



# **KANNUR UNIVERSITY**

## **BYE-LAWS OF THE AFFILIATED COLLEGE/UNIVERSITY CAMPUS STUDENTS' UNION**

**INCORPORATING THE LYNGDOH COMMITTEE RECOMMENDATIONS  
APPROVED BY THE HONOURABLE SUPREME COURT OF INDIA AND AS  
PER G.O (MS)No.149/06/H.Edn. Dept. Dtd. 14-11-2006.**

### **1. The College/Campus Students' Union**

Every College affiliated to the Kannur University /University Campus shall have a College/Campus Students' Union called the.....  
(Name of the College/Campus) .....College/Campus Students' Union elected by a system of **direct election** of the office bearers of the student body wherein all students of all colleges as well as all the students of the University Departments/Campuses vote directly for the office bearers.

### **2. The objectives of the Union**

The objectives of the Union shall be:

- a) to train the students of the College/Campus in the duties, responsibilities and rights of citizenship,
- b) to promote opportunities for the development of character leadership, efficiency, knowledge and spirit of service among the students.
- c) to organize debates, seminars, work squads, tours and similar other activities.
- d) to encourage sports, arts and other cultural, educational and recreational activities that are incidental and conducive to the above objects.
- e) to work for the general welfare of the student community.

### **3. The College/Campus Union fund**

Every College/Campus shall institute a fund called (name of the College/Campus) Union Fund. It shall collect the prescribed fees from the members towards Union activities along with the first installment of the tuition fees at the beginning of each academic year and shall credit the same to the Union Fund. Fund of the Union shall be kept in the P.D.Account of the Principal/ Director/Coordinator of the Campus or deposited in an approved bank and the accounts shall be operated by the Principal, who is the Ex-officio President of the Union.

### **4. The members of the College/ Campus Union**

- a) All students of the College/Campus shall Ipso facto be ordinary members of the Union and shall have the right to vote and contest the elections of the Union, provided they are not disqualified on the basis of Lyngdoh Committee Recommendations (Annexure A) or otherwise
- b) No student of the final year class of any course of the college shall be eligible to contest the election for the post of the Student Editor of the College Magazine.
- c) Every ordinary member of the union can become a member of the other associations, according to his/her main/optional subject.
- d) Every ordinary member shall pay the prescribed fee towards the College/Campus Union Fund, the University Union fund, the fee

for Magazine and other associations. The fees shall be paid with the first installment of fees every academic year.

#### **5. The Term of the Union**

The term of the Union shall generally be the academic year during which the Union assumes office or till the date of elections to the union in the subsequent year. However, a member or an office-bearer will cease to be so if he/she ceases to be a student of the College/Campus. However; this will not apply to the University Union Councilors, who will be governed by the Constitution of the University Union.

#### **6. The Union Council**

- a) The Union shall have a Union Council comprising the following office-bearers.
  - i) The President of the Union (The Principal of the College/Director/ Co-Ordinator of the Campus - Ex-officio)
  - ii) The Chairman
  - iii) The Vice-Chairman
  - iv) The Secretary
  - v) The Joint Secretary
  - vi) The Councillor/Councillors to the University Union
  - vii) The Secretary, Fine Arts
  - viii) The Chief Student Editor of the College Magazine
  - ix) The General Captain of Sports and Games
  - x) The Staff-Advisor nominated by the President in consultation with Executive Committee
  - xi) The Secretaries of the Various Associations.
  - xii) One representative each of I D.C. II D.C and III D.C. In professional colleges one representative for every class (Year-wise) i.e. one for First Year Class, one for Second Year Class etc.
  - xiii) One representative for all P.G. Students.
- b) The offices of the Vice-Chairman and Joint Secretary in mixed colleges shall be reserved for lady students.
- c) The number of University Union Councilors shall be one in colleges having student strength up to 800 and two in colleges where the student strength is more than 800.
- d) The Officers **ii** to **ix** given in sub-section (a) above shall be filled by election by all students of the College and the offices **xi** to **xiii** by-election by the students of the particular association or class as the case may be.

#### **7. The Union Executive Committee**

- a) There shall be an executive committee for the Union with the following office bearers:
  - i) The President of the Union
  - ii) The Chairman
  - iii) The Vice-Chairman
  - iv) The Secretary
  - v) The Joint Secretary
  - vi) The University Union Councillor / Councillors.
  - vii) The Student Editor
  - viii) The Secretary Fine Arts
  - ix) The General Captain for Sports & Games.

- x) Three members elected by the Union Council from among themselves except in Training Colleges.
  - xi) The Staff advisor.
- b) The Secretary of the Union shall act as the Secretary of the Union Executive Committee.

