

<b>S. No.</b>	<b>Question</b>	<b>Answer</b>
1.	Who is the Returning Officer?	CS Sutanu Sinha, Chief Executive and Officiating Secretary is the Returning Officer.
2.	Who may other than Returning Officer may be contacted for election related queries?	Mr. T.R Manik, Consultant, Email id: manik.tr@icsi.edu or Ms Meenakshi Gupta, Email id: <a href="mailto:meenakshi.gupta@icsi.edu">meenakshi.gupta@icsi.edu</a>
3.	Who is a contesting candidate?	A contesting candidate is one who has filed his nomination.
4.	When does the Code of Conduct come into effect?	Pursuant to Rule 16(3) of the Company Secretaries (Election to the Council) Rules, 2006 (hereinafter referred to as 'the Rules'), the Election Code of Conduct comes into force from the date of issue of Notification for the Elections under sub-rule (2) of Rule 4. Accordingly, the Election Code of Conduct is applicable from 9 <sup>th</sup> September, 2014 onwards. However, It may be noted that the Election Code of Conduct will be applicable to the candidates and their Authorized Representatives from the date of filing the nomination by the candidate.
5.	What happens if any candidate/ Authorized Representative violates the Code of Conduct?	In accordance with Rule 16(4) of the Rules, the Election Code is deemed to be a guideline of the Council under item (1) of Part II of the Second Schedule of the Act hence it is obligatory for each candidate to comply with the Election Code of Conduct. A member of the Institute shall be deemed to be guilty of professional misconduct if he contravenes Election Code of Conduct and/or any guidelines issued by the Council.
6.	How much expenditure can be incurred by a candidate for the Council / Regional Council elections?	Pursuant to Rule 41 of the Rules, the Council has decided that a candidate for the Council may incur expenditure upto Rs.5.00 lacs (Rupees five lacs only) and a candidate for Regional Council can incur expenditure upto Rs.3.00 lacs (Rupees three lacs only).

7.	Is there any other obligation in regard to incurring of Election expenses?	Yes, pursuant to Rule 4 (2) of the Rules, it is obligatory for every candidate for the Council or the Regional Council to file an account of expenses incurred for the Election in a format approved by the Council, within fifteen days of the declaration of the results.
8.	Is there any format for filing the account of expenses?	Yes, the Council has approved the format for filing an account of Election expenses, which is a part of Gazette Notification for Election dated 9th September, 2014 . The formats are also given in September, 2014 issue of the Chartered Secretary Journal and also hosted on the website of the Institute.
9.	Is there any item wise ceiling on expenses to be incurred for the Elections?	No, there is no such item wise ceiling. However, the overall expenditure should not exceed the maximum limit fixed by the Council.
10.	Whether a candidate can address Professional Development Programme/Workshops/Seminar/MSOP/ EDP/PDP/Study Groups/Study Circle meeting/ oral coaching classes which has no member as a participant?	In accordance with the Code of Conduct, the contesting candidate/his authorised representative should not address MSOP/EDP/PDP/Oral Coaching classes, etc.
11.	If the candidate happens to be an office bearer of the Council / Regional Council or Chapter, can he use the office stationery for responding to the various communications received in official capacity?	The office bearers of the Council / Regional Councils & Chapters responding to any communication received from the Government and regulatory bodies can use the office stationery. The communications addressed to others including voters/ member/students/ Institute etc. should be sent by designation and not by name.
12.	Can the contesting candidate hold/ attend meetings of the Council/ Regional Council/ Chapter?	There is no bar for holding normal meeting of the Council/ Regional Councils/ Chapters & its Committees and chairing thereof. However, the conduct of the candidate at the meeting should not provide any room for violation of the Election Code of Conduct.
13.	Can a candidate send birth day	Yes, the same can be sent.

	SMS to individual members?	However, the candidate should not mention about his candidature for the election.
14.	Who is eligible to vote and stand for election?	<b>For Council/Regional Councils Elections Members eligible to vote.</b> -A member whose name is borne on the Register of Members as on 1st April 2014 is eligible to vote in the election from the regional constituency within whose territorial jurisdiction his professional address falls on the said date: Provided that his name has not been removed from the Register on the date of publication of the list of voters; <b>Members eligible to stand for Council/Regional Councils Elections.</b> A member who is a fellow on the first day of April 2014 and whose name continues to be borne on the Register on the last date of scrutiny of nominations shall be eligible to stand for election to the Council/Regional Council from the regional constituency in which he is eligible to vote: Provided that no person shall be eligible to stand for election to the Council, if he is not found otherwise to be eligible under the various provisions of the Act and the Rules.
15.	Who is eligible to be a proposer and seconder?	A member who is entitled to vote in the election in the relevant constituency is eligible to be a proposer and seconder.
16.	Is it necessary that the proposer and seconder of candidate for the Council election should be Fellow Members only?	No, it is not necessary.
17.	Can the nominations be filed in a form other than the approved form?	No, pursuant to sub-rule (3) of rule 9 of the Rules, the nomination of a candidate shall be filed in the approved form. The approved forms both for the Council and the Regional Councils elections have been published in September, 2014 issue of the Chartered Secretary Journal, made part of the Gazette Notification for Election dated 9 <sup>th</sup> September, 2014

