



**Bye Law 30: Election of Office Bearers**

**ELECTION RULES OF IMA UP STATE**

**(UP TO LAST AMENDMENT DONE IN 132 & 133 ANNUAL STATE COUNCIL MEETINGS ON 4<sup>TH</sup> APRIL 2021 AT GREATER NOIDA AND PREVIOUS AMENDMENTS IN 124<sup>TH</sup> STATE COUNCIL MEETING ON 14<sup>TH</sup> MAY 2017 AT MATHURA AND APPROVED IN 125<sup>TH</sup> ORDINARY STATE COUNCIL MEETING ON 14<sup>TH</sup> MAY 2017 AT MATHURA AND IN 126<sup>TH</sup> ANNUAL STATE COUNCIL MEETING ON 20<sup>TH</sup> NOV, 2017 AT AGRA AND APPROVED IN 127<sup>TH</sup> ORDINARY STATE COUNCIL MEETING ON 20<sup>TH</sup> NOV 2017 AT AGRA.)**

**(D) ELECTORAL COLLEGE**

The Electoral College for the election of all posts of IMA UP State, all its wings, state representatives to CWC and SWC members shall be the members of state council as specified under rules 14a & b of IMA UP State under the head **Management of Association**. Regular members of State Council whose names have been received in the office of IMA UP State from Local Branches on or before 31<sup>st</sup>. March (in the year the election are to be held) will be allowed to participate in voting.

**A) Election Procedure** – (As amended & approved in 132 & 133 annual state council meeting on 4<sup>th</sup> April 2021 at Gr. NOIDA and 124 State Council Meeting on 14<sup>th</sup> May, 2017 at Mathura)

The elections of IMA UP State will be held as per the constitutional provisions in two phases by postal ballot in phase I, till the complete data of state council members is available with IMA UP State. As soon as the complete data of all state council members (mobile number and email id) is available with IMA UP State, a new web or mobile application will be developed to conduct the elections of IMA UP State electronically and in Phase 2 by physical voting by ballot in the state council meeting at annual conference but the notification and nominations for both the phase will be done simultaneously by single notification. ( amendment passed in 132 & 133 annual state council meetings on 4<sup>th</sup> April 2021 at Gr. Noida)

**G) Election Rules**

1) EO shall invite the nominations from the life member of the association from the regular state council members of the local branch for the various posts of IMA UP State through the letter to local branch secretary & state council members.

2) The Vice Presidents shall be elected each year on Zonal basis.

3) No member of the state council will be allowed to contest more than two posts. In case one files nominations for more than two posts his/her nominations (for all posts) will be treated as invalid and no money will be returned back.

4) The nomination Paper must be accompanied with a BANK DRAFT OR NEFT / Bank deposit (No Cash deposit) of the amount of prescribed ELECTION FEES **in favor of IMA UP State** pay able at the place of IMA UP STATE office.

6) The nomination paper must be proposed and seconded by two separate members of State Council provided they have not proposed or seconded any other contestant for the same post.

7) Members of state council will send their nominations on the Performa issued by EO duly approved by their parent branch president/branch secretary. They will send their nomination paper through Registered Post/ courier/speed post only to the EO office at IMA UP State Office only. No posting on what's app/social media is allowed and will be treated as invalid.

8) The Nomination Paper should be accompanied by the election Fees as specified for that post under along with (1) Copy of Life membership certificate (2) Bio data of contestant (3) supportive documents for proof of fulfilling the eligibility criteria of the post by the contestant. It shall be onus of the contestant to prove that he/she fulfills the eligibility criteria of the post for which he/she is contesting. In the absence of any of the above supportive paper the nomination will be cancelled.

