

# INDIAN MEDICAL ASSOCIATION

(MAHARASHTRA STATE BRANCH)



## Election Manual

(Corrected and Updated)  
1st April 2006

## Report of the Constitution review Committee IMA MS

First meeting of constitution review sub committee was held at Maharashtra State Office at Chembur, Mumbai on 28-1-2006.

Following members were present.

Dr. Ashok Adhao	- ex-officio (President)
Dr. Suhas Pingle	- ex-officio (Secretary)
Dr. Dinkar Punse	- Chairman
Dr. Ashok Dixit	- Member
Dr. Krishna Parate	- Member (Jt. Secretary)
Dr. Anil Laddhad	- Member (was granted leave of absentia)
Dr. Navrange	- Special invitee was unable to attend the meeting.

Copy of the original IMA memorandum with rules and bye laws which was passed at state council in Nov. 2001 was already circulated.

Following decisions were taken unanimously.

- 1) Xerox copies of original document passed in State council in Nov. 2004 shall be circulated for time being to all concerned.
- 2) 'Election manual' which was never passed by any State council or state executive, should be withdrawn and a redrafted election manual be presented.
- 3) Conventions followed and resolutions passed earlier on election matter shall be included in Election Manual.
- 4) Resolutions considered necessary for transparent, free and fair elections were discussed and shall be presented to State Executive Committee Meeting to be held at Nagpur on 12.2.2006
- 5) Resolutions thus passed shall be compiled in election manual.
- 6) Printing and listing errors in Constitution document shall be corrected in new edition.
- 7) Rules and Bye laws of all the wings of IMA to be studied and compiled in new edition. The meeting ended with vote of thanks and resolve to meet again.

Copy of the original IMA memorandum with Rules and Bye laws which was passed at state in Nov, 2001 was already circulated.

Dr. Dinkar B. Punse  
Chairman



## **Resolution No. I**

### **Preamble**

For: Election purpose, Maharashtra State is divided in Three (3) Zones

- 1) Mumbai area and Konkan
- 2) Vidarbha and Marathwada
- 3) Rest of Maharashtra :

Post of President rotates in these zones

“This house resolves to direct Election Commission to accept nomination of State president by considering turn of the zone. Candidates for 3 Vice Presidents should belong to zone, other than the President zone.”

### **Resolution No. II**

### **Preamble**

Bye-Law 28 of Constitution “authorizes candidates or his /her authorized representatives to observe the Election process at the local branch.”

This house resolves to define rights of Observer as follows :

- a) Date and time of Voting & Counting at local branch must be informed by the branch secretary to state office and the candidates well in advance.
- b) The Observer shall have the right to verify the Voter list.
- c) The Observer shall have the right to verify the Voters register.
- d) The Returning officer shall show the empty ballot box to the Observers and take their signatures.
- e) The Returning officer shall allow the Observers to watch the counting.
- f) The Returning officer shall take the signatures of Observers on result sheet after counting.
- g) The Returning officer shall put all the Ballot papers again in Ballot box and seal it along with other documents.

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INDIAN MEDICAL ASSOCIATION



**Resolution No. III**

## Election Disputes

a) As per rule 53 (L) Election petitions of Presidential and Vice Presidential candidate shall be settled by the President, if raised within 15 days of declaration of results. President can institute an enquiry if needed or constitute a tribunal, if he is unable to settle the matter himself.

Tribunal if constituted shall have 3 past Presidents as members, one of them would be the Chairman.

Tribunal shall obtain written Statements of all concerned parties, study them and call Complainants and Respondents to a meeting convened at State office. Tribunal shall examine witnesses and evidences. Write the decision with explanations on deciding factors.

b) Election disputes regarding Elections held at annual State council, shall be resolved in the State council only. Any complaint regarding the Election or any other matter can not be entertained after the State council meeting is over.

**Resolution No. IV**

A) Zonal consideration for elections to President, Vice President shall be included in 'Election Manual'

B) Rights of the observers or Polling agent shall become part of the 'Election Manual'

C) Resolution passed at State Council at Yavatmal on 'Multiplication factor' shall become a part of the 'Election Manual.'



