

THE INDIAN CHAMBER OF COMMERCE AND INDUSTRY, COIMBATORE

Election Rules

The Members' attention is also invited to Chamber's Bye Laws 2.12, 3.1 to 3.5, 4.1, 4.2 (a), 4.2 (c), 4.2 (e), 5.1 to 5.9 which deal with elections.

1.0 Election Officer(s) and Notice

- 1.1 The Governing Council shall appoint not more than 3 persons to conduct the elections atleast 30 days before the date of Annual General Meeting in which the newly elected President or Governing Council Members are to assume their office. The persons so appointed shall be called Election Officers and they shall conduct the elections for the Governing Council Members and the Office Bearers in a fair and transparent manner. The Election Officer(s) should not be directly or indirectly associated with any of the candidates contesting the election nor should be a candidate in the election. The Election Officer(s) should be provided all assistance and facilities by the Governing Council and the Chamber's Office for the conduct of the election. All expenses incurred by the Election Officer(s) shall be reimbursed by the Chamber.
- 1.2 The Election Officer(s) shall issue an Election Notice and invite nominations for the various posts to be filled. The notice shall be sent to all the persons eligible to vote in the election, atleast
 - a) 21 days before the date of election for the election of the President and Governing Council Members, and
 - b) 7 days before the date of election for the election of Vice Presidents, Honorary Secretaries and Treasurer.
- 1.3 The Election Notice shall contain and or accompanied by the following information.
 - a) The names and address of the Election Officer(s).
 - b) The posts to be filled by elections.
 - c) The Election Calender.
 - d) The person and place for filing the nominations / withdrawal of nominations and payment of fees.
- 1.4 The Election Officer(s) may engage members and employees of the Chamber or others to assist them. However, none of them should be a relative or associate of the candidate or proposer or seconder.
- 1.5 Wherever possible, the information / lists / forms / documents that are required to be put up on the Notice Board of the Chamber, or required to be made available at the office of the Chamber, shall also be made available at the Website of the Chamber - <http://www.indianchamber.in>, at the same time prescribed for display on the Notice Board.

- 1.6 The times shown against the various events are only indicative. Due to the volume of work, or disturbances in normal office working, delays may occur and such delays shall not invalidate the outcome of the events.
- 1.7 In extra-ordinary circumstances, the Election Officer(s), may alter the dates of the events, with the concurrence of the President, in order to preserve the integrity of the election process. The changes in the dates of events shall be communicated to those affected.

2.0 Nominations

- 2.1 The nominations must be in the forms prescribed which are applicable with the person designated in Rule 1.3 (d). Nomination forms may also be downloaded from the Chamber's website.
- 2.2 An alphabetical list of nominations accepted, showing the name of the candidate, proposer and seconder(s) shall be put up in the Notice Board of the Chamber.
- 2.3 Multiple nominations for the same post is permitted.
- 2.4 The nominations must be filed separately for the posts of
- Vice President - Infrastructure
 - Vice President - Law and Taxation
 - Vice President - Civic and Public Affairs
 - Honorary Secretary - Administration
 - Honorary Secretary – Operations

Each of the above office is considered as a separate post; that is for example, a person cannot be a candidate for both the Honorary Secretaries posts. Nominations without specifying the post shall be rejected.

Portfolios

Vice President – Infrastructure

1. Infrastructure - Physical.
 - a) Roads, Railways, Air and Sea ports
 - b) Communications - Telephone & Internet
 - c) Housing
 - d) Industrial, Commercial & Service Parks & Complexes
 - e) Electricity and Fuels
2. Infrastructure – Social
 - a) Education and Training
 - b) Health Care
 - c) Recreation and Tourism

3. Finance

Banks, Capital Market, Foreign Exchange and Insurance

Vice President-Law and Taxation

1. Business Laws

Companies Act, Partnership Act, Essential Commodities Act etc.

2. Safety, Employment and Welfare, Legislations, Factory Act, Shop and Establishment Act, Industrial Disputes Act, ESI & PF provisions.