#### **8. The Elections to the College/Campus Union Council**

- a) The elections to the College/Campus Union Council shall be held in all the colleges including professional colleges /the Campuses under the University on a day fixed by the Vice-Chancellor. If, however, the election in any college could not be conducted on that day, it can be conducted on a some other day with the permission of the Vice-Chancellor.
- b) The elections shall be held by secret ballot on the principle of each member having one single non-transferable vote for one post without postal ballot according to the rules framed by the Syndicate of the University from time to time.

#### **9. The Primary duties of the members of the union Executive Committee**

- a) The Chairman shall ordinarily preside over all the meetings of the Union Council and Executive Committee and shall guide the activities of the Union.
- b) The Vice-Chairman shall act as the Chairman in the absence of the latter and assist the Chairman in the discharge of his duties.
- c) The Secretary shall issue notices of the meetings and functions of the Union and keep the minutes of the meetings. He shall take steps to carry out the decisions of the Union Council and the Executive Committee and shall be the custodian of all the records relating to the Union
- d) The Joint Secretary will act as the Secretary in the absence of the latter and shall assist the Secretary.
- e) The Secretary, Fine Arts shall primarily be responsible for promoting the artistic talents of the students and for this purpose it shall be his duty to organize activities and function.
- f) The Student Editor shall be responsible for the publication of the College/Campus Annual with the help of the Magazine Committee which shall consist of i) The Student Editor, ii) The Chairman of the Union, iii) The Secretary of the Union, iv) The Staff-advisor of the Union, v) The staff Editor to be nominated by the President in consultation with the executive committee and vi) Three members of the Union nominated by the Chief Student Editor with the approval of the President.
- g) The Concilor/Councillors to the University Union shall represent the Union in the University Union.
- h) The Principal/Director/Coordinator of the Campus will be the Ex-officio President of the Union and shall have the authority to suspend any or all activities of the Union, with the prior approval of the Vice-Chancellor, if circumstances warrant such an action.

#### **10. The Staff-Advisor**

- a) The Staff-Advisor shall be nominated by the President in consultation with College/Campus Union Executive committee from among the members of the teaching staff of the College/Campus
- b) Expenses for the Union activities shall be incurred only with the previous sanction of the Union Executive Committee except on occasions of emergency. The Staff-Advisor shall keep the regular accounts of income and expenditure. Unspent balance, if any, shall be carried over to the next year.

#### **11. The Subject Associations**

- a) The College/Campus shall have one or more subject associations besides the College/Campus Union according to the different subject taught at the degree and/or post-graduate level as main subject in which the membership shall be restricted to the students studying that subject as the main subject.
- b) Each subject association shall have a Secretary elected by and from the members of the association at the degree and P.G.level. The Secretary so elected shall organize the activities of the Association. The Head of the Department concerned shall be the ex-officio President of the Association.

12. The Union Council shall assume charge within ten days after the election. It shall formulate the activities and prepare and pass the annual budget. It shall also meet subsequently whenever necessary.

13. The Executive Committee shall be responsible for carrying out the policy and programme decided by the Council. It shall meet as often as is necessary for the effective discharge of its functions. It shall be responsible for the administration of the Union funds and for submitting the audited accounts of the Union at the end of the year.

14. The Executive committee shall also function as a consultative committee to apprise the Principal/Director about students' needs and problems.

15. The Union Council and the Executive Committee shall take decisions by simple majority. In case of the tie, the Chairman will have a casting vote in addition to his normal vote. The quorum for the meeting shall be one-third of the total members.

16. The Executive Committee may nominate.

- a) A convener for organizing the Planning Forum and
- b) A convener for organizing social service activities.

17. Any amendment to these Bye-Laws shall be made by the Syndicate of the University.
18. Any dispute or question arising with regard to the provisions contained in these Bye-Laws be decided by the Vice-Chancellor in consultation with the Syndicate and such decisions made by the Vice-Chancellor shall be final.
19. Those Colleges/Campus which have not conducted the Union elections as per the instructions of the University are not eligible to take part in any of the University Union activities including the Arts Festivals.
20. College Union Executive Committee student members are eligible for attendance for Union activities on the recommendation of the Staff Advisor.

**AFFILIATED COLLEGE/UNIVERSITY CAMPUS STUDENTS' UNION  
ELECTION RULES INCORPORATING THE LYNGDOH COMMITTEE  
RECOMMENDATIONS**

**APPROVED BY THE HONORABLE SUPREME COURT OF INDIA AND AS  
PER G.O.(MS) No. 149/06/H.Edn. Dated 14.11.2006 OF  
GOVERNMENT OF KERALA.**

(Approved by the Syndicate as per resolution No.2007.504\*of the meeting of the  
Syndicate held on 03-10-2007)