## ELECTION MANUAL

There are two types of Elections in IMA MS:

- 1) Election of one President and 3 Vice Presidents.
- 2) Election of other office bearers etc. in the annual State Council Meeting.

There is an independent Election Commission to conduct these Elections (see rule 53) hence State office and President are absolved of any responsibility of Election except providing the voters list, Branch strength, and any other help needed by the Election Commission.

President declares the result, and decides the Election Petitions

**President and 3 Vice Presidents Election is governed by Bye Law 26 and 27.**

### **Election of the President and 3 Vice Presidents**

26.1 a) The Election commission shall on or before 20th April each year, invite the branches to nominate one member for the office of the President, 3 members for the offices of the 3 Vice Presidents of the Maharashtra State Branch of I.M.A. The members nominated by the branches must have been members of the Association for the last 3 consecutive years at least. The nominations can be filed by the branch using printed letter heads signed either by Honorary Secretary or President of the branch. The nominee for the post of President and Vice-President should have held some post at the local branch. Nominee for President should have attended at least 5 State Council and / or Executive Committee meetings. Nominee for Vice-President should have attended at least 3 state council and / or Executive Committee meetings.

The 4th Vice President shall be nominated by the branch hosting the conference and shall not be required to contest the election.

b) The nominations should be sent by the branches so as to reach the Election Commission not later than 20<sup>th</sup> May and nominations received after the above date shall not be considered. The nominations will be scrutinized by the Election Commission before 30th May. H.F.C. in respect of nominees and nominating branches should have been paid up to date. The nominee for President shall deposit Rs. 500/- in the State Office along with his consent. Nominee for Vice president shall deposit Rs. 250/- along with his consent. In case of rejection of nomination or withdrawal in stipulated time, the deposit will be refunded. Candidates will forfeit the deposit if they fail to get at least 15% of the total valid votes.

c) The Election Commission shall inform by registered post before 5th June, to members whose nominations have been received for the Post of President and Vice President giving full list of the nominations received. Members desiring to withdraw their names must inform the Election Commission on or before 25th June, by a letter personally signed on the withdrawal form, sent by the State Office. Non

receipt of any reply by the members in this respect by the due date shall be interpreted as consent of the candidate concerned.

