

JUSTICE P.N. RAVINDRAN (Retd.)

Former Judge

Hon'ble High Court of Kerala

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RO/FAI Election – 2022/New Delhi/02

Dated: 02.09.2022

## MODEL ELECTION GUIDELINES (National Sports Development Code of India, Govt. of India)

Name of the Federation: **Fencing Association of India**

E-mail ID: fai.secgen@gmail.com

Website: www.fencingindia.org

**Election Bye-laws for Election to the Vacant post of President & one post of Executive Member  
of the Executive Committee, Fencing Association of India.**

### 1. Short Title & Definitions:

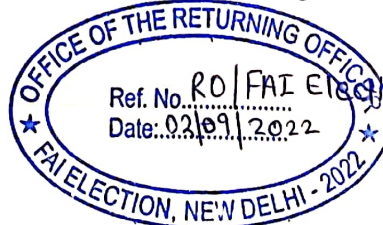
- (1) These Bye-laws shall be called the 'Election Bye-laws' and shall govern the conduct of Election to the vacant post of President and one post of Executive Member of the Executive Committee of the Fencing Association of India (FAI)
- (2) In these Bye-laws, unless the context otherwise requires, -
  - (a) 'clause' and 'sub-clause' mean the clause and sub-clause of these Bye-laws;
  - (b) 'Managing Members' means Member of the Executive Committee of the Fencing Association of India.
  - (c) 'Form' means the Form appended to these Bye-laws;
  - (d) FAI means the Fencing Association of India.
  - (e) 'Post' includes the office of President, Secretary General, Treasurer, Sr. Vice President, Vice President, Joint Secretary and Member of the Executive Committee of the Fencing Association of India.
  - (f) 'Rule' means the rule of the Rules and Regulations of the Fencing Association of India.

### 2. Managing Committee:

- (1) 01 (One) vacant post of President and 01 (One) vacant post of Executive Member shall be filled up as follows as per the FAI Constitution for the remaining period of FAI Managing Committee 2021-2025:

### 3. Manner of Election:

- (1) Office Bearers and members of the Managing Committee of FAI shall be elected by way of secret ballot.
- (2) Election shall be held at the Special General Body Meeting (SGM) in accordance with the procedure prescribed hereinafter and in conformity with the constitution of FAI, from amongst the representatives of the Permanent Member States and Union Territories. Provisionally affiliated Member States and Union Territories can participate in the election after obtaining the prior permission of the Acting President of FAI.
- (3) Member States / Union Territories shall have cleared all dues and submit required documents to FAI before election notification to be eligible for the election.



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- (4) Adhoc Committees and Court appointed Committees in any State / Union Territory are not permitted to attend the meeting and shall have no voting rights.

4. Electoral College:

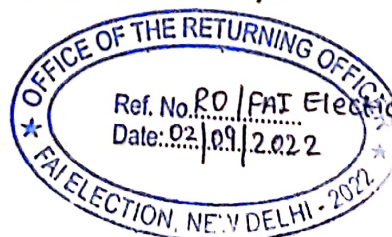
- (1) Each Permanent Member State & Union Territory duly affiliated by the Fencing Association of India as its Permanent Member shall have two votes at the election to 01 (One) vacant post of President and 01 (One) vacant post of Executive Member of the Executive Committee of the FAI.
- (2) For the purposes of sub-clause (1), each Permanent Member State and Union Territory shall be represented by two representatives authorized by the President or Secretary General / Secretary of the affiliated Permanent Member State and Union Territory. However, in case the President / Secretary General / Secretary nominates different person(s), the person(s) authorized by the President shall be deemed to be the duly authorized person(s). Irrespective of the date.
- (3) Each Permanent Member State and Union Territory shall intimate the name(s) of their representative(s) mentioned in sub-clause (2) latest by **03.09.2022 (Day-1)**; and such intimation shall be addressed to the Acting President / Secretary General of FAI on their letter head duly sealed & signed by President and Secretary General / Secretary of that member unit, so as to reach him on or before the aforesaid date; any change in the name of any authorized representative after **03.09.2022 (Day-1)** or any intimation received thereafter shall be permitted only with the approval of the Acting President of the FAI.
- (4) The Acting President / Secretary General of FAI shall prepare the list of the authorized representatives of the Member States and Union Territories in **Form 1**, and circulate a copy of the list so prepared by him to all Member States and Union Territories, latest by **04.09.2022 (Day - 2)**, by display, on the website of FAI.
- (5) The Acting President / Secretary General shall also furnish a duly authenticated copy of the list mentioned in sub-clause (4) to the Returning Officer as soon as may be after his appointment by the Acting President of FAI under clause (5) below.

