

Date: 4<sup>th</sup> January, 2014

From:-

**Justice A. N. Gupta,**

Retd. Judge, Allahabad High Court,

**Returning Officer, Elections of the Office Bearers and  
Members of Executive Committee, BAI - 2014,**

Office of the Returning Officer, BAI,

Conference Hall, BAI Office, U.P. Badminton Academy Campus,  
Vipin Khand, Gomti Nagar, Lucknow (Uttar Pradesh).

**PROCESS AND SCHEDULE FOR THE CONDUCT OF ELECTIONS OF THE  
OFFICE BEARERS AND MEMBERS OF EXECUTIVE COMMITTEE, BAI - 2014**

As per the resolution passed in the Executive Committee Meeting of BAI dated 31.08.2013, the undersigned has been duly appointed as Returning Officer for conducting the Elections of the Office Bearers and Members of Executive Committee, Badminton Association of India (BAI). In this connection the undersigned has perused the Memorandum of Association of BAI and the relevant Model Election Guidelines to be followed by all National Sports Federation as contained in National Sports Development Code of India – 2011 issued by the Department of Sports, Ministry of Youth Affairs and Sports (MoYAS), Government of India. **The Elections of the Office Bearers and Members of Executive Committee, BAI - 2014 shall be done by secret ballot during the Annual General Meeting (AGM) of the Council of BAI on 25<sup>th</sup> of January, 2014 at Hotel Vivanta by Tai, Gomti Nagar, Lucknow (U.P.)** in accordance with the procedure prescribed hereinafter. The conduct of the said elections will be governed by the following procedure:-

**1. Electoral College:**

- (i) Each affiliated unit of BAI, which has conducted a national championship, shall have two votes and the other affiliated units of BAI shall have one vote at the said elections.
- (ii) For the purpose of sub-clause (i), each affiliated unit shall be represented by the two or one member(s) (as the case may be) authorized by the Secretary General/ General Secretary of the affiliated unit.
- (iii) Each affiliated unit shall intimate the name(s) of their representative(s) mentioned in sub-clause (i) and (ii) latest by **10<sup>th</sup> January 2014 (Day 1)**; and such intimation shall be addressed to the General Secretary, BAI on their

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letter-head signed by the duly elected President / Secretary General/ Secretary of the member unit, so as to reach him on or before the aforesaid date; any change in the name of any authorized representative after **10<sup>th</sup> January 2014** or any intimation received thereafter shall be permitted only with the approval of President, BAI.

- (iv) The General Secretary, BAI shall prepare the list of the authorized representatives of the affiliated units in **Form-1** (copy enclosed), and circulate a copy of the list so prepared by him to all affiliated units latest by **11<sup>th</sup> January 2014** (Day-2) by display on the website of BAI and by affixing it at a conspicuous place in the office of the BAI at Lucknow & New Delhi and shall also get it circulated by email to all the affiliated units of BAI.
- (v) The General Secretary, BAI shall also furnish a duly authenticated copy of the list, as mentioned above, to the Returning Officer on the same day.

## **2. Nomination of Candidates:**

- (i) The nomination of a candidate for election as Office Bearer or Member of Executive Committee, BAI shall be made in **Form-2** (copy enclosed).
- (ii) The nomination of a candidate for election as Office Bearer or Member of Executive Committee, BAI shall be proposed by one of the representatives of affiliated units whose name is included in the electoral college list in **Form-1**, and also subscribed by 1 (one) such representative as seconder.

### **(iii) Qualifications for election as President, BAI:-**

(A) No person shall be eligible for election as President, BAI, unless he / she—

- (a) is a member of the Council of the BAI;
- (b) is the outgoing office bearer or the member of the outgoing executive committee of BAI;
- (c) is less than 70 years of age;

(B) a person shall not be eligible for election as the President, BAI if he has already held the office of the President, BAI for the period exceeding 12 years with or without break.

