

# **CONSTITUTION OF COCHIN UNIVERSITY STUDENTS UNION**



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## COCHIN UNIVERSITY OF SCIENCE AND TECHNOLOGY

(Abstract)

Bye Law of Cochin University Union- Amendment -Resolution of the Syndicate -communicated -  
Orders issued

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### ACADEMIC A SECTION

No.CUSAT/AC(A).A2/1416/2021

Dated,KOCHI-22,27.03.2021

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Read:-1. U.O No. CUSAT/AC(A).A2/340/2020 dated 06.02.2020.

2. Minutes of the 684th Meeting of the Syndicate held on 19/02/2021, Agenda Item  
No:684.17

### ORDER

The Syndicate at its meeting held on 19/02/2021, vide item read as paper (2) above, considered along with the recommendations of the Standing Committee of the Syndicate on Academic Matters, the Report on the amendment of the Bye Law of Cochin University Union, submitted by the Committee constituted vide paper read as (1) above, and resolved to accept the Report submitted by the Committee( Appended) regarding the amendment to the Bye Law of Cochin university Union.

Orders are issued accordingly, communicating the resolution of the Syndicate.

**Dr. Meera V \***  
**Registrar**

To:

- 1.Hon.Treasurer, Cochin University Union
- 2..All Heads of Departments /Centers /Principals of Schools , SOE/CUCEK
- 3.PS to VC /PS to PVC/PA to Registrar
- 4..DF/SF/FC

\* This is a computer generated document. Hence no signature is required.

# COCHIN UNIVERSITY OF SCIENCE AND TECHNOLOGY



## 684<sup>th</sup> MEETING OF THE SYNDICATE

Date : 19.02.2021

### **AGENDA ITEM : 684.17**

#### **Amendment of Bye Law of the Cochin University Union – Report of the Sub-committee of the Syndicate – Consideration of – Reg.**

The Syndicate considered along with the recommendations of the Standing Committees of the Syndicate on Academic matters, the report submitted by the Committee regarding the amendment to the Bye Law of the Cochin University Union.

*The Syndicate resolved to accept the Report (**Appendix II**) submitted by the Committee regarding the amendment to the Bye Law of Cochin University Union.*

(Ac.A)



**REGISTRAR**

## CONSTITUTION OF COCHIN UNIVERSITY STUDENTS UNION

### *Article I*

The Union shall be called “The Cochin University Students Union” and expanded as “Students Union of Cochin University of Science and Technology.”

### *Article II*

1. The objective of the Union shall be to promote the corporate, technical, social environmental and cultural life of the students of the University and to incorporate in them the duties and rights of citizenship.
2. In order to achieve the above objectives, Cochin University Union shall have Authority to
  - a. Promote opportunities for development of character, discipline, efficiency, knowledge, democratic outlook and spirit of service among its members.
  - b. Impart training in leadership and in the conduct of special activities either independently or in collaboration with other voluntary organizations.
  - c. Organize youth centers, alumni groups, clubs or groups like student writer’s club, student farmers’ forum, study circles, training campus, work campus, debates, seminars, education or environmental tour programmes and undertake such other constructive activities and programmes.
  - d. Organize cultural or technical or arts or academic or environmental or social activities to develop and promote the talents of the students.
  - e. Organize sports, physical, cultural and recreational activities.
  - f. Organize work squads and operate in urban and rural areas to encourage students for the interaction with farmers and factory workers.
  - g. Organize programmes to make students more constructive.
  - h. Promote, organize and encourage students in other activities to focus general objectives of the Cochin University Union.
  - i. Organize Career Guidance Schemes and matters related thereto.
  - j. Organize Co-curricular and extra-curricular activities in various departments, schools and recognized colleges of the University.

- k. Actively take part in social welfare activities.
- l. The Union shall be involved in the relief activities such as natural calamities pandemic or a crisis of high magnitude.
- m. To conduct induction programmes and to make a ragging free campus by constituting 'Anti Ragging Committee' with students participation.
- n. Conduct orientation and counseling programmes to make awareness on students about employability and industry interaction.

