



CANAL GARDENS

PAKISTAN TECHNOCRATS CO-OPERATIVE HOUSING SOCIETY LTD.

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Ref: PTCHS/204/ADM-RCH/5056/2010

Dated: 29 Dec, 2010

The Assistant Registrar
Co-operative Societies,
Fazalpur-III
Lahore



SUBJECT: ELECTION RULES

Dear Sir,

We enclose herewith three copies of the Election Rules of PTCHS approved in the AGM held on 10-10-2010. The meeting was also attended and monitored by you and your subordinates.

It is requested to please return one copy of the same after approval of the competent authority.

Thanking you,

Yours faithfully,


(ENGR. ABDUL SHAKOOR MALIK)
HONORARY SECRETARY GENERAL

Recd - 30/12/10

15/9/10

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THE PAKISTAN TECHNOCRATS CO-OP HOUSING SOCIETY LTD



74-B (Commercial), Canal Gardens, P.O. Bahria Town Lahore

ELECTION RULES

2010

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ELECTION RULES 2010

CHAPTER - 1

- i) These rules shall be called "The Pakistan Technocrats Co-Operative Housing Society Ltd Election Rules 2010".
- ii). These rules shall come into force at once when these are registered by the Registrar.

DEFINITIONS

2. i). In these rules, unless there is anything repugnant in the subject to content.
 - a). Society means "The Pakistan Technocrats Co-Operative Housing Society Ltd."
 - b). "Bye-Laws" means, the Bye-laws of the Society Registered under the provision of Cooperative Act 1925 & Rules 1927.
 - c). "Member" means, the member of the Pakistan Technocrats Co-Operative Housing Society Ltd but does not include a nominee or provisional member, under the relevant clauses of the Bye-Laws.
 - d). "Candidate" means, the member of the Society and confirmed by the General Body as per procedure laid down in Bye-Laws of the Society.
 - e). "Eligible" means, eligible for election as office bearer or member of the Managing Committee under relevant clause of the Bye-Laws of the Society.
 - f). "Contesting Candidate" means, a candidate who qualifies for election after having been validly nominated and has not withdrawn his candidature.
 - g). "Defaulter Member" means, a member of the Society who has been declared as defaulter in payment of Society's dues, under Act 1925 and Rules 1927 and conditions framed there under, by the Managing Committee of the Society.
 - h). "Election" means, an election held under the Bye-Laws of the Society and the rules to fill seats in Managing Committee of the Society and Office Bearers.
 - j). "Election Commission" means, a commission constituted in accordance with the Bye-Laws of the Society.
 - k). "Voter" means, a confirmed member of the society holding shares and plot of the Society under the Bye-Laws and not a defaulter of the Society.

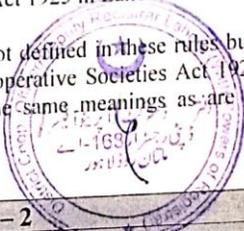
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- l). "List of Voters" means, the list of members prepared by the Society and approved by the Election Commission, who are share holders / members eligible to vote and contest for the elections as provided in Election Rule 2 (i) (d) and are not defaulters in accordance with Bye-Laws of the Society and the Cooperative Societies Act 1925 and Rules 1927 and conditions framed by Managing Committee of the Society.
- m). "Managing Committee" means, Managing Committee of the Society as per Bye-Laws.
- n). "Polling Officer" means, a Polling Officer appointed under Election Rules.
- o). "Presiding Officer" means, Presiding Officer appointed under these rules and includes an Assistant Presiding Officer exercising the powers and performing the functions of a Presiding Officer.
- p). "Registrar" means a person appointed to perform the duties under the Co-operative Societies Act 1925 in Lahore District.

Words and expressions used but not defined in these rules but defined in the Bye-Laws of the Society, Co-operative Societies Act 1925 and rules framed there under, shall have the same meanings as are respectively assigned to them therein.



