



APJ ABDUL KALAM TECHNOLOGICAL UNIVERSITY

CET campus, Thiruvananthapuram - 695 016

Ph: 0471 2598122; Fax: 2598522 www.ktu.edu.in Email: university@ktu.edu.in

No. KTU/ASST(ACADEMIC)/5948/2021

Dated: 20.12.2021

From

The Registrar

To

The Principals of all Affiliated Colleges

Sir / Madam,

Sub:- APJAKTU - Election - College Union 2021-22 - Schedule of Conducting Elections and Regulations for Elections - intimated for further necessary action - Reg.

Ref:- 1. Chapter 4, para (6a0 and clauses there under in the APJAKTU First Statutes 2020.

2. Regulations / Manual for conducting Elections approved by the 27th meeting of Syndicate vide agenda item no S-027-OA6.

With reference to the above, I would like to inform you that the election to the College Union, 2021-22 has been scheduled as detailed here under. It may be noted that vide reference (1) and amendments to Statutes made there after, it is mandatory to form the College Union within the prescribed schedule. Vide reference (2) the Syndicate of the University has approved the Regulations / Manual for the conduct of College Union elections.

Sl. No	Programme / Item	Date	Time
1	Date of Notification	21.12.2021	
2	Date of publication of Electoral Roll	22.12.2021	11.00 am
3	Last Date and hour for filing complaints regarding Electoral Roll	23.12.2021	11.00 am
4	Publication of the final Electoral Roll	23.12.2021	3.00 pm
5	Last date and hour for receipt of nomination	03.01.2022	02.00 pm
6	Scrutiny of nomination	03.01.2022	02.05 pm onwards
7	Publication of the list of valid nominations	03.01.2022	04.00 pm
8	Withdrawal of Candidature / Nomination	04.01.2022	11.00 am
9	Publication of Final list of candidates	04.01.2022	03.00 pm
10	Polling	10.01.2022	10.00 am to 01.00 pm
11	Scrutiny and counting of votes	10.01.2022	02.00 pm
12	Declaration of results	10.01.2022	within 1 hour of finishing counting of votes



I request you to conduct the election to the College Union of your college as per the above schedule in accordance with the system of election envisaged by the Honorable Supreme Court, strictly complying with the orders passed by the Honorable Supreme Court of India. There will not be any University examinations or other academic programmes on the date of poll; neither shall the colleges schedule any internal examinations on that date.

Copy of the Election Manual, cited (2) above is also attached herewith. Necessary forms and model for Ballot papers etc are also included in the Manual which has to be used for the purpose of conducting elections.

It is mandatory that the election notification shall be in the format specified to ensure uniformity. The schedule fixed shall be followed strictly. Copies of the order appointing Returning Officers, election notification issued, list of candidates validly nominated and the result of election shall be e-mailed to the University (mail-id: election@ktu.edu.in), positively then and there. Non receipt of the above items at the right occasion from a college/institution will draw the University to the conclusion that the programme has not been conducted as per the schedule.

Only persons whose names are on the electoral roll shall be entitled to participate in the elections. The electors have to produce photo identity card duly signed by the Head of the institution with the seal of the institution before the presiding officer while turning up for casting their votes. The Principal / Director of the institution should ensure the issue of photo affixed identity cards to all the electors before the date of poll.

Intimation shall be given to the Superintendent of Police of the District and also to the SHO of Police of your area about the election. Hard copies of the notification declaring the result of the election, including the election of class representatives, details of the University Union Councilors in the prescribed format and a statement about the mode of election opted shall be delivered to the Election Section of the University for ensuring their membership in the General Council, on or before 10.02.2022.

Encl:

1. Election Manual.
2. Orders of Hon' Supreme Court approving Lyngdoh Committee recommendations for conduct of elections.

Yours faithfully
Dr.A. Praveen *
Registrar

* This is a computer system (Digital File) generated letter. Hence there is no need for a physical signature.



Introduction

The APJ Abdul Kalam Technological University was established and incorporated on the 5th day of May 2014 as a University for the promotion of technical education in the State of Kerala by the APJ Abdul Kalam Technological University Act 2015 (Act No. 17 of 2015), enacted by the Legislature of the State of Kerala. It became the Umbrella University for regulating all the Institutions offering technical education affiliated to other Universities in the State, by transferring their affiliation from those other Universities to the APJ Abdul Kalam Technological University.

The First Statutes of the University issued as per S.R.O No.480/2020 dated 07/08/2020 published on 05/08/2020 provides for the University Union and the College Union

Chapter 4 Statute 2 provides for the University Union. The constitution, structure, the manner of electing its office bearers and their tenure, powers, duties and functions of the University Union, constitution of University Union General Council, University Union Executive Council, their election, their meeting and its conduct, tenure of office bearers are provided in the Statutes.

Chapter 4 Statute 6 provides that there shall be a College Union by whatever name called in the colleges, institutions, autonomous colleges, constituent colleges and colleges granted academic autonomy which are affiliated to the University. The



constitution, constitution of the College Union, College Union Executive Committee, office bearers, their powers, duties and functions, elections to the College Union and its official tenure are provided in the Statutes.

The University Union and the College Union can be constituted only after elections. Since the University Union and College Union are statutory bodies, the rules and regulations relating to the conduct of elections have to be framed so as to give it statutory effect.

Item (V), Sub section (2) of Section 30 of the APJ Abdul Kalam Technological University Act, 2015 empowers the Syndicate of the University to exercise control over the students of the University, to secure their health, well being and discipline and to exercise through the affiliated Colleges control for similar purposes over the students of affiliated Colleges.

Chapter 4, Statute 2 provides for the constitution of the University Union and allied matters. Chapter 4 Statute 2 provides for the constitution of the College Union and allied matters.

A draft Election Manual incorporating the rules and regulations for the conduct of elections to the University Union and College Union has to be framed by the University. The Standing Committee of the Syndicate on Student Affairs to the Syndicate in its meeting held on 01.11.2021. submitted a draft proposal to the Syndicate for its consideration and approval. The Syndicate



in its 27th meeting held on 02-12-2021 Vide item no. S-027-OA6 considered the draft Election Manual and approved the same with modifications. The Election Manual as approved by the Syndicate is hereby published for implementation by all concerned.

CHAPTER - I

Provisions in the First Statutes relating to Elections

Chapter 4 Statute 2 Sub Statute 4 - Manner of election of official office bearers of the University Union.

- (1) The Vice Chancellor shall appoint a statutory officer of the University as the Returning Officer for conducting elections to the positions of official office bearers of the University Union.
- (2) The Councilors referred in categories (i) to (viii) of statute 5 of these statutes shall be the electors who shall elect the official office bearers of the University Union. The Returning Officer shall prepare the voters list of electors in accordance with the election manual and shall publish the same at least one month before elections to the positions of office bearers of the University Union are announced. Objections to the voters list, publication of the final voters list, submission of nomination for elections, withdrawal of nominations, place, date and time of elections, date of counting, declaration of results etc. shall be the responsibility of the Returning Officer. The Returning Officer shall also take other measures to ensure smooth conduct of the election.
- (3) The Councilors present in the General Council shall elect the official office bearers by secret ballot from among themselves on majority basis. The election shall be conducted under the supervision of the Returning Officer appointed by the Vice Chancellor and officers of the University deputed for elections appointed by the Returning Officer.