### ***Article III***

#### **Definitions:**

For the purpose of this constitutions,

- a. "Constitution" means the Constitution of the Cochin University Students Union
- b. "Patron" means the Patron of the Cochin University Students Union.
- c. Unless otherwise stated the letters "C.U.S.U" means the Cochin University Students Union.
- d. "Chairperson" means the Chairperson of the Cochin University Students Union.
- e. "Vice-Chairperson" means the Vice-Chairperson of the Cochin University Students Union.
- f. "General Secretary" means the General Secretary of the Cochin University Students Union.
- g. "Staff Adviser" means the Teacher-in-Charge of the Cochin University Students Union.
- h. "Treasurer" means Treasurer of the Cochin University Students Union.
- i. "Executive Committee" means the Executive Committee of the Cochin University Students Union.
- j. "General Council" means the General Council of the Cochin University Students Union.
- k. "Representative" means a member who satisfies the minimum qualification prescribed in the Byelaw of C.U.S.U and who has been elected from each class (Constituency).
- l. "Funds" means the funds of the Cochin University Students Union.
- m. "Students" means a person who has enrolled and is pursuing studies for a degree on a full time basis in CUSAT.

- n. “Teacher” means a regular Teacher in Cochin University Teaching Departments.
- o. “Academic Year” means a period of twelve months commencing with “1<sup>st</sup> July” of every year.

***Article IV***

**Membership**

- 1. a. Students studying in full-time courses for duration of at least one academic year in University Departments or Schools/University Centers/Constituent colleges under Cochin University shall be a member of the Cochin University Students Union.
- b. Full time research Scholars registered in the University are members of Cochin University students Union.

***Article V***

**Membership Fee**

Membership Fee of the Cochin University Students Union shall be decided by the syndicate from time to time. Every member shall pay their University Union fee along with their odd semester fee of each academic year. The University Union fee shall be remitted to the Cochin University Union fund through the Staff Advisor of the Cochin University Students Union.

***Article VI***

**Tenure of Office**

Office bearers of Cochin University Students Union shall hold their office from the date of constitution of the union for a period of twelve months. If the constitution of the General Council into the next academic is delayed, the office bearers can hold their office for a further extension period of 3 months or such re-constitution whichever be earlier. Provided that election to the Cochin University Students Union shall be conducted within 6 weeks or as per the election notification issued by the university in the beginning of “Academic Year”.

***Article VII***

In the case of a Doctoral student, he/she/others shall cease to be a member of the Cochin University Students Union on the day of Completion of 6 years of his registration PhD Scholar or the day on which he submits his PhD thesis whichever is earlier.

***Article VIII***

**General Council**

1. The General Council will consist of representatives of students of Cochin University elected from among themselves as hereunder.
  - a. One representative from each class/batch of full-time Post graduate/degree courses. Provided, however, in the case of courses where the total number of students for all the classes/batches put together does not exceed 10, those under graduate, post graduate, M.Tech and MPhil courses would be pooled together separately. There shall be one representative each from these four constituencies.
  - b. Two representatives from among the full-time Research Scholars of Cochin University. Provided, however if the total strength of the full-time Research Scholars does not exceed 10, there shall be only one representative for all of them.
2. The date and time of the elections shall be notified by the University as referred to Article 6 of the Cochin University Union byelaw.
3. Any vacancy occurring in the General Council within the first four months after the general council election shall be filled as per the election rules within one month of occurrence of such vacancies.

***Article IX***

**Office Bearers:**

- i) The Patron
- ii) The Staff Adviser
- iii) The members of the Executive Committee

**A. The Patron**

The Vice Chancellor of Cochin University shall be the ex-officio patron of the Cochin University Students Union.

**B. The Staff Adviser**

1. A teacher of the University nominated by the Patron shall be the Staff Adviser of the Cochin University Students Union.
2. The staff adviser of the C.U.S.U shall be an ex-officio member of the Executive Committee and the General Council.
3. The Staff Advisor shall be responsible for the funds of the Cochin University Students Union. No expenditure shall be incurred without the decision of the Executive Committee.
4. It shall be the responsibility of the Staff Adviser to ensure that the vacancies of office bearers are filled up as expeditiously as possible and the functioning of the Union office is conducted properly.

**C. The Chairperson**

1. The Chairperson shall be elected from and by the General Council of the Cochin University Students Union.
2. The Chairperson shall preside over all the meetings of the Executive Committees, the General Council and all other official meetings of the Cochin University Students Union.
3. The Chairperson shall have the right to give rulings and his rulings shall be final so far as those meetings are concerned.
4. The Chairperson shall have the power to invite a member of the Cochin University Students Union to any meetings of the General Council, the executive committee or the Sub Committee constituted there under. Such an invitee however shall have no voting powers.
5. The Chairperson shall conduct the affairs of the Cochin University Students Union in accordance with his constitution, the rules and standing orders.
6. The Chairperson shall have the power to sanction an amount within the budget allotment not exceeding Rs. 500 /- (Rupees Five hundred only) at a time from the funds for purpose, which is of immediate nature. Such sanctions are to be ratified by the Executive Committee at its next meeting and sanction under this provision shall not be accorded when a prior sanction is pending ratification by the Executive Committee.

