

Office of the Electoral Officer

Conduct of Elections to the posts of BCCI Office Bearers, one (1) Councillor (as a representative of BCCI Members) of the BCCI and (2) two members of the Governing Council

Rules of Procedure

1. Preamble

As mandated by the Supreme Court of India (vide its Judgement dated 9th August 2018 in Civil Appeals No.4235/2014 and connected matters) and consequently provided for in the MoA and Rules & Regulations (“**Constitution**”) of the Board of Control for Cricket in India (“**BCCI**”) in Rule 33 of the Constitution, the appointed Electoral Officer of the BCCI (“**Electoral Officer**”) shall oversee and supervise the entire election process.

The Committee of Administrators (“**COA**”) appointed by the Hon’ble Supreme Court have announced the Election Schedule for elections in state associations and the BCCI. All full members of the BCCI (apart from Vidarbha Cricket Association, Delhi and District Cricket Association and Assam Cricket Association, who have already held elections) who have been declared compliant with the Judgement dated 9th August 2018 passed by the Hon’ble Supreme Court by the COA are required to complete election process in their respective associations by 14th September 2019.

Full Members who either have not been declared compliant with the Judgement dated 9th August 2018 or who do not complete the election process before 14th September 2019 (or such other date that may be appointed by the COA for this purpose) and their representative, shall not be eligible to participate in the BCCI Election process.

The rules of procedure which shall cover the (i) election to the posts of Office Bearers of BCCI, (ii) election of one (1) member of the Apex Council (as a representative of BCCI Members under Rule 14 of the Constitution) and (iii) (2) two members of the Governing Council [as member elected by the General Body under Rule 28(2)(i) of the Constitution] are hereby prescribed and set out below.

2. Preparation and publication of Electoral Rolls of qualified members

As soon as may be but not later than 3 weeks before the date of the Annual General Meeting of the General Body of BCCI wherein elections of Office Bearers and a member of the Apex Council and two members of the Governing Council are to be held (“**Election Day**”), the Electoral Officer shall publish the electoral roll of

Representatives of eligible members qualified to participate in the BCCI elections *viz.* entitled to vote and field candidates for elections.

3. Call to file nomination papers for elective posts

As soon as may be but not later than 2 weeks before the Election Day, the Electoral Officer shall issue a notice calling upon Representatives of eligible Full Members to file nomination papers for election to the posts of President, the Vice-President, the Secretary, the Joint Secretary, the Treasurer, of one member of the Apex Council and two members of the Governing Council, indicating the schedule for covering every activity related to the elections.

4. Eligibility and procedure to file nomination papers

- a) A candidate can contest only for one post.
- b) A candidate must fill up the prescribed nomination form duly signed by him/her and his/her signature attested by notary/oath commissioner.
- c) A candidate's nomination should have been signed by a proposer and seconder, who shall each be a Representative of an eligible Full Member with all details as prescribed in the nomination form.
- d) The proposer's and seconder's signature should be duly attested by a notary/oath commissioner.
- e) No Representative shall be a proposer or a seconder to more than one candidate in respect of one post.
- f) A candidate may personally come to the BCCI office and file his/her nomination papers or his/her nomination form duly signed by him can be deposited by an authorized person whose name and address is duly verified and authorized by the candidate himself.

5. Scrutiny of nomination form and preparation of list of duly nominated candidates and contesting candidates.

- a) On the appointed date, the Electoral Officer shall scrutinize all nomination papers in presence of the candidates or their authorized representatives and announce his/her decision in respect of each nomination and then proceed to prepare and announce a list of validly nominated candidates for each of the posts.
- b) A validly nominated candidate will be allowed to withdraw from the contest till the time allowed for such withdrawal by filing his/her withdrawal application in the prescribed form in person before the Electoral Officer.

- c) On the stipulated day, the Electoral Officer shall, after taking into account withdrawal if any, of such validly nominated candidates from the contest, announce the list of contesting candidates for each of the posts.

