

# **KOA ELECTION PROTOCOL**

## **1. ELECTION COMMISSION**

### **Chief election officer - President elect of KOA**

The President-elect shall be the chief election officer for the year of his office. He shall maintain the highest degree of integrity in the conduct of this solemn duty.

### **Members**

- President KOA
- 3 Immediate Past Presidents of KOA
- Presidents of all local clubs
- KOA secretary shall be an ex officio member with no voting rights.

Commission should meet a minimum of 3 times -

1. **Once** before election notification
2. **Once** before sending ballots
3. **Once** immediately after voting is over

In case of any difference of opinion between commission members the majority decision shall prevail. In case of equal divided opinion the decision of CEO shall be final.

(To maintain neutrality, the CEO shall vote only in case of a tie.)

Quorum for EC is minimum 25% of the total members

## **2. VOTER'S LIST**

The state secretary shall provide club wise list of members **eligible to vote** to the local clubs on or before **15th August**.

This **draft** voters list will be published in all the clubs on or before **25th August**

Corrections if any have to be intimated to the State Secretary **on or before 30th August**.

Final voters list with name, KOA LM number, home club, registered email address and mobile number will be published **on 5th September** in the office of the EC and KOA website.

All clubs will publish the list by 10th September.

Every KOA member should select one of the 13 clubs as his home club and exercise his franchise only at that club. Every eligible voter shall be having only a single voting right, which shall be exercised in his home club or the designated polling station as provided hence.

### **3. Schedule of Elections**

The President-elect shall follow the schedule of elections in consultation with election commission. The schedule along with the posts for which elections are to be held shall be published in **September** issue of the News Letter and KOA website. All nominations should come through concerned clubs.

#### **ELECTION SCHEDULE**

Election Notification: 15 September

Last date for receipt of nomination papers by EC: 31 October

Last date of declaration of eligible candidates: 5 November

Last date for withdrawal: 10 November

Final list of candidates to be published in KOA website: 15 November

Last date for sending the sample ballot papers to contestants: 30 November

Last date for receipt of approved ballot paper: 10 December

**Date of election: 2nd Monday of January**

**4. Posts for which elections are conducted by the KOA**

President Elect	One post	One year
Vice-President	One post	One year
Secretary	One post	Three years
Treasurer	One post	Three years
Associate Editor	One post	Two years
IT Secretary	One Post	Two years
Joint Secretaries (One post each from South & North Zone)	Two posts	One year
Chairman Koa Travelling Fellowship	One post	Two years
Chairman Long Term Planning	One post	Three years
OASIS Vice President	One post	

(Will subsequently become Senior Vice President and then President of OASIS. Elections to this post will be conducted when Kerala's turn comes once in every 6 years)

OASIS Secretary General Elect                      One Post    Three years  
(Become OASIS Secretary General and elections will be conducted for this post only when Kerala's turn arises once every 18 years)

OASIS Treasurer                                      One post    Three years  
(Elections will be there for this post only when Kerala's turn arises once every 18 years)

Cape KOA Chairman                                  One post    Three years

Cape KOA Secretary                                One post    Three years

#### **4. Eligibility**

- All candidates should be KOA and IOA life members.
- Max age limit to contest is 65 years for all posts except President Elect.
- There won't be any upper age limit for the post of President Elect.
- President Elect should be more than 45 years of age with 10 years KOA membership and 2 years of KOA Executive Committee membership.
- Vice President should be more than 40 years of age with 10 years KOA membership and 2 years of KOA Executive Committee membership.
- Hon. Secretary should have minimum 5 years of KOA membership and 2 years of KOA Executive Committee membership.
- Hon. Treasurer should have minimum 5 years of KOA membership and 2 years of KOA Executive Committee membership.

- CAPE Chairman should be between 45 years and 65 years of age and should have minimum 5 years of KOA membership and 2 years of KOA Executive Committee membership.
- Chairman Long term planning should have been a member of KOA for not less than 5 years and should have been an executive committee member for at least two years.
- Chairman Travelling Fellowship should have been a member of KOA for not less than 5 years and should have been an executive committee member for at least two years.
- Associate Editor term is 2 years and he/she will automatically become Journal Editor after 2 years and his/ her term will be 2 years as Journal Editor.
- One member can propose or second only one person during election process including the Annual General Body Meeting for vacant seats.
- An Executive Committee Member who does not attend atleast 50% Executive Committee meetings will not be eligible to be elected to any other post of KOA for the next 2 years.(Executive Committee membership prior to two years is valid)
- Each member can offer himself for re-election to the same post, but no member shall hold office for more than three consecutive years in the same post.
- All nominations should be forwarded by the respective district club President / Secretary

## **5. DISPUTES**

- An **Election Tribunal** should be constituted by the KOA executive every year before election notification with 3 past presidents of KOA who are not members of election commission to consider disputes regarding election if any.
- The function of the election tribunal shall be confined to disputes

arising only after the declaration of results and not regarding the election process for which the EC is there.