7. The Chairperson is eligible for travel allowance and dearness allowance for Union activities up to Rs.2500 /- (Rupees Two thousand Five Hundred only) per month as on when it is applicable.

**D. The Vice-Chairperson**

1. Two Vice-Chairpersons shall be elected from and by the members of the General Council of whom at least one shall be a lady.
2. One of the two Vice-Chairpersons chosen by the members shall preside over all the meetings of the General Council, the Executive Committee and at all other functions of the Cochin University Students Union in the absence of the Chairperson.
3. The Vice-Chairpersons shall perform the duties of the Chairperson in his absence or as per the request of the chairperson.
4. The Vice-Chairperson is eligible for travel allowance and dearness allowances for Union activities up to Rs.1000/- per month as on when it is applicable.

**E. General Secretary**

1. The General Secretary shall be elected from and by the members of the General Council of the Cochin University Students Union.
2. The General Secretary shall:
  - a. Issue notices of all the meetings in consultation with the Chairperson.
  - b. Keep the minutes of the business meeting and present them for confirmation at the next meeting.
  - c. Sign on behalf of the Cochin University Students Union in all the documents.
  - d. Keep records of all the proceedings of the Cochin University Students Union.
  - e. Conduct all the correspondences of the Cochin University Students Union.
  - f. Arrange for the purchase of the requisites of the Union.
  - g. Prepare for the purchase of the requisites of the Union.
  - h. Prepare an annual budget and present it to the Executive and General Council for consideration and adoption.
  - i. Incur expenditure under proper authority for items specifically included among the objectives of the Cochin University Students Union and render monthly account of expenditure incurred and

- j. Submit the accounts and vouchers relating to the year of audit at the end of the year.
3. The General Secretary is eligible for travel allowances and dearness allowance for Union activities up to Rs.2500 per month as on when it is applicable.

**F. The Joint Secretary**

1. Two Joint Secretaries shall be elected from and by the General Council of the Cochin University Students Union of whom at least one shall be a lady.
2. The Joint Secretary shall perform the functions of the General Secretary in his absence. The Joint Secretary shall also perform the functions allotted to him by the General Secretary.
3. The Joint Secretary is eligible for travel allowance and dearness allowances for union activities up to Rs. 1000 /-per month as on when it is applicable.

**G. The Treasurer**

1. The Treasurer shall be elected from and by the General Council of the Cochin University Union.
2. The Treasurer shall keep regular accounts of the income and expenditure of the Union.
3. The Treasurer shall assist the General Secretary in preparing the Annual Budget of the Cochin University Union.
4. The Treasurer shall also assist the General Secretary to incur expenditure under proper authority for items specifically included among the objectives of the Cochin University Union and render a monthly account of expenditure incurred.

**H. Secretary – Arts**

1. The Arts Secretary shall be elected from and by the General Council of the Cochin University Students Union.
2. The Arts Club Secretary shall organize activities for promoting the artistic talents of the students of the University.

**I. Secretary – Sports**

1. The Sports Secretary shall be elected from and by the General Council of the Cochin University Students Union.

2. The Sports Secretary shall organize activities in the field of sports and games.

**J. Secretary – Environment Affairs**

1. The Secretary - Environment Affairs shall be elected from and by the General Council of the Cochin University Students Union.
2. The Secretary - Environment Affairs shall organize various environmental programmes and other nature activities.

**K. Secretary - Student Welfare**

1. The Secretary – Student Welfare shall be elected from and by the General Council of the Cochin University Students Union.
2. The Secretary Student Welfare shall be responsible for the general welfare of the student community and shall conduct various programmes to ensure the well -being giving focus to the mental health of the students.

**L. Secretary – Technical Affairs**

1. The Secretary – Technical Affairs shall be elected from and by the General Council of the Cochin University Students Union.
2. The Secretary – Technical Affairs shall organize programmes in the field of science and technology which includes technical events like tech fests, etc.

**M. Secretary – Literature Club**

1. The Secretary – Literature Club shall be elected from and by the General Council of the Cochin University Students Union.
2. The Secretary – Literature Club shall organize activities promoting the literary interests of the student community.

