

Court No. - 48

Case :- WRIT - B No. - 3925 of 2023

Petitioner :- Gaon Sabha

Respondent :- State Of U.P. And 4 Others

Counsel for Petitioner :- Arun Kumar Pandey

Counsel for Respondent :- C.S.C

Hon'ble Saurabh Shyam Shamshery,J.

1. The term “Pradhanpati” is a very popular and widely used term in State of Uttar Pradesh. It is used for "the Husband" of a woman Pradhan. Despite being an unauthorized authority, "Pradhanpati" unauthorisedly, usually undertakes work of a woman Pradhan, i.e., his wife. There are many instances where a woman Pradhan only acts like a rubber stamp and for all practical purposes, all major decisions are taken by so called “Pradhanpati”, and elected representative just acts like mute spectator. The present writ petition is a glaring example of such a situation.

2. This writ petition is filed by Gaon Sabha, Village Madpuri, Pargana Barapur, Tehsil Nagina, District Bijnor through its Pradhan, Karmjeet Kaur. The writ petition is not accompanied by any resolution in favour of elected Pradhan authorizing her to file this writ petition and the affidavit accompanied with this writ petition is sworn by Sri Sukhdev Singh, the husband of Pradhan (Pradhanpati).

3. In the capacity of Pradhan, petitioner has no power to delegate her rights, duties and obligations to her husband or any other person, arising out of her elected post. The paiokar, i.e., “Pradhanpati” has no business to interfere with the working of Gaon Sabha. If such act is permitted it will not only frustrate objective of women empowerment but also object of providing

specific reservation to women to come forward and join main stream of politics and increase their participation in social, economic and cultural growth of nation.

4. The Court is aware that there are women Pradhans in State of Uttar Pradesh, who are exercising their power, rights and duties and legal obligations effectively and are doing very good work for village concerned. However, the present case does not appear to be such.

5. In view of above, this writ petition is dismissed with cost of Rs. 5000/- each to be paid by petitioner-Karmjeet Kaur and her husband, Sukhdev Singh (Pairokar in present writ petition) by Demand Draft from their respective Bank accounts in favour of Registrar General of this Court within two weeks from today. In case of default, Registrar General is permitted to proceed in accordance with law.

6. A copy of this order be sent to District Magistrate, Bijnor so that Sri Sukhdev Singh shall be barred from entering in the office of Gaon Sabha concerned in the capacity of “Pradhanpati” as well as to act as a representative of Pradhan for rest of her present term of office, except as a common villager.

7. A copy of this order shall also be sent to State Election Commission so that it may consider to issue a Circular for all candidates for future elections, cautioning them to be careful in exercising their powers, functions and duties as a representative of village not as mere rubber stamp of her husband or relatives (in case of woman Pradhan), and it may include such declaration in their affidavit filed at the time of presenting their nomination paper.

8. A copy of this order shall also be sent to Principal Secretary, Panchayat Raj, Government of U.P., Lucknow to circulate it to all Gaon Sabha of State of Uttar Pradesh.

9. Registrar (Compliance) to take steps.

Order Date :- 28.11.2023

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