



Non-Resident Nepali Association National Coordination Council of USA National Election Commission (2023)

Chief- Election Commissioner: *Bashu D. Phulara ESQ. (NY)*

Members: *Khadga Uprety (TX), Priyaranjan Dahal (TX), Binod Subedi (NY), Tuk Regmi (WI)*

ELECTION CODE (“EC”) OF THE NRNA NCC USA (2023)

1. This Code shall be known as NRNA NCC USA Election Code, 2023,
2. This Code was adopted by the NRNA NCC USA *National Election Board (“Election Board”)*’ on *June 03, 2023*, to ensure and conduct an impartial, transparent, systematic, orderly, and reliable NRNA NCC USA election 2023 process (“Election”).
3. The Election Board (“EB”) means, the independent national EB referred to in Article XVI (Sections 108-153, hereinafter, Sec. 108-153).
4. This Code was adopted by the *Election Board* Pursuant to the authority granted by NRNA NCC USA Bylaws 2010 with the amendments 2022 (“Bylaws”), Article XVI, Sections (Sections 108-153, hereinafter, Sec. 108-153).
5. This Code was adopted by the Election Board in consultation and coordination with the NRNA NCC USA Executive Board (“Executive Board”), pursuant to the NRNA NCC Bylaws, Section 122, in compliance with the Bylaws. *Also, refer to applicable provisions under Sec. 152 and Sec. 153.*
6. This Code shall come into force for such an election period (**June 05, 2023, to July 30, 2023**, *future applicable dates may be subject to change in writing to the public*) as prescribed by the Election Board.
7. The Election, unless otherwise provided, shall be conducted, and held by the provisions of the bylaws. In case of any conflict of rule or policy, the bylaws supersede all other provisions relating to the election.
8. This code shall apply to all NRNA NCC USA: Election Candidates (“EC”), Election Board (“EC”), National Board of Directors and Officers (“NBDO”), Members, Association Members, Advisors, Patrons, Foundations, Committees, National and International Convention Delegates, State Chapters and Boards,

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Employees *et. al*, and related to all concerned participants involved in the election process (it may be collectively referred to as, “*electoral participants*”).

9. Jurisdiction and Control of the Election and related activities shall rest with the Election Board provided that the authority of the *Election Board* shall be limited in scope to only those duties and rights stated in the bylaws, its schedules (*refer, Article XVI, Sec.108-153*), this Election Code, and those duties and rights essential to carrying out the same.
10. The Code that is required to be abided by the *Election Board Members* (“*EBM*”) shall be as follows: a) No election-related campaigning shall be made or caused to be made; b) No endorsement of any candidate shall be made or caused to be made in any media including the social platform c) No campaign contribution or expenditure shall be made for or against any candidate, d) No rating or ranking of any candidate shall be made or caused to be made for or against any candidate; e) No offer or acceptance of any kind of monetary or other contributions shall be made from or on behalf of any candidate, and d) No election activities shall be carried out or caused to be carried out in a way that compromises the integrity and fairness of the election.
11. The Code that is required to be abided by the *Election Candidates* shall be as follows (*also refer to Sec, 145-147 of the Bylaws*): a) No candidate of the national including state board shall involve in political activities or cause to involve such activities, b) No candidate shall speak, publish or do election campaign or cause to do so based on any political opinion or beliefs, c) No candidate shall distribute materials, write or cause to write to represent any political, racial, caste-based, or religious ideologies, principles, and beliefs on any platform including social media, d) No candidate or no one shall solicit votes or cause to carry out by campaigning in a way that undermines the integrity of the election process, e) *No money, cash, commodities, and alcohol* by any candidate shall be distributed or cause to be distributed to the voters, f) No candidates shall use false data and opinion or cause to do so in a way that targets the opponent candidate during the election campaign, g) No criticism shall be made by causing harm to the private and confidential family life and

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dignity of the candidates, h) No candidates shall donate money to any person, group, or organization in a way that impacts and influences the election process, i) No obstruction shall be created by any means against the election board, j) No election promotional materials and activities shall be carried out that are against the NRN NCC's principles and goals. If the election board finds the candidate violating this Code, examining the seriousness of the violation, the election board shall have the power to investigate and impose disciplinary actions that may include a warning, issuance of public apology, cancellation of the candidacy, and suspension of the voting right et.al.

