

Office of the Electoral Officer, BCA, By-Election 2023

Memo No. 22/BCA Elec.2023

Date: 22.07.2023

To,

The CEO, Bihar Cricket Association,

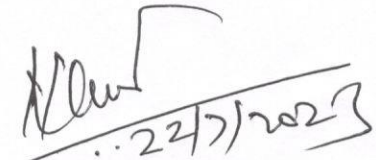
Patna

E-mail: <biharca.ceo@gmail.com>

Sir,

Attached please find herewith Rules of Procedure for conduct of BCA By-election 2023 for its immediate publication on the official website of BCA, Patna. The Rules of Procedure contains provisions with regard to filing of Nomination Papers, Scrutiny, withdrawal of candidatures, preparation of list of contesting candidates etc along with, Model Code of Conduct, campaign practices and Nomination cum Affidavit Form.

Encl: As mentioned above


..22/7/2023
Electoral Officer
BCA, By-Election

OFFICE OF THE ELECTORAL OFFICER,
BCA, Hotel Maurya, South Gandhi Maidan, Patna.
CONDUCT OF BCA BY-ELECTION-2023
Rules of Procedure

1. PREAMBLE

As per the Memorandum of Association and Rules and Regulations (Constitution) of the Bihar Cricket Association (BCA) in Rule 37 of the Constitution, the appointed Electoral Officer of the BCA (Electoral Officer) shall oversee and supervise the entire Election Process.

The Rules of procedure which shall cover the election of the following posts are hereby prescribed and set out below:

- A. One (01) post of President under Rule 09 of the BCA Constitution.
- B. One (01) post of Vice-President under Rule 09 of the BCA Constitution.
- C. One (01) post of Treasurer under Rule 09 of the BCA Constitution.

II. PREPARATION AND PUBLICATION OF ELECTORAL ROLLS OF QUALIFIED MEMBERS

The Draft Electoral Roll has already been published on the website of BCA, Patna and after disposal of claims/objections, it shall be finally published on 24.07.2023.

III. CALL TO FILE NOMINATION PAPERS FOR ELECTIVE POSTS

Notice for Election Schedule has already been uploaded on the website of BCA, Patna. Details are available on the website of BCA, Patna.

IV. ELIGIBILITY AND PROCEDURE TO FILE NOMINATION PAPERS

- a. A candidate can contest only for ONE POST.
- b. A candidate must fill up the "Nomination-Cum Affidavit Form" which is prescribed at Annexure. The Nomination Form should be duly signed by him/her. The signature of the candidate should be attested by Notary/Oath Commissioner.
- c. (i) A Candidate's Nomination should have been physically signed by a Proposer and Secunder, who shall each be a Representative of an eligible Full Member with all details as prescribed in the "Nomination-cum-Affidavit Form".
- d. No Representative shall be a Proposer or a Secunder to more than ONE candidate in respect to ONE POST.
- e. A candidate shall be required to come in person to Electoral Officer camp office in Room No. 311 at Hotel Maurya, South Gandhi Maidan, Patna to file his/her nomination papers and no proxy voting will be allowed.

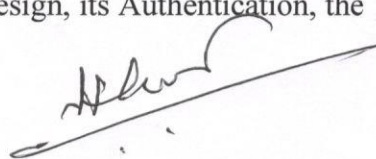


V. SCRUTINY OF NOMINATION FORM AND PREPARATION OF LIST OF DULY NOMINATED CANDIDATES AND CONTESTING CANDIDATES

- a. (i) Normally a candidate is required to file a Single Nomination Form for the post he/she is seeking to be a candidate.
- (ii) In case a candidate files two (02) Nomination Forms for a Post, the two (02) Nomination Forms filed by him/her would be marked as "S.N.1" and "S.N. 2" by the candidate himself /herself while giving it to the EO/Authorised Officer.
- (iii) The candidate who has filed two (02) Nomination Papers for the same Post, would have to withdraw one (01) of the Nomination Form out of the two (02) Nomination Forms filed by him/herself before 11:00 AM on 28.07.2023 (1st day of scrutiny).
- (iv) In case the Candidate does not withdraw One (01) of the Nomination Form out of the two (2) Nomination Forms filed by him/her, the Nomination Form marked as "S.N.2" shall be taken up for scrutiny by the EO.
- b. On the Appointed date, the Electoral Officer or the Authorised 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.
- c. 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.
- d. 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.

VI. 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.

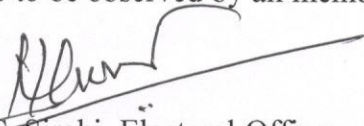
- c. At the closure of the time prescribed for the poll, the Electoral Officer shall cause the counting of the Ballot Papers and announce the results in respect of each of the contested Posts.
- d. After announcement of results, the Electoral Officer shall announce the completion of the Poll Process.

VII. 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, the Electoral Officer shall decide the same and such a decision shall be final and conclusive.

VIII. MODEL CODE OF CONDUCT

A Code of Conduct covering all the activities relating to Elections is enclosed which is to be observed by all members.



H. C. Sirohi, Electoral Officer

Dated: ...22.07.2023...