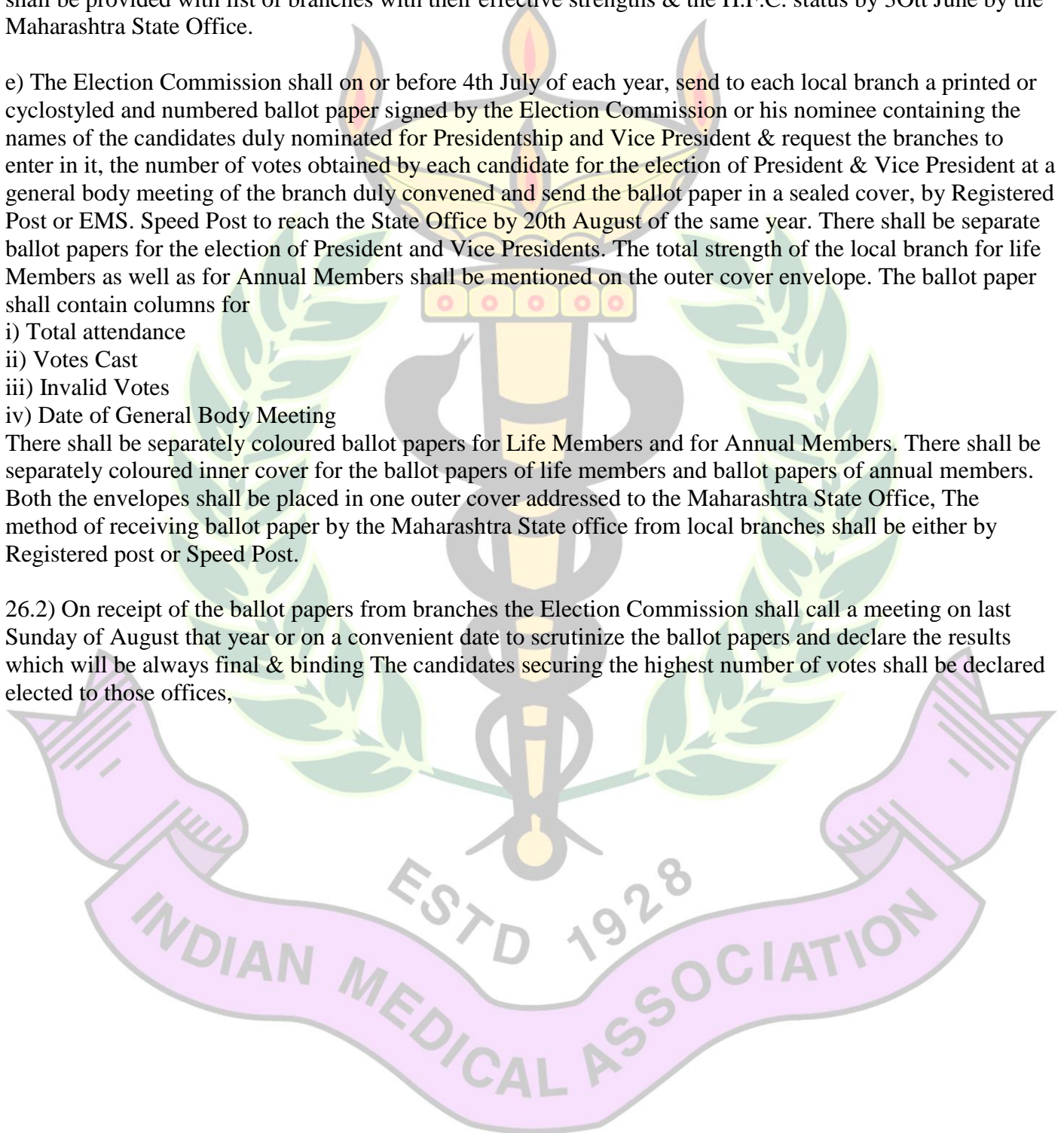
d) The Maharashtra State Office shall inform all the local branches of their effective membership strength along with the H.F.C. Status on or before 15th May every year. In case the Maharashtra State Office fails to inform the local branches as above by 31st May of the year, the list of effective membership as well as HIFICI status as sent by the local branches shall be considered valid for election purpose. The candidates shall be provided with list of branches with their effective strengths & the H.F.C. status by 30th June by the Maharashtra State Office.

e) The Election Commission shall on or before 4th July of each year, send to each local branch a printed or cyclostyled and numbered ballot paper signed by the Election Commission or his nominee containing the names of the candidates duly nominated for Presidentship and Vice President & request the branches to enter in it, the number of votes obtained by each candidate for the election of President & Vice President at a general body meeting of the branch duly convened and send the ballot paper in a sealed cover, by Registered Post or EMS. Speed Post to reach the State Office by 20th August of the same year. There shall be separate ballot papers for the election of President and Vice Presidents. The total strength of the local branch for life Members as well as for Annual Members shall be mentioned on the outer cover envelope. The ballot paper shall contain columns for

- i) Total attendance
- ii) Votes Cast
- iii) Invalid Votes
- iv) Date of General Body Meeting

There shall be separately coloured ballot papers for Life Members and for Annual Members. There shall be separately coloured inner cover for the ballot papers of life members and ballot papers of annual members. Both the envelopes shall be placed in one outer cover addressed to the Maharashtra State Office, The method of receiving ballot paper by the Maharashtra State office from local branches shall be either by Registered post or Speed Post.

