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MAHATMA GANDHI UNIVERSITY, KERALA

No.112673/ELECTION SECTION-2/2025/Election Dated: 05.01.2026

NOTIFICATION

Sub: - Election to the Mahatma Gandhi University Department Students Union for the year 2025-26 - reg.

Ref.- 1) U.O. No.1738 /ACL/2022 /MGU.Dtd. 19/02/2022
2) U.O.No.1940 /ACL/2022 /MGU.Dtd. 23/02/2022
3) U.O.No.7157/ LEGN/2025/MGU.Dtd 02/08/2025
4) U.O.No.11913/Election/2025/MGU.Dtd 29/12/2025

It is hereby notified that elections to the various posts of the Mahatma Gandhi University Departments Students Union for the year 2025-26 will be held in Presidential mode, by secret ballot according to simple majority election system in accordance with the rules contained in the University Orders referred to as above, regarding the constitution of the University Department Students Union, as per the schedule given below in this notification.

Details of Posts

Sl No.	Name of Post			No. of Posts
1.	Chairperson			1 Post
2.	Vice-Chairperson			1 Post (Lady)
3.	General Secretary			1 Post
4.	Councillors to the University Union			2 Posts
5.	Magazine Editor			1 Post
6.	Arts Club Secretary			1 Post
	Faculty Representatives and Schools/Departments Involved:-			
	(i)	Representative, Faculty of Language and Literature	1. School of Letters (except students of Faculty of Fine Arts) 2. Centre for English Language & Communication Skills	1 Post
	(ii)	Representative, Faculty of Social Sciences	1. School of Gandhian Thought and Development Studies 2. School of International Relations and Politics 3. School of Social Sciences 4. Inter University Center for Social Science Research & Extension 5. K.N Raj Study Centre for Planning & Centre- State Financial Relations 6. Institute for Multi Disciplinary Programmes in Social Sciences 7. School of Gender Studies 8. Department of Lifelong Learning and	1 Post

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			Extension 9. Graduate School (except students of Faculty Of Science and Environmental and Atmospheric Sciences)	
	(iii)	Representative, Faculty of Fine Arts	1. School of Letters (Theatre Arts)	1 Post
7.	(iv)	Representative, Faculty of Sciences	1. School of Bio- Sciences 2. School of Chemical Sciences 3. School of Computer Sciences 4. School of Pure and Applied Physics 5. Institute for Integrated Programmes and Research in Basic Sciences 6. National Institute of Plant Science Technology 7. School of Food Science & Technology 8. School of Data Analytics 9. School of Mathematics & Statistics 10. School of Energy Materials 11. Inter University Centre for Bio Medical Research & Super Speciality Hospital 12. Inter University Instrumentation Centre 13. Advanced Molecular Materials Research Centre 14. Graduate School (except students of Faculty Of Social Science and Environmental and Atmospheric Sciences) 15. Centre for Yoga & Naturopathy	1 Post
	(v)	Representative, Faculty of Education	1. School of Pedagogical Sciences	1 Post
	(vi)	Representative, Faculty of Engineering and Technology	1. School of Computer Sciences (M.Tech)	1 Post
	(vii)	Representative, Faculty of Management Sciences	1. School of Management and Business Studies	1 Post
	(viii)	Representative, Faculty of Technology and Applied Sciences	1. School of Artificial Intelligence & Robotics 2. School of Nano Science & Nano Technology 3. International Inter University Centre for Nano Science & Nano Technology 4. School of Polymer Science and Technology	1 Post

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	(ix)	Representative, Faculty of Environmental and Atmospheric Sciences	1. School of Environmental Sciences 2. Advanced Centre of Environmental Studies & Sustainable Development 3. Graduate School (except students of Faculty Of Social Science and Science)	1 Post
	(x)	Representative, Faculty of Behavioural Sciences	1. School of Behavioural Sciences 2. Inter University Center for Disability Studies 3. Institute of Research in Learning Disability	1 Post
	(xi)	Representative, Faculty of Tourism and Hospitality Studies	1. School of Tourism Studies	1 Post
	(xii)	Representative ,Faculty of Physical Education and Sports Sciences	1. School of Physical Education and Sports Sciences	1 Post
8	Lady Representatives			2 Posts

