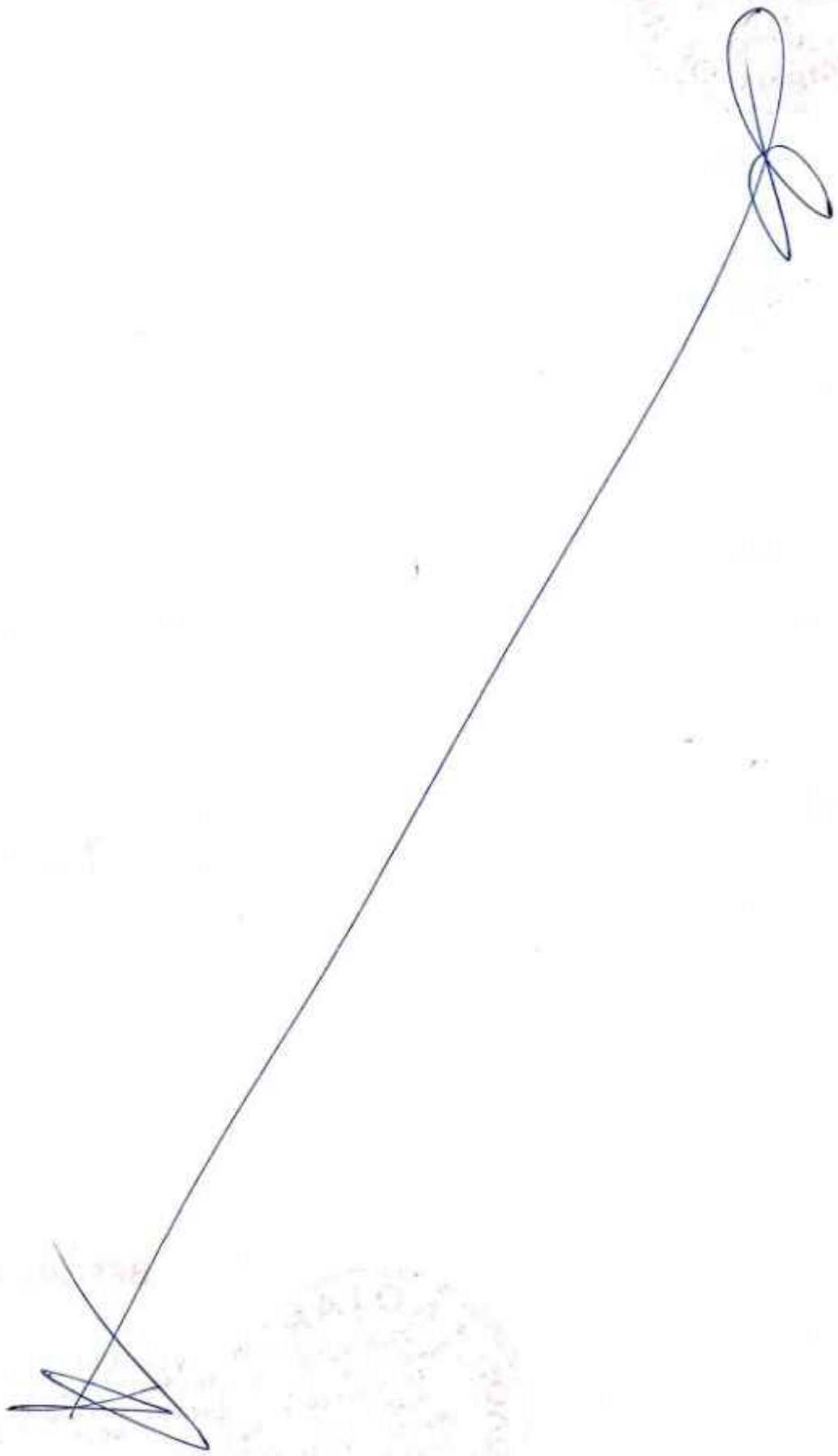
BEFORE ME

VEERENDRA S. PATIL
NOTARY (GOVT. OF INDIA)
ERANDWANA, PUNE (MAHARASHTRA)
REGN. No. 9994

NOTED AND REGISTERED AT
SERIAL NUMBER 607/2024

20 OCT 2024

607
2024



ELECTION COMMISSION OF INDIA

NIRVACHAN SADAN, ASHOKA ROAD, NEW DELHI - 110 001

No. 464/MH/2024 (EVM)/WS-II

Dated: 15th October, 2024

To

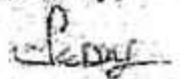
The Chief Electoral Officer
Maharashtra,
Mumbai.

Subject :- Transfer/Posting of SDO Purandar, Teshildar Purandar and SDPO Bhor-
regarding.

Sir,

I am directed to refer to your letter No. GEN-2024/C.R.27/24/33 dated 03/10/2024, on the subject cited and to convey that SDO Purandar Smt. Varsha Landge is allowed to continue at present post and perform the election duties as RO/ERO of Purandar AC. However, Tehsildar Purandar Shri Vikram Rajput and SDPO Bhor Shri Tanaji Barade shall be kept out of election duties.

Yours faithfully,



(S.K.DAS)
SECRETARY

By e-mail/Speed Post

ELECTION COMMISSION OF INDIA

NIRVACHAN SADAN, ASHOKA ROAD, NEW DELHI - 110 001

No. 464/MIH/2024 (EVM)/WS-II

Dated: 6th February, 2024

To

The Chief Secretary
Government of Maharashtra,
Mumbai.

Subject :- Theft of Control Unit of EVM from strong room in Pune District – regarding.

Sir,

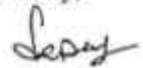
I am directed to refer to letter No. EVM 2023/C.R.701/23/33 dated 06/02/2024 of the Chief Electoral Officer, Maharashtra enclosing therewith letter No. PEE-2/KAVI/40/2024 dated 05/02/2024 of the Collector and District Election Officer, Pune regarding theft of Control Unit of EVM from strong room in Pune District (copies enclosed).

2. In view of the facts mentioned in the above referred letters, the Commission has directed that Sub-Divisional Officer, Tahsildar and Sub-Divisional Police Officer concerned be placed under suspension immediately and disciplinary proceedings be initiated against them.

3. Further, the Commission has also directed to call for an explanation from the District Election Officer, Pune and Superintendent of Police (Rural), Pune for not ensuring security protocols of 'Training & Awareness' strong room as contained in para 6(a) of Commission's letter No. 51/8/T&A/2021-EMS dated 11th November, 2021 (copy enclosed).

4. Compliance report in this respect, should be received in the Commission latest by 3.00 p.m. on 12th February, 2024.

Yours faithfully,



(S. K. DAS)
SECRETARY

Copy to :- The Chief Electoral Officer, Maharashtra, Mumbai for information and necessary action.

श्री. तानाजी दिलीप बरडे, उप-विभागीय
पोलीस अधिकारी, भोर उप-विभाग, पुणे
(ग्रामीण) यांना शासन सेवेतून निलंबित
करण्याबाबत.

महाराष्ट्र शासन
गृह विभाग

शासन आदेश क्रमांक: H.D.-12012/8/2024-ACS-MHD-Home Department (E 732472)

दुसरा मजला, मंत्रालय मुख्य इमारत,
मादाम कामा मार्ग, हुतात्मा राजगुरु चौक, मुंबई ४०० ०३२
तारीख: ०८ फेब्रुवारी, २०२४

वाचा :-

सचिव, केंद्रीय निवडणूक आयोग यांचे पत्र क्रमांक: जाक्र. ४६४/MH/२०२४ (EVM)/
WS-II, दिनांक ०६ फेब्रुवारी, २०२४

शासन आदेश :-

ज्याअर्थी सासवड, जिल्हा-पुणे येथील तहसील कार्यालयाचे कुलुप तोडून ईव्हीएम यंत्र
दिनांक ०४/०२/२०२४ च्या पहाटे चोरीस गेल्याची घटना निदर्शनास आली आहे.

ज्याअर्थी श्री. तानाजी दिलीप बरडे, उप-विभागीय पोलीस अधिकारी, भोर उप-विभाग,
पुणे ग्रामीण यांच्याकडून हाताखालील यंत्रणेला योग्य ते मार्गदर्शन करण्यास अपयश आले
आहे, त्यामुळे परिणामी सासवड तहसील कार्यालयाच्या सुरक्षा व्यवस्थेमध्ये उणीवा राहिल्याचे
प्रथमदर्शनी निदर्शनास येत आहे.

ज्याअर्थी श्री. तानाजी दिलीप बरडे, उप-विभागीय पोलीस अधिकारी, भोर उप-विभाग,
पुणे ग्रामीण यांनी लोकसेवकाच्या वर्तणूकीला अशोभनीय असे कृत्य केल्याने महाराष्ट्र नागरी
सेवा (वर्तणूक) नियम, १९७९ मधील नियम क्र. ३ चा भंग केल्याचे प्रथमदर्शनी निदर्शनास येत
आहे.

ज्याअर्थी श्री. तानाजी दिलीप बरडे, उप-विभागीय पोलीस अधिकारी हे शासकीय वर्ग-१ चे अधिकारी असून त्यांना कायद्याचे ज्ञान असूनही त्यांनी निवडणूकीसारख्या महत्वाच्या कर्तव्यात कसुर केल्याचे प्रथमदर्शनी निदर्शनास आले आहे.

आणि ज्याअर्थी श्री. तानाजी दिलीप बरडे, उप-विभागीय पोलीस अधिकारी, भोर उप-विभाग, पुणे ग्रामीण यांच्याविरुद्ध उक्त बाबींच्या अनुषंगाने महाराष्ट्र नागरी सेवा (शिस्त व अपील) नियम, १९७९ च्या नियम ८ खाली सविस्तर शिस्तभंगविषयक कार्यवाही सुरु करण्याचे प्रस्तावित करण्यात आले आहे.

त्याअर्थी आता महाराष्ट्र नागरी सेवा (शिस्त व अपील) नियम १९७९ मधील नियम ४ च्या पोटनियम १ (एक) अन्वये प्रदान केलेल्या शक्तींचा वापर करून याद्वारे उक्त श्री. तानाजी दिलीप बरडे, उप-विभागीय पोलीस अधिकारी, भोर उप-विभाग, पुणे ग्रामीण यांना या शासन आदेशाच्या दिनांकापासून शासन सेवेतून निलंबित करण्यात येत आहे.

त्यानुसार असेही आदेश देण्यात येत आहेत की, निलंबनाच्या कालावधीत श्री. तानाजी दिलीप बरडे यांना महाराष्ट्र नागरी सेवा (पदग्रहण अवधी, स्वीयेत्तर सेवा आणि निलंबन, बडतर्फी, सेवेतून काढून टाकलेल्या काळातील वेतन) नियम १९८१ मधील नियम ६८ (एक) (अ) नुसार निर्वाह भत्ता व त्यावरील अनुज्ञेय महागाई भत्ता देय राहिल.

शासन आणखी असेही आदेश देत आहेत की, जोपर्यंत निलंबनाचे आदेश अस्तित्वात असतील तोपर्यंत श्री. तानाजी दिलीप बरडे, उप-विभागीय पोलीस अधिकारी यांचे मुख्यालय पोलीस अधीक्षक, पुणे ग्रामीण यांचे कार्यालय हे राहिल. त्यांना पोलीस अधीक्षक, पुणे ग्रामीण यांच्या पूर्वपरवानगीशिवाय मुख्यालय सोडता येणार नाही. पोलीस अधीक्षक, पुणे ग्रामीण यांच्या पूर्वपरवानगीशिवाय त्यांनी मुख्यालय सोडल्यास ती त्यांची गैरवर्तणूक ठरेल व त्या कारणासाठी वेगळ्या शिस्तभंगाच्या कारवाईस ते पात्र ठरतील.

सदर शासन आदेश महाराष्ट्र शासनाच्या www.maharashtra.gov.in या संकेतस्थळावर उपलब्ध करण्यात आला असून त्याचा संकेतांक 202402081645470329 असा आहे. हा आदेश डिजीटल स्वाक्षरीने साक्षांकित करून काढण्यात येत आहे.

महाराष्ट्राचे राज्यपाल यांच्या आदेशानुसार व नावाने.

CHETAN
BALASAHEB
NIKAM

Digitally signed by CHETAN BALASAHEB NIKAM
DN: c=IN, o=GOVERNMENT OF MAHARASHTRA,
ou=HOME DEPARTMENT,
2.5.4.20=946f8e80114846e269u80863da34d
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postalCode=400032, st=Maharashtra,
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OC, cn=CHETAN BALASAHEB NIKAM
Date: 2024.02.08 17:30:11 +05'30'

(चेतन निकम)

उप सचिव, महाराष्ट्र शासन

प्रति,

श्री. तानाजी दिलीप बरडे, उप-विभागीय पोलीस अधिकारी, भोर उप-विभाग,
पुणे ग्रामीण (पोलीस महासंचालक, महाराष्ट्र राज्य, मुंबई यांच्यामार्फत)

प्रत,

१. पोलीस महासंचालक, महाराष्ट्र राज्य, मुंबई यांना सूचीत करण्यात येते की, श्री.
तानाजी दिलीप बरडे यांच्यावर सदर निलंबनाचे आदेश बजावून, दुसऱ्या प्रतीवर
त्यांची दिनांकीत स्वाक्षरी घेऊन ती शासनास सादर करावी.
२. सचिव, केंद्रीय निवडणूक आयोग, निर्वाचन सदन, अशोका रोड, नवी दिल्ली
३. विशेष पोलीस महानिरीक्षक, कोल्हापूर परिक्षेत्र, कोल्हापूर.
४. पोलीस अधीक्षक, पुणे ग्रामीण.
५. अवर सचिव, पोल-१ अ, गृह विभाग, मंत्रालय, मुंबई.
६. निवड नस्ती (कार्यासन, पोल-२).

(G.C.P.) J 2200(B) (50,000-2-2015)

(Spl- MAT-F-2 E.

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

M.A./R.A./C.A. No.

of 20

IN

Original Application No.

of 20

FARAD CONTINUATION SHEET NO.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 15.02.2024</p> <p>O.A. Nos.205 to 207 of 2024.</p> <p>V. Landge V.M. Rajput T.D. BardeApplicants</p> <p>Versus</p> <p>The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Smt. Punam Mahajan, learned Advocate for Applicant and Shri A.J. Chougule, learned Presenting Officer for Respondents.</p> <p>2. Learned Advocate for Applicants stated that (i) Applicant in O.A.No.205/2024 who is from cadre of 'Deputy Collector' and working as 'Sub-Divisional Officer' Purandhar, District Pune', (ii) Applicant in O.A.No.206/2024 who is from cadre of 'Tahsildar' and working as 'Tahsildar'; Purandhar, District Pune and (iii) Applicant in O.A.No.207/2024 who is from cadre of 'Deputy Superintendent of Police' and working as 'Sub-Divisional Police Officer, Bhore, District Pune were served with 'Suspension Orders' by (i) Revenue and Forest Department on 09.02.2024 & (ii) Home Department on 08.02.2024 as per directions given by 'Election Commission of India' letter dated 06.02.2024 to 'Chief Secretary, Government of Maharashtra'.</p> <p>3. Learned Advocate for Applicants then narrated details of the 'Incident of Theft' of 'One Central Unit' of 'EVM' which has resulted in 'Suspension Orders' being served on Applicants. She</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>added that 40 EVM's & VVPAT's which were meant to be used only for 'Training and Awareness' purposes had been stored in 'Office Building' of 'Tahsil Office, Saswad, District Pune'.</p> <p>4. Learned Advocate for Applicant produced copy report submitted on 06.02.2024 by 'District Collector and District Election Officer, Pune' to ACS & Chief Electoral Officer, Maharashtra State about this 'Incident' of Theft' of 'One Central Unit' of 'EVM' which mentions in details about 'Security & Safety' arrangements which had been made for storage of 40 EVM's & VVPAT's in 'Office Building' of Tahsil Office, Saswad, District Pune about ongoing 'Police Investigations'.</p> <p>5. Learned Advocate for Applicant then drew to the 'Suspension Orders' which have been issued by (i) 'Revenue and Forest Department' on 09.02.2024 for Applicants in O.A.No.205/2024 and O.A.No.206/2024. (ii) Home Department on 08.02.2024 for Applicant in O.A.No.207/2024 to emphasize that they only refer to the directions of the 'Election Commission of India' letter dated 06.02.2024 to 'Chief Secretary, Government of Maharashtra'.</p> <p>6. Learned Advocate for Applicants further referred to the G.A.D. G.R. dated 07.02.2024 which has been issued as per directions of 'Election Commission of India' letter dated 06.02.2024 to constitute an 'Enquiry Committee' of 'High Level Officers' to enquire about the 'Incident of Theft' of 'One Control Unit' of EVM on 04.02.2024 from premises of 'Office Building' of Tahsil Office, Saswad, District Pune'. She mentioned that these 'High Level Officers' consisting of (i) 'Divisional Commissioner Pune' as Chairman and (ii) 'Special L.G.P. Kolhapur</p>

(G.C.P.) J 2259(B) (50,000—2-2015)

(Spl- MAT-F-2 E.