5. Returning Officer:

As soon as may be before / after the issue of the Notice for the Special Annual General Meeting (SGM), the Acting President of FAI shall nominate a person as Returning Officer for conduct of Election to 01 vacant post of President and 01 vacant post of Executive Member of the Executive Committee of the FAI, in accordance with the provisions of these Bye-laws.

6. Nomination of Candidates:

- (1) The nomination of a candidate for election of the vacant remaining 01 (One) post of President Office Bearers and 01 post of Executive Member of the Managing Committee shall be made in **Form 2**.
- (2) The nomination of a candidate for election to the 01 (One) vacant post of President and 01 (One) vacant post of Executive Member of the Executive Committee shall be proposed by one of the representatives of Member States/Union Territories whose name is included in the Electoral College list in **Form 1**, and also subscribed by 1 (one) such representative as seconder.
- (3) Each candidate shall be entitled to be nominated by not more than 2 (two) nomination papers.



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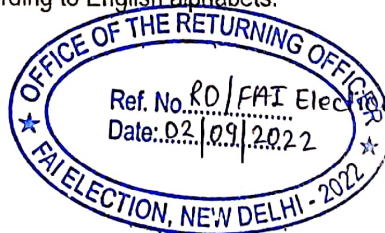
- (4) Each Nomination paper shall be Delivered Personally to the Returning Officer and in his absence to the Assistant Returning Officer in Person by the candidate himself/herself physically from **05.09.2022 (Day – 3)** to **07.09.2022 (Day – 5)** between **11:00 AM** and **1:00 PM**.
- (5) No person shall be eligible to nominate more than one candidate for the same post, either as proposer or seconder; and, if he so does, his/her signature on the nomination papers delivered second in point of time to the Returning Officer shall be deemed to be inoperative.
- (6) No person shall be permitted to withdraw his/her name as proposer/seconder, once the nomination paper subscribed by him/her has been delivered to Returning Officer/Assistant Returning Officer.
- (7) As soon as may be after **1:00 P.M.** on **09.09.2022 (Day – 7)**, the Returning Officer shall prepare a list of all nominations received by him, post wise, in **Form 3**; and publish the same in a conspicuous place in his office.

**7. Scrutiny of Nominations:**

- (1) On **10.09.2022 (Day – 8)**, at **11:00 A.M.**, The Returning Officer in his Office shall scrutinize each nomination paper, one by one, received by him, and determine its validity or otherwise.
- (2) At the scrutiny of nominations, each candidate or one of his/her authorized representatives shall have the right to be present and raise any objection in relation to nomination of a candidate for the post for which he/she has filed his/her nomination.
- (3) As soon as may be after the scrutiny of all nomination papers has been completed by him, the Returning Officer shall prepare a list of validly nominated candidates in **Form 4**. And the Contesting Candidates can take a copy from the Returning Officer.

**8. Withdrawal of Candidature:**

- (1) Each candidate whose nomination has been found valid on scrutiny shall be entitled to withdraw his/her candidature, from **10.09.2022 (Day – 8)** up to **1:00 P.M.** of **12.09.2022 (Day – 10)**.
- (2) Notice of withdrawal of candidature shall be submitted in **Form 5**, either by the candidate himself/herself or by a person duly authorized by him/her in writing.
- (3) Notice of withdrawal of candidature shall be final and shall not be allowed to be cancelled.
- (4) The Returning Officer shall accept the notice of withdrawal if he is satisfied as to the genuineness of the notice.
- (5) As soon as may be after **11:00 AM** on **13.09.2022 (Day 11)**, the Returning Officer shall prepare the final list of contesting candidates in **Form 6**, display a copy of the said list in a conspicuous place in his office and on the Federation's Website. And also furnish a copy of the same to each of the candidates / their authorized representatives, if they so demand.
- (6) The names of the contesting candidates in **Form 6** shall be arranged, for each post, in alphabetical order according to English alphabets.



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9. **Uncontested Returns and contested Elections:**

- (1) Where the number of contesting candidates for any post or category of post, in **Form 6** is equal to the number of posts to be filled, all such contesting candidates shall be deemed to be duly elected unopposed to those posts, and it shall not be necessary to take a poll for election to such post.
- (2) Where the number of contesting candidates for any post or category of post, in **Form 6** is more than the number of posts to be filled, a poll shall be taken by secret ballot for those posts remaining unfilled.
- (3) The ballot papers for these posts remaining unfilled shall be in **Form 7** to **Form 8** to be made individually for each post.
- (4) The names of contesting candidates on the ballot papers shall appear in the same order as in **Form 6**.

