

**HERAMBA CHANDRA COLLEGE**

**23/49, GARIHAT ROAD, KOLKATA- 700029**

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**NOTICE**

The constitution of the Students' Union of Heramba Chandra College, as amended by the Governing Body of the College on December 14, 2013 is hereby notified at the college website [www.herambachandraadmissions.com](http://www.herambachandraadmissions.com). The said amendments shall come in to effect from the date of publication of this notice in the website.

**December 18, 2013**

**Dr. Prasanta Sharma  
Teacher-In-Charge  
Heramba Chandra College**

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**HERAMBA CHANDRA COLLEGE STUDENTS' UNION CONSTITUTION**

**(After Amendments No.s 1,2 & 3 of 2013)**

WHEREAS it is expedient to provide a constitution for the Students' Union of Heramba Chandra College, it is hereby devised, drafted, constituted and approved by the Governing Body, Heramba Chandra College, 23/49, Gariahat Road, Kolkata- 700029, by virtue of the power vested upon the Governing Body in terms of Statute no. 100 read with Statute no. 97 under Chapter VII of the Calcutta University First Statute, 1979 and relevant rules and provisions:

**AND**

In exercise of the power conferred upon me by Statutes 97 and 100, and other provisions of the Calcutta University First Statute, 1979 read with other Rules and Provisions of the Government of West Bengal, and in conformity with the Order of the Honb'le Supreme Court dated 22 September, 2006 on the implementation of the recommendations of the Lyngdoh Committee, I Prasanta Sharma, Teacher-in-Charge and Secretary of the Governing Body, Heramba Chandra College, introduce and enforce this First Constitution of the Students' Union with the approval and directive of the Governing Body given on the 23rd day of the month of December in the year 2011.

**1. Short Title**

This Constitution of the Students' Union of Heramba Chandra College shall be called "Constitution" hereinafter.

**2. Definitions:**

- a. "Union" means the elected Students' Union of the College for a particular "Academic Session" to function without any political affiliation or influence whatsoever.
- b. "College" means Heramba Chandra College.
- c. "Session" or "Academic Session" means the Academic Year commencing from the 1<sup>st</sup> day of July of a particular year to 30<sup>th</sup> June of the succeeding year.
- d. "Tenure of the Union" means the period extending from any day of an academic session when the election to the Union takes place to one year from the date of such election or the day of the next election, whichever is earlier.
- e. "Constituency" means a particular section of a particular stream of a particular year.
- f. "Principal" means Principal or Teacher-in-Charge of the College.
- g. "Elected representative" means a regular student duly elected from a particular constituency for one academic year.
- h. "Regular student" means an enrolled student of the College, who has been registered with the University from the College, and who has not been registered from any other College.

**Explanations:**

For 1<sup>st</sup> year Undergraduate/Postgraduate classes, a 'regular student ' means a student who has paid at least one month tuition fee along with all annual charges payable at the time of admission.

For 2<sup>nd</sup> year Undergraduate/Postgraduate classes, a 'regular student 'means a student who has cleared the first terminal examination of the University (Part 1 or Semester 1 and 2) completely or partly but has been allowed to continue in 2<sup>nd</sup> year as per University Rules and thus taken admission in the 2<sup>nd</sup> year by clearing one month tuition fees along with session charges admissible during admission and/ or enrolment fee whatever is needed.

For 3<sup>rd</sup> year Undergraduate/Postgraduate classes, a 'regular student 'means a student who has cleared the first terminal examination of the University (Part 2 or Semester 3 and 4) completely or partly but has been allowed to continue in 3<sup>rd</sup> year as per University Rules and thus taken admission in the 3<sup>rd</sup> year by clearing one month tuition fees along with session charges admissible during admission and/ or enrolment fee whatever is needed.

The matter of waiving fees, for considering a student as a regular student, under special circumstances could however be made workable by way of special order from the State Government or affiliating University or the College Governing Body.

### **3. The aims and objectives of the Students' Union**

The aims and objectives of the Students' Union shall be-

- a. to bring unity among the students and safeguard their rights without in any way hampering the interest of the College and ideals of Brahmo Samaj.
- b. to promote discipline, sense of responsibility, integrity and fraternity among the students, nurturing liberal academic, scientific, cultural and social interest and outlook amongst them.

- c. to aid, help and facilitate the study of needy and poor students, especially coming from the disadvantaged section of the society.
- d. to foster healthy and cordial relation with the teaching and non-teaching staff members of the College.
- e. to work in favour of upholding the principles of Democracy, Secularism, Patriotism, Socialism and National Integrity.
- f. to encourage participation in fight against Superstition, Obscurantism, Communalism, Secessionism and all sorts of Social Evils.

#### **4. Activities of the Union**

The Union shall specifically be engaged in the following activity areas:

- a. to organize Quiz, Debates, Symposia, Science Fairs, Academic Lectures (including Popular Science) by eminent teachers/experts in the respective fields.
- b. to organize Recitation, Musical and Cultural Programmes of moral standing.
- c. to publish College Magazine and Wall Magazines, with the Principal as the Publisher, containing articles contributed mostly by the existing students, and also by teachers and eminent personalities.
- d. to organize Common Room activities and Indoor Games in the College.
- e. to organize Annual Sports as well as the Games activities throughout the year.