CHAPTER - 2
ANNOUNCEMENT OF ELECTION

3. i). The election will be held for President, Vice President, Secretary Finance, Secretary General and seven executive members of the Managing Committee.
- i). The Managing Committee shall send a requisition to the Registrar for the constitution of Election Commission at least 60 days prior to the expiry of its term.
- ii). The election shall be held under the control of Election Commission comprising of two non-contesting members to be nominated by the Society and one Election Commission under the Bye-Laws to be nominated by the Registrar.

NOTICE

4. i). The Election Commission shall issue notice of the Election Schedule at least 15 days before the specific date. The Notice shall be in writing and

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sent to every member under postal certificate at members last known address. A copy of the notice shall also be displayed at the registered office of the society. Beside that, the said notice shall also be published in any prominent daily newspaper. The election schedule prepared by the Election Commission shall be followed by the Managing Committee for holding fair, free and impartial election.

- ii). The schedule of election shall specify:-
- a. Display of members / voters provisional list.
 - b. Objection on the provisional list of members / voters.
 - c. Decision on objection and display of final voter list.
 - d. A date on or before which nomination of candidates is to be made.
 - e. A date of scrutiny of nomination papers.
 - f. A date on or before which appeals can be referred and decided by an appellate authority higher in rank of the Election Commissioner.
 - g. A date on or before which candidate may withdraw his candidature.
 - h. A date on which list of validly nominated candidates shall be displayed on the notice board of the Society and allotment of symbols.
 - j. A date for polls.

Note: - This schedule shall also be considered as a notice to invite nomination.

- iii). The nomination papers shall be received in the office of the Society by the Election Commission or a person appointed by it or Election Commissioner on this behalf.
- iv). The Election Commission may at any time before the date of the poll rescind the notice and schedule of election issued under Sub-Rule 4(i) and issue a revised program of election in a fresh notice.

ELIGIBILITY OF CANDIDATES

- 5.
1. The candidate should be above the age of 21 years.
 2. He should be at-least Graduate or equivalent from any recognized Institution.
 3. He should be a confirmed member of the Society by AGM and should own at least one Plot in the Society.
 4. He should not be the defaulter of the Society.
 5. Is not directly or indirectly involved in any employment or agreement with the Society.
 6. Is not doing any such business directly or indirectly as is stated in the objects of the Society or is involved in it in any way, e.g property dealer, contractor etc.
 7. Has not been convicted of any offence involving dishonest or moral turpitude.

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LIST OF VOTERS

6. The Election Commission shall approve the list of eligible voters. The list of the voter / members shall be displayed on the Notice Board of the Society. A list of defaulter members shall also be displayed on the Notice Board of the Society.

Note: The Election Commission shall fix a date for clearance of the defaulter and of the correction in the list before the specific date.

- 7.
- i). Any voter member may propose or second the name of one candidate dully qualified to be a member for the Managing Committee and the seats of Office Bearer in accordance with Bye-Laws of the Society, against the seat of office bearer and members of Managing Committee. A contesting candidate will not become a proposer or secondor of any other contesting candidate.
 - ii). Every proposal for a candidate shall be made by a separate nomination paper (specimen attached) supplied by the election commission, which shall be signed by the proposer, secondor and an acceptance by the candidate. The nomination paper shall also contain the membership No. in the voters list.
 - iii). Every nomination paper shall be handed over by the candidate, or his proposer or secondor to the Election Commission or a person nominated by it in this behalf who will issue a receipt specifying the date and time of receipt.
 - iv). The Election Commission or at least one of its members or a person duly authorized by Election Commissioner shall endorse the nomination papers and affix his signatures along with time and date of receipt.
 - v). The Election Commission shall display list of candidates to whom nomination papers are issued, on the notice board of the Society.

DEPOSITS

- 8.
- i). A nomination paper delivered under Rule 6(iii) shall not be accepted unless a sum of Rs.3000/- for a seat of member of the Managing Committee and Rs.5000/- for Office Bearer is deposited in cash by the candidate or by any person on his behalf with the Society at or before the nomination paper is delivered.
 - ii). The Election Commission shall maintain a register in which particulars of nomination papers shall be recorded.

