

ELECTION CODE OF INDIA ELECTRONICS & SEMICONDUCTOR ASSOCIATION (IESA)

1. **Purpose**

The purpose of the Election Code is to govern the election to the Executive Council of the India Electronics & Semiconductor Association (IESA); for which the IESA mandates election with regard to all its members who are eligible to vote. The Election Code shall also govern the procedures for advisory questions and referenda.

2. **Timing of Election**

IESA Fiscal Year is April to March. Elections for the IESA Executive Council EC and taking charge happens in March/April timeframe and impacts taking any major decision in Q1 of every new fiscal.

3. **The Executive Council**

- 3.1 The Executive Council (EC) together with the Office Bearers (Chairman, Vice-Chairman, Treasurer and President) shall be the main decision making body of IESA and shall strive to fulfill the objectives, purpose and goals of IESA.
- 3.2 A neutral person or body will act as the Election Commissioner and will oversee and guide the actual process of the elections, counting of votes post election and formal announcement of election results.
- 3.3 The term of the EC shall be for a period of two years from the date of its assuming office. Each year, members who have spent 2 years in the EC will move out, and these positions will be replaced through fresh elections.
- 3.4 **Retiring Chairperson:** The retiring Chairperson becomes an invited EC Member and Advisor in the subsequent year and joins the Past Chairpersons to play the needed role if any. The objective here is to bring in more fresh leaders and newer ideas by ensuring more positions being put to election while part of the EC providing continuity through a two year term.
- 3.5 **Past Chairpersons:** It is proposed to give recognition through a dedicated page on the IESA website. The Council of (past) IESA Chairpersons will be known as 'IESA Chairpersons Council' (ICC or IC2 in short). The outgoing Chairperson would become Adviser for a period of one year and he/she will not be part of the incoming EC. His/her participation would be used on a need basis on prerogative from the incoming Chairperson. In the position of Advisor, he/she will not be eligible for election but would have voting rights.

3.6 Role for ICC

- 3.6.1.1 Every year in March, after the IESA EC and OB elections and before the EC Strategy Session, the new Chairperson (earlier Vice-Chairperson) can invite ICC and present the progress made in the past year and high level thoughts on strategies and plan for IESA in the new fiscal year. ICC can act as a sounding board, based on past experience and what they have gathered from the IESA members, ICC can express their thoughts to the new EC and OB. These expressions of ICC are not binding for the new EC and OB, but can add to the wisdom in firming up the strategies and plan for the new fiscal.
- 3.6.1.2 Vision and Mission statements, which includes three year goals, category of members and membership fees can be revisited every three years. This will be done in collaboration with both current OB, EC members around October (middle of the EC term). ICC can be invited into such a meeting to get their views though the decision of current EC/ OB will be final.
- 3.6.1.3 Any of the ICC members can be invited into heading any of the major CIG initiatives based on appropriateness and willingness. Similarly into any of the awards committee as part of the Jury team.
- 3.7 IM, F and AM category members, shall not be eligible to contest the elections, nor vote in it.
- 3.8 The Venture Capitalist VC members shall not be allowed to vote directly in the election, but, can transfer their suffrage to their group organization/ies, which shall be entitled to exercise this vote.
- 3.9 Members who have not cleared their membership dues by March 1, 2013 are not eligible either to contest or eligible to vote.
- 3.10 Membership renewal is mandatory for participation in election.
- 3.11 One authorized representative of each fully paid, member organization shall be considered to be eligible for being elected as a member of the EC.
- 3.12 The authorized representative of the primary member organization, eligible for the elective office must normally be either the Chairman, Managing Director, Chief Executive or equivalent, Partner or Proprietor of the member organization – essentially a person senior enough in the member organization to be of significance in taking decisions or influencing the decisions. The member organization should furnish an appropriate communication from duly authorized signatory in the organization to nominate a person from their organization as the authorized representative at IESA.

4. Constitution

4.1 The EC shall consist of 11 members who shall be brought into office in the following manner:

Category	Number
Elected Members	9
Chairman (Vice Chairman of previous Executive Council)	1
President	1
Total	11

4.2 Serving IESA President will be member of the EC.

4.3 The Vice Chairman and Treasurer will be elected by the elected members of the EC immediately upon its assuming office.

4.4 Office of Chairman can be held for a maximum of one year only.

4.5 There will be no co-opted members.

4.6 Each major location shall function as a local chapter of IESA with administrative support from the IESA Secretariat. Chapters would support the objectives, purpose and goals of IESA as per overall direction from the IESA EC.

4.7 IESA would also aim to expand its presence and activities in other business cities that may have less than 10 primary members and hence do not qualify as a primary location. In such locations, IESA EC will nominate 'IESA Representatives' from amongst the eligible primary members from the respective business city. 'IESA Representatives' would act as a primary liaison with IESA EC for the members in that business location and would support the objectives, purpose and goals of IESA as per overall direction from the IESA EC.

4.8 In addition to the above, IESA EC will have the right to create advisory bodies for specific areas of interest to IESA by inviting people of pre-eminence and global repute in such areas to add to the overall expertise and effectiveness of IESA in pursuing its objectives, purpose and goals.

4.9 The Election Process should ideally be completed by March 29, 2013.

4.10 The induction of the new EC should ideally be completed by March 29, 2013.

4.11 The current EC continues until the new EC takes office.

5. Methods and Procedures

- 5.1 All eligible primary members as per IESA records can contest the elections.
- 5.2 The outgoing Chairman and Vice Chairman are not eligible to be part of the election process. The outgoing Vice Chairman automatically becomes the new Chairman of the EC. The retiring Chairperson automatically becomes the EC Member and Advisor in the subsequent year and joins the Past Chairpersons to play the needed role if any.
- 5.3 Voting will be based on a list of eligible members who have chosen to stand for elections to the EC. Only members who are eligible to contest for EC elections, and who have not "Opted Out" of the election process, will be part of the Election List ("Ballot Paper"). Members who are eligible can vote for these candidates. Any votes given to candidates outside those listed in the Ballot Paper will be void.
- 5.4 After closure of voting, the members with the highest votes will be contacted by the Election Commissioner to check on their willingness to become members of the IESA EC.
- 5.5 Only those members who are willing to accept the responsibility of becoming IESA EC members as specified in the EC Code of Conduct, will be announced and will assume office.
- 5.6 Election will be by secret ballot.
- 5.7 All the ballots must reach in soft copy format only from the official email id of the primary contact id of each eligible member organization.
- 5.8 All member organizations to complete the ballot form as provided by IESA, by writing down clearly and unambiguously, the names of up to three representatives from primary member organizations in the Election List. Ballot forms with less than three names shall also be considered as valid votes.
- 5.9 In the event of the authorized representative of the member organization being no longer with the member organization which has nominated him/her and IESA is duly informed by the member organization, he/she will cease to be an EC member / office bearer of IESA . IESA EC however at its discretion will have the right to request such a member to continue in the EC/office bearer position for up to 90 days from the day he/she leaves the employment of the member organization.
- 5.10 Vacancy in the EC that may occur for whatever reasons may be filled by the EC by inviting additional members to the EC from amongst the list of members that satisfy the eligibility criteria as per this election code of IESA till the next election of the new Council.
- 5.11 The tenure of these members who fill in the temporary vacancy in the EC will coincide with the tenure of the EC Body. The outgoing council members shall be eligible for re-election.

5.12 The voting rights of members shall be calculated on the basis of the annual membership subscription of members on the following basis:

- Category A+ – 6 Votes
- Category A – 5 Votes
- Category B – 4 Votes
- Category C – 3 Votes
- Category D – 2 Votes
- Category E – 1 Votes

5.13 The votes of each member will be 'weighted' (multiplied) by the weightage they are eligible for, to get the overall voting strengths.

5.14 Ballot papers not complete in all respects shall be rejected. Ballot papers received after the prescribed date and time shall also stand rejected.

5.15 The following votes will be treated as invalid:

- If there are names of more candidates marked than required to be marked on the ballot paper
- If there are no names on the ballot paper at all
- If there are names on the ballot paper that are not in the list given to the members before voting
- If the writing is such that it cannot be decided as to in whose favor the vote is cast
- If the ballot in hard or soft copy is received beyond the closing time and date

6. Amendments

Amendments to these bylaws may be made by the vote of half of the Executive Council and approval of the Board of Directors.

7. Campaigning for an EC position

Any individual qualified and listed on the final ballot for IESA's EC elections is free to campaign to win the position on the EC. Please note that IESA is unable to assist in any way with any campaigning. A list of IESA members eligible for election will be circulated along with the election notice letter. Campaigning in such a manner that does not follow appropriate business protocol may be cause for elimination from the election. IESA EC maintains the right to eliminate any candidate based on unethical or inappropriate campaign tactics.
