



# PROCEDURE TO CONDUCT THE ELECTION OF SOCIETY OR TRUST

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### 1) APPOINTMENT OF RETURNING OFFICER:

- The superintendence, direction, and control of the preparation of the electoral rolls for and the conduct of the elections of the members shall be vested in the committee.
- The Governing body or committee shall appoint the Returning officer who shall not be a member or employee of the society /Trust, but a man of integrity, good social repute, and competent to conduct the election in a fair manner.

### 2) ADVANCE MEETING OF GOVERNING BODY OR COMMITTEE:

- The Governing body shall meet at least 60 clear days in advance of the date of expiry of its term to pass the resolution for fixing the date, time, and place for convening the general meeting for the conduct of the election of the successor committee.
- The committee shall prepare a list of the members in Form 8 at least 30 days before the date fixed for inviting nominations.
- The committee shall display the list on the notice board of final members at least 10 days before inviting the nomination. The list of members may be furnished to the members on payment of a requisite fee.
- The committee shall prepare the list of defaulting members at least 30 days before the date of election and display the same on the notice board of the society / Trust. The Two lists of defaulters shall be sent to the Registrar, one for his record and the second for display at the notice board of the Register. Defaulters shall be allowed to clear their dues **before the date of filing nomination Forms.**

### 3) AGENDA NOTICE:

- The Agenda Notice should be dispatched to all the members of the society/trust by the Secretary **at least 14 days in advance of the election** either by local delivery or by post 'Under the certificate of Posting' or by circulation or by speed post or registered carrier.
- The Agenda Notice shall be affixed on the Notice board of the society / Trust and its branches and the office of returning officers.
- The Agenda Notice shall contain the following information –
  - Number of vacancies to be filed.
  - Area of Constituency.
  - The qualification for eligibility for membership.
  - The date, place, and hours on which the Nomination papers shall be filed for election, not less than 7 days before the date of the election.
  - The date and hours for scrutinizing the nomination papers.

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- The date and place of polling.

#### **4) NOMINATION PAPERS:**

- The nomination forms shall be supplied by the Returning Officer to the desiring persons. The nomination forms shall be proposed and seconded by different two members, who should not be defaulters.
- A security deposit may be asked for along with nomination forms for the post of President, Vice President, and Managing Committee members. The security shall be refunded after the results of the election, however, if the candidate fails to get a minimum of **one-sixth (16.67 %) of the votes polled** the security deposit may be forfeited. Apart from this, he may be disqualified from contesting the election for next two years.
- No candidate shall be allowed to contest the election for two seats simultaneously.
- The nomination papers shall be presented either by the candidate himself or by his proposer or by his seconder to the returning officer before the date specified for it.
- The nomination papers shall be submitted by the desiring person on the date fixed by the committee, at least 7 days before the date fixed for the election.
- The returning officer shall scrutinize the nomination papers on a fixed date before the candidate himself or his proposer or his seconder, if no one is available, the returning officer shall go ahead the complete the scrutiny.
- The nomination papers may be rejected and returned by the returning officer by his signature and containing reasons on various grounds like – the candidate is not eligible to vote, does not possess the necessary qualification, the Nomination paper is not signed by the proposer or seconder or the candidate himself, disqualified as per the Act, the Rules and by-laws or other grounds as think fit.
- The list of valid Nomination papers as decided by the returning officer shall be published and displayed on the notice board of the society / Trust in English Alphabetical order
- The candidate may withdraw his nomination on the date following the day of publication of the valid nomination. Withdrawal once given shall be irrevocable.

#### **5) CASTING AND COUNTING OF VOTES BY THE VOTERS:**

- The voters shall cast their votes during the time specified in Agenda. Voters shall not be allowed to cast their votes after the time is over. However, those who have entered into the premises where the ballot papers are being issued before the closing time, they will be allowed to vote after the specified time.
- The Returning Officer shall make the arrangement to count the votes on the same day in the presence of the candidate or their agents unless there is a valid reason. If the counting is not possible on the same day the returning officer shall seal the boxes in the presence of the candidate or their agents and keep it

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in safe custody and will announce the next day of counting. The absence of candidates or their agents does not debar the returning officer to start the counting.

- The Ballot paper can be rejected by the returning officer on the following ground:
  - Ballot paper does not identify the person who has voted. Such as the name not mentioned
  - Ballot paper does not bear the seal of society / Trust
  - Ballot paper does not bear the initial of returning officer
  - Mark is placed on the middle of two candidates not possible to ascertain the candidate
  - Ballot paper so damaged or mutilated that loses its identity as genuine ballot paper.

**6) CASTING AND COUNTING OF VOTES BY THE VOTERS:**

- The number of votes secured by each candidate and the result of the election shall be announced by the returning officer as soon as counting is over.
- The result shall also be recorded in the minute's book as attested by the returning officer
- The result shall also be displayed on the notice board of the society / Trust.
- In case of equality of votes, the returning officer shall declare the result by tossing of a coin
- The result of the election and report thereon shall be communicated to the Registrar o Societies within 3 days of the declaration of the results

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