



## **ELECTIONS TO THE 14<sup>th</sup> COUNCIL & REGIONAL COUNCILS- 2022**

**Dated 7<sup>th</sup> September, 2022**

### **ELECTION CODE OF CONDUCT FOR OBSERVANCE BY THE CANDIDATES AND THEIR AUTHORISED REPRESENTATIVES DURING THE ELECTIONS**

1. Candidates and their authorized representatives should acquaint themselves with and strictly adhere to the provisions of the Elections Code of Conduct, the Company Secretaries (Election to the Council) Rules, 2006 (hereinafter referred to as “Rules”), the Company Secretaries Act, 1980 (hereinafter referred to as “Act”) and the Company Secretaries Regulations, 1982 (hereinafter referred to as “Regulations”).
2. With a view to maintain a healthy and peaceful atmosphere during the election process and for ensuring a free and fair election, the following Election Code of Conduct for candidates and their authorised representatives has been approved by the Council and has been issued by the Returning officer and also published on the website of the Institute.
3. The Election Code of Conduct shall be followed by candidates and their authorized representatives during the entire election process including at the polling booths and counting centres.
4. The Election Code of Conduct shall be read with Rule 16 and other Rules under The Company Secretaries (Election to Council) Rules, 2006 and shall come into force from the date of issue of notification under sub-rule (2) of rule 4 of the Rules.
5. The Election Code of Conduct is deemed to be guidelines of the Council under clause (1) of Part II of Second Schedule of the Act and obligatory for each candidate and their authorized representative to comply with the Election Code of Conduct.

#### **Election Code of Conduct**

- (i) The candidates and/or their authorized representatives shall not use any infrastructure, forum including programmes, by whatever name called, manpower, machinery, facilities or communication medium – electronic or otherwise of the Institute, its Regional Councils and Chapters in any manner whatsoever. While there is no bar for participation in an event/programme organized by the Institute and/or its Regional Councils/ Chapters, as an ordinary participant, however, the event/programme shall not be used for publicity/electioneering in any form whatsoever. This restriction is equally applicable to any Study Circle meeting by whatever name called.
- (ii) No programme announcement shall include name(s) of the candidates, in any manner whatsoever.
- (iii) Proceedings of the programmes already conducted by the Institute/Regional Councils / Chapters/ Study Circles shall be published only after proper editing so that the name(s) or photograph(s) of any candidate(s) is/are not mentioned/published in the proceedings.



- (iv) No photograph of a candidate including as part of a group shall be published at any place in the newsletter/journal. In case it is not possible to segregate the candidate from the group photograph by way of his position in the photograph, such photograph shall not be published.
- (v) The names of candidates shall not be published by way of congratulations for any achievement or by way of elevation, on the move, or in any other capacity directly or indirectly.
- (vi) No publicity of programme(s) and their coverage by the Institute/Regional Councils/Chapters/Study Circles, in a manner covering candidates, will be given in any of the journals, newsletters or its equivalents or otherwise.
- (vii) No article, write-up, report, column and the like by any candidate will be allowed for publication/ inclusion in the journal, newsletter or its equivalents/ website of the Institute/website of any of the Regional Councils /Chapters or any other outside publications.
- (viii) No flyer / brochure/any other material covering candidates including written communication(s) of programme(s) organized by the Institute/Regional Councils and Chapters shall contain the name or reference of any candidate in any manner whatsoever.
- (ix) No flyer/ brochure/publicity material including written communications printed in respect of any programme held before or after issue of notification shall contain the photograph/ name/ reference to any of the candidates in any manner whatsoever.
- (x) The name of the Editor/Chief Editor, wherever legally required, should only appear at the back cover of the newsletter in font size not greater than 6 points.
- (xi) Candidate(s) shall not preside over or share dais, stage, platform and/or participate in:-
  - a) Any Academic Programme/ Executive Development Programme (EDP)/ Professional Development Programme (PDP)/ Corporate Leadership Development Programme (CLDP) for students/ Management Skill Orientation Programme (MSOP) or any other training programme organised by Headquarters, CCGRT, COEs, the Regional Councils and Chapters.
  - b) Any programme of the affiliates of the ICSI viz. ICSI GRKF, ICSI IPA, ICSI RVO and CSBF.
  - c) Study Groups/Study Circle Meetings organised by the Regional Councils/Chapters.
  - d) Act as faculty for Class Room Teaching conducted by Regional Councils/ Chapters.
- (xii) Candidate(s) shall not raise any question at any programme organised as stated in clause (xi) above so as to attract the attention of audience to gain visibility/ publicity.
- (xiii) No interview other than given in a non-professional capacity to newspaper(s), electronic media and the like by candidate(s) in any manner whatsoever is permissible.