The office bearers mentioned at Sl. Nos. 1, 2, 3, 4, 5 and 6 are to be elected by and from among the entire student community of the above Departments comprised in the University. However, the election to the post of Vice-Chairperson (Sl.No.2) shall be by the entire student community from among the lady candidates.

Faculty Representatives (Sl.No.7) are to be elected by and from among the students of the departments coming under the respective Faculties.

Lady Representatives (Sl.No.8) are to be elected by and from among the women students.

Schedule of the Programme

Sl.No.	Programme	Date
1	Date of Notification	05.01.2026
2	Date of Publication of Preliminary Electoral Roll	06.01.2026 11.00 am
3	Last date and hour for filing complaints regarding the Preliminary Electoral Roll	07.01.2026 02.00 pm
4	Date and Time of Publication of Final Electoral Roll	07.01.2026
5	Last Date and Hour for receipt of Nomination	12.01.2026 01.00 pm
6	Scrutiny of Nomination	12.01.2026 02.05 pm onwards
7	Publication of the list of valid Nominations	12.01.2026
8	Last date and hour for withdrawal of nomination	13.01.2026 11.00 am
9	Publication of the final list of valid Nominations	13.01.2026
10	**Polling**	**20.01.2026** **10.00 am to 01.00 pm**
11	**Scrutiny and Counting of Votes**	**20.01.2026** **02.00 pm onwards**

Only the students whose names are in the electoral roll are eligible to take part in the election. The full time students of the Departments/Schools/Centres coming under the University, as on the date of publication of the election notification are eligible to be enrolled in the electoral roll. The Returning Officer is competent to make

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any correction, alteration or deletion in the electoral roll provided the requisition for the same with supporting documents duly recommended and forwarded by the concerned Director is received by him within the prescribed time and, further, if he is satisfied that the correction/alteration/deletion is justified. The electoral roll will be published in the office as well as in the official website of the University.

The representatives of various Faculties are to be elected by and from among the students coming under the respective Faculties and the lady representatives are to be elected by and from among the lady students. Only lady students can contest for the post of Vice-Chairperson.

Every elector shall be at liberty to nominate a qualified student to fill up a vacancy. Every nomination shall be in the prescribed form published by the Returning Officer in the official website of the University. The nomination shall be made by an elector in writing and seconded by another elector. A proposer/seconder can nominate/propose only one candidate to a single post at a time. Every such nomination shall be accompanied by the consent of the nominee agreeing to serve on the body, if elected. The Nomination Paper shall be in sealed cover and must be caused to be deposited in a box kept by the Returning Officer in his office within the date and hour fixed for the purpose.

Any candidate may withdraw his/her candidature by notice in writing signed by him/her and countersigned by the Director/Head of the Department/School/Centre where he/she is a student. The notice can be delivered in person or through messenger, who is one of the electors, to the Returning Officer so as to be received by him within the date and hour fixed for the same. Withdrawal once made shall be final.

The scrutiny of Nominations will be conducted in the University Office.

The candidate or his/her agent appointed in writing by the candidate and got approved by the Returning Officer in advance alone will be permitted to be present at the time of scrutiny of nominations, polling as well as scrutiny and counting of votes. The electors including the candidates and agents shall follow the instructions, appended to this Notification, issued by the Returning Officer.

Duly authorised Photo ID cards shall be produced while participating in the scrutiny of nominations, polling and scrutiny & counting of votes.