10. **Poll:**

- (1) The Poll for the Posts Remaining Unfilled under clause 9(2) above shall be taken post-wise, on **18<sup>th</sup> September 2022** and shall be held **during the Special General Body Meeting of the FAI on 18<sup>th</sup> September 2022 at Hotel The Suryaa, New Friends Colony, New Delhi- 110025 (Venue of the elections)**
- (2) Each contesting candidate can nominate one person, (If he/she so desires), only from amongst the Authorised Representatives list, to be present at the Poll (Polling station).
- (3) At the poll, each authorized representative of Member States and Union Territories, whose name is included in the Electoral College list in **Form 1**, shall be entitled to –
  - (i) cast one vote for each of the posts remaining unfilled, where only one such seat is to be filled;
  - (ii) cast as many votes as are the number of seats to be filled for any post, where more than one seat is to be filled.

**Explanation:** It is hereby clarified that for the purpose of filling four seats of Vice Presidents, each voter can cast upto four votes, and, like-wise, for four seats of Joint Secretaries, and ten seats of Members of Managing committee, he/she can cast four and ten votes respectively for the above mentioned four seats of Joint Secretaries and ten seats of Members of Managing Committee.

- (4) In case any voter casts his/her vote for more than one candidate, or for more than four or five candidates, as the case may be, his/her vote for that post shall be invalid.
- (5) Each voter shall be required, before he is supplied with a Ballot paper, to give his/her signature on the authenticated copy of the Electoral College list in **Form 1** used by the Returning Officer for taking the poll.
- (6) The voter shall record his/her vote on the ballot paper in secrecy in a voting compartment specially provided for the purpose at the polling station.
- (7) The voter shall record his/her vote on the ballot paper by placing a tick mark (✓) against the name of the candidate of his/her choice, and any other mark, like (x) etc. or word, placed on the ballot paper by him/her shall render the ballot paper liable to rejection.
- (8) The tick mark (✓) to indicate the vote shall be placed by the voter only by means of article specifically provided for the purpose by the Returning Officer, and a ballot paper marked otherwise by means of any pen, ball point pen, etc. by the voter shall render the ballot paper liable to rejection.
- (9) The ballot paper marked by a voter shall be deposited by him/her in a ballot box specially prepared and sealed by the Returning Officer and placed at such a conspicuous place in the polling station in such manner that it shall be constantly visible to all present in the polling station.





- (10) The Returning Officer shall close the poll at the appointed hour; however, all those voters who are present at the polling station at the appointed closing hour shall be entitled to vote even if the poll proceedings have to be continued for some more time.
- (11) After all the voters referred to in sub-clause (9) have voted, the Returning Officer shall close the ballot box and shall not permit thereafter any person to vote.
- (12) Polling will be done in below order :
  - (i) President
  - (ii) Executive Member

#### 11. Counting of Votes :

- (1) The Returning Officer shall take up the counting of votes as soon as may be after the polling for any post is complete.
- (2) Each contesting candidate can nominate one authorized representative (as clarified in S. No. 10 (2)) and He/ She shall be entitled to be present at the place of counting votes.
- (3) The Returning Officer shall take up the counting of votes, post-wise and category wise, where applicable.
- (4) Each ballot paper on which a vote has been recorded in accordance with sub-clauses (3) to (8) of clause (10) shall be treated as one vote for the candidate for whom it has been validly marked; and if any ballot paper has been marked in violation of any of the aforesaid provisions of sub-clauses (3) to (8) of clause (10) shall be rejected by the Returning Officer.
- (5) The votes validly cast for each of the contesting candidates shall be counted post-wise, and category-wise where applicable, and recorded in the descending order of the votes so cast for each candidate in **Form 14**.
- (6) The returning Officer shall thereafter ascertain the result of counting and, subject to the provisions of Rule 4 (a) (ii) of the Rules, the candidates who have secured the maximum no. of votes in the said descending order, post-wise and category wise, where applicable, equal to the no. of seats to be filled for each post or category of posts, where applicable, shall be deemed to have been duly elected to those posts.

#### 12. Declaration of Results :

The names of contesting candidates who shall be deemed to have been elected at the election in accordance with sub-clause (6) of clause (11) shall be declared as having been duly elected to their respective posts, by the Returning Officer at the Special General Meeting (SGM) in the **Form 15, FAI Election-2022**.



**Justice P.N. Ravindran (Retd.)**  
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**Returning Officer of FAI Election 2022**

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