26.2) On receipt of the ballot papers from branches the Election Commission shall call a meeting on last Sunday of August that year or on a convenient date to scrutinize the ballot papers and declare the results which will be always final & binding The candidates securing the highest number of votes shall be declared elected to those offices,





26.3 The Seniority of the Vice Presidents will be decided as under:

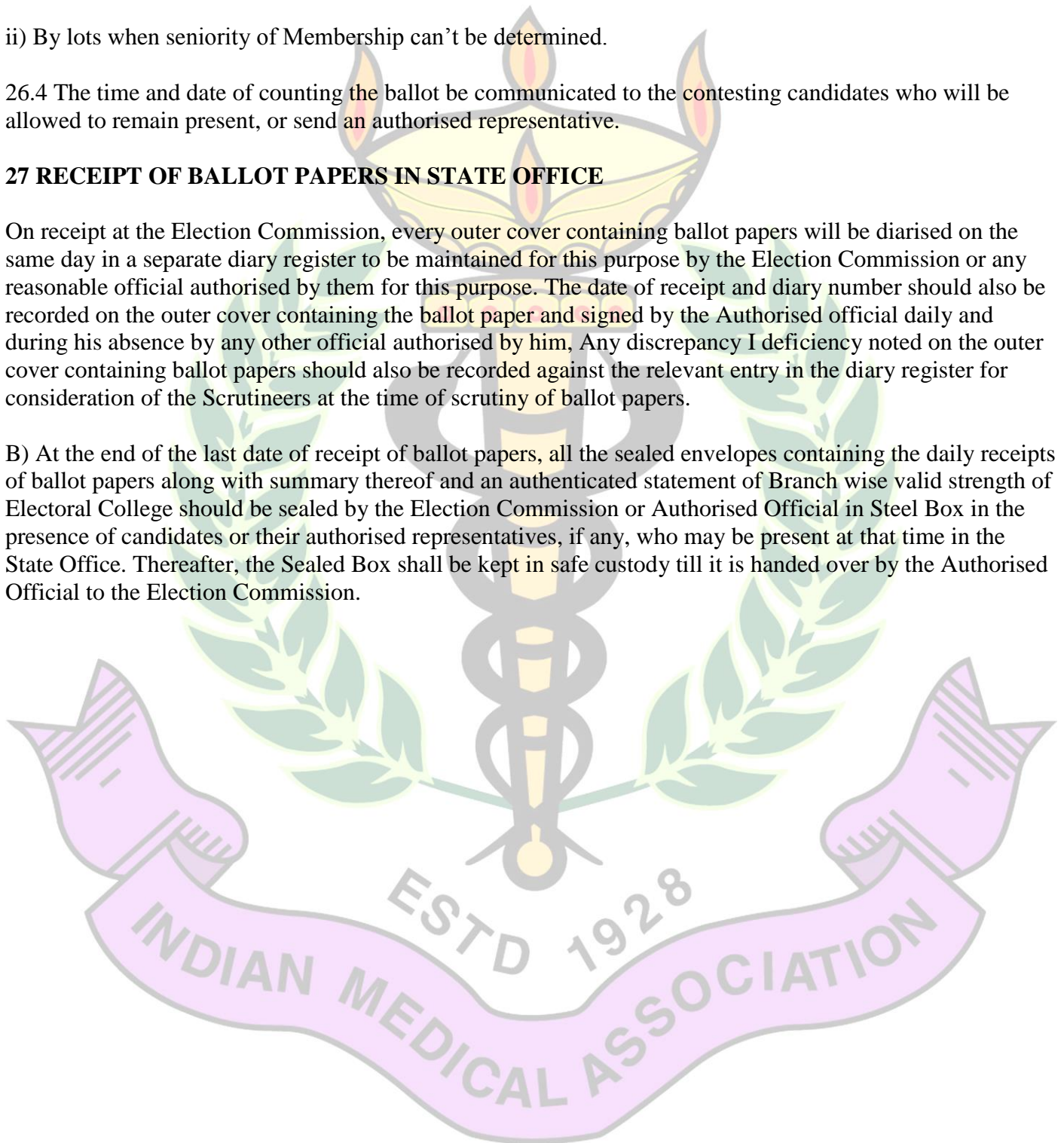
- a) By the number of votes secured by each candidate
- b) In case of unanimous or uncontested election
- D) By Seniority of membership
- ii) By lots when seniority of Membership can't be determined.