#### **5. Membership and Fees**

- a. Every regular student of the College shall be a member of the Union.
- b. A member shall be entitled to cast vote in one constituency to which she/he is enrolled.
- c. Every member shall be liable to pay Union fees and session fees as may be prescribed by the College from time to time.
- d. Every member shall have equal right in the activities of the Union irrespective of caste, creed, race, religion or sex.

#### **6. Eligibility to contest in election:**

- a. Undergraduate students between the age of 17 and 22 years may contest the election. Maximum age limit for Postgraduate students for contesting elections is 25 years. Completion of year for calculating age shall be the first day of the session for which the election takes place.
- b. Only a regular student who has attended at least 55 percent of classes held, or at least minimum percentage of classes prescribed by the University, shall be allowed to contest election, and such attendance shall be counted on the basis of classes held up to 7 days prior to the date of notification of such election. A draft List of students eligible to contest election shall be published at least 3 days prior to publication of the notice of election.

c. A regular student shall have one opportunity to contest for the position of an office bearer and two opportunities to contest for the position of Executive member.

d. No student with any criminal track record shall be allowed to contest election, i.e. a student should not be tried or convicted of any criminal offence or misdemeanor for being eligible to contest election. A student shall not be allowed to contest election if he or she has been subject to any disciplinary action by the University or the College.

e. No student who has already appeared at the Part 3 (Semester6) examination of the University shall be allowed to contest election. No student who has appeared at the Postgraduate final (last semester) examination shall be allowed to contest election.

f. No student who has already appeared, in case of Undergraduate courses, at the Part 3 (final semester) examination or failed at the Part 3 (final semester) examination of the University and, in case of Postgraduate courses, at the final examination (final semester) failed at the final (final semester) examination of the University shall be allowed to continue as an office bearer/ Executive member/ elected representative of the Union.

#### **7. Term of office of the Elected Members:**

The term of office of the elected members of the Executive Body of the Union shall be one year or till the further election of the office bearers, whichever is earlier. But in case of non election of Office Bearers during one year there shall be a care taker Union comprising of the Vice-President, General Secretary, Assistant General Secretary, Game Secretary, Cultural Secretary and Treasurer, who shall function under the overall guidance of the Principal of the College, provided no one of them shall be a member of that caretaker Union, if they cease to have the eligibility to contest the election.

#### **8. Composition and Function of the Council:**

a. The General Council of the Union shall consist of the followings:

i) President

ii) Vice President

iii) General Secretary

iv) Assistant General Secretary

v) Treasurer

vi) Games Secretary

vii) Cultural Secretary

viii) Magazine Secretary

ix) Girls' Common Room Secretary

x) Common Room Secretary

x) Class Representatives (Union)

xi) Class Representatives (Sports and Games)

b. Members shall elect 2 Class Representatives, one as Union representative and another as Sports and Games representative, from each constituency.

c. At least 25 percent of Class Representatives shall have to be elected from among the girl students, for which seats will be reserved for girl students. Such reservation shall be made each year on a rotational basis, and 25 percent of seats related to each year shall be reserved. While reserving such seats, from a section, either Union Representative or Sports Representative shall be reserved and not both.

d. If there be no elections because of non submission of nominations from any constituency, Principal shall have the right to nominate Class Representatives from among the otherwise eligible students, and that nominations shall be made on the basis of marks scored by a student in the last public examination passed by the students.

e. The Class Representatives shall elect the Office Bearers from among themselves in the first meeting of the Council and such Office Bearers shall assume charge of respective offices immediately. This meeting shall be convened by the President of the Union normally within 10 days of the election of Class Representatives, but not beyond three weeks from the date of election.

f. All the elections shall be held in accordance with simple majority voting system and through secret ballot.

g. In the same first meeting of the Council, all Sectional Sub Committee shall be formed. Besides the General Secretary and the concerned Sectional Secretary, each of such Sub Committee shall consist of four other elected members of the Council, at least one of them must be a girl student in the case of coeducational College. The functioning of each Sub Committee shall be supervised by a regular teacher of the College nominated by the Principal as the Sectional President.

h. Members of the General Council shall have the right to move no confidence motion against all or any of the Office Bearers provided at least one half of the members of the Council move such motion in writing. In such an event the President shall convene a single agenda meeting to decide on that motion and the motion shall be decided on the basis of simple majority voting.

i. An office bearer shall have the right to resign from the office. Such resignation must be unconditional and must be in writing.

j. In the event of a vacancy arising for whatsoever reason in any of the office of the Union, the President shall call a meeting of the Council to elect new office bearers.

k. Quorum of a meeting of the Council shall be 50 percent of the existing members.