**N. Secretary – Academic Affairs**

1. The Secretary – Academic Affairs shall be elected from and by the General Council of the Cochin University Students Union.
2. The Secretary - Academic Affairs shall be responsible to conduct various academic activities involving all important fields of study.

**O. The Office Secretary**

1. The Office Secretary shall be elected from and by the General Council of the Cochin University Students Union.

2. The Office Secretary shall organize files, handle office schedules, and maintain the smooth running of an office through a variety of administrative and clerical duties .

**P. 1. The Executive Committee**

1. The Chairperson
2. The Vice - Chairperson (2 Nos.)
3. The General Secretary
4. The Joint Secretary (2 Nos.)
5. The Treasurer
6. Secretary – Arts
7. Secretary – Sports
8. Secretary – Environment affairs
9. Secretary – Student Welfare
10. Secretary – Technical Affairs
11. Secretary – Literature Club
12. Secretary – Academic Affairs
13. The Office Secretary

**“Provided there shall be a minimum of 4 lady representatives.”**

2. The Patron and the Staff Adviser shall be the ex-officio member of the Executive Committee.
3. The Executive Committee shall manage the affairs of the Union and shall have powers to carry out the objectives of the Union.
4. The Executive Committee shall frame standing orders in conformity with the constitution.
5. The Executive Committee shall have the power to constitute sub-committees for specific purposes in consonance with the objectives of the Union and also to reconstitute the same.
6. The Executive Committee shall have the power to constitute an organizing committee for conducting arts, sports, technical, academic events and cultural, co-curricular and extra – curricular activities in various departments, schools and colleges of the University.

7. The Executive Committee shall have the power to nominate student coordinators in various departments or clusters of departments for the purpose of conducting University Arts and sports.
8. The Executive Committee shall meet at least once a month and such meeting with the agenda shall be notified at least three days in advance.
9. Urgent meetings of the Executive Committee can be convened by the Chairperson at one day notice.
10. If or three consecutive meetings of the Executive Committee a member of the committee is absent without permission of the Executive Committee, the Executive Committee may declare his seat vacant.
11. Vacancies in the Executive Committee shall be filled within a month as per election rules.
12. Decisions of the Executive Committee shall be taken in accordance with the decision of the majority of the members present. In the case of a candidate securing an equal number of votes, the Chairperson shall exercise casting vote for nomination.
13. The minutes of the Executive Committee Meetings shall be presented for approval at the next General Council Meeting.
14. Shall have the power to conduct induction programmes to streamline the newcomers and constitute “Anti Ragging Committee” with student representation, for a ragging free environment.

**Q. University Union Accounts Committee**

“University Union Accounts Committee: - University Union Accounts Committee shall consist of three members, nominated by the Executive Committee from among Members of the General Council. It shall review the accounts of the Union and review reports shall be presented to the Executive Committee every two months”.

***Article X***

**General Council Powers:**

1. The General Council shall ordinarily meet once in two months and such meetings along with the agenda shall be notified at least seven days in advance.
2. Urgent meetings of the General Council can be convened by the Chairperson at one day notice.

3. The General Council shall have power to:
  - a. Frame rules in conformity with the constitution for the proper working of the Union.
  - b. Give general guidance regarding the activities of the Union.
  - c. Issue instructions not inconsistent with the constitution and the rules on all matters not otherwise provided for.
  - d. Declare a seat of the General Council vacant if for three consecutive meetings a member of the General Council is absent without the permission of the General Council.
  - e. To discuss and pass the budget of the Union every year.

### ***Article XI***

#### **Funds of Cochin University Students Union:**

1. All the funds of the Union shall be deposited in the name of the Staff Adviser and it will be transferred to the joint account of the University Union.
2. No expenses shall be incurred except according to provisions of this constitution.

### ***Article XII***

#### **Miscellaneous:**

1. The quorum for the meeting of the General Council is 1/3 of the total number of members and that for the Executive Committee shall be simple majority of its membership.
2. No notice of any no confidence motion against any elected office bearer of the Union, for which no other provision has been made, shall be effective unless signed by one-third of the total number of members of the General Council and presented to the Chairperson.
3. A motion of no confidence as stated in Section 2 above shall not be moved against an office bearer within the first 3 months of his assuming office.
4. The General Council shall be convened by the Chairperson to discuss the no confidence motion giving not less than 14 days' notice. The meeting shall be conducted not later than 30 days from the date of service of the notice of non-confidence, failing which the Patron on receiving an appeal shall authorize the Staff Adviser to convene a meeting for the purpose within fourteen days of the

