

## **NOTIFICATION**

All members of the Western India Cinematographers Association (WICA) are hereby informed that vide its Order dated 6.04.2022 the Hon'ble Industrial Court, Mumbai has appointed the undersigned Arvind Ramchandra Tapole, Advocate for conducting election for Managing Committee of the WICA for the period of 3 (three) years.

In pursuance of the said Order and authorities vested in me, I am appointing Adv. J.S Lall as Jt. Election Officer, who will assist me in Election Process, and also I hereby notify Election Schedule for information of all concerned. Therefore all members are informed that those who desire to contest election and their Proposers and Seconders shall take note and submit their nomination form duly filled to Returning Officer/s in the WICA Office as per Election Programme. Rules & regulations for Election are being published and will be available for the information of members and all concerned in the office of WICA/ Election officer/ WICA website.

**Number of members to be elected on Managing Committee is as follows:**

President	.....	One
Vice President	.....	Two
General Secretary	.....	One
Joint Secretary	.....	Two
Treasurer	.....	One
<b>Committee Members ....</b>		<b>13 (Thirteen)</b>

TOTAL ----- 20

All members, contestants are requested to take note of the Election Rules & regulations and Schedule and co-operate with the undersigned and all concerned officials to ensure smooth and peaceful elections and maintain peace in compliance of the Order of the Hon'ble Court. Please note, any disturbance or violation shall be dealt sternly with action deemed under the Law.

Place: Mumbai  
Date: 14 June 2023

  
( **Arvind Tapole** )  
Election Officer

# WICA ELECTIONS 2023

## ELECTIONS 2023 PROGRAMME TO BE NOTIFIED

Sr.No. (1)	Particulars (2)	Period (3)
1	Publication of the provisional voter list & issuance of nomination forms	26/06/2023 (Monday ) on WICA Notice board & website of WICA
2	Inviting claims & objections on provisional voter list	Upto 11/07/2023 Every day
3	Decisions on claims & objections on provisional voter list	12/07/2023 from 3.00 pm till 14/07/2023 5.00 pm
4	Publication of the final voter list	15/07/2023 (Sat.) @ 5.00 pm on WICA Notice board & website
5	Posting of Nomination Forms to members listed as voter	From 17/07/2023 till 26/07/2023
6	Last day of submission of nomination form/s	is 2 Aug. 2023 till 5.00 pm.
7	Publication of the list of nominations	On 03/08/2023 @ 5.00 pm on WICA Notice board
8	scrutiny of nominations	On 04/08/2023 & 05/08/2023
9	Date of publication of list of valid nominations	On 7/08/2023 (Monday)@ 5.00 pm on WICA Notice board & website
10	Withdrawal of nominations by candidates	8/08/2023 to 11/08/2023 (Friday) upto 5.00 pm.
11	Date of publication of final list of contesting candidates	On 12/08/2023 (Sat.) @ 5.00 pm on WICA notice board & website
12	Last date for payment of dues to be eligible for voting	12/08/2023(Sat.) @ 5.00 pm
13	Date & time during which and the place at which the polling/voting shall be taken	On 27/08/2023 (Sunday) from 11.00 am to 5.00 pm ( at the place declared for Polling)
14	Date, time & place for counting of votes	On 27/08/2023 @ 6.00 pm onwards
15	Declaration of results	On 27/08/2023 OR Immediately after counting

Place: Mumbai  
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( **Arvind Tapole** )  
Election Officer



**Western India Cinematographers' Association (WICA)****ELECTION - 2023****Rules and Regulations for Election**

1. Election for electing Managing Committee of the Western India Cinematographers Association (WICA) for the period of three (3) years is being conducted in compliance of directives and order dt. 06/04/2022 passed by the Hon'ble Industrial Court, Mumbai pursuant to the Consent Terms dated 05/04/2022 filed by all the parties in Application (ICTU) No. 3 of 2019 and conforming to certified Bye-Laws of WICA of the year 2016.
2. **Definitions:** In this document unless otherwise specified or context requires otherwise:
  - 2.1. **Association** shall mean Western India Cinematographers Association ( WICA).
  - 2.2. **Candidate** shall mean member of WICA whose nomination is declared valid for the Election.
  - 2.3. **Election**-shall mean the Election for Managing Committee of the Western India Cinematographers Association ( WICA) for the years 2023 , 2024 & 2025.
  - 2.4. **Election Officer** shall mean Officer appointed for conducting Elections by the Hon'ble Industrial Court, during mediation process in Application (ICTU) No. 3 of 2019.
  - 2.5. **Election Official/s** shall mean person/s appointed by the Election Officer for the election.
  - 2.6. **Member** shall mean member of the Western India Cinematographers Association ( WICA)
  - 2.7. **Posts** shall mean post as specified in **Cl. 5.1** below.
  - 2.8. **Representative of Candidate** shall mean co-member of the candidate authorized by him/her with express permission by the Election Officer.
  - 2.9. **Voter** shall mean those members whose name appears in the Final Voters' list published by the Election Officer. In terms of various provisions in the certified 2016 byelaws of the Association, only Junior, Associate, active and Life members are part of electorate of WICA.
  - 2.10. **Voting/ Polling day** shall mean the day declared by the Election Officer for polling in the Election.