6. Voting and declaration of results

- a) The Electoral Officer shall cause arrangements to be made for voting by the Representatives of eligible members on the Election Day for all the posts for which more than one nomination has been received and will call the Representatives of members eligible to vote to exercise their voting right in respect of each of the contested posts.
- b) The Electoral Officer will prescribe the procedure for the Representatives to cast their vote including but not limited to the ballot, its design, its authentication, the maintenance of secrecy of ballot, the time limit for exercising the voting right, the time period for preservation of counted ballots and other election materials, etc.
- c) At the closure of the time prescribed for the poll, the Electoral Officer shall cause the counting of the ballot papers and announce the results in respect of each of the contested posts.
- d) After announcement of results, the Electoral Officer shall announce the completion of the poll process.

7. Disputes and Objections

In case of any disputes or objection arising at any stage of the election process from the declaration or publication of electoral roll of qualified members to the declaration of results including but not limited to objection to candidacy, disqualification, eligibility to vote or the admission or rejection of a vote in the election to the Apex Council or any of the committees, the Electoral Officer shall decide the same and such a decision shall be final and conclusive.

8. Model Code of Conduct

A code of conduct covering all the activities relating to elections is enclosed which is to be mandatorily observed by all members.

Capitalised terms used by not defined above shall have the same meaning as set forth in the Constitution.

CODE OF CONDUCT FOR BCCI ELECTIONS

Instructions of the Electoral Officer appointed to conduct BCCI elections

1. In order to ensure free and fair polls, as envisaged in BCCI's MoA and Rules and Regulations ("**Constitution**"), candidates are expected to file the nomination papers along with an affidavit/declaration covering provisions mentioned therein. Nominations received without the affidavit/ declaration will be rejected at the time of scrutiny.
2. A period has been designated as the 'Campaign Period' to enable prospective candidates to seek support of members of BCCI in their favour on the voting day. The Campaign period may be used for candidates for campaigning. However, during the Campaign Period, candidates will not use unfair means including bribery, or appeal to or use of religious symbols, nor distribute gifts of various kinds such as liquor, to induce members for support. They will strictly adhere to the prescribed campaign practices annexed to these instructions.
3. Candidates will not use vehicles to bring members to the voting venue on the date of polling.
4. Proxy voting shall not be allowed.
5. Pamphlets and posters if circulated should not appeal to religious, caste, or communal sentiments to entice for votes. If pamphlets/ posters are put up, they should be not violative of the local law in force in the Bombay Municipal Area.
6. No pamphlets/ posters/ banners are allowed to be used/ put up, in or around the venue of the voting.
7. Candidates will maintain peace and calm in the voting venue during the polling period in order to maintain law and order.
8. Campaign office/ platform will not be opened in and around the venue of voting.
9. All candidates are expected to cooperate with the Electoral Officer for smooth conduct of voting during the entire process.
10. As stipulated in Rule 33 of the BCCI Rules and Regulations, "In case of any dispute or objection as to candidacy, disqualification, eligibility to vote or admission or

rejection of vote, the Electoral Officer shall decide the same and such decision shall be final and conclusive.”

(As approved by the Electoral Officer)

Dated this 16th day of August, 2019

Annexure

Campaign Practices

Clause 1:

(i) Electoral campaigns shall be carried out by the candidates in a fair and reputable manner and, more generally, in a spirit of respect for fundamental ethical principles.

(ii) Candidates shall conduct all campaigns with dignity and moderation and with due respect to other candidates, the BCCI and its Members. A Candidate may produce no spoken word, written text or representation of any nature likely to harm the image of another candidate or cause his/her prejudice. Criticism of other candidates, when made, shall be confined to their policies and programmes, past record and work. Criticism based on unverified allegations or distortion shall be avoided. There shall be no appeal to caste or communal feelings for securing votes.

(iii) Each Candidate may present to the electoral college his/her plans and views for the post, in the form of a written document, whatever the means used to distribute it.

(iv) Candidates shall avoid excessive expenditure in campaigning, recognising that it could become a factor of inequality amongst the candidates

(v) The promotion of a candidate shall exclude any form of publicity, including the use of new media or social networks. No public meeting or gathering of any kind may be organised in the framework of promoting a candidature. No use, free of charge or in return for payment, of the services of a journalist or the media may be made in order to place a Candidate at an advantage or a disadvantage.

(vi) All candidates shall avoid scrupulously all activities that are “corrupt practices”, such as bribing of voters, intimidation of voters, impersonation of voters, etc.

(vii) Candidates may in no case and under no pretext give presents, offer donations or gifts or grant advantages of whatever nature, directly or indirectly, to voting members or their representatives.

