

**BEFORE THE KERALA STATE ELECTION COMMISSION,
THIRUVANANTHAPURAM**

PRESENT: SHRI.V.BHASKARAN, STATE ELECTION COMMISSIONER

Friday, the 28th day of September 2018

O.P.No.58/2017

Petitioner : VasanthaKumary,
W/o Vijayakumaran Nair,
Pattathil Vila Veedu,
Mundayeal, Murukkumpuzha P.O.,
Thiruvananthapuram.

Member, Division No.03,
Pothenode Block Panchayat

(By Adv. Ajith Kumar)

Respondent : ShanibaBeegam.A
Residing at Chandanathu,
Nellimoodu, Murukkumpuzha,
Thiruvananthapuram.
Member, Division No.05,
Pothenode Block Panchayat

(By Adv.G.Rajeev)

This petition having come up for hearing on the 19th day of **September 2018**, in the presence of Adv. **Ajith Kumar** for the petitioner and **Adv.G.Rajeev** for the respondent and having stood over for consideration to this day, the Commission passed the following.

ORDER

This is a petition filed under Section 4 of the Kerala Local Authorities (Prohibition of Defection) Act for declaring that the respondent committed defection and hence disqualified to continue as member of Pothencode Block Panchayat and also for declaring her as disqualified to contest as candidate in any election to the local body for a period of six years.

2. The petitioner's case in brief is as below:- The petitioner and respondent are elected members of PothencodeBlock Panchayat, inthe local body election held in November 2015. They were elected as the candidates of Indian National Congress (INC). There are 13 wards in Pothencode Block Panchayat. Out of which the INC got 7 seats and the LDF got 6 seats. As the INC got majority they formed the Panchayat board. On 11.10.2017 the then President of the Pothencode Block Panchayat Smt.JollyPathrose resigned from the post. Election to elect the new President was scheduled to be held on 30.10.2017. The petitioner was decided to be the candidate of the Indian National Congress. The DCC President issued whip to all the elected members of Indian National Congress Pothencode Block Panchayat directing them to vote in favour of the petitioner. The respondent did not accept the whip and hence it was affixed on the house of the respondent in the presence of witnesses. But on 30.10.2017 the respondent herself stood as a candidate against the petitioner violating the decision and direction of her own party and

she was elected as the President with the support of the rival front LDF. The respondent got 7 votes and the petitioner got 6 votes. The respondent's name was proposed and seconded by the members of the rival front LDF. The respondent is now in the LDF camp. She violated the whip issued by her party. By standing as a candidate against her own party nominee in the President election she acted against the interest of her party and she has voluntarily abandoned her membership from Indian National Congress and thereby committed defection. The respondent is disqualified to continue as a member of Pothencode Block Panchayat and to contest the election for a period of six years. The petitioner hence seeks a declaration to that effect.

3. The respondent filed counter statement contending as below. The Petition is not maintainable. The petitioner did not do any act incurring disqualification under Section 3 of the Kerala Local Authorities (Prohibition of Defection Act. The petitioner has never abandoned her membership from Indian National Congress. There was no whip as alleged. No whip was served on her directly or constructively. By way of this petition the petitioner tries to take personal vengeance against the respondent for her failure in the election. It is true that Smt.JollyPathrose resigned from the post of the President and fresh election was conducted on 30.10.2017. There was a meeting of the Congress parliamentary party of Pothencode Block Panchayat on 24.10.2017 and inthat meetingSmt.JalajaKumari was decided to be the

candidate of Indian National Congress for the post of the President. Later the Block Committee President of Indian National Congress in charge of the area informed the respondent that Smt. Jalaja Kumari was not contesting for the post and somebody else was contesting. That created confusion. Though the respondent tried to contact the DCC office she did not get anybody there over phone. The candidate decided by the party did not contest the election. There was no whip as alleged. No whip was communicated also to the respondent and the alleged affixture is false. The respondent has not committed any act of defection. She did not abandon her membership from the Indian National Congress. There is no merit in the petition. The contention of the petitioner is only to tarnish the good image of the respondent. The petitioner is not entitled to get any relief in the petition and it is only to be dismissed.

