

CONSTITUTION
OF
THE MBM UNIVERSITY STUDENTS' UNION
(Revised)
OBJECTIVES

Article-1

The objects of the Union shall be:

- (i) To foster a spirit of cooperation, unity, discipline & ideal character and brotherhood among the student community.
- (ii) To promote academic, cultural, social and intellectual life among the students;
- (iii) To help in developing the democratic traditions and devotion to selfless service among the student community;
- (iv) To enable the members of the Union to take their due share as enlightened citizens in the national integration, progress and development of the country;
- (v) To concern itself with all matters related to the interest, well being and all round development of students of the University;
- (vi) To promote understanding and close relationship between the teachers and the taught in an attempt to bridge the generation-gap;
- (vii) To develop and promote the power of reasoning and debate among its members;
- (viii) To establish and stabilize the contacts with other student organizations for the purpose of strengthening and invigorating the national student movement.

MEMBERSHIP

Article-2

The membership of the Union shall consist of all regular students of the University. A regular student includes a full time research scholar who is registered for Degree of the University.

SUBSCRIPTION

Article-3

The annual subscription of the union per member will be as per notification of the University, and shall be paid along with the University Fee at the time of admission.

FUNCTIONS

Article-4

The Union with a view to achieve its objectives as enunciated in Article-1 shall exercise the following functions:

- (i) To foster the spirit of self-improvement among the members by developing sense of discipline, responsibility, honesty and integrity.
- (ii) To develop fellow-feeling and community life among the members by organizing picnics, social gatherings and by providing other avenues of social intercourse.
- (iii) To organize health promoting activities such as games and sports in collaboration with the Sports Board.
- (iv) To provide information to the members for studies and employment through the Students Services Board.
- (v) To publish a Magazine in order to promote self-expression.
- (vi) The Union Executive shall share joint responsibility with the appropriate authorities to ensure all the services of the students' amenities; its maintenance and regulation. (Amenities – drinking water arrangements, electricity arrangements, furniture, cleanliness of class rooms and campus; cycle stand, canteen, hostels and any other items as per the direction of Patron.

PATRON

Article-5

The Vice-Chancellor of the MBM University, Jodhpur shall be the ex-office Patron of the Union and shall:

- (i) Generally, supervise the Union affairs;
- (ii) Nominate from amongst members of the teaching staff the Adviser/Chief returning Officer, Bursar of the Union; who will hold office at his pleasure;
- (iii) Decide matter pertaining to the Union and in the matters of dispute regarding the interpretation of the constitution, his decision shall be final;
- (iv) Have the power to suspend or keep in abeyance the operation of any of the provisions of the constitution for a period not exceeding one academic year;

- (v) Have the power to suspend the working of the Union Bodies if it is not working on proper lines for reasons to be recorded in writing which shall be duly notified;
- (vi) Have the right to decide on any matter on which the provisions of this constitution do not provide and his decision shall be final;
- (vii) Be the ultimate authority to deal with the problems raised or suggestions made by the Union or any of its committees or subcommittees;
- (viii) Have the power to call for reports from the office bearers of the Union; Have the power to call for explanation of the office-bearer of the Union, if he misbehaves or neglects his duty or is alleged to have committed a breach of the Constitution or is charged with an act of defalcation or misappropriation of funds and take such action, as he may deem fit.

FUNCTIONS OF ADVISER/CHIEF RETURNING OFFICER

Article-6

The Adviser shall:

- (i) Advise the Union office bearers in the conduct of their day to day activities and shall have a right to attend and participate in the deliberation of the Union bodies but shall not have right to vote.
- (ii) Conduct the elections of the various office-bearers of the Union as enumerated in Article-9, Article-9A, Article-9B, Article-9C and Article-9D.
- (iii) Exercise control over the expenditure of the Funds of Union Bodies. No bills submitted by the Union Bodies shall be entertained by the Bursar unless they are countersigned by the Adviser.
- (iv) Operate the Bank Accounts of the Union Bodies along with the Bursar. The money from the Bank will be withdrawn only on the Joint signatures of the Adviser and the Bursar;

FUNCTIONS OF BURSAR

Article-7

The Bursar shall:

- (i) Look after the proper maintenance of accounts.
- (ii) Get the annual accounts prepared and audited.