- iii). The deposits made under Sub-Rule (i) shall not be refundable and shall go to the funds of the Society.

SCRUTINY

- i). The candidates, their proposers and seconders may attend the scrutiny of nomination papers and the Election Commission shall give them reasonable opportunity for explaining any objection raised by any body.
- ii). The Election Commission shall in the presence of persons attending the scrutiny, examine the nomination papers and decide any objection raised by contesting member(s) for any nomination.
- iii). The Election Commission may reject a nomination paper if he is satisfied that:
- The candidate is not qualified to be elected as a member of the Managing Committee according to Bye-Laws of the Society, Co-op. Societies Act 1925 and rules made there under.
 - The proposer or the seconder is not member as per voters list.
 - Deposit under rule 7(i) is not made.
 - The signature and thumb impression of candidate are not made by the candidate himself.
 - His proposer or seconder is not genuine.
 - On any other legal ground which the Election Commission considers proper under law.
 - The candidate is less than 21 years of age.

Provided a nomination paper shall not be rejected on the ground which is not of a substantial nature and the Election Commission may allow any such defect to be remedied forthwith, such an error with regard to the name and serial number in the voters list.

- iv). The Election Commission or one of its members shall endorse on each nomination, the decision of acceptance or rejection of the paper.

APPEALS AGAINST ACCEPTANCE / REJECTION OF NOMINATION PAPERS

10. i). A candidate whose nomination paper has been rejected or accepted may file an appeal within the prescribed period in the schedule of Election before the Appellate authority, higher in rank than the Election Commission of the Office of Cooperative Department.

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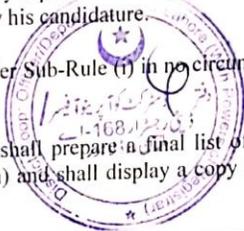
- ii). The appeal shall be filed by the candidate or by a person authorized in writing by him in this behalf.
- iii). An appeal shall be disposed of within the period prescribed in the election schedule.
- iv). The decision on appeal shall be final.

PUBLICATION OF LIST OF VALIDLY NOMINATED CANDIDATES

- 11. The Election Commission shall prepare a list of candidates who have been validly nominated and display it on the notice board of the Society.

WITHDRAWAL

- 12. (i) A validly nominated candidate may by notice in writing signed by him and delivered to the Election Commission on or before the withdrawal date by such candidate himself or by a person authorized in this behalf in writing by such candidate withdraw his candidature.
- ii). A notice of withdrawal under Sub-Rule (i) in no circumstances be recalled or cancelled.
- iii). The Election Commission shall prepare a final list of validly nominated candidates as per Rule 4 (h) and shall display a copy on the notice board of the society.



DEATH OF CANDIDATE AFTER NOMINATION

- 13. Death of candidate after nomination will not affect the holding of elections. The poll will be held amongst other candidates and the deceased candidate will be considered as if he was not a candidate in the election.

UN-CONTESTED ELECTION

- 14. Where after scrutiny, decision of appeals against accepted / rejected nomination papers and withdrawal of candidature, the number of persons left as contesting candidates, is not more than the number of members to be elected, the Election Commission shall declare such candidates to be elected as member of the Managing Committee or the seat of office bearer as the case may be.

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CONTESTED ELECTION

15. The Election Commission shall allot one of the symbols duly notified by it to each contesting candidates on the day fixed for this purpose. Candidates are free to form group for single symbol. The single symbol shall be allotted to the candidates of the group if the group is formed and requests for the same.