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Range' as 'Member' have been directed to submit their 'Enquiry Report' by 12.02.2024.</p> <p>7. Learned Advocate for Applicants based on information received from Applicant in O.A.No.205/2024 also mentioned that post of 'Sub-Divisional Officer, Purandar, District Pune' is not included in 'Notification' under 'Section 22' of the 'Representation of the People's Act, 1951' as 'Assistant Returning Officer' for conduct of 'General Election to Lok Sabha : 2024'.</p> <p>8. Learned Advocate for Applicants further stated that in the context of the G.A.D. G.R. dated 07.02.2024 to constitute Enquiry Committee of 'High Level Officer', she would like to include 'ACS & Chief Electoral Officer, Maharashtra State' as Respondent No.4 in O.A.No.205/2024 with O.A. No.206/2024 with O.A.207/2024.</p> <p>9. Learned P.O. stated that the 'Suspension Orders' were issued by (i) 'Revenue and Forest Department' on 09.02.2024 of Applicants in OA No.205/2024 and OA No.206/2024 and (ii) Home Department on 08.02.2024 of Applicant in OA No.207/2024 as per provisions of 'Rule 4(1)(a)' of 'Maharashtra Civil Services (Discipline & Appeal) Rules, 1979' and have been issued in observance of with the directions given by the 'Election Commission of India' letter dated 06.02.2024 to 'Chief Secretary, Government of Maharashtra'.</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>10. The learned PO further stated that 'Election Commission of India letter dated 06.02.2024' addressed to Chief Secretary, Government of Maharashtra has reference to report submitted by ACS & Chief Electoral Officer Maharashtra State on 06.02.2024 which had enclosed the report of 'District Collector & DEO Pune' dated 05.02.2024 about the 'Incident of Theft' of 'One Central Unit' of 'EVM' from premises of 'Office Building' of Tahsil Office, Saswad, District Pune'.</p> <p>11. The learned Advocate for Applicant and learned PO for Respondents were heard at length about the legal challenge to 'Suspension Orders' of Applicants under provisions of 'Section 19' of the 'Administrative Tribunals Act 1985'.</p> <p>12. The 'Suspension Orders' issued by 'Revenue and Forest Department' on 09.02.2024 in respect of Applicants in OA No.207/2024 and (ii) Home Department on 08.02.2024 in respect of Applicant in OA No.205/2024 and OA No.206/2024 came to be issued hurriedly, it was of material importance for the 'Cadre Controlling Authorities' of the Applicants to consider the report submitted by District Collector & District Election Officer, Pune to ACS & Chief Electoral Officer, Maharashtra State on 06.02.2024 and the report of 'District Collector & DEO Pune' dated 05.02.2024 which divulged many facts relating to the 'Incident of Theft' of 'One Central Unit' of 'EVM' from amongst 40 EVM's and VVPAT's kept separately in 'Separate Departmental Warehouses' as per instruction in Election Commission of India letter dated 11.11.2021. The arrangements made for 'Safety and Security' of these 40 EVM's and VVPAT's which were stored in 'Separate Departmental Warehouses' to have been commensurate as the 'Separate Departmental Warehouse' was co-located adjacent to the 'Sub Treasury' And 'Sub Jail' in Office</p>

(G.C.P.) J 2200(B) (50,000—2-2015)

(Spl. MAT-P-2 E)

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Building of Tahsil Office, Saswad, District Pune. Further, the 'Enquiry Report' of committee of 'High Level Officers' was also expected to be submitted to 'Additional Chief Secretary' and Chief Electoral Officer, Maharashtra State' by letter dated 12.02.2024 which is expected to throw further light on about many other aspects which led to the 'Incidence of Theft' of 'One Central Unit' of 'EVM' on intervening night of 04.02.2024. The relevant directions of Election Commission of India which required the 40 EVM's & VVPAT's to be stored in 'Separate Designated Warehouses' under direct charge of (i) Sub-Divisional Officer, (ii) Tahsildar & (iii) Sub-Divisional Police Officer become pertinent to decide about the individual culpability of Applicants. The guidelines of Election Commission of India which specific mention the protocol for 'Security and Safety' applicable to 'Several Designated Warehouses' as compared to 'FLC Storing Rooms' should have also been referred to by both (i) Revenue & Forest Department and (ii) Home Department. Hence, all these material facts were required to be considered by (i) 'Revenue and Forest Department', (ii) Home Department to establish that there indeed was 'Application of Mind'. Legal Principles laid down by several landmark judgments of (i) 'Hon'ble Supreme Court' and (ii) 'Hon'ble Bombay High Court' in respect of exercise of 'Statutory Powers' to issue 'Suspension Order' should have been referred to as otherwise these would be vulnerable in Judicial Review on grounds such as (i) Unlawful Exercise of Statutory Powers (ii) Arbitrary Exercise of Statutory Powers.</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>13. The 'Suspension Orders' issued by (i) 'Revenue and Forest Department' on 09.02.2024, (ii) Home Department on 08.01.2024 have been issued under Rule 4(1)(a) of the Maharashtra Civil Services (Discipline & Appeal) Rules 1979 are clearly in contemplation of 'Disciplinary Proceedings' against the Applicants. Hence evidently, the action taken against Applicants is of 'Interim Suspension' and not 'Suspension as Punishment' as finely distinguished by Hon'ble Supreme Court of India in RP Kapur vs. Union of India : AIR 1964 SC 787. Hence, taking into consideration the observation of Hon'ble Supreme Court of India both (i) 'Revenue and Forest Department' & (ii) 'Home Department' would be at liberty to review the 'Suspension Orders' of the Applicants as per provisions of Rule 5(c) of the MCS (D & A) Rules 1976 as 'prima-facie', the 'File Noting' indicate that there was no independent 'Application of Mind' by 'Competent Authority' while exercising 'Statutory Powers' under provisions of Rule 4(1) (ii) of 'Maharashtra Civil Services (Discipline & Appeal) Rules, 1979' and 'Suspension Order' of the Applicants it appears came to be mechanically issued based only on the directions of 'Election Commission of India' letter dated 06.02.2024 to 'Chief Secretary, Government of Maharashtra'.</p> <p>14. The 'Suspension Order' issued hurriedly against Applicants without considering all facts and circumstances relating to 'Incident of Theft' of 'One Control Unit' of 'EVM' from the premises of 'Office Building' of Tahsil Office, Saswad, District Pune therefore appears to be 'Stigmatic in Nature' because Applicants have been pronounced guilty even before 'Disciplinary Proceedings' have been initiated under MCS (D & A) Rules 1979 and as highlighted by Hon'ble Supreme Court of India have the effect of being 'Suspension as Punishment'.</p>

(G.C.P.) J 2250(B) (50,000—2-2015)

(Spl. MAT-F-2 E.

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

M.A./R.A./C.A. No.

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>15. The (i) 'Revenue and Forest Department' and (ii) 'Home Department' as Respondents are expected to convey their stand within 'One Week' from uploading of this order about willingness to review the 'Suspension Orders' of Applicants as per provisions of Rule 5(c) of MCS (D & A) Rules 1976. Hence, in the meanwhile the posts on which Applicants were serving, which are not directly connected with conduct of 'General Election: 2024' to Lok Sabha be kept vacant till Affidavits-in-Reply are filed in O.A.No.205/2024 with O.A.206/2024 with O.A.207/2024 respectively by (i) Revenue & Forest Department and (ii) Home Department.</p> <p>16. In the aforesaid context, the issue regarding granting of 'Interim Relief' is kept open.</p> <p>17. Learned Advocate for Applicant on instruction from Applicants states that the Applicants were not given personal hearing and they were asked to give written representation.</p> <p>18. Learned P.O. states that the Applicant could not invoke provisions of 'Section 19' of the 'Administrative Tribunal Act, 1985' before seeking redressal on their grievances in respect of their 'Suspension Order' because of provisions of Maharashtra Civil Services (Discipline & Appeal) Rules, 1979.</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>19. Learned Advocate for Applicant states that based on submission of the proposition of the learned P.O. regarding the maintainability of the O.A., states that on the basis of Judgment of 'Hon'ble Bombay High Court' in 'Writ Petition No.9660/2014 decided on 01.12.2024' it is clearly mention that there is no embargo to entertain the O.A. and as per provision of 'Section 20' of 'Administrative Tribunal Act, 1985'.</p> <p>20. The office objections, if any, are to be removed and court fees to be paid, if not already paid.</p> <p>21. Issue notice before admission returnable on 22.02.2024.</p> <p>22. Applicant is authorized and directed to serve on Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.</p> <p>23. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.</p> <p>24. By Hand delivery, speed post, courier notice to be served and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.</p> <p>25. In case notice is not collected within seven days or service report on affidavit is not filed three days before returnable date, the Original / Miscellaneous Applications shall be placed on board before the concerned Benches under the caption "for Dismissal" and thereafter on the subsequent date the Original / Miscellaneous Applications shall stand dismissed.</p> <p>26. S.O. to 29.02.2024.</p> <p style="text-align: right;">sd/- (Debashish Chakrabarty) Member (A)</p>

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI****ORIGINAL APPLICATION NOS. 205, 206 & 207 ALL OF 2024
(Subject - Suspension)****1. ORIGINAL APPLICATION NO. 205 OF 2024****DISTRICT : PUNE**

Smt. Varsha Landge,)
Age : 38 years,)
Working as Deputy Collector / Sub Divisional)
Officer (under Suspension) Purandar, Dist. Pune.)
Residing at- Purandar, Dist. Pune.)

.... APPLICANT**2. ORIGINAL APPLICATION NO. 206 OF 2024****DISTRICT : PUNE**

Shri. Vikram Mahajan Rajput,)
Age : 34 years,)
Working as Tahsildar (under Suspension))
Purandar, Dist. Pune.)
Residing at- Sukhangan Apartment,)
Sonori Road, Sasswad, Dist. Pune.)

.... APPLICANT**3. ORIGINAL APPLICATION NO. 207 OF 2024****DISTRICT : PUNE**

Shri. Tanaji Dilip Barade,)
Age : 36 years,)
Working as Sub Divisional Police Officer, Bhore,)
Pune Rural, (under Suspension))
Saswad, Dist. Pune.)
Residing at- At. Post-Raogaon, Tal. Karmala,)
Dist. Solapur.)

.... APPLICANT**V E R S U S**

1. State of Maharashtra,)
Through Additional Chief Secretary,)
Home Department, Mantralaya,)
Mumbai- 400 032.)

2. **The Director General of Police,**)
Maharashtra State, Mumbai,)
Maharashtra Police Headquarter,)
Shahid Bhagat Singh Marg, Colaba,)
Mumbai- 400 001.)
3. **The Superintendent of Police,**)
Pune Rural, Chavan-nagar, Pashan)
Road, Pune-411 008.)
4. **A.C.S. & Chief Election Officer,**)
General Administration Department,)
5th Floor, Madam Cama Road,)
Hutatma Rajguru Chowk,)
Mantralaya, Mumbai-32.)
5. **Election Commission of India,**)
Nirvachan Sadan, Ashoka Road,)
New Delhi-110001.)

... **COMMON RESPONDENTS**

APPEARANCE : Smt. Punam Mahajan, Counsel for Applicants
in all these O.As.,

: Ms. S.P. Manchekar, Chief Presenting Officer
for respondent authorities in all these O.As.

: Shri Alok Sharma, counsel for respondent No.5

CORAM : Hon'ble Justice Shri V.K. Jadhav, Member (J)

RESERVED ON : 19.03.2024

DATE : 02.04.2024

COMMON - ORDER

(Through Video Conferencing)

1. Heard Smt. Punam Mahajan, learned counsel
appearing for the applicants, Ms. S.P. Manchekar, learned Chief
Presenting Officer appearing for respondent authorities and Shri

Alok Sharma, learned counsel for respondent No. 5 i.e. Election Commission of India.

2. All three applicants in the aforesaid three respective Original Applications are the Government servant from different cadres, however, they were served with the suspension orders by the Revenue and Forest Department on 09.02.2024 and Home Department on 08.02.2024 in terms of the directions given by the Election Commission of India by communication dated 06.02.2024 sent to the Chief Secretary, Government of Maharashtra. The applicants have been suspended for the lapses on their part in making security arraignments for the Electoral Voting Machines and VVPATs (in short EVMs-VVPATs). Thus all these Original Applications are taken together for discussion and decided by this common judgment and order.

3. Brief facts as stated by the applicants giving rise to all these Original Applications are as follows :-

(i) In view of the upcoming Parliamentary Elections, the Election Commission of India vide its letters dated 17.11.2023 and 20.11.2023 issued instructions regarding distribution of EVMs-VVPATs for public awareness campaign. The necessary instructions have been issued to

the Nodal Officer EVM-VVPAT Management to allot the said machines for awareness and training to 21 Assembly Constituencies and to communicate all the political parties in this regard on 24.11.2023. In terms of contents of the EVM Manual and also as per the instructions given by the Election Commission of India in this regard, detailed instructions were given with respect to storage, security and distribution of the EVMs-VVPATs for Training and Awareness to all the SDOs by the Collector vide letter dated 08.12.2023. In terms of these instructions, distributed EVMs-VVPATs for Awareness and Training are required to be stored at designated strong rooms at a respective Sub Divisional headquarters with proper security and lock.

(ii) In view of above, 40-Electoral Voting Machines i.e. EVMs (CU-40, BU-40 and VVPAT-40) were allotted to 202-Purandar Legislative Assembly Constituency in Pune District for Voters awareness and Publicity. These machines were kept in strong room at Tahsil Office, Purandar at Pune. After completing awareness campaign during the day hours, all the EVM-VVPAT machines were again kept in the strong room and the strong room used to be sealed. As per security protocol, on every working day,

the in-charge of strong room opens the strong room and gives two machines to supervisors of awareness team and in the evening, these machines are kept back in the strong room. After sealing the strong room is under the surveillance of security guards and CCTV installed therein.

(iii) On 05.02.2024 at 10.00 a.m., Tahsil office staff, Purandar found that the sealed strong room lock was broken. This fact was communicated to Sub Divisional Police Officer Bhore, Sub-Division Saswad. After completing the prima-facie enquiry and inspecting the CCIV footage, it was revealed that one control unit No. BCUEL 41601, 5 paper rims and stationary has been stolen from the strong room at 03.43 a.m. on 05.02.2024. One security guard and one home guard were appointed for the security of the said strong room. On the basis of complaint lodged by the Naib Tahsildar Purandar, Crime No. 38/2024 came to be registered at Police Station Saswad for the offences punishable under sections 454, 457 und 380 of IPC against the unknown persons on 05.02.2024.

(iv) Immediately after receipt of the information, the District Election Office, Pune by letter dated 05.02.2024

issued show cause notice and called explanation from the Sub-Divisional Officer, Purandar regarding the incidence. The Sub Divisional Officer, Purandar submitted explanation on 06.02.2024. The Superintendent of Police, Pune Rural vide letter dated 05.02.2024 communicated that the offence has been registered and investigation is carried out and responsibility is fixed on the Police guard and the Departmental Enquiry will be initiated.

(v) The applicant Varsha Landge in O.A. No. 205/2024 is from the cadre of Deputy Collector and working as Sub-Divisional Officer, Purandar, Dist. Pune, the applicant Vikram Mahajan Rajput in O.A. No. 206/2024 is from the cadre of Tahsildar and working as Tahsildar, Purandar, Dist. Pune and the applicant Tanaji Dilip Barade in O.A. No. 207/2024 is from the cadre of Dy. Superintendent of Police and working as Sub-Divisional Police Officer, Bhore, Pune Rural, Tq. Purandar, Dist. Pune.

(vi) The Election Commission of India vide letter dated 06.02.2024 has directed the Chief Secretary of Maharashtra State that the Sub-Divisional Officer, Tahsildar and Sub-Divisional Police Officer concerned be

placed under suspension immediately and disciplinary proceedings be initiated against them. It has also been directed to the Chief Electoral Officer, Maharashtra to constitute a committee and to enquire into the matter and submit report to the Commission within a week.

(vii) In terms of the directions given by the Election Commission of India and the Chief Secretary of Maharashtra State in connection with the letters received from the Chief Electoral Officer, Maharashtra in this regard and report submitted by the Collector, Dist. Pune, by impugned separate orders dated 09.02.2024 the Revenue and Forest Department has suspended the applicants Varsha Landge, Deputy Collector, Purandar, Dist. Pune in O.A. No. 205/2024, Vikram Mahajan Rajput, Tahsildar, Purandar, Dist. Pune in O.A. No. 206/2024 and by order dated 08.02.2024, the Home Department has suspended the applicant Tanaji Dilip Barade, Sub Divisional Police Officer, Bhore, Pune Rural in O.A. No. 207/2024. Hence, the present three Original Applications.

4. Learned counsel appearing for the applicants in the aforesaid Original Applications submits that in view of Section

28-A of the Representation of People Act, 1951, Returning officer, presiding officer etc. deemed to be on deputation to Election Commission for the period commencing on and from the date of the notification calling for such election and ending with the date of declaration of the results of such election and accordingly, such officers, shall, during that period, be subject to the control, superintendence and discipline of the Election Commission. Learned counsel in this context submits that as on the date of passing of the impugned orders against all the applicants i.e. on 08.02.2024 and 09.02.2024 respectively, no election notification has been issued as contemplated under Section 28-A of the Representation of the People Act, 1951.

5. Learned counsel for the applicants submits that in terms of the directions given by the Election Commission of India in the letter dated 06.02.2024 to the Chief Secretary, Government of Maharashtra, Mumbai to place the applicants under suspension immediately and the disciplinary proceedings be initiated against them, the impugned suspension orders came to be passed by the respondent No. 1 in respect of applicants in O.A. Nos. 205/2024 and 206/2024 on 09.02.2024 and applicant in O.A. No. 207/2024 on 08.02.2024. Learned counsel submits that the impugned orders have been passed in arbitrary manner

without application of mind, merely on the basis of the directions given by the Election Commission of India vide letter as referred above dated 06.02.2024. Learned counsel submits that even though the directions in this regard have been issued by the Election Commission of India for suspension of the applicants, in view of the provisions of Section 28-A of the Representation of the People Act, 1951, the same is improper, incorrect and illegal.

6. Learned counsel for the applicants submits that the impugned orders are mala-fide, as there is no dereliction of duties on the part of the applicants. Learned counsel submits that the officers of the Revenue and Forest Department of the rank of Deputy Collector and Tahsildar respectively and also officers of the Home Department of the rank of Dy. Superintendent of Police have no role to play in the security in strong room. Learned counsel submits that even though the Collector and District Election Officer, Pune vide communications dated 05.02.2024 and 06.02.2024 had informed the entire incidence of theft to the Chief Election Officer, Maharashtra State, Mumbai and before forwarding the said communications, the District Collector and District Election Officer, Pune along with Superintendent of Police, Pune Rural has inspected the spot and also CCTV footage. He has specifically mentioned in the

report that in the CCTV footage, the security guards are found absent at the time of commission of theft and as such, they are guilty of the dereliction of duty. Learned counsel submits that only on the basis of said communications received from the District Collector and District Election Officer, Pune, the Election Commission of India by letter dated 06.02.2024 has given directions for suspension of the applicants and initiation of the Departmental Enquiry against them. Learned counsel submits that there is no whisper in the said report about the dereliction of duty and negligence on part of the applicants in any manner.

7. Learned counsel for the applicants submits that the suspension order is arbitrary, malafide, illegal and against the law. There was no necessity or justification for the suspension of the applicants. The suspension seems to have been actuated with an ulterior motive and is the outcome of an arbitrary exercise of powers. Even considering the reasons mentioned in the suspension order, there would be no hurdle as such for proceeding with the Departmental Enquiry without suspension. The suspension order is a colorable exercise of power on the part of the respondents. The competent authority is not vested with arbitrary and unfettered power to place its officers under disability and distress.

8. Learned counsel for the applicants submits that the suspension order is also illegal on the ground that it has been issued in the flagrant violation of the guidelines prescribed in the Departmental Enquiry Manual. The suspension order of the applicants is punitive in nature and no purpose is likely to be achieved by suspending them. There is no question of tampering with evidence or influencing witnesses in the present case. It is part of record that accused persons who had committed theft were identified and two out of them were arrested on 07.02.2024. Additionally, the EVM machine and other property have been recovered from the arrested accused persons. It is well settled that the power of suspension cannot be exercised for trivial lapses nor should the authorities be afflicted by "suspension syndrome."

9. Learned counsel for the applicants in response to the affidavit in reply submitted on behalf of respondent No.5 i.e. the Election Commission of India submits that the Chief Electoral Officer, Maharashtra State has constituted two members committee under the chairmanship of Divisional Commissioner (Revenue), Pune and consisting of IG Kolhapur Range, Kolhapur as a second member. The above mentioned committee has submitted the detailed report on 14.02.2024 to the respondents.

The said committee has recommended that the local Police Inspector also should be placed under the suspension.

10. Learned counsel Shri Alok Sharma representing the respondent No.5 i.e. the Election Commission of India has placed before this Tribunal the copy of said two members committee report dated 14.02.2024. Learned counsel for the applicants submits that the committee has opined that the strong room was found in good condition and the certificate of Deputy Engineer regarding suitability of strong room is on record. It is also observed by the committee that the arrangement of double lock system, CCTV, fire extinguisher etc. is made available as per the guidelines of ECI. It is also recorded in the said report that both SDO and Tahsildar have visited the strong room from time to time. Learned counsel submits that however, the committee has made certain adverse remarks to the extent of arrangement of the security and stated that the security arrangement is not in accordance with ECI guidelines to provide for minimum half section of armed police of 24X7 security. It is also observed by the committee that the SDPO, Bhore has forwarded written communication to Police Inspector, Saswad to provide appropriate police security for the strong room at Tahsil Office, Saswad. However, the strength of security personnel to be

provided is not mentioned in the letter. He has visited the strong room from time to time but has not been taken any action on the inadequate number of security personnel i.e. half section mandate as per ECI guidelines.