- I. The College Union Council comprises the following offices.
  1. The President of the Union (Principal / Director/Co-Ordinator -Ex-Officio)
  2. The Chairman.
  3. The Vice-Chairman
  4. The Secretary.
  5. The Joint Secretary.
  6. The Councillor/Councillors to the Kannur University Union of the College Union.
  7. The Secretary, Fine Arts.
  8. The Student Editor of the College/Campus Magazine.
  9. The General Captain (Sports & Games)
  10. The Staff Advisor nominated by the President in consultation with the Union (with no vote)
  11. The Secretary of each of the various main Subject Associations
  12. One representative each of I D.C., II D.C., III D.C., (For professional colleges, one representative for each year) elected by the students of the respective classes and one representative elected by all the P.G. students.
- II. The Vice-Chairmanship and the Joint Secretaryship in mixed colleges/campus shall be reserved for ladies. If girl students are not willing to contest the election to these reserved offices shall be kept vacant. The number of councilors shall be only one in colleges having strength of less than 800 and shall be two where the strength is 800 and above. Offices 2 to 9 shall be filled by election by all the students of the college and offices (11) & (12) by the students of the respective associations/class. The election procedure for all the seats shall be the same.
- III. The Union Executive Committee comprises the following Offices:

1. The President of the Union
2. The Chairman
3. The Vice-Chairman
4. The Secretary
5. The Joint Secretary.
6. The Councillor/Councillors to the Kannur University Union
7. The Secretary, Fine Arts
8. The Student Editor of the College/Campus Magazine
9. The General Captain (Sports & Games)
10. Three members elected by the Union Council from among themselves  
(Except in Training Colleges/Campus)
11. The Staff Advisor

IV. The Union Secretary shall act as the Secretary of Executive Committee. In Training Colleges/Campus the Union Council shall be the Executive Committee.

V. **Except as otherwise exempted by the University, the conduct of all elections in the Colleges affiliated to the University /Campus shall be held as provided hereunder.**

**V(1) The Returning Officer.**

The Principal of the College Director/Co-ordinator of the Campus or a senior member of the Staff appointed by the Principa/Director and intimated to the University in time shall be the Returning Officer for all Union elections held in the College/Campus. He may appoint the required number of Staff to assist him in the conduct of election. (It shall be the responsibility of the Principal/Director to take all precautionary measures to ensure the peaceful conduct of election)

**V.(2) The Election Notification**

a) The entire election process commencing from the date of filing of nomination to the declaration of election results including the campaign period should not exceed 10 days. The notification shall contain:

The date of notification

Publication of Preliminary electoral roll

Last date for filling objection/deletion/addition in to the electoral roll

Publication of final electoral roll

Last date and time of receipt of nominations

Date and hour of scrutiny of nomination

Publication of list of candidates validly nominated

Last date and hour for withdrawal of candidature

Date of publication of the final list of candidates

Date and hour fixed for the poll

Date and hour of counting of votes and

Date and time of the declaration of results.

b) The Returning Officer shall under the general direction from the University issue the election notification and displays the same on the notice board. The notification shall contain the schedule of election as detailed above. Individual institutions may make changes in the schedule if necessary, except for the date of notification and the date and hours fixed for the poll.

### **V (3) The Electoral Rolls**

a) The Returning Officer shall maintain electoral rolls showing the names of students qualified to vote there at, serially numbered with details of their class, group, subject etc. Copies of the electoral rolls shall be made available to the students in the office of the Returning Officer.

b) The Returning Officer shall make any correction, alteration or deletion in the rolls provided the requisition for the same is received by him within twenty four hours of the publication of the rolls and further he is satisfied that the correction, alteration or deletion is justifiable. The Returning Officer may also include the name of any student inadvertently omitted from the original electoral rolls. The corrected final electoral roll shall be published on the notice board.

### **V (4) The Nomination of Candidates**

a) Every elector shall be at liberty to nominate a qualified student for the election. Every nomination shall be in the prescribed form (specimen form Annexure 'B') and shall be made by an elector in writing and shall be proposed and seconded by an elector each.

Every such nomination shall be accompanied by :

- 1) a consent in writing of the nominee agreeing to serve on the body if elected,
- 2) a declaration in respect of the satisfaction of conditions set for qualification for candidature in the Lyngdoh Committee Recommendations

Both the consent and the declaration shall be signed in the presence of the Returning Officer after the proper identification of the candidate.

b) Each nomination for the posts (2) to (9) of clause I should be accompanied by a security deposit of Rs.100 (Rupees One Hundred only). The nomination paper should be handed over to the Returning Officer or the person authorized by him in his office, within the date and hour fixed for the purpose. The Returning Officer shall give a receipt for every nomination received by him. If any candidate gives more than one nomination for the same post, only Rs.100/- be received from him/her as the security deposit. The security deposit will be returned to the candidate if (1) the nomination is withdrawn as per rules in V (7) and/or (2) if the candidate gets at least 20% of the total number of votes polled for the post for which he/she contests. Security deposits forfeited by the candidates shall be credited to the College/Campus Union Fund.

c) No person shall propose or second more than one person for the same post. A person who has proposed another person for a post shall not

second a third person for the same post. A candidate nominated for a post shall not propose or second another person for the same post.