**9) ELECTION FEES for various posts shall be as follows as amended in 117<sup>st</sup> state council meeting at Aligarh 21 Dec 2014.**

<b>1</b>	<b>President Elect / Hony. State Secretary</b>	<b>10000.00</b>
<b>2</b>	<b>VICE PRESIDENT</b>	<b>8000.00</b>
<b>3</b>	<b>C.W.C. REGULAR</b>	<b>8000.00</b>
<b>4</b>	<b>C.W.C. ALTERNATE</b>	<b>3000.00</b>
<b>5</b>	<b>DIRECTOR, SECRETARY IMACGP UP FACULTY</b>	<b>8000.00</b>
<b>6</b>	<b>CHAIRMAN, SECRETARY IMA AMS STATE CHAPTER / Vice chairman HBI (nominated)</b>	<b>8000.00</b>
<b>7</b>	<b>HBI Chairman /Secretary</b>	<b>10000.00</b>
<b>8</b>	<b>HONY. TREASURER / EDITOR / HBI Jt. Sec.</b>	<b>5000.00</b>
<b>9</b>	<b>ALL OTHER POSTS/SWC MEMBER</b>	<b>2000.00</b>

10) The contestants will be informed by the office of E.O. if their nomination papers have been rejected BY EMAIL/PHONE only.

11) If any candidate withdraws his/her nomination his/her election fee will be refunded back after deducting office/stationery charge @ 25% of election fee.

12) The list of valid nominations and final candidates will be displayed on website of IMA UP State as per the schedule.

13) In case of postal ballot, the details will be sent along with the ballot papers. The details will be available on website of IMA UP State also.

14) Request for duplicate ballot paper from eligible voters will be entertained by EO only between **30<sup>th</sup> October to 4<sup>th</sup> November by email to EO or by post to the official address of EO, on the letterhead of the state council member (scanned copy by email)**. The duplicate Ballot Paper will be sent to member by speed post by the E.O.

15) Once the duplicate paper is issued the Original will be cancelled and shall not be counted even if received later by the Election Commission.

16) All the Ballot Papers received in the office of EO will be properly recorded in a register and will be kept safely in the office of EO. No envelope containing the ballot paper will be opened or tampered by office of EO.

17) The counting of Ballot Papers will be done in the presence of members of Election Commission at a place and time decided by EO in consultation with President and secretary of IMA UP.

18) Desired number of scrutinizers who should not be the office bearers of IMA UP State shall be appointed by E.O. to assist in the counting. Confidentiality of vote must be maintained throughout the election procedure.

19) Before starting the counting of Votes, the E.O. will explain the counting procedure to the scrutinizers and the candidates and will present a report on following points.

- a) No of Ballots printed
- b) No. of Ballot papers dispatched
- c) No of Ballot papers returned undelivered
- d) No. of duplicate papers issued
- e) Total number of original and duplicate ballot papers received after voting
- f) Number of unused ballot papers in E.O. office.

20) All the candidates will be informed about the date, Place and time of counting of votes at least 07 days in advance. The candidate or his one nominee (should be a regular member of State Council), will be allowed to observe the counting of the votes. Candidate or his nominee will not be allowed to handle the ballot papers or any other document of EC. The EO will compile and declare the result immediately after the counting is over. EO will hand over a copy of the Election results to the President and Hony. Secretary of IMA UP State separately with all details as mentioned in rule E-20(a-f).

21) All the counted ballot papers and envelopes and registers and related record what so ever will be handed over to state office under information to state secretary for preserving it for one year for any further evidence.

22) If any contestant has any objection in the election process. He / She must lodge a complaint in writing to E.O. for redressal, soon after the declaration of results. If required the EO will conduct an immediate enquiry and will dispose of the objection at earliest. The E.O. will hand over all the documents concerned with election to state office under information to the president and state secretary for keeping all the record safely for one year.

**23) THE REGULAR MEMBERS OF STATE COUNCIL (WHOSE NAMES HAVE BEEN RECEIVED IN I.M.A. U.P. State OFFICE ON OR BEFORE 31<sup>st</sup> MARCH OF THE YEAR OF ELECTION) , as per rule 14 (a) &(b).**

24) Three joint secretaries from each zone other than that the state head office shall be nominated by state secretary with the consent of President.

25) One joint secretary from the place of state office will be nominated by state secretary from the house. He shall enjoy all the rights and privileges and perform the duties of Hony. State Secretary in his absence.