3. In respect of any rules, terms and/or conditions related to this election, not covered by these rules or interpretation of the rules, the decision of the Election Officer shall be final and binding on all concerned.

**4. Eligibility of candidates and Voters**

- 4.1. Provisional list of voters, who have paid membership subscription for the year 2023 (including Life members), will be displayed for the information of members on the notice board of WICA and e-mail ID for this election.
- 4.2. After hearing and deciding objections, on non-inclusion of names, mis-spelled names, deletions etc. sought with justification, **Final List** of voters, will be displayed.
- 4.3. Those members of the WICA, except those debarred from voting/contesting, and whose name appear in the **Final list of Voters** declared by the Election Officer, are eligible to contest and vote in the Election.

5. Composition of the Managing Committee of the WICA is as under:

**5.1. Office Bearers**

President	.....	One
Vice President	.....	Two
General Secretary	.....	One
Joint Secretary	.....	Two
Treasurer	.....	One

**Managing Committee Members ... 13 (Thirteen)**

- 5.2. All voters will be entitled to vote for all posts.
- 5.3. The allocation of posts/seats is given in clause 5.1 above. Only those voters whose name appear in the final list of voters and have completed at least one term as Managing Committee member shall be eligible for contesting for the Post of Office Bearers of WICA. This condition precedent is not applicable for posts of Managing Committee member.



## 6. Nominations:

- 6.1. WICA/Election Officer will send Nomination forms to eligible voters by post / courier/ email to reach them 30 days before the scheduled date of polling. However, Election Officer/ WICA is not liable or responsible for not receiving the nomination forms by any voter/s. Nomination forms will be available in the office of WICA/election office. In addition, the Nomination forms will be also available on website of WICA, which can be downloaded by interested candidates. Those who do not receive the nomination form shall download the same from the website or may collect the same from WICA office. Candidate may take Xerox of the nomination form if required.
- 6.2. Submission of nomination in prescribed forms for all posts shall be on or before 5.00 pm on 02.08.2023. Detailed election schedule will be declared separately.
- 6.3. The nominations in prescribed forms shall be accepted by the Election officer or/and his team or forms may be dropped in drop box earmarked for Election in WICA office on or before 5.00 pm on 02/08/2023.
- 6.4. Each nomination form may be submitted by proposer/ seconder of the candidate or the candidate himself along with **Two passport size photographs** of the candidate. If the candidate is sending his/her duly filled nomination forms by email, he/ she must ensure that proposer and seconder have personally signed the nomination form/s, with all formalities, in compliance of election rules. They will also ensure that two photographs reach to the Election office. The Candidate shall be wholly responsible for any lapses on his/her part, if his/her nomination is rejected for non-compliance or any other reason/s.
- 6.5. Candidate desiring to contest for two posts shall fill and submit separate form for each post along with two passport size photographs. **One member can contest for one post of office bearer and one as managing committee member. No member can contest for two posts of office bearers.**



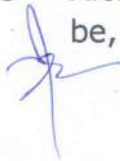
- 6.6. The candidate shall sign declaration in the format specified by the Election officer with the nomination form. This is mandatory.
- 6.7. The nomination forms must be duly proposed and seconded by the eligible active members and/or Life members elevated from active members and are voters.
- 6.8. The Election officer will create separate e-mail ID for this Election. Any communication OR submission of Nomination forms by e-mail shall be entertained on this email address only. Following is email address for Election 2023:  
**Email : wicaelection@gmail.com**
- 6.9. As regards the validity or invalidity of nomination of any Candidate, the decision of Election Officer shall be final and binding on all concerned.
7. If the number of valid nominations is equal to or less than the number of post/s, the concerned candidate shall be treated to have been elected unopposed and no election will be conducted in respect thereof.
8. On Electronic Voting Machine (EVM) names of the candidates will appear in English alphabetical order beginning with surname along with his/her photograph.
9. Candidate may nominate one of the voters as his Election Representative. These Election Representatives shall be in-lieu of the candidates and not in addition to the candidates.
- 10. Voting**
  - 11.1 Voting will start at 11.00 am. and shall continue up to 5:00 p.m. on Voting (Election) day. If there is queue for voting at 5.00 pm., tokens will be given to those who are in queue before and at 5:00 p.m. and voting will end as soon as such voters who will be in queue at 5:00 p. m complete their voting.
  - 11.2 Before start of the voting, all the EVM shall be shown with Zero voting polled data, then locked & sealed in presence of





available Candidate/s or their representative who will be allowed to sign on the seals.

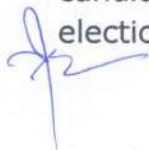
- 11.3 Voting will be only by personal presence of the voter in the Polling Booth.
- 11.4 All the voters will have to show their identity badges/cards of WICA to the polling officers/staff and then only the respective voter will be allowed to vote.
- 11.5 Voters will not be allowed to carry mobile phones, writing material in the voting area.
- 11.6 Every voter shall sign the register of voting to signify his attendance for voting.
- 11.7 The voter shall press the EVM button and register their vote/s against the name of the candidate/s as per seats allotted to that post.
- 11.8 Voters shall follow instructions of polling officers during voting and shall leave voting area as soon as his/her voting is over.
- 11.9 ONLY election officials will be allowed in the polling booth.
- 11.10 Election propaganda, publicity, or display of publicity material shall not be done within twenty meters from the place of Polling booth on the day of election.
- 12 The Candidates, their representatives and the voters shall carry their identity Cards/passess and produce the same to Election officials on demand at any time during the process of election. Those who cannot establish their identity are liable to be disqualified for election or voting or witnessing the election process, as the case may be. In this regard, decision of the Election Officer shall be final and binding on all concerned.
- 13 After completion of the voting at 5:00 p.m. or as the case may be, counting of votes polled shall commence.



- 14 If require, All the EVMs shall be sealed immediately after voting is over, in presence of available Candidate/s or their representative who will be allowed to sign on the seals.

### 15 Counting

- 15.1 The Process of counting of votes will start at 6.00 pm or any time as decided on the same day (Polling day) in designated premises as per election schedule and will continue until final results are obtained.
- 15.2 The seals of EVMs, if any, shall be opened in presence of candidates or their representatives available at the time of the counting.
- 15.3 No candidate or their representative, if any, or any person other than Election duty staff will touch any of the EVM.
- 15.4 The election officer in his own discretion shall decide preference of initiating counting process of posts.
- 15.5 The candidate/s or their representative shall be allowed to be present in the counting area but shall be confined to the area ear-marked for their seating/ presence.
- 15.6 The method adopted for the counting shall be as decided by the election officer and his decision shall be binding on all.
- 16 During the course of counting the 'Vote Counting Sheets' will not be provided to the candidates or their authorized representatives. However, if they desire, they may do so on their own paper without causing any disturbance or interference with the counting process. The persons causing disturbance to the process of counting will be liable to be removed from the place of counting.
- 17 After counting of each post is over, number of votes secured by each Candidate will be recorded against their name/s in separate result sheets and successful candidate and unsuccessful candidate/s shall sign the result sheet. If any candidate though present, refuses to sign the same, the election officials will not wait for their signature.





- 18 In case top two Candidates of one post secure equal number of votes after the counting of the votes, the additional one vote will be given to the Candidate by **tossing of a Five Rupee coin** and the Election Officer shall declare the Candidate elected in whose favour the toss goes. Further in case three or more candidates secure equal number of votes in the counting of the votes, the contestant will be declared elected through lucky draw.
- 19 The decisions of the Election Officer shall be final and binding on all candidates and representatives, if any, at every stage.
- 20 The Election Officer will notify results of the election on the notice board & website of WICA.
- 21 After the counting is over and results are declared, all the papers and documents will be sealed and kept in boxes. These boxes shall be officially handed over to the official/s of the WICA for securely preserving the same for next 6 months.
- 22 The candidates or any other members/voters found indulging in any mal-propaganda, mal-practice and public criticism of any candidates or other person by name, character assassination, vilification, violence, indecent behavior, quarrel, breach of peace or indulge in violation of any rules, regulations, are liable to be disqualified from contesting the election or voting for the election. In this regard, the decision of the Election Officer shall be final and binding on all concerned.
- 23 The Candidates and Representatives of Candidates will be given special passes, duly signed by the Election Officer. These passes shall be shown on demand at any time either at the entrance or inside the hall. Failing this concerned person/s will not be permitted to continue at voting venue.
- 24 Candidates / Representatives of Candidates shall occupy their respective seats allotted for the purpose. They shall maintain decorum in the election/ counting hall, failing which they are liable to be removed from the election/Counting hall and no substitute shall be allowed in their place.
- 25 In the absence of Election Officer, any notification, declaration, circular, announcement or any other communication

made/issued by or under his signature shall be deemed valid communication and shall be binding on all concerned.

- 26 Under certain reasonable and emergent circumstances, Election Officer may make any additions or modifications or amendments to the existing rules as deemed necessary with or without notification and such additions, deletions and amendments shall be valid and binding on all concerned.
- 27 Election Officer may take necessary help/assistance from any of the employee of the WICA or outsider for conducting the election.
- 28 All communications regarding election will be displayed on Notice Board of Western India Cinematographers Association (WICA) Mumbai Office. The said communications will also be available on website of WICA.
- 29 In case of any dispute, about procedure, rules, validity, invalidity of votes, counting, recounting of votes, etc., the decision of the Election Officer shall be final and binding on all concerned.

All concerned are requested to extend their co-operation to ensure smooth and peaceful conduct of the election.

Place: Mumbai  
Date: 14 June 2023



(**Arvind Tapole**)

Election Officer

Western India Cinematographers  
Association (WICA)