- (xiv) In the event of any invitation being received, by a candidate from any outside agencies such as Industry Associations like CII, FICCI, ASSOCHAM, Chambers of Commerce etc., and Voluntary Bodies like Rotaries, Non Government Organizations etc. for participation in any of their events/programmes etc., in any capacity – professional or otherwise, while there is no bar on participation in such an event/programme, as an ordinary participant, however, the said event/programme shall not be used for the purpose of publicity/electioneering in any manner whatsoever. The restrictions shall be applicable not only for any event/programme held within a candidate's own constituency but outside his constituency including overseas events/ programmes as well. The candidate shall not preside over or share dais, stage, platform likely to have members of the Institute as part of audience.
- (xv) The candidate shall not preside over or share dais, stage, platform and/or participate in the programmes and activities organised by the Institute, Regional Councils, Chapters and Study Circles and such other programmes as may be specified by the Returning Officer from time to time as speaker, faculty member, presenter of bouquets, flowers, garlands, mementoes, gifts or in such other capacity as the Returning Officer might decide from time to time to ensure free and fair elections.
- (xvi) A candidate shall avoid scrupulously all activities, which are corrupt practices, such as providing incentive to voters, intimidation of voters, giving gifts to voters etc.
- (xvii) There shall be a ban on erection of stall, distribution/supply of any gift, refreshment to voters, display of banners, distribution of pamphlets/visiting cards/letters/circulars or any other publicity material including free distribution of books/calendars/diaries/ handouts and the like during the election days i.e. on 9<sup>th</sup> and 10<sup>th</sup> December, 2022 inside the zero tolerance zone.
- (xviii) There shall be no supply at the polling venue, of refreshment(s) to the supporters or volunteers of candidates.
- (xix) Organization of parties, organising / hosting, individually or through friend/relative, Lunch/Dinner, etc. where the member(s) of the Institute are to be invited with the direct and/or indirect involvement of the candidate in any form/manner whatsoever is prohibited.
- (xx) The candidate(s)/authorized representative(s) shall refrain from serving or distributing liquor to the members after coming into force the Election Code of Conduct.
- (xxi) Only one manifesto or circular shall be issued in accordance with rule 42 of the Company Secretaries (Election to Council) Rules, 2006 by a candidate in relation to the election in the period commencing from the date of issue of final list of nominations to the candidates and only the same may be repeated by the candidate in any form/ mode without changing the contents thereof in any manner. Any other communication in relation to the election issued by the candidate in electronic form or otherwise shall be deemed to be second circular and will be in contravention of the aforesaid rule.
- (xxii) No flyer/ brochure/ circular / letter, etc. shall be circulated or published in any manner whatsoever directly or indirectly by any candidate, from the date of notification except the one manifesto permitted to be issued by the candidate.



