

Appendix to Item No 2022-1292\*

## UNIVERSITY OF CALICUT

### CALICUT UNIVERSITY UNION ELECTION RULES

(Approved by the Syndicate as per resolution ~~2022-1292\*~~ dated ~~30-11-2022~~)

#### I Definitions and applicability

1. These rules will be known as 'Calicut University Union Election Rules'.
2. These rules shall be applicable in the elections to the Calicut University Union by the University Union Councilors elected from the colleges affiliated to the University of Calicut and from the Department Students' Union of the University of Calicut.
3. The relevant rules of the Recommendations of the Lyngdoh Committee, Calicut University Acts and Statutes and the Rules of the General Elections of the Election Commission of India shall be applicable in the case of any area or rules which are not mentioned in these rules.
4. Any amendment to these rules shall be made by the Syndicate of the University.
5. Any dispute or question arising with regard to the provisions contained in these Rules be decided by the Vice Chancellor in consultation with the Syndicate and such decisions made by the Vice Chancellor shall be final.

II (a) Election shall be conducted to the following offices of the University Union every year, by the University Union Councilors elected from the colleges affiliated to the University of Calicut and from the Department Students' Union.

1. The Chairman.
2. The Vice Chairman.
3. The Vice Chairman (Lady)
4. The Secretary.
5. The Joint Secretary.
6. Members of Executive Committee from 5 districts (Palakkad, Kozhikode, Malappuram, Thrissur and Wayanad).

**III The Returning Officer:** The Dean of Students' Welfare shall be the Returning Officer for Calicut University Union Election. The Vice Chancellor (Patron) may appoint Assistant Returning Officer/s, if required, to assist the Returning Officer. The Returning Officer may appoint required number of staff to assist him/her to conduct the election smoothly.

**IV 1.** Elections shall be held on a yearly basis.

2. The Returning Officers of the Colleges and DSU shall forward the name, address, date of birth, class, specimen signature, photograph etc. of the elected University Union Councilors, other documents related to the college union election including the list of all elected candidates with their personal details etc. (as demanded by the University from time to time) to the Dean of Students' Welfare within 15 days after declaration of the results.

3. On receipt of the documents, the Dean of Students' Welfare, shall constitute the General Council by including the names of eligible University Union Councilors, after obtaining necessary orders from the Vice Chancellor.

**V (1) The Notification:** (a) The Returning Officer, as per the order of the Vice Chancellor, shall notify the University Union Election.

(b) The notification shall contain: (i) the date of notification, (ii) the date of publication of preliminary electoral roll, (iii) the last date and time for correction / addition / deletion in the preliminary electoral roll, (iv) the date and time for publication of final electoral roll, (v) the last date and time for submitting nominations, (vi) the date and time for publication of valid list of nominations, (vii) the date and time for scrutiny of nominations, (viii) the last date and time for withdrawal of nominations, (ix) the date and time for publication of final list of nominations, (x) the date and hour fixed for the polling, (xi) the date and time fixed for counting of votes and publication of results etc.

(c) The notification shall be published in the leading newspapers and in the University website, in addition to the notice boards at the Department of Students' Welfare, Administration block etc.

**V (2) Electoral Rolls:**

- (i) The Returning Officer shall prepare a Preliminary electoral roll by including the names of all eligible University Union Councilors and their colleges. It should be arranged in district wise and should be serially numbered. Copies of the electoral rolls shall be made available to the students in the office of the Returning Officer. The Preliminary Electoral Roll shall be published in the University Website and in addition to the notice boards at the Department of Students' Welfare.
- (ii) The names of all University Union Councilors from the colleges affiliated to the University of Calicut and the University Union Councilors from the Department Students' Union shall be included in the Preliminary Electoral Roll.
- (iii) The Returning officer shall make any correction / addition / deletion in the Preliminary Electoral Roll, on receipt of requests for the same within the time fixed for the same, if he is satisfied that the correction / addition / deletion is proper and essential.
- (iv) After making correction / addition / deletion in the Preliminary Electoral Roll, the Returning Officer shall publish the Final Electoral Roll on the date and time fixed for the same. The Final Electoral Roll shall be published in the University Website and shall be displayed in the notice boards at the Department of Students' Welfare.
- (v) The Returning Officer shall issue Identity Cards, signed by the Dean of Students' Welfare to the University Union Councilors, who are on the final electoral roll, through the Principals concerned. The candidates shall sign on the Identity cards in the presence of the Principals and the Principals shall countersign on the same.

**V (3) Eligibility to take part in the elections:** Only those persons, whose names are on the Final Electoral Roll shall be entitled to participate in the elections.

**V (4) Nomination of candidates:**

- (i) Every elector shall be the liberty to nominate a qualified student to fill up a vacancy. Every nomination shall be in the prescribed form (Specimen form Appendix I) and shall be made by an elector and shall be seconded by another elector.
- (ii) (ii) Every such nomination shall be accompanied by the consent of the nominee agreeing to serve on the body if elected, signed in the presence of the Principal concerned.
- (iii) (iii) The nomination paper shall be handed over to the Returning Officer or the person authorized by him in his office within the date and hour fixed for the purpose.
- (iv) (vi) No person shall propose or second more than one person for the same post. A person who has proposed another person for the post shall not second a third person for the same post. A candidate nominated for a post shall not propose or second another person for the same post.
- (v) (v) A person can contest for more than one post. However, if elected, he / she shall retain any one of the posts and shall resign the other posts within 15 days of the election.
- (vi) (vi) In the case of Members of Executive Committee from districts, the candidate, the proposer and the seconder shall be related to the same district.
- (vii) (vii) There shall be no nomination fee.

**V (5) Scrutiny of Nominations:**

- (i) All nomination papers shall be scrutinized by the Returning Officer at the hour on the date fixed for the same. The candidate or his authorized agent from among the electors alone, shall be permitted to be present at the time of scrutiny of nominations.
- (ii) The Retuning Officer shall examine the nomination papers and shall be satisfied that there is no violation of rules.

(iii) The Returning Officer shall consider the objections made to any nomination paper. The Returning Officer, after considering all the relevant matters in detail, shall accept or reject a nomination on which the objection is raised. The decision of the Returning Officer shall be endorsed by him on the nomination paper in respect of which such decision is taken.

(iv) A list of candidates (with their name and name of the college), whose nominations have been declared valid, shall be published by affixing the same on the notice boards in the Department of Students' Welfare.

**V (6): Withdrawal of candidature:** Any candidate can withdraw his/her candidature by notice in writing (Appendix II), signed by him and countersigned by the Principals concerned and delivered to the Returning Officer within the date and hour fixed for the same. Withdrawal once made shall be final.

**V (7): Final list of candidates:** After the lapse of time fixed for the withdrawal of candidature, the Returning Officer shall publish a final list of candidates validly nominated, showing the names arranged in alphabetical order with the name of their college. The final list of candidates shall be published in the University Website and shall be displayed on the notice board of the Department of Students' Welfare.

**V (8)** If the number of candidates in the final list of nomination does not exceed the number of vacancies to be filled in by election, such candidate/s shall be declared to have been duly elected.

**VI Voting:** (1) If the number of candidates in the final list of nomination exceeds the number of vacancies to be filled in by election, the Returning Officer shall proceed with the voting.

(i) Voting shall be by secret ballot.

(ii) No vote shall be given by proxy.

(iii) Sufficient number of polling booths shall be arranged for the convenience of the voters and for the smooth conduct of the election.

(iv) Presiding Officer and Polling Officers shall be attached to each booth. The candidates or their agents, from among the electors alone, shall also be permitted to sit in the area provided inside the booth. The Returning Officer

shall issue specially prepared Pass / ID cards to the candidates or agents who are permitted to sit inside the booth.

(iv) No voters without identity card issued by the Dean of Students Welfare, shall be permitted to enter into the premises of the polling booth.

(v) The Returning Officer may arrange video recording of the entire polling and counting processes, if necessary.

VI (2) (i) The ballot box shall be sealed or locked in the presence of the candidates or their agents and shall be placed in a convenient place with arrangements for exercising the franchise by the electors by depositing the ballot papers through a slit provided in the box.

VI (3) (i) The Polling Officer concerned shall ascertain (a) the identity of the elector before issuing the ballot paper and (b) the person desiring to vote has not already voted.