- appeal. If the motion of no confidence is to be moved against both the Chairperson and Vice-Chairpersons of the Union, Staff Adviser will preside over the meeting. The motion shall be carried out by a simple majority of the total number of members of General Council.
5. A special meeting of the General Council shall be convened by the Chairperson when at least 20% of the members of the General Council demand in writing for a meeting specifying the purpose thereof. If the Chairperson fails to convene the meeting the Patron on receiving an appeal, shall authorize the Staff Adviser to convene a meeting with 7 days' notice.
  6. The General Council may recommend amendment to this constitution. A meeting of the council for this purpose shall be convened giving 14 days' notice enclosing the proposed amendment.
  7. No amendment of the constitution shall be passed by the General Council except by a majority of the total number of members and a two-thirds majority of those members present and voting.
  8. An amendment shall come into force on its approval by the patron.
  9. Every standing order or rule framed under this constitution or any amendment to the standing order or rule shall be presented to the Patron for his assent and shall come into force only upon his assent being given.
  10. The Patron and the Staff Adviser may attend any of the meetings of the General Council, Executive Committee or bodies constituted there under.
  11. The Executive Committee shall determine any question or dispute about the interpretation as the constitution, the rule of standing orders. The decisions of the Executive Committee shall be final in all such cases, subject to an appeal to the Patron.
  12. Where both the General Secretary and the Secretary leave the institution and/or intimate their inability to discharge their respective duties under this constitution the Executive Committee shall by resolution authorize a member of the council to carry out such duties.

### ***Article XIII***

Notwithstanding anything contained in the above provisions the Patron shall have the power to rescind the Constitution or amend any article or part thereof, if he is satisfied that the present constitution has become unworkable.

### ***Article XIV***

Any action taken by the Patron in exercise of the powers conferred on him by Article XII shall be reported to the next meeting of the Syndicate of the University.

**Article XV**

**ELECTIONS**

**1. Vice-Chancellor responsible for conduct of elections:**

The Vice-Chancellor shall be responsible for the conduct of all elections held by the Cochin University Students Union within 6 to 8 weeks from the starting of an academic year. He should cause the elections to be held by appointing Chief Returning Officer and Returning Officer.

**2. Returning Officer:**

A person nominated by the Vice-Chancellor shall be the Chief Returning Officer for all elections held by the University Union in the Office of the University Union and the Head of each Department shall be the Returning Officer for elections held by the Union in the respective Department.

**3. Elections in anticipation of vacancies:**

The Vice Chancellor shall have power to direct the holding of elections in anticipation of vacancies that are about to occur by efflux of time.

**4. Decisions of the Vice Chancellor:**

Except as otherwise provided in these rules the decisions of the Vice-Chancellor on any questions relating to elections shall be final.

**5. The Electoral Roll:**

The Chief Returning Officer shall maintain the electoral roll of members entitled to vote in the elections held by the Cochin University Students Union.

**6. Date of Publication of Electoral Roll:**

The electoral roll of members entitled to vote at any election held by the Cochin University Students Union shall be published in the University Union Office and in all departments not less than fifteen days before the date of notification on such elections.

### **6. 1. Mode of Election**

A representative shall be elected from each class/batch of P.G/U.G/Other Courses. These representatives shall in turn elect the University Union Office bearers.

### **7. Eligibility Criteria for Candidates**

1. (a) Under Graduate students between the ages of 17 and 25 may contest elections.  
(b) For Post Graduate students the maximum age limit to legitimately contest the election would be to 27 years.  
(c) For L.L.M, M.Tech and M.Phil Students the maximum age limit to legitimately contest the election would be 28 years.  
(d) For research students the maximum age limit to legitimately contest the election would be 29 years.
2. The candidate should not have any academic arrears in the semester of contesting the election.
3. The candidate should have seventy five percent (75%) of attendance in the semester. Provided that the requirement of attendance and passing of examination is not applicable in the case of students of the first year of the course(s).
4. Only persons who are on the electoral body fifteen days before the date of publication of the roll shall be included in the electoral roll and such persons above shall be entitled to participate in the elections. Any person who ceased to be a student of the Cochin University before the date of election shall not be entitled to participate in the election.
5. The candidate shall not have a previous criminal record that is he should not have been tried and/or convicted of any criminal offence or misdemeanor. The candidate shall also not have been subjected to any disciplinary action by the University.
6. The candidate must be a regular, full-time student of College/University, the course duration being at least one year.

