

STATE BAR COUNCIL OF MADHYA PRADESH

(Statutory Body Constituted under the Advocates Act, 1961)

High Court Premises, Jabalpur - 482007 (M.P.)

HIGH POWERED ELECTION COMMITTEE



Justice Sushil Kumar Palo (Former Judge)
Returning Officer
Mob.: 9425006060, 6261311871

Email: sec.hpec@gmail.com
Website: www.sbcofmp.org
Tele.: 0761-4700083

No.S.B.C/M.P/HPEC/Election 2026/2556/2026

Dated 30.07.2026

To,

The contesting candidates,

Elections of

State Bar Council of Madhya Pradesh- 2026.

Subject:-Clarification on implementation of women reservation and counting of the ballot papers.

1. Many a candidates make query about the implementation of women reservation and counting of ballot papers with regard to women candidates. Therefore, it is felt necessary to make things clear for the benefit of the women candidates participated in the State Bar Council of Madhya Pradesh Elections 2026.
2. In this regard office communication of Bar Council of India letter No.1016/2025 dated 10.02.2026 and letter No.1095/2026 dated 18.02.2026 may be referred. The Hon'ble Supreme Court order dated 18.11.2025 and 08.12.2025 passed in the case of "M.Vardhan V/s Bar Council of India and others" may also be read. The High Powered Election Supervisory Committee vide order dated 09.02.2026 passed in Supervisory Committee Appeal No.32-33 of 2026, 34-35 of 2026 and Appeal No.36 of 2026 arising out of election notification issued by State Bar Council of Punjab and Haryana, State Bar Council of Karnataka and State Bar Council of Delhi are also very relevant in this regard.
3. In the subject above it has been made clear that all the Returning Officers of all the State Bar Councils have to ensure strict compliance and shall not adopt any separate ballot system in any form.

JUSTICE SUSHIL KUMAR PALO
FORMER JUDGE HIGH COURT
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4. After better classification about the women reservation and the calculation of preference votes Para 20 of order dated 09.02.2026 is reproduced below for the benefit of all the candidates.

"20. How the elections are to be held is given in the Supreme Court order dated 18.11.2025 and 08.12.2025. To clarify as to the manner of counting of votes, we must record that a well-established procedure is being followed in all elections in the past, where voting is done by way of single transferable vote. The same shall continue, though clarification here is needed only to the extent of the newly introduced women reservation/representation. Now, in a given case, let us say where 5 members are to be elected from amongst women candidates, their election will be as follows:

(a) Where there are only 5 women candidates in fray, then, subject to the validity of their documents and nomination papers, all of them will be declared elected as unopposed. There will be no contest for the women candidates.

(b) Where there are no women candidates, then 5 women, in addition to the already 10% reserved by way of co-option, will be nominated by co-option, to fill 30% seats by women.

(c) Where there are less than 5 women candidates, then all of them will be declared elected, and the remaining seats will be filled by co-option.

(d) If there are more than 5 women candidates, then counting shall be done in the regular normal manner except that eliminated women candidates would be placed in a separate list/category 'R' in the reverse order of elimination, i.e., the last eliminated woman candidate would be placed at Sr. No. 1, second-last eliminated woman candidate at Sr. No. 2 and so on. Counting would continue till the requisite number of candidates (after deducting the number of women candidates to be elected to the extent of 20% seats reserved for them) are declared elected. In case any women


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candidates are elected in the normal course, the regular and normal process of election would be extended further by adding such a number of women candidates to the list of candidates to be elected in the normal course.

Thereafter, the deficiency, if any, in the 20% seats reserved for women candidates shall be filled up from the separate category/list 'R' by declaring the requisite number of women candidates elected in order of merit, i.e., the one eliminated last being declared elected first and so on. To clarify and to explain further, in a given case where a woman candidate or candidates get elected in the ordinary process by getting a good number of 1st preference votes or in the last few rounds by crossing the Quota, or normally like others, then that many seat or seats will be reduced from the reserved Quota of 5 seats. All the Bar Councils will follow the process where there is a reservation for women.

(e) In a case of women candidates obtaining equal votes/value, the same procedure that is prescribed for General candidates would be adopted to select the woman candidate to be declared elected from amongst them."

5. This office has to ensure strict implementation of the above directions in letter and spirit.

Palo 20.11.2020

(Justice Sushil Kumar Palo)
Returning Officer (Former Judge)
State Bar Council of Madhya Pradesh

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