FUNCTION OF AUDITOR

Article-8

The auditor of the university shall audit the accounts of the Union Bodies annually and submit report to the Patron.

OFFICE BEARERS

Article-9

The elected office bearers of the Union Body at APEX level of university shall be:

- (i) President
- (ii) Vice-President
- (iii) General Secretary
- (iv) Joint General Secretary

Article-9A

The elected office bearers of the Union Bodies at constituent colleges (Government Engineering College (GEC), Barmer) level will be:

- (i) College President
- (ii) College Vice-President
- (iii) College General Secretary
- (iv) College Joint General Secretary

CLASS REPRESENTATIVES (CR)

Article-9B

Class Representatives for Faculty / Constituent College:

- (i) From each year of courses, there shall be one Class Representative (CR) at faculty/ Constituent College for each Semester/Year.
- (ii) Class representatives (CRs) will be as given below for each faculty/ Constituent College for UG courses:
 - 1 First year of B.E. including B.Arch. First Year - **One**
 - 2 Second year of B.E. including B.Arch. Second Year - **One**
 - 3 Third year B.E. including B.Arch. Third Year - **One**
 - 4 Final year of B.E. including B.Arch. Forth Year and Final Year - **One**

Article-9C

CRs of the regular students of P.G., including MCA, one from each of Faculty / Constituent College as given below:

- (i) Faculty of Engineering – **One**
- (ii) GEC, Barmer – **One** (if P.G. level course is offered)

RESEARCH REPRESENTATIVE (RR)

Article-9D

Full time regular Research scholars and M.Phil. students of all the departments of Faculties / Constituent College shall jointly elect only one Research Representative for all the research scholars.

DEPARTMENTAL LEVEL STUDENTS' UNION

Article-9E

All the departmental level Students' Union shall be formed by the respective Heads of the departments.

There shall be one President of the departmental level Students' Union and one Secretary of the departmental level Students' Union.

The President of the departmental level Students' Union shall be nominated from the Final year PG students/ Final Year UG courses; after seeking the interest of the student who wants to be nominated for the post of President of the departmental level Students' Union and the Head of the department shall prepare the merit of the interested students and the meritorious one shall be nominated as President of the departmental level Students' Union.

Similarly; The Secretary of the departmental level Students' Union shall be nominated from the Previous year PG students/ Third year / Second year of UG courses; after seeking the interest of the student who wants to be nominated for the post of Secretary of the departmental level Students' Union and the Head of the department shall prepare the merit of the interested students and the meritorious one shall be nominated as Secretary of the departmental level Students' Union.

Note: No elected member of Union Bodies shall be nominated as President / Secretary of the departmental level / faculty level Union Bodies.

All the matters (like functions, rule regulations, financial matters etc.) regarding the departmental level Students' Union shall be decided by the departmental and the decision the departmental council shall be final.

ELECTIONS

Article-10

- (i) The President, Vice-President, General Secretary and Joint General Secretary for APEX of the whole University will be elected by secret ballot conducted on the principle of 'simple majority vote' by all the students of the University including its constituent college.

- (ii) The President, Vice-President, General Secretary and Joint General Secretary of the constituent college shall be elected by secret ballot conducted on the principle of 'simple majority vote' by students of GEC, Barmer.
- (iii) The CRs and RR shall be elected by secret ballot conducted on the principle of 'simple majority vote' by the students of the respective constituencies.
- (iv) The date for filing the nomination papers shall per the notification issued by the state government.
- (v) The detailed arrangements relating to the election will be notified by the Adviser/ Chief Returning Officer of the Union Bodies.
- (vi) If the President ceases to be a student during the academic year, the Vice President will succeed him/her as President.
- (vii) Research Scholars and students of M.Phil. Classes will cast vote only for Research Representative.