(ii) If identified, the Polling Officer concerned shall make a tick mark against the name of the elector in a copy of the electoral roll kept for the purpose and shall get the signature of the elector on the electoral roll.

VI (4) (i) The ballot paper shall be printed (As per the specimen in Appendix III) and serially numbered and shall be provided in the form of a ballot paper book. The name / serial number of the voter shall be entered upon the serially numbered counterfoil of the ballot paper. The ballot paper corresponding to the counterfoil shall be torn off and handed over to the voter after affixing the signature of the Presiding Officer thereon.

(ii) On receipt of the ballot paper, the elector shall proceed to the counter set up in the booth for marking the vote. The polling team shall provide rubber seal with 'X' mark, stamp pad etc. in the counter. The elector shall record his/her vote in the ballot paper by affixing the rubber seal bearing 'X' mark against the name of the candidate, in the column provided for the purpose and shall deposit the ballot paper in the ballot box.

VI (5) (i) No elector shall be permitted to enter into the place arranged for marking the vote when another elector is there and no elector shall remain there longer time than that is necessary for recording his vote.

(ii) If an elector is not able to vote due to blindness or any other physical disability, the Presiding Officer, after receiving a declaration from the elector, shall make necessary arrangements to record his vote either by the hand of the elector or by the hand of the Presiding Officer.

(iii) The Polling Officer concerned shall ascertain that all the ballot papers issued are deposited in the ballot box after marking the vote.

VI (6) Immediately after the completion of polling, the Presiding Officer (or the Returning Officer, if present), shall seal the slit of the ballot box in the presence of the candidates or their agents and shall keep in safe custody. The candidates or their agents shall be permitted to affix their signature or seal on the ballot box.

VI (7) The Presiding Officer shall provide ballot paper account to the candidates or their agents at the end of the polling.

#### VII Counting of votes:

(1) The scrutiny and counting of votes shall be held in the presence of the Returning Officer from the hour on the date fixed for that.

(2) The candidates or their agents, from among the voters alone, shall be permitted to sit in the area provided inside the counting hall. The Returning Officer shall issue specially prepared Pass / ID cards to the candidates or agents who are permitted to sit inside the counting hall.

(3) The ballot box shall be opened in the presence of the Returning Officer and candidates or their agents.

(4) No persons, except the Returning Officer, his staff (including security personnel, cameramen etc.) and the candidates or their agents, shall be present at the scrutiny and counting of votes.

(5) The ballot paper shall be invalid and shall be rejected:

(i) If it does not bear the signature of the Presiding Officer; or

(ii) If a voter signs his name or writes any word or make any marks on it by which it become recognizable; or

- (iii) If the voter recorded the vote by any other mark other than the 'X' seal provided; 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 in; or
  - (vi) If it is void for uncertainty;
  - (vii) If the vote is recorded outside the column provided for that purpose;
  - (viii) If it violates any other law.
- (6) In the case of any uncertainty, the Returning Officer shall take a decision regarding the validity of the vote and his decision shall be final.
- (7) Every rejected ballot paper shall be so endorsed by the Returning Officer and such papers shall be kept separately in sealed covers.

**VII (8) Recounting:**

- (i) The Returning Officer shall re-examine and recount the ballot papers of all or that obtained by any candidate, if any candidate or his agent requested in writing; provided such requests shall be made immediately after completion of the counting.
- (ii) The Returning Officer, at his own discretion can recount the votes either once or more than once when he is not satisfied with the accuracy of any previous count, provided nothing in these rules shall make it obligatory on the Returning Officer to recount the same votes more than once.

**VII (9) Declaration of Results:**

- (i) The candidate who received the largest number of votes shall be declared duly elected.
- (ii) If two or more candidates receive an equal number of votes, the final election shall be made by drawing lots by the Returning Officer.
- (iii) In the event of any major post of office bearer falling vacant within two months of elections, re-elections shall be conducted; otherwise, the Vice



Chairman shall be promoted to the post of Chairman and the Joint Secretary to the post of Secretary, as the case may be.