The Honourable Supreme Court of India has perused the Report of the Committee, headed by Mr. J. M. Lyngdoh, former Chief Election Commissioner, constituted by the Ministry of Human Resource Development, Government of India for making recommendations and suggestions relating to the Students' Union Elections in terms of the order of the Supreme Court dated 12.12.2005. The Supreme Court has accepted the recommendations as an interim measure and directed to implement the recommendations subject to such modifications indicated therein. The recommendations have been incorporated as a part of the order. The Supreme Court has also made it clear that the recommendations made, which the court has accepted to be adopted as an interim measure, shall be followed in all College/University Elections, to be held hereinafter, until further orders. **The full text of the verdict of the Supreme Court is reproduced hereunder and forms part of this election notification**. **All the recommendations made by the committee and accepted by the Supreme Court are applicable to this election**. The directives of the Supreme Court shall be supplementary to the clauses contained in the Constitution for Department Students' Unions and the rules for the conduct of elections to Department Students' Unions contained therein and the same shall supersede any of the clauses that are inconsistent with the directives.

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ITEM NO.6 COURT NO.5 SECTION XIA

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).24295/2004
(From the judgement and order dated 24/06/2004 in WP No. 30845/2003
of The HIGH COURT OF KERALA AT ERNAKULAM)

UNIVERSITY OF KERALA
Petitioner(s)
VERSUS
COUNCIL, PRINCIPALS', COLLEGES, KERALA &ORS
Respondent(s)

(With prayer for interim relief and office report)
WITH SLP(C)NO. 24296-24299 of 2004
(With prayer for interim relief and office report)
Date: 22/09/2006 These petitions were called on for hearing today.

CORAM :
HON'BLE MR. JUSTICE ARIJIT PASAYAT
HON'BLE MR. JUSTICE LOKESHWAR SINGH PANTA

For Petitioner(s) Mr. R. Sathish,Adv.
For Respondent(s) Mr. Gopal Subramaniam, A.S.G.
Union of India Mr. Abhishek Tewari,Adv.
Mr. P. Parmeswaran,Adv.
Mr. E.M.S. Anam,Adv.
Mr. K.R. Sasiprabhu,Adv.
Mr. G. Prakash,Adv.
Mrs. Beena Prakash,Adv.
Mr. K.D. Dileep Kumar,Adv.
Mr. T.G.Narayanan Nair,Adv.
Mr. M.P. Vinod,Adv.
Mr. Ajay K. Jain,Adv.
Mr. Sajith P.,Adv.
Mr. M.K. Michael,Adv.
Mr. S.M. Jadhav,Adv.
Mr. K. Rajeev,Adv.
Mr. M.K.D. Namboodiri,Adv.

UPON hearing counsel the Court made the following

O R D E R

Heard.

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

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"6.1.1 Universities and colleges across the country must ordinarily conduct elections for the appointment of students to student representative bodies. These elections may be conducted in the manner prescribed herein, or in a manner that conforms to the standards prescribed herein.

6.1.2 Where the atmosphere of the university campus is adverse to the conduct of peaceful, free and fair elections, the university, its constituent colleges and departments must initiate a system of student representation based on nominations, especially where elections are being held at present. It would be advisable, however, not to base such nomination system on purely academic merit, as is being practiced throughout the country.

6.1.3 In cases where elections are not being held, or where the nomination model prevails, the nomination model should be allowed to continue for a limited period of time. It is to be noted that the nomination system suffers from several flaws, and must only be restored to as an INTERIM MEASURE.

6.1.4 Subject to the recommendations in respect of the possible model of elections, all institutions must over a period of 5 years, convert from the nomination model to a structured election model, that may be based on a system of parliamentary (indirect) elections, or on the presidential (direct) system, or a hybrid of both. It is highly desirable that all institutions follow this mechanism of gradual conversion, especially for privately funded institutions that prefer a status quo situation.

