

ELECTION BYE-LAWS

1. General

Definition: (i) In these Bye-laws, unless the context otherwise requires

- (a) 'the Electoral Roll' means the Electoral Roll maintained under these Bye-laws;
- (b) 'Member' means a member of the General Body of the INTACH entitled to vote and includes a representative of the Corporate, Institution and Donor organization member enrolled to vote;
- (c) 'the Rules' means the 'Rules and Regulations' of INTACH for the time being in force; and
- (d) 'the Returning Officer' means appointed by the Executive Committee of INTACH from time to time.
- (e) All other expressions used in these Bye-laws shall have the same respective meanings as in the Rules.

2. Electoral Roll: The Chapters Division shall maintain an Electoral Roll of members entitled under the Rules and these Bye-laws to vote at the various elections of INTACH.

3. Election of the Chairman

Election of the Chairman of the Governing Council of INTACH is from among the eligible voting members in all the categories namely Founder, Life, Ordinary, Donor, Corporate and Institutional members. Any two of the eligible voting members will propose and second the nomination of the candidate for election to the Chairman.

4. Election to vacancies in Donor, Corporate and Institutional categories of members of the Governing Council.

No proposer or seconder will be required for election to fill up the vacancies in the categories of Donor, Corporate and Institutional members. The eligible Donor candidate or Corporate Body or Institution will send their nomination for election by all the eligible members in each of these categories.

5. Election to vacancies in Founder, Life and Ordinary members categories

- (i) For the election to founder, life and ordinary members constituencies, the proposer, seconder and the candidate shall all belong to the same category.

(ii) The process for election will be commenced 12 weeks ahead of the date of AGM. For example, if the AGM is fixed on 1st of March, the notices for the AGM will be issued to the members 3 months in advance i.e. by 1st December of the preceding year.

6. Overseas Members

The overseas members of INTACH are eligible to participate in the election process. The notices for the AGM and ballot papers will be sent to them in the same manner as applicable to members in India.

7. Notice

Notice for Annual General Meeting and elections will be sent by ordinary post.

8. Receipt of Nomination

The AGM notice will be accompanied by the nomination forms (Annexure-A) seeking nominations indicating therein the names of proposer and seconder and the consent of the candidate concerned within 4 weeks time.

9. Withdrawal of Nomination

Five days time will be given for withdrawal of names by the candidates.

10. Despatch of Ballot Papers

(i) The ballot papers (Annexure-B) after withdrawal, if any, will be sent by Registered post to the members so as to reach them latest by January.

(ii) Duplicate ballot papers shall not be issued/ sent for any reason e.g. the same has not been received.

11. Canvassing

The election is a democratic process, canvassing by the candidate himself through emails, letters, SMS, post cards, etc. shall be permitted. The candidate should not make any negative propaganda against the other candidates while canvassing his own candidature. Candidates should not use political, social or any other kind of pressure. Canvassing by Convener/ Co-Convener/any other member on behalf of the candidate will not be permissible. However, seeking any advice by the voting member from the Convenor/Co-Convenor of the Chapter will not be construed as canvassing.

12. Disqualification

The members using official stationery, office machinery, INTACH name & logo and official position will be disqualified for a period of 3 years for contesting election to the Governing Council. In the event of the use of official stationery, etc. coming to INTACH notice subsequent to the counting of the votes, the elected candidate will stand disqualified after due enquiry and the next No. 2 candidate will be deemed to be elected to the Governing Council.

13. Tick marking (√) equal to number of vacancies

While there will be no compulsion to vote for all the vacancies in a particular category, the members are advised as a part of the election bye-laws that the voting member should preferably tick-mark the names of the candidates equal to the number of vacancies.

14. Receipt and Return of Ballot Papers

(i) Ballot papers after duly tick marked by the members shall be sent back by members to reach the INTACH Headquarters latest by the date prescribed in the notice issued for the AGM. These shall be sent by using Double Envelope System – the inner envelope and the outer “Business Reply Article” envelope. Sample of the envelopes are attached.

(ii) The voting members will have the liberty to post back the ballot papers either by using Business Reply Article envelope or Registered Post or Speed Post or Courier, at their own cost.