4. The evidence in this case consists of the oral testimonies of PWs 1 to PW4, RW1, RW2 and Exts. A1 to A5, B1, B2 and X1 to X15.

5. Both sides were heard.

6. The following points arise for consideration;

- (1) Whether the petition is maintainable?
- (2) Whether the respondent disobeyed the decision and direction of the Indian National Congress as alleged?
- (3) Whether the respondent has committed defection as provided under Section 3(1)(a) of the Kerala Local Authorities (Prohibition of Defection) Act as alleged?

- (4) Whether the respondent has voluntarily given up her membership from the party as alleged?
- (5) Whether the petitioner is entitled to the declaration prayed for?
- (6) Reliefs and costs?

7. **POINT No.(1)**: The petitioner and respondent are elected members of Pothencode Block Panchayat in the election held in November 2015. Both of them contested the election and were elected as the candidates of Indian National Congress. As the Indian National Congress got majority it formed the Panchayat board. Later the then President of the Block Panchayat resigned and fresh election for the post of the President was held on 30.10.2017. According to the petitioner she was decided to be the candidate of Indian National Congress for the post and whip was issued to all the elected members of Indian National Congress to vote for the petitioner. But the respondent disobeyed the direction and she herself stood as a candidate against the petitioner with the support of the rival LDF and she was elected as the President. By doing so, it is stated the respondent committed defection incurring disqualification under Section 3(1)(a) of the Kerala Local Authorities (Prohibition of Defection) Act. The respondent denied the allegations. According to her there was no direction from the party to vote in favour of the petitioner and hence the question of violating the whip does not arise. To her she did not abandon her membership from the Indian National Congress. It is also her contention that the petition is not

maintainable. Here itself it is to be stated that the respondent, though raised such a contention there is nothing from her side to show that the petition is not maintainable.

8. It may be noted that the original petition is filed under Section 4(1) of the Kerala Local Authorities (Prohibition of Defection) Act. As per Section 4(1) of the Act, if any question arises as to whether a member of the local authority has become subject to disqualification under the provisions of the Act a member of that local authority or the political party concerned or a person authorized by it in this behalf may file a petition before the State Election Commission for decision.

9. Ongoing through the contentions of the parties it can be seen that a question arises as to whether the respondent has become subject to disqualification as provided by Section 3(1)(a) of the Kerala Local Authorities (Prohibition of Defection) Act. Admittedly the petitioner is a member of the local authority in which the respondent is also a member. The petitioner being a member of the local authority, he is entitled to file this petition as per law. As this petition is filed by a competent person within the time limit and a question arises as to whether the respondent has become subject to disqualification as provided by Section 3(1)(a) of the Kerala Local Authorities (Prohibition of Defection) Act, this petition is held to be maintainable. Point is answered accordingly.

10. **POINT Nos.2 to 6:** Case of the petitioner is that the respondent committed defection defying the direction of her political party and also by acting against the interest of her party and thereby incurred disqualification under Section 3(1)(a) of the Kerala Local Authorities (Prohibition of Defection) Act. By acting against the interest of her party and showing disloyalty to her party she has voluntarily given up her membership from the party. Case of the respondent on the other hand is that she did not do any act of defection inviting disqualification. There was no whip and hence violation of the whip does not arise. According to her no whip was communicated to her either directly or constructively and alleged affixture is false. She continues to be a member of Indian National Congress and she did not abandon her membership in the party, the respondent further contends.

