

# **PROCEDURE FOR ELECTION 2026- 2028**

## **18. ELECTION PROCEDURE**

- (1) The election of the Chamber shall be conducted according to the procedure laid down in the Articles of Association subject to the following:
  - (a) the election of the members of Executive Committee and office bearers shall be held by secret ballot;
  - (b) neither postal ballot nor proxy shall be allowed; and
  - (c) the polling shall be held in premises of the Chamber:

Provided that where for want of space in the office premises, it is not possible to establish the polling booths, the polling shall be held in a public place such as a community hall or hotel.

- (2) Within three days of the announcement of the election schedule, member firms desiring to change their representative shall intimate changes regarding name of representative to the Secretary General along with necessary proof of eligibility.
- (3) The Secretary General of the Chamber shall display within seven days of the announcement of election schedule the provisional list of all members eligible to vote along with their national tax number, sales tax registration number, if applicable, the name and national identity card number of their representative. The list shall be displayed at:
  - (a) The notice board of the Chamber; and
  - (b) The website of the Chamber.
- (4) The members who have any objection to the entries in the list of voters shall send their objections in writing to the Secretary General within seven days of the issuance of the voters' list.
- (5) The Secretary General shall, within five days from receipt of objections under clause (4), intimate action on the objections or changes, if any.
- (6) Any person aggrieved by the decision of the Secretary General may, within three days of the receipt of decision, make a representation to the Election Commission, which shall decide the representation within three days.

- (7) Any person, aggrieved by the decision of the Election Commission or in case the Election Commission fails to decide the representation within the period provided in sub-clause (6), may, within three days of decision by the Election Commission or, as the case may be, on expiry of limitation of the Election Commission under sub-clause (6), make an appeal to the Regulator who shall decide the appeal within ten days and her decision in this regard shall be final.
- (8) Within two days of the decision of the Regulator, the final voters' list shall be:
  - (a) displayed at notice board of the Chamber;
  - (b) displayed at website of the Chamber; and
  - (c) submitted to the Regulator:

Provided that if no appeal has been filed to the Regulator, the final list of voters shall be displayed within twenty-one days of the decision of the Election Commission under sub-clause (6).

- (9) Within four days of the display of the final list of voters, any person who is eligible to contest the election for the vacant post, shall send her nomination duly proposed and seconded by a duly registered voter and signed by the candidate, to the Secretary General.
- (10) Within twenty-four hours of receipt of nomination papers, a copy of the final list of voters shall be provided to each contesting candidate.
- (11) The nomination papers shall be scrutinized by the Election Commission and list of candidates shall be displayed within twenty-four hours of the last date of receipt of nomination papers.
- (12) The objections, if any, to nomination of the candidates may be filed to the Election Commission within twenty-four hours of issuance of the list of candidates, which shall be decided by the Election Commission within two days.
- (13) Within two days of decision of the commission or in case the commission fails to decide within the stipulated time provided in sub clause (12), any candidate aggrieved by the decision of the Election Commission or, as the

case may be, on the expiry of limitation of the Election Commission under sub-clause (12) may file an appeal to the Regulator, who shall decide within seven days and her decision in this regard shall be final.

- (14) Within two days of the decision of the Regulator, the Commission shall issue final list of candidates:

Provided that if no appeal has been filed to the Regulator, final list of candidates shall be issued within eleven days of the decision of the Election Commission under sub-clause (12)

- (15) Within five days of display of final list of the candidates, the polling for election of members of Executive Committee shall be held.
- (16) Within two days of the polling as provided in sub-rule (15), any person elected as member of Executive Committee, shall send, to the Election Commission for election as an Office-Bearer, her nomination duly proposed and seconded by an elected Executive Committee's member and signed by the candidate.
- (17) The nomination papers shall be scrutinized by the Election Commission and list of candidates shall be displayed within twenty-four hours of the last date of receipt of nomination papers.
- (18) Within two days of display of final list of candidates, the polling for election of office bearers shall be held.
- (19) The final result of the election of members of Executive Committee and officer bearers shall be officially announced at the annual general meeting of the Chamber called for this purpose within twenty-one days of the date of polling under the preceding sub-clause but not later than the 30<sup>th</sup> day of September of the year.
- (20) The announcement of election results in the annual general meeting in pursuance of the preceding sub-clause shall be the material date for the purposes of paragraph (iii) of clause (f) of sub-section (3) of section 14 of the Act.
- (21) The final election results announced in the annual general meeting shall be: -
- (a) Displayed at notice board of the Chamber within two days;

(b) Displayed at website of the Chamber within two days; and

(c) Submitted to the Regulator within seven days.

19. **CONDUCT OF ELECTION**

- I. The ballot papers shall have duly numbered counterfoils and the voter shall sign or affix thumb impression thereon in the presence of polling agents of the candidates and the polling officer before the issuance of ballot papers to the voter.
- II. It shall be the duty of the polling officer to verify the identity of the voter. The only acceptable forms of identification shall be the computerized national identity card, the original identity card issued by the chamber, passport and driving license. The polling officer shall enter the number of identification document on the counterfoil.
- III. After satisfying herself with regard to identity of the voter, the polling officer shall hand over the ballot paper to the voter.
- IV. The ballot paper shall be signed by the Secretary General or an officer of the Chamber duly authorized by the Election Commission in this behalf and shall also be signed by the polling officer at the time when it is issued.
- V. Once the ballot paper has been issued to a voter, he shall not be allowed to leave the polling booth, without casting in the ballot box.
- VI. Adequate arrangements shall be made to maintain the secrecy of the polls.
- VII. Proper account shall be maintained by an officer designated by the Election Commission in respect of ballot papers including used, unused, tendered, challenged or spoiled ballot papers.
- VIII. The challenged votes shall be kept in a separate sealed envelope duly signed and sealed by the polling officer.

- IX. The Commission or an officer designated by the Commission shall decide about the challenged votes after verification of necessary information before the official announcement of the results.
- X. No ballot paper shall be invalid for failure to have cast all votes on all seats contested for in the said election.
- XI. Counting of votes shall take place immediately after the polling hours under the supervision of polling officer in the presence of candidates or their polling agents, if any, at the designated sites.
- XII. Provisional results may be declared by the commission immediately after the counting of votes is completed.
- XIII. In the event of equality of votes between two or more candidates the result shall be decided on the basis of a draw conducted by the polling officer in the presence of candidates or their polling agents and a record of the result thereof shall be made.
- XIV. Having completed the counting and compilation of results, record pertaining to the elections shall be sealed and signed by the Election Commission or any officer designated by the Election Commission and the Secretary General and shall be handed over to the Secretary General for safe custody.
- XV. Upon an application made in this behalf by the candidates within seven days of the date of polling and with approval of the regulator, record of the elections shall be opened for inspection by the applicant in presence of the Election Commission.
- XVI. Accidental error or omission to send any notice, nomination papers etc., to any member shall not invalidate the ballot or election.
- XVII. Two representatives of any one member shall not be elected on the Committee at the same time.
- XVIII. If any of the dates specified in these articles is a public holiday, it shall be substituted by the date falling on the next working day.

The elections will be conducted strictly in accordance with the rules.

If any provision of the Memorandum and Articles of Association of the Chamber is in conflict with the provisions of the Act or rules, the later shall prevail.