- (4) Any dispute regarding elections shall be submitted as a complaint before the Returning Officer and the Returning Officer shall after following such procedures dispose of the complaint as deemed fit by order after recording the reasons thereof.
- (5) In case of complaint against the order of the Returning Officer an appeal can be filed before the Vice Chancellor, within 15 days after it is issued, who shall after following such procedures dispose of the complaint as deemed fit by order after recording the reasons thereof. The decision of the Vice Chancellor shall be final.
- (6) The expenditure for the conduct of elections to the positions of official office bearers of the University Union shall be met from the University Union fund.
- (7) Elections to the teaching departments of the University, elections to the College Unions of colleges, institutions, autonomous colleges, constituent colleges and colleges conferred with academic autonomy affiliated to the University and elections of councilors to the University Union after such election shall be conducted in the manner determined by the University from time to time and the expenditure for elections met from the respective institutions.

Chapter 4 Statute 2 Sub Statute 5 - University Union General Council

Councilors shall be elected to the University Union General Council from the following 8 categories in the manner specified therein.

- (i) 15 Councilors elected by Councilors included in the electoral field of student councilors elected from Private Self Financing Engineering Colleges affiliated to the University.
- (ii) 5 Councilors elected by Councilors included in the electoral field of student councilors elected from each Government Controlled Self Financing College affiliated to the University.



- (iii) 2 Councilors elected by Students from each Government Engineering College affiliated to the University.
- (iv) 2 Councilors elected by Students from each Aided Engineering College affiliated to the University.
- (v) 2 Councilors elected by the students of the University.
- (vi) 1 Councilor elected by Councilors of Autonomous Colleges from among themselves.
- (vii) 1 Councilor elected by Councilors of Constituent Colleges from among themselves.
- (viii) 1 Councilor elected by Councilors of Colleges conferred with academic autonomy from among themselves.

Chapter 4 Statute 2 Sub Statute 3 – Official Office Bearers of the University Union

- (i) Chairperson
- (ii) Vice Chairpersons – 3
- (iii) General Secretary
- (iv) Joint Secretaries – 3

Provided that one Vice Chairperson and one Joint Secretary shall be women. One Joint Secretary shall belong to Scheduled caste or scheduled tribe.

Chapter 4 Statute 6

College Union

Colleges, Institutions, Autonomous Colleges, Constituent Colleges and Colleges conferred with academic autonomy affiliated to the University shall have a College Union by whatever name known.

Sub Statute 6(1) – Constitution of College Union

The College Union shall have an Executive Committee. The following members shall be included in the Committee.

- (i) Chairperson
- (ii) Vice Chairperson
- (iii) General Secretary
- (iv) Magazine Editor



- (v) Arts Club Secretary
- (vi) The Councilors elected to the General Council of the University Union (the number of Councilors in the various categories of the General Council shall be as determined by the University if it is not specifically provided for in these statutes).
- (vii) One Student representing each degree course
- (viii) One Student representing each post graduate course
- (ix) Where there are girl students, the representatives of girl students shall be as determined by the University.
- (x) Where there are no elected girl students belonging to scheduled caste or scheduled tribe one Student belonging scheduled caste of scheduled tribe nominated by the Executive Committee
- (xi) Patron cum Treasurer - Principal/Head of the Institution/Teacher in Charge (Ex-Officio)
- (xii) Staff Advisor (Ex-Officio) - One teacher nominated by Principal/Head of the Institution/Teacher in Charge
- (xiii) A Student who is Sports Secretary nominated by the Executive Committee

Elections to the University Union and College Union

In respect of matters relating to date, method, qualifications for contesting elections, election expenditure, financial responsibility, duties and limitations in the actions of the contestants and those conducting elections, maintenance of law and order, election complaints, disputes etc. relating to the conduct of elections shall be in accordance with the Regulations, Rules, Orders and Guidelines issued by the University from time to time. The manner of electing students to the various positions in the College Union and the manner of electing Councilors to the University Union General Council for electing the Official Office Bearers of the University Union and the manner of electing Official Office Bearers of the University Union shall be as provided in the Act and Statutes and the manner of conducting elections shall be as determined by the University if it is not otherwise prescribed in the Act and Statutes.



CHAPTER - II

APPLICATION OF THE APJ ABDUL KALAM TECHNOLOGICAL UNIVERSITY ACT, 2015 AND THE FIRST STATUTES 2020

The provisions contained in the application of the APJ Abdul Kalam Technological University Act, 2015 and the APJ Abdul Kalam Technological University First Statutes, 2020 relating to University Union and College Union shall govern the functioning of the University Union and College Unions.

CHAPTER - III

RULES & REGULATIONS FOR THE CONDUCT OF ELECTIONS TO THE COLLEGE UNION

1. **College Union** - There shall be a College Union by name as provided in Chapter 4 Statute 6 of the First Statutes of the APJ Abdul Kalam Technological University 2020, in Colleges, Institutions, Autonomous Colleges, Constituent Colleges and Colleges conferred with academic autonomy affiliated to the University and for all teaching departments of the University together. For the purpose of these Rules and Regulations Institutions, Autonomous Colleges, Constituent Colleges and Colleges conferred with academic autonomy affiliated to the University and all teaching departments of the University together shall be deemed to be termed as Colleges.
2. **Aims and Objects of the College Union** - The aims and objects of the College Union shall be;-
 - (a) To create an atmosphere of learning in the college through camaraderie, sharing, scaffolding, and imbibing the spirit of democratic values, ethics and morals.
 - (b) To promote friendship and bonding among students as human beings across gender, caste, race, religion, language, descent, place etc.
 - (c) To train students in upholding the law of the land in letter and spirit in tune with the principles and essence of justice enshrined in the Constitution of India.



- (d) To inculcate in students the requirement to respect and follow the sage advice of parents, teachers, elders and such others in their journey across life.
- (e) To promote opportunities for the development of character, leadership, efficiency, knowledge and spirit of service among students.
- (f) To organise debates, seminars, work squads, touring parties and such other functions; and
- (g) To encourage sports, arts and other cultural, educational, social or recreational activities that are incidental and conducive to the above objects

3. **Membership** - All students enrolled in the college and having live registration in the students portal of the University shall be members of the College Union. They shall have the right to vote for and contest in the various positions of the College Union Executive Committee subject to the limitations prescribed in these Rules and Regulations.

4. **Tenure** - The tenure of College Union shall be as prescribed in Chapter 4 Statute 6 Sub Statute 7 of the First Statutes of the University.

5. **Positions in the College Union Executive Committee-** The various positions in the College Union shall be as prescribed in Chapter 4 Statute 6 Sub Statute 1 of the First Statutes of the University.

6. **Positions in the College Union Executive Committee to which Elections are conducted** - (1) Chairperson

(2) Vice Chairperson

(3) General Secretary

(4) Magazine Editor

(5) Arts Club Secretary

(6) Councilor/s to the election field of University Union
General Council (one Councilor if the total strength of the



students on the rolls of the college is upto 750 and two Councilors if the total strength of the students on the rolls of the college is exceeds 750)

(7) One student representing each degree course of study.

