

## **CONSTITUTION OF THE BENGAL ENGINEERING AND SCIENCE UNIVERSITY, SHIBPUR STUDENTS' UNION**

Whereas Sections 1 and 53 of the Bengal Engineering and Science University, Shibpur Act (West Bengal Act XIII of 2004; hereinafter referred to as the Act) came into effect on and from the first of October 2004.

And whereas under section 53 of the Act, as on date, all the authorities and bodies referred to in the Rules, Regulations and Bye-laws of the Bengal Engineering College (Deemed University) continue to exercise all the powers and perform all the duties.

And whereas the existing constitution of the Students' Union was framed way back in 1987

And whereas it was felt in a meeting of all the Heads of the Department, Hostel Superintendents, Dean of Students and the Vice-Chancellor held on 19.04.2004 at 3-30 p.m. in the Conference Room of the University that the existing Constitution of the Bengal Engineering College Students Union (BECSU) be repealed and a new constitution be framed in terms of section 23 of the existing Constitution

And whereas it is considered necessary and expedient to put in place a new Constitution of the Students' Union in the name and style - "Bengal Engineering and Science University, Shibpur Students' Union"

And whereas it is expedient to amend the Constitution of the Bengal Engineering College Students' Union for students' purpose and for uniting the students of this university for democratic rights, for safe-guarding their interest and to foster the growth of academic and cultural life in this University, for creating a conducive environment for growth of mental health of the students, to fight against all limitations and to keep sound discipline within the University Campus.

And whereas pursuant to an order of Hon'ble Supreme Court dated 02.12.2005 MHRD-GoI had constituted a Committee under Sri J.M. Lyngdoh to recommend upon Student Union Election to be conducted in Universities, the Report of which was submitted on 26.05.2006.

And whereas Hon'ble Supreme Court in its order dated 22.09.2006 had directed the recommendation of Lyngdoh Committee to be implemented and followed in all Universities within its' autonomy and UGC has requested the Universities for implementation of above by its' letter dated 28.11.2006.

Now therefore, in pursuance of the directions given by the Governments, both at Central and State level, in respect of the recommendations of the Hon'ble Supreme Court for conducting Students' Election in the University, the Constitution of the Students' Union is reframed as hereunder :

Article 1. This constitution shall be called the constitution of Bengal Engineering and Science University, Shibpur Students' Union.

Article 2. In this Constitution unless there is something repugnant to the context:

- i) "Act" means the Bengal Engineering and Science University, Shibpur Act, 2004 (West Bengal Act XIII of 2004)
- ii) "Article" means an article of this Constitution

- iii) “Authority” means an authority of the University under the Act or under the Statutes, the Ordinances, the Regulations or the Rules of the University framed under the provisions of the Act.
  - iv) “Casual Student” means a student pursuing a part-time course for which either a degree or a diploma is offered by the University or a student pursuing any other programme at the University for which neither a degree nor a diploma is awarded by the University
  - v) “Executive Committee” means the executive committee referred to in Article 5.
  - vi) “General Council” means the General Council referred to in Article 7.
  - vii) “Member” of the Union means a regular bonafide student of the University. a casual student shall not be regarded as a member or shall not become eligible for becoming class representative from any section in any branch of study.
  - viii) “Union” means the Bengal Engineering and Science University, Shibpur Students’ Union.
  - ix) “University” means the Bengal Engineering and Science University, Shibpur.
  - x) “Student” means a bonafide undergraduate or post-graduate student who is not a defaulter in payment of University tuition fees.
- Article 3. (a) All students will be members of the Union, provided that no casual student shall be a member of the Students’ Union.
- (b) Every member of the Students’ Union shall have voting right in the election to the General Council of the Students’ Union.
- (c) The Union shall be a forum of all regular students having voting rights.
- (d) There shall be two unions one for the undergraduate students and the other for the post-graduate students; the unions shall be called the Undergraduate Students’ Union and the Post-graduate Students’ Union respectively. In each year Election shall normally be conducted during the month of July for the Undergraduate Students’ Union and in November for the Post-graduate Students’ Union.
- Article 4. A member shall cease to be a member with effect from the last day of his final semester Examination.
- Article 5. There shall be an Executive Committee of the Union. The executive committee shall be formed from amongst the members of the General Council comprising the elected class representatives of the students in the manner laid down in article 10.
- Article 6. Unless otherwise dissolved or superseded the Executive Committee of the Students’ Union shall remain in office till a new Committee is formed and its elected office bearers assume office.
- Article 7. (a) (i) The General Council of the undergraduate students union shall consist of the representatives of the students and shall be constituted in a manner laid down here-under:
- (ii) Every branch of study in every year shall be considered a constituency for the purpose of election to the General Council of the Students’ Union. From each constituency normally one member, - to