11. Petitioner and respondent are elected members of Pothencode Block Panchayat and admittedly they were elected as the candidates of Indian National Congress. There is no dispute with regard to the party affiliation of the respondent. As there is no dispute regarding the party affiliation of the respondent Exts.X5 and X14 require no discussion. Ext.X5 is the declaration submitted by the respondent before the Secretary after her election declaring her party affiliation and Ext.14 is the register kept in the Panchayat showing the party affiliation of the elected members of Pothencode Block Panchayat. Exts.X5 and X14 would show that the respondent was elected as the candidate of Indian National Congress. Exts.X1 to X4 and X6 to X13 are similar

declarations submitted by other elected members of Pothencode Block Panchayat showing their respective party affiliation. Exts.X1 to X15 are produced by PW2 the Secretary of Pothencode Block Panchayat.

12. There are 13 ward in Poothencode Block Ppanchayat and Indian National Congress (INC) secured 7 seats out of that and Left Democratic Front (LDF) secured the remaining 6 seats. As the Indian National Congress got majority it formed the Panchayat board. Nominees of the Indian National Congress became the President and Vice President of the Pothencode Block Panchayat. Later dispute arose among the members. On 11.10.2017 Smt.JollyPathrose the thenPresident of Pothencode Block Panchayat resigned from the post and fresh election for the President was scheduled to be held on 30.10.2017. A meeting of the parliamentary party of the Indian National Congress was convened on 24.10.2017 and in that meeting Smt. JalajaKumary was decided to be the candidate of Indian National Congress for the post of the President. Ext.B1 minutes of the said meeting would show the said fact. It is stated that Smt.JalajaKumary was not prepared to contest for the post and she informed the said fact to PW3 DCC President. Thereafter the party decided to nominate the petitioner as a candidate for the post of President and whip was issued to all the elected members of Indian National Congress directing them to vote in favour of the petitioner and to elect her as the President. Ext.B2 minutes would show the said decision of the party.

13. PW3, the DCC President stated about the candidature of the petitioner and issuance of whip to the members. According to him Ext.A1 is the whip issued to the petitioner and Ext.A4 is the copy of the whip issued to the respondent. It is also stated by him that the copy of the whip was given to the Returning Officer of Pothencode Block Panchayat and Ext.A3 letter would show the said fact. Here itself it is to be stated that there is nothing in Ext.A3 to show that the Returning Officer has accepted Ext.A3 letter. According to PW3 he entrusted the whips to the parliamentary party leader Shri.Parambilpalam Nizar for serving the same to the members. Shri.Nizar along with two other office bearers of DCC went to the house of the respondent to serve the whip. As the respondent did not accept the whip, PW3 states, the same was affixed on the wall of the respondent's house. PW4 is the DCC Secretary and he is examined to prove the affixture of the whip on the house of the respondent. According to him he went to the house of the respondent along with Parambilpalam Nizar and other office bearer Shri.AnadJayan to serve the whip. When reached the house of the respondent the husband of the respondent told them that the respondent was not there. As the respondent's husband refused to receive the same on her behalf the same was affixed on the gate of the house. After affixture, it is stated, a photo was taken and Ext.A5 is the said photo.

14. Submission of the learned counsel for the respondent is that there was no whip and no whip was served also on the respondent complying Rule 4(2) of the Kerala Local Authorities (Disqualification of Defected Members) Rules.

The petitioner came as a candidate for the post of President on her own and there was no decision of the party to nominate her as the candidate. Smt.JalajaKumary was the candidate decided by the party and as she did not contest the respondent stood as a candidate after getting permission from RW2, the President of Indian National Congress Mangalapuram Block Committee. The respondent did not do any act of defection attracting Section 3(1)(a) of the Act, the counsel further submits.

15.Now let us examine whether the respondent has committed any act of defection envisaged under Section 3(1)(a) of the Kerala Local Authorities (Prohibition of Defection) Act. The Kerala Local Authorities (Prohibition of Defection) Act was enacted to prohibit defection among members of local authorities in the state and to provide for disqualification of the defecting members of the local authorities. Section 3 of the Act deals with disqualification on the ground of defection and it reads as below:-

“3. Disqualification on ground of Defection,-

1)Notwithstanding anything contained in the Kerala Panchayat Raj Act, 1994 (13 of 1994), or in the Kerala Municipality Act, 1994 (20 of 1994), or in any other law for the time being in force, subject to the other provisions of this Act.