(8) One student representing each post graduate degree course of study.

(9) Two girl students representing all the girl students in the college (if girl students are enrolled in the college).

Positions in the College Union to which elections are not conducted:-

(1) One girl student belonging to Scheduled caste/Scheduled Tribe nominated by the College Union Executive Committee if in the absence of an elected girl student belonging to Scheduled caste/Scheduled Tribe.

(2) Patron cum Treasurer (as prescribed in the Statutes)

(3) Staff Advisor (as prescribed in the Statutes)

(4) One Student who is the Sports Secretary nominated by the College Union Executive Committee.

7. Official Office Bearers of the College Union and their powers, duties and functions - Official Office Bearers of the College Union and their powers, duties and functions shall be as prescribed in Chapter 4 Statute 6 Sub Statute 3 of the First Statutes of the University.

8. Meetings of the College Union Executive Committee - Meetings of the College Union Executive Committee shall be as prescribed in Chapter 4 Statute 6 Sub Statute 2 of the First Statutes of the University.

9. Powers, Duties and Functions of the Official Office Bearers of the College Union - Powers, Duties and Functions of the Official Office



Bearers of the College Union shall be as prescribed in Chapter 4 Statute 6 Sub Statute 3 of the First Statutes of the University.

10. **Powers, Duties and Functions of the members of the College Union other than Official Office Bearers** - Powers, Duties and Functions of the members of the College Union other than Official Office Bearers shall be as prescribed in Chapter 4 Statute 6 Sub Statute 4 of the First Statutes of the University.

11. **Powers, Duties and Functions of the College Union** - Powers, Duties and Functions of the College Union shall be as prescribed in Chapter 4 Statute 6 Sub Statute 5 of the First Statutes of the University.

12. **Funds** - The College Union shall institute a fund called 'College Union Fund'. It shall collect the prescribed fees fixed by the College Council from time to time from the students on the rolls of the college each year towards Union activities as directed by the University from time to time. The fees collected from the students shall be deposited in any public sector bank decided by the College Council. The expenditure of money from the College Union Fund, maintenance of its income and expenditure shall be as prescribed in Chapter 4 Statute 6 Sub Statute 3(8) of the First Statutes of the University. The audit of accounts of the College Union Fund shall be done by an auditor appointed by the Principal.

ELECTIONS TO POSITIONS IN THE COLLEGE UNION TO WHICH ELECTIONS ARE CONDUCTED

13. **Conduct of Elections** - Elections shall be conducted to the various positions in the College Union Executive Committee as per the applicable conditions provided in these Rules and Regulations.

14. **Appointment of Returning Officer** - The Returning Officer for the conduct of elections to the College Union shall be a senior faculty of the College. The Returning Officer may appoint the required number of staff to assist him in the conduct of elections. It shall be the responsibility of the Returning Officer to ensure a peaceful atmosphere in the College during



the election days. The name of the Principal or the faculty appointed by the Principal to act as the Returning Officer shall be intimated to the University.

15. **Electoral Rolls** - The Returning Officer shall maintain an electoral roll of students in the College eligible to take part the elections for the purpose of electing candidates contesting to positions in the College Union to which elections are conducted showing their names serially numbered with details of their Semester, Course etc. Copies of the electoral rolls shall be made available to the students who request for the same free of cost from the office of the Returning Officer. For the purpose of these Rules and Regulations Institutions, Autonomous Colleges, Constituent Colleges and Colleges conferred with academic autonomy affiliated to the University and for all teaching departments of the University together shall be deemed to be Colleges and every student included in the electoral roll shall be referred to as an 'elector'.
16. **Eligibility to take part in Elections** - (i) The names of all the students who are on the KTU portal of the College as on the date of publication of the election notification shall be included in the electoral rolls and shall be eligible to participate and contest in the elections:

Provided that after publication of the election notification but before the date notified for election, if any student, whose name is removed from the KTU portal of the College he/she shall not be eligible to vote in the elections or contest the elections, even if he/she is included in the electoral rolls.

Provided further that the Returning Officer shall be empowered to make any correction, alteration, inclusion or deletion in the electoral roll if requisition for the same is received within twenty four hours of the publication of the electoral rolls and further is satisfied that the correction, alteration, inclusion or deletion is justified.

17. **Notification of Election** - The Returning Officer shall under the direction from the University notify the election to the College Union in the office of the Returning Officer, simultaneously causing it to be displayed in the College notice boards. The notification shall be issued within 10 (Ten) days



before the date of the Poll. The notification shall contain the programme of the election giving the following details.

- (1) Positions in the College Union to which elections are conducted.
- (2) Date of Notification - Not less than 10 (Ten) clear days before the date fixed for the poll.
- (3) Date of publication of Electoral Roll - Succeeding working day from the date of notification.
- (4) Last date and hour for receipt of nomination - At 2-00 PM with 2 (two) clear working days from the date of notification.
- (5) Scrutiny of nomination - 2.05 PM on the same day fixed for the receipt of nomination.
- (6) Publication of the list of valid nomination - Same day fixed for Scrutiny.
- (7) Withdrawal - At 11.00 AM on the succeeding working day.
- (8) Polling - 10.00 AM to 1.00 PM with 10 (Ten) clear days from the date of publication of the notification of the election.
- (9) Scrutiny and counting of votes - To start from 2.00 PM on the day fixed for the Poll.
- (10) Declaration of results - Within 1 hour of finishing counting of votes.

18. Nomination of Candidates to Contest Elections - Every elector included in the electoral roll may nominate an elector included in the electoral roll to contest the elections to the various positions in the College Union to which elections are conducted provided he/she is otherwise eligible to contest the elections to the respective positions in accordance with these Rule and Regulations as a candidate. Every nomination shall be in the prescribed form (Specimen form shown in Appendix A) and shall be made by the student in writing and shall be proposed and seconded by two other students included in the electoral roll. The nomination paper shall be put in sealed covers and deposited in the box kept for the purpose by the Returning Officer in his office, within the date and hour fixed for filing of nominations. Every elector who has been nominated to contest the elections shall be referred to as a 'candidate' for the elections.



19. Scrutiny of nominations - All nomination papers deposited in the box provided for the purpose shall be scrutinized by the Returning Officer at the hour on the date notified in the election notification. The candidate/s contesting the elections or his/her nominee (one who shall be a student included in the electoral roll) will be permitted to be present at the time of scrutiny of nominations. The Returning Officer shall examine the nomination papers and shall decide on all objections made to any nominations.

20. List of candidates validly nominated - A list of candidates contesting each of the positions in the College Union to which elections are conducted along with their names, semester, course etc. whose nominations have been found valid shall be published by affixing the same in the office of the Returning Officer and the notice boards in the college.

21. Withdrawal of nomination - Any candidate who has filed a nomination may withdraw his nomination by notice in writing signed by him and delivered in person or by his/her authorized representative who shall be one included in the electoral roll, 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. A candidate who has withdrawn his nomination shall not be eligible for renomination as a candidate for the same election in that academic year.

22. Final List of Candidates - The Returning Officer shall publish after the lapse of time fixed for withdrawal of candidature a final list of candidates for each positions for which elections are conducted validly nominated showing the names arranged in alphabetical order together with their names, semester, course etc.