26) One joint secretary from the place of President will be nominated from among the regular state council members present at the annual state council meeting by President.

27) One joint secretary will be nominated from among the members present from the branch hosting the next annual medical conference of IMA UP State.

28) One Joint secretary for IMA UP Bhawan will be nominated from regular state council members present at the annual state council meeting, who should be stationed at the place of IMA UP Bhawan.

29) Three assistant state secretaries shall be nominated by Hony. State secretary.

30) One joint treasurer shall be nominated by state treasurer.

31) The Joint treasurers shall be from/near the place of state office only.

32) Number of CWC POST will be informed by state secretary to election commission as per the state membership strength applicable for that particular year as per rules and bye law of IMA HQ. AND election will be held on (n-2) number as state president and state secretary will automatically become CWC member as representative of state.

In normal circumstances no candidate can contest for second term on the same post of office bearer /any wing of IMA UP State.

**H) ELIGIBILITY CRITERIA FOR VARIOUS POSTS OF OFFICE BEARERS FOR CONTESTANTS. As amended & approved by 117<sup>th</sup> state council meeting at Aligarh on 21 Dec 2014 and 132 & 133 annual state council meeting on 4<sup>th</sup> April 2021 at Gr. Noida**  
(The Candidate has to submit all the proof of eligibility along with nomination)

**(1) PRESIDENT ELECT.**

- A) Should be a regular state council member from the branch.
- B) Should have held the post of State Vice president or Hony. State Secretary or Hony State Treasurer or CGP Director or AMS Chairman or HBI Chairman for a period of one year.
- C) Should have been a continuous life member of IMA for 15 years at the time of filing nomination for the same post..
- D) Should have been a member of State working committee (as specified under rules 30a, b) for 10 years.

**2) VICE PRESIDENT**

- A) Should be a regular state council member from the branch
- B) Should have been the President or Vice president or Hony Secretary of Local Branch
- C) Should have been a continuous life member of IMA for 10 years at the time of filing nomination for the same post..
- D) Should have been member of State working committee (as specified under rules 30a, b) for 08 years.

**(3) HONY. STATE SECRETARY**

- A) Should be a regular state council member from the branch
- B) Should have worked as Hony Secretary or President of Local Branch AND State Treasurer or Faculty Secretary IMACGP State Faculty or Secretary IMA AMS UP Chapter or Secretary IMA HBI UP Chapter.
- C) Should be a life member of IMA (as per bye laws 22 of constitution of IMA UP State) for minimum 12 years.
- D) Should have been member of State Working Committee (as specified under rules 30a, b) for 08 years.

**(4) HONY STATE TREASURER / Editor Journal IMA UP**

- A) Should be a regular state council member from the branch
- B) Should have worked as Hony Secretary or Hony Finance Secretary of the Local Branch
- C) Life Member of IMA for 08 years.
- D) Should have been the member of State Working Committee (as specified under rules 30a, b) for 05 years.

**(5) CENTRAL WORKING COMMITTEE MEMBER (Regular/Alternate)**

- A) Should have been Life Member of IMA for 12 years.
- B) Should have been member of State Working Committee (as specified under rules 30a, b) for 08 Years

- C) Should have worked as President IMA UP State OR Honorary Secretary IMA UP State OR Vice president IMA UP STATE OR Chairman/ secretary IMA AMS UP Chapter OR Director/ secretary IMA CGP UP Faculty OR Chairman/Secretary IMA HBI UP STATE
- D) Should be a regular state councilmember.
- E) Should have attained 3/4<sup>th</sup> CWC meeting in current year if re applying for CWC

**(6) Director/Faculty Secretary IMA CGP**

- A) State Council Member
- B) Life Member of IMA UP State for 10 years.
- C) Life Member of IMA CGP at the time of nomination for 03 years.
- D) SWC Member for 05 years.
- E) Should have worked as Br. Secretary/President/Treasurer/Vice President