#### **V (5) The Scrutiny of Nominations**

- i) All nomination papers shall be scrutinized by the Returning Officer at the hour on the date prescribed. The candidate or his authorized agent from among the electors alone will be permitted to be present at the time of scrutiny of nominations.
- ii) The Returning Officer shall examine the nomination papers and may reject any nomination paper either on his own motion or on valid objection. The decision of the Returning Officer shall in each case be endorsed by him on the nomination paper in respect of which such decision is given.

#### **V (6) The Publication of the list of valid nominations**

A list of candidates (with their names, class, subject, group etc.) whose nominations have been declared valid shall be published by the Returning officer affixing the same on the notice board.

#### **V(7) The Withdrawal of the candidature:**

Any candidate may withdraw his/her candidature by notice in writing signed by him/her and delivered in person to the Returning Officer so as to be received by him within the date and hour fixed for the same. Withdrawal once made shall be final.

#### **V(8) The Publication of the Final list of Candidates:**

The Returning Officer shall publish after the expiry of time fixed for withdrawal of candidature, a final list of candidates validly nominated showing the names arranged in alphabetical order together with their class, group and subject.

#### **V (9) The Declaration of election of candidates:**

- i) If the number of candidates does not exceed the number of vacancies to be filled by election, such candidates shall be declared to have been elected unopposed.
- ii) If the number of candidates is less than the number of vacancies to be filled by election, the electorate shall elect a person(s), as the case may be, to fill the remaining vacancy(ies) on the direction of the Vice Chancellor on some other day.
- iii) If the number of candidates exceeds the number of vacancies to be filled by election, the Returning Officer shall proceed with the election in the manner prescribed.



## V (10) The Voting

The Voting shall be by secret ballot. No vote shall be given by proxy

For the smooth conduct of the election the following shall be observed:

- i) Sufficient number of Polling booths shall be arranged. There shall be Presiding and Polling Officers attached to each booth.
- ii) The ballot box sealed or locked (In the presence of the candidates or their agents if so requested by them) shall be placed at a convenient place with arrangements for exercising the franchise by the electors
- iii) The Presiding Officer shall ascertain:
  - (a) the identity of the elector before issue of the ballot paper and
  - (b) that the person desiring to vote has not already voted.
- iv) The name of the person shall be entered upon the serially numbered counterfoil of the ballot paper (for specimen see Annexure 'C') in a ballot paper book. The ballot paper corresponding to that counterfoil shall then be detached after **affixing the signature of the Presiding Officer** thereon and handed over to the voter.
- v) At the time of issuing the ballot paper, the Polling or Presiding Officer shall make sure that the **ballot papers bear the facsimile of the Returning Officer** and tick mark against the name of the elector in a copy of the electoral roll kept for the purpose and get the signature of the elector on the electoral roll.
- vi) The elector who has received the ballot paper shall then proceed to the voting compartment erected providing for secrecy, for marking the vote, record his vote in the ballot paper in the manner prescribed-i.e. by affixing the rubber seal bearing 'X' mark against the name of the candidate, in the column provided for that and then proceed to the place where the ballot box is placed and deposit the same in the ballot box.
- vii) No elector shall be allowed to enter the place arranged for marking the vote when another elector is there and no elector shall remain there longer than is necessary for recording his/her vote.
- viii) If an elector is incapacitated from blindness or other physical problems he or she can arrange a companion in the voters list to cast his/her vote in his /her presence.
- ix) The Presiding Officer shall properly seal the ballot box immediately after the polling (but not earlier than the completion of the period for voting) and hand over the same to the Returning officer. The Returning Officer shall keep the same in safe custody.

## V(11) The Procedure of Counting

- i) The ballot box shall be opened and scrutiny and counting of votes shall be held at the scheduled time in the presence of the Returning Officer by the counting officers appointed by him from among the staff
- ii) No person shall be present at the counting station except the Returning Officer and the counting officers and the candidates concerned, The candidates, in case they are unable to be present for the counting, may nominate (in writing) a representative from among the voters to act on their behalf at the time of counting.

**(12) The validity of vote**

1 The vote shall be invalid and rejected if :

- i) it does not bear facsimile of the Returning Officer and the signature of the Presiding Officer ; or
- ii) a voter signs his name or writes any word or makes any mark on it by which it becomes recognizable ; or
- iii) the vote is recorded thereon by any mark other than the one (X) made using the seal provided for voting or
- iv) no vote is recorded thereon; or
- v) the number of vote recorded thereon exceeds the number of vacancies to be filled; or
- vi) uncertain with regard to intention, or
- vii) the vote is recorded outside the column provided for that purpose; or
- viii) it violates any other law

2. The votes declared invalid shall be endorsed by the Returning Officer and kept separately.

**V (13) The Recounting**

- i) Any candidate (or his agent) may, immediately after completion of the counting, request (in writing) the Returning Officer to recount the votes polled for the post and the Returning Officer shall re-examine and recount the same accordingly.
- ii) The Returning Officer may at his own discretion recount the votes either once or more than once when he is not satisfied as to the accuracy of any previous counting.
- iii) Provided however that nothing in these rules shall make it obligatory on the Returning Officer to recount the same votes more than once.

**VI Annexure A -- The Lyngdoh committee recommendations approved by the Honorable Supreme Court of India.**

Annexure B -- Nomination paper

Annexure C -- Ballot paper

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**Annexure - A**  
**Lyngdoh Committee Recommendations**  
**Approved by the Honorable Supreme Court of India**

6.1.1. Universities and colleges across the country must ordinarily conduct elections for the appointment of students to student representative bodies. These elections may be conducted in the manner prescribed herein, or in a manner that conforms to the standards prescribed herein.

6.1.2. Where the atmosphere of the university campus is adverse to the conduct of peaceful, free and fair elections, the university, its constituent colleges and departments must initiate a system of student representation based on nominations, especially where elections are being held at present. It would be advisable, however, not to base such nomination system on purely academic merit, as is being practiced throughout the country.

6.1.3. In cases where elections are not being held, or where the nomination model prevails, the nomination model should be allowed to continue for a limited period of time. It is to be noted that the nomination system suffers from several flaws, and must only be restored to as an INTERIM MEASURE.

6.1.4. Subject to the recommendations in respect of the possible model of elections, all institutions must over a period of 5 years, convert from the nomination model to a structured election model, that may be based on a system of parliamentary (indirect) elections, or on the presidential (direct) system, or a hybrid of both. It is highly desirable that all institutions follow this mechanism of gradual conversion, especially for privately funded institutions that prefer a status quo situation.

6.1.5. All institutions must conduct a review of the student representation mechanism. The first review may be conducted after a period of 2 years of the implementation of the mechanism detailed above, and the second review may be conducted after the 3<sup>rd</sup> or the 4<sup>th</sup> year of implementation. The primary objective of these reviews will be to ascertain the success of the representation and election mechanism in each individual institution, so as to decide whether or not to implement a full-fledged election structure. Needless to say these reviews will be based on a consideration of the views and suggestions of all stakeholders, such as students, faculty, administration, student bodies, and parents.

6.1.6. Institutions must, as a primary objective, subject to the pertinent issue of discipline on campus, seek to implement a structured system of student elections by conclusion of a period of 5 years from the date of the implementation of the recommendations.

7. 6.1.7. Subject to the autonomy of the universities in respect of the choice of the mode of election, all universities must institute an apex student representative body that represents all students, colleges, and departments coming under the particular university. In the event that the university is geographically widespread, individual colleges may constitute their own representative bodies, which would further elect representatives for the apex universities body.

8. 6.1.8. The union/representative body so elected shall only comprise of regular students on the rolls of the institution. No faculty member, nor any member of the

administration shall be permitted to hold any post on the executive of such representative body, nor shall be allowed to be a member of any such representative body.

## 6.2. Modes of Elections

6.2.1. A system of direct election of the office bearers of the student body, whereby all students of all constituent colleges, as well as all students of university departments vote directly for the office bearers. This model may be followed in smaller universities with well-defined single campuses (for e.g. JNU/University of Hyderabad), and with a relatively smaller student population. A graphic representation of this model is annexed herewith at Annexure IV-A.

In respect of universities with large, widespread campuses and large student bodies either of the following models may be adopted.

6.2.2. A system of elections, where colleges and campuses directly elect college and campus office bearers, as well as university representatives. The university representatives form an electoral college, which shall elect the university student union office bearers. A graphic representation of this model is annexed herewith at Annexure-IV-B.

6.2.3. A system of elections where on one hand, directly elected college and campus office bearers, as well as university representatives. The university representatives form an electoral college, which shall elect the university student union office bearers. A graphic representation of this model is annexed herewith at Annexure IV-B.

6.2.3. A system of elections where on one hand, directly elected class representative elected the office bearers of the college as well as the university representatives, and the campus itself directly elects the campus officers bearers and the university representatives. The University representatives shall form an electoral college, which shall elect the office bearers of the university student union. A graphic representation of this model is annexed herewith at annexure IV-C.

6.2.4. A system of election wherein class representatives shall be directly elected in the colleges and universities campus and they in turn shall elect the office bearers for the college unions and the university campus union. Also they shall elect their representatives for university student union. These elected representative from colleges and university campus shall form the electoral college, which shall elect the office bearers of the university student union. This model shall be applicable to large university with large number of affiliated colleges. A graphic representation of this model is annexed herewith at Annexure IV-D.

## 6.3 Disassociation of Student Elections and Student Representation from Political Parties.

6.3.1. During the period of the elections no person, who is not a student on the rolls of the college/university, shall be permitted to take part in the election process in any capacity. Any person, candidate, or member of the student organization, violating this rule shall be subject to disciplinary proceedings, in addition to the candidature, as the case may be being revoked.

## 6.4. Frequency and Duration of Election Process

6.4.1. It is recommended that the entire process of elections, commencing from the date of filing of nomination papers to the date of declaration of results, including the campaign period, should not exceed 10 days.

6.4.2. It is further recommended that elections be held on a yearly basis and that the same should be held between 6 to 8 weeks from the date of commencement of the academic session.

#### 6.5. Eligibility Criteria for Candidates

6.5.1. Under graduate students between the ages of 17 and 22 may contest elections. This age range may be appropriately relaxed in the case of professional colleges, where courses often range between 4 to 5 years.

6.5.2 For Post Graduate Students the maximum age limit to legitimately contest and election would be 24-25 years.

6.5.3 For research Students the maximum age limit to legitimately contest an election would be 28 years.

6.5.4. Although, the Committee would refrain from prescribing any particular minimum marks to be attained by candidate, the candidate should in no event have any academic arrears in the year of contesting the election.

6.5.5. The candidate should have attained the minimum percentage of attendance as prescribed by the university or 75% attendance, whichever is higher.

6.5.6. The candidate shall have one opportunity to contest for the post of office bearer, and two opportunities to contest for the post of an executive member.

6.5.7. The candidate shall not have a previous criminal record, that is to say he should not have been tried and/or convicted of any criminal offence or misdemeanor. The candidate shall also not have been subject to any disciplinary action by the University authorities.

6.5.8. The candidate must be a regular, full time student of the college/university and should not be a distance/proximate education student. That is to say that all eligible candidates must be enrolled in a full time course, the course duration being at least one year.

#### 6.6. Election – Related Expenditure and Financial Accountability.

6.6.1. The maximum permitted expenditure per candidate shall be Rs.5000/-

6.6.2. Each candidate shall, within two weeks of the declaration of the result, submit complete and audited accounts to the college/university authorities. The college/university shall publish such audited accounts within 2 days of submission of such accounts, through a suitable medium so that any member of the student body may freely examine the same.

6.6.3. The election of the candidate will be nullified in the event of any non-compliance or in the event of any excessive expenditure.

6.6.4. With the view to prevent the inflow of funds from political parties into the student election process, the candidates are specially barred from utilizing funds from any other sources than voluntary contributions from the student body.

6.7. Code of conduct for Candidates and Elections Administrators.

6.7.1. No candidate shall indulge in, nor shall abet, any activity, which may aggravate existing differences or create mutual hatred or cause tension between different castes and communities, religious or linguistic, or between any group(s) of students.

6.7.2. Criticism of other candidates, when made, shall be confined to their policies and programs, past record and work. Candidates shall refrain from criticism of all aspects of private life, not connected with the public activities of the other candidates or supporters of such other candidates. Criticism of other candidates, or their supporters based on unverified allegations or distortion shall be avoided.

6.7.3. There shall be no appeal to caste or communal feelings for securing votes. Places of worship, within or without the campus shall not be used for election propaganda.

6.7.4. All candidates shall be prohibited from indulging or abetting, all activities which are considered to be "corrupt practices" and offences, such as, bribing of voters, intimidation of voters, impersonation of voters canvassing or the use of propaganda within 100 meters of polling stations, holding public meetings during the period of 24 hours ending with the hour fixed for the close of the poll, and the transport and conveyance of voters to and from polling station.

6.7.5. No candidate shall be permitted to make use of printed posters, printed pamphlets, or any other printed material for the purpose of canvassing. Candidates may only utilize hand-made posters for the purpose of canvassing, provided that such hand-made posters are procured within the expenditure limit set out herein above.

6.7.6. Candidates may only utilize hand-made posters at certain places in the campus, which shall be notified in advance by the election commission/university authority.

6.7.7. No candidate shall be permitted to carry out processions, or public meetings, or in any way canvass or distribute propaganda outside the university/college campus.

6.7.8. No candidate shall, nor shall his/her supporters, deface or cause any destruction to any property of the university/college campus, for any purpose whatsoever, without the prior written permission of the college/university authorities. All candidates shall be held jointly and severally liable for any destruction/defacing of any university/college property.

6.7.9. During the election period the candidates may hold processions and /or public meetings, provided that such processions and/or public meetings do not, in any manner, disturb the classes and other academic and co-curricular activities of the college/university. Further, such procession/public meeting may not be held without the prior written permission of the college/university authority.