ELIGIBILITY CRITERIA

Article-11

- (i) Any student who wants to contest for the President, Vice-President, General Secretary and Joint General Secretary for APEX of the whole University or for the President, Vice-President, General Secretary and Joint General Secretary of GEC Barmer; he/she must be a regular student of last session of MBM University or constituent college of MBM University, Jodhpur and must be a regular student during the contesting session.
- (ii) Under graduate students between the ages of 17 and 25 may contest elections. For the Students of four years and five years of professional courses; the maximum age will be 25 years.
- (iii) For Post Graduate Students; the maximum age limit to contest the election would be 25 years.
- (iv) For Research Scholars; the maximum age limit to contest the election would be 28 years.
- (v) The age will be determined as on 1st July of the year of election.
- (vi) The candidate should, in no event, have any academic arrears in the year of contesting election. The Academic Arrear includes Supplementary / ATKT / Unfair means/dropouts.
- (vii) The candidate should have the minimum percentage of attendance as prescribed by the University i.e. 75% attendance.
- (viii) 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.

(ix) **Eligibility Criteria for the posts of office bearers’:**

S.No.	Post	University Level	College Level
1	President General Secretary	Regular student of two years P.G./Three Year PG Degree Course or Final year regular student of five-year degree course or Final year regular student of four-year degree course.	Regular student of two years P.G./Three Year PG Degree Course or Final year regular student of five-year degree course or Final year regular student of four-year degree course.
2	Vice-President Joint General Secretary	Regular student of Second Year Undergraduate degree courses or higher classes of degree courses.	Regular student of Second Year Undergraduate degree courses or higher classes of degree courses.

EXPLANATION:

- (a) First year students of UG degree courses may contest election of CRs only, not for any other post.
- (b) The candidate who has contested election for the post of office bearer at APEX level of MBM University, Jodhpur shall not be eligible to contest again for any post of office bearer at the APEX level of MBM University, Jodhpur.
- (c) The candidate who has contested election for the post of CR at the faculty / constituent college of MBM University, Jodhpur level shall not be eligible to contest again for the post of CR at the faculty / constituent college of MBM University, Jodhpur.
- (d) However, a candidate who has contested for the post of CR at any level shall be eligible to contest election for the post of any office bearer at APEX level of the MBM University, Jodhpur or for the post of any office bearer at APEX level of the constituent college of MBM University, Jodhpur so that a candidate may avail two opportunities of being executive member of APEX Parliament or APEX Parliament of the constituent college of MBM University, Jodhpur.
- (e) The candidate shall not have a previous criminal record, that is to say, he should not have been tried and convicted of any criminal offence or misdemeanor.
- (f) The candidate shall also not have been subject to any disciplinary action by the University authorities.

- (g) The candidate must be a regular (full time) student of the University and should not be a distance/proximate education student. All eligible candidates must be enrolled in a full time degree course and the course duration must be two year or more.
- (h) All elected candidates have to appear in the semester examination by filling up the examination form, and shall pass the semester examination during the session, failing which, his/her post shall be stripped off immediately by itself.

UNION PARLIAMENT / UNION EXECUTIVE

Article-12

The Highest Body of the Students' Union shall be the Union Parliament. There shall be the Parliament of Each Union Body as given in Article-12A and Article-12B.

The Adviser/CRO or senior faculty nominated by the Patron shall be the Chairman of the Union Parliament.

The elected office bearers of the respective Union Body will form the Executive Committee of the Parliament and shall has the responsibility for all the Functions of Parliament.