		and also posted on the website of the Institute.
18.	Is it necessary that a nomination form is accompanied by a statement?	Yes, pursuant to sub rule (4) of Rule 9 of the Rules, the nomination shall be valid only if it is accompanied by a statement signed and verified by the candidate containing information as required in Schedule 4 of the Rules.
19.	Should a candidate sign all the pages of nomination form and the annexure thereto?	Yes, A candidate is expected to sign all the pages of nomination form and the annexure thereto
20.	Can the candidate give any information of his choice in the statement?	No, the information is to be given only with respect to the items specified in the statement.
21.	Is it obligatory to provide photographs? If yes, should it be coloured or black & white. Should it necessarily be passport size?	It is obligatory to provide three latest identical coloured copies of pass port size photograph.
22.	Can a candidate file more than one nomination? Is candidate required to pay nomination fee with additional nomination form(s)?	Yes, a candidate can file more than one nomination. The maximum number of nominations that can be filed by a candidate shall be 10 only. However, a member has to pay nomination fee once only and not with additional nomination form(s).
23.	Can the contesting candidates participate along with top management in the analysts meetings and press coverage of the quarterly results of the employer company?	No interview to newspaper(s), electronic media and the like by contesting candidates in any manner whatsoever is permissible. Exception to this prohibition is interview given in a non-professional capacity. The contesting candidates should avoid media/press coverage.
24.	Can the contesting candidates send e-mails or letters addressed to a specific person and not circulated to too many persons (as copies) or personal letters making a mention about a candidature and seeking support?	The Rules, inter-alia, provide that only one manifesto or circular shall be issued by a candidate in relation to the election. Such manifesto or circular shall, inter-alia, include an email or letter addressed to a specific person and not circulated to many persons and personal letters making a mention about a candidature and seeking support. Therefore, emails, letters addressed to specific persons, personal

		letters, etc. making a mention about a candidature in seeking support for election shall be deemed to be manifesto/circular as contemplated under Rule 42(2) of the Rules.
25.	To what extent face book/yahoo/twitter or other networking sites may be used by the candidate or his Authorized Representative?	As far as possible a candidate or his authorised representative should refrain from using face book/yahoo/twitter or other social networking sites and the same sites should not be used for electioneering purpose or for creating visibility.
26.	Is withdrawal of nomination permissible?	Yes, a candidate may withdraw his candidature by giving a notice in his own hand duly signed by him and have it delivered to the Returning Officer before 6.00 PM on 28 <sup>th</sup> October, 2014.
27.	If yes how much refund a candidate will get?	Candidate shall be entitled to the refund of fifty percent of the fee paid by him and the full security deposit.
28.	What are the dates and time of elections?	As per the Gazette Notification dated 09.9.2014 the date and time of the polling are as under (i) Delhi/Mumbai Friday, the 12 <sup>th</sup> and Saturday, the 13 <sup>th</sup> December, 2014 - From 8.00 AM to 8.00 PM (ii) Other Places Friday, the 12 <sup>th</sup> December, 2014 From 8.00 AM to 8.00 PM
29.	Why two days have been fixed for polling at Delhi and Mumbai and only one day has been fixed for polling at other places?	As per Rule 21(3) of the Company Secretaries (Election to the Council) Rules, 2006 (Election Rules, 2006), polling shall be held on two consecutive days in a place having more than 2500 voters. Delhi* and Mumbai* have more than 2500 voters each and therefore polling shall be held at these locations on two consecutive days i.e. 12 <sup>th</sup> and 13 <sup>th</sup> December, 2014. At other locations polling shall be held only on 12 <sup>th</sup> December, 2014.
		*Delhi does not cover entire NCR and *Mumbai does not include Navi Mumbai

30.	Should the Authorized Representative of the candidate necessarily be member of the Institute?	Pursuant to sub rule (2) of rule 26 of the Rules, a candidate may appoint any <b>two members</b> as his Authorized Representatives for each polling booth, only one of whom shall be entitled to be present at a time on his behalf at that particular polling booth. Hence the Authorized Representative should be a member of the Institute.
31.	What are the grounds for rejection of ballot papers?	Pursuant to Rule 31 of the Rules, a ballot paper shall be invalid :- (a) if a voter signs his name or writes any word or figure upon it or makes any mark including a tick ( √ ) or cross ( X), not being a mark of 'r' put under clause (c) of sub-rule (2) of Rule 20, upon it by which the ballot paper becomes recognisable or by which the voter can be identified; or (b) if it is not printed by or under the authority of the Council or it is different in any manner from the ballot papers printed under rule 25; or (c) if number 1 (in Arabic or Roman numerals or in words) is not marked on it; or (d) if number 1 (in Arabic or Roman numerals or in words) is set opposite the name of more than one candidate; or (e) if number 1 (in Arabic or Roman numerals or in words) and some other numbers are put opposite the name of the same candidate; or (f) if it is unmarked or the marks made are void or cannot be unambiguously determined; or (g) If it is so damaged or mutilated that its identity as a genuine ballot paper cannot be established.
32.	What is the criteria of allotting the polling booths?	A Polling booth has been allotted on the basis of the professional address of a member borne on the Register on 1st day of April, 2014. If the professional address is not borne on the Register on the relevant date, the residential address borne on the Register has been taken as basis for allotment