## **8. Meeting of the General Council**

a. The General Council comprising of all the elected Class Representatives shall be the highest Body and will take all policy decisions regarding smooth functioning of the Union. The Council in its first meeting convened and presided over by the President, normally within 10 working days of the election of Class Representatives, will elect Office Bearers and form Sub Committees.

b. At least one meeting shall be held in every 3 months for the Council as well as the Sectional Committees. Minutes of such meetings shall be kept by the concerned Secretaries. Such meetings shall be convened by concerned Secretaries by giving at least 3 working days notice with the concurrence of the President. Meetings shall be held at the College premises.

c. The Budget for the year shall be presented by the General Secretary before the Council within 45 days of the first meeting of the Council. The presentation of the Budget shall require previous consent of the President.

d. Proposals regarding financial matters, if any, not provided for in the Budget, must be placed in the same manner as in the case of Budget, through the Secretary.

e. Any proposal other than Budget and financial matters may be placed by any member of the Council for consideration in the meeting.

f. A member must give 72 hours clear notice to the General Secretary so that the proposal may be put in the agenda.

In emergency circumstances, a proposal may also be placed before the Council even if that is not included in the agenda, with due consent of the President.

g. An emergency meeting may be called by the President on 24 hours notice if she/he considers that emergency circumstances have arisen.

h. A requisition meeting of the Council may be called by the President within a week on receipt of a petition signed by at least 50% of the total elected members of the Council.

i. Unless otherwise provided in the constitution,, all meetings of the Council shall be called by the general Secretary and those of the Sectional Committees by the concerned Sectional Secretaries, with prior permission of the President or the Teacher-in-Charge of the respective section of the Union. At least 3days notice shall be given for ordinary meetings.

j. All resolutions of the Council and the Sectional Committees will be considered as adopted if the majority of the members present in the meeting vote for them and are duly signed by the President or the Teacher-in-Charge of the concerned section declaring them as passed.

## **9. Executive Body and Sectional Committees**

a. The Executive Body of the Union shall consist of the Office Bearers:

i. President

ii. Vice-president

iii. General Secretary

iv. Treasurer

v. Assistant General Secretary

vi. Secretaries of different Sectional Committees

b. There shall be Secretaries of following sections :

i. Cultural

ii. Games and Sports

iii. Magazine and Literary

iv. Bijnan Parishad

- v. Students' welfare and Social Service (inclusive of students' aid Fund)
  - vi. Common room
  - vii. Girls' Common room
  - viii. Canteen
  - ix. any other Sub Committee at the discretion of the principal
- c. Each Sectional Committee shall be constituted with the general Secretary, the Sectional Secretary and four other ordinary members, of which at least one shall be a girl student
- d. The Secretaries shall carry out the day to day activities of their respective sections and shall be responsible to the Council in particular and to the students in general for their sections.
- e. In case, if any Secretary is removed from her/his office or the office falls vacant due to any reason another member of the section, elected by majority of the members of the section shall perform the duties of the Secretary for the unexpired portion of the term.
- f. The Executive Body of the Union shall meet at least once in a month excluding the summer recess and Puja vacation period.

#### **10. Fund**

- a. The fund of the Union shall be built up with the amount of fees for Union collected from the students and it shall be limited to the amount so collected for one year only for which the Council is to function. At least 50 percent of the total fund must be earmarked for magazine and sports. Unutilized Magazine and Sports fund, if there be any, can in no way be diverted to other ends and shall be transferred to the Students' Welfare Fund of the College at the end of the term.
- b. The unutilized fund of the previous year, except those of Magazine and Sports, shall be the property of the running Council but in no case any fund of the forthcoming Council shall be added to it.

#### **11. Budget and Accounts**

- a. The Annual Budget for the year shall be prepared by the General Secretary, in consultation with the Treasurer and the Sectional Secretaries, for allocating funds from Union fees to meet expenditure under different heads including emergency expenditure.
- b. The fund of the Union shall count in the name of "Students' Union Fund" of the College under the control of the Principal. On written appeal from the General Secretary, Principal shall release fund for specific purpose. The General Secretary and Treasurer shall be held responsible for all expenditure of the Union.
- c. The Sectional Secretaries, after allocation of fund, may draw amounts jointly with the General Secretary. The Sectional Secretaries shall keep proper Accounts of expenditure of their sections and shall submit the same, supported by proper vouchers, duly countersigned by the General Secretary and the Treasurer, to the respective Sectional Teacher-in-Charge, who after verification forward the same to the Principal. Such Accounts of expenditure shall have to be submitted within 1 month of withdrawing fund from the Bank Account.

d. the Principal shall cause an audit to be made for all such Accounts by the Bursar of the College, in absence of Bursar by any senior teacher of the College, who may be so appointed by the Principal. The General Secretary and Treasurer shall be jointly and severally responsible for maintaining Accounts of the Union and shall submit the Audited Accounts of expenditure of the Union at the end of the term to the Principal.

e. The Audit of Accounts shall be a continuous process, and shall have to be completed within 1 month of submission of Accounts, which one month shall exclude any continuous vacation of more than 3 days intervening.

f. All Audited Accounts shall be placed before the meeting of the Council held following the completion of such Audit.

## **12. The President and her/his function**

a. The Principal of the College or the Head of the Institution, by whatever name called, shall be the ex-officio President of the Union.

The President shall ordinarily preside over the Council. A resolution shall not be considered as passed by the Council unless it is duly signed by the President.

b. The President shall convene the first meeting of the newly elected Council within stipulated date and shall preside over the meeting. In other cases the President may nominate one of the senior teachers of the College to preside over the meeting/s on her/his behalf.

c. In case of difference of opinion on any issue, the President may request the Council to reconsider the proposal. In case of stalemate situation over any such issue, the President shall refer the matter to the Governing Body of the College for final decision within one month.