In this context, learned counsel for the applicants most humbly submits that the entire approach of the said committee consisting of top officials from two departments is erroneous. Learned counsel for the applicants submits that the storage protocol of regular EVM'S and the EVM'S kept for training and awareness is altogether different. Learned counsel for the applicant has referred the manual on EVM which has been issued by the Election Commission of India.

11. Learned counsel Shri Alok Sharma representing the respondent No.5 i.e. Election Commission of India has placed on record copy of Chapter-I of the said manual. Learned counsel for the applicants has placed on record the copy of the said manual which consisting of Chapter-5 also. Learned counsel for the applicants has pointed out that the said chapter-5 has not submitted by the respondent No.5 i.e. Election Commission of India before the Tribunal though it is part of the manual. Learned counsel for the applicants submits that in terms of clause No.5.6 of chapter-5 which titled as **Training and**

Awareness of EVMs', the above mentioned EVMs (Training & Awareness) shall be stored in a separate designated warehouse, not below the sub-division headquarters with proper security and lock. Learned counsel for the applicant submits that as per Chapter-I of manual which titled as '**Storage of EVMs and Opening of EVM Warehouse during Non-Election period and Emergency-Movement/Shifting of EVMs**', in clause No. 1.3 non-election period is defined after C+ 45 days. Learned counsel for the applicants submits that the 'C' means counting and 45 days thereafter. Learned counsel for the applicants has pointed out clause No. 1.3.2 wherein the directions have been given for the security and safety arrangements for EVM Warehouse/strong room and as par the said clause No. 1.3.2. (ii), minimum half section of armed police for 24 X 7 security (only Government Security Personnel). Home Guards Security as an exception when regular police cannot be posted.

12. Learned counsel for the applicants submits that as pointed out earlier clause No. 5.6 of Chapter -5, the security arrangement so far as the training and awareness of EVMs is with proper security and lock. Learned counsel for the applicants submits that thus the entire approach of the Election Commission of India, hastily giving directions to suspend the

applicants, is an arbitrary exercise of power and the order of suspension is apparently punitive in nature. The basis of the impugned order is the erroneous presumption of negligence on the part of the applicant. Learned counsel for the applicants submits that all the applicants have an excellent service record as attested by their superiors. Learned counsel for the applicants submits that thus all three Original Applications deserves to be allowed.

13. Learned counsel for the applicants in order to substantiate her contention placed reliance on the following cases:-

(i) **Union of India & Anr. Vs. Ashok Kumar Aggarwal** reported in (2013) 16 SCC 147

(ii) **State of Maharashtra Vs. Dr. Subhash Dhondiram Mane** reported in 2015 (4) Mh.L.J.

(iii) **Dr. Subhash Dhondiram Mane Vs. The State of Maharashtra** in O.A.No. 834 of 2024

(iv) **Smt. Diptee Ramchandra Pawar Vs. The State of Maharashtra & Ors.** in O.A.No. 658 of 2022.

(v) **Sanjay M. Bhagwat Vs. The State of Maharashtra & Ors.** in W.P.No. 4241 of 2022.

14. Learned Chief Presenting Officer on the basis of affidavit in reply filed on behalf of respondent No.1 in O.A.No. 205 of 2024 filed by applicant namely Smt. Varsha Landge,

Deputy Collector/Sub Divisional Officer and O.A.No. 206 of 2024 filed by the applicant namely Shri Vikram M. Rajput, Tahsildar, submits that the suspension order issued by the department of Revenue and Forest is in consonance with the directives issued by the Election Commission of India. It is further submitted that the Election Commission of India has taken cognizance of the said incidence and directed the Chief Secretary, Government of Maharashtra Mumbai that Sub-Divisional Officer, Tahsildar and Sub Divisional Police Officer concerned, be placed under suspension immediately and to initiate Disciplinary Proceedings against them. So far as the Original Application No. 207/2024 filed by the applicant namely Shri Tanaji D. Barade who is Sub Divisional Police Officer is concerned, learned Chief Presenting Officer submits that as per the directives issued by the Election Commission of India by letter dated 06.02.2024, the respondent No.1 suspended the applicant vide order dated 08.02.2024. Prima -facie it is seen that there is lack of supervision and control over the sub-ordinates by the applicant. Hence, the order of suspension is not malafide. Learned C.P.O. submits that due to the designated security officer's absenteeism, the theft of the control unit of demo EVM took place. Hence, the order of suspension is not malafide.

15. In connection with O.A.No. 205 of 2024 filed by the applicant namely Varsha Langde and O.A.No. 206 of 2024 filed by applicant namely Vikram M. Rajput, on the basis of affidavit in reply submitted on behalf of respondent Nos. 2 & 3, learned C.P.O. submits that the incidence is serious in nature and it was in the jurisdiction of Sub-Divisional Officer, Purandar, hence, the Election Commission of India (ECI) took immediate action against both the applicants in the aforesaid two Original Applications. Learned C.P.O. submits that it cannot be said that the Deputy Collector and Tahsildar have no role to play in the security of the strong room.

16. Learned Chief Presenting Officer submits that on 05.02.2024 at 10.00 a.m., Tahsil Office, Purandar staff found that the sealed strong room lock was broken. The fact was immediately communicated to Sub-Divisional Police Officer, Bhor, Division Saswad and office of the Superintendent of Police Pune Rural. After conducting prima-facie enquiry and CCTV footage, it was revealed that one control unit no. BCUEL 41601, 5 paper reams and stationary have been stolen from the strong room at 03.43 a.m. on 05.02.2024. One security guard and one home guard were appointed for the security of strong room. At

the time of enquiry it was revealed that they were absent on duty at the time of incidence. Learned Chief Presenting Officer submits that all the Original Applications are liable to be dismissed.

17. Learned counsel Shri Alok Sharma for respondent No.5 i.e. Election Commission of India submits that 40-Electoral Voting Machines i.e. EVMs (CU-40, BU-40 and VVPAT-40) were allotted to 202-Purandar Legislative Assembly Constituency in Pune district for Voters awareness and Publicity. These machines were kept in strong room at Tehsil Office, Purandar at Pune. On 05.02.2024, it was noticed that lock of the aforesaid strong room was broken. After a preliminary enquiry and after examining the CCTV footage, it was revealed that 1 CU (Sr.no.BCUEL 41601) was stolen from the strong room by thieves at 3.43 a.m. on 05.02.2024. The Superintendent of Police, Pune Rural had intimated the Collector Office that a criminal offence has been registered in Saswad Police Station vide crime no. 38/2024 for the offence punishable under Section 454, 457 and 380 on 05.02.2024, as per complaint made by Naib-Tehsildar, Purandar.

18. Learned counsel Shri Alok Sharma for respondent No.5 submits that the procedure for creation of awareness about

EVM/VVPAT was issued by Election Commission of India i.e. respondent No.5 vide letter dated 11.11.2021. In that letter it was mentioned that EVMs and VVPATs for training and awareness are to be stored in separate designated warehouse, not below the Sub-Division Headquarter with proper Security and lock. Purandar is a headquarter of SDO, Purandar and also a Tahsil headquarter.

19. Learned counsel Shri Alok Sharma for respondent No.5 submits that the respondent No.5 i.e. the Election Commission of India had received the report from the Collector and District Election Officer, Pune (respondent No.3) vide letter dated 05.02.2024 about the EVM theft case of Pune. Accordingly, the office of Chief Electoral Officer, Maharashtra had submitted the detailed report by letter dated 06.02.2024 to Election Commission of India.

20. Shri Alok Sharma, learned counsel for respondent No.5 further submits that considering the above facts and the provisions enlisted in the manual, the respondent No.5 vide order dated 06.02.2024 had directed to the Chief Secretary of Maharashtra State that the Sub-Divisional Officer, Tahsildar and Sub-Divisional Police Officer concerned be placed under

suspension immediately and a disciplinary proceedings be initiated against them. Further the respondent No.5 has also directed vide order dated 6.02.2024 to the Chief Electoral Officer, Maharashtra to constitute a committee and to enquire into the matter and submit the report to the commission within a week.

21. Shri Alok Sharma, learned counsel for respondent No.5 submits that as per said directions the Chief Electoral Officer, Maharashtra had constituted a two members committee under the chairmanship of Divisional Commissioner (Revenue), Pune and I.G. Kolhapur Range, Kolhapur. The above mentioned committee had submitted its detailed report on 14.02.2024 to the respondent No.5. The said committee has also recommended that the local Police Inspector also should be placed under suspension.

22. Shri Alok Sharma, learned counsel for respondent No.5 submits that the incidence of the theft of EVM, is an offence under the Criminal Law. It is highly sensitive issue, more so the circumstances and the timing of the theft have taken place when the Lok Sabha elections are round the corner. This would create a wrong impression in the eyes of the public and would have a negative impact on the forthcoming elections. It is also been

endeavor of the Election Commission of India that all elections are done without any fear and favour. Thus this incidence of the theft has the capability to tarnish the reputation of the Commission which it is maintaining unblemished. Shri Alok Sharma, learned counsel for respondent No.5 further submits that the suspension order which is a subject matter of all the three applications does not tantamount to punishment. It is temporary and subject to further investigation.

23. Shri Alok Sharma, learned counsel for respondent No.5 further submits that the officers related to Electoral system are meant to be under the deputation of Election Commission of India in terms of provisions of Section 13-CC of the Representation of People Act, 1950. In view of same, the respondent No.5 i.e. the Election Commission of India has powers to recommend for Disciplinary Action over Government servants deputed for election duties. Thus within the power of respondent No.5 to make recommendation to the competent authority for taking disciplinary action, for any act of insubordination or dereliction of duty while on election duty which is observed in a case of **Election Commission of India Vs. Union of India** and Ors. by the Hon'ble Supreme Court in Writ Petition No. (C) No. 606 of 1993.

24. Shri Alok Sharma, learned counsel for respondent No.5 further submits that no coercive action is taken against the applicants and they have got an opportunity to submit their grievance and raise their issues before the Disciplinary Committee. In a case, **P. Narasimha Chary Vs. The State of Telangana and another** vide order dated 16.09.2020 the Hon'ble High Court of Telangana in **Writ Petition No. 339/2020** has held that the suspension is not a punishment, rather it merely suspends the relationship between the employer and employee.

25. Shri Alok Sharma, learned counsel for respondent No.5 further submits that in terms of the interim order dated 15.02.2024 the posts of the applicants kept vacant. The respondent No.5 has designated the post of S.D.O. Purandar as Assistant Returning Office for 202-Purandar Assembly Constituency in Baramati Parliamentary Constituency in Pune district vide its notification No. 434/MH-HP/2024 08.03.2024. In view of same, there is no substance in all the Original Applications and the same are liable to be dismissed.

26. I have carefully gone through the pleadings, annexures, relevant and important correspondence, reports and

the impugned orders. In these three Original Applications, the undisputed facts are as follows:-

- (i) (a) The applicant in O.A.No. 205 of 2024 namely Smt. Varsha Landge is a State Government employee and working as Deputy Collector/Sub Divisional Officer (under suspension) Purandar, Dist. Pune, Revenue and Forest Department. At the relevant time she was working as a Deputy Collector/Sub Divisional Officer, Purandar, Dist. Pune.
- (b) The applicant in O.A.No. 206 of 2024 namely Shri Vikram Mahajan Rajput is a State Government employee and working as Tahsildar (under suspension), Purandar Dist. Pune, Revenue and Forest Department. At the relevant time he was working as Tahsildar- Purandar, Dist. Pune.
- (c) The applicant in O.A.No. 207 of 2024 namely Shri Tanaji Dilip Barade is a State Government employee working as Sub-Divisional Police Officer at Bhor, Saswad, Pune Rural (under suspension) within the Home Department. At the relevant time he was working as Sub Divisional Police Officer, Bhor, Saswad, Pune Rural with the Home Department.

(ii) 40-Electoral Voting Machines i.e. EVMs (CU-40, BU-40 and VVPAT-40) were allotted on 07.12.2023 to 202-Purandar Legislative Assembly Constituency in Pune District for Voters awareness and Publicity.

(iii) These machines were kept in strong room at Tahsil Office, Purandar at Pune.

(iv) On 05.02.2024, it was found that the lock of the aforesaid strong room was broken. After conducting a preliminary enquiry and after examining the CCTV footage, it was revealed that 1 CU (Sr.no. BCUEL41601) was stolen from the strong room by the thieves at 3.43 am on 05.02.2024.

(v) On the basis of complaint filed by the Naib Tahsildar Purandar, Crime No. 38/2024 for the offence punishable under sections 454, 457 und 380 of IPC came to be registered at Police Station Saswad on 05.02.2024.

(vi) On 05.02.2024, the Collector and District Election Officer, Pune had submitted the detailed report in this regard to Chief Electoral Officer, Maharashtra State, Mumbai.

(vii) The Chief Electoral Officer, Maharashtra State, Mumbai had submitted detailed report by letter dated 06.02.2024 to the Election Commission of India.

(viii) By letter dated 06.02.2024, the Election Commission of India had directed the Chief Secretary of Maharashtra State that the Sub-Divisional Officer, Tahsildar and Sub-Divisional Police Officer concerned be placed under suspension immediately and a disciplinary proceedings be initiated against them.

(ix) By issuing two separate orders dated 09.02.2024, Under Secretary, Revenue and Forest Department, Government of Maharashtra has suspended the applicant namely Smt. Varsha Landge, Deputy Collector/Sub Divisional Officer, Purandar, Dist. Pune in O.A.No. 205/2024 and applicant namely Shri Vikram M. Rajput, Tahsildar Purandar Dist. Pune in O.A.No. 206/2024. The Deputy Secretary, Maharashtra State, Home Department has suspended the applicant namely Shri Tanaji D. Barade, Sub Divisional Police Officer, Bhore, Pune Rural in O.A.No. 207/2024 by order dated 08.02.2024.

27. In the backdrop of these admitted facts, it is important to note here that all the applicants came to be

suspended merely on the basis of directions issued by the Election Commission of India in this regard. The respondent Election Commission of India by communication/letter dated 06.02.2024 has directed the Chief Secretary, Government of Maharashtra, Mumbai that Sub-Divisional Officer, Tahsildar and Sub-Divisional Police Officer concerned be placed under suspension immediately and disciplinary proceedings be initiated against them. On careful perusal of the said communication/letter dated 06.02.2024 issued by the Election Commission of India, I find that there is a reference to letter No. EVM 2023/C.R.701/23/33 dated 06.02.2024 of the Chief Electoral Office, Maharashtra enclosing therewith letter No. PEE-2/KA VI/40/2024 dated 05.02.2024 of the Collector and District Election Officer, Pune regarding theft of Control Unit of EVM from strong room in Pune District. It further appears from the tenor of the said communication/letter dated 06.02.2024 that in terms of facts mentioned in the above referred letters, the Commission has directed to suspend the officers as detailed above. It is also directed in the said communication/letter to call for an explanation from the District Election Officer, Pune and Superintendent of Police (Rural), Pune for not ensuring security

protocols of 'Training and Awareness' strong room as contained in para 6(a) of the Commission's letter dated 11.11.2021.

28. I have carefully perused the letters referred in the communication/letter dated 06.02.2024 issued by the Election Commission of India directing Chief Secretary, Government of Maharashtra to suspend the officers/applicants herein. The communication/letter dated 05.02.2024 is merely a report by the Collector/District Election Officer, Pune to the Chief Electoral Officer, Maharashtra State, Mumbai informing therein the incidence of theft.

29. It appears that merely on the basis of the incidence of theft reported by the Collector /District Election Officer and the Chief Electoral Officer, Maharashtra State, the respondent Election Commission of India has hastily issued communication/letter dated 06.02.2024 directing thereby the Chief Secretary, Government of Maharashtra to suspend the officers as mentioned in the said letter immediately.

30. It is a part of record that thereafter, by communication/letter dated 06.02.2024, the Collector/District Election Officer, Pune has given all the details of the incidence to Chief Electoral Officer, Maharashtra State and the persons/staff

members responsible for the said incidence of theft in his opinion. The District Election Officer, Pune along with the Superintendent of Police, Pune Rural has personally visited the spot of incidence. On careful perusal of the said letter, I find that there is no whisper against the applicants herein about their negligence in any manner or the dereliction of duties in connection with the said theft. It is also a part of record that accordingly the Superintendent of Police, Pune Rural vide order letter dated 05.02.2024 has communicated that the offence has been registered and investigation is being carried out and responsibility has been fixed on the police guard. It is further a part of record that the Superintendent of Police, Pune Rural submitted a report to the Director General of Police and on 07.02.2024 as per the said report, two accused were identified and arrested. The stolen control unit no. BCUEL41601, 5 paper reams and stationary were seized from them.

31. It is further a part of record that the Superintendent of Police, Pune Rural has submitted the detailed report on 13.02.2024 and as per his report the incidence of house breaking and theft took place at Tahsil Office, Purandar and as seen in the CCTV cameras, three unidentified persons were seen entering in the above mentioned premises by climbing the tree and entered

into premises. They broke the lock and entered into the strong room and took away the stationery and one Control Unit No. BCUEL41601, stored in strong room. The Superintendent of Police, Pune Rural in the said report further submitted that from the investigation it appears that breaking into the Taluka Treasury and stealing cash seems to be the motive of the thieves.

32. In view of letter/communication dated 06.02.2024 issued by the Election Commission of India, the Government of Maharashtra, General Administration Department has appointed two members committee under the chairmanship of Divisional Commissioner (Revenue), Pune vide G.R. dated 07.02.2024. The Chief Electoral Officer, Maharashtra State has directed the said committee to enquire into the theft of Control Unit from EVM Strong Room in Pune District and submit the report before 12.02.2024 and further it is allowed to submit report latest by 14.02.2024. The two members committee has submitted the report on 14.02.2024. On careful perusal of the said report which is a part of record it appears that the said two members committee has visited the strong room at Tahsil Office, Purandar at Pune. The committee has observed the arrangement made in the strong room and also perused CCTV footage. The said committee has observed that the strong room was found in good

condition and the certificate of Deputy Engineer regarding suitability of strong room is on record. It is also observed by the committee that the arrangement of double lock system, CCTV, fire extinguisher etc. is made available as per the guidelines of ECI. The visit book and EVM movement register (in/out register) is found in place. It is also observed in the report that the Sub-Divisional Officer, Purandar and Tahsildar, Purandar after receiving of the EVMs from the District Election Officer (DEO), have carried out the procedure for the storage of EVMs. They have obtained certificate from PWD for creating strong room at Tahsil Office, Purandar. The Sub-Divisional Officer headquarter and Tahsil headquarter both are located at Purandar. The Sub-Divisional Officer has instructed Tahsildar and the Tahsildar in turn has given instructions to Police Inspector, Saswad Police Station to provide security for the strong room at Tahsil Office, Saswad. Both SDO and Tahsildar have visited the strong room from time to time.

33. It further appears from the said report that the committee has, however, observed that regarding the safety and security of EVMS received for awareness and training, the SDO has directed to the Tahsildar vide letters dated 05.12.2023 and 15.12.2023 to ensure appropriate police security for EVMs.