be designated as class representative of the constituency, shall be elected to the General Council, provided that if in a constituency the number of electorate is more than fifty, two members shall be elected from that constituency to the General Council.

(iii) Representatives elected from different constituencies will constitute the General Council

(b) The composition of the General Council of the post-graduate students' union shall be similar to the composition of the General Council of the undergraduate students' union as provided for above.

(c) Along with the election notification the Registrar shall declare the constituencies and the electoral colleges.

Article 8. (a) Election of the Students' Union mentioned in Article 7 shall ordinarily be held before the expiry of the term of the Students' Union and in any case not later than within three months from the end of the term.

"Term" in this article means consecutive twelve months from the date of this first meeting.

(b) If the atmosphere of the University Campus is adverse to conduct peaceful, free and fair elections, the University, in harmony with the recommendations of Hon'ble Supreme Court, shall initiate a system of Students' representation based on nominations till the atmosphere becomes conducive for conducting the elections. However, this must only be resorted to as an interim measure and the structured election process shall not be kept pending by the University for more than six months.

Article 9. All elections shall be held by secret ballots according to rules framed under Article 28(e) of this Constitution.

Article 10. (a) Within 10 days of the completion of the election process the first meeting of the General Council shall be convened by the returning officer exclusively for the purpose of formation of the Executive Committee of the Students Union. Not less than "five days" notice shall be given for the meeting. The notification convening the first meeting shall be pasted on the notice board of the Office of the Dean of Students.

b) The Executive Committee of the Students' Union shall be elected from amongst the members of the General Council, - if required through secret ballot, by the elected members of the General Council.

The affairs of the union shall be controlled and managed by the Executive Committee.

The Executive Committee of the undergraduate students' union shall comprise the following:

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|-----------------------|--------|---|
| (1) President         | 1 post | shall be elected from the members of the General Council elected from a <b>final year</b> or <b>pre final year</b> constituency |
| (2) General Secretary | 1 post | shall be elected from the members of the General Council elected from a <b>pre final year</b> constituency.                     |
| (3) Treasurer         | 1 post | shall be elected from amongst the members   |

of the General Council not elected from a final year constituency

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|----------------------------------|--------|---|
| (4) Vice President               | 1 Post | To be one of the elected representatives other than the above |
| (5) Assistant General Secretary  | 1 Post |   |
| (6) Cultural Secretary           | 1 Post |   |
| (7) Literary Secretary           | 1 Post |   |
| (8) Indoor Games Secretary       | 1 Post |   |
| (9) Library Secretary            | 1 Post |   |
| (10) Store and Canteen Secretary | 1 Post |   |

- (c) The members shall also elect one Auditor from amongst the Members of the General Council who shall not however be a member of the Executive Committee.
- (d) There shall be the following subcommittees functioning as workgroups for furthering the activities under each subcommittee:
- 1) Cultural Sub Committee
  - 2) Literary Sub Committee
  - 3) Indoor Games Sub Committee
  - 4) Library Sub Committee
  - 5) Stores and Canteen Sub Committee

Each sub-committee shall comprise not more than ten elected representatives nominated to be incorporated to each section. The Executive Committee along with all sub-committee members shall make efforts to create and preserve an academic atmosphere of the University.

Article 11. The President and General Secretary of the Students' Union in consultation with President of the REBECA Committee for that specific year shall take responsibility to form a need based REBECA Committee members during their tenure and in this context the office bearers of the REBECA Committee from student side will be formed from amongst the elected representatives for effective and smooth function of the REBECA programme.