The President shall have no right to vote except in case of a tie.

d. In an emergency situation precipitating a crisis leading to the violation of constitutional obligations, the Principal as President may suspend, prorogue or dismiss the Council with prior approval of the Governing Body of the College and due information to the University and the Brahmo Samaj Education Society.

## **13. The Vice President and her/his function**

a. The Vice President shall be elected by the Council from amongst its elected members in its first meeting convened and presided over by the President.

b. The Vice President shall assist the President in conducting the meetings of the Council. The Vice President may preside over a meeting of the Council with the consent of the President if necessary and will conduct the meeting. Any resolution passed in such a meeting shall have to be duly approved and signed by the President of the Council; otherwise, it shall not be considered and validly passed.

c. She/he shall not be removed from the office during her/his tenure of office except in special circumstances leading to gross violation of the norms of the Constitution, defalcation of funds or in the event of her/his being subjected to the provision of disqualifications referred elsewhere in the Constitution or if a no confidence motion be moved and passed against her/him as mentioned in Clause 8 (f) of the Constitution and in such a case the



President shall give his recommendation to the Governing Body of the College, which shall be the final authority to decide on the issue.

#### **14. Sectional Teacher-in-Charge and her/his function**

a. There shall be one Teacher-in-Charge for each section of the Union. She/he shall be nominated from amongst the regular whole-time teachers of the College by the Principal in consultation with the Teachers' Council. She/he will supervise the respective Sectional activities and act as the President of the Sectional Sub Committee.

b. All resolutions of the Sectional Committee shall be duly approved and signed by the teacher-in-charge of that section before those are declared as adopted. The Teacher-in-Charge may take part in the deliberation of the Sectional Committee but shall have no right to vote.

#### **15. The General Secretary and her/his function**

a. The General Secretary shall be the Executive head of the Union and shall be elected by the Council from amongst its elected members in its first meeting convened and presided over by the President.

b. She/he shall carry out the day to day functions of the Union and shall be responsible to the members of the Council in particular and to the students of the College in general for activities of the Council.

c. She/he shall not be removed from the office during her/his tenure of office except in special circumstances leading to gross violation of the norms of the Constitution, defalcation of funds or in the event of her/his being subjected to the provision of disqualifications referred elsewhere in the Constitution or if a no confidence motion be moved and passed against her/him as mentioned in Clause 7 (f) of the Constitution and in such a case the President shall give his recommendation to the Governing Body of the College, which shall be the final authority to decide on the issue.

#### **16. The Assistant General Secretary and her/his function**

a. The Assistant General Secretary shall be elected by the Council from amongst its elected members in its first meeting convened and presided over by the President.

b. The Assistant General Secretary shall assist the General Secretary in discharging her/his duties and will perform the duties of the General Secretary in her/his absence.

c. When the office of the General Secretary falls vacant by any reason, the Assistant General Secretary shall assume the office of the General Secretary and discharge the duties of the General Secretary for the rest of the period of her/his tenure of office or till the election of a new General Secretary as per Clause 7 (h) of this Constitution, whichever is earlier. The assistant General Secretary performing the duties of the General Secretary shall not be entitled to attend the meetings of the Governing Body of the College.

d. She/he shall not be removed from the office during her/his tenure of office except in special circumstances leading to gross violation of the norms of the Constitution, defalcation of funds or in the event of her/his being subjected to the provision of disqualifications referred elsewhere in the Constitution or if a no confidence motion be moved and passed against her/him as mentioned in Clause 7 (f) of the Constitution and in such a case the President shall give his recommendation to the Governing Body of the College, which shall be the final authority to decide on the issue.

## **17. The Treasurer and her/his function**

- a. The Treasurer shall be elected by the Council from amongst its elected members in its first meeting convened and presided over by the President
- b. The Treasurer shall be jointly responsible with the General Secretary for all expenditures of the Union. She/he shall coordinate amongst the General Secretary and the Sectional Secretaries regarding maintenance of Accounts for the expenditures of Union activities keeping records for audit of Accounts by the Bursar of the College.
- c. She/he shall not be removed from the office during her/his tenure of office except in special circumstances leading to gross violation of the norms of the Constitution, defalcation of funds or in the event of her/his being subjected to the provision of disqualifications referred elsewhere in the Constitution or if a no confidence motion be moved and passed against her/him as mentioned in Clause 7 (f) of the Constitution and in such a case the President shall give his recommendation to the Governing Body of the College, which shall be the final authority to decide on the issue.

## **18. Sectional Secretary and her/his function**

- a. Sectional Secretaries for different sections shall be elected by the Council from amongst its elected members in its first meeting convened and presided over by the President
- b. A Sectional Secretary shall look after the activities of her/his section and shall be jointly and severally responsible for all expenditures of her/his section
- c. A Sectional Secretary shall not be removed from the office during her/his tenure of office except in special circumstances leading to gross violation of the norms of the Constitution, defalcation of funds or in the event of her/his being subjected to the provision of disqualifications referred elsewhere in the Constitution or if a no confidence motion be moved and passed against her/him as mentioned in Clause 7 (f) of the Constitution and in such a case the President shall give his recommendation to the Governing Body of the College, which shall be the final authority to decide on the issue.