However, the strength of security personnel to be provided has not been mentioned in these letters. The Tahsildar has communicated to the Police Inspector, Saswad Police Station vide letters dated 06.12.2023 and 18.12.2023 to provide for security personnel. However, in the said communication dated 18.12.2023, the Tahsildar has asked the Police Inspector, Saswad to provide 24X7 one police staff for the security of EVMs. The said committee thus concluded that it is not in accordance with ECI guidelines to provide for minimum half section of armed police of 24X7 security.

It is also observed by the committee that the Sub-Divisional Police Officer, Bhore has done written communication to Police Inspector, Saswad to provide appropriate police security for the strong room at Tahsil Office, Saswad. However, the strength of security personnel to be provided is not mentioned in the letter. He has visited the strong room from time to time but has not taken any action on the inadequate number of security personnel i.e. half section mandated as per ECI guidelines.

34. In this context the committee has, however, observed that the security aspect of EVMs is the major issue that needs to be taken into consideration. The concerned officers i.e. Sub-

Divisional Officer, Tahsildar, Sub-Divisional Police Officer, Police Inspector have taken into consideration some aspects of the ECI guidelines on security and safety arrangement for EVM warehouse/strong room, however, they have not followed the guidelines in totality.

35. In the backdrop of aforesaid conclusion drawn by the two members committee as referred above, I have carefully gone through the manual of the EVM prepared and issued by the Election Commission of India. Chapter -I of the said manual prescribes the guidelines about the '**storage of EVMs and opining of EVM warehouse during Non-election period and emergency-movement/shifting of EVMs**'. In para No. 1.1, various types of EVM storages have been referred and in clause 1.1.b (iii), the reference is about the 'Training and Awareness Strong Room' means the designated room/hall having EVMs pertaining to Training & Awareness. In para No. 1.3., the Non-Election Period i.e. mentioned in the bracket (After C+45 days), it does mean that counting and 45 days thereafter. So far as the storage of EVMs as prescribed in the para No. 1.3.1 is concerned, there is no dispute, but the same has been followed scrupulously in the instant case. Further in terms of para No. 1.3.2, there is no dispute about the security and safety arrangements for EVM

Warehouse/strong room pertaining to double lock system, installation of CCTV Camera, log book for each entry and exit, adequate fire safety and fire alarm system etc. So far as clause No. (ii) of said para No. 1.3.2 is concerned, it speaks about the minimum half section of armed police for 24X7 security (only Government security personnel). Home Guards Security as a exception when regular police cannot be posted.

36. It is clear from the aforesaid guidelines as per manual, the said arrangement about the security and safety has been prescribed for and during the Non-election period (after C+45 days).

37. I have carefully perused the Chapter -5 of the said manual which prescribes the guidelines for **'Training and Awareness of EVMs'**. Chapter -5 of the manual was not initially placed before this Tribunal. Learned counsel for the applicants has placed the same before this Tribunal and the authenticity of the said chapter -5 of the manual has not been denied by the other side.

38. Chapter -I of the said manual prescribes the guidelines about the **'storage of EVMs and opining of EVM warehouse during Non-election period and emergency-**

movement/shifting of EVMs'. Clause No. (ii) of para No. 1.3.2 of chapter-I and para Nos. 5.5 and 5.6 respectively of chapter-5 of the said manual which prescribes the guidelines for **'Training and Awareness of EVMs'** are reproduced herein below:-

"1.3.2 Security & Safety arrangements for EVM Warehouse/strong room:

- ii) Minimum Half Section of Armed Police for 24X7 security (only Government Security Personnel). Home Guards Security as an exception when regular police cannot be posted.

"5.5 Protocol of EVM/VVPAT for Training and Awareness:

- (a) For the purpose of Training and Awareness (T&A), District Election Officers shall take out EVMs keeping the overall **upper ceiling of 10%** of the total number of polling stations in the district. **Awareness EVM shall be used only for the innovative physical outreach mode described in para 5.2 and 5.3.**
- (b) It shall be ensured that only First Level Checked OK EVMs shall be used for the aforesaid purpose.
- (c) The **representatives of National and State Recognized Political Parties** shall be invited to witness the process from opening and closing of the warehouse/strong room for the purpose of taking out the EVMs under videography.
- (d) The **list of such EVMs** shall be provided with acknowledgment to the National and State Recognized Political Parties. This list shall also be shared with acknowledgment to the candidates/their agents, as and when they are finalized.
- (e) A **yellow color sticker** mentioning "Training/Awareness" shall be affixed on such EVMs and also on their carrying cases without fail.

- (f) There shall be **no distinction** between Training and Awareness EVMs. The machines marked for Training/Awareness could be used interchangeably between Training and Awareness purpose inter-changeably.

5.6 Storage Protocol:

- (a) The abovementioned EVMs (Training & Awareness) shall be stored in a **separate designated warehouse**, not below the subdivision headquarters with proper security and lock.
- (b) In no case, EVMs pertaining to Training and Awareness shall be kept in FLC Strong Room.
- (c) For opening and closing of Training and Awareness designated warehouse, there is **no need** to invite the representatives of the recognised political parties. However, the opening and closing of the designated warehouse shall be done by the authorized officer nominated by the DEO.
- (d) A proper log-book shall be maintained for proper account of EVMs pertaining to Training and Awareness.
- (e) Such EVMs shall be given only to the authorized officials deputed by the District Election Officer.
- (f) After the conclusion of daily training and awareness programs, these machines shall be stored in the **designated warehouse only.**"

39. It appears that the protocol of EVM/VVPAT (i) during Non-election period and emergency-movement/shifting of EVMs with proper security and safety arrangement of EVMs warehouse/strong room and (ii) The protocol of EVM/VVPAT for training and awareness and storage protocol are different. In

terms of clause No. (a) of para No. 5.6, which is titled as '**Storage Protocol**', the EVMs (Training & Awareness) shall be stored in a **separate designated warehouse**, not below the sub-division headquarters with proper security and lock. It appears that the strength of security has not been specifically directed and it is only prescribed as proper security and lock. Unfortunately, the applicants have been made prima-facie responsible for the lapses on their part in not following the security protocol, which is not meant for the EVM/VVPAT for training and awareness.

40. It is well settled that the Government servant should not be suspended without their being any sufficient justification. The Disciplinary Authority should exercise their discretion with utmost care and caution. The general principle is that ordinarily the suspension should not be ordered unless the allegations made against the Government servant are of serious in nature and on the basis of evidence available there, a prima-facie case is made out for their dismissal or removal. It is also settled position that the suspension is a device to keep the delinquent out of the mischief range. The purpose is to complete the proceedings unhindered. Suspension is an interim measure in the aid of disciplinary proceedings so that the delinquent may not gain custody or control of papers or take any advantage of

his position. In the instant case it appears that all the applicants have been suspended without any reasons and justification. The Election Commission of India has exercised the powers arbitrarily without application of mind. Prima-facie, no case is made out against the applicants for dereliction of duties and/or the negligence in performing the duties. In the given set of allegations, it is very unlikely that the case is made out against the applicants about their dismissal or removal. In the given set of allegations, if the departmental enquiry is initiated against the applicants, their suspension is not necessary in the aid of the departmental proceedings as there is no question that the applicants may gain custody or control of papers or take any advantage of their respective positions.

41. In the instant case, by any stretch of imagination, the applicants cannot be said to be a part of incidence of theft. It has been reported by the Superintendent of Police, Pune Rural that from the investigation it appears that breaking into the Taluka Treasury and stealing cash seems to be the motive of the thieves. In my considered opinion, the Election Commission of India has hastily directed the Chief Secretary, Government of Maharashtra to suspend the applicants. The said direction issued by respondent Election Commission of India appears to be

without application of mind. The affidavit in reply filed by the respondent Election Commission of India particularly paragraph No. 10 is reproduced herein below:-

"10. That the Answering Respondent submits that the incidence of the theft of the EVMs, is an offence under the Criminal law. It is highly sensitive issue, more so the circumstances and the timing of the theft have taken place when the Lok Sabha elections are round the corner. This would create a wrong impression in the eyes of the public and would have a negative impact on the forthcoming elections. It is also been the Election Commission's endeavor to ensure that all elections are done without any fear or favour. This theft has the capability to tarnish the reputation of the Commission which it is maintain unblemished. Further, the suspension order which is a subject matter of the application does not tantamount to punishment. It is temporary and subject to further investigation."

42. It appears from the aforesaid paragraph that the Election Commission of India has directed the suspension of the officers to ensure that all the elections are done without any fear and favour and further to erase the negative impact on the forthcoming elections and also to maintain the reputation of the Commission. It appears that the Election Commission of India has issued suspension orders of the applicants for extraneous reasons by way of victimization. I agree with the submissions made on behalf of the applicants that the applicants have been made scapegoat in the entire process. To my mind, the impugned orders of the suspensions are punitive in nature. This

is an arbitrary exercise of powers by the Election Commission of India, leave apart, that whether the Election Commission of India has power to direct the suspension of the offices when Section 28-A of the Representation of the People Act, 1951 prescribes that the Returning Officer, Presiding Officer, Polling Officer and any other officer appointed under this part or any police officer designated for the time being by the State Government, for the conduct of any election shall be deemed to be on deputation on Election Commission for the period commencing on and from the date of the notification calling for such election and ending with the date of declaration of the results of such election and accordingly, such officers, shall, during that period, be subject to the control, superintendence and discipline of the Election Commission.

43. The provisions of Section 13CC of the Representation of the People Act, 1950 cannot be made applicable to the facts and circumstances of the present cases. Consequently, the direction so issued by the Election Commission of India about the suspension of the officers is also contrary to the provisions of Section 28-A of the Representation of the People Act, 1951. Even assuming that the Election Commission of India can issue the

said directions, however, the same appears to be an arbitrary exercise of powers.

44. So far as the case laws relied upon by the learned counsel for the respective parties, it is not necessary to give detail reference to each and every case separately. There are guidelines and principles laid down by the Hon'ble Apex Court and even by this Tribunal to consider the scope and ambit of the suspension orders. The said legal position is not disputed.

45. In view of above discussion and considering the entire facts of the applications, these Original Applications are deserves to be allowed. Hence, the following order:-

ORDER

The Original Application Nos. 205 of 2024, 206 of 2024 and 207 of 2024 are allowed in the following terms:-

- (A) The impugned suspension order dated 09.02.2024 issued by Under Secretary, Revenue and Forest Department, thereby suspending the applicant in O.A.No. 205/2024 viz. Smt. Varsha Landge, Deputy Collector/Sub Divisional Officer, Purandar, Dist. Pune is hereby quashed and set aside and the respondents are hereby directed to reinstate the

applicant Smt. Varsha Landge on the original post of the Sub Divisional Officer, Purandar, Dist. Pune forthwith.

(B) The impugned suspension order dated 09.02.2024 issued by Under Secretary, Revenue and Forest Department, thereby suspending the applicant in O.A.No. 206/2024 viz. Shri Vikram Mahajan Rajput, Tahsildar, Purandar, Dist. Pune is hereby quashed and set aside and the respondents are hereby directed to reinstate the applicant Shri Vikram Mahajan Rajput on the original post of the Tahsildar, Purandar, Dist. Pune forthwith.

(C) The impugned suspension order dated 08.02.2024 issued by Deputy Secretary, Home Department, thereby suspending the applicant in O.A.No. 207 of 2024 viz. Shri Tanaji Dilip Barade, Sub Divisional Police Officer, Bhore, Pune Rural is hereby quashed and set aside and the respondents are hereby directed to reinstate the applicant Shri Tanaji Dilip Barade on the original post of the Sub Divisional Police Officer, Bhore, Pune Rural Saswad, Tal. Purandar forthwith.

- (D) In the circumstances, there shall be no order as to costs.
- (E) The Original Applications are accordingly disposed of.

PLACE : Aurangabad.
DATE : 02.04.2024

(Justice V.K. Jadhav)
Member (J)

KPB /SAS S.B. O.A. No. 205, 206 & 207 all of 2024 (Mumbai)

श्री.तानाजी दिलीप बरडे, (निलंबित) उप-
विभागीय पोलीस अधिकारी यांना शासन सेवेत
पुनःस्थापित करण्याबाबत.

**महाराष्ट्र शासन
गृह विभाग**

शासन आदेश क्रमांक: H.D.-12012/8/2024-ACS-MHD-Home Department (E 732472)

दुसरा मजला, मंत्रालय मुख्य इमारत,
मादाम कामा मार्ग, हुतात्मा राजगुरु चौक, मुंबई-४०००३२
तारीख: २६ एप्रिल, २०२४

वाचा :

१. शासन आदेश, गृह विभाग, क्रमांक: H.D.-१२०१२/८/२०२४-ACS-MHD-Home Department (E ७३२४७२), दिनांक ०८ फेब्रुवारी, २०२४
२. शासन निर्णय, सामान्य प्रशासन विभाग, क्रमांक: निप्रआ-११११/प्र.क्र.८६/११-अ, दि.१४/१०/२०११
३. मा. महाराष्ट्र प्रशासकीय न्यायाधिकरणाचे मूळ अर्ज क्रमांक २०७/२०२४ मधील आदेश, दिनांक: ०२/०४/२०२४
४. सचिव, केंद्रीय निवडणूक आयोग, नवी दिल्ली यांचे पत्र क्र.४६४/MH/२०२४/(EVM)/WS-II, दि.२२/०४/२०२४

शासन आदेश :

ज्याअर्थी, श्री.तानाजी दिलीप बरडे, उप-विभागीय पोलीस अधिकारी, भोर उप-विभाग, पुणे ग्रामीण यांना सासवड जिल्हा पुणे येथे तहसील कार्यालयाचे कुलुप तोडून ईव्हीएम यंत्र चोरीस गेल्याच्या घटनेबाबत सुरक्षा व्यवस्थेमध्ये उणीव राहिल्याच्या कारणाने संदर्भाधीन क्रमांक १ येथील शासन आदेशान्वये निलंबित करण्यात आले होते;

आणि ज्याअर्थी, श्री.तानाजी दिलीप बरडे, निलंबित उप-विभागीय पोलीस अधिकारी यांनी मा. महाराष्ट्र प्रशासकीय न्यायाधिकरण, मुंबई खंडपीठ मध्ये दाखल केलेल्या मूळ अर्ज क्रमांक २०७/२०२४ यामध्ये मा. महाराष्ट्र प्रशासकीय न्यायाधिकरणाने दिनांक ०२/०४/२०२४ रोजी अंतिम आदेश पारित करून श्री. तानाजी दिलीप बरडे, उप-विभागीय पोलीस अधिकारी यांचे दिनांक ०८/०२/२०२४ चे निलंबनाचे आदेश रद्द करून त्यांना तात्काळ प्रभावाने शासन सेवेत पुनःस्थापित करण्याचे आदेश दिले आहेत. तसेच, त्यांची पदस्थापना निलंबनापुर्वीच्या पदावर म्हणजेच उप-विभागीय पोलीस अधिकारी, भोर उप-विभाग, पुणे ग्रामीण या पदावर करण्याचे आदेश दिले आहेत;

ज्याअर्थी भारत निवडणूक आयोग, नवी दिल्ली यांनी संदर्भाधीन क्र.४ अन्वये मा. महाराष्ट्र प्रशासकीय न्यायाधिकरण, मुंबई यांच्या दि.०२/०४/२०२४ रोजीच्या आदेशाची तात्काळ अंमलबजावणी करण्याची सूचना केली आहे;

पुनःस्थापित करण्याबाबत

श्री. विक्रम राजपुत, तहसिलदार, पुरंदर

महाराष्ट्र शासन

महसूल व वन विभाग

क्रमांक : निलंबन २०२४/प्र.क्र. १७/ई-४

मादाम काम मार्ग, हुतात्मा राजगुरु चौक,

मंत्रालय, मुंबई-४० ०३२.

दिनांक :- २५/०४/२०२४

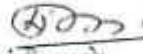
- वाचा :- १. शासन आदेश क्र. निलंबन-२०२४/प्र.क्र.१७/ ई-४, दिनांक ०९/०२/२०२४.
 २. मा. महाराष्ट्र प्रशासकीय न्यायाधिकरण, मुंबई यांचे दिनांक २/४/२०२४ रोजीचे आदेश
 ३. भारत निवडणूक आयोग, नवी दिल्ली यांचे दिनांक २२/०४/२०२४ चे पत्र
आदेश

श्री. विक्रम राजपुत, तहसिलदार, पुरंदर, जि. पुणे यांनी सदर पदावर कर्तव्य बजावत असताना त्यांच्या कार्यक्षेत्र असणाऱ्या जनजागृती व प्रशिक्षणासाठी वाटप करण्यात आलेल्या भारत निवडणूक आयोगाच्या मतदान यंत्रापैकी एक कंट्रोल युनिट क्र. BCUEL४१६०१ ची दिनांक ०४/०२/२०२४ रोजी चोरी झाली. तहसिल कार्यालय, पुरंदर येथील स्ट्राँगरूममधून EVM मशीनचे १ कंट्रोल युनिट (युनिट क्र. BCUEL४१६०१) हे चोरीला गेल्याने कर्तव्यात केलेला निष्काळजीपणा ही गंभीर स्वरूपाची अनियमितता असल्याने श्री.विक्रम राजपुत, तहसिलदार, पुरंदर यांना महाराष्ट्र नागरी सेवा (शिस्त व अपील) नियम, १९७९ च्या नियम ४ (१) (अ) मधील तरतूदीनुसार शासन आदेश दिनांक ०९/०२/२०२४ अन्वये शासन सेवेतून निलंबित करण्यात आले होते.

२. सदर निलंबन आदेशाविरुद्ध श्री. विक्रम राजपुत, तहसिलदार, पुरंदर यांनी मा. महाराष्ट्र प्रशासकीय न्यायाधिकरण, मुंबई येथे दाखल केलेल्या मुळ याचिका क्र. २०६/२०२४ मध्ये मा.न्यायाधिकरणाने दिनांक ०२/०४/२०२४ च्या आदेशान्वये श्री. राजपुत यांचे निलंबन संपुष्टात आणून त्यांना सेवेत पुनःस्थापित करण्याचे आदेश दिले आहेत. तसेच भारत निवडणूक आयोग, नवी दिल्ली यांनी दिनांक २२/०४/२०२४ च्या पत्रान्वये मा. महाराष्ट्र प्रशासकीय न्यायाधिकरण, मुंबई यांच्या दिनांक ०२/४/२०२४ च्या आदेशांची तात्काळ अंमलबजावणी करण्याचे निर्देश दिले आहेत.

३. आता महाराष्ट्र नागरी सेवा (शिस्त व अपील) नियम, १९७९ च्या नियम ४ (५) (क) अन्वये प्रदान करण्यात आलेल्या शक्तींचा वापर करून श्री. विक्रम राजपुत, तहसिलदार, पुरंदर यांचे निलंबन प्रस्तावित विभागीय चौकशीच्या अधिन राहून संपुष्टात आणण्यात येत असून त्यांना शासनसेवेत पुनःस्थापित करण्यात येत असून त्यांची पदस्थापना तहसिलदार, पुरंदर या पदावर करण्यात येत आहे.

महाराष्ट्राचे राज्यपाल यांच्या आदेशानुसार व नावाने,


(संजय राजे)

शासनाचे अवर सचिव

प्रति,

श्री. विक्रम राजपुत, तहसिलदार, पुरंदर
(विभागीय आयुक्त, पुणे विभाग, पुणे यांच्यामार्फत)

प्रत माहितीसाठी व आवश्यक त्या कार्यवाहीसाठी रवाना :-

१. विभागीय आयुक्त, पुणे विभाग, पुणे
२. जिल्हाधिकारी, पुणे.
३. उपसचिव, कार्यासन ई-३, महसूल व वन विभाग, मंत्रालय, मुंबई-४०० ०३२.
४. निवडनस्ती, ई-४ कार्यासन, महसूल व वन विभाग, मंत्रालय, मुंबई.