### **(iv) Qualifications for election as Hony. Gen. Secretary, BAI:-**

(A) No person shall be eligible for election as Hony. Gen. Secretary, BAI, unless he / she—

- (a) is a member of the Council of the BAI;
- (b) is the outgoing office bearer or the member of the outgoing executive committee of BAI;

  
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(c) is less than 70 years of age;

(B) a person shall not be eligible for election as the Hony. Gen. Secretary, BAI if he has already held the office of the Hony. Gen. Secretary, BAI for the period exceeding 8 years with or without break.

(v) **Qualifications for election as Hony. Treasurer:-**

(A) No person shall be eligible for election as Hony. Treasurer, BAI, unless he / she—

(a) is a member of the Council of the BAI;

(b) is less than 70 years of age;

(B) a person shall not be eligible for election as the Hony. Treasurer, BAI if he has already held the office of the Hony. Treasurer, BAI for the period exceeding 8 years with or without break.

(vi) Each candidate shall be entitled to be nominated by not more than 2 (two) set of nomination papers.

(vii) Each nomination paper shall be delivered personally to the Returning Officer in person by the candidate himself/ herself from **12<sup>th</sup> January 2014 (Day-3) to 14<sup>th</sup> January 2014 (Day-5) between 11.00 AM and 01.00 PM** at the office of the **Returning Officer, BAI, Conference Hall, BAI Office at U.P. Badminton Academy Campus, Vipin Khand, Gomti Nagar, Lucknow.**

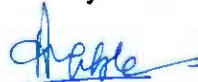
(viii) No person shall be eligible to nominate more than one candidate for the same post, either as proposer or seconder and, if he so does, his/her signature on the nomination papers delivered second in point of time to the Returning Officer shall be deemed to be inoperative.

(ix) No person shall be permitted to withdraw his/her name as proposer / seconder, once the nomination papers subscribed by him/her has been delivered to the Returning Officer.

(x) As soon as may be **after 1.00 PM** on the **16<sup>th</sup> January 2014 (Day-7)**, the Returning Officer shall prepare a list of all nominations received by him, post-wise, in **Form-3** (copy enclosed); and publish the same in a conspicuous place in his office and also get the same published on the website of BAI and in a conspicuous place in the office of the BAI at Lucknow & New Delhi and shall also get it circulated by email to all the affiliated units of BAI.

**3. Scrutiny of Nominations:**

(i) On **17<sup>th</sup> January 2014 (Day-8) at 11.00 AM**, the Returning Officer in his office at Conference Hall, BAI Office at U.P. Badminton Academy Campus, Vipin Khand, Gomti Nagar, Lucknow shall scrutinize each nomination paper, one by one, received by him and determine its validity or otherwise.



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- (ii) At the scrutiny of nominations, each candidate or one of his/her authorized representative 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.
- (iii) 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** (copy enclosed), and the Contesting Candidates can take a copy of the same from the Returning Officer.

**4. Withdrawal of candidatures:**

- (i) Each candidate whose nomination has been found valid on scrutiny shall be entitled to withdraw his/her candidature from **17<sup>th</sup> January 2014 (Day-8) upto 1.00 PM of 19<sup>th</sup> January 2014 (Day-10)**.
- (ii) Notice of withdrawal of candidature shall be submitted in **Form-5** (copy enclosed), either by the candidate himself/ herself or by a person duly authorized by him/her in writing.
- (iii) Notice of withdrawal of candidature shall be final and shall not be allowed to be cancelled.
- (iv) The Returning Officer shall accept the notice of withdrawal if he is satisfied as to the genuineness of the notice.
- (v) As soon as may be after **11.00 AM** on the **20<sup>th</sup> January 2014 (Day-11)**, the Returning Officer shall prepare the final list of contesting candidates in **Form-6** (copy enclosed), display a copy of the said list in conspicuous place in his office at Conference Hall, BAI Office at U.P. Badminton Academy Campus, Vipin Khand, Gomti Nagar, Lucknow and on the BAI website and also furnish a copy of the same to each of the candidates / their authorized representatives, if they so demand.
- (vi) The names of the contesting candidates in **Form-6** shall be arranged, for each post, in alphabetical order according to English alphabets.