## **19. Election Commission**

- a. There shall be an Election Commission consisting of the members to be constituted as under:
  - i. The Principal, who shall be the Chairperson of the Commission.
  - ii. Two senior teacher members to be nominated by the Governing Body in consultation with the Teachers' Council of the College.
  - iii. The Secretary of the Teachers' Council
  - iv. Two members of the non-teaching staff to be nominated by the Governing Body in consultation with the Principal and Head Clerk of the College.
- b. The Chairperson of the Commission shall be the Returning Officer of the Union election. The Commission shall fix up dates and time table of election as per provisions envisaged in this Constitution.
- c. The Commission shall be responsible for proper conduct of the election and resolve dispute, if any, regarding holding of election by appropriate action as it may deem fit and proper.

d. The tenure of the Election Commission shall be one academic year. If any member of the Commission resigns or the position falls vacant for whatsoever reason, the vacancy shall be filled in by another member of the staff of the concerned category in the same manner as in (a) above.

## **20. Election Procedure**

a. The President as Returning Officer shall appoint Presiding Officers and other Polling Officers to assist the Presiding Officer in conducting the polls, from among the teaching and non-teaching staff members of the College.

b. The Returning Officer shall publish through Notification and by displaying in the College Notice Board the Draft Electoral Roll prior to (at least) 21 days of the date of election. Any objection regarding omission/inclusion/deletion of name in the Electoral Roll shall be entertained within 7 days of publication of the Draft Electoral Roll.

The Final Electoral Roll shall be published by the Returning Officer at least 10 working days before the date of election, after which no objection shall be entertained. If any difficulty arises in the process, the matter shall be referred by the Returning Officer to the Election Commission, whose decision shall be final and binding.

b (1). A draft List of students eligible to contest election shall be published at least 3 days prior to publication of the notice of election. Any objection regarding omission/inclusion/deletion of name in such list shall be entertained within 2 days of publication of the draft list.

The final list of students eligible to contest election shall be published by the returning Officer at least 10 days before the date of election. If any difficulty arises in the process, the matter shall be referred by the Returning Officer to the Election Commission, whose decision shall be final and binding.

c. The Election Commission shall cause the Returning Officer to publish the following through notification and by displaying the same in the College Notice Board at least 10 days before the election, fixing the date, time place and other particulars for:

A. Issue of Nomination papers

B. Submission of Nomination Papers

C. Scrutiny of Nomination papers

D. Publication of the list of valid Nomination papers in alphabetical order of the first names in English spelling

E. Withdrawal of Nomination papers

F. Date and hours of Poll

G. Date and Hours of Counting.

d. The date of election must be fixed at least 3 working days after the publication of the final list of candidates.

e. The Election Commission at any point of time considering the contingency can alter the programme.

The detailed procedure of Election, Polling, and Counting shall be determined by the Election Commission, which should be duly notified beforehand.

f. The Election Commission shall dispose of all matters relating to any objection raised or clarification sought for by any student in regard to election matters;

Provided that, in case the Election Commission fails to resolve any dispute or prefers to refer any such matter to the Governing Body, the decision of the Governing Body shall be final and binding.

g. At least 2 days time shall be given for issue of Nomination papers and further two days for submission of Nomination papers.

The Election Commission shall have the right to issue Nomination papers through internet.

The Election Commission shall have the right to fix up a fee for issue of Nomination papers, which, in case of issue of Nomination papers through internet or otherwise, may be decided to be deposited into a Bank Account, specified for this purpose.

The Election Commission shall have the right to fix up a fee for submission of Nomination papers.

If any case of intimidation and/or threat from any quarter to any intending candidate is reported and found to be correct, the Election Commission, in extreme cases, shall have the authority to arrange for issue of Nomination papers and submission thereof with the help of State administration.

h. Serially numbered Nomination papers are to be collected by the candidates either in person or through authorized representative, who shall be a bona fide of the same constituency, by paying requisite fees, if there be any. In case of issue of forms through internet, separate internet serial numbers shall be allotted.

Nomination papers are to be submitted by the candidates themselves or by their authorized representatives, who shall be the bona fide member of the same constituency. Nomination papers issued to a particular candidate in her/his name against specific serial number is to be used by her/him only and not to be used by any other candidate.

