



ICSI CHAPTER ELECTIONS, 2014
**Procedure for Counting of Votes and Declaration of Results for
Election to the Managing Committee of Grade A+ and A Chapters***

1. Definitions

- (a) "continuing candidate" means any candidate not elected and not excluded from the poll at any given time at the time of counting;
- (b) "exhausted paper" means a ballot paper on which no further preference is recorded for a continuing candidate at the time of counting:

Provided that a paper shall also be deemed to be exhausted in any case in which:—

- (i) the names of two or more candidates, whether continuing or not, are marked with the same figure and are next in order of preference; or
 - (ii) the name of the candidate next in order of preference, whether continuing or not, is marked by a figure not following consecutively after some other figures on the ballot paper or by two or more figures;
- (c) "First preference" means number 1, "second preference" means number 2 and "third preference" means number 3 (in Arabic or Roman numerals or in words) as the case may be, set opposite the name of any candidate, and so on;
 - (d) "original vote" in regard to any candidate means a vote derived from a ballot paper on which a first preference is recorded for such candidate;
 - (e) "transferred vote" in regard to any candidate means a vote, the value or part of the value of which is credited to such candidate at the time of counting and which is derived from a ballot paper on which a second or subsequent preference is recorded for such a candidate;
 - (f) "surplus" means the number by which the value of the votes of any candidate, original or transferred, exceeds the quota at the time of counting;
 - (g) "unexhausted paper" means a ballot paper on which a further preference is recorded for a continuing candidate.

* Adapted from Schedule 8 of the Company Secretaries (Election to the Council) Rules, 2006

2. Counting of votes

(1) On the date and place, appointed by the Chief Executive and Officiating Secretary (CE&OS) shall, for the purpose of counting of votes in respect of Grade A+ or A Chapters, shall follow the following steps in the order mentioned:

- (a) allow the candidates and their authorised representatives, present at the counting, an opportunity to inspect the ballot boxes and their seals for satisfying themselves that they are in order; and
- (b) proceed as follows:—
 - (i) If he is satisfied that the ballot boxes are in order, he shall take up the counting of the ballot papers contained in the ballot boxes.
 - (ii) If he finds any of the ballot boxes has been tampered with he shall not count the ballot papers contained in such box for the purposes of election and keep a record of such ballot papers separately.
 - (iii) The ballot boxes found to be in order shall be opened and the ballot papers shall be taken out from them and shall be counted and the number thereof recorded in a statement.
 - (iv) The ballot papers shall be examined and any invalid ballot papers shall be rejected.
 - (v) Before rejecting any ballot paper, the CE&OS shall allow each candidate or his representative present a reasonable opportunity to inspect the ballot paper but shall not allow him to physically touch or handle it or any other ballot paper.
 - (vi) The CE&OS shall endorse on every ballot paper which he rejects the word "Rejected" and the grounds of rejection in abbreviated form either in his own hand or by means of rubber stamp and shall initial such endorsement.
 - (vii) All ballot papers rejected under this rule shall be bundled together.
 - (viii) He shall divide the remaining ballot papers into parcels according to the first preferences recorded for each candidate.
 - (ix) He shall then count the number of papers in each parcel.

(2) In complying with clauses hereinafter enacted,:-

- (a) disregard all fractions;
- (b) ignore all preferences recorded for candidates already elected or excluded from the poll.

(3) For the purpose of facilitating the processes specified in the sub-clauses hereinafter enacted, each valid paper shall be deemed to be of the value of one hundred.

(4) Add together the values of the papers in all the parcels and divide the total by a number exceeding by one the number of vacancies to be filled and the quotient increased by one shall be the number sufficient to secure the return of a candidate (hereinafter called the quota).

(5) If at any time, a number of candidates equal to the number of persons to be elected has obtained the quota, such candidates shall be treated as elected, and no further steps shall be taken.

- (6) (i) Any candidate, the value of whose parcel, on the first preference being counted is equal to or greater than the quota, shall be declared elected.
- (ii) If the value of the papers in any such parcel is equal to the quota, the papers shall be set aside as finally dealt with.
- (iii) If the value of the papers in any such parcel is greater than the quota, the surplus shall be transferred to the continuing candidates indicated on the voting papers as next in the order of the voters' preference, in the manner specified in the following sub-clause.
- (7) (i) If and when, as the result of any operation specified in these sub-clauses a candidate has a surplus, that surplus shall be transferred in accordance with the provisions of this sub-clause.
- (ii) If more than one candidate has a surplus, the largest surplus shall be dealt with first and the others in order of magnitude.
Provided that every surplus arising on the first counting of votes, shall be dealt with before those arising on the second count and so on.
- (iii) Where two or more surpluses are equal, the CE&OS shall decide, as hereinafter provided, which shall first be dealt with.
- (iv) (a) If the surplus of any candidate to be transferred arises from only the original votes, the CE&OS shall examine all the papers in the parcel belonging to the candidate whose surplus is to be transferred, and divide the unexhausted papers into sub-parcels according to the next preferences recorded thereon. He shall also make a separate sub-parcel of the exhausted papers.
- (b) He shall ascertain the value of the papers in each sub-parcel and of all the unexhausted papers.
- (c) If the value of the unexhausted papers is equal to or less than the surplus, he shall transfer all the unexhausted papers, at the value at which they were received by the candidate whose surplus is being transferred.
- (d) If the value of the unexhausted papers is greater than the surplus, he shall transfer the sub-parcel of unexhausted papers, and the value at which each paper shall be transferred shall be ascertained by dividing the surplus by the total number of unexhausted papers.
- (v) If the surplus of any candidate to be transferred arises from³ transferred as well as original votes, the CE&OS shall re-examine all the papers in the sub-parcel last transferred to the candidate, and divide the unexhausted papers into sub-parcels according to the next