Article 12. The Constitution of the union may be amended if at least one fifth of the total number of members of the union make a demand for it in writing to the Vice-Chancellor of the University through the Dean of Students and if such proposal(s) for amendment is/are passed in a Special General Meeting of the union convened for the purpose by a majority of at least 2/3rd (Two third) of the total number of the members present and voting in that meeting. Such proposal(s) when passed as above, shall in any case, be subject to the final approval of the Vice-Chancellor of this University.

Article 13. Only a bonafide student when proposed by a bonafide student (other than himself/ herself) and seconded by another bonafide student shall be eligible to contest any election for the membership of General Council of the students, provided the contestant fulfils the eligibility criteria as described in Article 25.

Article 14. If 60% or more of the electorates of a constituency make a written complaint against a member elected from that constituency to the General Council, the General Secretary shall convene a meeting of the General Council to consider the complain. No reasonable opportunity shall be denied to the member (against whom the complain has been lodged) to defend himself. After hearing the complain and the defence if at least 2/3<sup>rd</sup> of the members of the General Council present and voting prefers the member's recall, the member concerned shall cease to be a member of the General Council. However, the member concerned shall have the right to move to the Grievance Redressal Cell whose decision shall be binding on everyone.

Article 15. The office bearers of the committee of students union shall cease to hold office if the 60% of the committee members of the union make a complaint against him in writing which will be investigated at a committee meeting of the students union to be convened by the General Secretary or President of the Union after giving opportunity to the member concerned to defend himself at the meeting of the students union, provided that two third majority (2/3) of the committee members of the concerned union present at the said meeting vote in favour of the re-call of the said member. The concerned office-bearers can refer such matters to the Grievance Redressal Cell whose decision shall be final.

Article 16. (a) If any vacancy occurs because of a resolution adopted under Article 14 of this constitution or for any other reason the seat shall remain vacant for the remainder of the term of the Union.

Article 17.

- a) The president shall preside over the meetings of the students union.
- b) In absence of the President the Vice President shall exercise the functions of the President.
- c) Unless otherwise stipulated, the General Secretary shall convene the meeting of the union. He shall record all the minutes of the meeting. He shall be responsible for giving effect to all the decisions of the union.
- d) The Assistant General Secretary shall perform the functions of the General Secretary if the latter is absent and shall also perform such other functions as may be assigned to him by the President. In absence of the Assistant General Secretary, the General Secretary may assign in writing the functions of the Assistant General Secretary to any other member of the Committee of the union.
- e) The Auditor shall audit the accounts of the union from time to time and without the certificate and signature of auditor, the annual statement of accounts prepared from April to March of the particular year shall not be valid. The proper audited statement of accounts shall be passed by the Executive Committee in one of its meeting. The audited statement of accounts duly passed by the Executive Committee shall be circulated to all the members of the General Council to be formed after the end of the term of the union.

- f) The Treasurer shall maintain accounts and prepare the annual statement of accounts in relation to allocation of the fund allotted by the University and the money shall be drawn as per rules of this University. The President or General Secretary are authorized to draw segmental amount in advance not more than Rs. 500/- and after necessary adjustment further requisite amount of Rs. 500/- may be issued subject to the approval of the PICSA or Dean of Students.
- g) Secretaries of Cultural, Literacy Indoor Games, Library Stores and Canteen and others if any shall perform their specific functions in consultation with General Secretary and President.

Article 18.

- i) The executive committee shall meet at least once a month. But this shall not apply during the Summer and the Puja Vacation.
- ii) The General Secretary and other Secretaries of the sub-committee shall give at least two days' clear notice for the ordinary meetings of the union. However, for emergency meetings 24 hours notice shall be sufficient.
- iii) One third (1/3rd) members of the Union may demand a requisition meeting. A requisition meeting shall be convened by the President. In case of such meeting, three clear days notice shall be required.

Article 19. The quorum to constitute a meeting of union shall be one third (1/3<sup>rd</sup>) of the total members plus one.