- The senior most KOA president in the committee will be the chairman of the tribunal. (Seniority as KOA president)
- Any complaints should be submitted within one week of declaration of Results.
- Election tribunal to dispose of the complaint within one month from the date of receipt of the complaint.
- Election tribunal has the power to call for the records from the secretariat regarding the election, scrutinize the ballot papers, record evidence of persons who wish to dispose before the election tribunal, call any member of the KOA to give evidence regarding the matter in dispute.
- The tribunal shall give its verdict in writing and the same shall be binding on all parties concerned and only subject to appeal to the General Body of Kerala Orthopaedic Association . The expenditure incurred by the election tribunal shall be borne by the member who files the complaint or the club that files the complaint. The expenditure incurred by the parties shall be borne by each party concerned.
- In case member/members or any other party is not satisfied with the decision of the election tribunal and prefers to go to the court, the jurisdiction shall be Ernakulum. All facilities and expenses of election tribunal to participate in such legal proceedings should be provided by state office, which is recoverable from any member/club as may be decided by the General Body of KOA

## **6. ELECTION PROCEDURES**

- Votes can only be cast only by physical voting at the voting station decided by the District Club or Chief Election Officer. Postal or online ballot / voting is not permitted.
- The Chief Election Officer shall on or before **1<sup>st</sup> January** of every year, send to each local club Secretary, printed and numbered ballot papers signed by chief election officer containing the names

of the candidates by registered post/courier/special messenger.

- The election will be conducted on **second Monday of January** every year and counting will be done on the polling day in the concerned local clubs.
- The particulars of votes and ballot papers (used and remaining) will be sent to the Chief Election Officer with signature of the club Secretary and polling officer by registered post.
- The particulars of the votes should be recorded in the Minutes Book of the local clubs.
- The club Secretary should Intimate about the place, and time of the polling to the members via email, SMS and WhatsApp.
- Election Commission shall appoint a Returning Officer to conduct election in each club.
- If the Returning Officer couldn't reach, the District Club President can nominate a senior member with a minimum of 5year life membership in his place after informing and getting approval from the chief election officer.  
(Any Returning Officer who fails to carry out his duty will be debarred from contesting any elected post of KOA for the next five years besides attracting other disciplinary actions).
- Elections will be held on 2nd Monday of January in all the clubs by physical voting from 3 pm -9 pm.
- Final counting will be done on same day in the club itself.
- The counting of the ballot papers will be done on the same day itself in the Club after the polling time.
- Club Presidents will be deputed as Election Officer to a club other than his parent club.
- If any Club President is contesting for election, then Vice President of that club will become member of Election Commission.

- The KOA office and the Office Secretary shall be involved in all elections of the KOA.
- All elections of the KOA shall be done through the KOA office only including printing of the ballot papers and posting/ delivering the ballot papers.
- The ballots shall be printed by the KOA office, at a press selected by the KOA Executive Committee.
- The number of ballots printed shall be intimated by the Election Commission to the KOA Executive Committee.
- All postings of the electoral ballot to the various clubs shall be done by the KOA office.
- Election commission should maintain the record of the serial number of ballot send to each club.
- Number of club members+10 will be the number of ballots send to each club
- The Club Secretary should acknowledge the receipt of the same and should keep in safe custody.
- The cover will be opened only at the time of election by the Returning Officer.
- If the cover is seen in a damaged state or if seal is broken election will be postponed and the matter will be reported to Election Commission by the Returning Officer. Election Commission shall conduct proper enquiry and report given to the KOA State President. Election will be conducted on another date notified by the Election Commission.
- The candidates are permitted to appoint a polling agent to monitor the conduct of election.



- A polling agent can represent more than one candidate.
- Names of polling agents should be informed to election commission before 1st January and can change the polling agent latest upto 24 hrs prior to election after getting permission from election commission.
- The returning officer, observer and election agent can vote in the branch they are attending
- Voter should produce a valid photo Govt ID (Aadhar/Electoral ID / Passport / Driving license) and Returning Officer will issue ballot paper after verifying ID card.
- If any vote is challenged by polling agent, it will be kept as challenge vote
- Any voter standing in the que to vote at the ending of voting time shall be allowed to vote.
- The voting time shall not be extended under any circumstances without the concurrence of the EC.
- Any vote polled after the prescribed voting time, subject to the rule of last person remaining in the que, will be considered invalid.
- Counting of vote will be done at the end of polling time. The number of votes obtained by each candidate will be entered.
- The details of votes secured by each candidate will be entered in the Performa supplied by the EC and the form will be signed by the returning officer, club secretary, and polling agents.
- The Performa and the ballot papers (used and unused in separate covers) will be sent to the office of the EC in a sealed cover within the end of next working day through courier or special messenger.