PRESIDING OFFICER, ASSISTANT PRESIDING OFFICER AND POLLING OFFICER

- 16.
- i) The Election Commission may appoint for polling station, a Presiding Officer, such number of Assistant Presiding Officers and Polling Officers to assist the Presiding Officer as the Election Commission may consider necessary keeping in view the number of booths made for election.
 - ii). The Election Commission shall authorize one of the Assistant Presiding Officer to act as Presiding Officer if he by reason of illness or other cause not present at the polling station or is unable to perform his function.
 - iii). A Presiding Officer shall conduct the poll in accordance with the provisions of these rules, Byelaws, the Co-operative Societies Act 1925 and rules there under. He shall also be responsible for maintaining Law and Order at the Polling Station.
 - iv). The Presiding Officer may entrust such of his function as he may consider proper to any Assistant Presiding Officer who shall perform accordingly.
 - v). The Election Commission may at any time for reasons to be recorded in writing suspend any Presiding Officer, Assistant Presiding Officer, Polling Officer and make such arrangements as may be considered necessary for smooth running of the elections.

SUPPLY OF VOTER LIST AND OTHER MATERIAL FOR ELECTION

- i). The Election Commission shall provide the lists of voters and candidates with symbols and other material including ballot paper required for the purposes of election to the Presiding Officer.
- ii). The Election Commission may provide the list of voters to the contesting candidates after the allotment of symbols on payment prescribed by EC.

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POLLING AGENTS

- 18. The contesting candidates may before the commencement of the poll, appoint one polling agent for each booth and shall give notice thereof in writing to the Presiding Officer along-with a specimen signature of the polling agent. Only the member of the Society can be nominated as polling agent. Provided where the candidates are contesting forming a group of candidates under one and the same symbol the whole group shall nominate up to a maximum of two polling agents for each booth. If for certain reason the appointed polling Agent is unable to continue, the candidate may nominate another Polling Agent by issuing the Authority Letter.

ABSENCE OF CANDIDATE OR AGENT ETC. NOT TO INVALIDATE ACTS ETC.

- 19. Where any act or thing is authorized by rules to be done in the presence of the candidate or a polling agent, the failing of each person to attend at the time and place appointed for the purpose shall not invalidate any act or thing otherwise validly done.

HOURS OF POLLS

- 20. The Election Commission shall fix hours during which the polls shall be taken and shall display the same at some conspicuous place of the polling station.

STOPPING OF POLLS

- 21.
 - i). If at any time, the poll is interrupted or obstructed by riot, open violence, by reason of any natural calamity or circumstances beyond the control of Presiding Officer, he may by recording reasons thereof, stop the poll and inform the EC.
 - ii). The Election Commission shall decide the matter and may extend the time for poll or may declare the poll to be void and ask the Managing Committee to fix a fresh date for the poll.

ELECTION BY SECRET BALLOT

- 22. The election under these rules shall be by secret ballot and a voter shall cast his vote by inserting in the ballot box, a ballot paper supplied to him for the purpose, after marking the same according to direction in this behalf. Proxy shall not be allowed.

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SPOILT BALLOT PAPERS

- 26.
- i). A voter who has inadvertently spoilt his ballot paper that cannot be used as a ballot paper he may upon proving the fact to the satisfaction of the Presiding Officer and returning the ballot paper to him obtain another ballot paper and cast his vote by such ballot paper.
 - ii). The Presiding Officer shall forthwith cancel the ballot paper returned to him under Sub Rule (i), make a note to that effect on the counter foil over his own signature and sign cancelled ballot paper and place it in a separate packet labeled as "Spoilt Ballot Papers".

STRAY BALLOT PAPERS

27. If a ballot paper issued to a voter has not been inserted by him into the ballot box but is found anywhere in or near the polling station it shall be cancelled and counted for as "Spoilt Ballot Paper".

VOTING AFTER CLOSE OF POLLS

28. No person shall be given any ballot paper or be permitted to vote after the hour fixed for the close of the poll. Except the persons who at those hours are / are present within the building room, tent or enclosure in which the polling station is situated and waiting to vote in the queue.

