

Ruling #2

March 2017 Executive and BoG Rep Election

Campaigning in an Unauthorized Area – Ankur Pandey, Candidate for Vice President External

Parties to the Ruling

- Ankur Pandey, Candidate for Vice President External
- Mark Lin, Campaign Manager for Ankur Pandey
- Victoria DeJong, Complainant, Campaign Manager for Reed Larsen (Candidate for VP External)
- Donald Ademaj, Chief Returning Officer

Applicable Bylaws, Rules, and Regulations

- Bylaw 2200 §31 (Restrictions on Campaign Activities)
- Bylaw 2200 §47 (Penalties Available)
- Section E of Nomination Package, Schedule of Fines and Penalties

Facts

1. Ankur Pandey was present for the Residence Forum in Lister Cafeteria.
2. After the Forum, at 9:27 pm, Ms. DeJong sent an official complaint to the Chief Returning Officer, stating that:

“I'd like to file a complaint against VP External Candidate Ankur Pandey. As you will see from the photos below, Mr. Pandey was clearly campaigning in the Lister cafeteria at approximately 8:40 in the evening. This directly violates Section 31 1 d of Bylaw 2200.”

3. Mr. Pandey posted on his Facebook, a photo of him with 2 girls in Lister Cafeteria, and wrote the following statement to accompany the photo:

“Campaign Day 7: Saher Asad Mir and Amani Jomha are two wonderful ladies that I had the pleasure of meeting today in Lister. We talked about residence and what I can do to serve them in my role as VP External. The campaign is almost over; if I have convinced you, please tell your friends and vote for Ankur on March 8/9!”

4. Mr. Pandey was offered to submit a reply to the following accusations, to which his campaign manager Mark Lin, replied at 8:44 am on Wednesday, March 8th:

“1) Ankur did approach these girls in Lister after the debate

2) The girls asked him who he was and why he was there. Ankur responded that he was there for a debate and he was a candidate for VP External

3) They talked for about 30 min, (mainly about how one of the girls was forced to move into Lister because she did not have a pressure cooker), and eventually they asked about VP External and what he would be doing for them in that role.

4) They wrapped up the conversation, added each other on FB and took a selfie”

5. Both Mr. Lin and Mr. Pandey were present at the Candidates' Meeting on Thursday, February 16th at 6 pm, where the Chief Returning Officer went over all election bylaws, rules and regulations.

Ruling

1. Bylaw 2200 §31 was not respected by the aforementioned candidate, as the candidate engaged in campaigning in a residence, which is unauthorized.
2. According to Bylaw 2200 §47, the Chief Returning Officer shall "assign a penalty where the contravention was intentional, penalizes the candidate or campaign manager who was or whose volunteer was guilty of the contravention".
3. According to the Schedule of Fines and Penalties laid out in Section E of the Executive Election Nomination Package, campaigning in an unauthorized area results in a \$10 fine plus \$0.10 to each person reached in the unauthorized area.
4. Therefore, a penalty should be assessed

Penalty

1. Ankur Pandey will be fined \$10.20 for unauthorized campaigning

So decided: Wednesday, March 8 @ 10:07.

Time limit for appeal: Thursday, March 9 @ 10:07.

Please direct any inquiries towards:

Donald Ademaj
Chief Returning Officer
University of Alberta Students' Union