**(7) Chairman/Secretary IMA AMS:**

- A) State Council Member
- B) Life Member of IMA UP State for 10 years.
- C) Life Member of IMA AMS at the time of nomination for 03 years
- D) SWC Member for 05 years.
- E) Should have worked as Br. Secretary/President/Treasurer/Vice President

**(8) Chairman/Secretary IMA HBI**

- (A) State Council Member
- (B) Life Member of IMA UP State for 10 years.
- (C) Life Member of IMA HBI at the time of nomination.
- (D) SWC Member for 05 years.
- (E) Should have worked as Br. Secretary/President/Treasurer/Vice President

**Other Posts – Namely - Jt. Editor - Journal IMA UP, Editor - Journal of CGP/AMS , Jt. Secretary CGP/AMS/HBI**

- A) State Council Member
- B) Life Member of IMA UP State for 5 years.
- D) SWC Member for 3 years.
- E) He should have worked as Branch Secretary/President/Treasurer/Vice President
- F) Member of respective branch –AMS/CGP/HBI

**SWC Members**

- A) State Council Member
- B) Life Member of IMA UP State for 3 years.
- C) should have attained 3/4<sup>th</sup> SWC meeting of current year if reapplying

**A. MODEL CODE OF CONDUCT**

Model Code of Conduct shall be applicable on all IMA members from the date of Notification.

Broadly no personal slandering or demeaning campaign is allowed against any candidate or any leader of IMA. Further, Election Commission shall issue necessary guidelines which shall be binding as Model Code of Conduct.

Any violation of Model Code of Conduct will be viewed seriously and violator is liable to Disciplinary Action against him/her including suspension / recommending IMA HQ for Disqualification of his/her membership.

# CHIEF ELECTION COMMISSION OF IMA UP.

## MODEL CODE OF CONDUCT FOR THE GUIDANCE OF CANDIDATES, VOTERS AND ALL IMA MEMBERS

These Guidelines are issued in terms of the mandate incorporated under Bye-Laws 43 (I) of Indian Medical Association Hqs and shall be operative from the date of the Notification of IMA Elections till the completion of the process of the election.

### 1. General Guidelines

- a. These Guidelines shall be called as 'Model Code of Conduct(MCC).
- b. These Guidelines titled Model Code of Conduct (MCC) shall be applicable to all the Candidates, canvassers, Supporters, Voters and Members of IMA.
- c. No candidate shall indulge in any activity that may create mutual hatred or cause unrest among members.
- d. No personal slandering or demeaning campaign shall be permissible against any candidate or any leader of IMA.
- e. Candidates shall refrain from criticism of all aspects of private life, not connected with the public activities of the leaders, candidates, voters and members.
- f. Criticism of candidates and members on social, print, electronic media based on unverified allegations or distortion shall be prohibited.
- g. All candidates shall avoid scrupulously all the activities which amount to "corrupt practices" and electoral offences catalogued under the Representations of Peoples Act, such as bribing of voters, intimidation of voters, impersonation of voters or any other violations vitiating the electoral process.
- h. Organizing demonstrations by way of protesting against any candidate shall be strictly prohibited.
- i. Candidates shall ensure that they or their supporters do not create obstructions of any type in any manner in the election process.
- j. Campaigning based on Caste, Color, Creed, Gender, Religion, Faith, Belief; Region including geo graphic location shall be strictly prohibited.

### 2. On the Day of Counting

- a. All candidates shall co-operate with the office bearers/ scrutinizers on election duty to ensure peaceful and orderly process.
- b. All candidates and/or their authorized representatives (amongst state council members) as observers shall wear and display their identity cards provided by IMA Election Commission.
- c. All candidates shall ensure that unnecessary crowd is not collected near the election office.

### 3. Violation of MCC

- a. Any violation of Model Code of Conduct shall be viewed scrupulously and violator shall be liable to such Disciplinary Action against him/her as warranted including Disqualification of his/her candidature and /or IMA life membership as per the laid down procedure in the governing constitution.
- b. Decision of the Election Commission shall be final, binding and conclusive in deciding the cases of violation of Model Code of Conduct and no appeal shall rest against the same.