### **8. Correction, alterations etc. in Electoral Roll**

It shall be competent for the Chief Returning Officer to make any correction, alteration or deletion in the electoral roll of the Union, provided in

requisition for the same is received by him within seven clear days after the date of publication of the electoral roll.

**9. Results of Elections – Date of effect:**

The results of all elections held by the Cochin University shall be published in the University Union Office. Anticipating election shall take effect from the date of occurrence of the vacancy and other elections from the date of notifications of the result of election.

**10. Disqualifications from holding office**

- a. Representatives who have been found guilty of any disorderly behavior, violation of election rule, violation of code of discipline, malpractice and damaging University property shall be disqualified from holding the office of the University Union.
- b. The Vice Chancellor may disqualify the person only after giving him a fair hearing.
- c. The Vice Chancellor's decision shall be final.
- d. The Vice Chancellor may initiate steps to fill the vacancy thus caused by way of nomination in consultation with the Staff Advisor and the General Council.

**10. A. Election – Related Expenditure and Financial Accountability**

- (i) The maximum permitted expenditure per candidate shall be Rs.5000/- (Rupees Five thousand only)
- (ii) Each candidate shall within two weeks of the declaration of the result submit complete and certified accounts to the University. The University shall publish such certified 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.
- (iii) The election of the candidate will be nullified in the event of any non-compliance or in the event of any excessive expenditure.
- (iv) The candidates are barred from utilizing funds from any other sources than voluntary contributions from the student body.

**10. B Code of Conduct for candidates and Election Administrators**

- (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.
- (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.
- (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.
- (4) All candidates shall be prohibited from indulging or abetting, all activities which are considered to be “corrupt practices” and offences, such as bribing of voters, intimidation of voters, impersonation of voters, canvassing of the use of propaganda within 100 meters of polling stations, holding public meetings during the period of 24 hours ending with the hours fixed for the close of the poll, and the transport and conveyance of voters to and from polling station.
- (5) No candidate shall be permitted to carry out processions or public meetings, or in any way canvass or distribute propaganda outside the university/campus.
- (6) No candidate shall, nor shall his/her supporters, 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 property.
- (7) During the election period the candidates may hold processions and/or public meetings, with the prior permission of the University authority.
- (8) The use of loudspeakers, vehicles and animals for the purpose of canvassing shall be prohibited.

- (9) 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.
- (10) Excepting the voters, no one without a valid pass/letters of authority from the election commission or from the University authorities shall enter the polling booths.
- (11) The Election Commission/University authorities shall appoint impartial observers.
- (12) 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.
- (13) All candidates shall be jointly responsible for ensuring the cleaning up of the polling area within 48 hours of the conclusion of polling.
- (14) 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.
- (15) In addition to the above-mentioned code of conduct, Section 153-A and Chapter IX-A of Indian Penal Code “Offences Relating to Election” will also be applicable to these Elections.
- (16) During the period of election no person who is not a student on the rolls of the University shall be permitted to take part in the election process in any capacity. Any person candidate or member of a student organization violating this rule shall be subjected to disciplinary proceedings in addition to the candidature as the case may be being revoked.

## **11. Objections**

Objections to elections shall be made in writing to the Chief Returning Officer within twenty four hours after the declaration of the result of the election.

## **12. Preservation of election papers**

The ballot papers shall be preserved in the Office of the Registrar for a period of one month after the date of declaration of the results or if any dispute arises regarding the election, until it is disposed of.

## **CONDUCT OF ELECTIONS**

### **13. Notification of Election**

When any vacancy occurs or is about to occur by efflux of time which has to be filled by election, or if an election has to be conducted for the constitution of anybody, authority or any committee thereof, according to the provisions of the laws of the Union, the Chief Returning Officer shall notify the fact through the Heads of Departments and also simultaneously cause the notification to be published in the University Union Office. The notification shall contain the programme of the election and shall give the following particulars:

1. Last date for receipt of nominations
2. Date of scrutiny of nominations and publication of the list of candidates validly nominated.
3. Last date and hour for withdrawal of candidature.
4. Date of publication of the final list.
5. Date and hour fixed for the poll.
6. Date and hour of scrutiny and counting of votes.

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 15 days. The elections shall be held on a yearly basis and the same shall be held between 6 to 8 weeks from the date of commencement of the Academic Session.