-WP-5768-3706-5707-24.doc

Rameshtwar Dilwade

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.5768 OF 2024

Election Commission of India

.. Petitioner

Vs.

Vikram Mahajan Rajput & Ors.

.. Respondents

WITH

WRIT PETITION NO.5706 OF 2024

Gopal Shrishail Kumbar

.. Petitioner

Vs.

The District Caste Scrutiny Committee Sangli & Anr.

.. Respondents

WITH

WRIT PETITION NO.5707 OF 2024
(taken on board)

Election Commission of India

.. Petitioner

Vs.

Smt. Varsha Landge & Ors.

.. Respondents

...

Mr. Ashutosh Kumbhakoni, Senior Advocate i/by Mr. Abhijit Kulkarni, Mr. Tejas Deshmukh, Mr. Akshay Shinde, Advocates for petitioner in all Writ Petitions.

Mr. Mihir Desai i/by Mr. Swaraj Jadhav, Advocate for Respondent No.1.

Mr. N. C. Walimbe, Addl. G.P. a/w Mr. N. K. Rajpurohit, AGP for Respondent-State.

Mr. N. K. Rajpurohit, AGP for Respondent Nos.1 to 4 in WP/5706/2024.

...

CORAM : A.S. CHANDURKAR &
JITENDRA JAIN, JJ

DATE : 26th APRIL 2024.

PC. :

1. In these three writ petitions challenge has been raised to the common order dated 02/04/2024 passed by the Maharashtra

Administrative Tribunal in Original Application Nos.205/2024, 206/2024, and 207/2024. In these Original Applications, a challenge was raised to the order of suspension issued by the Home Department dated 08/02/2024 and the Revenue and Forest Department dated 09/02/2024 in view of the communication issued by the Election Commission of India on 06/02/2024. The Maharashtra Administrative Tribunal by the aforesaid common order set aside the orders of suspension issued to the three applicants. Being aggrieved, the Election Commission of India has challenged the said common order.

2. During pendency of the writ petition, the Election Commission of India has on 22/04/2024 issued a communication to the Chief Secretary, Government of Maharashtra stating therein that all the three applicants who had approached the Maharashtra Administrative Tribunal were being reinstated. In view of this direction issued by the Election Commission of India, two of the three applicants have been reinstated. The said communication is taken on record and marked 'A' for identification.

3. Mr. A. A. Kumbhakoni, learned Senior Advocate for the Election Commission of India submits that the Election Commission of India desires to challenge the correctness of the findings recorded by the Maharashtra Administrative Tribunal in the common order dated 02/04/2024 that relate to its authority to issue directions for suspending the concerned

applicants. He, however, submits that since the order of suspension of the three applicants has now been revoked, the grounds raised for challenging the said common order be kept open.

4. Mr. Mihir Desai, learned Senior Advocate for the concerned applicants submits that in view of the order dated 22/04/2024 passed by the Election Commission of India, the concerned applicants have been / is being reinstated.

5. In view of these subsequent events, it is not necessary to keep the writ petitions pending. They are accordingly disposed of with a clarification that all points raised in the writ petitions are kept open. It is further clarified that we have not examined the correctness of the findings recorded by the Maharashtra Administrative Tribunal and all challenges/defences are kept expressly open. Order accordingly.

[JITENDRA JAIN, J]

[A.S. CHANDURKAR, J.]

३६ — शिरूर लोकसभा
सार्वत्रीक निवडणुक — २०२४
स्ट्रॉगरूम बंदोबस्त योजना

स्ट्रॉगरूमचे ठिकाण :-

रांजणगांव एमआयडीसी येथील वखार महामंडळ यांचे गोडावुन, कारेगांव ता.

शिरूर जि. पुणे

विषय :- ३६ शिखर लोकसभा निवडणुक - २०२४

वखार महामंडळ एमआयडीसी काँग्रेस येथे ठेवण्यात येणा-या मतदानयंत्राच्या दि. १३/०५/२०२४ ते ०४/०६/२०२४ पोचतो सुरक्षा व्यवस्थेबाबत...

दि. १३/०५/२०२४ रोजी मतदान संपल्यानंतर सिल्ल्यात मतदानयंत्र विधानसभा निधीत ठिकाणी जमा झाल्यानंतर संबंधित उपविभागीय पोलीस अधिकारी तथा विधानसभा प्रभारी अधिकारी हे सदरचे मतदान यंत्र यंत्र विधानसभा केद्रापासून काउंटिंग सेंटरपर्यंत मतपेट्या घेवून येत असताना सदर मतपेट्या केंद्रीय सुरक्षा दलाच्या एम्फाईटने तसेच उपविभागीय पोलीस अधिकारी यांचे देखरेखीखाली आणतात व वखार महामंडळ गोडावुन काँग्रेस (गंजनगांव) येथे आणुन नियोजित ठिकाणी जमा करतील. सर्व मतदान यंत्र जमा झालेनंतर, सर्व खांबी / स्टॉंगरूमच्या निवडणुक निगांचे अधिकारी यांचे समक्ष सिल लावले नंतरचे संबंधित विभागीय पोलिस अधिकारी हे आमचे पुढील आदेशानंतर नेवून निघतील.

संपूर्ण स्टॉंगरूमला सील झालेची खात्री स्टॉंग रूम सुरक्षा बंदोबस्त प्रभारी अधिकारी तथा उपविभागीय पोलीस अधिकारी शिखर यांची करावी. त्यानंतर लगेचच स्टॉंगरूमच्या आतील बाजुने निवडणुक आयोगाचे निर्देशाप्रमाणे सी पी एफ प्लाटुन यांना बंदोबस्त कामी तैनात करावे. त्यानंतर एस आर पी एफ दल तैनात करावे. बाहेरील बाजुने पूर्ण ग्रामीण जिल्हा पोलीस दलातील उपलब्ध मनुष्यबळातुन पोलीस अधिकारी व कर्मचारी गार्ड ड्युटीसाठी तैनात करावेत. सदर स्टॉंगरूमचे आतील व बाहेरील बाजुचे बंदोबस्त तैनात झालेनंतर स्टॉंगरूम ठिकाणचे मुख्य प्रवेशद्वारा ठिकाणी १ पोलीस अधिकारी व ४ पोलीस अंमलदार यांचा हत्पारी गार्ड तैनात करावा. स्टॉंगरूमचे आतील, बाहेरील व मुख्य प्रवेशद्वारावरील तैनात असलेल्या सर्व पोलीस अधिकारी व अंमलदार हे त्यांचे ओळखपत्र स्वतः जवळ बाळगतात.

मतदान यंत्र स्टॉंग रूम मध्ये ठेवण्यापुर्वी स्टॉंगरूमची व परिसराची घातपात विरोधी तपासणी सीडीडीएस पथक पुणे ग्रामीण यांचे कडून करून घ्यावी.

१). स्टॉंगरूम अंतर्गत सुरक्षा बंदोबस्त (इनर क्वार्टर) :-

ईव्हीएम ठेवलेल्या स्टॉंगरूम गोडावुन क्रमांक ५ व ६ चे आजुबाजुला तयार करण्यात आलेल्या एकुण ३ वाळुचे मोर्चाचे ठिकाणी प्रत्येकी १/२ सेक्शन याप्रमाणे १ प्लाटुन सीआरपीएफ कंपनी मधील नेमुन उर्वरीत अधिकारी व अंमलदार हे स्टॉंगरूम चे बाजुस तयार करण्यात आलेल्या पॅडॉल मध्ये सतत गिझर्व राहतील व गार्डकरीता आळीपाळीने रिलीफ देवुन ड्युटी करतील. ड्युटीवर असलेले अंमलदार सदर ठिकाणी मोबाईलचा वापर करणार नाहीत अत्यंत आवश्यक असल्यास नियंत्रण कक्ष येथील फोनचा वापर करतील. याबाबत सीआरपीएफ चे प्रभारी अधिकारी हे सुचना देतील.

२) स्टॉंगरूम मध्य सुरक्षा बंदोबस्त (मिडल क्वार्टर) :-

ईव्हीएम ठेवलेल्या स्टॉंगरूम गोडावुन क्रमांक ५ व ६ चे आजुबाजुला तयार करण्यात आलेल्या एकुण ४ तंबू राहुटी ठिकाणी प्रत्येकी १/२ सेक्शन याप्रमाणे १ प्लाटुन एसआरपीएफ कंपनी मधील नेमुन उर्वरीत अधिकारी व अंमलदार हे स्टॉंगरूम चे बाजुस तयार करण्यात आलेल्या पॅडॉल मध्ये सतत गिझर्व राहतील व गार्डकरीता आळीपाळीने रिलीफ देवुन ड्युटी करतील. ड्युटीवर असलेले अंमलदार सदर ठिकाणी मोबाईलचा वापर करणार नाहीत अत्यंत आवश्यक असल्यास नियंत्रण कक्ष येथील फोनचा वापर करतील. याबाबत एसआरपीएफ कंपनी चे प्रभारी अधिकारी हे सुचना देतील.

३). स्टॉंगरूम वाहतू सुरक्षा बंदोबस्त (आउटर क्वार्टर) :-

इव्हाएम ठेवलेल्या स्टॉंगरूम वाहेरील परिसर सुरक्षेकामी ३ पो इयुनि व २० रात्रीस अंमलदार बंदोबस्त करिता देण्यात आलेले आहेत. ते २ पाळींमध्ये आळीपाळीने ड्युटी करतील. अधिकारी हे कोणत्या रिझर्व/पिस्टल व अंमलदार हे लाठी सोबत ठेवतील. रात्र पाळीचे वेळी दारं बंद राहतील.

४. सीसीटीव्ही प्रेक्षपण निरीक्षण बंदोबस्त :-

सीसीटीव्ही कॅमेरा वर लक्ष देणे करिता नेमण्यात आलेले अंमलदार दोन जिप्सद मध्ये दृष्टी करतील. कोणताही अनुचित घटना निदर्शनास येताच स्टॉंगरूम प्रभाग अधिकारी यांचे निदर्शनास आणून देतील.

५. स्टॉंगरूम पोलीस नियंत्रण कक्ष / मेन गेटवर वाहन :-

पोलीस निरीक्षक मोटार परिवहन विभाग हे २ वाहन चालकांसह दुरुवतील.

६. गोडावुन स्टॉंगरूम पोलीस नियंत्रण कक्ष रिझर्व्ह :-

नियंत्रण कक्ष पुणे ग्रामीण येथील आरसीपी प्लॉटुन ता. १३/०५/२०२४ रोजी पन्हुन व्होल्स आदेशापर्यंत वाखार महामंडळ गोडावुन कारेगांव, ता. शिरूर, जि. पुणे येथील स्टॉंगरूम येथील मुख्य प्रवेशक येथे रिझर्व्ह राहतील.

७. पोलीस निरीक्षक बिनतारी संदेश विभाग, पुणे ग्रामीण :-

पोलीस निरीक्षक बिनतारी संदेश विभाग, पुणे ग्रामीण हे ६ डीएफएमडी व ६ एचएचएमडी पोलीस उपअधिक्षक आर्थिक गुन्हे शाखा पुणे ग्रामीण यांचे सुचनेनुसार लावतील. तसेच पेट्रोलिंग व गहूटी करिता २ वॉकीटॉकी पुरवतील. तसेच नियंत्रण कक्ष येथे वायरलेस सेट बसवतील. त्याचप्रमाणे निरीक्षणाकरिता बिनतारी संदेश विभागाचे २ अंमलदार २४ तास उपलब्ध राहतील याची दक्षता घेतील.


८. सपोनि बीडीडीएस :-

सपोनि बीडीडीएस पुणे ग्रामीण हे ता. १३/५/२०२४ रोजी पासून दररोज स्टॉंगरूम च्या आतील व वाहेरील परिसराची घातपात विरोधी तपासणी करून तपासणीचा अहवाल स्टॉंगरूम चे प्रभारी अधिकारी यांचे कडे देतील.

मतदान यंत्र संरक्षण बंदोबस्त मार्गदर्शक सुचना :-

१. ज्या इमारती मध्ये मतदान यंत्र ठेवल्या जातील त्या इमारतीची आतुन व बाहेरून काळजी पूर्वक मुख्य निरीक्षक तपासणी करून घ्यावी. इमारती पासून १०० फुट अंतरापर्यंत घातपात विरोधी दृष्टीने तपासणी करावी. जवळ झाल्यास घातपास विरोधी पथकचा या करिता उपयोग करावा.
२. या इमारतीच्या दाराला लावलेली सील दररोज चेक करण्यात यावे आणि ते सेंट्री ड्युटीवरील अंमलदाराने सतत दिसेल अशा पध्दतीने ड्युटी लावण्यात यावी.
३. सदर इमारती जवळ सतत अग्नीशामक व्यवस्था उपलब्ध ठेवावी.
४. बंदोबस्तावरील सर्व अधिकारी व अंमलदार यांना त्यांचे व्यवक्तिक ओळख पत्राशिवाय विशेष प्रकारचे ड्युटी पास वरीष्ठ अधिकारी यांचे सहीनिशी देण्यात यावा.
५. सदर बंदोबस्ताचे नियोजन २ पाळीत करण्यात येवून २ पाळीचे इनचार्ज अधिकारी पोलीस निरीक्षक दर्जाचे असावेत. आणि परिवेक्षक अधिकारी म्हणून पोलीस उप अधिक्षक दर्जाचे असावेत.
६. दर दोन तासांनी सदरचा बंदोबस्त चेक करणेकरिता पोलीस निरीक्षक यांची ड्युटी लावण्यात यावी. आणि दर दिवशी त्यांचा चेकींग क्रम व वेळ बदलण्यात यावी.
७. अपर पोलीस अधिक्षक यांनी अचानक पणे भेट देवून संरक्षण बंदोबस्त चेक करावा. तशा नोंदी तेथील जिप्सद मध्ये घ्याव्यात.
८. सदर इमातीला भेट देण्याकरिता अधिकृतपणे येणारे उमेदवार त्यांचे प्रतिनीधी, पत्रकार, वरीष्ठ अधिकारी यांची सुरक्षेच्या दृष्टीने तपासणी करावी.

९. सदर इमारती व त्याकरीता लावलेल्या सुरक्षा बंदोबस्ताचा कोणालाही फोटो घेण्यास देवु नये तसेच त्याविषयी दुरुध्वनी वरून संभाषण करू देवु नये.
१०. उपरोक्त पणे सर्व व्हिजीटर्स यांची योग्य नोंद ठेवण्यात यावी. त्या करीता या ठिकाणी स्टेशन डायरी प्रमाणे मुक्कमेट डायरी उघडण्यात यावी त्यामध्ये त्या ठिकाणी घडणा-या सर्व घटना क्रमांची व येणा-या जाणा-यांची नोंद ठेवण्यात यावी.
११. वरीष्ठ पोलीस अधिकारी, निवडणुक निर्णय अधिकारी यांच्या अभिप्रायाकरीता/सुचना करीता एक व्हिजीट रजिष्टर ठेवण्यात यावे.
१२. केलेल्या कर्तव्यांची नोंद घेणेकरीता कर्मचा-यांनी ड्युटी नोंदबुक व अधिकारी यांनी डायरी ठेवुन त्यामध्ये त्यांनी केलेल्या दैनंदिन कर्तव्याची नोंद घ्यावी.
१३. कोणत्याही प्रकारचे वाहन इमारती जवळ पार्क केले जाणार नाही तसेच १०० मीटर आत कोणतेही वाहन घेवुन येणार नाही याची काळजी घ्यावी.
१४. सदर इमारतचा परिसर व कंपाउंड परिसर मध्ये कोणीही धुम्रपान करणार नाही.
१५. मेन गेटमधुन प्रवेश करताना सर्व मोबाइल हे गेटवरच जमा करावेत सदर ठिकाण हे सीसीटीव्ही कक्षेत ठेवावे. पोलीस नियंत्रण कक्ष प्रभारी अधिकारी एक फोन नियंत्रण कक्षात ठेवतील त्यावरूनच सर्व आवश्यक कॉल केले जातील.
१६. उपरोक्त सुचनांचे सर्व संबंधित पोलीस अधिकारी व अंमलदार यांनी काटेकारपणे पालन करून इव्हीएम स्टॉगरूम सुरक्षा व्यवस्थेमध्ये कोणत्याही प्रकारची हयगयी होणार नाही याची दक्षता घ्यावी.

कळावे

 13.05.2024
 पोलीस अधिक्षक,
 पुणे ग्रामीण.

परीशिष्ट क्रमांक १ :- बंदोबस्त स्कीम.

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वखार महामंडळ कारेगांव, ता. शिरूर, जि. पुणे येथील लोकसभा निवडणुक २०२४ ता. १३/०५/२०२४ रोजी सकाळी ०९:०० वा. पासून ते पुढील आदेश होईपर्यंत स्टॉग रूम बंदोबस्त खालील प्रमाणे.