#### **VIII Objections:**

- (1) Complaints and objections regarding the election before the publication of results shall be made, in writing, to the Returning officer, who shall be the authority to dispose of such complaints and objections.
- (2) Objections to the election, if any, after the publication of results shall be made, in writing, to the Vice Chancellor, within a week after the declaration of results. Such objections shall contain copies of the petition equal to the number of respondents mentioned in the petition, attested by the petitioner under his signature as true copy of the petition.
- (3) The Vice Chancellor may authorize the University Level Election Grievances Redressal Cell (ULEGRC) constituted vide X (1), to inquire into the complaints. After enquiry, the ULEGRC shall submit the findings to the Vice Chancellor, who shall take a decision with regard to the complaint, and such decisions shall be final.

#### **IX General Instructions:**

- (1) Students shall not be permitted to disfigure the classrooms, compound walls and buildings college / University campus by pasting posters or writing on the walls as part of their election campaign. They shall desist from disfiguring the compound walls of neighboring buildings as well.
- (2) During the campaign, the candidates can hold processions and / or public meetings, provided, such processions / public meetings shall not disturb the classes and other academic or co-curricular activities of the college / University, in any manner. Before holding such processions / public meetings, the candidates shall obtain prior written permission from the college authority / University authority / election commission. Candidates shall not arrange election propaganda / campaign in the college / University campus during working hours, except with the specific sanction of the College / University authority.

- (3) No candidate shall indulge in, nor shall abet the activities, which aggravate the existing difference or create mutual hatred or cause tension between different castes / communities / religions / linguistic / any group(s) of students.
- (4) The candidates shall be prohibited from indulging or abetting the activities, which are considered to be 'corrupt practices' and offences, such as bribing of voters, intimidation of voters, impersonation of voters etc.
- (5) Canvassing or the use of propaganda within 100 metres of polling stations, holding of public meetings during the period of 24 hours ending with the hour fixed for the close of the poll, etc. shall not be permitted.
- (6) Any instances of acute lawlessness or the commission of a criminal offence shall be reported to the police by the college / University authorities as soon as possible, but not later than 12 hours after the alleged commission of the offence.
- (7) Preservation of Election papers. (i) All papers connected with the conduct of Union Elections (Electoral rolls, nomination papers, withdrawal forms, used and unused ballot papers, etc. shall be preserved by the Returning Officer for period of 6 months after the declaration of results. If any dispute arises regarding the election, the papers regarding that election shall be kept until disposal of the disputes.

#### **X Grievance Redressal Mechanism:**

1. There shall be an Election Grievances Redressal Cell (EGRC) at the University Level, with the Dean (Students Welfare) / Teacher in charge of Students' Affairs as its Chairman. In addition, one senior faculty member, one senior administrative officer and two final year students (One boy and one girl, nominated by the Vice Chancellor on the basis of merit and / or participation in the co-curricular activities in the previous year) shall be the members of the ULEGRC.
2. In carrying out the duties of the office, the EGRC shall conduct proceedings and hearing necessary to fulfill those duties.

3. Members of the EGRC are prohibited from filing complaints. All complaints must be filed under the name of the student, who filing the complaint.
4. The EGRC may dismiss a complaint if;
  - (i) The complaint was not filed within the time frame prescribed in rule VIII (2);
  - (ii) The complainant has not and / or likely will not suffer any injury or damage.
5. A hearing shall be held if the complaints are not dismissed. The ULEGRC shall inform the complaining party and all the individual or groups named in the complaint, in writing or via e-mail, the time and place of hearing. The ULEGRC shall provide a copy of the complaint to the parties. The parties are not considered notified until they have received a copy of the complaint.
6. Majority of the sitting members of the EGRC shall attend the hearing. Chairman of the EGRC shall preside the hearing. In the absence of the Chair, a member of the EGRC nominated by the Chair shall preside the hearing.
7. All questions and discussions by parties in dispute shall be directed to the EGRC. There shall be no direct cross examination of any party or witness by complaining or responding parties during hearing.
8. The complaining party shall bear the burden of proof.
9. The decisions of the EGRC shall be concurred to by a majority of the members present and shall be submitted to the Vice Chancellor. The Vice Chancellor shall take a decision on the basis of the findings of the ULEGRC and such decisions shall be final.

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