- 12.** National Board of Directors and Officers ("NBDO"), Members, Association Members, Advisors, Patrons, Foundations, Committees, National and International Convention Delegates, State Chapters and Boards, Employees et. al, and related to all concerned participants involved in the election process shall maintain neutrality and impartiality during the election process. They shall not stand for or against the candidates and election activities unless they are the candidates during the election process.
- 13.** No obstruction and interference shall be created by any member, director, or officer of the national and state chapter board by any means against the election board. Creating any type of interference and obstruction by anyone against the works of the election board shall be construed as interference and shall be considered--against the vested rights and jurisdiction-- as granted by the bylaws.
- 14.** The National Executive Board and Officers ("NBDO") shall cooperate and provide logistic support promptly to the Election Board to conduct a free and fair election.
- 15.** If any voter casts a false vote or causes to cast a false vote, in the name of any member who had no knowledge of and or had not consented to the casting of his/her ballot at the election shall be constituted as fraud.
- 16.** If the current Executive members or staffs file candidacy for any position during the election, they shall recuse themselves from committee activities and shall

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not be permitted to use legal property, information, logistics support, and or other facilities of the organization for their election promotion.

17. Candidates, Executive Members, and voters shall inform or file a complaint to the Election Board, in writing, with proof of any kind of violation. The election board shall try to resolve the issue or may establish a group of independent experts to further evaluate and resolve the issue involved with the process.
18. The Election Board shall have the authority to settle any complaints and grievances expressed by any voting members and declare the outcomes of the elections. The Election Board's decision on any disputed or contested issues related to the elections shall be final.
19. Any registered voters verified by the Membership Committee shall be eligible and entitled to vote by using any form of voting mechanism determined by the Election Board.
20. As per the bylaws, the Executive Board ("NBDO") shall provide the list of members to the Election Board. The Election Board shall publish a detailed timeline for the election that has timelines for a) the Deadline for voter qualifications/registration, b) Any claim and correction on the voter list, c) the Publication of the final voter's list, d) Deadline for nomination calls from candidates, e) Deadline for verification and withdrawal of candidacy and resolving issues related to any candidate being contested or challenged for its validity and qualification, f) Deadline for conducting election campaign, g) Deadline for the distribution of electronic ballots and voting timeline, h) Deadline for counting and recounting of the ballots and declaration of the final result.
21. The Election Board shall prepare a nomination notice that specifies the process for submitting nominations for the offices to be filled and the duties of each position if applicable and any current members that are eligible to file for candidacy. However, each nomination shall have one Nominator/Proposer and one Supporter, and those nominators/supporters shall be eligible voting

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members. All nominations shall be filed online, and a person shall be limited to filing for one position only. A member shall be a Candidate Nominator or Supporter for one position. No individual candidate/Nominator/Supporter shall endorse for multiple positions.

22. Nomination Fee details shall be published soon: **TBD.**

23. To ensure fair opportunity for all qualified members to participate in the voting process, the electronic election system shall be verifiable and provide an audit trail.

24. All registered voters listed in the final voting list shall be eligible to vote.

25. Available/applicable disciplinary actions shall be imposed as appropriate (i.e., that may include, but not limited to, cancellation of voting rights, etc.) if anybody violates this Code.

For any queries, please email us at- at Electioncommission2023@nrnusa.org

Thank you,
Bashu Phulara
SD
Chief-Election Commissioner
Dated: June 5, 2023
New York, NY