अ.क्र	बंदोबस्ताचे ठिकाण	पोलीस अंमलदार
१	स्टॉग रूम मुख्य सुरक्षा व्यवस्था / इनरकॉर्डन	सी ए पी एफ बी/१९२ प्लाटुन नं ०५ १ + २७
		मिडल कॉर्डन
		०९.०० ते २१.००
		२१.०० ते ०९.००
१	स्टॉग रूम पुर्वेस उत्तर गेट जवळ १+ २ हत्यारी गार्ड	रा.रा.पो.बल गट क्रं ०२ पुणे प्लाटुन क्रं १ १ + २
२	स्टॉग रूम उत्तरेस आय टी कंपनी मध्ये १+ २ हत्यारी गार्ड	१ + २
३	स्टॉग रूम चे पश्चिम बाजुस १+ २ हत्यारी गार्ड एम आय डी सी ऑफिस सिव्हरिटी चौकीजवळ	१ + २
४	स्टॉग रूम दक्षिण बाजुस १+ २ हत्यारी गार्ड	१ + २
		आउटर कॉर्डन
		०९.०० ते २१.००
		२१.०० ते ०९.००
१	स्टॉग रूम पुर्वेस गेटजवळ १+ ३ हत्यारी गार्ड	१) सहा.पो.फौज. साळुखे वडगांव मावळ २) पो.शि.३०५९ डोंडफोडे कामशेत पो.ठा. ३) पो.शि. २०३५ अजय गेगंजे जुन्नर पो.ठा. ४) पो.शि. नितीन लांकरं जुन्नर पो.ठा.
२	स्टॉग रूम उत्तर गेटजवळ १+ ३ हत्यारी गार्ड	१) सहा.पो.फौज. अजय टंकर लोणावळा ग्रा. २) मपोशि २६३२ मोनाली माकर बारामती शहर पो ठाणे ३) पो.हवा. विनोद गायकवाड आळेफाटा पो. ठाणे ४) पो.हवा. कदम हवेली पो.
		१) सहा.पो.फौ. कोरकं खेड पो.ठाणे २) पोहवा संतोष शिंदे खेड पो.ठाणे ३) पोना नवनाथ शेडगे बारामती शहर पोलीस ठाणे ४) पो.शि. विनोद काळे शिरूर पो. ठाणे
		१)पोहवा ३३३५योगेश टिळकर बारामती तालुका पो ठाणे २) पो.शि.नलावडे दौंड पो.ठाणे ३) पोशि ३१० धनंजय भोसले उरळीकांचन पो.ठाणे ४) पोशि २६६८ मनोज रत्नपारखी उरळीकांचन पो.ठाणे

		ठाणे	
३	स्ट्रॉग रूम चे उत्तर बाजुस १+ ३ हत्यारी गार्ड आय टी सी कंपनीचे आमतध्ये	१) सहा.पो.फौज. मारुती गोफने लोणावळा ऑफिस २) पो ना दिवार वेल्हा पो.ठाणे ३) पो.ना.२२९९ कांबळे राजगड पो. ठाणे ४) मपोशि ८३ नेहा जाधव शिक्कापुर पो.ठाणे	१) पोहवा ३२८७ महावीर गरूड बारामती तालुका पो. ठाणे २) पोशि ८०५ अक्षय कामटे उरळीकांचन पो. ठाणे ३) पो.ना.निलेश ओळ्ळाळ राजगड पो. ठाणे ४)पो.शि.२८०४ पांडुरंग बागल शिरूर पो.ठाणे
४	स्ट्रॉग रूम १+ ३ हत्यारी गार्ड पश्चीम बाजुस एम आय डी सी ऑफिसजवळ सिक्युरीटी केबीन जवळ	१) मपोहवा २१८० सवित्रा सांगडे उरळीकांचन पो. ठाणे २) पो.हवा.२२०३ रासकर जेजुरी पो.ठाणे ३) मपोशि २६९४ तृप्ती माकर शिरूर पो. ठाणे ४) मपोशि २५२६ निता चव्हाण शिक्कापुर पो.ठाणे	१) सहा.पो.फौज हुमंग आळेफाटा पो. ठाणे २) पोशि १७३० दिपक नांगरे शिरूर पो.ठाणे ३) पो.शि.प्रवीण शिंगाडे इंदापूर पो. ठाणे ४) पोशि २६४९ कळसाईन बारामती तालुका पो.ठाणे
५	स्ट्रॉग रूम १+ ३ हत्यारी गार्ड दक्षिण भिंती जवळ	१) सहा.पो.फौज. विठठल वारगड भिगवन पो. ठाणे २) मपोशि २५३९ प्रतीमा नवले शिरूर पो. ठाणे ३) पो.शि. २३७१ विकास राखुडे मालेगांव पो. ठाणे ४) मपोशि ६९९ सगुना आवटे बारामती शहर पो.ठाणे	१) पोहवा ३३३१ बाबु कांबळे बारामती तालुका पो. ठाणे २) पो.शि.रवी काळे दौंड पो. ठाणे ३) पोशि १२४५ मोहन बागल बारामती तालुका पो.ठाणे ४)पोशि २९८८ अविनाश भागवत बारामती तालुका पो. ठाणे
१	स्ट्रॉग रूम चे उत्तर पुर्व कोप-यामध्ये गोडावुन क्रं ५ चे पुर्वेस वॉचर टॉवर क्रमांक १	१) पोहवा पांडुरंग थोरात दौंड पोलीस ठाणे	१) पोशि ३६५ विकी यादवा शिरूर पो. ठाणे
२	स्ट्रॉग रूम चे उत्तर पश्चीम कोप-यामध्ये गोडावुन क्रं ५ चे पश्चीमेस वॉचर टॉवर क्रमांक २	१) पोहवा गोरख मलगुंडे दौंड पोलीस ठाणे	१) पोशि २६३३ राजाराम गायकवाड शिरूर पो.ठाणे
३	स्ट्रॉग रूम चे दक्षिण पश्चीम कोप-यामध्ये दक्षिण भिंतीलगत वॉचर टॉवर क्रमांक ३	१) पोहवा एम एस नांदने यवत पोलीस ठाणे	१) पोशि ७१५ ताराचंद जाधव शिरूर पो. ठाणे

४	स्ट्रॉग रूम चे दक्षिण बाजुस वॉचर टॉवर क्रमांक ४	१) पो ना २३३३ काळे उरळीकांचन पो ठाणे	१) पोशि १००६ सुरेज मुर शिरूर पो ठाणे
५	स्ट्रॉग रूम चे पुर्व बाजुस वॉचर टॉवर क्रमांक ५	१) पोहवा शिंदे खेड पोलीस ठाणे	१) पोहवा ७०५ विकास निर्मळ बालचंदनगर पो. ठाणे
	मेन गेट	पोउपनि निळकंठ तिडके रंजनगांव पो ठाणे १) सहा.पो.फौज. शिंदे रंजनगांव पो. ठाणे २) सहा.पो.फौज कर्डीले रंजनगांव पो.ठाणे ३) सहा.पो.फौ.येळे रंजनगांव पो.ठाणे ४) पो.शि.विजय शिंदे रंजनगांव पो.ठाणे (व्हीडीओ कॅमेरा)	पोउपनि महेश डोंगरे शिकापुर पो ठाणे १) सहा.पो.फौज. पंडीत मांजरे शिकापुर पो ठाणे २) पोहवा २२१० संतोष शिंदे शिकापुर पो.ठाणे ३) पोशि ३८१ ललीत चक्रनारायण शिकापुर पो ठाणे ४) पोशि १८६१ शेखर झाडफुके शिरूर पो ठाणे (व्हीडीओ कॅमेरा)
	स्ट्रॉग रूम नियंत्रण कक्ष अधिकारी	पोलीस निरीक्षक महादेव वाघमोडे रंजनगांव पोलीस ठाणे	दिपक लक्ष्मण बरडे नेम. आर्थिक गुन्हे शाखा मो.नं ८४८२८९०९८६
	स्टेशन डायरी अंमलदार	सहा.पो.फौज. कोरके खेड पोलीस ठाणे	सहा.पो.फौज.विजय चौधरी शिकापुर पो ठाणे
	वायरलेस ड्युटी	पोशि पिटले शिरूर पोलीस ठाणे	पोशि ३०५८ सोनु तावर शिरूर पो. ठाणे
	सी सी टी व्ही निरीक्षणाकरीता	०१ पोशि अजित पवार मंचर पोलीस ठाणे	पोशि २८५४ किरण खगडे शिरूर पो ठाणे
	एकुण	४ + ५६	४ + ५६

परीशिष्ट क्रमांक २ :- मतदान यंत्र सुरक्षा व्यवस्था दैनिक चेकींग :-

खालील नमुद अधिकारी हे स्टॉंगरूम परिसरात प्रवेश करणेकरीता ठरवुन देण्यात आलेल्या गोपनीया कॉलसाईनचा वापर करतील.

अ.क्र नं	अधिकारी नाव व हुददा	वेळ	
		पासुन	पर्यंत
१	स.पो.नि. बजरंग झेंडे रांजनगांव पोलीस ठाणे	०६.००	०८.००
२	स.पो.नि. मनोज नवसरे रांजनगांव पोलीस ठाणे	०८.००	१०.००
३	पो.नि. महादेव वाघमोडे रांजनगांव पोलीस ठाणे	१०.००	१२.००
४	स.पो.नि. संदीप यादव शिरूर पोलीस ठाणे	१२.००	१४.००
५	पो.नि. ज्यातीराम गुंजवटे शिरूर पोलीस ठाणे	१४.००	१६.००
६	स.पो.नि. अमोल पन्हाळकर शिरूर पोलीस ठाणे	१६.००	१८.००
७	पो नि दिपरतन गायकवाड शिरूर पोलीस ठाणे	१८.००	२०.००
८	स.पो.नि सतीश पवार शिरूर पोलीस ठाणे	२०.००	२२.००
९	स.पो.नि संदीप साळुंखे शिरूर पोलीस ठाणे	२२.००	२४.००
१०	शिरूर पोलीस ठाणे रात्रगस्त अधिकारी	२४.००	०२.००
११	शिरूर पोलीस ठाणे रात्रगस्त अधिकारी	०२.००	०४.००
१२	रांजनगांव पोलीस ठाणे रात्रगस्त अधिकारी	०४.००	०६.००

स्टॉंगरूम मेन गेट बंदोबस्त अधिकारी

अ.नं.	अधिकारी नाव मो.नं. नेम.	तारीख	तारीख	तारीख	तारीख
१	पोउपनि तिडके रांजनगांव पोस्टे	दिवसपाळी १३/०५/२०२४	दिवसपाळी २०/०५/२०२४	दिवसपाळी २७/०५/२०२४	दिवसपाळी ०३/०६/२०२४
२	पोउपनि डोंगरे शिक्कापुर पोस्टे	रात्रपाळी १३/०५/२०२४	रात्रपाळी २०/०५/२०२४	रात्रपाळी २७/०५/२०२४	रात्रपाळी ०३/०६/२०२४
३	मपोउपनि झेंडगे शिक्कापुर पोस्टे	दिवसपाळी १४/०५/२०२४	दिवसपाळी २१/०५/२०२४	दिवसपाळी २८/०५/२०२४	दिवसपाळी ०४/०६/२०२४
४	पोउपनि उगले शिरूर पोस्टे	रात्रपाळी १४/०५/२०२४	रात्रपाळी २१/०५/२०२४	रात्रपाळी २८/०५/२०२४	रात्रपाळी ०४/०६/२०२४
५	मपोउपनि काळे रांजनगांव पोस्टे	दिवसपाळी १५/०५/२०२४	दिवसपाळी २२/०५/२०२४	दिवसपाळी २९/०५/२०२४	
६	पोउपनि कचरे शिरूर पोस्टे	रात्रपाळी १५/०५/२०२४	रात्रपाळी २२/०५/२०२४	रात्रपाळी २९/०५/२०२४	
७	सपोनि बांबळे शिक्कापुर पोस्टे	दिवसपाळी १६/०५/२०२४	दिवसपाळी २३/०५/२०२४	दिवसपाळी ३०/०५/२०२४	
८	पोउपनि पासलकर रांजनगांव पोस्टे	रात्रपाळी १६/०५/२०२४	रात्रपाळी २३/०५/२०२४	रात्रपाळी ३०/०५/२०२४	
९	पोउपनि शिंदे रिडर	दिवसपाळी १७/०५/२०२४	दिवसपाळी २४/०५/२०२४	दिवसपाळी ३१/०५/२०२४	
१०	पोउपनि मुंडे रांजनगांव पोस्टे	रात्रपाळी १७/०५/२०२४	रात्रपाळी २४/०५/२०२४	रात्रपाळी ३१/०५/२०२४	
११	पोउपनि पाटील शिरूर पोस्टे	दिवसपाळी १८/०५/२०२४	दिवसपाळी २५/०५/२०२४	दिवसपाळी ०१/०६/२०२४	
१२	पोउपनि पवार शिरूर पोस्टे	रात्रपाळी १८/०५/२०२४	रात्रपाळी २५/०५/२०२४	रात्रपाळी ०१/०६/२०२४	
१३	पोउपनि थोरात शिक्कापुर पोस्टे	दिवसपाळी १९/०५/२०२४	दिवसपाळी २६/०५/२०२४	दिवसपाळी ०२/०६/२०२४	
१४	पोउपनि मुजावर शिरूर पोस्टे	रात्रपाळी १९/०५/२०२४	रात्रपाळी २६/०५/२०२४	रात्रपाळी ०२/०६/२०२४	

स्टॉग रूम प्रभारी पोलीस निरीक्षक

अ. नं.	दिनांक	टिक्सपाळी प्रभारी पोलीस निरीक्षक सकाळी ०९:०० ते २१:००	रात्रपाळी प्रभारी पोलीस निरीक्षक रात्री २१:०० ते ०९:००
१	१३/०५/२०२४	महादेव वाघमोडे नेम. राजनगांव पोलीस ठाणे मो.नं.९४२०७५६७८२	दिपक लक्ष्मण बरडे
२	१४/०५/२०२४	बळवंत कुंडलीक मांडगे नेम. नियंत्रण कक्ष मो.नं.९१५८०१०१००	वैशाली रावसाहेब पाटील
३	१५/०५/२०२४	सिताराम लक्ष्मण दुबल नेम. विशेष शाखा मो.नं.९८२३४०३५४५	बबन शंकर पटारे
४	१६/०५/२०२४	शंकर पाटील नेम. उरळीकांचन पोस्टे मो.नं. ९३७२२३९१३६	गोपाळ बसु पवार
५	१७/०५/२०२४	प्रभाकर माधवराव मोरे नेम. परकीय नागरीक नॉटणी मो.नं. ८४२४०५०५००	नवनाथ कोडीबा मदन
६	१८/०५/२०२४	दिपक लक्ष्मण बरडे नेम. आर्थिक गुन्हे शाखा मो.नं. ८४८२८९०९८६	उमेश औदुंबर तावसकर नेम. सायबर पोलीस ठाणे मो.नं.९८२३५१२२७८
७	१९/०५/२०२४	वैशाली रावसाहेब पाटील नेम. एएनटीयु मो.नं. ९८२३७५११९९	बळवंत कुंडलीक मांडगे
८	२०/०५/२०२४	बबन शंकर पटारे नेम. नियंत्रण कक्ष मो.नं. ९८७०१२८९३६	सिताराम लक्ष्मण दुबल
९	२१/०५/२०२४	गोपाळ बसु पवार नेम. नियंत्रण कक्ष मो.नं. ९८२१४४५५२५	शंकर पाटील
१०	२२/०५/२०२४	नवनाथ कोडीबा मदन नेम. कल्याण शाखा मो.नं. ८९७५९९७१७१	प्रभाकर माधवराव मोरे
११	२३/०५/२०२४	संतोष दत्तात्रय गिरीगोसावी नेम. जिल्हा वाहतुक शाखा ९८२३८५८१००	चंद्रशेखर मोहनराव यादव
१२	२४/०५/२०२४	अभिजीत सुभाष देशमुख नेम. विशेष शाखा मो.नं. ९९२३४३९७९७	दिनेश सखाराम तायडे
१३	२५/०५/२०२४	दिनेश सखाराम तायडे नेम. बु-हाणपुर मो.नं.९११२०४६९९९	अभिजीत सुभाष देशमुख
१४	२६/०५/२०२४	चंद्रशेखर मोहनराव यादव नेम. बारामती वाहतुक शाखा ९९२३६३०६५२	संतोष दत्तात्रय गिरीगोसावी
१५	२७/०५/२०२४	उमेश औदुंबर तावसकर	दिपक लक्ष्मण बरडे
१६	२८/०५/२०२४	बळवंत कुंडलीक मांडगे	वैशाली रावसाहेब पाटील
१७	२९/०५/२०२४	सिताराम लक्ष्मण दुबल	बबन शंकर पटारे
१८	३०/०५/२०२४	शंकर पाटील	गोपाळ बसु पवार
१९	३१/०५/२०२४	प्रभाकर माधवराव मोरे	नवनाथ कोडीबा मदन
२०	०१/०६/२०२४	संतोष दत्तात्रय गिरीगोसावी	चंद्रशेखर मोहनराव यादव
२१	०२/०६/२०२४	अभिजीत सुभाष देशमुख	दिनेश सखाराम तायडे
२२	०३/०६/२०२४	दिनेश सखाराम तायडे	अभिजीत सुभाष देशमुख
२३	०४/०६/२०२४	चंद्रशेखर मोहनराव यादव	संतोष दत्तात्रय गिरीगोसावी

स्टॉग रूम प्रभारी पोलीस उपअधिक्षक

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अ. नं.	दिनांक	नांव	नेमणुक	मोबाईल नंबर
१	१३/०५/२०२४	श्री.किशोरकुमार दत्ताजीराव जाधव	पोलीस उपअधिक्षक आर्थिक गुन्हे शाखा	९९२३४९३०५०
२	१४/०५/२०२४	श्री.स्वप्नील चंद्रशेखर जाधव	उपविभागीय पोलीस अधिकारी, दौंड उपविभाग	८८०६२९२९७३
३	१५/०५/२०२४	श्री.सुदर्शन प्रकाश पाटील	उपविभागीय पोलीस अधिकारी, खेड उपविभाग	८००७०६३७९५
४	१६/०५/२०२४	श्री.रविंद्र पांडुरंग चौधर	उपविभागीय पोलीस अधिकारी, जुन्नर उपविभाग	९३७३०३८८१८
५	१७/०५/२०२४	श्री.एम वि सत्यसाई कार्तीक भा.पो.से.	उपविभागीय पोलीस अधिकारी, लोनावळा उपविभाग	७९९३१४८७७९
६	१८/०५/२०२४	श्री.सुदर्शन साईदास राठोड	उपविभागीय पोलीस अधिकारी, बारामती उपविभाग	९०२९६३३४५२
७	१९/०५/२०२४	श्री.भाउसाहेब कैलास ढोले	उपविभागीय पोलीस अधिकारी, हवेली उपविभाग	८७९६८०११८१
८	२०/०५/२०२४	श्री.तानाजी दिलीप बरडे	उपविभागीय पोलीस अधिकारी, भंडार उपविभाग	९०२८४५६११३
९	२१/०५/२०२४	श्री.किशोरकुमार दत्ताजीराव जाधव	पोलीस उपअधिक्षक आर्थिक गुन्हे शाखा	९९२३४९३०५०
१०	२२/०५/२०२४	श्री.श्रीकांत अर्जुन पांडुळे	पोलीस उपअधिक्षक, मुख्यालय बु-हानपुर बारामती	८८८८३३६६७७
११	२३/०५/२०२४	श्री.युवराज मारुती मोहीते	पोलीस उपअधिक्षक, मुख्यालय पुणे ग्रामीण	९५२९१०८६८६
१२	२४/०५/२०२४	श्री.भाउसाहेब कैलास ढोले	उपविभागीय पोलीस अधिकारी, हवेली उपविभाग	८७९६८०११८१
१३	२५/०५/२०२४	श्री.सुदर्शन प्रकाश पाटील	उपविभागीय पोलीस अधिकारी, खेड उपविभाग	८००७०६३७९५
१४	२६/०५/२०२४	श्री.रविंद्र पांडुरंग चौधर	उपविभागीय पोलीस अधिकारी, जुन्नर उपविभाग	९३७३०३८८१८
१५	२७/०५/२०२४	श्री.एम वि सत्यसाई कार्तीक भा.पो.से.	उपविभागीय पोलीस अधिकारी, लोनावळा उपविभाग	७९९३१४८७७९
१६	२८/०५/२०२४	श्री.सुदर्शन साईदास राठोड	उपविभागीय पोलीस अधिकारी, बारामती उपविभाग	९०२९६३३४५२
१७	२९/०५/२०२४	श्री.स्वप्नील चंद्रशेखर जाधव	उपविभागीय पोलीस अधिकारी, दौंड उपविभाग	८८०६२९२९७३

१८	३०/०५/२०२४	श्री.तानाजी दिलीप बरडे	उपविभागीय पोलीस अधिकारी, भोर उपविभाग	९०२८४५६११३
१९	३१/०५/२०२४	श्री.किशोरकुमार दत्ताजीराव जाधव	पोलीस उपअधिक्षक आर्थिक गुन्हे शाखा	९९२३४९३०५०
२०	०१/०६/२०२४	श्री.श्रिकांत अर्जुन पांडुळे	पोलीस उपअधिक्षक, मुख्यालय बु-हानपुर बाराममती	८८८८३३६६३३
२१	०२/०६/२०२४	श्री.सुदर्शन प्रकाश पाटील	उपविभागीय पोलीस अधिकारी, खेड उपविभाग	८००३०६३३९५
२२	०३/०६/२०२४	श्री.रविंद्र पांडुरंग चौधर	उपविभागीय पोलीस अधिकारी, जुन्नर उपविभाग	९३३३०३८८९८
२३	०४/०६/२०२४	श्री.स्वप्नील चंद्रशेखर जाधव	उपविभागीय पोलीस अधिकारी, दौंड उपविभाग	८८०६२९२९३३

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By e-mail/Speed Post

ELECTION COMMISSION OF INDIA

NIRVACHAN SADAN, ASHOKA ROAD, NEW DELHI - 110 001

No. 464/MH/2024 (EVM)/WS-II

Dated: 23rd May, 2024

To

The Chief Electoral Officer
Maharashtra, Mumbai.