- The Returning Officer will submit a report to the Election Commission regarding the conduct of election in that club.
- It is not mandatory for club secretaries to minute the voting process.
- Election Commission will inform the returning officer about the time and place of election.
- The final tabulation of vote will be done at the office of EC within 15 days.
- Candidates will be informed regarding the verification and counting of votes by the EC through email.
- Candidates/ authorized person can supervise the verification and counting process.
- Total number of votes obtained by each candidate will be published on the same day and the final result will be declared in the next General Body by Chief Election Officer
- If a club does not participate in/refuses to participate in/boycotts any election of the Kerala Orthopaedic Association [KOA], eligible voters of those clubs may vote in the adjoining district where election is being held and Returning Officer [RO] should inform the Chief Election Officer [CEO] by Whatsapp/SMS/ and email- the names and KOA membership number of the voters from the other district clubs who have voted there and the CEO shall Inform all the other Returning Officers the names of these voters so as to prevent double voting.
- The Club Secretary Shall be barred for 5 yrs from contesting any elected or nominated post of the KOA if he refuses to conduct an election of the KOA besides initiation of disciplinary actions as per the KOA bye law

- If the Club Secretary cannot [for reasons other than refusal] conduct an election of the KOA, then he or the Club President will have to nominate a KOA member who has been a Life Member [LM] for at least 5 years to conduct the election.
- If a Club President will not / cannot go as a Returning Officer and will not appoint a substitute, then the Chief Election Officer can appoint a KOA member who is a LM for 5 years to act as the Returning Officer and the substituted Returning Officer may be from the same club or another club as per Chief Election Officer's discretion
- All meetings of the Election Commission of the Kerala Orthopaedic Association shall be conducted after informing the members of the Election Commission of the KOA by e mail and WhatsApp/SMS and the minimum of 25% of the members should be present for the meeting to be legally valid.
- The Election Commission of Kerala Orthopaedic Association shall have final say in candidate selection issues, subject only to appeal to the General Body of KOA.
- After any election of the Kerala Orthopaedic Association each Returning Officer shall send the signed voters list, affidavits of the polling agents, counting sheet/ proforma [signed by all concerned ], used and unused ballot papers to the postal address of the Chief Election Officer by registered post
- Not mandatory for secretaries to minute the election in club meetings
- In case of disputes regarding election matters the decision of the General Body of the Kerala Orthopaedic Association [annual or special] shall be final
- A period of one week will be given for candidates and clubs to officially object to the rejection or acceptance of any candidate by sending email to the Chief Election Officer, Election Commission members and Kerala Orthopaedic Association Secretary

- The Election Commission is bound to give a reply to all these complaints within one week after last date of receipt of complaints.
- If a candidate or club doesn't receive a reply from the Election Commission within the stipulated time they can take appropriate legal measures.
- Any legal measures taken without approaching the Election Commission will be considered as an anti Association move and appropriate action would be taken by the General Body of Kerala Orthopaedic Association for the same.
- CCTV, electronic surveillance may be utilised for free and fair conduct of elections, if so requested by any district club / candidate. The expenditure towards the same will be borne by therequesting club / candidate.
- Election commission should discuss with candidates and try to arrive at a consensus to avoid election as far as possible to foster harmony and brotherhood in the association
- Additional election related decisions made:- Date 28.01.2017 KOA GB at Lalit , Kasaragod . One person can contest only for one post and incumbent office bearers can contest only after the expiry of their tenure, and not earlier. ( As per the legal opinion and clarification form KOA legal advisor ) .
- In the rules and regulations of KOA clause 9(C) suggested change by KOA legal advisor “ If a candidate was an executive committee member during any of the two years immediately prior to the date of declaration of the election notification, unless he has at least 50% attendance during such tenure as the executive committee member, he will not be eligible to contest the election.”
- Date 12.03.2022 KOA GB at Tripenta, Palakkad. Casting of Vote by using the Seal provided by the KOA election commission & The Photo ID card issued by the KOA also consider as a ID proof for voting.

Date: 14<sup>th</sup> August 2022at Board Room IMA, Kochi, : After a detailed discussion of the word “ Special” and the 50% attendance clause in the

KOA election criteria. The house decided to modify the 50% attendance clause as “ Special executive committee meeting attendance need not be included in counting the 50% attendance criteria related to the KOA election minimum attendance clause “ and the house passed the minutes.

For more details please refer the KOA Protocols and Bye Laws uploaded in the KOA site . [www.keralaortho.org](http://www.keralaortho.org) .