**5. Uncontested Returns; and Contested Elections:**

- (i) Where the number of contesting candidates for any 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.
- (ii) 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 the posts remaining unfilled.
- (iii) The ballot papers for these posts remaining unfilled shall be in **Form-7** to **Form 13** (copy enclosed) to be made individually for each post.

  
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- (iv) The names of contesting candidates on the ballot papers shall appear in the same order as in **Form-6**.

**6. Poll:**

- (i) The Poll for the posts remaining unfilled under clause 5(ii) above shall be taken post-wise on the **25<sup>th</sup> January 2014** (Day - 16) and shall commence at **1:00 PM** during the AGM at the Agenda Item No. 1 of Elections, at Hotel Vivanta by Taj, Gomti Nagar, Lucknow (U.P.)
- (ii) Each contesting candidate can nominate one person (if he/she so desires), only from amongst the Authorised Representatives list of affiliated units to be present at the Poll (polling station).
- (iii) At the poll, each authorized representative of the affiliated units, whose name is included in the Electoral College list in **Form-1**, shall be entitled to –
- (a) cast one vote for each of the posts remaining unfilled, where only one such seat is to be filled;
- (b) 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 eight seats of Vice - Presidents, each voter can cast upto eight votes, and, like-wise for eight seats of Joint – Secretaries and sixteen seats of Members of Executive Committee, he/she can cast eight and sixteen votes respectively for the above mentioned eight seats of Joint Secretaries and sixteen seats of Members of Executive Committee.

- (iv) In case any voter casts his/her vote for more than one candidate or for more than eight or sixteen candidates, as the case may be, his/her vote for that post shall be invalid.
- (v) 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.
- (vi) 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.
- (vii) 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.
- (viii) 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.

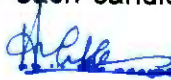
  
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- (ix) The ballot paper marked by a voter shall be deposited by him/her in a ballot box specially prepared and sealed by the Returning Officer and placed at such a conspicuous place in the polling station that it shall be constantly visible to all present in the polling station.
- (x) The Returning Officer shall close the poll at the appointed hour i.e. **3:00 pm** on **25<sup>th</sup> January, 2014** (Day- 16), 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.
- (xi) After all the voters have voted, the Returning Officer shall close the ballot box and shall not permit thereafter any person to vote.
- (xii) Polling will be done in below order.
  - (a) President (1)
  - (b) Hony. Secretary General (1)
  - (c) Hony. Secretary – Tournaments (1)
  - (d) Hony. Secretary- Coaching & Development (1)
  - (e) Hony. Treasurer (1)
  - (f) Vice Presidents (8)
  - (g) Chairman of Sub-Committees namely Central Tournament Committee, Finance Committee, Administration Committee & Coaching and Development Committee / Ex-Officio Vice Presidents (4)
  - (h) Joint Secretaries (8)
  - (i) Technical Advisor (1)
  - (j) EXCO Members (16)
- (xiii) Video-recording of the election process shall be made.

#### **7. Counting of Votes:**

- (i) The Returning Officer shall take up the counting of votes as soon as may be after the polling for any post is complete.
- (ii) Each contesting candidate can nominate one authorized representative (as clarified at S. No.6 (ii)) and he/she shall be entitled to be present at the place of counting of votes.
- (iii) The Returning Officer shall take up the counting of votes, post-wise and category-wise, where applicable.
- (iv) Each ballot paper, on which a vote has been recorded in accordance with sub-clause (iii) to (viii) of Clause 6, 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-clause (iii) to (viii) of Clause 6, shall be rejected by the Returning Officer.
- (v) 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** (copy enclosed).