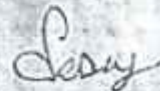
Subject :- Theft of Control Unit of EVM from strong room in Pune District-
Suspension Order dated 09/02/2024 of Government of Maharashtra-
Implementation of Maharashtra Administrative Tribunal Mumbai Order
dated 02/04/2024 on the original Applications nos. 205, 206 & 207 all of
2024 - reg.

Sir,

I am directed to refer to the Commission's letter of even number dated 22.04.2024 addressed to the Chief Secretary, Maharashtra on the subject cited regarding implementation of the Order dated 02.04.2024 of Hon'ble MAT for reinstatement of Smt. Varsha Landge, SDO, Shri Vikram Mahajan Rajput, Tahsildar and Shri Tanaji Dilip Barade, SDPO.

In this regard, your attention is invited to para 6 (iv) of the Commission's letter No. 437/6/1/INST/ECI/FUNCT/MCC/2023, dated 21.12.2023 whereby it has interalia been mentioned that the officers who have been charged for any lapse in any election or election related work in the past, shall not be assigned any election related duty. Accordingly, as counting of votes is scheduled for June 4, 2024, it may be ensured that the said officers should not be assigned any election related duty. These officials may be assigned any other non-election related work, as State Administration deems fit.

Yours faithfully,

(SUMAN KUMAR DAS)
SECRETARY



पोलीस अधीक्षक, पुणे ग्रामीण, पाषाण रोड, चव्हाणनगर, पुणे 411008
 फोन नं. 020- 25658776 फॅक्स नं. 020-25674641
 ई मेल pisdbsb.pnr@mahapolice.gov.in
 (जिल्हा विशेष शाखा, पुणे ग्रामीण)



निवडणुक प्राधान्य


निवडणुक कक्ष/निवडणुक पदभार आदेश /2024 - 739

पुणे ग्रामीण दिनांक - 03/06/2024

विषय :- कर्तव्य कार्यभार आदेश

- संदर्भ :- 1) ELECTION COMMISSION OF INDIA NO. 464/MH/2024(EVM)WS-II DATED 23 MAY 2024
 2) महाराष्ट्र राज्य शासन गृह विभाग यांचे कडील जा.क.अनौ.सं.क्रमांक 14/2024 पोल/-2 दिनांक 03 जून 2024 अन्वये.
 3) क.पोमसं/2-अ/कसुरी- निलंबन तानाजी बरडे/08/2024 मुंबई दिनांक 03/06/2024 अन्वये

उपरोक्त विषय व संदर्भान्वये आपणास याद्वारे आदेशित करण्यात येते की, आपण दिनांक 04/06/2024 रोजी पोलीस उपअधीक्षक (गृह) पोलीस मुख्यालय, पुणे ग्रामीण या पदाचा कार्यभार संभाळावा व कर्तव्य पार पाडावे. तसेच श्री. भाउसाहेब ढोले उपविभागीय पोलीस अधिकारी हवेली विभाग हे सासवड उपविभागाचा अतिरिक्त कार्यभार संभाळतील. कोणताही अनुचित प्रकार घडणार नाही याची दक्षता घेतील वर नमुद आदेशाचा अनुपालन अहवाल इकडील कार्यालयास सत्वर सादर करावा.


 (पंकज देशमुख) भापोसे
 पोलीस अधीक्षक, पुणे ग्रामीण

प्रति,

- श्री. तानाजी बरडे, उपविभागीय पोलीस अधिकारी,
 भोर विभाग सासवड
 श्री. भाउसाहेब ढोले, उपविभागीय पोलीस अधिकारी,
 हवेली विभाग

प्रत माहितीस्तव सविनय सादर

मा.पोलीस महासंचालक, महाराष्ट्र राज्य मुंबई,
 मा.विशेष पोलीस महानिरीक्षक, कोल्हापुर परिक्षेत्र कोल्हापुर,

प्रत माहितीस्तव

अपर पोलीस अधीक्षक, पुणे व बारामती विभाग पुणे ग्रामीण.



गोपनीय

महाराष्ट्र शासन

गृह विभाग

दुसरा मजला, मंत्रालय (मुख्य इमारत)

मादाम कामा मार्ग, हुतात्मा राजगुरु, मुंबई-४०००३२.

E-mail ID: polr.home@maharashtra.gov.in

क्रमांक : [MID-12012/8/2024-XCS-MHD-Home Department]

दिनांक : ऑगस्ट २०२४

२-३ ऑगस्ट २०२४

प्रति,

पोलीस महासंचालक,
महाराष्ट्र राज्य, मुंबई.

विषय :- विभागीय चौकशीबाबत.

श्री.तानाजी दिलीप बरडे, उप-विभागीय पोलीस अधिकारी,

भोर उप विभाग, पुणे (ग्रामीण).

संदर्भ:- शासनाचे समक्रमांकाचे दिनांक २८.०२.२०२४ रोजीचे पत्र.

महोदय,

उपरोक्त विषयांकित प्रकरणी, आपणांस असे कळविण्यात की, मा.महाराष्ट्र प्रशासकीय न्यायाधिकरण येथे मूळ अर्ज क्रमांक २०४/२०२४ अन्वये दाखल याचिकेच्या अनुषंगाने मा.न्यायाधिकरणाने दिनांक ०२.०४.२०२४ रोजी दिलेले अंतिम आदेश तसेच व मा.भारत निवडणूक आयोग, नवी मुंबई यांनी दिनांक २२.०४.२०२४ रोजीच्या पत्रान्वये दिलेले निर्देश विचारात घेऊन प्रस्तुत प्रकरणी श्री.तानाजी दिलीप बरडे, उप-विभागीय पोलीस अधिकारी, यांच्याविरुद्ध प्रस्तावित विभागीय चौकशीचे प्रकरण बंद करण्याचा

Office of the District Collector
Pune Rural

Date	02 SEP 2024
S. P.	
Addl. P.	
Jy S. P. H. Q.	
D. S.	
H. C.	
Branch	०८
Inward No.	1323 218

प्रसूत माहितीस्तव अधिसूचित:-

१) सचिव, भारत निवडणूक आयोग, नवी दिल्ली.

२) विशेष पोलीस महानिरीक्षक, कोल्हापूर परिक्षेत्र, कोल्हापूर.

अपली,

Pranlehan
(दीप्ती परळकर)

कार्यासन अधिकारी, महाराष्ट्र शासन

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21/09/24

- ३) मुख्य निवडणूक अधिकारी, महाराष्ट्र राज्य, मुंबई.
४) पोलीस अधीक्षक, पुणे (ग्रामीण)
५) अवर सचिव, गृह विभाग, पोल-१(अ), मंत्रालय, मुंबई.
६) निवड नस्ती, कार्यासन पोल-२, गृह विभाग, मंत्रालय, मुंबई.
-
-

महाराष्ट्र राज्य सरकार
गृह विभाग
मुंबई

By Speed Post/E-mail

ELECTION COMMISSION - FI - IA

NIRVACHAN SADAN, ASHOKA ROAD, NEW DELHI-110001

No.437/6/1/INST/ECI/FUNCT/MCC/2024

Dated: 31st July, 2024

To

1. The Chief Secretary to the Government of
 - a.) Haryana, Chandigarh;
 - b.) Jharkhand, Ranchi;
 - c.) Maharashtra, Mumbai;
 - d.) UT of Jammu and Kashmir, Srinagar.
2. The Chief Electoral Officer of
 - a.) Haryana, Chandigarh;
 - b.) Jharkhand, Ranchi;
 - c.) Maharashtra, Mumbai;
 - d.) UT of Jammu and Kashmir, Srinagar.

Subject:- General Elections to Legislative Assemblies in the States of Haryana, Jharkhand & Maharashtra and UT of Jammu and Kashmir due in the year 2024 - Transfer/Posting of officers - regarding.

Sir/Madam,

I am directed to state that the terms of existing State Legislative Assemblies of Haryana, Jharkhand & Maharashtra are upto 3rd November, 2024, 5th January, 2025 and 26th November, 2024, respectively and election are due in the year 2024. Further, the election to Legislative Assembly of UT of Jammu and Kashmir is also due in near future.

2. The Commission has been following a consistent policy that officers directly connected with conduct of elections in an election going State/UT are not posted in their home districts or places where they have served for considerably long period.

3. Hence, the Commission has decided that no officer connected directly with elections shall be allowed to continue in the present district (revenue district) of posting:-

(i) if she/he is posted in her/his home district.

(ii) if she/he has completed three years in that district during last four (4) years or would be completing 3 years on or before 30th September, 2024 for UT of Jammu and Kashmir, 31st October, 2024 for Haryana, 30th November, 2024 for Maharashtra and 31st December, 2024 for Jharkhand;

While calculating the period of three years, promotion to a post within the district is to be counted.

4. If any small State/UT with a few numbers of districts, face any difficulty in compliance of the above instruction, then it may refer the specific case with reasons to the Commission through CEO for exemption and the Commission would issue directions, if considered necessary.

5. Applicability

5.1 District Officers: -These instructions shall cover not only officers appointed for specific election duties like DEOs, Dy. DEOs, RO/AROs, EROs/AEROs, officers appointed as nodal officers of any specific election works but also district officers like ADMs, SDMs, Dy. Collector/Joint Collector, Tehsildar, Block Development Officers or any other officer of equal rank directly deployed for election works.

5.2 Officers other than District Officers: These instructions shall also cover the Divisional Commissioners, Municipal Commissioners, and the other officers deputed in Municipal Corporations and Development Authorities, etc.

5.3 Police Officers: -These instructions shall be applicable to the police department officers such as Range ADGs/IGs, DIGs, Commandants of State Armed Police, SSPs, SPs, Addl. SPs, Sub-Divisional Head of Police, SHOs, Inspectors, Sub-Inspector, RIs / Sergeant Majors or equivalent ranks, who are responsible for security arrangement or deployment of police forces in the district at election time. The police officials who are posted in functional departments like computerization, special branch, training, etc. are not covered under these instructions. Following shall be followed:

- (i) The Police Sub-Inspectors and above should not be posted in their home district.
- (ii) If a Police Sub-Inspector has completed or would be completing a tenure of 3 years out of four years on or before the cutoff date in a police sub-division, then he should be transferred out to a police sub-division which does not fall in the same AC. If that is not possible due to small size of district, then he/she should be transferred out of the district.

In case a Police Commissionerate consists of multiple districts, the concerned officer should be transferred out of the Commissionerate, instead of the revenue district.

5.4 Prohibition and Excise Officers: - Further, these instructions shall also be applicable to the officers of the Prohibition and Excise Department of the State of the rank of Sub-Inspector and above.

6. Categories of Officers not covered under transfer policy

During an election, a large number of employees are drafted for different types of election duty and the Commission has no intention of massive dislocation of state machinery by large scale transfers. Hence, the aforesaid transfer policy is normally not applicable to the categories of officers mentioned below:

- (i) Officers posted in the State headquarters of the department concerned.
- (ii) Officers/Officials who are not directly connected with elections like doctors, engineers, teachers/principals etc. However, if there are specific complaints of political bias or prejudice against any such govt. officer, which on enquiry, are found to be substantiated, then CEO/ECI may order not only the transfer of such official but also appropriate departmental action against the said officer.
- (iii) The officers appointed as Sector Officer/Zonal Magistrate involved in election duties are not covered under these instructions. However, the observers, CEO/DEOs and ROs should keep a close watch on their conduct to ensure that they are fair and non-partisan in the performance of their duties.
- (iv) It is further directed that the officers/officials against whom the Commission had recommended disciplinary action in past and which is pending or which has resulted in a penalty or the officers who have been charged for any lapse in any election or election related work in the past, shall not be assigned any election related duty. However, an officer who was transferred during any past election under the Commission's order without any recommendation of disciplinary actions will not be, just on this ground, considered for transfer, unless specifically so directed by the Commission. A copy of the Commission's instruction number 464/INST/2008-EPS dated 23rd December 2008 regarding tracking of names of tainted officers is enclosed. CEOs must ensure its compliance.
- (v) The Commission further desires that no officer/official, against whom a criminal case related to official functioning is pending in any court of law, be associated with/deployed on election related duty.
- (vi) Any officer, who is due to retire within the coming six months will be exempted from the purview of the Commission's directions mentioned in para-3. The six months period shall be reckoned backwards from 30th September, 2024 for UT of

Jammu and Kashmir, 31st October, 2024 for Haryana, 30th November, 2024 for Maharashtra and 31st December, 2024 for Jharkhand. Further, officer falling in the category (home district/3 years+ criteria and due to retire within 6 months) if holding an election related post mentioned in para 5, shall be relieved of that charge and not be associated with any election related duty. It is however, reiterated that such retiring officer need not be transferred out of the district.

- (vii) All the officials of the State (except those posted in the office of the Chief Electoral Officer), who are on extension of service or re-employed in different capacities, will not be associated with any election related work.

7. The transfer orders in respect of officers/officials, who are engaged in the electoral rolls revision work, if any, during an election year shall be implemented only after final publication of the electoral rolls, in consultation with the Chief Electoral Officer concerned. In case of any need for transfer due to any extra ordinary reasons, prior approval of the Commission shall be taken.

8. The Chief Electoral Officer of the State/UT shall invariably be consulted while posting the persons in place of present incumbents who stand transferred as per the above policy of the Commission. A copy of each of the transfer orders issued under these directions shall be given to the Chief Electoral Officer without fail.

9. All election related Officers will be required to give a declaration in the format given below to the DEO concerned, who shall inform to CEO accordingly.

DECLARATION

(To be submitted within 2 days after the last date of nomination papers)

I.....(Name).....presently postedfrom.....(Date)
Do hereby make a solemn declaration, in connection with the current General/Bye election to Lok Sabha/.....(Legislative Assembly that.....

(a) I am not a close relative of any of the contesting candidates in the current election/leading political functionary of the state/district at the aforesaid election.

(b) No criminal case is pending against me in any court of law.

Note- If answer of (a) or (b) above is 'YES', then give full details in a separate sheet.

Dated.....

(Name)
Designation

NOTE- Any false declaration made by any officer shall invite appropriate disciplinary actions.

10. The Commission's aforesaid instructions shall be brought to the notice of the concerned departments/offices or State Govt. for their strict compliance. The DEO or concerned district officers shall ensure that officers/officials who are transferred should immediately handover their charge without waiting for their substitute.

11. The Commission has further directed that transfer/posting of all officers covered under the above instructions shall be done and compliance reports by Chief Secretary and DGP with details of action obtained from the concerned departments/offices of State Government shall be furnished to the Commission by **20th August, 2024.**

12. Kindly acknowledge receipt of this letter.

Yours faithfully,



(ASHWANI KUMAR MOHAL)
SECRETARY

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ELECTION COMMISSION OF INDIA

NIRVACHAN SADAN, ASHOKA ROAD, NEW DELHI-110001.

No 464/INST/2008/EPS

Date: 23rd December 2008

To

The Chief Electoral Officers
of all States/UTs

Subject: Tracking the names of officers transferred by the order of the Election Commission of India charged with dereliction of duty etc.

Ref: No.437/6/2006-PLN.III dated 6th November,2006 & ECI message No 100/1994-PLN.I dated 28.3.1994 addressed to the CEOs of all States & UTs

Sir/Madam,

The Election Commission of India vide the instruction referred to above had directed that a detailed review shall be undertaken before every election in all districts and all such officers should be posted out of their home districts or district where they have completed a tenure of 3 years out of 4 years, and had further directed that officers/officials against whom Commission has recommended disciplinary action or who have been charged for any lapse in election or election related work or who were transferred under the orders of the Commission in the matter may not be assigned to any election related duty

However, it was observed during recent elections that in spite of efforts made by the CEOs and the DEOs to comply the above instruction of the Commission, there were still some instances of the officers who come under the above criteria and liable to be transferred out of the district to a non election related assignment but managed to stay back and the Commission came to know about this only at a later stage through complaints being raised by various political parties and members of public. These incidents, though few in numbers, send a wrong signal at the field level and non maintenance of proper information about the officers liable to be transferred on the above criteria has been recognised as a reason for some stray incidents of non-compliance. In order to remove the possibility of the occurrence of such incidents in future, the Commission has issued the following directions to make the existing instruction more effective:-

- I The CEO of the State shall maintain a register in which the information about IAS/IPS officers, DEOs, ROs and EROs transferred by the order of the Election Commission and against whom Commission has recommended disciplinary action or who have been charged for any lapse in election or election related work shall be maintained.
- II Similarly, the DEO will maintain a register containing information about other junior officers and other staff
- III Within 7 days of the announcement of elections by the Election Commission of India the CEO of the State will send a compliance letter to the Zonal Secretary in the Commission confirming that all the officers coming under the above criteria have been transferred. Similarly he shall obtain a similar

compliance certificate from all the DEOs confirming that all the officers/staff coming under the above criteria have been transferred to non election related assignment and out of the district

- IV With reference to transfer of officers coming under '3 years out of 4 years criteria' and the home district criteria, DEOs shall ensure compliance in respect of ROs, EROs, AROs and AEROs and other election related officials and send a letter to CEO within the time, if any, stipulated for this purpose by the Election Commission of India or CEO and if not, within 7 days of issue of press note announcing the elections. Similarly, information related to DEOs, SSP and SPs and other senior police officials connected with the election work shall be maintained by the CEO and compliance by the State Govt shall be ensured at his level. Compliance regarding the transfer of these officers shall be collected from the DEOs and the CEO of the State shall send a consolidated letter of compliance to the Zonal Secretary within 7 days of the announcement of election.
- V To facilitate the submission of this compliance letter within 7 days of the announcement of election, the CEO and DEO shall collect the information and ensure maintenance of register as stated above well in advance so that no time is lost.
- VI There are many departments in the State Government that are involved in transferring officials and thereby accountable for the compliance of the above instructions of the Commission. The Commission's instruction regarding transfer of the officials during election shall be brought to the notice of the Secretaries of the departments concerned with a copy to the Chief Secretary. The Chief Secretary may be requested by the CEO to ensure that all the departments concerned comply with the Commission's instruction well in time.
- VII With regard to bye-elections while the officers coming under the category, dealt within para marked as (I) shall be transferred out of the district within three days of announcement of bye-election and certainly before the first days of receipt of nomination whichever is earlier.
- VIII The above instruction be followed without any deviation.

Yours faithfully,

(SHANGARA RAM)
PRINCIPAL SECRETARY



पोलीस अधिक्षक कार्यालय, पुणे ग्रामीण
(जिल्हा विशेष शाखा / निवडणूक कक्ष)
चव्हाण नगर, पापाण रोड, पुणे ४११००८
दूरध्वनी क्रमांक- ०२० / २५६५८७७९ ईमेल
electioncell.pnr@mahapolice.gov.in



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जा.क्र.- जिविशा/वि.सा.नि. २०२४ /नियुक्ती/ ८७३ १२०२४, पुणे ग्रामीण दि. २७/०९/२०२४
निवडणूक / तात्काळ / अतिमहत्वाचे.