(a) “if a member of local authority belonging to any political party voluntarily gives up his membership of

such political party, or if such member, contrary to any direction in writing issued by the political party to which he belongs or by a person or authority authorized by it in this behalf in the manner prescribed, votes or abstains from voting.

(i) in a meeting of Municipality, in an election of its Chairperson, Deputy Chairperson, a member of standing committee or the Chairman of a standing committee; or

(ii) in a meeting of a Panchayat, in an election of its President, Vice President, a member of a Standing Committee, or the Chairman of the Standing Committee; or in an voting on a no-confidence motion against any one of them except a member of a Standing Committee.

(b) If an independent member belong to any coalition with draws form such coalition or joins any political party or any other coalition, or if such a member, contrary to any direction in writing issued by a person or authority authorized by the coalition in its behalf in the manner prescribed votes or abstains from voting,-

(i) In a meeting of a municipality, in an election of its President, Vice President, a member of Standing Committee or the Chairman of the Standing Committee or

(ii) in a meeting of a Panchayat in an election of its President/Vice President, a member of his standing committee or the Chairman of the Standing Committee or in a voting on a no confidence motion against any one of them except a member of a Standing Committee.

(c) if an independent member not belonging to any coalition, joins any political party or coalition, he shall be disqualified for being a member of that local authority.

he shall be disqualified for being a member of that local authority.”

(2) The direction in writing issued for the purpose of clauses (a) and (b) of sub-section (1) shall be given to the members concerned in the manner as may be prescribed and copy of such direction in writing shall be given to the Secretary of the Local Self Government Institution concerned.

(3) Where any dispute arises regarding the direction issued under this section between the political party or coalition concerned and the member authorized in this

behalf as prescribed under sub-section (2), the direction in writing issued in this regard by the person authorized by the political party from time to time to recommend the symbol of the political party concerned for contesting in election shall be deemed to be valid

Explanation,- For the purpose of this section an elected member of a local authority shall be deemed to be a member belonging to the political party, if there is any such party, by which he was '[set up or given support] as a candidate for the election.

16. Section 3(1)(a) is the provision relevant in this case. Section 3(1)(a) of the Act has two limbs. The first limb is attracted when a member belonging to any political party voluntarily gives up his membership of such political party and second limb comes in to play when such member violates or disobeys the direction issued by the political party or a person authorized by it in this behalf. As per clause (iva) of Section 2, a direction in writing means a direction in writing signed with date, issued to a member belonging to or having the support of a political party, by the person authorized by the political party from time to time to recommend the symbol of the said party for contesting in election, for exercising the vote favourably or unfavourably or to abstain from voting.

17 To attract the second limb there must be a proper whip, the whip should be communicated and there must be violation of the whip. It is true that a whip was issued by PW3 DCC President to the elected members of the Indian National Congress directing them to vote infavour of the petitioner. Exts.A1 and A4 would show the said fact. Ext.A1 is the whip issued to the petitioner and Ext.A4 is said to be the copy of the whip issued to the respondent. Whether the whip was properly served on the respondent is the question to be considered then. According to PW1 the petitioner, the whip was affixed on the house of the respondent as she refused to accept the whip when tendered. It may be noted that PW1 has no personal knowledge about that and she did not go to the house of the respondent for affixture. According to PW3, the DCC President he entrusted the whip to Parambilpalam Nizar to serve the same to the members including the respondent and Parambilpalam Nizar went to the house of the respondent along with two office bearers of DCC and whip was affixed on the wall of the respondent's house. It is to be stated here that the said Parambilpalam Nizar is not examined in this case and there is no explanation also for that.