26.4 The time and date of counting the ballot be communicated to the contesting candidates who will be allowed to remain present, or send an authorised representative.

## **27 RECEIPT OF BALLOT PAPERS IN STATE OFFICE**

On receipt at the Election Commission, every outer cover containing ballot papers will be diarised on the same day in a separate diary register to be maintained for this purpose by the Election Commission or any reasonable official authorised by them for this purpose. The date of receipt and diary number should also be recorded on the outer cover containing the ballot paper and signed by the Authorised official daily and during his absence by any other official authorised by him, Any discrepancy I deficiency noted on the outer cover containing ballot papers should also be recorded against the relevant entry in the diary register for consideration of the Scrutineers at the time of scrutiny of ballot papers.

B) At the end of the last date of receipt of ballot papers, all the sealed envelopes containing the daily receipts of ballot papers along with summary thereof and an authenticated statement of Branch wise valid strength of Electoral College should be sealed by the Election Commission or Authorised Official in Steel Box in the presence of candidates or their authorised representatives, if any, who may be present at that time in the State Office. Thereafter, the Sealed Box shall be kept in safe custody till it is handed over by the Authorised Official to the Election Commission.



## **APPOINTMENT OF OBSERVERS ,**

C) Each Candidate or his duly authorized representative will be entitled to be present during the scrutiny and counting of votes. The authority letter issued by a candidate to any person to act as an observer on his behalf, shall be submitted for perusal of the Scrutinizing Committee and shall be treated as part of the election records after obtained signature of observer thereon. A record of attendance of the candidates! observers, sheet of paper and shall be kept by the Scrutinee Committee.

D) Neither any candidate nor any observer shall be permitted to handle any envelopes / ballot papers. However, they may take down the number of votes obtained by each candidate as announced by the Scrutineers.

## **SCRUTINY OF OUTER ENVELOPES**

E) The Chairman, Scrutineers Committee after taking charge of the Steel Boxes containing ballot papers will proceed with the work of scrutiny of ballot papers & counting of votes in a seperate room under the supervision of Election Commission. The sealed boxes will be opened in the presence of all the scrutineers and candidates or their observers and all the envelopes containing daily receipts of ballot papers will be taken out and tallied with the summary thereof. Thereafter, these will be opened and all outer envelopes contained therein will be taken out.

F) Each Scrutineer shall proceed with the scrutiny of outer envelopes without opening them, to determine their Validity. For this purpose, any discrepancy / deficiency recorded against the relevant entry in the diary register will also be referred to. The outer envelopes will be declared invalid for any of the following reasons, which shall be recorded on the outer envelope and signed by the scrutineers..

i) Received after due date.

ii) Received in a envelope other than the prescribed envelope supplied.

iii) Received by Ordinary Post.

iv) Name of the branch not written.

v) Name of the branch written on the outer cover is different from the branch to which the outer envelope bearing the serial number was issued.

vi) Any reason found by the scrutineer to be justified. The decision of the Election Commission regarding the invalidity will be final.



## SCRUTINY OF INNER ENVELOPES

G) The valid outer covers will be opened and the inner envelopes will be taken out to determine its validity or otherwise. An inner envelope will be declared invalid for any of the following reasons which shall be recorded thereon and signed by the scrutineer.

- i) If no inner envelope is found inside the outer envelope.
- ii) A ballot paper is found to have been kept outside the inner envelope.
- iii) The inner envelope carries on it some mark or writing or rubber stamp or signature or any seal or monogram, etc., If the flap of inner envelope has not been pasted and left open, it should not be treated as invalid
- iv) If inner envelope is other than the supplied.
- v) The inner envelope declared invalid shall be put back inside their respective outer envelope and closed by stapling & the reason for declaring invalid shall be written thereon by the scrutineer. They will be arranged branch wise in alphabetical order, tied up in a bundle.