Article 20. The joint meeting of the Executive Committee and sub-committee to prepare a budget proposal shall be convened by the General Secretary of the students union with at least 7 clear days notice and send it to the Dean of Students' for necessary allotment. The budget shall be regarded as being adopted if it is passed by a simple majority of the members present and voting.

Article 21. Grievance Redressal Mechanism

- 21.1 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 grievances, 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.
- 21.2 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
- 21.3 In carrying out the duties of the office, the Grievance cell shall conduct proceedings and hearings 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.

21.4 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.

21.5 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.

21.6 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 all 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.

21.7 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.

21.8 At the time notice of a 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.

21.9 All Grievance cell hearings, proceedings, and meetings must be open to the public.

21.10 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.

21.11 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.

21.12 The Grievance cell shall 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. To 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 rulings, 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 state 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 amount 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 agents or workers, the Grievance cell may restrict the candidate, or the candidates 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 campaign 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 rulings 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 charged.
- 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 waiver.



- 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.

Article 22. All regular students shall be eligible for voting in election to the General Council of the students' union. If the name of any student is not included in the Class Roll sheet, he/she shall have to produce valid documents including Identity Card and fee-receipts to justify his/her studentship for being considered as a voter, well ahead of scheduled time for voting.

Article 23. In case the Vice – Chancellor is convinced that there has been a deadlock in the administration of the affairs of the union and that an emergency has on that account arisen, he may suspend the existing union for a period not exceeding six months at a time or at his discretion apply provisions laid down in Article 8(b).

Article 24. Conducting Election to the General Council.

- 1) The Vice Chancellor will constitute an election committee comprising( i ) three faculty members not below the rank of assistant professor( ii )Assistant Proctor, who will act as the convenor of the above election committee. of overseeing the election process. The election process will be conducted from the office of PICSA. The schedule of election will be finalised by the **above** committee under the advice of Vice Chancellor. A minimum of “fourteen” days (14 days) notice will be given for announcement of election schedule. The schedule of election will be notified by the election committee and shall, *inter alia*, include the following:
  - i) The dates of Issuing of Nomination Papers.
  - ii) The last date of Submission of Nomination Papers.
  - iii) The Date of scrutiny of Nomination Papers.
  - iv) The last date of withdrawal of Nomination Papers.
  - v) The date of Publication of the List of valid candidates.
  - vi) The Venue, Date and Time schedule of Polling.
  - vii) The date and time of counting of votes and declaration of results.
- 2) The Vice Chancellor shall nominate one of the faculty members of the election committee to act as the Returning Officer of the students' union elections of the University.
- 3) The Returning Officer shall make available the election rules, norms and conventions to the interested contestants.
- 4) The Returning Officer shall authenticate the contestants and their representatives during polling and counting process.
- 5) The Returning Officer shall have the power to take appropriate action, if required, in consultation with the members of the Election Committee

regarding any dispute arising out of scrutiny, polling, counting and any other matter related to the election.

- 6) The election of Under Graduate students' union shall normally be held during the month of July and Post-graduate students shall normally be held during the month of September. However the Vice Chancellor may, if he thinks it necessary in the overall interest of the University or if he is convinced that a *force majeure* warrants a deferment, postpone the time of holding the election schedule for such a period as he may deem fit. Under such a situation the existing executive committee of the union office bearers will not be entitled to handle the funds for the next financial year.
- 7) Election of Undergraduate and Postgraduate Unions shall be conducted under Article 7. Election of all unions shall normally be held when all classes of the concerned faculty are in progress. In some abnormal cases, the decision of the authority shall be the final.
- 8) Election related grievances, if any, may be referred to Grievance Redressal Cell for its consideration.

#### **Article 25. Eligibility Criteria for Candidates**

25.1 Under graduate students between the ages of 17 and 24 may contest elections.

25.2 For Post Graduate Students the maximum age limit to legitimately contest election would be 21 - 26 years.

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

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

25.5 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.

25.6 The candidate shall not have a previous criminal record, that is to say he should not have been convicted of any criminal offence or misdemeanor. The candidate shall also not have been subject to any disciplinary action by the University authorities due to gross misconduct from his end.

25.7 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 two years.

#### **Article 26. Election - Related Expenditure and Financial Accountability**

26.1 The candidates are specially barred from utilizing funds from any other sources than voluntary contribution from students' body.

