

## **ELECTIONS TO THE COUNCIL & REGIONAL COUNCILS, 2014**

**Dated 9<sup>th</sup> September 2014**

### **ELECTION CODE OF CONDUCT FOR OBSERVANCE BY THE CANDIDATES AND THEIR AUTHORISED REPRESENTATIVES DURING THE ELECTIONS**

1. With a view to maintain a healthy and peaceful atmosphere during the election process and for ensuring a free and fair election, the following Election Code of Conduct for candidates and their authorised representatives has been approved by the Council and has been issued by the Returning officer and also published on the website of the Institute.
2. The Election Code of Conduct shall be followed by candidates and their authorized representatives during the entire election process including at the polling booths and counting centres.
3. The Election Code of Conduct shall be in addition to the Code of Conduct prescribed by the Company Secretaries Act, 1980 and the Company Secretaries (Election to Council) Rules, 2006 ( the Rules) and shall come into force from the date of issue of notification under sub-rule (2) of rule 4 of the Rules.
4. The Election Code of Conduct is deemed to be guidelines of the Council under clause (1) of Part II of Second Schedule of the Act and is obligatory for each candidate to comply with the Election Code of Conduct.

#### **Election Code of Conduct**

- (i) The contesting candidates and/or their authorized representatives shall not use any infrastructure, forum including programmes, by whatever name called, manpower, machinery, facilities or communication medium – electronic or otherwise of the Institute, its Regional Councils and Chapters in any manner whatsoever. While there is no bar for participation in an event/programme organized by the Institute and/or its Regional Councils/ Chapters, as an ordinary participant, however, the event/programme shall not be used for publicity/electioneering in any form whatsoever. This restriction is equally applicable to any Study Circle meeting by whatever name called.
- (ii) No programme announcement shall include name(s) of the contesting candidates.
- (iii) Proceedings of the programmes already conducted by the Regional Councils / Chapters shall be published only after proper editing so that the name(s) of any contesting candidate(s) is/are not mentioned in the proceedings.
- (iv) No photograph of a contesting candidate including as part of a group shall be published at any place in the newsletter/journal. In case it is not possible to segregate the contesting candidate from the group photograph by way of his position in the photograph, the photograph shall be dropped.

- (v) The names of contesting candidates shall not be published by way of congratulations for any achievement or by way of elevation, on the move, or in any other capacity.
- (vi) No publicity of programme(s) and their coverage by the Regional Councils/Chapters, in a manner covering contesting candidates, will be given in any of the journals, news letters or its equivalents or otherwise.
- (vii) No article, write-up, report, column and the like by any contesting candidate will be allowed for publication/ inclusion in the journal, news letter or its equivalents/ website of any of the Regional Council /Chapters.
- (viii) No brochure/any other material covering contesting candidates including written communication(s) of programme(s) organized by the Regional Councils and Chapters shall contain the name or reference of any contesting candidate in any manner whatsoever. This prohibition is not however applicable for the brochure/other material as aforesaid already printed for sending to the intended readership or audience, or name required to be given under any specific legal requirement.
- (ix) No brochure/publicity material including written communications printed in respect of any programme held before or after issue of notification shall contain the photograph/ reference to any of the contesting candidates in any manner whatsoever.
- (x) The name of the Editor/Chief Editor should only appear at the back cover of the newsletter in font size not greater than 6 points.
- (xi) Contesting candidate(s) shall not preside over or share dais, stage, platform and/or participate in:-
- Student Induction Programme (SIP)/Executive Development Programme (EDP)/Professional Development Programme (PDP)/ Management Skill Orientation Programme (MSOP) organised by the Regional Councils and Chapters.
  - Study Groups/Study Circle Meetings organised by the Regional Councils/Chapters.
  - Act as faculty for Oral Tuition Classes conducted by Regional Councils & Chapters.
- (xii) Contesting candidate(s) shall not raise any question at any programme organised by Regional Council and Chapters so as to attract the attention of the audience to gain visibility/ publicity.
- (xiii) No interview other than given in a non-professional capacity to newspaper(s), electronic media and the like by contesting candidate(s) in any manner whatsoever is permissible.