6.1.5 All institutions must conduct a review of the student representation mechanism. The first review may be conducted after a period of 2 years of the implementation of the mechanism detailed above, and the second review may be conducted after the 3rd or the 4th year of implementation. The primary objective of these reviews will be to ascertain the success of the representation and election mechanism in each individual institution, so as to decide whether or not to implement a full-fledged election structure. Needless to say these reviews will be based on a consideration of the views and suggestions of all stakeholders, such as students, faculty, administration, student bodies, and parents.

6.1.6 Institutions must, as a primary objective, subject to the pertinent issue of discipline on campus, seek to implement a structured system of student elections by conclusion of a period of 5 years from the date of the implementation of the recommendations.

6.1.7 Subject to the autonomy of the universities in respect of the choice of the mode of election, all universities must institute an apex student representative body that represents all students, colleges, and departments coming under the particular university. In the event that the university is geographically widespread, individual colleges may constitute their own representative bodies, which would further elect representatives for the apex universities body.

6.1.8 The union/representative body so elected shall only comprise of regular students on the rolls of the institution. No faculty member, nor any member of the administration shall be permitted to hold any post on the executive of such representative body, nor shall be allowed to be a member of any such representative body.

6.2 Modes of Elections

6.2.1 A system of direct election of the office bearers of the student body, whereby all students of all constituent colleges, as well as all students of university departments vote directly for the office bearers. This model may be followed in smaller universities with well-defined single campuses (for e.g. JNU/University of Hyderabad, and with a relatively smaller student population. A graphic representation of this model is annexed herewith at Annexure IV-A. In respect of universities with large, widespread campuses and large student bodies either of the following models may be adopted.

6.2.2 A system of elections, where colleges and campuses directly elect college and campus office bearers, as well as university representatives. The university representatives form an electoral college, which shall elect the university student union office bearers. A graphic representation of this model is annexed herewith at Annexure-IV-B.

6.2.3 A system of elections where on one hand, directly elected college and campus office bearers, as well as university representatives. The university representative form an electoral college, which shall elect the university student union office bearers. A graphic representation of this model is annexed herewith at Annexure IV-B.

6.2.3 A system of elections where on one hand, directly elected class representative elect the office bearers of the college as well as the university representatives, and the campus itself directly elects the campus office bearers and the university representatives. The university representatives shall form an electoral college, which shall elect the office bearer of the university student union. A graphic representation of this model is annexed herewith at Annexure IV-C.

6.2.4 A system of election wherein class representatives shall be directly elected in the colleges and

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universities campus and they in turn shall elect the office bearers for the college unions and the university campus union. Also they shall elect their representatives for university student union. These elected representative from colleges and university campus shall form the Electoral College, which shall elect the office bearers of the university student union. This model shall be applicable to large university with large number of affiliated colleges. A graphic representation of this model is annexed herewith at Annexure IV-D.

6.3 Disassociation of Student Elections and Student Representation from Political Parties.

6.3.1 During the period of the elections no person, who is not a student on the rolls of the college/university, shall be permitted to take part in the election process in any capacity. Any person, candidate, or member of the student organisation, violating this rule shall be subject to disciplinary proceedings, in addition to the candidature, as the case may be being revoked.

6.4 Frequency and Duration of Election Process

6.4.1 It is recommended that the entire process of elections, commencing from the date of filing of nomination papers to the date of declaration of results, including the campaign period, should not exceed 10 days.

6.4.2 It is further recommended that elections be held on a yearly basis and that the same should be held between 6 to 8 weeks from the date of commencement of the academic session.

6.5 Eligibility Criteria for Candidates

6.5.1 Under graduate students between the ages of 17 and 22 may contest elections. This age range may be appropriately relaxed in the case of professional colleges, where courses often range between 4 to 5 years.

6.5.2. For Post Graduate Students the maximum age limit to legitimately contest and election would be 24 - 25 years.

6.5.3 For research Students the maximum age limit to legitimately contest an election would be 28 years.

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

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

6.5.6 The candidate shall have one opportunity to contest for the post of office bearer, and two opportunities to contest for the post of an executive member.

6.5.7 The candidate shall not have a previous criminal record, that is to say he should not have been tried and/or convicted of any criminal offence or misdemeanor. The candidate shall also not have been subject to any disciplinary action by the University authorities.

6.5.8 The candidate must be a regular, full duration being at least one year.

6.6 Election - Related Expenditure and Financial Accountability

6.6.1 The maximum permitted expenditure per candidate shall be Rs.5000/-.

6.6.2 Each candidate shall, within two weeks of the declaration of the result, submit complete and audited accounts to the college/university authorities. The college/university shall publish such audited accounts within 2 days of submission of such accounts, through a suitable medium so that any member of the student body may freely examine the same.

6.6.3 The election of the candidate will be nullified in the event of any non-compliance or in the event of any excessive expenditure.

6.6.4 With the view to prevent the inflow of funds from political parties into the student election process, the candidates are specially barred from utilizing funds from any other sources than voluntary contributions from the student body.

6.7 Code of Conduct for Candidates and Elections Administrators

6.7.1 No candidate shall indulge in, nor shall abet, any activity, which may aggravate existing differences or create mutual hatred or cause tension between different castes and communities, religious or linguistic, or between any group(s) of students.

6.7.2 Criticism of other candidates, when made, shall be confined to their policies and programs, past record and work. Candidates shall refrain from criticism of all aspects of private life, not connected with the public activities of the other candidates or supporters of such other candidates. Criticism of other candidates, or their supporters based on unverified allegations or distortion shall be avoided.

6.7.3 There shall be no appeal to caste or communal feelings for securing votes. Places of worship, within or without the campus shall not be used for election propaganda.

6.7.4 All candidates shall be prohibited from indulging or abetting, all activities which are considered to be "corrupt practices' and offences, such as bribing of voters, intimidation of voters, impersonation of voters

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canvassing or the use of propaganda within 100 meters of polling stations, holding public meetings during the period of 24 hours ending with the hour fixed for the close of the poll, and the transport and conveyance of voters to and from polling station.

6.7.5 No candidate shall be permitted to make use of printed posters, printed pamphlets, or any other printed material for the purpose of canvassing. Candidates may only utilize hand-made posters for the purpose of canvassing, provided that such hand-made posters are procured within the expenditure limit set out herein above.

6.7.6 Candidates may only utilize hand-made posters at certain places in the campus, which shall be notified in advance by the election commission/university authority.

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

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

6.7.9 During the election period the candidates may hold processions and /or public meetings, provided that such processions and/or public meetings do not, in any manner, disturb the classes and other academic and co-curricular activities of the college/ university. Further, such procession/ public meeting may not be held without the period written permission of the college/university authority.

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

6.7.11 On the day of polling, student organizations and candidates shall -

(i) Co-operate with the officers on election duty to ensure peaceful and orderly polling and complete freedom to the voters to exercise their franchise without being subjected to any annoyance or obstruction;

(ii) Not serve or distribute any eatables, or other solid and Liquid consumables, except water on polling; day.

(iii) Not hand out any propaganda on the polling day.

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

6.7.13 The election commission/college/ university authorities shall appoint impartial observers. In the case of deemed universities and self-financed institutions, government servants may be appointed as observers. If the candidates have any specific complaint or problem regarding the conduct of the elections they may bring the same to the notice of the observer. Observers shall also be appointed to oversee the process of nomination of students in institutions that are following the nominations model of student representation.

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

6.7.15 Any contravention of any of the above recommendations may make the candidate liable to be stripped of his candidature, or his elected post, as the case may be. The election commission/ college/ university authorities may also take appropriate disciplinary action against such a violator.