H) The inner envelopes found valid, be opened and the ballot papers taken out from them. After opening and scrutiny of the inner envelopes, the ballot papers will be declared invalid for the following reasons

- i) If an inner envelope contains any other paper, the inner envelope will be declared invalid and the ballot papers will be put back inside the inner envelope and the reason for declaring it as invalid will be recorded thereon and signed by the Scrutineers

## SCRUTINY OF BALLOT PAPERS

I) The Ballot papers for President and Vice Presidents shall be scrutinized separately and shall be declared invalid for the following reasons which shall be recorded on the inner envelope & signed by the scrutineer on the relevant ballot paper:

- i) The Strength of electoral college written on the ballot paper is found to have been tampered with, by erasing, cutting, overwriting or otherwise.
- ii) Date of General Body meeting for election is not written.
- iii) There are cuttings or re-writing or over writing or scratching in the ballot paper.
- iv) The ballot paper carries unauthorised marking, signature, initial, rubber stamp, cuttings, etc.
- v) If the total number of members voting is more than the strength of electoral college written on the ballot paper.
- vi) Total number of votes obtained by all candidates for Vice Presidentship is more than 3 times the number of members voting, written in the ballot paper.

**Note:** A ballot papers shall not be declared invalid for using any coloured ink or ball pen for writing date of General Body Meeting or number of members voting or if the number are written in words or figures or in both or are type written.

## COUNTING OF VOTES

J) AU valid ballot papers will be mixed together separately for President and Vice Presidents and formed in to bundles.

K) The scrutineers will pick up valid ballot papers one by one for President and Vice Presidents separately for counting and shall read out the number of votes obtained by each candidate loudly from each ballot paper and enter the votes obtained by each candidate on separate counting sheets for President and Vice Presidents, using one vertical column for one ballot paper. Where there is no vote, a cross mark (x) should be put in the counting sheet. The Observer present will also be allowed to note down the number of votes obtained by each candidate.

L) After the number of votes from all ballot papers have been entered in the counting sheets for President and Vice Presidents, total votes obtained by each candidate on each counting sheet shall be made by the scrutineer and by the observer also if they so desire and tallied before the Scrutineer proceeds with checking and counting of votes of the next bundle.

M) When the votes from all the ballot papers have been counted and entered in the master sheet, the chairman will consolidate and total the figures from master sheets of all scrutineers and complete all the consolidated statements which will be checked and signed by all the scrutineers and the Chairman.

N) Thereafter, the Chairman will dictate the Report of the scrutineer in triplicate and the report shall be signed by all the scrutineers and the Chairman. The original report shall be presented by the Chairman to the State Office, duplicate copy shall be kept along with ballot papers and other records in a steel box which shall be sealed along with all the relevant election documents, in the presence of all Scrutineers and the Candidates/Observers.

28. Candidate "or" his/her authorised representative shall have right to observe election process at local branch.

### **Rights of observers are protected as follows**

- a) Date and time of voting and counting at local branch must be informed by the branch secretary to State Office and the Candidates well in advance.
- b) The observers shall have the right to verify the voters list.
- c) The observers shall have the right to verify the voters register..
- d) The returning officer shall show the empty ballot box to the observers and take their signature.
- e) The returning officer shall allow the observers to watch the counting.
- f) The returning officer shall take signatures of observers on result sheet after counting.
- g) The returning officer shall put all the ballot papers and other relevant documents in a steel box, seal it in presence of the observers.
- h) Hon. Secretary of the branch fills the ballot papers provided by State Election Commission, put them in relevant envelopes and seal them.

I) Multiplication factor if applicable may be applied by branch secretary if voters attending and voting are 10% or more of the total membership of the branch.



## Election Disputes

As per rule 53 (L) Election petitions of president or vice presidential candidates shall be settled by the President.

- a) Complaint from candidates must reach the State office giving details, within 15 days after counting.
- b) President can institute an enquiry if needed and give the decision.
- c) If not satisfied with the decision of the President; the complainant can appeal to the President to form a tribunal. The President may form a tribunal of 3 Past Presidents of IMA MS. provided the complainant gives in writing
  - i) That the complainant abide by the decision of the tribunal.
  - ii) That the complainant agrees to pay all the expenses of the tribunal and pays Rs. 5000/- in advance to the State Office
- d) The tribunal shall obtain written statements of all concerned parties, study them and call complainant and respondents etc. to a meeting convened at the State Office.
- e) The tribunal shall examine witnesses and evidences, hear the arguments and come to a decision.
- f) The written decision with explanations on deciding factors and all documents shall be submitted to the President within one month of the formation of the tribunal.
- g) On submission of report to State President the tribunal shall stand dissolved.