- (xxiii) A manifesto or circular issued shall conform to the following requirements in the interest of maintaining dignity in the election, namely :
- a. A manifesto or circular shall contain information regarding the candidate himself and shall not make any reference, directly or indirectly, to any other candidate’;
  - b. The information, which a candidate may furnish in a manifesto or circular regarding himself, shall not differ in any material respect from the information furnished by the Institute to the voters under Rule 9 of the Company Secretaries (Election of the Council) Rules, 2006 (the Rules). A candidate may, however, include in such manifesto or circular, any additional information not contained in the information furnished under Rule 9 of the Rules;
  - c. A manifesto or circular shall neither contain any appeal to the voters on the basis of caste or on communal, religious, regional or sectional lines nor any tall claim;
  - d. The manifesto or circular shall be circulated only to the members of the constituency concerned;
- (xxiv) A candidate shall not include the following in his manifesto or circular :
- a. Name(s) of his client companies.
  - b. Photograph(s) pertaining to any event/program organized by the institute/Regional Councils/Chapters/Study Circles, including press clippings.
  - c. Photographs/logo of the institute/Image of the building of the Institute/Regional Councils/Chapters.
  - d. Areas of his specialization.
- (xxv) The candidate shall send a certified copy of his manifesto or circular to the Returning Officer by speed/registered post within 15 days of its issue;
- (xxvi) No candidate shall pick up any photographs/logo of the Institute/image of the building of the Institute/Regional Councils/Chapters from official Journal of the Institute or the Newsletters/Magazines of Regional Councils/Chapters and use the same in any manner.
- (xxvii) No candidate shall send request to members through any mode of communication to “Cast his/her vote on date of election” or like nature to improve the voting.
- (xxviii) No member and/or candidate shall post appeal/manifesto to web groups, Whatsapp Groups, Telegram Groups or the like, Facebook, Instagram, Twitter, imo, LinkedIn or on any social media/ platform or create the community or do registration on social media/ platform or host on any portal or website page, the name of any candidate(s) and shall not host/ be part of any social media campaign or opinion poll.
- (xxix) No candidate shall send any bulk communication such as ‘Good Morning’, ‘Good Evening’, or any festival messages and/ or like communication either by himself or through any one.



- (xxx) No candidate/member shall send any communication in regard to appreciation/recommendation/adverse comments about the other candidates(s).
- (xxxi) The candidate(s) shall not maintain a separate website/ portal/ webpage as a part of electioneering or for the purpose of election. The website maintained by a Firm/member in practice, in accordance with the relevant Council Guidelines is outside the purview of this Code, provided that such website does not contain any material amounting to influencing the voters in any form whatsoever, except manifesto/circular as per Rule 42 of the Rules.
- (xxxii) The newsletters published in any form including electronic mode shall not use the column “Chairman Page/Writes”; and in replacement thereof, the nomenclature “Committee Writes”, “Regional Council Writes” / “Managing Committee Writes” as the case may be, shall be used. Alternatively, it may be a column in the name of “Editorial Board”. The name(s) of the editor/ publisher of the newsletters etc. can however be printed, wherever the same is legally required to be mentioned.
- (xxxiii) No candidate(s) or authorized representative(s) shall use any mean of public address system near the polling booth for the purpose of transmitting information connected with the election.
- (xxxiv) Excepting the voters, no one without a valid pass from the Returning Officer shall enter the polling booths. The candidate(s) shall:
- (a) cooperate with the officers on election duty in complying with the restrictions to be imposed on the plying of vehicles on the polling day;
  - (b) supply to their authorized representative(s) suitable badges or identity cards to be used in polling booths and counting centres;
- (xxxv) After the notification for the election is issued the candidate(s) shall not announce any financial grant in any form or make promises therefor or announce any projects or schemes of any kind, which may be aimed at influencing the voters.
- (xxxvi) No candidate shall tag/ forward/ share in any manner any communication of ICSI or of its affiliated organisations made through any communication mode.
- (xxxvii) No candidate shall do or undertake any act or publish anything in any mode and in any manner which adversely affect or tarnish or likely to affect or tarnish the image, goodwill or reputation of the Institute, Profession of Company secretaries, Council, Council Members or the employees of the Institute.

Notwithstanding anything contained herein above, investigations may be caused into the conduct of any candidate or authorized representative in any other circumstances.

**Returning Officer and Secretary, The ICSI**

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