18. To prove the alleged affixture the petitioner has examined PW4. According to him he was present with Parambilpalam Nizar while affecting the affixture of whip in this case. To him the whip was affixed on the gate of the house. But no such endorsement or note regarding that we find in Ext.A4, the alleged copy of the whip. Ext.A5 photo will not take as anywhere as there

is nothing in it to show that the gate or house found therein is of the respondent. As per the evidence of PW3 the whip was affixed on the wall of the house. According to PW4 it was affixed on the gate of the house. Parambilpalam Nizar, the person who allegedly affixed the whip is not examined in this case. There is no endorsement regarding the alleged affixture in Ext.A4. The name of the witnesses present at the time of the alleged affixture or their signatures are also not there in Ext.A4. Only on the evidence of PW4 it is not possible to say that there was proper affixture as alleged. There is no believable evidence in this case to show that the whip was served on the respondent. As per Rule 4(2) of the Kerala Local Authorities (Disqualification of Defected Members) Rules the whip/direction can be served by three modes- (1) directly (2) by sending by registered post (3) by affixture. Admittedly the whip was not served directly and not sent by registered post also. According to the petitioner service was effected by affixture. Regarding the affixture I have already commented above and it is found that the whip was not properly communicated to the respondent. As the whip was not properly served on the respondent as contemplated under Rule 4(2) of the Kerala Local Authorities (Disqualification of Defected Members) Rules it cannot be said that there is violation of whip. So the second limb Section 3(1)(a) of the Act is not attracted in this case.

19. It is the settled law that the disqualification for voluntarily giving up the membership of the political party to which he belongs is not dependent on any violation of the whip. It is not necessary to hold that the member has violated the whip in order to conclude that he has voluntarily given up the membership of the political party to which he belongs. The grounds for disqualification under the first and second limbs of Section 3(1)(a) of the Act are distinct and are not interlinked as held in the decisions reported in **2009(2) KHC 839 (Biju R.S. and others V. Kerala State Election Commission and others)** and **2015 KHC 454 (Suryaprakash and others V. State Election Commission, Thiruvananthapuram and others)**.

20. It is a fact that the respondent was elected as the member of Indian National Congress and she is bound by the decision of her party. She must be loyal to the party and cannot act against the interest of her party. Consequent the resignation of Smt.JollyPathrose from the post of President fresh election was conducted on 30.10.2017 to elect the new President. It is an evidence that the Indian National Congress decided to field the petitioner as the candidate for the post. Evidence of PW3 DCC President would show the said fact. Further, Ext.B2 document produced by the respondent herself also would show that the petitioner was the presidential candidate of the Congress in the election held on 30.10.2017. It is true that earlier Smt.JalajaKumari was decided to be the candidate and as she was not prepared to contest the party decided to field the petitioner as the candidate and the party's decision can be

seen from Ext.B2. It is found above that there is no believable evidence in this case regarding the service of the whip on the respondent either directly or by affixture. But it can be seen from the evidence that the respondent was aware of the decision of the party to field the petitioner as the candidate. It may be noted that the Indian National Congress has seven members in Pothencode Block Panchayat including the respondent and all the members of Indian National Congress except the respondent voted in favour of the petitioner. Instead of voting in favour of the party nominee the respondent stood as a candidate against her own party nominee. In the meeting the name of the respondent was proposed and seconded by the members of the rival front LDF and the respondent accepted their nomination and support. It is with the support of the members of the rival parties the respondent became the President of the Block Panchayat defeating the petitioner, her own party nominee. None of the members of Indian National Congress proposed or seconded her name. It is admitted by RW1, the respondent in the cross examination that all the six members of Indian National Congress voted in favour of the petitioner obeying the direction of the DCC President. That also would show that she was aware of the decision of her party to field the petitioner as a candidate.