6.7.10. The use of loudspeakers, vehicles and animals for the purpose of canvassing shall be prohibited.

6.7.11. On the day of polling, student organizations and candidates shall

(i) Co-operate with the officers on election duty to ensure peaceful and orderly polling and complete freedom to the voters to exercise their franchise without being subjected to any annoyance or obstruction:

(ii) not serve or distribute any eatables, or other solid and liquid consumables, except water on polling day;

(iii) not hand out any propaganda on the polling day.

6.7.12. Excepting the voters, no one without a valid pass/letters of authority from the election commission or from the college/university authorities shall enter the polling booths.

6.7.13. The election commission/college/university authorities shall appoint impartial observers. In the case of deemed universities and self-financed institutions, government servants may be appointed as observers. If the candidates have any specific complaint or problem regarding the conduct of the elections they may bring the same to the notice of the observer. Observers shall also be appointed to oversee the process of nomination of students in institutions that are following the nominations model of student representation.

6.7.14. All candidates shall be jointly responsible for ensuring the cleaning up of the polling area within 48 hours of the conclusion of polling.

6.7.15. Any contravention of any of the above recommendations may make the candidate liable to be stripped of his candidature, or his elected post, as the case may be. The election commission/college/university authorities may also take appropriate disciplinary action against such a violator.

6.7.16. In addition to the above-mentioned code of conduct, it is also recommended that certain provisions of the Indian Penal Code, 1860 (Section 153-A and Chapter IX-A – “Offences Relating to Election”), may also be made applicable to student elections.

6.8. Grievances Redressal Mechanism.

6.8.1. There should be a Grievances Redressal Cell with the Dean (Student Welfare) / teacher in charge of student affairs as its chairman. In addition, one senior faculty member, one senior administrative officer and two final year students – one boy and one girl (till the election results declared, students can be nominated on the basis of merit and/or participation in the co-curricular activities in the previous year). The grievance cell shall be mandated with the redressal of election-related grievance, including, but not limited to breaches of the code of conduct of elections and complaints relating to election-related expenditure. This cell would be the regular unit of the institution.

6.8.2. In pursuit of its duties, the grievance cell may prosecute violators of any aspect of the code of conduct or the rulings of the grievance cell. The grievance cell shall serve as the court of original jurisdiction. The institutional head shall have appellate jurisdiction over issues of law and fact in all cases or controversies arising out of the conduct of the elections in which the grievance cell has issued a final decision. Upon review, the institutional head may revoke or modify the sanctions imposed by the grievance cell.

6.8.3. In carrying out the duties of the office, the Grievance cell shall conduct proceedings and hearing necessary to fulfill those duties. In executing those duties they shall have the authority:

- (i) to issue a writ of subpoena to compel candidates, agents, and workers and to request students to appear and give testimony, as well as produce necessary records; and
- (ii) to inspect the financial reports of any candidate and make these records available for public scrutiny upon request.

6.8.4. Members of the Grievance cell are prohibited from filing complaints. Any other student may file a complaint with the Grievance cell, within a period of 3 weeks from the date of declaration of results. All complaints must be filed under the name of the student filing the complaint. The Grievance cell shall act on all complaints within 24 hours after they are received by either dismissing them or calling a hearing.

6.8.5. The Grievance cell may dismiss a complaint if

- (i) The complaint was not filed within the time frame prescribed in Recommendation 8.4 above;
- (ii) the complaint fails to state a cause of action for which relief may be granted.
- (iii) the complainant has not and/or likely will not suffer injury or damage.

6.8.6. If a complaint is not dismissed, then a hearing must be held. The Grievance cell shall inform, in writing, or via e-mail, the complaining party and individuals or groups named in the complaint of the time and place of the hearing. The parties are not considered notified until they have received a copy of the complaint.

6.8.7. The hearing shall be held at the earliest possible time, but not within twenty-four (24) hours after receipt of the notice described above, unless all parties agree to waive the 24 hour time constraint.

6.8.8. At the time, notice of hearing is issued, the Grievance Cell, by majority vote, may issue a temporary restraining order, if it determines that such action is necessary to prevent undue or adverse effects on any individual or entity. Any restraining order, once issued, will remain in effect until a decision of the Grievance Cell is announced after the hearing or until rescinded by the Grievance Cell.

6.8.9. All Grievance Cell hearing, proceedings, and meetings must be open to the public.

6.8.10 All parties of the Grievance Cell hearing shall present themselves at the hearing may be accompanied by any other student from which they can receive counsel, and have the option to be represented by that counsel.

6.8.11. For any hearing, a majority of sitting Grievance Cell members must be in attendance with the Chair of the Grievance Cell presiding. In the absence of the Chair, the responsibility to preside shall fall to an Grievance Cell member designated by the Chair.