Provided that one bona fide member of the same constituency shall not be the authorized representative of more than one candidate.

i. The name of a contesting candidate shall have to be duly proposed by a valid voter of the same constituency. One regular student shall be eligible to propose not more than one name for Union representative and one name for Sports representative.

j. After submission of Nomination paper, receipt shall be issued by the Election Commission to the candidate or her/his representative. At the time of submission of Nomination paper, the candidate must deposit her/his fee book and Identity Card along with those of the proposer to the Commission, which would be returned in due course.

k. The Election Commission shall notify the procedure of collecting Nomination papers, submission of Nomination papers stating the documents to be submitted along with the Nomination paper, procedure of withdrawal of Nomination paper, detailed procedure and

programme for scrutiny of Nomination paper. The mode of publication of final list of candidates is to be notified by the Election Commission.

l. Nomination paper after submission is to be scrutinized by the Election Commission. Candidates shall not be allowed during scrutiny. If any Nomination paper is found invalid by the Election Commission, the concerned candidate shall be given an opportunity to refer her/his case to the Commission. The decision of the Commission shall be final.

m. A draft list of valid candidates after scrutiny is to be published. Such list must bear the name, roll number and the constituency of the candidate. The list must be signed by the Returning Officer and shall be displayed in the notice board.

n. The final list of valid candidates shall be published after the last date of withdrawal of candidates. Such list must bear the name, roll number and the constituency of the candidate. The list must be signed by the Returning Officer and shall be displayed in the notice board.

o. After scrutiny if the number of valid Nominations is found not to exceed the number of seats to be elected in the Constituency, the valid names of candidates shall be declared elected as uncontested by the Election Commission. Such elected candidates shall enjoy, without any prejudice, full right and privileges of a duly elected representative.

p. In the elections under this constitution, the forms of Nomination (Form No. 1) and withdrawal of Candidature (Form No. 2 ) appended to this constitution shall be used. All other necessary forms relating to holding elections shall be prescribed by the Election Commission.

q. If there be no elections because of non submission of nominations from any constituency, Principal shall have the right to nominate Class Representatives from among the otherwise eligible students, and that nominations shall be made on the basis of marks scored by a student in the last public examination passed by the students.

## **21. Conduct of Polling**

a. Excepting the voters, no one without a valid pass or letters of authority from the Election Commission or from the Principal shall enter the College premises on the date of election.

b. On the day of election, 2 (two) hours should be fixed for entry of voters into the College premises. Voters standing at the entrance gate of the College, at the time of expiry of the specified hours are to be issued duly signed slip of the Election Commissioner and they are to be allowed entry. After 15 minutes of entry, voting will start and continue up to the casting of last vote by the valid voters. Votes shall be cast according to the Roll numbers of the constituency. Voters shall leave the College premises immediately after casting of votes. Either the candidate or her/his agent (who shall have to be a voter of that constituency) can only be present. Students willing to vote shall have to enter the specified class room for voting at least 15 minutes before the fixed time for polling.

c. The identification proof for the voters shall be the Fee Book (Current year) along with Identity Card (with photo) or the Registration Certificate (with photo) of the affiliating University or the Admit Card (with photo) issued by the University.

d. In every class there shall be at least two teachers supported by non-teaching employees who will conduct polling; the senior teacher shall act as the Presiding Officer.

## **22. Counting of Votes**

- a. Counting of vote shall ordinarily be held in the class room where polling will be held in presence of the contesting candidates or their authorized agents (who shall have to be voters of the same constituency). The Returning Officer may fix any other room and time for counting, but that shall have to be duly notified earlier.
- b. The senior of the two Teachers in-Charge of poling shall start counting after a break of 15 minutes from the end of voting with permission from the Returning Officer in presence of the contesting candidates or their authorized agents. Recounting could be held on demand if there is a difference of less than 10 votes, but not more than once. In case of tie between candidates, the decision shall be by drawing of lots before the candidates.
- c. In case of any dispute while conducting the poll and the counting of votes, the decision given by the Returning Officer shall be final and binding. A valid vote in ballot paper must bear clear intention of voting in favour of a candidate; any ambiguity shall make the ballot invalid.
- d. After receiving the results from the Presiding/ Counting Officers in different constituencies, the Principal and the Chairperson of the Election Commission shall notify the names of the candidates, who are being declared elected from different constituencies.

## **23. Election Related Expenditures and Financial Accountability**

- a. The maximum permitted expenditure per candidate shall be Rs. 5000/-
- b. Each candidate shall, within two weeks of the declaration of the result, submit complete and audited Accounts to the College authorities. The College shall publish such audited Accounts within two days of submission of such Accounts, through a suitable medium so that any member may freely examine the same.
- c. The election of the candidate shall be nullified in the event of any noncompliance or in the event of any excessive expenditure.
- d. With the view to prevent the inflow of fund from political parties into the election process, the candidates shall not utilize or accept funds from any other sources than voluntary contributions by the students of the College.

## **24. Code of Conduct**

- a. 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.
- b. Criticism of other candidates, when made, shall be confined to their policies and programmes, 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 have to be avoided.
- c. There shall be no appeal to caste or communal feelings for securing votes.
- d. 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 arranging transport and conveyance of voters to and from the polling station.

e. 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 such hand-made posters are procured within the expenditure limit set out herein above.

f. Candidates may only utilize hand-made posters at certain places in the campus, which shall be notified in advance by the Election Commission.

g. No candidate shall be permitted to carry out processions or public meetings or in any way canvass or distribute propaganda outside the College campus.

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

i. 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. Further such processions/public meetings may not be held without the prior written permission of the College authority.