21. It is to be stated that the respondent is a responsible elected member of Pothencode Block Panchayat and she cannot act according to her whims and fancies. She is bound by the decision of her party. She cannot

take a different stand from that of her party. Even according to RW1 she can act only as per the direction of DCC President who is competent to issue direction to the elected members. Her version is that she tried to contact the DCC President over phone to get direction and she did not get him overphone. That cannot be a ground for her to contest against the petitioner, the party nominee. The contention of the respondent that she obtained permission from RW2 Mangalapuram Block Committee President to contest the election. The name of RW2 comes only at the time of evidence and his name is not there in the counter statement. Anyway the respondent cannot choose somebody in the party to get support for her decision and contest against the party nominee. Admittedly the DCC President who is competent to issue direction to her did not ask her to contest. RW2 is not the competent person to issue any direction to the elected members in a case like this. By contesting against the nominee of her own party she has acted against the interest of the party. Acting against the interest of the party is nothing but disloyalty. The respondent was very well aware of the decision of the party to field the petitioner as the candidate. But she chose to contest against the party nominee accepting the nomination and support of the members of rival parties and only with their support she became the President defeating her own party nominee. It is admitted by RW1 that her name was proposed and seconded by the members of rival parties.

22. The object sought to be achieved by the Act is to prohibit defection among members of the Local Authorities and to provide disqualification for the defecting members. What is ultimately sought to be prevented is the evil of the political defection motivated by lure of office or other similar considerations which endanger the foundations of our democracy. It is settled law that if a member or a group of elected members of a political party takes a different stand from that of the political party as such and acts against the policies of the political party in which they are members, it is nothing but disloyalty. The moment one becomes disloyal by his conduct to the political party, the inevitable inference is that he has voluntarily given up his membership. The **Kerala Local Authorities (Prohibition of defection) Act**, derived its source from the *10th schedule to the Constitution of India*. While upholding the Constitutional validity of 10th schedule, the *Apex Court in KihotoHollohanVs.Zachillhu (1992) Supp.2 SCC 651*” observed as follows:-

“A political party goes before the electorate with a particular programme and it sets up candidates at the election on the basis of such programme. A person who gets elected as a candidate set up by a political party is so elected on the basis of the programme of that political party.If a member while remaining a member of the political party

which had set him up as a candidate at the election votes or abstains from voting contrary to any 'direction' issued by the political party to which he belongs or by any person or authority authorized by it in this behalf, he incurs disqualification. A political party functions on the strength of shared beliefs. Its own political stability and social utility depends on such shared beliefs and concerted action of its members in furtherance of those commonly held principles. Any freedom of its members to vote as they please independently of the political party's declared politics will not only embarrass its public image and popularity but also undermine public confidence in it which, in the ultimate analysis, is its source of sustenance-nay indeed its survival.To vote against the party is disloyalty. To join with others in abstention or voting with other side smacks of conspiracy."

23. In the decision reported in 2008 (3) KHC 267 in (Faisal P.A. Vs. K.A.AbdullaKunhi) it was held as follows,-

“Since the words voluntarily giving up membership of his political party is not to be equated with ceasing to be a member of his party by resignation, from the conduct of the petitioner if an inference can be drawn that he has voluntarily given up his membership of his political party, he is liable to be disqualified. From the facts noticed by the second respondent, it is evident that the petitioner had acted against the directions of his party leadership and that he was arraying himself with the rival coalition. These facts certainly justify the inference that the petitioner had voluntarily given up his membership in Indian Union Muslim League, although he had not tendered his resignation.”

24. A member belonging to a political party has to be loyal to his party and the moment he becomes disloyal he/she would become subject to disqualification on the ground of voluntarily giving up his/her membership from the party. The conduct of the respondent in contesting against her own party nominee with the support of rival parties and becoming the President defeating her own party nominee would clearly demonstrate that she became disloyal to the political party which elected her as a member of

Pothencode Block Panchayat. The above acts of the respondent in this case would amount to defection inviting disqualification and the case put forward by the petitioner against the respondent in that regard is clearly established. I do not find anything in this case to take a different view. According to Father of Nation Mahatma Gandhi politics without principle is one of the grave vices in that group. The menace of defection is, certainly, to be curbed. The evil of political defections has been a matter of national concern. If it is not combated, it is likely to undermine the very foundations of our democracy and the principles which sustain it.

25. From the available evidence and the circumstances in this case it can be safely concluded that the respondent has committed defection and she has voluntarily given up her membership of the party which elected her as member, as provided by Section 3(1)(a) of the Act and therefore she became subject to disqualification for being a member of Pothencode Block Panchayat. Points are answered accordingly.

