

Date: 11th March, 2018

From:

DR. JUSTICE AFTAB HUSSAIN SAIKIA
CHIEF JUSTICE (RETD.),
Sikkim, Jammu & Kashmir High Court,
**Returning Officer, Elections of the Office Bearers
and Members of Executive Committee, BAI – 2018,**
Office of the Returning Officer, BAI,
C/o Badminton Association of India,
D-6/10, Vasant Vihar, New Delhi-110057

**PROCESS AND SCHEDULE FOR THE CONDUCT OF ELECTIONS OF THE
OFFICE BEARERS AND MEMBERS OF EXECUTIVE COMMITTEE. BAI – 2018**

As per the resolution passed in the Executive Committee Meeting of BAI dated 5th February 2018, held at Grand Hotel, New Delhi 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 – 2018 shall be done by secret ballot during the Annual General Meeting (AGM) of the Council of BAI on 3rd April 2018 at Goa, at 11:00 AM, venue will be intimated shortly** 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 member association of BAI (Excluding Corporate Members) are eligible for two votes each. (Except provisional affiliated Member, who shall have only one vote).
- (ii) For the purpose of sub-clause (i), each affiliated unit shall be represented by the two member(s) authorized by the Secretary General of the affiliated units.
- (iii) Each affiliated unit shall intimate the name(s) of their representative(s) mentioned in sub-clause (i) and (ii) latest by **19th March, 2018 (Day-1)**; and such intimation shall be addressed to the General Secretary, BAI with a copy to President, BAI on their letter-head signed by the duly elected Secretary


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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 **19th March 2018** 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 **20th March, 2018 (Day-2)** by display on the website of BAI and by affixing it at a conspicuous place in the office of the President BAI at 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, Senior Vice-President, Hony Secretary General, Hony. Secretary Events, Hony. Secretary, Coaching & Development, Hony. Treasurer, Vice-Presidents, Joint Secretaries, EXCO Members, BAI:**

Criteria/ qualification as laid down in the National Sports Development Code of India-2011 and various instructions/ circulars/ communications issued by the Govt. of India as well as by Indian Olympic Association (IOA) including the Circular dated 01.05.2010 by the Govt. of India, Ministry of Sports & Youth Affairs, which is the part of the National Sports Development Code of India-2011, will be strictly complied with. All intending candidates are requested to go through the same before filing their respective nominations.

- (iv) Each candidate shall be entitled to be nominated by not more than 2 (two) set of nomination papers.
- (v) Each nomination paper shall be delivered personally to the Returning Officer in person by the candidate himself/ herself on **21st March 2018 (Day-3)** to **23rd March, 2018 (Day-5) between 10.00 AM and 04.00 PM** at the **office of the Returning Officer, BAI, C/o General Secretary, Badminton Association of India, D-6/10, Vasant Vihar, New Delhi-110057.**
- (vi) 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.


- (vii) 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.
- (viii) As soon as may be **after 1.00 PM** on the **25th March, 2018 (Day-6)**, 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, C/o Badminton Association of India, D-6/10, Vasant Vihar, New Delhi-110057 and shall also get it circulated by email to all the affiliated units of BAI.

3. Scrutiny of Nominations:

- (i) On **26th March 2018 (Day-7) at 11.00 AM**, the Returning Officer in his office at BAI, C/o Badminton Association of India, D-6/10, Vasant Vihar, New Delhi-110057 shall scrutinize each nomination paper, one by one, received by him and determine its validity or otherwise.
- (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 **26th March 2018 (Day-8) upto 1.00 PM of 28th March, 2018 (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 **29th March 2018 (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


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office at BAI C/o Badminton Association of India, D-6/10, Vasant Vihar, New Delhi-110057 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.

- (v) 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 as per Post Wise at the Venue of BAI-AGM at Goa.
- (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.
- (iv) The names of contesting candidates on the ballot papers shall appear in the same order as in **Form-6**.

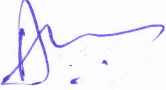
6. Poll:

- (i) The Poll for the posts remaining unfilled under clause 5(ii) above shall be taken post-wise on the **03rd April 2018 (Day-16)** and shall commence at 1:00 PM, during the AGM at the Agenda Item No. 1 of Elections, at GOA.
- (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 twelve seats of Vice -Presidents, each voter can cast upto twelve votes, and, like-wise for eight seats of Joint – Secretaries, Advisor 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.


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- (iv) In case any voter casts his/her vote for more than one candidate or for more than eight, twelve 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 invalid.
- (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 invalid.
- (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 03rd April, 2018 (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 present 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) Senior Vice-President (1)
 - (c) Hony. Secretary General (1)
 - (d) Hony. Secretary -Events (1)
 - (e) Hony. Secretary-Coaching & Development (1)
 - (f) Hony. Treasurer (1)
 - (g) Vice Presidents (12)
 - (h) Joint Secretaries (8)
 - (i) Advisor (1)
 - (j) EXCO Members (16)
- (xiii) Video-recording of the election process shall be made.


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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).
- (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

11th MARCH 2018 (earlier notified on 4th March)	Election process and schedule issued by the Returning Officer earlier on 4th March shall be deemed to be valid as far as the names of representatives received from State Units after 4th March is concerned, and the same shall be taken into consideration.
19th MARCH 2018	Latest by this date each permanent member of its affiliated Units of BAI shall intimate the names of their representatives.
20th MARCH 2018.	Latest by this date, the Honorary General Secretary of BAI shall prepare the list of the authorized representatives of affiliated Units in form -1, and

	<p>circulate a copy of the list prepared by him to all members of its affiliated Units of BAI and display on the website of BAI.</p> <p>The Honorary General Secretary of BAI shall also furnish a duly authenticated copy of the list to the Returning Officer.</p>
21st TO 23rd March 2018. (10 AM to 04 PM)	Each nomination paper (Form -2) shall be delivered personally to the Returning Officer in person by the candidate himself.
25th March 2018.	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
26th March 2018. (At 11 AM)	The Returning Officer in his office shall scrutinize each nomination paper one by one and prepare the list of validly nominated candidates and the contesting candidates can take a copy from the Returning Officer.
26th TO 28th March 2018. (UPTO 1 PM)	Withdrawal of nomination (Form-5) by the person himself or the person duly authorized by him in writing.
29th March 2018. (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 and website and also furnish a copy of each candidate their authorized representative if
03rd APRIL 2018 (1 TO 3 PM)	<p>Polls</p> <p>Polling will be done in below order:-</p> <ul style="list-style-type: none"> (i) President (1) (ii) Senior Vice-President (1) (iii) Hony. Secretary General (1) (iv) Hony. Secretary -Tournaments (1) (v) Hony. Secretary-Coaching & Development (1) (vi) Hony. Treasurer (1) (vii) Vice Presidents (12) (viii) Joint Secretaries (8) (ix) Advisor (1) (ix) EXCO Members (16)
03rd APRIL 2018 (THEREAFTER)	Counting of votes shall be taken up by the Returning Officer after the polling for any post is complete.
03rd APRIL 2018 (THEREAFTER)	Declaration of results on Form -15.


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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 BAI Office at New Delhi and also get it circulated by email and registered post / speed post to all the affiliated units, Executive Committee Members and Office Bearers of BAI.



(DR. JUSTICE AFTAB HUSSAIN SAIKIA)
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