preferences recorded thereon. He shall thereupon deal with the sub-parcels in the same manner as is provided in the case of the sub-parcels referred to in item (iv) of this sub-clause.

- (vi) The papers transferred to each candidate shall be added in the form of a sub-parcel to the papers already belonging to such candidate.
 - (vii) All papers in the parcel or sub-parcel of an elected candidate not transferred under this sub-rule shall be set aside as finally dealt with.
- (8) (i) If after all surpluses have been transferred, as hereinbefore directed, less than the number of candidates required has been elected, the CE&OS shall exclude from the poll the candidate lowest on the poll and shall distribute his unexhausted papers among the continuing candidates according to the next preferences recorded thereon. Any exhausted papers shall be set aside as finally dealt with.
- (ii) The papers containing original votes of an excluded candidate shall first be transferred, the transfer value of each paper being one hundred.
 - (iii) The papers containing transferred votes of an excluded candidate shall then be transferred in the order of the transfers in which and at the value of which he obtained them.
 - (iv) Each of such transfers shall be deemed to be a separate transfer.
 - (v) The process directed by this sub-clause shall be repeated on the successive exclusions, one after another, of the candidates lowest on the poll until the last vacancy is filled either by the election of a candidate with the quota or as hereinafter provided.
- (9) If as the result of a transfer under this clause, the value of the votes obtained by a candidate is equal to or greater than the quota, then transfer proceeding shall be completed, but no further papers shall be transferred to him.
- (10) (i) If after the completion of any transfer under this clause, the value of the votes of any candidate shall be equal to or greater than the quota, he shall be declared elected.
- (ii) If the value of the votes of any such candidate shall be equal to the quota, the whole of the papers on which such votes are recorded shall be set aside as finally dealt with.
 - (iii) If the value of the votes of any such candidate shall be greater than the quota, his surplus shall thereupon be distributed in the manner hereinbefore provided before the exclusion of any other candidate.
- (11) (i) When the number of continuing candidates is reduced to the number of vacancies remaining unfilled, the continuing candidates shall be declared elected.
- (ii) When only one vacancy remains unfilled and the value of the votes of some one continuing candidate exceeds the total value of all the votes of the other continuing candidates, together with any surplus not transferred, that candidate shall be declared elected.
 - (iii) When only one vacancy remains unfilled and there are only two continuing candidates, and those two candidates have each the same value of votes and no surplus remains capable of transfer, one

candidate shall be declared excluded under the next succeeding sub-clause and the other declared elected.

(12) If, when there is more than one surplus to distribute, two or more surpluses are equal, or if at any time it becomes necessary to exclude a candidate and two or more candidates have the same values of votes and are lowest on the poll, regard shall be had to the original votes of each candidate, and the candidate for whom fewest original votes are recorded shall have his surplus first distributed, or shall be first excluded as the case may be. If the values of their original votes are equal, the CE&OS shall decide by lot which candidate shall have his surplus distributed or be excluded.

3. Procedure in case of a tie

- (1) Where after counting of votes, a tie is found to exist between any candidates and the addition of one vote shall entitle any of those candidates to be declared elected, then the person who has received larger number of first preference votes shall be considered to have received an additional vote and shall be declared to be duly elected.
- (2) If it is not possible to declare a candidate elected even after operation of sub-clause (1) then lots shall be drawn between the candidates in a tie and the successful candidate shall be considered to have received an additional vote and shall be declared to be duly elected.

4. Provision for re-counts

Any candidate or, in his absence his authorized representative may, at any time during the counting of the votes either before the commencement or after the completion of any transfer of votes (whether surplus or otherwise) request the CE&OS to re-examine and re-count the papers of all or any candidates (not being papers set aside at any previous transfer as finally dealt with) along with reasons for asking such a recount, and the CE&OS may re-examine and re-count the same if he finds that the reasons given are sufficient for having a recount:

Provided that such a recount should be restricted to only the immediately previous count.

Provided further that recount shall be done only once at end of any round of count.

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