## ELECTIONS AT ANNUAL STATE COUNCIL MEETING

29. Election of office bearers other than President and Vice President shall be held at annual State Council Meeting.

- a) Election Commission shall invite applications from eligible members for all posts required to be filled in by the State Council,
- b) Time of nomination, withdrawal and if necessary, time of polling shall be declared well before State Council Meeting.
- c) Counting shall commence immediately after polling me.
- d) Report of scrutiny and counting of votes shall be submitted by the Election Commission to the State President.
- e) President shall declare the result soon after. Salient points at the State Council Elections are
  - 1) Posts- All the office bearers except President and Vice President e.g. Hon. State Secretary., Hon. Joint Secretaries, Hon. Treasurer, etc.
    - Member of the Election Commission
    - Election of 15 member and alternate members of the Executive Committee from branches with less than 50 members.
    - Elections to the posts of college of general practitioners.
    - Election to the posts of Academy of Medical speciality
    - Number of CWC members shall, equally be divided in 3 zone. President (elect.) and Hony Secretary (Elect.) shall be elected uncontested from their respective zones. Fraction remaining after division of seats by three shall be added to President's (elect.) and Hon. Secretary (elect.) Zone respectively.



## 2) ELIGIBILITY:

- A) Candidates contesting for the Posts of Office Bearers of College of General practitioners and Academy of Medical specialities must be life members of those wings.
  - B) Governing council member of CGP need not be member of CGP.
  - C) One candidate shall not be eligible to more than one Post of Office Bearer's.
  - D) Membership election of CWC or State Executive Committee (1 5members from small branch) as any other membership does not attract the restriction of section (2) (C)
  - E) Candidates contesting for CWC membership must have attended 5 State Council Meetings and must have attended at least 3 National Conferences of IMA.
  - F) Candidates contesting for CWC membership must be a life member of IMA through Maharashtra State for last 5 years.
- 3) Nomination forms shall be available on payment of certain fee to the Election Commission, the amount can be decided by the State Executive Committee.
  - 4) Cut off date for membership strength of the branch shall be 30th September.
  - 5) Names as the State council members from the branch must reach State office before 20th October.
  - 6) Alternate members attending the State council in place of absent regular members must submit their authorization letter from the Branch to State Secretary before 12 noon on the day of State council meeting.
  - 7) Election Commission shall display the voters list after scrutinizing it by the State Office
  - 8) After receiving nominations E.C. shall scrutinize them. Accepted nominations shall be displayed.
  - 9) Any objection to Voters List or Nominations list must be raised with Election Commission within one hour of display of list.
  - 10) List of candidates after withdrawal must be displayed.
  - 11) Election Commission shall decide the timing of Nomination, Withdrawal, Voting, etc. Counting must follow soon after Voting.
  - 12) Any complaints regarding Voting and Counting must be settled by the Election Commission.
  - 13) Election Commission shall submit the report to the President. President shall declare the result soon after.
  - 14) Any dispute regarding Election must be settled by the State. Council while it is in session.
  - 15) Decision of Annual State Council in all matters will be final and binding.
  - 16) Requirements of the Election Commission like Manpower, Computer, Printer, Photocopier, Stationary etc. shall be made available by State Office and organizers of State Conference.



# INDIAN MEDICAL ASSOCIATION

(MAHARASHTRA STATE BRANCH)

Constitution Committee

Chairman

**Dr. D. B. Punse**

(Wardha)

Members

**Dr. Ashok B. Dixit**

(Pune)

**Dr. Anil C. Laddhad**

(Nagpur)

**Dr. Ashok Adhao**

(President IMA Maharashtra State)

**Dr. Suhas H. Pingle**

(Hon. Secretary, IMA Maharashtra State)