3. Taxation Laws

Central Excise & Customs, Income Tax and Sales Tax

4. Land Use Laws

a) Stamp Act Registration

b) Land Conversion

c) Building Approval

d) Urban Land Tax

e) Pollution Control

Vice President - Civic and Public Affairs

1. Civic Affairs and Amenities

2. Civil Levies and controls

3. Police, Fire and Rescue Service and Traffic

4. Co-ordination with local officials and legislators

5. Co-ordination with N.G.Os - Community Service

6. Public Health and Environment

Honorary Secretary – Administration

1. Membership

2. Office Administration

3. Governing Council Meeting and General Body Meetings

4. Statutory compliances - Registrar of Societies etc

5. Co-ordination with sister organisations and apex Chambers

6. Custody of documents and records

Honorary Secretary – Operations

1. Arbitration service
2. Library, Journal and Website
3. Certification service
4. Public Relations
5. Special events and functions

Treasurer

1. Custody and maintenance of all Assets
 2. Accounts and Finance
 3. Statutory Payments
 4. Collections and disbursement of funds
- 2.5 The General Council Membership of each category should be considered as a single post.
- 2.6 The Election Officer(s) may reject the nominations not properly made, nominations with insufficient information and nominations without the evidence of the nomination fees at the stage of the receipt of nomination itself.
- 2.7 The Election Officer(s) shall issue a receipt to the candidate for the nomination accepted.

3.0 Scrutiny of Nominations

- 3.1 The nominations shall be taken up for scrutiny alphabetically. The scrutiny should be in public.
- 3.2 Any member of the Chamber can challenge the eligibility of any candidate, proposer and seconder. Such a challenge shall be in writing and should be deposited with the Election Officer(s) before the scrutiny is completed.
- 3.3 No objection to the nomination shall be entertained after the scrutiny is over. An objection not made during the scrutiny shall not invalidate a nomination subsequently.
- 3.4 A list of valid nominations and rejected nominations containing the names of the candidate, proposer and seconder shall be displayed in the Notice Board of the Chamber.
- 3.5 The candidates whose nominations have been rejected and the persons who have unsuccessfully challenged any nomination may obtain the reasons for the rejection of their nomination/challenge from the Election Officer(s).

4.0 Withdrawal of Nominations

- 4.1 The request for withdrawal of nomination should be signed by the candidate.

- 4.2 The nomination can be withdrawn anytime before the last date and time prescribed for withdrawal of nominations.
- 4.3 After the expiry of the deadline for withdrawal of nominations, the final list containing the candidates, the proposer and seconder(s) shall be put up in the Notice Board of the Chamber.

5.0 Canvassing

- 5.1 No canvassing for votes in the election other than by personal contacts or by individual letters shall be done by the candidate or his supporters, directly or indirectly. If any candidate canvasses for votes directly or indirectly or acquiesces in any such canvassing, shall be disqualified from being voted for or elected.
- 5.2 Before a candidate is disqualified from being voted for or elected in accordance with Rule 5.1, he/she shall be given an opportunity to answer any complaint.
- 5.3 The Election Officer(s) finding regarding any canvassing and disqualification is final.

6.0 Balloting / Voting

- 6.1 Different colours of ballot papers are to be used for different posts to be filled.
- 6.2 The Election Officer(s) should exercise close control over the ballot papers and authenticate them before issue for voting.
- 6.3 All blank and unused ballot papers should be destroyed before counting of the votes begin.
- 6.4 At the various stages of preparation, issue, voting, counting and preservation of ballots, proper records shall be maintained to ensure the integrity of voting process.
- 6.5 The Authorised Representative registered with the Chamber shall only be permitted to cast the vote.
- 6.6 The voters shall prove their identity before being issued the ballots.
- 6.7 Adequate arrangements should be made to make the voting process convenient, speedy and confidential.
- 6.8 One representative for each candidate shall be permitted to be present at the time of voting and counting of votes.
- 6.9 The counting of votes should commence as soon as possible after the end of the voting and completed.