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

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

i. co-operate with the Returning and Presiding Officers to ensure peaceful and orderly polling and complete freedom to the voters to exercise their franchise without being subjected to any annoyance or obstructions;

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.

l. Excepting the voters, no one without a valid pass/letter of authority from the Election Commission shall enter the polling booth.

m. The Election Commission shall have the right to appoint impartial observers. Government servants may be appointed as observers. If the candidate has any specific complaint or problem regarding the conduct of the elections they may bring it to the notice of the observers.

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

o. Any contravention of any of the above codes may make the candidate liable to be stripped of the candidature, or her/his elected position, as the case may be. The Election

Commission/ College authority may also take appropriate disciplinary action against such violation.

p. In addition to the above-mentioned code of conduct, provisions of the Indian Penal Code, 1860 (Section 153A and Chapter IXA-“Offences Relating to Election”) may also be made applicable.

## **25. Grievance Redressal Mechanism**

a. There shall be a Grievance Redressal Cell with the Teacher-in-Charge of students’ affair as its Chairperson. In addition one senior teacher nominated by the Teachers’ Council, one senior administrative officer and two final year students, one boy and one girl, nominated on the basis of last examination passed shall be members of the Cell. The Grievance Redressal Cell shall look into the election-related grievances, including, but not limited to breaches of the code of conduct of elections and complaints relating to election related expenditure. This Cell shall be a regular unit of the institution.

b. In pursuit of its duties, the Grievance Redressal Cell may prosecute violators of any aspect of the code of conduct or the rulings of the Grievance Redressal Cell. The Grievance Redressal Cell shall serve as the court of original jurisdiction. The Principal 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 Redressal Cell has issued its final decision. Upon review, the Principal may revoke or modify the sanctions imposed by the Grievance Redressal Cell.

c. In carrying out the duties of office, the Grievance Redressal Cell shall conduct proceedings and hearings necessary to fulfill those duties. In executing those duties it 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.

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

e. The Grievance Redressal Cell may dismiss a complaint if:

i. the complaint was not filed within the time limit prescribed

ii. the complaint fails to state a cause of action for which relief maybe granted;

iii. the complainant has not and/or will not likely suffer injury or damage

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



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

h. At the time notice of hearing is issued, the Grievance Redressal 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, shall remain in effect until a decision of the Grievance Redressal Cell is announced after the hearing or until rescind by the Grievance Redressal Cell.

i. All Grievance Redressal Cell hearings, proceedings and meetings shall be open to the public.

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

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

l. The Grievance Redressal Cell shall determine the format for the hearing, but must ensure 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 information necessary to make a decision, order, or ruling to resolve an election dispute. The following rules shall prevail:

i. Complaining parties shall not be allowed more than two witnesses. However, the Grievance Redressal Cell may call witnesses if it thinks fit. If said witnesses are unable to appear at the hearing, signed affidavits may be submitted to the Grievance Redressal Cell Chair for the purpose of testifying proxy.

ii. All questions and discussions by the parties in dispute shall be directed to the Grievance Redressal Cell.

iii. There shall be no direct or cross-examination of any party or witness by complaining or responding parties during hearings.

iv. Reasonable time limits may be set by the Grievance Redressal Cell, provided they give fair and equal treatment to both sides.

v. The complaining party shall bear the burden of proof.

vi. Decisions, orders, and rulings of the Grievance Redressal Cell shall have to be concurred to by a majority of the Grievance Redressal Cell present and shall be announced as soon as possible after the hearing. The Grievance Redressal Cell shall issue a written opinion of the ruling within 12 hours of announcement of the decision. The written opinions shall have to set a precedent for a time period of three election cycles for Grievance Redressal Cell rulings, and shall guide the Grievance Redressal Cell in its proceedings. Upon consideration of prior written opinions, the Grievance Redressal Cell may negate the decision, but shall have to provide written documentation of reasons for doing so.

vii. If the decision of the Grievance Redressal Cell is appealed to the Principal, the Grievance Redressal Cell shall have to immediately submit its ruling to the Commission.

viii. The Grievance Redressal Cell shall select the remedy or sanction most appropriate to both the type and severity of the infraction, as well as the state of mind and intent of the violator as determined by the Grievance Redressal Cell. Possible remedies and sanctions include, but are not limited to, fines, suspension of campaigning privileges, and disqualifications from the election.

ix. Any fine or total amount of fines against a candidate in an election cycle shall not exceed the spending limit as defined herein above.

x. If, after a hearing, the Grievance Redressal Cell find that provisions of this Code were violated by a candidate or a candidate's agents or workers, the Grievance Redressal Cell may restrict the candidate, or the candidate's agents or workers, from engaging in some or all campaign activities for some or all of the remainder of the campaign. If an order is issued covering only part of the remaining campaign period, it shall take effect immediately so that after its termination, the candidate shall have an opportunity to resume campaigning during the days immediately prior to and including the election days.

xi. If after a hearing, the Grievance Redressal Cell finds that provisions of either this Code or decisions, opinions, orders, or rulings of the Grievance Redressal Cell have been willfully and blatantly violated by a candidate, or a candidate's agent or workers, the Grievance Redressal Cell may disqualify the candidate.

xii. Any party adversely affected by a decision of the Grievance Redressal Cell may file an appeal with the Principal within 24 hours after the adverse decision is announced. The Principal shall have the discretionary appellate jurisdiction over the Grievance Redressal Cell in all cases in which error on the part of the Grievance Redressal Cell is charged.

xiii. The decision of the Grievance Redressal Cell shall stand and shall have full effect until the appeal is heard and decided by the Principal.

xiv. The Principal shall hear appeals of the Grievance Redressal Cell rulings as soon as possible, but not within 24 hours after the Grievance Redressal Cell delivers to the Appellant and the Principal 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 Principal agrees to accept the waiver.

xv. The Principal can issue suitable orders to suspend or halt the operation of the ruling issued by the Grievance Redressal Cell until the appeals are decided.

xvi. The Principal shall review findings of the Grievance Redressal Cell when appealed. The Principal may affirm or overturn the decision of the Grievance Redressal Cell, or modify the sanction imposed.

