

# **Presidency University, Kolkata**

## **Interim Rules for conducting Election of the Students' Council which will remain in force till the new constitution is framed**

1. The University has a Students' Council known as the Presidency University Students' Council, which has been formed in the manner described herein, for undertaking and fostering Students' Council. The authority for framing the following rules is derived from the G.O No 169-Edn(U) dated 08.03.2011.

2. The Dean of Students of Presidency University, Kolkata, herein after referred to as the "OC", will act as the Officer –In-Charge of the Council. He/She shall supervise the election to the Students' Council under the directive of the Hon'ble Vice-Chancellor. The OC, in consultation with the Hon'ble Vice-Chancellor, will also nominate one teacher as the Treasurer of the Council who will be in charge of the Students' Council Fund. The Registrar would be responsible for overall administration, law and order.

3. The Students' Council shall consist of the following classes of members:

a) ORDINARY MEMBERS –By virtue of their being regular students of the university, all students whose names are borne on the University Registers, have cleared their dues regularly and have not been absent from classes for more than a continuous period of fifteen days without prior intimation (and/or medical certificate) from the date of admittance to this institute, shall be the ordinary member.

b) HONORARY MEMBERS – All teachers, librarians and officers of the university are Ex-Officio Honorary Members.

4 a) Only the ordinary members specified in 3(a) shall have the right to vote at the general meetings of the Council or at referenda, when called or organized, and at the elections for choosing representatives to the Council.

b) Every Ordinary Member who has attained a minimum of 75 percent attendance in previous semester examination shall have the right to propose, second and contest the election.

5a) All affairs of the Council shall be managed by the Council.

b) The Students' Council shall consist of:

i) The President

ii) The Vice President (VP)

iii) The General Secretary (GS)

iv) The Assistant General Secretary (AGS)

v) The Sectional Secretaries

vi) Teacher-in-charge of each section to be nominated by the OC (in consultation with the Hon'ble Vice-Chancellor)

vii) The Student – Representatives elected under section 11, 12, 13

viii) The Secretary for Girl Students' Common Room (or Girls' Common Room) elected under section 13(b)

ix) Treasurer

6a) The Council shall carry out its works through the following sections:

- i) The Boys' Common Room
- ii) The Girls' Common Room
- iii) The Drama Society
- iv) The Rabindra Parishad
- v) The Debate Section
- vi) The Social Service League
- vii) The Publication Section and
- viii) The Athletic Club

The Sectional Secretaries will be the Ex-Officio Office bearers of the Council.

b) The OC (in consultation with the Hon'ble Vice Chancellor) shall have the right to create new "Sections" wherever he/she will consider it necessary.

7a) The Business of each "Section" shall be managed by a sectional committee, and not just by the Sectional Secretary alone.

b) Each Sectional Committee shall consist of:

i) The President

ii) The Teacher-in-Charge of each section to be nominated by the OC ((in consultation with the Hon'ble Vice Chancellor) from among the Honorary Members of the Council.

iii) The Sectional Secretary and the General Secretary,

iv) Not more than five other student members can be chosen by the sectional committee of which at least three should be from the Council and the remaining two either from the Council or from the Ordinary Members of the Council.

v) Treasurer.

c) The Publication Section will have one of the Teachers-in-Charge and one of its Sectional Secretaries to look exclusively on financial matters of the Section.

d) No Programme can be organized without the consent of the Teacher-in-Charge.

8. The following shall be the Office-Bearers of the Council:

- i) The President
- ii) The Vice President
- iii) The General Secretary
- iv) The Assistant General Secretary
- v) The Teacher-in-Charge
- vi) The Sectional Secretaries
- vii) The Treasurer

The VP shall discharge the function of the President in absence of the President and AGS shall discharge the function of the GS in absence of the GS.

9. a) The President must be a student of a Postgraduate Department, be an Ordinary Member of the Council, and be entitled to remain a student for at least one year after the election. He/She shall be a leading representative of the students and of the Council and shall exercise a general supervision over the affairs of the Council.

b) The Vice President must be a student of a Postgraduate Department, be an Ordinary Member of the Council, and be entitled to remain as a student for at least one year after the election.

c) The General Secretary would be from an Undergraduate Department who shall have completed one full academic year of study at this University, and who is entitled to remain as a student of this University for a full one year. He/She would be responsible for co-ordinating the activities of the different Sections and shall be in direct charge of all matters not falling within the jurisdiction of a Sectional Secretary.

The President or the General Secretary may call a meeting of the student-member of the Council. If called by the General Secretary the meeting will be presided over by the General Secretary himself/herself. The rules for this meeting remain the same as in Section 15.

d) The Assistant General Secretary would be from an Under Graduate Department who shall have completed one full academic year of study of the University, and who is entitled to remain as a student for full one year.

e) The Secretary for Girls' Common Room must have been an Ordinary Member for one full academic year and must be entitled to remain a student for at least one year after the election.

f) If the President/VP/ GS/AGS/Secretary for Girls' Common Room cease to be a student of the University greater than or equal to three months before end of the term of office, a fresh election to fill the vacancy will be held immediately.

g) The Sectional Secretaries shall be in direct charge of their respective Sections and shall be in charge of accounts of their own sections.

h) The Games Secretary will represent the Council in the Athletic Club.

10. a) All decisions of the Council and the Sectional Committees shall be taken in concurrence with the OC.

b) No expenditure shall be incurred without the concurrence of the Treasurer of the Council.

c) It is mandatory on the part of the General Secretary and the Sectional Secretary to submit the details accounts to the Treasurer, as well as necessary vouchers for the expenses incurred for council activities in general and by the different 'Sections of the Students' Council. The Treasurer would not be obliged to sanction or disburse any sum, unless the same is supported by accounts/estimate/vouchers.

However, no money, in any case, will be sanctioned if not forwarded by the respective Teacher-in-charge of the section or the Treasurer of the Students' Council.

d) The Council may form ad-hoc Committee(s) and sub-committee(s) for better functioning of the Council.

11. a) The Ordinary Members of the Council shall be divided into 'Constituencies' for the election of "Class representatives" to the Council.

b) There shall be the following Constituencies. Each class of each subject shall be treated as a "Constituency" and will elect one 'Class Representative'. For example, each of First Year Honours Chemistry, Second Year Honours Chemistry, PG First Year Chemistry, PG Second Year Chemistry shall form a 'Constituency' and shall be entitled to elect one Class Representative up to 30 students. If there be any constituency (Class) with greater than 30 Students there shall be two CRs in that Constituency (Class).

12. a) The election shall be held as early as possible after the admissions have been completed. The OC, in consultation with the Registrar, shall have the right to specify the date or dates of the 'election' without disturbing the 'Academic Calendar' of the University. If, for any reason, there is a delay in the formation of any of the constituencies specified in section 11(b), election form that constituency may be held at a later date.

b) 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 shall preferably be within 10 working days.

13. a) The voting shall be by secret ballot.

b) As per the recommendation of the UGC, vide D. O. No. 1.11/2007 (CPP-II) dated 14.07.2016 the university has adopted the inclusion of NOTA option in the election process.

c) The election will be conducted in a hybrid system of parliamentary (indirect) mode and presidential mode. Each voter shall have one vote for election of Class Representative from his/her class and one vote each for electing the President, the VP, the General Secretary and the AGS. In addition, each girl-voter will have one vote for the post of Girls' Common Room Secretary (direct mode). The Sectional Secretaries shall be elected by the class representatives by secret ballot (indirect mode) as soon as possible after elections of CRs, President, Vice President, GS, AGS and GCRS are over. However in the subsequent years this system will be reviewed and shall gradually be converted to the direct mode following the Lyngdoh recommendations.

d) The 'voting' shall be held in the respective Departments and the 'results' shall be declared immediately after the election is over.

e) The results for the posts of President, VP, General Secretary, AGS and Girls' Common Room Secretary shall be published by the Returning Officers after receiving the results from all the constituencies.

f) If two or more candidates secure the same number of votes for one post, the result shall be decided by drawing lots immediately after counting and the winner shall be declared as 'elected'. Attendance of the candidates or their agents is not mandatory at the time of 'counting'.

14. a) The members of the Council elected under Sections 12 and 13 shall meet on a specified date (to be notified in the election schedule) after the elections have been completed and elect from among themselves the Sectional Secretaries of the Council as described in Section 19. They will also elect three or two representatives for each of the Sectional Committees to be formed under Section 7(b), either from among themselves or from the other ordinary members of the Council as described in Section 7.

b) The Secretary for the Girl Students' Common Room shall be elected by the women students from among themselves, as already mentioned in Section 13(b).

15. A Council meeting can be called by i) The OC ii) The President and iii) The GS.

a) In all meetings of the Council the quorum shall be one-third of the total elected membership upwards to the nearest whole number.

b) If in any meeting, the quorum is absent, the meeting will be adjourned. However, in the adjourned meeting, the formation of quorum will not be necessary.

c) The OC may also nominate the Treasurer or any other Sectional Chairpersons or any office bearer of Council to officiate in a meeting:

d) One-third of the elected members can ask the OC to call a 'requisition meeting'.

16. The Council shall hold office for one session only. But the OC, in consultation

with the Registrar, may, at his/her discretion, extend the term (duly approved by the Hon'ble Vice-Chancellor) of the office up to the time of formation of the next session's Council.

17. a) If any office-bearer of the Council leaves the University or is absent for more than one month without reasonable justification, his/her position shall be declared vacant, re-election shall be conducted; otherwise the Vice-President may be promoted to the post of President; Assistant General Secretary to the post of General Secretary and others as the case may be in consultation with the OC.
  - b) If any elected representative to the Council leaves the University a fresh election shall be held to fill up the vacancy, provided that such a vacancy may be left unfilled if the end of the session is not more than three months away from the date on which the seat is declared vacant. There shall be no election during the period of extension of the term of office of the Council and provided in Section 16.
18. a) In all matters of election, the decision of the majority of Returning Officers shall be 'final'.
  - b) The OC, in consultation with the Registrar, shall constitute a team (duly approved by the Hon'ble Vice-Chancellor) of 'Returning Officers' from the members of the teaching staff to co-ordinate the Students' Council election process.

All members of the Returning Officers will have equal and collective responsibilities. In its first meeting, the committee, in consultation with the OC will select one or more of them who will act as "Coordinators / Convenors".

- c) The OC, in consultation with the Registrar, will also constitute an 'Adjudicating Body', the Election Tribunal (duly approved by the Hon'ble Vice-Chancellor), from the senior teaching faculty members of the University. This Election Tribunal will act as adjudicators in case a dispute arises in matters pertaining to election. Only the team of Returning Officers can refer a dispute to the Election Tribunal. In case of any grievance students will refer the matter only to the Returning Officers. In the case of matters referred to the Tribunal regarding interpretation of the rules, decision of the Tribunal relating to the said matter will be final and binding on all.
19. a) There should be at least four all CR meetings in any year. Any programme conducted by the students should be routed via the Sectional Teacher-in- Charge and, in no way, they should directly approach the OC.
  - b) After the election of Sectional Secretaries and formation of Sectional Committees, a meeting of office-bearers of the Students' Council would be held as soon as possible to place the "Budget Proposal". The General Secretary should come prepared with all necessary detail proposals and activities of the Council throughout the year.

20. There will be an overall supervision committee, consisting of Registrar, Dean of Science,

Dean of Humanities, Controller of Examinations and Dean Students that will be responsible for overseeing the all election related matters. The committee may induct any other teacher/officer, if deemed fit.

21. a) The Grievance Redressal Cell of the university will be mandated with the redressal of election related grievances, including but not limited to breaches of the code of conduct of elections and complaints relating election related expenditure. The grievance cell shall serve as the court of original jurisdiction. The Hon'ble Vice-Chancellor 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 issues a decision. Upon review, the Hon'ble Vice-Chancellor may revoke or modify the sanctions imposed by the grievance cell.

b) Any ordinary member may file a complaint with the Grievance Redressal Cell within a period of 3 weeks from the date of declaration of results. The grievance cell shall act on all complaints within 24 hours after they are received by either dismissing them or calling a hearing as early as possible. The cell shall determine the format for the hearing but must require that both the complaining and responding parties appear physically before the members of the cell.

c) Decisions, orders and rulings of the grievance cell shall be announced as soon as possible after the hearing. If the decision of the grievance cell is appealed to the University Authority, the grievance cell must immediately submit its ruling to the Authority. The Authority shall review findings of the grievance cell and may affirm or overturn its decisions or modify the sanctions imposed.