(viii) The incumbent BCCI Office Bearers shall ensure that no cause is given for any complaint that they have used their official position for the purposes of their or others’ election campaign and in particular shall not (a) use official transport including,

vehicles, machinery and personnel for furtherance of their campaign; (b) issue any advertisement at the cost of the BCCI or its Members in the newspapers and other media or misuse the BCCI's official media channels during the elections; (c) sanction grants/payments out of discretionary funds from the time elections are announced; and (d) enter into any promise or undertaking to be performed, whatever the timing of such performance, for the direct or indirect benefit of any of the BCCI's Members or its partners.

Clause 2: Neutrality and Independence

(i) As the voting is secret, voting members are prohibited individually or collectively, from announcing publicly in any form whatsoever their intention to vote or not vote for a candidate.

(ii) Incumbent BCCI Office Bearers shall refrain from making any public declaration and may in no way support a candidate.

(iii) Candidates may not accept mandatory instructions from any public or private, natural or legal person. No direct or indirect assistance, be it financial, material or in kind, be it direct or indirect, may be given to candidates by any third party. Candidates may not enter into any form of undertaking with any natural or legal person likely to affect the neutrality and the freedom of decision or action of their future post.

(iv) The BCCI's executive team and administration shall maintain a strict duty of neutrality at all times. No support or service in relation to a Candidature may be requested from nor be given by any member of the BCCI's administration or staff.

Board of Control for Cricket in India

Cricket Centre, Wankhede Stadium, D Road, Churchgate, Mumbai - 400020

Nomination-Cum Affidavit Form



I, _____ S/o, W/o, D/o
_____ residing at _____
_____ and representing
_____ Association, hereby offer myself for
election to the Apex Council of BCCI in the following category.

- | | |
|---------------------------------------------------|--------------------------|
| 1. President | <input type="checkbox"/> |
| 2. Vice President | <input type="checkbox"/> |
| 3. Secretary | <input type="checkbox"/> |
| 4. Joint Secretary | <input type="checkbox"/> |
| 5. Treasurer | <input type="checkbox"/> |
| 6. Councillor (as representative of BCCI Members) | <input type="checkbox"/> |
| 7. Governing Council Member | <input type="checkbox"/> |

Note: Put a ✓ mark in the appropriate box. A candidate can apply for only one post.

I _____ hereby confirm and solemnly affirm that I have been duly nominated by _____ which is a Full Member of the BCCI to be its representative to the BCCI Annual General Meeting to be held on _____ and I am not disqualified to be an Office Bearer or member of the Apex Council. I particularly affirm and confirm that:

- I am a citizen of India;
- I have not attained the age of 70 years
- I have not been declared to be insolvent or of unsound mind;
- I am not a Minister or Government Servant,
I do not hold a public office

- e) I do not hold any office or post in a sports or athletic association or federation apart from cricket;
- f) I have not been charged by a Court of Law for having committed any criminal offence i.e. no court of law has passed any order framing charges against me.
- g) I have not been an office bearer of the BCCI for a cumulative period of 9 years
- h) I have not functioned as an office-bearer either in my or any member association and/or BCCI for a continuous period of 6 years and I affirm that on that count I am not ineligible to contest and I affirm that therefore I do not require to undergo a cooling off period of 3 years to make me eligible to contest.
- i) I am attaching (1) an information sheet detailing the periods for which I have been an office-bearer in the BCCI and/or any state association and (2) certified copy of the resolution passed by the _____ of the Full Member association duly nominating me as its representative to the BCCI Annual General Meeting to be held on _____ and I solemnly affirm that the information provided therein is true to the best of my knowledge and understanding.

Name and Signature of the Candidate /Deponent

Witness Signature:

Name of witness:

Member of BCCI Member Association:

Contact Details

Address:

Mobile No.:

E mail ID:

Proposer's Signature:

Name:

Member of BCCI Member Association:

Contact Details:

Address:

Mobile No.:

E-mail ID:

Secunder's Signature:

Member of BCCI Member Association:

Contact Details:

Address:

Mobile No.:

Email ID:

Verification:

Verified at _____ on this _____
day _____ that the above stated contents of the present
affidavit/nomination form are true and correct to the best of my knowledge and
and I affirm that no material information has been concealed.

DEPONENT