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

6.8 Grievances Redressal Mechanism

6.8.1 There should be a Grievances Redressal Cell with the Dean (Student Welfare)/ teacher in charge of student affairs as its chairman. In addition, one senior faculty member, one senior administrative officer and two final year students - one boy and one girl (till the election results declared, students can be nominated on the basis of merit and/or participation in the co-curricular activities in the previous year). The grievance cell shall be mandated with the redressal of election-related grievance, including, but not limited to breaches of the code of conduct of elections and complaints relating to election related expenditure. This cell would be the regular unit of the institution.

6.8.2 In pursuit of its duties, the grievance cell may prosecute violators of any aspect of the code of conduct or the rulings of the grievance cell. The grievance cell shall serve as the court of original jurisdiction. The institutional head shall have appellate jurisdiction over issues of law and fact in all cases or controversies arising out of the conduct of the elections in which the grievance cell has issued a final decision. Upon review, the institutional head may revoke or modify the sanctions imposed by the grievance cell.

6.8.3 In carrying out the duties of the office, the Grievance cell shall conduct proceedings and hearing necessary to fulfil those duties. In executing those duties they shall have the authority:

(i) to issue a writ of subpoena to compel candidates, agents, and workers, and to request students to appear

and give testimony, as well as produce necessary records; and
(ii) to inspect the financial reports of any candidate and make these records available for public scrutiny upon request.
6.8.4 Members of the Grievance cell are prohibited from filing complaints. Any other student may file a complaint with the Grievance cell, within a period of 3 weeks from the date of declaration of results. All complaints must be filed under the name of the student filing the complaint. The Grievance cell shall act on all complaints within 24 hours after they are received by either dismissing them or calling a hearing.
6.8.5 The Grievance cell may dismiss a complaint if:
(i) the complaint was not filed within the time frame prescribed in Recommendation 8.4 above;
(ii) the complaint fails to state a cause of action for which relief may be granted.
(iii) the complainant has not and/or likely will not suffer injury or damage.
6.8.6 If a complaint is not dismissed, then a hearing must be held. The Grievance cell shall inform, in writing, or via e-mail, the complaining party and individuals or groups named in the complaint of the time and place of the hearing. The parties are not considered notified until they have received a copy of the complaint.
6.8.7. The hearing shall be held at the earliest possible time, but not within twenty-four (24) hours after receipt of the notice described above, unless all parties agree to waive the 24-hour time constraint.
6.8.8 At the time, notice of hearing is issued, the Grievance Cell, by majority vote, may issue a temporary restraining order, if it determines that such action is necessary to prevent undue or adverse effects on any individual or entity. Any restraining order, once issued, will remain in effect until a decision of the Grievance Cell is announced after the hearing or until rescinded by the Grievance Cell.
6.8.9 All Grievance Cell hearing, proceedings, and meetings must be open to the public.
6.8.10 All parties of the Grievance Cell hearing shall present themselves at the hearing, may be accompanied by any other student from which they can receive counsel, and have the option to be represented by that counsel.
6.8.11 For any hearing, a majority of sitting Grievance Cell members must be in attendance with the Chair of the Grievance Cell presiding. In the absence of the Chair, the responsibility to preside shall fall to an Grievance Cell member designated by the Chair.
6.8.12 The Grievance cell determine the format for the hearing, but must require that both the complaining and responding parties appear physically before the board to discuss the issues through a complaint, answered, rebuttal, and rejoinder format. The purpose of the hearing is to gather the information necessary to make a decision, order, or ruling that will resolve an election dispute. To effectuate this purpose, the following rules should prevail at all hearings:
* Complaining parties shall be allowed no more than two witnesses, however, the Grievance cell may call witnesses as required. If said witnesses are unable to appear at the hearing, signed affidavits may be submitted to the Grievance Cell Chair for the purpose of testifying by proxy.
* All questions and discussions by the parties in dispute shall be directed to the Grievance Cell.
* There shall be no direct or cross-examination of any party or witness by complaining or responding parties during hearings.
* Reasonable time limits may be set by the Grievance Cell provided they give fare and equal treatment to both sides.
* The complaining party shall bear the burden of proof.
* Decisions, orders and rulings of the Grievance Cell must be concurred to by a majority of the Grievance Cell present and shall be announced as soon as possible after the hearing. The Grievance cell shall issue a written opinion of the ruling within 12 hours of announcement of the decision. The written opinion must set forth the findings of fact by the Grievance Cell and the conclusions of law in support of it. Written opinions shall set a precedent for a time period of three election cycles for Grievance Cell ruling, and shall guide the Grievance Cell in its proceedings. Upon consideration of prior written opinions, the grievance cell may negate the decision, but must provide written documentation of reasons for doing so.
* If the decision of the Grievance Cell is appealed to the institutional head, the Grievance Cell must immediately submit its ruling to the commission.
* The Grievance Cell shall select the remedy or sanction most appropriate to both the type and severity of the infraction, as well as the stand of mind or intent of the violator as determined by the Grievance Cell. Possible remedies and sanctions include, but are not limited to, fines, suspension of campaigning privileges, and disqualification from the election.
* Any fine or total amount of fines against a candidate in an election cycle may not exceed the spending limit as defined herein above.