FUNCTIONS OF UNION PARLIAMENT

- (i) The Chairman of the Union Parliament shall call the meetings of Parliament as and when required. At least 3 meetings: First Meeting after the Union is formed; Second Meeting during the mid of the session and Third Meeting before the commencement of main examination.
- (ii) The Chairman of the Union Parliament shall notify the date, place and the agenda of the meetings of Parliament to its members through University web site and email at least 3 days before the meeting to be held.
- (iii) The Chairman of the Union Parliament shall have right to accept / reject the part/whole decisions of the Union Parliament on reasonable grounds.
- (iv) The Union Parliament shall approve and provide means and ways to utilize the Budget of the Union.

The Union Parliament shall discuss and accept the audited account of the Union or may ask the Union for rectification and re-audit.

- (v) The Union Parliament shall bring about discussion and critical assessment of the performance of the Union Executive.
- (vi) The Union Parliament shall provide guidelines to the Union Executive for rectification and improvement of the functions of Union Executive.
- (vii) If a member of the Union works against the fulfilment of the objectives of the constitution, then the Union Parliament shall recommend the disciplinary action

against the member of Union Parliament by two third majority of total member to the Patron of the Union.

UNION PARLIAMENT OF THE UNIVERSITY

Article-12A

The Parliament of the Union at APEX level of MBM University, Jodhpur shall consist of the President, Vice-President, General Secretary, Joint General Secretary of the APEX level Union of MBM University, Jodhpur as Office Bearers and CRs, RR & the office bearers of all constituent College shall be as executive members. The Union executive shall work towards the fulfilment of the objectives of the constitution. Each office bearer and executive members shall have right of one vote. Quorum for meeting of the Parliament shall be fifty percent of its membership. The Office bearer and Executive members shall hold office for one Academic Year (July to April).

UNION PARLIAMENT OF CONSTITUENT COLLEGE/INSTITUTE

Article-12B

The Parliament of the constituent College of MBM University, Jodhpur shall consist of the President, Vice-President, General Secretary, Joint General Secretary of the constituent College level Union of MBM University, Jodhpur as Office Bearers and CRs shall be as Executive members. The Union executive shall work towards the fulfilment of the objectives of the constitution. Each office bearer and executive members shall have right of one vote. Quorum for meeting of the Parliament shall be fifty percent of its membership. The Office Bearer and Executive members shall hold office for one Academic Year (July to April).

UNION EXECUTIVE

Article-12C

The Union Executive at APEX level of MBM University, Jodhpur shall consist of the President, Vice-President, General Secretary and Joint General Secretary of the APEX level Union of MBM University, Jodhpur as Office Bearers of Union Executive and CRs of Faculties of MBM University, Jodhpur / RR as members of Union Executive at APEX level of MBM University, Jodhpur.

The Office bearers and Executive members shall hold office for one Academic Year (July to June).

For Union Executives of Unions of constituent Colleges, please see Article-17.

FUNCTIONS OF PRESIDENT/ EXECUTIVES

Article-13

The President shall:

- (i) Be the Chief Executive of the respective Union and shall be the Editor of the Magazine of students' union.
- (ii) Preside over the meetings of the respective Union Body.
- (iii) Arrange all the activities of the respective Union with the approval of the Members of Parliament of the Union by majority of members present in the meeting of the Parliament of the Union in accordance of the advice of the Adviser.
- (iv) Prepare the annual budget including estimated expenditure with the approval of office bearers of the Union Body. The guide line regarding budget and expenditure is given in Annexure-IV.

FUNCTIONS OF VICE-PRESIDENT

Article-14

The Vice-president shall act for the President during his/her absence. In case of resignation or in case the President ceases to be a student, the Vice-President shall take over as President for the remaining term.

FUNCTIONS OF GENERAL SECRETARY

Article-15

The General Secretary shall:

- (i) Keep the minutes of the meeting of the Union Executive / Parliament of the Union and present them for confirmation at the next meeting.
- (ii) Call meetings of the Parliament of the Union / