

THE INSTITUTION OF ENGINEERS, PAKISTAN

CONSTITUTION AND BYE-LAWS

PART-I

CONSTITUTION

CHAPTER 5

5.1. Council

Subject to this Constitution and in conformity with the Bye-Laws formed there under, the management of the affairs of the Institution shall be vested in the Governing Body called the Council as detailed below: -

- 5.1.1 President
- 5.1.2 Vice Presidents
- 5.1.3 Presidents of the last three terms provided they are members of good standing
- 5.1.4 Secretary General
- 5.1.5 Immediate past Secretary General
- 5.1.6 Chairman of all Local Centers
- 5.1.7 Secretaries of all Local Centers
- 5.1.8 One Council Member for every 200 corporate members or part thereof from each Local Center maintaining Division-wise representation provided that Fellows will have representation proportionate to their membership and the maximum strength of the Council shall be maintained at 80.

Note: No member can become office Bearer or Member of the Council/Local Council unless he is a member of good standing.

5.2. Qualification of President, Vice Presidents, Secretary General and Council Members

- 5.2.1 The President shall be a Fellow of the Institution of at-least ten years standing and he shall have been a Member of the Council of the Institution for at-least one term. He shall be elected by the Corporate Members of the Institution. He shall serve for maximum of two terms as President in life time.

- 5.2.2 The Vice-President shall be a Fellow of at least Five years standing. He shall be elected by the Divisional Corporate Members of the Institution. He should have been a member of the Council for at least one term. He shall serve for maximum of two terms as Vice President in life time.
- 5.2.3 The Secretary General shall be a Fellow of the Institution stationed at Headquarter and shall have been a Member of the Council for at least one term. He shall be nominated by the President of the Institution in consultation with the council in the first meeting of the Council after the elections, however decision of the President will be final. He shall not serve as Secretary General for more than two terms in life time. The President shall have the power to replace the Secretary General in consultation with the central council however the decision of the President shall be final.
- 5.2.4 All Corporate Members of the Institution shall be eligible to contest the elections as Council member for their respective discipline/Division as per Bye-Laws. They shall be elected by the Corporate Members attached to their respective Division.

5.3. Local Councils

Local councils shall manage the affairs of the Institution in the jurisdiction of respective Center established as per Article 7.1 below. The Composition of a local Council shall be as follows:

- 5.3.1 Chairman
- 5.3.2 Immediate past President only of the Local Center where registered.
- 5.3.3 Immediate past Vice Presidents only of the Local Center where registered.
- 5.3.4 Immediate past Secretary General only of the Local Center where registered.
- 5.3.5 Vice Chairman, one for each Division
- 5.3.6 Secretary
- 5.3.7 Chairman of the last three terms provided they are members of good standing.
- 5.3.8 Immediate Past Secretary
- 5.3.9 Council Members
- 5.3.10 One Local Council Member for every 100 Corporate Members of each Division or part thereof. The number of the so elected Local Council Members will be minimum 5 and maximum 40. Divisional representation will be ensured proportionately keeping in view the total number of members in a Division.

5.4. Qualification of Chairman, Vice Chairman, Secretary Local Center and Local Council Members

- 5.4.1 The Chairman shall be a Fellow of the Institution for at least five years standing. He shall be elected by the Corporate Members of his respective Local Center. He

should have been a member of the Council from that Center for at least one term. He shall serve for maximum of two terms as Chairman in life time.

- 5.4.2 The Vice-Chairman of a Local Center Division shall be a Fellow of the Institution or in case there is no Fellow available in any Local Center Division, a Corporate Member registered with or attached to the respective Local Center Division. He shall be elected by the Corporate Members registered with or attached to his respective Local Center Division. He should have been a member of the Council from that Center for at least one term. Vice Chairman should be a Corporate Member of at least three years standing. If there is no corporate member available in any Local center who fulfills the above condition, the Council is competent to nominate any Corporate member of that Local Center Division as Vice Chairman.
- 5.4.3 The Secretary Local Center shall be a Fellow/Corporate Member of that center and shall have been a Member of the Local Council for at least one term. He shall be nominated by the Chairman of the IEP Local Center in consultation with the local council in the first meeting of the Local Council after elections, however decision of the Chairman shall be final. He shall not serve the local council for more than two terms in life time. The Chairman of the respective Local Center shall have the power to replace the Secretary of his Local Center in consultation with the Local council, however decision of the Chairman shall be final.
- 5.4.4 All Corporate Members of the Institution shall be eligible to contest the elections as Local Council member for their respective discipline/Division as per Bye-Laws. They shall be elected by the Corporate Members of their Local Center attached to their respective Division.

5.5. Re-election of Council Members and Local Council Members

A Council Member/Local Council Member of the Institution shall be eligible for re-election for subsequent term(s).

5.6. Elections

- 5.6.1 Election for the posts of President, Vice-Presidents and the Council Members shall be held by the Headquarters every three years by secret ballot sent through Courier/Post or Electronic Voting in accordance with the provisions of the Constitution and Bye-Laws.
- 5.6.2 Election for the posts of Chairman, Vice-Chairman and the Local Council Members shall be held by the respective local Center every three years by secret ballot sent through Courier/Post or Electronic Voting in accordance with the provisions of the Constitution and Bye-Laws.
- 5.6.3 The election for all posts of the Headquarters and Local Centers shall be held concurrently on the schedule as per Bye-Laws. If election cannot be held at any Center/Centers as per schedule, the Council shall have the power to nominate the

Local Council including Chairman, Vice Chairman for those Centers. Casual vacancies shall be filled by co-option by the concerned Council.

5.7. Powers of the Council.

All the Powers of the Institution shall be vested in and be exercisable by the Council except so far as the same are expressly required by the Constitution or the Bye-Laws there under to be exercised by the Institution in General Meetings. No Council Member shall hold any paid appointment of the Institution. Powers will be delegated to the President and other officers by the Council as provided in the Bye-Laws.

5.8. Standing Committees

The Council may constitute Standing Committees from amongst the Corporate Members of the Institution and delegate any of its powers to such Committees as laid down in the Bye-Laws. The Standing Committees so formed shall, in the exercise of the powers so delegated, conform to the Bye-Laws that may, from time to time, be framed by the Council. All standing Committees shall be headed by Council Members who shall be Fellows. The standing committees may Co-opt members as and when considered necessary.

PART II BYE-LAWS

CHAPTER 3

3. Elections

Election for all the posts shall be held division-wise except for the posts of President and Chairman. The following schedule will be adhered to in the year of elections by Headquarters Office and each Local Center as applicable:

3.1. Electoral Roll

- 3.1.1 All the corporate Members who have cleared their dues on or before 30th June of the election year shall only be eligible to vote, contest or nominate a candidate.
- 3.1.2 The updated lists containing membership number and name of all eligible Members Division-wise separately for Fellows and Members shall be posted on the web by the headquarters office as per the available record.

- 3.1.3 The Local Centers and individual members may point out to Headquarters in writing any changes/corrections by 31st July of the election year.
- 3.1.4 The Secretary General shall send to each Local Center and also post on the web, the following authenticated information by 1st September of the Election year:-
- 3.1.4.1 List of Fellows eligible to contest for the office of President indicating against each name, the Division and the Center to which he belongs.
 - 3.1.4.2 List of Fellows eligible to contest for the office of Vice President, Chairman and Vice-Chairman indicating against each name, the division and Center to which he belongs.
 - 3.1.4.3 Division-wise/Center wise list of Corporate Members eligible to contest in the election as Council Member.
 - 3.1.4.4 Division-wise number of seats for the offices of Vice Presidents, Council Members, Vice Chairmen and Local Council Members as per relevant provisions of the Constitution and Bye-Laws.
 - 3.1.4.5 The above mentioned lists can be downloaded from the Web by the interested Members or hard copy can be obtained from the Headquarter/Local Centers on payment of a fee to be prescribed by the HQ. Election Commission.

3.2. Formation of Election Commission at Headquarters

The Council in its July/August meeting shall form an Election Commission at Headquarters with President or any Vice President or any senior Fellow of reputable integrity as its Chairman, Secretary General and Four Fellow Council Members preferably one from each major Local Center as its Members. The Secretary General shall be the Secretary of the Election Commission. The Director General shall be Ex-officio member of the Commission. The members of the Election Commission shall not be eligible to contest election for any office of the Council, however they may contest election for their respective Local Council. The Election Commission may co-opt any other member with full voting rights in case any vacancy occurs due to any reason after formation of Commission. The members of the Headquarters Election Commission shall not become member of any Local Center Election Commission.

3.3. Formation of Election Commission at Local Centers

Each Local Council in its July/August meeting shall form an Election Commission at Local Center with Chairman or any Vice Chairman or any senior Fellow of reputable integrity as its Chairman, Secretary and two Corporate Members as its Members. The Secretary of the Local Center shall act as the Secretary of the

Commission. The members of the Election Commission shall not be eligible to contest election for any office of the Local Council however they may contest for the Council. The Election Commission may co-opt any other member with full voting rights in case any vacancy occurs due to any reason after formation of Commission. The members of the Local Election Commission shall not become member of Headquarters Election Commission.

3.4. Invitation for Nominations

3.4.1 By 15th September, the Secretary of the Election Commission set up at the Headquarters shall invite nominations from all Corporate Members through Press notification and/or IEP web site on the prescribed Proforma (Appendix-I) for the following posts:-

1. President
2. Vice Presidents
3. Members of the Council.

3.4.2 By 15th September the Secretaries of the Election Commission set up at Local Centers shall invite nominations from all Corporate Members attached to the Center through Press notification and/or IEP Local Center website on the prescribed Proforma (Appendix-I) for the following posts:-

1. Chairman
2. Vice Chairmen
3. Members of the Local Council.

3.4.3 Nomination Papers shall be duly proposed and seconded by corporate members of good standing, whose names are present on the electoral roll. A Member can propose one number President (of any division), one number Vice President (only of his own division), one number Chairman (of any division), one number Vice Chairman (only of his own division) and any number of candidates for Council and Local Council Members for his own Division but not more than that as declared by the IEP Headquarters at the time of inviting nominations. The proforma on which the nominations will be received from the Corporate Members are appended for the President and Vice Presidents as Appendix-II, for Council Members as Appendix-III, for Chairman and Vice Chairman as Appendix-IV and for Local Council Members as Appendix-V.

3.4.4 No Member can propose or second his own candidature for the Office of President, Vice President, Chairman, Vice Chairman, Council Members and Local Council Members. Any violation of above shall amount to straight-away rejection of nomination papers.

3.5. Consent

Written consent of the candidate along with his/her correct postal address shall invariably be obtained on Appendix-VI and attached with the nomination form by the proposer.

3.6. Bio-Data's

Candidates contesting election may attach their bio-data with their nomination papers not exceeding 100 words for President, 50 words for Vice President and Chairman and 20 words for the Vice Chairman.

3.7. Election Fees

The nomination papers must be accompanied by an election fee as prescribed by the Council from time to time and shall be payable by the candidate either in cash or by Bank Draft or Pay Order to the H.Q. Office or to the Local Center as the case may be. The election fee shall be refundable on request in case of withdrawal. In case of more than one nomination of the same candidate for the same seat, photo copy of the original receipt of Bank Draft/Pay Order/Cash Receipt shall be attached with each subsequent nomination.

3.8. Any violation of above shall amount to straight-away rejection of nomination papers.

3.9. Return of Nomination Papers

The nomination papers shall be received up to 5th October at Headquarters Office and in the respective Local Centers by 1600 hours without fail.

3.10. Scrutiny of the Nominations

3.10.1 The Headquarters Election Commission after scrutinizing the nominations so received, by 5th October up to 1600 hours shall inform the candidates about the acceptance or rejection of their nominations (giving the reasons for rejection of nomination paper) by 15th October.

3.10.2 Withdrawal or objections, if any on the reason (s) of rejection or the acceptance of candidature shall be received by the Headquarters Election Commission on or before 25th October upto 1600 Hours positively.

3.10.3 The Election Commission after detailed scrutiny and deciding on the objections (if any) received, shall finalize list of eligible candidates for the ballots by 31st October. The decision of the Election Commission shall be final.

3.10.4 The Local Center Election Commission shall follow the same procedure and schedule as above for the post of Chairman, Vice Chairman and Local Council Members.

3.10.5 The list of the candidates approved by the respective Election Commissions shall be displayed on the notice boards of the Headquarters Office and the Local Centers as the case may be.

3.11. Voting

The following procedure shall be adopted: -

3.11.1 Electronic/any latest mode of voting shall be adopted as and when available after the approval of the Council. Until adoption of this option the prevailing election procedure will remain in vogue.

3.11.2 Prevailing Election Procedure - Dispatch of Ballot Papers.

3.11.2.1 The Secretary of Headquarter Election Commission shall communicate to the Registrar Cooperative Department, Government of Punjab, the complete election schedule of Council election for his information by 10th September of the election year with the request to nominate one of their official to oversee the election Process as per schedule if they so desire.

3.11.2.2 The Secretary Headquarters Election Commission shall dispatch the ballot papers as per Article 5.6.1 of the Constitution for the post of President, Vice Presidents and Council Members along with the candidate's bio-data (as applicable) by 25th November to the Corporate Members as per Electoral roll.

3.11.2.3 The Chairman of the respective Local Center's Election Commission shall dispatch by 25th November the ballot papers as per Article 5.6.2 of the Constitution for the post of Chairman, Vice Chairman and Local Council Members along with Bio-data (as applicable) to the Corporate Members of the Local Center eligible to vote.

3.11.2.4 All Ballot Papers shall be given a Serial No and Bar Code and initialed by Chairman and Secretary of the Election Commission or in his absence by one member of the Election Commission nominated by the Chairman.

3.11.2.5 Ballot Papers shall be sent by Courier Service of repute along with self-addressed pre-paid envelope. In case Courier Service is not available for any area, the ballot papers shall be sent by Registered Post/UMS or any other available secure service.

- 3.11.2.6 The Corporate Members shall return the ballot papers in the “Return envelopes” by the same courier service/registered post/UMS/any other secure service through which the ballot papers were sent to them, so as to reach the respective Election Commission on or before 15th December by 1600 hours. All such ballot papers returned by any other means or by hand shall be treated as invalid.
- 3.11.2.7 Ballot papers will be kept in Ballot Boxes duly sealed for the purpose.
- 3.11.2.8 The Sealed Ballot Box or Boxes shall be opened in the presence of the respective Election Commission at the time of counting of the Ballots.

3.12. Scrutiny/Counting of the Ballots

- 3.12.1 The Headquarters Election Commission as well as the Local Center Election Commissions shall start the scrutiny/counting of the ballot papers (votes) at 1800 Hours on 15th December which shall continue till the counting is complete. The candidate(s) shall be allowed to witness the counting of votes if they so desire personally or through their authorized representatives. On completion of the counting the result shall be prepared and declared duly signed by the respective Election Commission and displayed on the notice boards of the Headquarters and Local Centers as the case may be.
- 3.12.2 The result after declaration shall be communicated in writing to successful candidates by the Headquarters for the office of President, Vice Presidents and Council Members and by the Local Centers for the offices of Chairman, Vice Chairmen and Local Council Members. The decision of the H.Q and Local Centers Election Commissions shall be final.

3.13. A ballot paper shall be invalid if:

The Corporate Members has not returned the ballot papers in the “Return envelopes” containing Bar Code sent with ballot paper

Or

The voter has written his name, word or mark, by which the voting person may be identified.

Or

It does not contain the initials of the Chairman and the Secretary of the Election Commission.

Or

It does not contain a mark in the boxes in the ballot paper or boxes have not been correctly marked as per instructions printed on the ballot paper.

Or

A mark is placed against the names of two or more candidates.

Or

There is any uncertainty as to the identity of the candidates against whose name the mark is placed.

Note: As a result of counting of votes if two or more candidates get an equal number of votes, the decision shall be taken by draw.

3.14. Appellate Committees

3.14.1 An Appellate Committee shall be formed by the Council which will be headed by the President with two Members to be nominated by the Council out of the existing Vice Presidents/Chairmen. Secretary General shall work as Member-Secretary.

3.14.2 An Appellate Committee will also be formed at Local Centers headed by the Chairman with two Members out of the existing Vice Chairmen to be nominated by the Local Council. The Secretary of the Local Center shall be the Member-Secretary.

3.14.3 If any of the candidates feels aggrieved of the results he may make an appeal within seven days of the announcement of the results. The decision of the Appellate Committee shall be binding.

Note: The respective councils shall nominate senior Fellows in case any of the above proposed members are contesting elections.

3.15. Compilation of Results of the Elections

3.15.1 The Chairmen of all Election Commissions shall communicate the declared results of the Elections to the Secretary General by 20th December positively.

3.15.2 The Secretary General shall compile the declared results of all the elections held by the Headquarters and the Local Center's Election Commissions and notify prior to the Annual General Meeting.

- 3.15.3 In case of any non-adherence of the election schedule due to some un-avoidable circumstances, the President/Council shall have the power to shift the date of commencement or any other scheduled dates fixed for election process. In such circumstance the revised election time table must adhere to the scheduled interval of various election processes. This shall apply to all the elections at the Headquarters and Local Centers which shall invariably be held concurrently.
- 3.15.4 In the event the Chairman of any or all Local Centers fail to hold election within the specified period, the Council shall fill up all such vacancies by nominations and these nominated persons shall have the same power and be subject to the same responsibilities as if they were duly elected in the ordinary course. These nominations shall be made by the sitting Council in its meeting immediately succeeding the election. The Chairman so nominated will be given an oath immediately by the President or the person presiding the Council Meeting and accordingly the whole Local Council shall stand installed.
- 3.15.5 In case no proposal is received for a post, such posts are to be treated as casual vacancy and are to be filled in as specified in the Bye-Laws.

3.16. Taking-over and vacation of the Office

- 3.16.1 The term of the offices of the President, Vice Presidents, Chairman, Vice Chairman and various Councils shall end with the declaration of the election results. Immediately after the announcement of results by the respective Election Commissions (under clause 3.12.1 above), the sitting President/Chairman or in their absence the Chairman of the Election Commissions shall give oath of office to the Elected President/Chairmen.
- 3.16.2. The new President shall announce the election results both for Council and Local Councils at the Annual General Body Meeting. The Annual General Body Meeting shall however, be presided by the outgoing President and conducted by the outgoing Secretary General. This Annual General Body Meeting shall be held between 20th December of the Election Year and 5th January of the successive year.
- 3.16.3 Taking over, vacation and re-election, provisions of Bye-Laws shall apply mutatis mutandis in case of Local Council as well.
- 3.16.4 Soon after the conclusion of the Annual General Body Meeting, a formal meeting of the newly elected Council for the ensuing term shall be held on the same day for which formal agenda showing venue and time shall be issued by the Secretary General.

3.17. Nomination of the Secretary General/Secretary Local Council

- 3.17.1 The Secretary General shall be nominated by the President as per procedure laid down in the Constitution. The Secretary General shall officially take charge of his

office immediately after the issuance of signed notification of his appointment by the President.

3.17.2 The Secretary of the respective Local Centers shall be nominated by the Chairman of the respective Local Centers as per procedure laid down in the Constitution. The respective Secretary of the Local Center shall officially take charge of his office immediately after the issuance of signed notification of his appointment by the respective Chairman.

3.18. Vacancy

3.18.1 The Council may fill any vacancy by co-opting from corporate members for the office of President, Vice President and Council Members as and when it occurs for the rest of the term in accordance with defined qualifications for each office.

3.18.2 The respective Local council may fill any vacancy by co-opting from its corporate members for the office of Chairman, Vice Chairmen and local council member as and when it occurs for the rest of the term in accordance with defined qualifications for each office.

3.18.3 The vacancy of the Secretary General/Secretary Local Council shall be filled in as laid down in the Constitution.

3.19. Vacating an office

The office of President, Vice Presidents, Secretary General, Chairman, Vice Chairman and member of the Council/Local Council shall deemed vacant if:-

3.19.1 One resigns by written notice to the respective council provided that Council accepts his resignation.

3.19.2 One ceases to be a Fellow or Member of the Institution.

3.19.3 The Council Member ceases to be the member of the Council due to invoking Clause 5.1.9.