23. Declaration of election of validly nominated candidates -

- (i) If the number of candidates validly nominated and not withdrawn does not exceed the number of vacancies to be filled by election, such candidates shall be declared to have been duly elected.



- (ii) If the number of candidates validly nominated and withdrawn is less than the number of vacancies to be filled by election, such candidates shall be declared to have been duly elected; and the electorate shall be called upon to elect a person(s) as the case may be, to fill the remaining vacancies).
- (iii) If the number of candidates validly nominated and not withdrawn exceeds the number of vacancies to be filled by election, then the Returning Officer shall proceed with the election in the manner prescribed in the Rules and Regulations on the date and hour notified in the election notification.

24. **Voting** - Every elector including the candidates included in the electoral roll shall be entitled to elect a candidate of his/her choice who has been validly nominated for contesting the election by exercising his/her preference by a vote if he/she is otherwise eligible to vote as per the Rules and Regulations in the manner provided herein.

25. **Polling** - (1) Polling shall be by secret ballot in the prescribed form (Specimen form shown in Appendix B). No vote shall be given by proxy. The date and time of polling shall be as specified in the election notification. For the convenience of electors and for the smooth conduct of the election, the Returning Officer may arrange sufficient number of polling booths. The Returning Officer may also appoint sufficient number of officers and staff of the College to supervise the conduct of elections.

(2) The ballot box sealed or locked (in the presence of the Candidates or their agents if so required by them) shall be placed in a convenient place in the polling booth for voting and depositing the ballot papers through a slit provided in the box.

(3) The Returning Officer or such other officer appointed and authorized by him/her shall ascertain (a) the identity of the elector casting the vote before issue of the ballot paper and (b) that the elector presenting himself/herself to vote has not already voted.



(4) The name of the elector who has voted shall be entered upon the serially numbered counterfoil of the ballot paper and in a ballot paper issue book and got acknowledged by the elector who voted. The ballot paper corresponding to that counterfoil shall then be torn off after fixing the initials of the Returning Officer thereon and handed over to the elector for the purpose of voting and the counterfoil securely kept.

(5) At the time of issuing the ballot paper, the officer authorized by the Returning Officer shall make a 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 against his/her name in the electoral roll.

(6) The elector who received the ballot paper shall then proceed to a place screened from observation by others for marking his/her vote in the ballot paper against the name of the candidate/s of his/her choice and then proceed to the place where the ballot box is placed and deposit the ballot paper in the ballot box.

(7) No elector shall be allowed to enter the place arranged for marking of vote when another elector is exercising his vote and no student shall remain there longer than is necessary for recording his vote.

(8) If any elector is incapacitated to vote due to blindness or other physical reasons, it shall be competent for him/her to record his/her vote by the hand of the Returning Officer or such other officer authorized by him.

(9) The Returning Officer shall seal the slit of the ballot box immediately after polling is over and keep it in safe custody.

26. Procedure on counting - (1) The scrutiny and counting of votes shall be done by the Returning Officer as prescribed in the election notification. The ballot box shall be opened at the hour fixed for the purpose and the scrutiny and counting shall begin in the presence of the Returning Officer.



(2) No person other than the Returning Officer, the officers and staff appointed by him for the purpose and the candidates shall be present at the time of scrutiny and counting of votes. However, the candidate, with the permission of the Returning Officer may authorize an elector in the electoral roll to represent him/her to be present at the time of scrutiny and counting, in his/her place as his/her authorized representative.

(3) The persons present at the time of scrutiny and counting shall record their presence in the manner determined by the Returning officer.

(4) The persons present at the time of scrutiny and counting shall be present at the time of declaration of results and shall record their presence in the manner determined by the Returning Officer.

27. Ballot Paper when rejected - (1) A ballot paper shall be rejected for the purpose of scrutiny and counting.

(i) If it does not bear the initials of the Returning Officer or the person duly authorized by him/her for the purpose, or

(ii) If an elector records his name or writes any word or makes any mark on it revealing his/her identity, or

(iii) If the vote is recorded thereon by any mark other than thus 'X' against the name of names of the candidate (s), or

(iv) If no vote is recorded thereon, or

(v) If the number of votes recorded thereon exceeds the number of vacancies to be filled, or

(vi) If it is not identifiable or uncertain as to whom vote has been cast, or

(vii) If vote is recorded violating any other law, order, guidelines etc. issued by the Returning Officer in respect of the elections.



(2) Every ballot paper rejected, shall be authenticated by the Returning Officer and such ballot papers kept separately for future purposes, if any, till such time as provided in these Rules and Regulations.

28. **Recounting** - (1) Any candidate or his authorized representative may immediately after completion of the scrutiny and counting request in writing to the Returning Officer to re-scrutiny or recount the votes received by all or any of the candidates and the Returning Officer shall re-scrutiny or recount the same accordingly.

(2) 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 correctness of any previous counting:

Provided however that nothing in these Rules and Regulations shall require on the Returning Officer to recount the same votes more than once.

(3) The persons present at the time of scrutiny and counting shall be present at the time of recounting.

29. **Declaration of Results** - (1) The results of the polling shall be declared as prescribed in the election notification.

(2) The candidate/s equal to the number of vacancies to which elections are conducted, receiving the largest number of votes shall be declared duly elected to such vacancies.

(3) If two or more candidates receive an equal number of votes against election to a vacancy, the Returning Officer shall draw a lot with the names of such candidates, and the candidate selected from the lot would be declared duly elected to such vacancy.

(4) The results shall be declared by the Returning Officer on a document in such manner determined by the Returning Officer.



- (5) The persons present at the time of scrutiny, counting and recounting shall be present at the time of declaration of results and record their name and signature on the document containing the declaration of results.
- (6) The document containing the details of the results with the name and signature of the persons present at the time of scrutiny, counting and recounting shall be immediately forwarded to the Registrar of the University under acknowledgement.

30. Complaints Regarding Elections - Complaints regarding the conduct of elections to College Union, if any, shall be made in writing to the Vice Chancellor of the University so as to reach him/her within seven days after the declaration of the results of the election and the Vice Chancellor after causing an enquiry into the Complaint in such manner as deemed fit take an appropriate decision and by Order dispose of the complaint. The decision of the Vice Chancellor on the complaint shall be final.

31. Preservation of Election papers - All papers connected with the conduct of elections to the College Union including electoral rolls, nomination papers, used and unused ballot papers etc. shall be preserved by the Returning Officer in a box locked and sealed in the presence of candidates or their authorized representatives duly recording their presence, for a period of one month after the declaration of the results, or till any complaint regarding the election is disposed of.

32. Code of Conduct for Elections

- (1) The following shall be the general code of conduct for elections to the College Union;
 - i. No person other than a student of the college shall participate in the propaganda, meetings and other gatherings inside the college without the written permission of the Returning Officer.
 - ii. Candidates, their authorized representatives and other students shall not disfigure any class rooms, compound walls and buildings



in the college campus by pasting of posters or writing on the walls as part of their election campaign.