(iii) The member returning the ballot paper will have to enter his name, membership No., signature and full address on the left side of the inner envelope so as to identify from whom the ballot paper has been received.

(iv) The ballot papers will not be sent or received by hand. If the envelope is received without the indication on the outer cover about membership number, name of the member, the signature and address, this shall be treated as rejected by the Returning Officer.

(v) **INTACH employees are not eligible to contest the election to the Governing Council.**

15. Non-receipt and non-delivery

(i) Returning Officer will not be responsible for late delivery or non-delivery of the AGM notice which are dispatched through the Post Office. Returning Officer will not be responsible for late delivery or non-delivery of Ballot Papers which will be sent by Registered post. Ballot papers received after the time and date prescribed with the approval of the Executive Committee by the Returning Officer will be rejected and not included in the counting of votes.

(ii) Ballot Papers received from the members in envelopes other than those sent to them by the Returning Officer shall be rejected.

16. Security of Ballot Papers

The ballot papers received back will be kept in a sealed closed box(es) with a slit for dropping the envelopes containing the ballot papers. There will be 3 sealed boxes – one for returned/undelivered envelopes containing the ballot papers, one for ballot papers

received for all categories and the third one (once in three years) for the election of the Chairman. The box(es) will be kept in a secure place.

17. Process of Counting of Votes

(i) The sealed box(es) will be opened in the presence of the Returning Officer, designated election committee members and independent observers one day in advance of the date of the AGM for counting of votes.

(ii) The independent observers will be from India International Centre, Council for Social Development and Thakur, Vaidyanath Aiyar & Company or as may be decided by the Executive Committee on year to year basis.

(iii) The ballot papers taken out of the sealed box(es) will be opened by the four counting staff on election duty by removing the outer and the inner envelopes which will be kept separately. The mixed ballot papers will be sorted out for each category for which elections to the Governing Council are held. The counting will be done one after the other for each category (Founder, Life, Ordinary, Corporate, Donor and Institution). There will be four members out of the election counting members for noting down/tick-marking against each candidate who has secured the votes. The names/serial numbers of the voted candidates will be read out by the Returning Officer and noted in four separate sheets by the four members on duty. The totals of the four sheets will be done and compared and the sheets duly signed by the Returning Officer, independent observers and the counting members on election duty and not by the representative of the candidate(s) who may be present in the counting process.

(iv) This process will be repeated for all the categories for which election is held.

18. Candidate(s) or their own duly authorized representative can be present at the counting of the votes as observer without any interference in the counting process. The name of the authorized representative should be sent in advance to the Returning Officer well before the date of counting of the votes.

A summary sheet will be prepared based on the statements of counting in four sheets and the final results noted in the summary sheet for each category. This will be signed by the Returning Officer and the independent observers. Copies of Sheets are attached.

Every third year commencing from 2013, there will be election to the position of Chairman, INTACH who will be elected by all the voting categories of members of INTACH. The procedure for opening, sorting, counting and the announcement of results mentioned above will be applicable for the ballot papers received for election of the Chairman.

19. Announcement of Results

The results will be announced by the Returning Officer/ or a person authorized to do so by the Executive Committee on year to year basis on the day of counting of votes as well as at the meeting of AGM.

20. Intimation to the Candidates

Immediately after announcement of the results, the Returning Officer through emails, etc. will inform the winning and losing candidates of the details of the results in each category. The results will be printed in the Virasat quarterly newsletter as well as put on the INTACH website. All the voting members of INTACH who can access through emails will also be informed of the results of the elections through emails.

21. Equal votes between the two members

In the event of tie between two members of acquiring equal votes, the member senior in age will be deemed to have been elected as a member of the Governing Council for a term of 18 months and the other candidate will be deemed to be elected for the remaining term of 18 months.

22. Appeal

Appeal against the decision of the Returning Officer.

Any candidate who has complaint and seeks review of the decision of the Returning Officer can file his appeal before the Member Secretary or a designated officer within a period of one month of the declaration of the results at the AGM.

23. No TA/DA will be paid to the members for attending the AGM.

24. No proxies will be allowed to attend the AGM.

Nomination Form
The Indian National Trust for Art and Cultural Heritage
(INTACH)

Annual General Meeting to be held on _____

Nomination Form for Election to the Governing Council

(To reach INTACH 71, Lodhi Estate, New Delhi-110003

latest by _____)

‘Nomination for Governing Council’ shall be superscribed on the Envelope.

Separate Form to be used for each nomination.

Name of the Candidate (in Block letters)	
Present Address of the Candidate	
Constituency (put <input checked="" type="checkbox"/> in applicable box) Chairman <input type="checkbox"/> Founder <input type="checkbox"/> Life <input type="checkbox"/> Ordinary <input type="checkbox"/> Corporate <input type="checkbox"/> Donor <input type="checkbox"/> Institutional <input type="checkbox"/>	Candidate’s Membership Number
Proposer’s Name & Address	Proposer’s Membership Number _____ Signature of Proposer
Secunder’s Name & Address	Secunder’s Membership Number _____ Signature of Secunder
Candidate’s Assent:	I hereby assent to the nomination. Signature of Candidate

Instructions for filling up the ‘Nomination Form’

1. For the vacancy of the Chairman, the candidate, the proposer and the seconder will be from any category having voting rights.
2. In case of Founder, Life and Ordinary members constituencies, the candidate, proposer, and the seconder shall all belong to the same constituency.
3. In case of Donor, Corporate and Institutional members, no proposer or seconder is required.
4. In the case of vacancy in the Ordinary members category, the membership of the proposer, seconder and the candidate should be up-to-date i.e. the members, in whose case renewal of annual membership is required, should have paid the renewal fee by the prescribed cutoff date prescribed every year failing which the nomination will be invalid.
5. In the case of vacancy in the Institutional members category, the membership of the candidate should be up-to-date i.e. the members, in whose case renewal of annual membership is required, should have paid the renewal fee by the prescribed cutoff date prescribed every year failing which the nomination of the candidate will be invalid.
6. In case of new members, they should have been enrolled before the prescribed date announced in the Notice for AGM.
7. A brief bio-data of the candidate, not exceeding one page shall be sent along with the nomination form for circulation to members along with the Ballot Papers. In the bio-data, the candidate shall mention what he/she will do for INTACH if elected to the Governing Council.

ANNEXURE-B

**THE INDIAN NATIONAL TRUST FOR ART AND CULTURAL HERITAGE
ELECTION TO THE GOVERNING COUNCIL FOR THE YEAR _____**

No. of Vacancies _____

CATEGORY

BALLOT PAPER

NAME OF THE CANDIDATES

1.
2.
3.
4.
5.
6.
7. etc.

Instructions

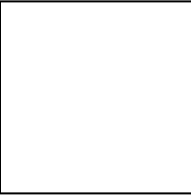
- (1) Tick-marking shall be for as many candidates as shown in the number of vacancies above. Tick-marking in excess of the number of vacancies renders the ballot paper invalid.
- (2) Cross-mark should not be used as it will render the Ballot Paper invalid.
- (3) Ballot papers after duly tick marked by the members shall be sent back by members to reach the INTACH Headquarters latest by _____. These shall be sent by using Double Envelope System – the inner envelope and the outer Business Reply Article envelope. Sample of the envelopes are attached.
- (4) No name or signature of the member shall be put on any part of the ballot paper which will otherwise invalidate the ballot paper.

(Returning Officer)

ANNEXURE-C

Sample of inner Envelope

No postage stamp to
be affixed



From

Name _____

Membership No. _____

Signature _____

Address _____
for Art & Cultural Heritage (INTACH)

To
The Returning Officer
Indian National Trust

71, Lodhi Estate
New Delhi – 110 003

ANNEXURE-D

Sample of outer Envelope

BUSINESS REPLY ARTICLE

Postage
will be
paid by
addressee

NO
POSTAGE
NECESSARY
IF POSTED
IN INDIA

**BR PERMIT NO. NDS – 741
LODI ROAD
NEW DELHI – 110 003**

**TO
THE INDIAN NATIONAL TRUST FOR ART
AND CULTURAL HERITAGE
71, LODHI ESTATE, NEW DELHI-110 003**