विषय:- विधानसभा निवडणूक २०२४ च्या अनुषंगाने विधानसभा मतदारसंघ प्रमुख म्हणून नियुक्ती केले जायत.

उपरोक्त संदर्भ व विषयान्वये आदेशित करण्यात येते की, महाराष्ट्र विधानसभा सार्वत्रिक निवडणूक २०२४ लवकरच होणार आहे. या निवडणूकीचे अनुषंगाने मुख्य निवडणूक आयोग, भारत सरकार यांचे आदेशाप्रमाणे महाराष्ट्र राज्यामध्ये निवडणूकीचे कामकाज चालू झालेले आहे. पुणे ग्रामीण पोलीस घटकामध्ये एकूण ११ विधानसभा मतदार संघांचा समावेश होत असून या ११ विधानसभा मतदार संघांच्या निवडणूकीचे कामकाजाचे व्यवस्थापन करण्यासाठी त्या सुरळीत होण्यासाठी प्रत्येक विधानसभा मतदार संघावर उर्बावभागीय पोलीस अधिकारी यांची खालीलप्रमाणे नेमणूक करण्यात येत आहे. या अनुषंगाने संबंधित महसूल कार्यालयाशी समन्वये ठेवून आपआपले विधानसभा मतदार संघातील निवडणूक संदर्भातील सर्व कामकाज निवडणूक प्रक्रियेच्या अंतिम टप्प्यापर्यंत पहाणे, कायदा व सुव्यवस्था सुस्थितीत ठेवणे याची संपूर्ण जबाबदार आपणाकडे राहिल याची नोंद घ्यावी.

अ.क्र.	विधानसभा मतदार संघाचे नाव	प्रभारी अधिकारी	कार्यालय
१	जुन्नर-१९५	श्री. राजेंद्र घोषर	जुन्नर उपविभागीय पोलीस अधिकारी,
२	आंबेगाव-१९६	श्री. राजेंद्र मावणे	उपअधिक्षक आर्थिक गुन्हे शाखा, पुणे ग्रामीण
३	खड-१९७	श्री. अमोल मोडवे	खड उपविभागीय पोलीस अधिकारी
४	शित्त-१९८	श्री. प्रशांत दोले	शित्त उपविभागीय पोलीस अधिकारी
५	दोंड-१९९	श्री. वापूराव दडस	दोंड उपविभागीय पोलीस अधिकारी
६	इंदापूर-२००	श्री. मधुकर भटे	उपअधिक्षक, वन्हाणपूर उपमुख्यातय, वारामती
७	बारामती-२०१	श्री. सुदर्शन राठोड	बारामती उपविभागीय पोलीस अधिकारी
८	पुरंदर-२०२	श्री. तानाजी बरडे	पुरंदर उपविभागीय पोलीस अधिकारी
९	भोर वेलहा मुळशी-२०३	श्री. सुनिलकुमार पुजारी	भोर उपविभागीय पोलीस अधिकारी
१०	मावळ-२०४	श्री. सत्यसाई कार्तिक	लोणावळा उपविभागीय पोलीस अधिकारी
११	खडकवासला-२११	श्री. दिलीप शिंदे	पोलीस उपअधिक्षक (गृह)

(पंकज देरामुखि) भा.पो.से.
पोलीस अधिक्षक, पुणे ग्रामीण
C/C

प्रति,

सर्व उपविभागीय पोलीस अधिकारी, पुणे ग्रामीण.
पोलीस उपअधिक्षक (गृह), पुणे ग्रामीण.
पोलीस उपअधिक्षक, आर्थिक गुन्हे शाखा, पुणे ग्रामीण

प्रत योग्यत्या कार्यवाहीस्तव,

अपर पोलीस अधिक्षक, पुणे व बारामती विभाग, पुणे ग्रामीण.

(Bhavin)

WPC 221

21109124



पोलीस अधीक्षक कार्यालय, पुणे ग्रामीण
(जिल्हा विशेष शाखा / निवडणूक कक्ष)

चव्हाण नगर, पाषाण रोड, पुणे ४११००८

दुरध्वनी क्रमांक: ०२० / २५६५८००६

ई-मेल: electionscell.pnr@mahapolice.gov.in



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जा.क्र.- जिविशा/वि.स.नि.२०२४ / प्रशिक्षण / ६६ / २०२४, पुणे ग्रामीण दि.०५/१०/२०२४

प्रति,

मा.जिल्हाधिकारी तथा

जिल्हा निवडणूक अधिकारी, पुणे.

(लक्षवेध- मा.अपर जिल्हाधिकारी तथा सचिव झोपुग्रा, पुणे समन्वय अधिकारी प्रशिक्षण व व्यवस्थापन)

विषय :- आगामी विधानसभा निवडणूक - २०२४ अनुषंगाने दि. ०७/१०/२०२४ रोजी पोलीस अधिकारी यांचे आयोजित केलेल्या प्रशिक्षणासाठी पोलीस अधिकारी यांची नियुक्ती केले जावत.

संदर्भ :- मा. आपलेकडील पत्र क्र. १३/२४, निवडणूक दि. ०३/१०/२०२४.

उपरोक्त संदर्भ आणि विषयान्वये सविनय सादर की, आगामी विधानसभा सार्वत्रिक निवडणूक २०२४ च्या अनुषंगाने मा.जिल्हाधिकारी कार्यालय, पुणे येथे जिल्हातरीय प्रशिक्षण दि.०७/१०/२०२४ रोजी सकाळी ०९.३० ते सायंकाळी ०४.०० वाजेपर्यंत आयोजित केलेले आहे. सदर प्रशिक्षणासाठी पुणे ग्रामीण पोलीस घटकातील १३ पोलीस अधिकारी यांची नियुक्ती करण्यात येत असून नियुक्त पोलीस अधिकारी यांची विहित प्रपत्राप्रमाणे मागविण्यात आलेली माहिती सोबत जोडून सादर आहे.

(पंकज देशमुख) भा.पां.से.
पोलीस अधीक्षक, पुणे ग्रामीण

०/८

प्रत,

सर्व संबंधित पोलीस अधिकारी, पुणे ग्रामीण.

२/- उपरोक्त प्रमाणे विधानसभा निवडणूक २०२४ कामकाज बाबत प्रशिक्षण आयोजित केले असून या प्रशिक्षणासाठी आपली नियुक्ती करण्यात येत आहे. या प्रशिक्षणासाठी आपण सोमवार दि. ०७/१०/२०२४ रोजी बहुउद्देशिय सभागृह, ५ वा मजला, जिल्हाधिकारी कार्यालय, पुणे या ठिकाणी सोबत जोडलेल्या पत्र व वेळापत्रकाप्रमाणे उपस्थित रहावे.

TOL - 1824

०५/१०/२०२४

Vidhan Sabha Election 2024 Training For Police Person Information

DATE : 07.10.2024

Place of Training :- Hall No. 2 Fifth Floor, Auditorium

अ.क्र.	पॉलीस अधिका-चार्य नाम	पॉलीस अनुसूचकत्व	कार्यक्षेत्र काव्यंतर	पदनाम	संपर्क नंबर	ई-मेल आधारी
१	गणेश विमलर	पुणे इलाहा	अपर पोलिस अधिक्षक, वाराणसी जिला	अपर पोलिस अधिक्षक	8275455654	adshikharanvoti@gmail.com
२	रवीश चौधरी	पुणे इलाहा	अपर पोलिस अधिक्षक, पुणे जिला	अपर पोलिस अधिक्षक	942336217	adshikharanvoti@gmail.com
३	विनीत सिंह	पुणे इलाहा	पोलीस उपअधिक्षक (गु)	पोलीस उपअधिक्षक	7720949898	adshikharanvoti@gmail.com
४	राजेश भावने	पुणे इलाहा	अपर पोलिस अधिक्षक	पोलीस उपअधिक्षक	9923173100	adshikharanvoti@gmail.com
५	सुदीप रावते	पुणे इलाहा	वाराणसी जिलापुलिस पोलिस अधिक्षक	पोलीस उपअधिक्षक	9029633452	adshikharanvoti@gmail.com
६	भाग्यल दत्त	पुणे इलाहा	दौड अधिक्षकाधीन पोलिस अधिक्षक	पोलीस उपअधिक्षक	9049664673	adshikharanvoti@gmail.com
७	प्रमोद दामे	पुणे इलाहा	मिस्ट अधिक्षकाधीन पोलिस अधिक्षक	पोलीस उपअधिक्षक	7046652418	adshikharanvoti@gmail.com
८	सामाजी दिवस रावते	पुणे इलाहा	पोलीस उपअधिक्षक	पोलीस उपअधिक्षक	9028456113	adshikharanvoti@gmail.com
९	सुनील पुजारी	पुणे इलाहा	दौड अधिक्षकाधीन पोलिस अधिक्षक	पोलीस उपअधिक्षक	7385300444	adshikharanvoti@gmail.com
१०	सत्यराज कर्नात	पुणे इलाहा	सोनादका अधिक्षकाधीन पोलिस अधिक्षक	पोलीस उपअधिक्षक	7993148779	adshikharanvoti@gmail.com
११	अनिल भावने	पुणे इलाहा	दौड अधिक्षकाधीन पोलिस अधिक्षक	पोलीस उपअधिक्षक	7972228124	adshikharanvoti@gmail.com
१२	रविंद्र चौधर	पुणे इलाहा	वृद्ध अधिक्षकाधीन पोलिस अधिक्षक	पोलीस उपअधिक्षक	9923440100	adshikharanvoti@gmail.com
१३	सत्यराज भावने	पुणे इलाहा	सोनादका अधिक्षकाधीन पोलिस अधिक्षक	पोलीस उपअधिक्षक	9821225122	adshikharanvoti@gmail.com

क्र २२/२४ निवडणूक
प्रति,

दिनांक. ३ ऑक्टोबर, २०२४

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१. मा.पोलीस आयुक्तालय, पुणे शहर,
२. मा.पोलीस आयुक्तालय पिंपरी चिंचवड,
३. मा.पोलीस अधीक्षक, पुणे प्राचीण.

विषय - विधानसभा सार्वत्रिक निवडणूक २०२४ च्या अनुषंगाने पोलीस विभागातील अधिकारी यांचे दि. ४/१०/२०२४ रोजी आयोजित करण्यात आलेले प्रशिक्षण प्रशासकीय कारणास्तव दि. ७/१०/२०२४ रोजी आयोजित करणे बाबत.

- संदर्भ - १. मा.अपर सचिव व उप मुख्य निवडणूक अधिकारी, यांचे कडील क्र. संकीर्ण २०२४ /प्र. क्र ८९९ /०८ निवडणूक ३३ अन्वये दि. २०/०८/२०२४ रोजी प्राप्त पत्र.
२. मा.अपर सचिव व उप मुख्य निवडणूक अधिकारी यांचे कडील क्र. संकीर्ण २०२४ /प्र. क्र ८९९ /०८ निवडणूक ३३ अन्वये दि. २८/०८/२०२४ रोजी प्राप्त पत्र.

मा.महोदय,

उपरोक्त संदर्भात विषयान्वये आगामी विधानसभा सार्वत्रिक निवडणूक २०२४ च्या प्रशिक्षणा करिता पोलीस आयुक्तालय पुणे शहर, पोलीस आयुक्तालय पिंपरी चिंचवड, पोलीस अधीक्षक, पुणे प्राचीण यांचे आरवापनेवरील नियुक्त ACP/ADD.SP/DCP / DYSP यांचे समकक्ष दर्जाच्या अधिकारी यांचे दि. ४/१०/२०२४ रोजी चे नियोजित जिल्हास्तरीय प्रशिक्षण प्रशासकीय कारणास्तव रर करण्यात आले असून त्या ऐवजी सदर प्रशिक्षण दि. ७/१०/२०२४ रोजी - बहुउद्देशीय सभागृह, ५ वा मजला, जिल्हाधिकारी कार्यालय पुणे येथे आयोजित करण्यात आले आहे. उक्त प्रशिक्षणाचे संकायपत्र सोबत जोडले असून आपल्या मार्फत संबंधित अधिकारी यांना प्रशिक्षणाकरीता उपस्थित राहणेबाबत आदेशित करावे तसेच नियुक्त अधिकारी यांचे नाव, मोबाईल नंबर, ईमेल सह SOFTCOPY मधील माहिती addeo@punepolice@gmail.com या ईमेलवर पाठविण्यात यावी, हि विनंती.

आपली विश्वासू


(प्रतिभा इंगळे)

अपर जिल्हाधिकारी तथा सचिव आंध्रप्रा, पुणे.
समन्वय अधिकारी प्रशिक्षण व्यवस्थापन,
विधानसभा सार्वत्रिक निवडणूक २०२४.

- प्रत - १. श्री. सनाप्पा समर, अपर जिल्हाधिकारी महामंडी, पुणे.
२. श्रीमती. ज्योती कदम, निवासी उपजिल्हाधिकारी, जिल्हाधिकारी कार्यालय, पुणे.
३. श्रीमती. क्षमा डोक, उपजिल्हाधिकारी एमटीडीसी, पुणे.
४. श्री. रविंद्र ठाकूर, जिल्हा माहिती अधिकारी, जिल्हाधिकारी कार्यालय, पुणे.
- उक्त प्रशिक्षणाकरीता नियुक्त सर्व प्रशिक्षक यांना सोबत जोडलेल्या वेळापत्रकानुसार प्रशिक्षण देणे करिता उपस्थित राहावे.
५. ताहसीलदार, सामन्व गाथा, जिल्हाधिकारी कार्यालय, पुणे यांना प्रशिक्षणाकरीता सभागृह उपलब्ध करून देणे करिता.

VIDHANSABHA ELECTIONS 2024 TRAINING SCHEDULED FOR TRAINING POLICE PERSONNEL (AT DISTRICT LEVEL) 7/30/2024					
DATE	TIME	SESSIONS	NAME OF THE SESSION	DIY NAME	PLACE OF TRAINING
7-OCT-24	9.30 TO 10.00 AM	1	REGISTRATION		HALL NO 2 FIFTH FLOOR AUDITORIUM
	10.00 TO 11. AM	1	DISTRICT ELECTION MANAGEMENT PLAN	SMT SHAMA DHOK DY COLLECTOR MTDC PUNE	
	11. AM TO 12. AM	2	VULNERABILITY MAPPING	SMT JYOTI KADAM, RES. DY COLLECTOR PUNE	
	12.00 AM TO 1.00 PM		MODEL CODE OF CONDUCT LAW AND ORDER HAND BOOK OF POLICE OFFICERS		
	1.00 TO 2.00 PM	LUNCH TIME			
	2.00 TO 3.00 PM	3	EXPENDITURE MONITORING	SMT. SONAPA VAHAGAR, ADDY COLLECTOR MAYA METRO PUNE	
	3.00 TO 4.00 PM	4	MEDIA COMPLAINTS, JMCAC, PAID NEWS	SMT. RAVINDRA THAKUR, DIST INFORMATION OFFICER PUNE	

ANNEXURE-A15

	
	जिल्हा निवडणूक अधिकारी तथा जिल्हाधिकारी कार्यालय पुणे जिल्हाधिकारी कार्यालय, ४ था मजला, बी-विंग, ससुन हॉस्पिटल समोर, पुणे ४११००९ ई मेल:- dydeopune9@gmail.com दुरध्वनी क्र.-(०२०)२६९३४४३८
निवडणूक/ तात्काळ	क्र.पीईई-१/कावि/२०२४ दिनांक: २६/१०/२०२४

प्रति,


पोलीस अधिक्षक,
पुणे ग्रामीण, पुणे.

विषय:- विधानसभा सार्वत्रिक निवडणूक - २०२४ चे अनुषंगाने उपविभागीय पोलीस अधिकारी भोर या पदाचा कार्यभार देणेबाबत.

संदर्भ:- मा.भारत निवडणूक आयोग, नवी दिल्ली यांजकडील पत्र क्र.४६४/एमएच/२०२४/EVM/WS-II दि.१५/१०/२०२४

उपरोक्त विषयाचे अनुषंगाने आपणास कळविणेत येते की, संदर्भित पत्रान्वये श्री.तानाजी वरडे, उपविभागीय पोलीस अधिकारी भोर यांजकडे कोणतेही निवडणूक विषयक कामकाज देणेत येवू नये, असे कळविलेले आहे. तरी याबाबत आपलेस्तरावरून योग्य कार्यवाही करणेत यावी.

सोबत संदर्भित पत्राची प्रत जोडली असे.


(डॉ. सुनील दिवसे)
जिल्हाधिकारी तथा
जिल्हा निवडणूक अधिकारी, पुणे

प्रत :- मा.मुख्य निवडणूक अधिकारी महाराष्ट्र राज्य, मुंबई यांजकडे पुढील कार्यवाहीसाठी सविनय सादर.



ANNEXURE-A16

पोलीस अधीक्षक कार्यालय, पुणे ग्रामीण
(जिल्हा विशेष शाखा)
चव्हाणनगर, पाषाणरोड, पुणे ४११००८
दुरध्वनी क्रमांक - ०२०/२५६७४६४१



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जा.क्र.- पो.अ.कार्यालय /

/२०२४,

पुणे ग्रामीण

दि.२०/१०/२०२४

संदर्भ - १) मा.भारत निवडणूक आयोग, नवी दिल्ली यांचेकडील पत्र क्रं.४६४/MH/२०२४/EVM/
WS - II, दि.१५/१०/२०२४.


२) मा.जिल्हा निवडणूक अधिकारी, तथा जिल्हाधिकारी कार्यालय पुणे यांचेकडील पत्र
क्रं.PEE-१/कावि/२०६४/२०२४, दि.१६/१०/२०२४

विषय - विधानसभा सार्वत्रिक निवडणूक - २०२४ चे अनुषंगाने उप विभागीय पोलीस अधिकारी भोर
यांचे बदली पदस्थापने संदर्भात.

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आदेश -

उपरोक्त विषय व संदर्भान्वये कळविण्यात येते की, श्री.तानाजी वरडे उप विभागीय पोलीस अधिकारी भोर
यांचेकडील २०२ पुरंदर विधानसभा मतदार संघाचा समन्वय अधिकारी तसेच संपूर्ण निवडणूक बंदोबस्त नियोजन
कार्यभार हा श्री.दिलीप शिंदे पोलीस उप अधीक्षक (मुख्यालय), पुणे ग्रामीण यांचेकडे सोपवण्यात येत आहे. श्री.
तानाजी वरडे यांनी विधानसभा निवडणूक कामकाजा व्यतिरीक्त भोर उपविभागातील प्रशासकीय कामकाज पहावे व
तसा अहवाल या कार्यालयास सादर करावा.


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प्रति,

- १) श्री.तानाजी वरडे, उप विभागीय पोलीस अधिकारी, भोर विभाग, सासवड.
- २) श्री.दिलीप शिंदे, पोलीस उप अधीक्षक (मुख्यालय), पुणे ग्रामीण.

प्रत सविनय सादर,

- १) मा.जिल्हा निवडणूक अधिकारी, तथा जिल्हाधिकारी कार्यालय पुणे
- २) मा.विशेष पोलीस महानिरीक्षक, कोल्हापूर परिक्षेत्र कोल्हापूर