- iii. Election campaign/propaganda in the college campus shall be limited to the issue of pamphlets, display of banners and posters and conducting group meetings.
- iv. Election campaign/propaganda/meetings shall be held in the college campus only during the working hours of the college. Election campaign/propaganda/meetings before or after working hours of the college shall be done only with the sanction of the Returning Officer.
- v. Election campaign/propaganda/meetings/canvassing in the college campus on the day fixed for the poll and till the election results are declared is prohibited.
- vi. Election campaign/propaganda/meetings/canvassing shall be held in a peaceful, co-operative, friendly manner keeping in view the aims and objects of the College Union.

(2) Complaints of violation of the code of conduct shall be given in writing to the Returning Officer who shall dispose of the same on merits.



APPENDIX - A

Name of the College.....

Election to (here mention the vacancy to which election is being conducted)
.....

NOMINATION PAPER

Name of the candidate

Semester of the candidate

Course enrolled for

Number of the candidate in the electoral roll

KTU ID number

Consent of the candidate I agree, if elected, to serve on the body to which I am proposed as a candidate

Signature Date

Name of the Proposer

Semester of the proposer

Course enrolled for

Number of the proposer in the electoral roll

KTU ID number

Signature of the proposer
..... Date

Name of the seconder

Semester of the seconder

Course enrolled for

Number of the seconder in the electoral roll

KTU ID number

Signature of the seconder
.....Date

College Seal



ACKNOWLEDGMENT

Name of the College

Election to (here mention the vacancy to which election is being conducted)

Received the nomination paper of

**Returning Officer
Date & Seal**

College Seal



Sl.No.

Name of the College.....

Counterfoil of Ballot Paper

Election to (here mention the vacancy to which election is being held)

Name of the elector

Semester

Course

Number of the elector in the electoral roll

Returning Officer

Seal of the College



Sl. No.

APPENDIX B

Name of the College.....

Election to

(here mention the vacancy to which position election is being held)

BALLOT PAPER

Sl.No	Name of the Candidate, Semester, Course	Mark showing Voter's Choice
1		
2		
3		
4		

(Elector's choice to be shown by X mark)

Returning Officer
Seal of the College



CHAPTER IV

RULES & REGULATIONS FOR THE CONDUCT OF ELECTIONS TO THE UNIVERSITY UNION GENERAL COUNCIL, OFFICIAL OFFICE BEARERS OF THE UNIVERSITY UNION AND THE UNIVERSITY UNION EXECUTIVE COUNCIL

33. **University Union** - There shall be constituted a University Union by name as provided in Chapter 4 Statute 2 Sub statutes 1 and 2 of the First Statutes of the APJ Abdul Kalam Technological University 2020, for the APJ Abdul Kalam Technological University (Herein after referred to as 'University').

34. **Aims and Objects of the University Union -**

(1) The aims and objects of the University Union shall be-

- a) To play a leadership role in achieving the aims and objects of the University.
- b) To be a role model for other University Unions and students of the University and other Universities.
- c) To be interface of the Students of the University with the University.
- d) To bring all or any matters affecting the Students of the University.
- e) To provide opportunities for the students of the University to play a vital role in participating in the academic, scientific, social, cultural and political space in the State and the Country and to organize all kinds of the programme to achieve the same.
- f) To organize festivals and programmes in academic, science, arts, sports, literature, cultural and other spheres of human endeavor
- g) To lead and motivate the student of the University to participate in social activities for serving the people in need and community at large.

(2) The Syndicate of the University shall be empowered to prescribe such other matters to be included in the aims in the objects of the University time to time.

(3) The Syndicate of the University may prescribe the manner and procedure for achieving the aims in the objects of the University Union.



- 35. Powers Duties and Functions of the University Union** - The Powers Duties and Functions of the University Union shall be as provided in Chapter 4 Statute 2 Sub Statute 8 of the First Statutes of the University.
- 36. Membership in the University Union** - All the students registered in the students Portal of the University shall be members of the University Union.
- 37. Tenure in the University Union** - The official tenure of University Union, its General Council, Executive Council, Official Office Bearers, and Members shall be as prescribed in Chapter 4 Statute 2 Sub Statute 7(1) of the First Statutes of the University.
- 38. Members of University Union General Council**- The members of the University Union General Council shall be as provided in Chapter 4 Statute 2 Sub Statute 5 of the First Statutes of the University.
- 39. Members of University Union Executive Council**- The members of the University Union Executive Council shall be as provided in Chapter 4 Statute 2 Sub Statute 6 of the First Statutes of the University.
- 40. Official Office Bearers of the University Union**- The Official Office Bearers of the University Union shall be as provided in Chapter 4 Statute 2 Sub Statute 3 of the First Statutes of the University.
- 41. Powers Duties and Functions of the Official Office Bearers of the University Union**-The Powers Duties and Functions of the Official Office Bearers of the University Union shall be as provided in Chapter 4 Statute 2 Sub Statute 21 of the First Statutes of the University
- 42. Meetings of the University Union and their Conduct**- Meetings of the University Union and their Conduct shall be as provided in Chapter 4 Statute 2 Sub Statute 9 to 19 of the First Statutes of the University.



43. University Union Fund- A University Union Fund shall be maintained and operated as provided in Chapter 4 Statute 2 Sub Statute 20 of the First Statutes of the University.

44. Election of Official Office Bearers of the University Union, their number and manner of their election: (1) The following shall be the positions to which elections are conducted:

- i. Chairman - 1
- ii. Vice Chairman- 3 (One position of Vice Chairman reserved for Girl Students)
- iii. General Secretary - 1
- iv. Joint Secretary - 3 (One position of Joint Secretary reserved for Girl Students and One position of Joint Secretary reserved for Student belonging to Scheduled Caste or Scheduled Tribes)

(2) The manner of election shall be as hereinafter provided

45. Election of Councilors to the General Council of the University Union.

- (1) The following shall be the number of councilors and the category from which to which they are to be elected:
 - (a) 15 Councilors elected by Councilors of Private Self Financing Engineering Colleges affiliated to the University (category (i) of Chapter 4, Statute 2, Sub Statute 5).
 - (b) 5 Councilors elected by Councilors of Government Controlled Self Financing Engineering Colleges affiliated to the University (category (ii) of Chapter 4, Statute 2, Sub Statute 5).
 - (c) 2 Councilors elected by Students from each Government Engineering College affiliated to the University.
 - (d) 2 Councilors elected by Students from each Aided Engineering College affiliated to the University.
 - (e) 2 Councilors elected by the students of the University.
 - (f) 1 Councilor elected by Councilors of Autonomous Colleges from among themselves.



- (g) 1 Councilor elected by Councilors of Constituent Colleges from among themselves.
- (h) 1 Councilor elected by Councilors of Colleges conferred with academic autonomy from among themselves.

(2) The manner of election shall be as hereinafter provided

46. Appointment of Returning Officer - The Vice Chancellor of the University shall appoint a statutory officer of the University as the Returning Officer for the conduct of elections to the University Union General Council, Official Office Bearers of the University Union and the University Union Executive Council. The Returning Officer may appoint the required number of staff to assist him in the conduct of elections. It shall be the responsibility of the Returning Officer to ensure peaceful conduct of the elections.