PROCEEDINGS AFTER CLOSE OF POLL

- 29.
- i). Immediately after the close of poll the Presiding Officer shall in the presence of the contesting candidates or the polling agents as may be present proceed with the count of votes.
 - ii). The Presiding Officer shall give the contesting candidates or their polling agents as may be present reasonable facility of observing the count and giving them such information with respect thereof as can be given consistent with the orderly conduct of the count and the discharge of the duties in connection therewith.
 - iii). No person other than the Presiding Officer, Assistant Presiding Officer, Polling Officer, observers of Cooperative Department, any other person on duty in connection with the poll, members of Election Commission, representative of contesting candidates or their polling agents shall be present at the count.

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- iv). The Presiding Officer shall open the ballot box or boxes and count the ballot papers contained in it or there so opened excluding the invalid ballot papers i.e.
 - a. Which do not bear the signature of the Presiding Officer.
 - b. On which any thing is marked or written by the voter by which he can be identified.
 - c. Which is marked for number of candidates more than the seats.
- v). The Presiding Officer shall immediately after the count under Sub Rule (iv) prepare a statement of count and shall declare elected as many as there are seats the contesting candidates who have secured highest number of votes. In case of equality of votes between two contesting candidates, the decision will be made by Presiding Officer through draw.

RESULT OF ELECTION

- 30.
 - i). The Presiding Officer after declaring the result of the members of the Managing Committee and Office Bearers of the Society shall submit a statement of results of elections to the Election Commission and Deputy Registrar Co-operative Department.
 - ii). The Election Commission shall display a copy of the results of the elections on the notice board of the Society.

PAPER TO BE SEALED IN PACKETS

- 31.
 - i). The Presiding Officer shall enclose and seal into separate packets in such manner as the Election Commission may direct.
 - a. The valid ballot paper cast in favour of the candidates.
 - b. The invalid ballot papers.
 - c. A statement showing result of elections.
 - d. The unused ballot papers together with their counter foil.
 - e. The spoilt ballot papers.
 - f. The marked copy of list of voters.
 - g. Ballot papers account.
 - h. Notice by candidates for the polling agents received by the Presiding Officer or any other miscellaneous papers.
 - ii). The Presiding Officer shall handover all the packets and documents duly sealed in bags provided for the purpose to the Election Commission.

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**CHAPTER-3
RESUMPTION OF OFFICE**

- 32. i). The newly elected Managing Committee shall resume the office after the results of election are displayed by the Election Commission on the notice board of the Society but not before expiry of tenure of the sitting Managing Committee if it exists.
- ii). The Previous Managing Committee shall continue to only day to day work and hold office in accordance with Byelaws of the Society (during prior 60 days when requisition for constitution of Election Commission is sent to Registrar) until the newly elected Managing Committee takes over the office.

OBSERVERS

- 33. If the Managing Committee of the Society who is going to hold election of the society is of the opinion that the Co-operative Department should supervise the election of the society, it may request the Registrar, the Deputy Registrar to nominate observer or observers to supervise the election and the Officer to whom such a request is made may appoint or nominate such members or observer as he considers proper to supervise the election of the Society.

PROHIBITION OF CANVASSING

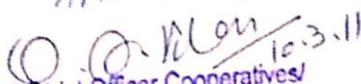
- 34. No canvassing shall be permitted
 - i). 24 hours prior to the holding of poll.
 - ii). In or near polling station.
 - iii). No contesting candidates shall have his polling camp at a place which is within 100 yards from the polling station.

POLICE HELP

- 35. The Election Commission may arrange and seek police help for the election to maintain law and order.

MISCELLANEOUS

- 36. Any matter not covered by these election rules shall be settled under the provisions of the Co-operative Societies Act 1925 and rules made there-under. Byelaws of the Society and in case there still remains some points unsettled the Election Commission shall consider and decide the issue finally but decision of Election Commission shall be conclusive being nominee of the Registrar.

APPROVED 12

 District Officer Cooperatives/
 Deputy Registrar, LAHORE.


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