6.8.12. The Grievance cell determine the format for the hearing, but must require that both the complaining and responding parties appear physically before the board to discuss the issues through a complaint, answered, rebuttal, and rejoinder format. The purpose of the hearing is to gather the information necessary to make a decision, order, or ruling that will resolve an election dispute. The effectuate this purpose; the following rules should prevail at all hearings:



Complaining parties shall be allowed no more than two witnesses, however, the Grievance cell may call witnesses as required. If said witnesses are unable to appear at the hearing, signed affidavits may be submitted to the Grievance Cell Chair for the purpose of testifying by proxy.

- \* All questions and discussions by the parties in dispute shall be directed to the Grievance Cell.
- \* There shall be no direct or cross-examination of any party or witness by complaining or responding parties during hearings.
- \* Reasonable time limits may be set by the Grievance Cell provided they give fair and equal treatment to both sides.
- \* The complaining party shall bear the burden of proof.
- \* Decisions, orders and rulings of the Grievance Cell must be concurred to by a majority of the Grievance Cell present and shall be announced as soon as possible after the hearing. The Grievance cell shall issue a written opinion of the ruling within 12 hours of announcement of the decision. The written opinion must set forth the findings of fact by the Grievance Cell and the conclusions of law in support of it. Written opinions shall set a precedent for a time period of three election cycles for Grievance Cell ruling, and shall guide the Grievance Cell in its proceedings. Upon consideration of prior written opinions, the grievance cell may negate the decision, but must provide written documentation of reasons for doing so.
- \* If the decision of the Grievance Cell is appealed to the institutional head, the Grievance Cell must immediately submit its ruling to the commission
- \* The Grievance Cell shall select the remedy or sanction most appropriate to both the type and severity of the infraction, as well as the stand of mind or intent of the violator as determined by the Grievance Cell. Possible remedies and sanctions include, but are not limited to, fines, suspension of campaigning privileges, and disqualification from the election.
- \* Any fine or total account of fines against a candidate in an election cycle may not exceed the spending limit as defined herein above.
- \* If, after a hearing, the Grievance Cell finds that provisions of this Code were violated by a candidate, or a candidate's agent or workers, the Grievance Cell may restrict the candidate, or the candidate's agents or workers, from engaging in some or all campaign activities for some or all of the remainder of the campaign. If an order is issued covering only part of the remaining period, it shall take effect immediately so that after its termination, the candidate will have an opportunity to resume campaigning during the days immediately prior to and including the election days.
- \* If, after a hearing, the Grievance Cell finds that provisions of either this Code or decisions, opinions, orders, or ruling of the Grievance Cell have been willfully and blatantly violated by a candidate, or a candidate's agents or workers, the Grievance Cell may disqualify the candidate.
- \* Any party adversely affected by a decision of the Grievance Cell may file an appeal with the institutional head within twenty four (24) hours after the adverse decision is announced. The institutional head shall have discretionary appellate jurisdiction over the Grievance Cell in all cases in which error on the part of the Grievance Cell is shown.
- \* The decision of the Grievance cell shall stand and shall have full effect until the appeal is heard and decided by the institutional head.
- \* The institutional head shall hear appeals of Grievance Cell rulings as soon as possible, but not within twenty four (24) hours after the Grievance cell delivers to the Appellant and the institutional head a copy of its written opinion in the case.

Appeal may be heard prior to this time, but only if the Appellant waives the right to a written opinion and the institutional head agrees to accept the waver.

- \* The institutional head can issue suitable orders to suspend or halt the operation of the ruling issued by the Grievance Cell until the appeals are decided.
- The institutional head shall review findings of the Grievance cell when appealed. The institutional head may affirm or overturn the decision of the Grievance cell, or modify the sanctions imposed.

#### 6.9. Maintaining Law and Order on the Campus during the Election Process.

6.9.1. Any instance of acute lawlessness or the commission of a criminal offence shall be reported to the police by the university/college authorities as soon as possible, but not later than 12 hours after the alleged commission of the offence.

#### 6.10. Miscellaneous Recommendations

6.10.1. Student representation is essential to the overall development of students, and, therefore, it is recommended that university statutes should expressly provide for student representation.

6.10.2. Student representation should be regulated by statute (either a Central Statute, State Statute or individual university statutes), incorporating the recommendations prescribed herein.

6.10.3. The institution should organize leadership-training programs with the help of professional organizations so as to groom and instill in students leadership qualities.

6.10.4. In the event of the office of any major post of office bearers falling vacant within two months of elections, re-elections should be conducted; otherwise the Vice President may be promoted to be post of President and Joint Secretary to the post of Secretary, as the case may be.”

We, however, direct modifications in paragraphs 6.6.2 and 6.9.1.

The expression “and audited accounts” in paragraph 6.6.2. shall be substituted by the words “and certified accounts” (to be certified by the candidate). Similarly, the period of “12 hours” indicated in paragraph 6.9.1. i.e. “12 hours” shall be substituted by the words “6 hours”.

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