47. Electoral Roll of Councilors of College Unions for election to the University Union General Council -

- (1) The Returning Officer shall prepare separate electoral rolls comprising of Councilors of College Union elected from each category referred to in Chapter 4 Statute 2 Sub Statute 5 which shall comprise as following:
 - (a) Electoral Roll of Councilors elected from Private Self Financing Engineering Colleges affiliated to the University.
 - (b) Electoral Roll of Councilors elected from Government Controlled Self Financing Engineering Colleges affiliated to the University.
 - (c) Electoral Roll of Councilors elected from Government Engineering Colleges affiliated to the University.
 - (d) Electoral Roll of Councilors elected from Government Aided Engineering Colleges affiliated to the University.
 - (e) Electoral Roll of Councilors elected by the students of the University.



- (f) Electoral Roll of Councilors elected from Autonomous Colleges affiliated to the University from among themselves.
- (g) Electoral Roll of Councilors elected from Constituent Colleges affiliated to the University from among themselves.
- (h) Electoral Roll of Councilors elected from Colleges Conferred Academic Autonomy from among themselves.

(2) The names of the Councilors serially numbered with details of their College, Semester, Course etc shall be noted in each of the electoral roll. Copies of the electoral rolls shall be made available to the Councilors included in the respective Electoral roll who request for the same free of cost from the office of the Returning Officer. Every Councilor included in the electoral roll shall be referred to as an 'elector'.

48. Eligibility to take part in Elections to the University Union General Council - The names of all the Councilors who are included in the respective category of the Electoral Roll prepared by the Returning Officer as on the date of publication of the election notification shall be eligible to participate and contest the elections to the University Union General Council from the respective category except Councilors included in the electoral rolls specified in Rule 47(1)(c), (d) and (e):

Provided that the Returning Officer shall be empowered to make any correction, alteration, inclusion or deletion in the electoral roll if requisition for the same is received within twenty four hours of the publication of the electoral rolls and further is satisfied that the correction, alteration, inclusion or deletion is justified.

49. Notification of Election to University Union General Council - The Returning Officer shall under the direction from the University notify the elections to the University Union General Council, Official Office Bearers of the University Union and the University Union Executive Council, in the office of the Returning Officer, simultaneously causing it to be displayed in the notice boards of the Colleges and University. The notification shall contain the programme of the election giving the following details.



- (1) Date of Notification - As Notified by the Returning Officer of the University.
- (2) Date of publication of Electoral Roll - Succeeding working day from the date of notification.
- (3) Last date and hour for receipt of nomination - At 2-00 PM with 2 (two) clear working days from the date of notification.
- (4) Scrutiny of nomination - 2.00 PM two days from on the day fixed for the receipt of nomination.
- (5) Publication of the list of validly nominated candidates - Same day fixed for Scrutiny.
- (6) Withdrawal - At 11.00 AM two days succeeding the day fixed for scrutiny.
- (7) Publication of final list of candidates at 11.00 AM two days succeeding the day fixed for withdrawal.
- (8) Polling - 10.00 AM to 1.00 PM on the date notified by the Returning Officer of the University.
- (9) Scrutiny and counting of votes - To start from on the date and time notified by the Returning Officer of the University in the University.
- (10) Declaration of results - Within 1 hour of finishing counting of votes.

50. Nomination of Candidates to Contest Elections to the University Union

General Council - Every elector included in the electoral roll specified in Rule 47(1) except those Councilors included in (c), (d) and (e) may nominate an elector included in the respective electoral roll to contest the elections as a candidate in accordance with these Rule and Regulations. Every nomination shall be in the prescribed form (Specimen form shown in Appendix A) and shall be made by the elector in writing and shall be proposed and seconded by two other electors included in the respective electoral roll. The nomination paper shall be put in sealed covers and deposited in the box kept for the purpose by the Returning Officer in his office or by Registered Post with acknowledgement due within the date and hour fixed for filing of nominations. However nominations sent by post, if not acknowledged by the Returning Officer within the date and hour fixed for filing of nominations will not be treated to have been filed.



Every elector who has been nominated to contest the elections shall be referred to as a candidate for the elections.

51. Electoral Roll of Councilors of University Union General Council -

After election of Councilors to the University Union General Council under Rule 47(1)(a), (b), (f), (g) and (h) the Returning Officer shall prepare a combined electoral roll of all Councilors elected to the University Union General Council for election of Official Office Bearers of the University Union.

52. Notification of Election of Official Office Bearers of the University

Union - The Returning Officer shall under the direction from the University notify the elections to the positions of Official Office Bearers of the University Union, in the office of the Returning Officer, simultaneously causing it to be displayed in the notice boards of the Colleges and University. The notification shall contain the programme of the election giving the following details.

- (1) Date of Notification - As Notified by the Returning Officer of the University.
- (2) Date of publication of Electoral Roll - Succeeding working day from the date of notification.
- (3) Last date and hour for receipt of nomination - At 2-00 PM with 2 (two) clear working days from the date of notification.
- (4) Scrutiny of nomination - 2.00 PM two days from on the day fixed for the receipt of nomination.
- (5) Publication of the list of validly nominated candidates - Same day fixed for Scrutiny.
- (6) Withdrawal - At 11.00 AM two days succeeding the day fixed for scrutiny.
- (7) Publication of final list of candidates at 11.00 AM two days succeeding the day fixed for withdrawal.
- (8) Polling - 10.00 AM to 1.00 PM on the date notified by the Returning Officer of the University.
- (9) Scrutiny and counting of votes - To start from on the date and time notified by the Returning Officer of the University in the University.
- (10) Declaration of results - Within 1 hour of finishing counting of votes.



53. Nomination of Candidates to Contest Elections to the positions of Official Office Bearers of the University Union - Every elector included in the electoral roll specified in Rule 51 may nominate an elector included in the electoral roll to contest the elections as a candidate to the positions of Official Office Bearers of the University Union in accordance with these Rules and Regulations. Every nomination shall be in the prescribed form (Specimen form shown in Appendix A) and shall be made by the elector in writing and shall be proposed and seconded by two other electors included in the respective electoral roll. The nomination paper shall be put in sealed covers and deposited in the box kept for the purpose by the Returning Officer in his office or by Registered Post with acknowledgement due within the date and hour fixed for filing of nominations. However nominations sent by post, if not acknowledged by the Returning Officer within the date and hour fixed for filing of nominations will not be treated to have been filed. Every elector who has been nominated to contest the elections shall be referred to as a candidate for the elections.

54. Scrutiny of nominations - All nomination papers for elections to the University Union General Council and to the positions of Official Office Bearers of the University Union deposited in the box provided for the purpose in the Office of the Returning Officer or received by Post which has been duly acknowledged shall be scrutinized by the Returning Officer at the hour on the date notified in the election notification. The candidate contesting the elections or his/her nominee (one included in the electoral roll of the candidate) will be permitted to be present at the time of scrutiny of nominations. The Returning Officer shall examine the nomination papers and shall decide on all objections made to any nominations.

55. List of candidates validly nominated - (1) A list of candidates validly nominated for contesting the elections as a candidate for elections to the University Union General Council and to the positions of Official Office Bearers of the University Union along with their names, semester, course etc. whose nominations have been declared valid shall be published by



affixing the same in the office of the Returning Officer and the notice boards of the University and Colleges from which candidates are elected.