CODE OF CONDUCT FOR BCA ELECTIONS

Instructions of the Electoral Officer appointed to conduct BCA By-Election 2023

1. In order to ensure Free and Fair Polls, as envisaged in BCA'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. If election is required to be held for all or any of the Elective Posts, the period between 30.07.2023 to 04.08.2023 would be designated as the "Campaign Period" to enable prospective candidate to seek support of members of BCA 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 moral campaign practices annexed to these instructions.
3. Candidates will not use vehicles or means of conveyance 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 Laws in force where the election is to be held.
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 37 of the BCA Rules and Regulations, "In case of any dispute or objection as to candidacy, disqualification, eligibility to vote or admission or rejection of vote in the election, the Electoral Officer shall decide the same and such decision shall be final and conclusive."
11. The Instructions shall come into force with effect from the 1st day scheduled for filing nominations and shall continue till completion of the election process.


H.C. Sirohi, Electoral Officer

Dated: 22.07.2023


CAMPAIGN PRACTICES

Instructions of the Electoral Officer appointed to conduct BCA By-Election 2023

1. 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.
2. Candidates shall conduct all Campaigns with dignity and moderation and with due respect to other candidates, the BCA and its Members. A Candidate should not speak, written or make any representation of any nature likely to harm the image of another candidate or cause his/her prejudicially. Criticism of other candidates, when made, shall be confined to their policies and programmes, past record and work and these should. Criticism based on unverified allegations or distortion shall be avoided. There shall be no appeal to caste or communal feelings for securing votes.
3. 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.
4. Candidates shall avoid excessive expenditure in campaigning recognising that it could become a factor of inequality amongst the candidates.
5. The promotion of a Candidate shall exclude any form of publicity, including the use of social media and 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.
6. All Candidates shall avoid scrupulously all activities that are “corrupt practices”, such as bribing of voters, intimidation of voters or undue influence etc, as defined in section 123 of the Representation of People Act, 1951.
7. 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.
8. 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.
9. The incumbent BCA 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 BCA or its Members in the newspapers and other media or misuse the BCA's official media channels during the elections; and
- (c) sanction grants/payments out of discretionary funds from the time elections are announced;

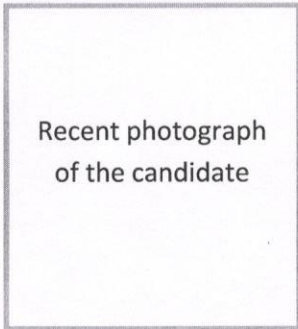
10. The BCA's Executive Team and Administration shall maintain a duty of neutrality at all times. No support or service in relation to a Candidature be given by any Member of the BCA's Administration or Staff.


H.C. Sirohi, Electoral Officer

Dated: 22.07.2023

Bihar Cricket Association (BCA), Patna

Nomination cum Affidavit Form



I _____ S/o, W/o, D/o
_____ residing at _____
_____ and representing _____
Association.

hereby offer myself for the election to the BCA in the following category.

- 1. President
- 2. Vice President
- 3. Treasurer

(Put a mark in the appropriate box. A candidate can apply for only one post.)

Ihereby confirm and solemnly affirm that I have been duly nominated bywhi ch is a Full Member of the BCA to be its representative to the BCA Special General Meeting (SGM) to be held on 05.08.2023 and I am not disqualified to be an Office Bearer or member of the BCA. I particularly affirm and confirm that:

- a) I am a citizen of India
- b) I have not attained the age of 70 years
- c) I have not been declared to be insolvent or of unsound mind
- d) I am not a Minister or a 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 as passed any order of framing of charges against me.
- g) I have not been an office bearer of the BCA for a cumulative period of 9 years. I have not functioned as an office- bearer either in my or any member association and /or BCA 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.
- h) I am attaching (1) an information sheet detailing the periods for which I have been an office bearer in the BCA and/ or any DCA (2) certified copy of the resolution passed by theof the

Full Member association duly nominating me as its representative to the BCA Special General Meeting (SGM) to be held on and also solemnly affirm that the information provided therein is true to the best of my knowledge and understanding.

Name and Signature of the candidate / Deponent

1. Name of Witness:

Member of BCA Member Association:

Contact Details:

Address:

Mobile No:

E mail ID:

Signature of Witness:

2. Proposer's Name:

Member of BCA Member Association:

Contact Details:

Address:

Mobile:

E-mail ID:

Proposer's Signature:

3. Secunder's Name:

Member of BCA Member Association:

Contact Details:

Address:

Mobile No:

Email ID:

Secunder's Signature:

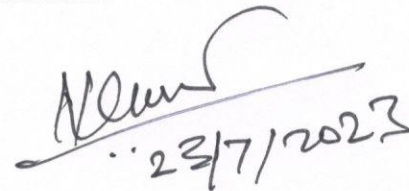
Note :- Candidate, Witness, Proposer & Secunder should attach a self attested copy of their Aadhar Card or Elector photo identity card (EPIC) issued by Election Commission of India.

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 I affirm that no material information has been concealed.

DEPONENT


23/7/2023