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

a. For sake of safety and security of College property, teaching and non teaching staff, students and overall peace and order, the Principal and the Election Commission shall have the full authority to seek help from the State administration. Any instance of acute lawlessness or the Commission of a criminal offence shall be reported to the police by the College authorities as soon as possible, but not later than 12 hours after the alleged Commission of the offence. The Principal shall take appropriate steps, as suggested by the State administration, in consultation with the Election Commission.

## **27. Extraneous Matter**

a. If there is any court case countermanding or temporary suspending the election process of Union and if such court case is not disposed of within 6 months from the date of voting, the Principal shall have the right to nominate one student per constituency as Class Representative for functioning of students' activities. A working Secretary shall also be nominated by the Principal and such formation of nominated Students' Body shall have to be ratified by the Governing Body of the College. The nominated Body shall automatically dissolve with the formation of elected Union. Such nominated Body shall have a maximum term of 6 months and could however be renewed with approval from the Governing Body of the College. The nominated Secretary will not however be able to take part in Governing Body meetings.

## **28. Suspension/ Prorogation /Dismissal of the Council**

a. The term of office of the elected members of the Executive Body of the Union shall be up to one year from the date of formation of the Executive Committee or the date of formation of the next Executive Committee, whichever is earlier. But in case of non election of Office Bearers during one year there shall be a care taker Union comprising of the Vice-President, General Secretary, Assistant General Secretary, Game Secretary, Cultural Secretary and Treasurer, who shall function under the overall guidance of the Principal of the College, provided no one of them shall be a member of that caretaker Union, if they cease to have the eligibility to contest the election.

The Principal with the approval of the Governing Body of the College may suspend, prorogue or dismiss the Council temporarily or for whole period of the tenure if she/he is satisfied beyond doubt that

- i. The Council has been acting contrary to the provision(s) of this constitution; or
- ii. The Council is unable to carry out its function owing to internal disturbances.

The Principal shall forthwith report any such action taken to the University immediately.

## **29. Decision on Doubts and Disputes taken by the Syndicate of the University**

a. If any doubt or dispute arises as to the interpretation of intention of any of the provisions of this constitution, or if any difficulty arises on an issue not covered by this constitution, the matter shall be referred by the President of the Union to the Syndicate of the University, which shall take appropriate measures for resolving the difficulties or settling the dispute and the decision taken by the Syndicate shall be final and binding.

Form No. – I

Sl. No : -

### **NOMINATION PAPER**

Election of the Class Representative / Sports Representative of the Students' Union of  
Heramba Chandra College from ..... Year / Class  
..... Section ..... for the session  
.....

The Candidate's Name (In English and in Block letters)

.....  
(First Name) (Surname)

The Candidate's Serial Number in the Electoral Roll ..... of Section  
..... of Class ..... of Year  
.....

The Proposer's Name (In English and in Block letters)

.....  
(First Name) (Surname)

The Proposer's Serial Number in the Electoral Roll ..... of Section  
..... Of Class ..... of Year .....

Declaration by the Proposer

-----  
I hereby propose that  
.....  
-----

Signature of the Proposer (In Full)

Declaration by the Candidate

-----  
I hereby declare that I signify my  
Assent to be a candidate for the  
Above election  
-----

Signature of Candidate (In Full)

Date : .....

Date: .....

The Nomination paper for Class Representative / Sports Representative Election,  
20..... is received on .....day of .....,  
20..... at ..... am/ pm and is serially numbered.....  
from ..... having Electoral Roll no ..... of Section  
.....of Class.....of Year.

Returning officer  
Or  
Representative of the  
Returning Officer

Form No. – II

Sl. No : -

### NOTICE OF WITHDRAWAL OF CANDIDATURE

Election of the Class Representative / Sports Representative of the Students' Union of  
Heramba Chandra College from ..... Year / Class  
..... Section ..... for the session  
.....

I,....., a candidate at the above  
mentioned election do hereby give notice that I withdraw my candidature at the said election.

-----  
(Date)

-----  
Signature of Candidate (In Full)

The Candidate's Serial Number in the Electoral Roll ..... of Section  
..... of Class ..... of year  
.....

The notice of withdrawal of candidature from Class Representative / Sports Representative  
Election, 20..... Year ..... of Class .....Section ..... (Sl.  
No ..... ) is delivered to me by the Candidate personally on  
.....,20..... at ..... am / pm.

Returning Officer  
Or  
Representative of the  
Returning Officer