- (xiv) In the event of any invitation being received, by a candidate from any other outside agencies such as Industry Associations like CII, FICCI, ASSOCHAM, Chambers of Commerce etc., and Voluntary Bodies like Rotaries, Non Government Organizations etc. for participation in any of their events/programmes etc., in any capacity – professional or otherwise, while there is no bar for participation in such an event/programme, as an ordinary participant, however, the said event/programme shall not be used for the purpose of publicity/electioneering in any manner whatsoever. The restrictions shall be applicable not only for any event/programme held within a candidate's own constituency but outside his constituency including overseas events/programmes as well. The contesting candidate shall not preside over or share dais, stage, platform likely to have members of the Institute as part of audience.
- (xv) The contesting candidate shall not preside over or share dais, stage, platform and/or participate in the programmes and activities organised by the Institute, Regional Councils and Chapters and such other programmes as may be specified by the Returning Officer from time to time as speaker, paper setter, faculty member, presenter of bouquets, flowers, garlands, mementoes, gifts or in such other capacity as the Returning Officer might decide from time to time to ensure free and fair elections.
- (xvi) A candidate shall avoid scrupulously all activities, which are corrupt practices, such as providing incentive to voters, intimidation of voters, giving presentations to voters etc.
- (xvii) There shall be a ban on erection of stall, distribution/supply of any gift, refreshment to voters, display of banners, distribution of pamphlets/visiting cards/letters/circulars or any other publicity material including free distribution of books/calendars/diaries/ handouts and the like during the election days i.e. 12<sup>th</sup> and 13<sup>th</sup> December, 2014 inside the zero tolerance zone.
- (xviii) There shall be no supply at the polling venue, of refreshment(s) to the supporters or volunteers of candidates.
- (xix) Organization of parties or participation in any party or providing any form of entertainment, e.g., musical nights and the like, with the direct and/or indirect involvement of the candidate in any form/manner whatsoever is prohibited.
- (xx) The contesting candidate(s)/authorized representative(s) shall refrain from serving or distributing liquor to the members after coming into force the Election Code of Conduct.
- (xxi) Only one manifesto or circular shall be issued in accordance with rule 42 of the Rules by a candidate in relation to the election in the period commencing from the date of issue of final list of nominations to the candidates and only the same may be repeated by the candidate in any form including SMS without changing the contents thereof in any manner. Any other communication in relation to the election issued by the candidate in electronic form or otherwise shall be deemed to be second circular and will be in contravention of the aforesaid rule.

- (xxii) The contesting candidate(s) shall not maintain a separate website as a part of electioneering or for the purpose of election. The website maintained by a Firm/member in practice, in accordance with the relevant Council Guidelines is outside the purview of this Code.
- (xxiii) The newsletters published in any form including electronic mode shall not use the column "Chairman Page/Writes"; and in replacement thereof, the nomenclature "Committee Writes", "Regional Council Writes" / "Managing Committee Writes" as the case may be, shall be used. Alternatively, it may be a column in the name of "Editorial Board". The name(s) of the editor/ publisher of the newsletters etc. can however be printed, wherever the same is legally required to be mentioned.
- (xxiv) No candidate(s) or authorized representative(s) shall use any loud speaker near the polling booth for the purpose of transmitting information connected with the election.
- (xxv) Excepting the voters, no one without a valid pass from the Returning Officer shall enter the polling booths. The contesting candidate(s) shall:
  - (a) cooperate with the officers on election duty in complying with the restrictions to be imposed on the plying of vehicles on the polling day;
  - (b) supply to their authorized representative(s) suitable badges or identity cards to be used in polling booths and counting centres;
- (xxvi) After the notification for the election is issued the contesting candidate(s) shall not announce any financial grant in any form or make promises therefor or announce any projects or schemes of any kind, which may be aimed at influencing the voters.

Notwithstanding anything contained herein above, the Council may cause investigations into the conduct of any candidate or authorized representative in any other circumstances.

**Returning Officer and Chief  
Executive & Officiating Secretary**