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

* If, after a hearing, the Grievance Cell finds that provisions of either this Code or decisions, opinions, orders, or ruling of the Grievance Cell have been wilfully and blatantly violated by a candidate, or a candidate's agents or workers, the Grievance Cell may disqualify the candidate.

* Any party adversely affected by a decision of the Grievance Cell may fine an appeal with the institutional head within twenty four (24) hours after the adverse decision is announced. The institutional head shall have discretionary appellate jurisdiction over the Grievance Cell in all cases in which error on the part of the Grievance Cell is charged.

* The decision of the Grievance cell shall stand and shall have full effect until the appeal is heard and decided by the institutional heard.

* The institutional head shall hear appeals of Grievance Cell rulings as soon as possible, but not within twenty four (24) hours after the Grievance cell delivers to the Appellant and the institutional head a copy of its written opinion in the case. Appeal may be heard prior to this time, but only if the Appellant waives the right to a written opinion and the institutional head agrees to accept the waiver.

* The institutional head can issue suitable orders to suspend or halt the operation of the ruling issued by the Grievance Cell until the appeals are decided.

* The institutional head shall review findings of the Grievance cell when appealed. The institutional head may affirm or overturn the decision of the Grievance cell, or modify the sanctions imposed.

6.9 Maintaining Law and Order on the Campus during the Election Process

6.9.1 Any instance of acute lawlessness or the commission of a criminal offence shall be reported to the police by the university/ college authorities as soon as possible, but not later than 12 hours after the alleged commission of the offence.

6.10 Miscellaneous Recommendations

6.10.1 Student representation is essential to the overall development of students, and, therefore, it is recommended that university statutes should expressly provide for student representation.

6.10.2 Student representation should be regulated by statute either a Central Statute, State Statute or individual university statutes), incorporating the recommendations prescribed herein.

6.10.3 The institution should organize leadership training programs with the help of professional organizations so as to groom and instill in students' leadership qualities.

6.10.4 In the event of the office of any major post of office bearers falling vacant within two months of elections, re-elections should be conducted; otherwise the Vice President may be promoted to be post of President and Joint Secretary to the post of Secretary, as the case may be."

We, however, direct modifications in paragraphs 6.6.2 and 6.9.1. The expression "and audited accounts" in paragraph 6.6.2 shall be substituted by the words "and certified accounts" (to be certified by the candidate). Similarly, the period of "12 hours" indicated in paragraph 6.9.1. i.e. "12 hours" shall be substituted by the words "6 hours".

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

Call these matters on 06.11.2006.

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

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

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

(Neena Verma)
Court Master

(Radha R. Bhatia)
Court Master

RETURNING OFFICER

SAJI M K
JOINT REGISTRAR II (ADMIN)

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