  
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- (vi) The Returning Officer shall thereafter ascertain the result of counting and the candidates who have secured the maximum number of votes in the said descending order, post-wise, equal to the number of seats to be filled for each post, shall be deemed to have been duly elected to those posts.

**8. Declaration of Results:**

The names of contesting candidates who shall be deemed to have been elected at the election in accordance with sub-clause(vi) of Clause 7, shall be declared as having been duly elected to their respective post, by the Returning Officer at the AGM in the **Form-15** (copy enclosed).

**SCHEDULE OF THE ELECTIONS**

<b>04<sup>th</sup> January 2014</b>	Election process and schedule issued by the Returning Officer.
<b>10<sup>th</sup> January 2014</b>	Latest by this date each permanent member / State / Union Territory and each permanent member board / institution shall intimate the names of their representative.
<b>11<sup>th</sup> January 2014</b>	Latest by this date the Honorary General Secretary of BAI shall prepare the list of the authorized representatives of the member State / Union Territories / Board / Institutions in form - 1, and circulate a copy of the list so prepared by him to all member State / Union Territories / Board / Institutions, by display on the website of BAI.  The Honorary General Secretary of BAI shall also furnish a duly authenticated copy of the list to the Returning Officer.
<b>12<sup>th</sup> January 2014</b> To <b>14<sup>th</sup> January 2014</b> (11 AM to 1 PM)	Each nomination paper (Form - 2) shall be delivered personally to the Returning Officer in person by the candidate himself.
<b>16<sup>th</sup> January 2014</b>	The Returning Officer shall prepare a list of all nominations received by him, post wise, in Form-3 and the same will be published in a conspicuous place in the office of the BAI
<b>17<sup>th</sup> January 2014</b> (At 11 AM)	The Returning Officer in his office shall scrutinize each nomination paper one by one.
<b>17<sup>th</sup> January 2014</b> Upto 1 PM of <b>19<sup>th</sup> January 2014</b>	Withdrawal of nomination (Form-5) by the person himself or the person duly authorized by him in writing.
<b>20<sup>th</sup> January 2014</b> (After 11 AM)	The Returning Officer shall prepare the final list of contesting candidate in Form – 6 and the same will be published in a conspicuous place in the office of the BAI
<b>25<sup>th</sup> January 2014</b> (From 1 PM to 3 PM)	<p>Polls</p> <p>Polling will be done in below order:-</p> <ul style="list-style-type: none"> <li>(i) President (1)</li> <li>(ii) Hony. Secretary General (1)</li> <li>(iii) Hony. Secretary – Tournaments (1)</li> <li>(iv) Hony. Secretary- Coaching &amp; Development (1)</li> <li>(v) Hony. Treasurer (1)</li> <li>(vi) Vice Presidents (8)</li> <li>(vii) Chairman of Sub-Committees namely Central Tournament</li> </ul>

  
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	Committee, Finance Committee, Administration Committee & Coaching and Development Committee / Ex-Officio Vice Presidents (4) (viii) Joint Secretaries (8) (ix) Technical Advisor (1) (x) EXCO Members (16)
<b>25<sup>th</sup> January 2014</b> (Thereafter)	Counting of votes shall be taken up by the Returning Officer after the polling for any post is complete.
<b>25<sup>th</sup> January 2014</b> (Thereafter)	Declaration of results on Form – 15.

The issuance of this process shall be deemed to be the beginning of process for these elections. The General Secretary, BAI is required to publish this process and schedule for the conduct of Elections of the Office Bearers and Members of Executive Committee, BAI, by display on the official website of BAI and in a conspicuous place in the office of the BAI at Lucknow & New Delhi and also get it circulated by email and registered post / speed post to all the affiliated units, associates, members, Executive Committee Members and Office Bearers of BAI. The General Secretary is also required to make necessary arrangements and provide the requisite materials for the conduct of said elections.

**(Justice A. N. Gupta)**  
Retd. Judge, Allahabad High Court

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