		of a polling booth.
33.	If a candidate has been allotted 'x' booth can he vote at the 'Y' booth set up in the same city?	No, the candidate shall cast his vote only at the polling booth allotted to him, as per the extant Rules
34.	Where do the members located outside India vote and to which regional constituency they belong?	In case of members having their professional address outside India and eligible to vote, their regional constituencies shall be determined according to their professional addresses in India registered immediately before they went abroad or the residential addresses in India borne on the Register of Members on the relevant date, whichever is later. The members outside India will be allowed to vote by post.
35.	What is tender vote?	Pursuant to Clause 1(3) of Schedule 6 of the Rules, if the polling officer is not satisfied as to the identity of the person claiming to be a voter, he may issue a ballot paper to such person but instead of getting the ballot paper inserted in the ballot box, he shall place the same in a separate sealed cover superscribed as "Tendered ballot" and send it to the Returning Officer along with a letter from the person concerned together with his own observations thereon, for the Returning Officer's decision which shall be final and conclusive.
36.	How can a voter cast his vote, if he is engaged on the date of polling as Polling Officer or the authorized representative of any candidate at the polling booth other than allotted to him?	A member of the Institute cannot be appointed as Polling Officer. As regards Authorized Representative of any candidate at the polling booth other than allotted to him, the Authorized Representative shall have to cast his vote at his allotted polling booth only.
37.	How many communications can a candidate send?	Only one manifesto or circular is permitted to be issued by a candidate in relation to the election during the period commencing from the date of issue of final list of nominations to

		candidates to the date(s) of election.
38.	Whether SMS/E-mail/Fax by a candidate would be termed as a manifesto or circular?	An SMS message/E-mail/Fax by a candidate appealing the members to support and/or vote in his favour shall be deemed to be a manifesto or circular under sub-rule (2) of Rule 42 of the Rules.
39.	Can a manifesto or circular be sent through SMS/Email /Fax?	Circular or manifesto can be sent either through post, SMS, Email or Fax etc. If a candidate has sent the circular or manifesto by SMS or Email or Fax, he is not entitled to send any other written communication different from the manifesto or the circular already sent to the members.
40.	Can the manifesto or circular be distributed to members outside the constituency concerned?	The distribution of the manifesto or circular shall be restricted only to the members of the constituency concerned and shall not be distributed to the members outside the concerned constituency under clause (d) of sub-rule (3) of Rule 42.
41.	Will Diwali greetings amount to circular?	The Diwali greetings simpliciter will not amount to circular provided it does not contain any information about the candidate or a request to vote for or support him in the election.
42.	Whether a contesting candidate can circulate his manifesto on various email groups of the members?	Pursuant to Rule 42(3)(d) of the Rules, the distribution of manifesto or circular shall be restricted only to the constituency of the Candidate. The various email groups may include the members outside the constituency; therefore, the contesting candidate cannot circulate manifesto on various email groups of the members.
43.	Whether more than one candidate can post their manifesto in the same envelope?	There is no restriction in sending manifesto by more than one candidate in the same envelope. But it is advisable to avoid such situations.
44.	Where and on what date the counting will be held?	The counting of votes will commence on Monday, the 22 <sup>nd</sup> December, 2014 at ICSI-NIRC Building, 4, Prasad Nagar, Institutional Area, New Delhi.

45.	What happens in case of death or cessation of membership of a candidate?	<p>Pursuant to Rule 17 of the Rules, if <b>a candidate dies before the date of election but after the date fixed for the withdrawal of candidature under Rule 14 and his nomination is or has been accepted as valid</b>, the election in his constituency shall be conducted among the remaining candidates and no fresh proceedings with reference to the election of members in the constituency in which such member was a candidate shall be commenced. The votes cast in favour of any such candidate shall be deemed to have been cast in favour of the candidate, if any, next in order of preference in the ballot paper. <b>If a candidate dies after the date of election but before the commencement of the counting</b>, the votes cast in favour of any such candidate shall be deemed to have been cast in favour of the candidate, if any, next in order of preference in the ballot paper. <b>If the candidate dies after commencement of the counting and before declaration of result</b>, counting of votes would continue as if the person has not died, and, if as a result of such counting he is found to be in a position to be declared elected, then the entire ballot papers would be recounted afresh, with the votes cast in favour of the candidate deemed to have been cast in favour of the candidate, if any, next in order of preference in the ballot paper. <b>If a candidate dies after declaration of results in which he has been declared elected</b>, then the resultant vacancy would be deemed to be a casual vacancy under Section 13 of the Act.</p>
-----	--	--

46.	Can a candidate announce any scholarship/award/financial assistance or scheme for the students/members?	A candidate or his authorised representative cannot announce any financial grant in any form or make promises therefore or announce any projects or schemes of any kind, which may be aimed at influencing the voters.
-----	---	--