6.10 A statement recording the votes obtained by each candidate and the names of the candidate to be declared elected by the General Body should be prepared by the Election Officer(s) and presented to the General Body.

7.0 Preservation of Records

7.1 After the Election results are announced, within 7 days the following records should be handed over by the Election Officer(s) to the Honorary Secretary Administration for safe keeping.

- a) Nominations accepted.
- b) List of nominations received.
- c) The objections to nomination received.
- d) The lists of valid and rejected nominations.
- e) A statement containing the reasons for the rejection of the nominations.
- f) The letters of withdrawal of nominations.
- g) The final list of the candidates for election.
- h) A copy of the compendia of the bio-data of the candidates,
- i) A record of the quantity of ballot papers printed, used and destroyed,
- j) The list of voters.
- k) A statement giving the number of ballots issued, number of ballots cast and number of rejected ballots.
- l) A statement containing the votes obtained by each candidate,
- m) The list of elected candidates.

7.2 The Honorary Secretary Administration shall cause these records to be preserved and produced when necessary.

8.0 Declaration of the Elected Candidates

8.1 The Annual General Meeting shall receive the particulars of the results of the voting and declare the results of the election.

9.0 Complaints

9.1 Any complaints regarding the election process may be submitted to the Governing Council whose decision regarding the complaint shall be final and binding on all concerned.

Extracts from Bye Law 3.1

The members of the Governing Council shall be elected once in two years, and shall assume office at the conclusion of the Annual General Meeting which immediately follows their election.

Extracts from Bye Law 4.2

The election and appointment of Office Bearers shall be as follows :

- a) The President shall be elected by the members in an Annual General Meeting. A person may be elected as President for one term only. Holding the office of the President for a part-term would not disqualify a person from being elected for a full term.
- c) The Vice Presidents, Hon. Secretaries and Treasurer shall be elected from among the members of the Governing Council.

Bye Law 5.1

Elections for the post of President and membership of the Governing Council shall be held on the two days preceding the Annual General Meeting date in which newly elected President or Governing Council members are to assume their office. The Vice Presidents, Hon. Secretaries and Treasurer shall be elected in the first Governing Council Meeting following the assumption of Office by the newly elected Governing Council members. The Elections should be conducted by secret ballot.

Bye Law 5.4

- a) For the election of the President and Governing Council members, the Election Officer(s) shall finalise a schedule for the various events for the election, and communicate the schedule to the members and invite nominations of the candidates for the Office for which the election is to be held, atleast 21 days before the date of election.
- b) For the election of the Vice Presidents and Honorary Secretaries and Treasurer, the Election Officer(s) shall finalise a schedule for the various events for the election, and communicate the schedule to the Governing Council members and invite nominations of the candidates for the Office for which the election is to be held, atleast 7 days before the date of election.

Bye Law 5.6

All nominations must be in the name of the member, with the name of the Authorised Representative also being given where applicable.

A member can contest only for one post. If a member is nominated for more than one post, all nominations would be rejected.

Nominations will have to be filed and elections shall be held separately for each of the Vice President posts and for each of the Honorary Secretary posts.

Bye Law 5.7

If the number of candidates validly nominated for any office be equal or less than the number of seats vacant, then, the said candidate(s) shall be declared as elected by the Election Officer(s). If there shall be more candidates than the seats vacant, an election shall be held. The election shall be by secret ballots and should offer adequate opportunity for all members to exercise their votes. No member who is in arrears of any

subscription or any payment due to the Chamber, or is in possession of any asset of the Chamber without permission from the Chamber, cannot vote in the election. The persons, who have received the largest number of votes, till the vacancies available are filled, shall be declared elected. The Election Officer(s) shall submit before the Annual General Meeting the list of names of the elected candidates, and the votes polled by all candidates.

CSK Prabhu
Hon. Secretary