56. Withdrawal of nomination - Any candidate who has filed a nomination may withdraw his nomination by notice in writing signed by him/her and delivered in person him/her or by his/her authorized representative who shall be one included in the electoral roll in which candidate is included, 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. A candidate who has withdrawn his nomination shall not be eligible for renomination as a candidate for the same election in that academic year.

57. Final List of Candidates - The Returning Officer shall publish after the lapse of time fixed for withdrawal of candidature a final list of candidates validly nominated for the respective elections showing their names arranged in alphabetical order together with names, semester, course etc.

58. Declaration of election of validly nominated candidates -

- (i) If the number of candidates validly nominated and not withdrawn does not exceed the number of vacancies to be filled by election, such candidates shall be declared to have been duly elected.
- (ii) If the number of candidates validly nominated and withdrawn is less than the number of vacancies to be filled by election, such candidates shall be declared to have been duly elected; and the electorate shall be called upon to elect a person(s) as the case may be, to fill the remaining vacancies).
- (iii) If the number of candidates validly nominated and not withdrawn exceeds the number of vacancies to be filled by election, then the Returning Officer shall proceed with the election in the manner prescribed in the Rules and Regulations.

59. Voting - Every elector including the candidates included in the electoral roll of the respective category shall be entitled to elect a candidate of



his/her choice from the respective category to which elections are conducted by exercising his/her preference by a vote if he/she is otherwise eligible to vote as per the Rules and Regulations in the manner provided herein.

60. Polling for election of Councilors to the University Union General Council and to the positions of Official Office Bearers of the University Union

- (1) The Returning officer of the University shall be the Returning Officer for conducting election of Office Bearers of the University Union.
- (2) Polling shall be by Ballot Paper.
- (3) Polling shall be by secret ballot and held in the University.
- (4) A Polling Booth or sufficient number of polling booths shall be arranged by the Returning Officer in the University for conducting the Poll with such numbers of Officers and Staff of the College.
- (5) Polling shall be conducted and done by vote in the manner prescribed in these rules and regulations by making his/her choice in the ballot paper in the prescribed form (Specimen form shown in Appendix B). No vote shall be given by proxy. The date and time of polling shall be as notified by the Returning officer of the University.
- (6) The Returning Officer shall ascertain (a) the identity of the councilor casting the vote before issue of the ballot paper and (b) that the councilor presenting himself/herself to vote has not already voted.
- (7) The name of the elector who has voted shall be entered upon the serially numbered counterfoil of the ballot paper and in a ballot paper issue book and got acknowledged by the councilor who voted. The ballot paper corresponding to that counterfoil shall then be torn off after fixing the initials of the Returning Officer thereon and handed



over to the councilor for the purpose of voting and the counterfoil securely kept.

(8) At the time of issuing the ballot paper, the Returning Officer shall make a mark against the name of the elector in a copy of the respective electoral roll kept for the purpose and get the signature of the elector against his/her name in the electoral roll.

(9) The elector who received the ballot paper shall then proceed to a place screened from observation by others for marking his/her vote in the ballot paper against the name of the candidate/s of his/her choice and deposit the same in a ballot box sealed or locked (in the presence of the candidates or their agents if so required by them) kept in a convenient place in the Polling booth.

(10) No person shall be allowed to enter the place arranged for marking of vote other than the elector who is eligible to vote.

(11) If any councilor is incapacitated to vote due to blindness or other physical reasons, it shall be competent for him/her to record his/her vote by the hand of the Returning Officer.

61. Procedure on counting - (1) The scrutiny and counting of votes shall be done by the Returning Officer as prescribed in the election notification. The ballot box shall be opened at the hour fixed for the purpose and the scrutiny and counting shall begin in the presence of the Returning Officer.

(2) No person other than the Returning Officer, the officers and staff appointed by him for the purpose and the candidates shall be present at the time of scrutiny and counting of votes. However, the candidate, with the permission of the Returning Officer may authorize an elector in the electoral roll to represent him/her to be present at the time of scrutiny and counting, in his/her place as his/her authorized representative.



(3) The persons present at the time of scrutiny and counting shall record their presence in the manner determined by the Returning officer.

(4) The persons present at the time of scrutiny and counting shall be present at the time of declaration of results and shall record their presence in the manner determined by the Returning Officer.

62. Ballot Paper when rejected - (1) A Ballot Paper shall be rejected for the purpose of scrutiny and counting.

(i) If it does not bear the initials of the Returning Officer or the person duly authorized by him/her for the purpose, or

(ii) If an elector records his name or writes any word or makes any mark on it revealing his/her identity, or

(iii) If the vote is recorded thereon by any mark other than thus 'X' against the name of names of the candidate (s), or

(iv) If no vote is recorded thereon, or

(v) If the number of votes recorded thereon exceeds the number of vacancies to be filled, or

(vi) If it is not identifiable or uncertain as to whom vote has been cast, or

(vii) If vote is recorded violating any other law, order, guidelines etc. issued by the Returning Officer in respect of the elections.

(2) Every ballot paper rejected, shall be authenticated by the Returning Officer and such ballot papers kept separately for future purposes, if any, till such time as provided in these Rules and Regulations.



63. **Recounting** - (1) Any candidate or his authorized representative may immediately after completion of the scrutiny and counting request in writing to the Returning Officer to re-scrutiny or recount the votes received by all or any of the candidates and the Returning Officer shall re-scrutiny or recount the same accordingly.

(2) 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 correctness of any previous counting:

Provided however that nothing in these Rules and Regulations shall require on the Returning Officer to recount the same votes more than once.

(3) The persons present at the time of scrutiny and counting shall be present at the time of recounting.

64. **Declaration of Results** - (1) The results of the polling shall be declared as prescribed in the election notification.

(2) The candidate/s equal to the number of vacancies to which elections are conducted, receiving the largest number of votes shall be declared duly elected to such vacancies.

(3) If two or more candidates receive an equal number of votes against election to a vacancy, the Returning Officer shall draw a lot with the names of such candidates, and the candidate selected from the lot would be declared duly elected to such vacancy.

(4) The results shall be declared by the Returning Officer on a document in such manner determined by the Returning Officer.

(5) The persons present at the time of scrutiny, counting and recounting shall be present at the time of declaration of results and record their name and signature on the document containing the declaration of results.



65. Complaints Regarding Elections - Complaints regarding the conduct of elections, if any, shall be made in writing to the Vice Chancellor of the University so as to reach him/her within seven days after the declaration of the results of the election and the Vice Chancellor after causing an enquiry into the Complaint in such manner as deemed fit take an appropriate decision and by Order dispose of the complaint. The decision of the Vice Chancellor on the complaint shall be final.

66. Preservation of Election papers - All papers connected with the conduct of elections including electoral rolls, nomination papers, used and unused ballot papers etc. shall be preserved by the Returning Officer in a box locked and sealed in the presence of candidates or their authorized representatives duly recording their presence, for a period of one month after the declaration of the results, or till any complaint regarding the election is disposed of.

67. Code of Conduct for Elections

(1) The following shall be the general code of conduct for elections;

- i. No person other than a student's shall participate in the propaganda, meetings and other gatherings inside the college without the written permission of the Returning Officer.
- ii. Candidates, their authorized representatives and other students shall not disfigure any class rooms, compound walls and buildings in the college campus or University buildings by pasting of posters or writing on the walls thereof as part of their election campaign.
- iii. Election campaign/propaganda in the college campus/university shall be limited to the issue of pamphlets, display of banners and posters and conducting group meetings.