In the result, the petition is allowed and the respondent is declared as disqualified for being member of Pothencode Block Panchayat as provided by Section 3(1)(a) of the Kerala Local Authorities (Prohibition of Defection) Act. The respondent is further declared as disqualified for

contesting as a candidate in an election to any local authorities for a period of 6 years from this date, as provided by Section 4(3) of the Act.

Considering the circumstances of the case the parties are directed to bear their respective costs.

Pronounced before the Commission on this the 28th day of September 2018

Sd/-

V.BHASKARAN,
STATE ELECTION COMMISSIONER

APPENDIX

Witnesses examined on the side of the petitioner

PW1 : Smt.VasanthaKumary
PW2 : Smt.SajinaSathar, Secretary
PW3 : Shri.Sanal Kumar
PW4 : Shri.Krishna Kumar

Witnesses examined on the side of the respondent

RW1 : Smt.ShanibaBeegam
RW2 : Shri.H.P.Shaji

Documents produced on the side of the petitioner

A1 : Copy of the whip issued by Shri.Neyyattinkara Sanal, DCC President, Thiruvananthapuram to Smt. VasanthaKumari, Pothencode Block Panchayat

A2 : Copy of the minutes of the meeting to elect the President of Pothencode Block Panchayat held on 30.10.2017

A3 : Copy of the whip issued by

Shri.NeyyattinkaraSanal, DCC President,
Thiruvananthapuram to Returning Officer,
Pothencode Block Panchayat

- A4 : Copy of the whip issued by
Shri.NeyyattinkaraSanal, DCC President,
Thiruvananthapuram to Smt. ShanibaBeegam,
Pothencode Block Panchayat
- A5 : Photograph

Documents produced on the side of the Respondent

- B1 : Copy of the minutes of Congress
Parliamentary party meeting held on
24.10.2017
- B2 : Copy of the minutes of Congress
Parliamentary party meeting held on
29.10.2017

Documents produced on the side of the witnesses

- X1 : Copy of the declaration in Form No.2 filed by
Shri.K.Ravi, member of Pothencode Block
Panchayat
- X2 : Copy of the declaration in Form No.2 filed by
Adv.S.Krishna Kumar, member of
Pothencode Block Panchayat
- X3 : Copy of the declaration in Form No.2 filed by
Petitioner Smt. Vasanatha Kumari
- X4 : Copy of the declaration in Form No.2 filed by
Adv.M.Yazir, member of Pothencode Block
Panchayat
- X5 : Copy of the declaration in Form No.2 filed by
the respondent Smt. Shaniba Beegam
- X6 : Copy of the declaration in Form No.2 filed by

Smt.Vineetha, member of Pothencode Block Panchayat

- X7 : Copy of the declaration in Form No.2 filed by Smt.Nazeema, member of Pothencode Block Panchayat
- X8 : Copy of the declaration in Form No.2 filed by Smt.JalajaKumari, member of Pothencode BlockPanchayat
- X9 : Copy of the declaration in Form No.2 filed by Parambilpalam Nizar, member of Pothencode BlockPanchayat
- X10 : Copy of the declaration in Form No.2 filed by Adv.M.Althaf, member of Pothencode Block Panchayat
- X11 : Copy of the declaration in Form No.2 filed by Smt.Ashamol V.S, member of Pothencode BlockPanchayat
- X12 : Copy of the declaration in Form No.2 filed by Joly.L, member of Pothencode Block Panchayat
- X13 : Copy of the declaration in Form No.2 filed by Smt.Mary Sheela, member of Pothencode Block Panchayat
- X14 : Register showing the party affiliation of the electedmembers of Pothencode Block Panchayat
- X15 : Copy of the minutes of the President election held on 30.10.2017, Pothencode Block Panchayat

Sd/-

V.BHASKARAN

STATE ELECTION COMMISSIONER

//True Copy//