26.2 The election of the candidate will be nullified in the event of any noncompliance or in the event of any excessive expenditure.

## **Article 27. Code of Conduct for Candidates and Elections Administrators**

27.1 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.

27.2 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.

27.3 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.

27.4 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.

27.5 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.

27.6 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.

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

27.8 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 /institute property.

27.9 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.

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

27.11 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.

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

27.13 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 nomination model of student representation.

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

27.15 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.

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

#### **Article 28. Polling and Presiding Officers and their duties.**

- a) The class teacher shall normally be the Presiding Officer for conduction the vote of a Particular constituency. The staff members of this Institution shall normally be the polling officer. In the absence of a teacher or staff members the Registrar can appoint any other teacher, officer or staff members from the reserved list prepared for the purpose with prior approval from the Vice-Chancellor.
- b) The Polling/Presiding Officer shall strictly adhere, to the election rules/conventions while conducting the polling in the concerned constituency.
- c) Presiding or Polling Officer shall put his/her signature on the backside of the each ballot paper, while issuing ballot, the Presiding or Polling Officer should count as per number Printed in the ballot.
- d) Presiding or Polling Officer shall follow the name list as supplied by the Controller of Examination Section as valid voter list and shall be verified at the time of polling.
- e) A voter shall put a tick (√) mark in the box by the side of the name of the candidate/candidates whom he/she intends to vote. Each ballot paper with cast votes shall be deposited in the sealed Ballot Box in presence of the Presiding Officer and the Polling Officers, if any.

- f) The Presiding Officer, if deem fit may refer any dispute regarding casting of votes to the Returning Officer.
- g) The Sealed Box containing the cast votes, the unused ballot papers, and other election materials if any shall return to the office of the Returning Officer.
- h) The Presiding Officer shall ensure that only the voters of the constituency concerned are given access to the polling booth during polling. However, the presiding officer may permit such other students as are authorized by the contestants as their polling agents subject to the condition that every polling agent will be an electorate of the constituency or of another constituency of the same year of study. The Presiding Officer shall also ensure that every voter, after casting his/her vote, leave the booth and do not return to the booth till the completion of the polling process.
- i) The Presiding Officer shall conduct the polling usually in the classroom as specified for the class. The place of holding of the polling may be changed under unusual circumstances by the Returning Officer.
- j) Counting of votes shall be done under the supervision of Presiding and Polling officers allotted for particular class (section) constituency after election is over and in a specified time. The class/section wise result sheet duly signed by the Presiding, Polling Officials and election agent of the CR may be handed over to the Returning Officer.
- k) Counting of votes shall be done on the same day after election is over and results shall normally be declared under the signature of Returning Officer after completion of counting.
- l) The voting will be done by secret ballot. Ballot boxes will be sealed at 15 minutes before commencement of the polling when the candidates contesting the election or their authorized agents may be present.
- m) Each eligible voter having received the ballot should cast his/her vote in sealed boxes and then leave the polling premises.
- n) As soon as the clock strike the closing time in the afternoon, the gates of the polling station will be closed, but the voters standing at the queue at that time shall be allowed to enter inside the polling station and cast their votes.
- o) The Presiding Officer shall not allow any voters to cast his/her vote if he/she arrives at the polling station after expiry of the polling time.
- p) Opening of the sealed ballot boxes and counting of votes will be made after the election when the candidates contesting the election or their authorized agents may be present.
- q) At the time of counting the ballot papers will be considered null and void if
  - i) It contains more votes than the specified number of representatives to be elected and/or
  - ii) More that one tick (√) mark is put against any name and/or
  - iii) Any mark other than the tick mark is used for the purpose and/or
  - iv) The mark is so placed as to render it doubtful as to which candidate the vote has been given to and/or

- v) There is an eraser of voting mark of such a nature that the intention of the voter is not clear.
- r) The Presiding Officer, at his discretion, may refer any matter of dispute to Grievance Redressal Cell to ensure maintaining the disciplinary fabric of the University.

**Article 29. Maintaining Law and Order on the Campus during the Election Process**

29.1 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.