- iv. Election campaign/propaganda/meetings shall be held in the college campus/University only during the working hours of the college or University. Election campaign/propaganda/meetings before or after working hours of the college/University shall be done only with the sanction of the Returning Officer.
- v. Election campaign/propaganda/meetings/canvassing in the college campus or University on the day fixed for the poll and till the election results are declared is prohibited.
- vi. Election campaign/propaganda/meetings/canvassing shall be held in a peaceful, co-operative, friendly manner keeping in view the aims and objects of the University Union.
- vii. Complaints of violation of the code of conduct shall be given in writing to the Returning Officer who shall dispose of the same on merits.

68. Election of Members to the University Union Executive Committee

- (1) The Returning officer shall immediately after constitution of the University Union General Council and election of Official Office Bearers of the University Union convene the first meeting of the University Union General Council on such date notified him/her in consultation with University Union General Secretary to elect members of the University Union Executive Council under the categories specified in Chapter 4 Statute 2 Sub statute 6(1)(ii) to (ix).
- (2) The Returning Officer shall determine the manner of conducting the election and inform the Members of the University Union General Council sufficiently early before the first meeting of the University Union General Council.



(3) Immediately after the conduct of the election the Returning Officer shall declare the results at the first meeting of the General Council.

69. Publishing the constitution of the University Union General Council and its Members, declaring the names and details of the Official Office Bearers of the University Union and Constitution of the University Union Executive Council and its Members.

The Returning officer shall within 3 days from the date declaration of results of the respective elections publish in the University Website the constitution of the University Union General Council and its Members, the names and details of the Official Office Bearers of the University Union and the Constitution of the University Union Executive Council and its Members.

APPENDIX - A

Name of the College.....

Election to (here mention the vacancy to which election is being conducted)
.....



NOMINATION PAPER

Name of the candidate

Semester of the candidate

Course enrolled for

Number of the candidate in the electoral roll

KTU ID number

Consent of the candidate I agree, if elected, to serve on the body to which I am proposed as a candidate

Signature Date

Name of the Proposer

Semester of the proposer

Course enrolled for

Number of the proposer in the electoral roll

KTU ID number

Signature of the proposer
..... Date

Name of the seconder

Semester of the seconder

Course enrolled for

Number of the seconder in the electoral roll

KTU ID number

Signature of the seconder
.....Date

College Seal

ACKNOWLEDGMENT

Name of the College



Election to (here mention the vacancy to which election is being conducted)

Received the nomination paper of

**Returning Officer
Date & Seal**

College Seal



Sl.No.

Name of the College.....

Counterfoil of Ballot Paper

Election to (here mention the vacancy to which election is being held)

Name of the elector

Semester

Course

Number of the elector in the electoral roll

Returning Officer

Seal of the College



Sl. No.

APPENDIX B

Name of the College.....

Election to

(here mention the vacancy to which position election is being held)

BALLOT PAPER

Sl.No	Name of the Candidate, Semester, Course	Mark showing Voter's Choice
1		
2		
3		
4		

(Elector's choice to be shown by X mark)

Returning Officer

Seal of the College





ITEM NO.6 COURT NO.5 SECTION XIA

**SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS**

Petition(s) for Special Leave to Appeal (Civil) No(s).24295/2004

**(From the judgement and order dated 24/06/2004 in WP No. 30845/2003
of The HIGH COURT OF KERALA AT ERNAKULAM)**

UNIVERSITY OF KERALA

Petitioner(s)

VERSUS

COUNCIL, PRINCIPALS', COLLEGES, KERALA & ORS

Respondent(s)

(With prayer for interim relief and office report)

WITH SLP(C) NO. 24296-24299 of 2004

(With prayer for interim relief and office report)

Date: 22/09/2006 These petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ARIJIT PASAYAT

HON'BLE MR. JUSTICE LOKESHWAR SINGH PANTA

For Petitioner(s) Mr. R. Sathish, Adv.

For Respondent(s)/ Mr. Gopal Subramaniam, A.S.G.

Union of India Mr. Abhishek Tewari, Adv.

Mr. P. Parmeswaran, Adv.

Mr. E.M.S. Anam, Adv.

Mr. K.R. Sasiprabhu, Adv.

Mr. G. Prakash, Adv.

Mrs. Beena Prakash, Adv.

Mr. K.D. Dileep Kumar, Adv.



Mr. T.G.Narayanan Nair,Adv.

Mr. M.P. Vinod,Adv.

Mr. Ajay K. Jain,Adv.

Mr. Sajith P.,Adv.

Mr. M.K. Michael,Adv.

Mr. S.M. Jadhav,Adv.

Mr. K. Rajeev,Adv.

Mr. M.K.D. Namboodiri,Adv.

**UPON hearing counsel the Court made the following
O R D E R**

Heard.

We have perused the Report of the Committee constituted by the Ministry of Human Resource Development, Government of India in terms of the order of this Court dated 12.12.2005. The Committee headed by Mr. J.M. Lyngdoh has submitted the Report making recommendations and suggestions relating to Students' Union Elections. We are, prima-facie, of the view that the recommendations need acceptance and as an interim measure, we direct the following recommendations to be implemented, subject to such modifications indicated hereinafter.

The recommendations are:-



“ 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 3rd or the 4th 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.

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.



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



representative 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 elect the office bearers of the college as well as the university representatives, and the campus itself directly elects the campus office bearers and the university representatives. The university representatives shall form an electoral college, which shall elect the office bearer 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 organisation, 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 period 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:

(iii) the complaint was not filed within the time frame prescribed in Recommendation 8.4 above;

(iv) the complaint fails to state a cause of action for which relief may be granted.

(v) 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. 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 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 Greivance Cell is appealed to the institutional head, the Grievance Cell must immediately submits 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 Greivance 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 agent 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 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 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.**

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”.



Learned counsel for the parties are permitted to submit their suggestions/views regarding elaborations in respect of the aforesaid recommendations as well as other suggestions/views given by the Committee as regards the grievances mechanism and the other suggestions as regards the schedules etc. The suggestions/views shall be filed within four weeks.

Call these matters on 06.11.2006.

During the course of hearing of the petition, Mr. Gopal Subramaniam, learned Additional Solicitor General brought to our notice the need for a direction to provide security to the academic community who are involved in the process of Students' Union Elections in the Universities and the Colleges. It was suggested that to ensure protection to them, the Superintendent of Police, In-charge of the area shall provide enough police protection and shall ensure that no untoward incident takes place by providing adequate number of police personnel to be posted near the place of elections. The suggestions appear to be wholesome. We direct that the suggestions given be implemented as and when the necessity so arises. It is made clear that the recommendations made, which we have accepted to be adopted as an interim measure, shall be followed in all College/University Elections, to be held hereinafter, until further orders.

This order shall be communicated to the respective States and Union Territories by Mr. Gopal



**Subramaniam, learned Additional Solicitor General so that necessary steps
can be taken to ensure compliance of our order.**

**(Neena Verma)
Court Master**

**(Radha R. Bhatia)
Court Master**