### **14. Nomination of Candidates**

Every student of the Cochin University who is qualified under these rules to be an elector shall be at liberty to nominate a qualified person from the electoral roll to fill the vacancy. Every such nomination shall be made in the prescribed

form duly signed by both the nominated and the nominator before a teacher of the concerned department, who shall countersign the same. Every such nomination shall be accompanied by the consent in writing of the nominee agreeing to serve on the University Authority or Bodies the case may be, if elected, and the nomination paper must reach the Chief Returning Officer or the Returning officer as the case may be within the date and time fixed by the Chief Returning Officer for that purpose.

#### **15. Scrutiny of Nomination**

All nomination papers shall be scrutinized by the Chief Returning Officer or the Returning officer as the case may be. The candidates and a representative of each candidate appointed in writing by him and approved by the Chief Returning Officer or Returning Officer may be present at the time of scrutiny of nominations.

#### **16. Decisions on objections**

The Chief Returning Officer or the Returning Officer as the case may be shall examine the nomination papers and shall decide all objections which may be made to any nomination paper on the ground that it is not valid and may reject either on his own motion or on such objections to any nomination paper. The decision of the Chief Returning Officer or the Returning Officer as the case may be shall in each case be endorsed by him on the nomination paper in respect or which decision is given.

#### **17. List of candidates validly nominated**

A list of candidates whose nominations have been declared valid shall be published with their names and addresses by affixing the same on the notice board of the Cochin University Union Office.

#### **18. Withdrawal of candidature**

Any candidate may withdraw his candidature by notice in writing to the Chief Returning Officer or the Returning Officer as the case may be and such notice shall be received by him not later than 4.00 p.m. on the day following the day fixed for the receipt of nominations, and the withdrawal once made shall be final.

#### **19. Final list of Candidates**

The Chief Returning Officer shall publish after the lapse of time fixed for withdrawal of candidature a final list of candidates validly nominated by affixing

the same on the notice board in the Office of the Cochin University Students Union in the case of the election of the Executive Committee and Office bearers from General Council.

**19.(a)** The Returning Officer shall publish after the lapse of time fixed for withdrawal of candidature a final list of candidate validly nominated to General Council, by affixing the same on the notice board in the Department concerned.

**20. Declaration of election of validly nominated candidates**

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

If the number of candidates validly nominated and not withdrawn is less than the number of vacancies to be filled by election, such candidates shall be declared to have been duly elected and the electorate shall be called upon to elect a person or persons as the case may be, to fill the remaining vacancy or vacancies.

If the number of candidates validly nominated and not withdrawn exceeds the number of vacancies to be filled by election, the Chief Returning Officer or the Returning Officer as the case may be shall proceed with the election in the manner prescribed under these rules.

**21. Ballot Paper**

The Chief Returning Officer or the Returning Officer as the case may be shall for conducting elections issue to each elector, a ballot paper containing the names of all candidates in the same order as in the final list of candidates validly nominated, and bearing the initials of the Chief Returning Officer or the Returning Officer.

**22. In all elections of the Cochin University Union the principle of votes shall be by single transferable vote**

**Voting:** The elector shall after filling up the ballot paper in accordance with the directions given by the Chief Returning Officer or the Returning Officer as the case may be deposit the ballot paper in the box provided for the purpose.

**23.** The Chief Returning Officer or the Returning Officer as the case may be shall close the ballot box-slit and seal the box immediately after the hour appointed on the last date fixed for the poll.

**24. Procedure of counting**

The Scrutiny and counting of votes shall be held by the Chief Returning Officer or Returning Officer as the case may be from the hour appointed on the date fixed for the scrutiny and counting of votes. No person shall be present at the scrutiny and counting except the Vice Chancellor, the Chief Returning Officer, the Returning Officer and such persons as the Chief Returning Officer may appoint to assist the Returning Officer, the candidate and not more than one representative of each candidate appointed by him in writing and approved either by the Chief Officer or by the Returning Officer. The ballot shall be opened at the hour fixed for the Scrutiny.

**25. Ballot paper when rejected:**

Ballot paper shall be rejected by the Chief Returning Officer or the Returning Officer if –

- (i) It does not bear the initials of Chief Returning Officer.
- (ii) A voter signs his name or write any word or makes any mark on it by which it becomes recognizable; or
- (iii) The vote is recorded thereon by any mark other than this “X”.or1.2.3...in single transferable voting against the name or names of the candidate or candidates; or
- (iv) No vote is recorded thereon; or
- (v) It is valid for uncertainty
- (vi) It violates any other laws.

Provided that where more than one vote can be recorded in the ballot paper and one of the marks is so placed as to render it doubtful to which candidate it is intended to apply, the vote marked for but not the whole ballot paper shall be invalid on that account.

On every ballot paper rejected by the Chief Returning Officer, the Returning Officers shall endorse the word “INVALID” and such papers shall be kept separately.

## **26. Declaration of Results:**

The candidate or candidates equal in number to the number of vacancies receiving the largest number of votes shall be declared duly elected. If two or more candidates receive an equal number of votes and they cannot all be declared elected, the final elections shall be drawn by lots.

## **27. Grievances Redressal Mechanism**

1. There shall be a Grievances Redressal Cell with the Dean/Director (Student Welfare) as its Chairperson. In addition, one senior faculty member, one senior administrative officer and two final year students – one boy and one girl (Students can be nominated by the Dean/Director-Students Welfare on the basis of merit and/or participation in the co-curricular activities.) 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 University.
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 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 has issued a final decision. Upon review, the Vice Chancellor may revoke or modify the sanctions imposed by the grievance cell.
3. In carrying out the duties of the office, the Grievance cell shall conduct proceedings and hearing necessary to fulfill those duties. In executing those duties they shall have the authority:
  - (i) To issue a Writ of subpoena to compel candidates, agents and workers, and to request students to appear and give testimony, as well as produce necessary records; and
  - (ii) To inspect the financial reports of any candidate and make these records available for public scrutiny upon request.
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.

5. The Grievance cell may dismiss a complaint if:
  - i) The complaint was not filed within the time frame prescribed.
  - ii) The complaint fails to state a cause of action for which relief may be granted.
  - iii) The complaint has not and/or likely will not suffer injury or damage.
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.
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.
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.
9. All Grievance Cell hearing, proceedings, and meetings must be open to the public.
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.
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.
12. The Grievance Cell shall 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.

13. Complaining parties shall be allowed no more than two witnesses, however, the Grievance Cell may call witnesses as required. If said witnesses are unable to appear at the hearing, signed affidavits may be submitted to the Grievance Cell Chair for the purpose of testifying by proxy. All questions and discussions by the parties in dispute shall be directed to the Grievance Cell. There shall be no direct or cross-examination of any party or witness by complaining or responding parties during hearings. Reasonable time limits may be set by the Grievance Cell provided they give fair and equal treatment to both sides. The complaining party shall bear the burden of proof. Decisions, orders and rulings of the Grievance Cell must be concurred to by a majority of the Grievance Cell present and shall be announced as soon as possible after the hearing. The Grievance Cell shall issue a written opinion of the ruling within 12 hours of announcement of the decision. The written opinion must set forth the findings of fact by the Grievance Cell and the conclusions of law in support of it. Written opinions shall set a precedent for a time period of three election cycles for Grievance Cell ruling and shall guide the Grievance Cell in its proceeding. Upon consideration of prior written opinion 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 Vice Chancellor, 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. If after a hearing, the Grievance Cell finds that a provisions of this code are violated by a candidate, or a candidate's agent or workers, the Grievance Cell may restrict the candidate, or the candidates agents or workers, from engaging in some or all campaign activities for some or all of the remainder of the campaign. If an order is issued covering only part of the remaining period, it shall take effect immediately so that after its termination, the candidate will have an opportunity to resume campaigning during the days immediately prior to and including the election days. If, after a hearing, the Grievance Cell finds that provisions of either this Code or

decisions, opinions, orders, or ruling of the Grievance cell have been willfully and blatantly violated by a candidate, or a candidate's agents or workers, the Grievance Cell may disqualify the candidate. Any party adversely affected by a decision of the Grievance Cell may file an appeal with the institutional head within twenty-four (24) hours after the adverse decision is announced. The institutional head shall have discretionary appellate jurisdiction over the Grievance Cell in all cases in which error on the part of the Grievance Cell is charged. The decision of the Grievance Cell shall stand and shall have full effect until the appeal is heard and decided by the institutional head. The institutional head shall hear appeals of Grievance Cell rulings as soon as possible, but not within twenty-four hours after the Grievance Cell delivers to the Appellant and the Vice-Chancellor 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 Vice Chancellor can issue suitable orders to suspend or halt the operation of the ruling issued by the Grievance Cell until the appeals are decided. The Vice-Chancellor shall review findings of the Grievance Cell when appealed. The Vice-Chancellor may affirm or overturn the decision of the Grievance Cell, or modify the sanctions imposed.

**28. MAINTAINING LAW AND ORDER IN THE CAMPUS DURING THE ELECTION PROCESS**

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 6 hours after the alleged commission of the offence.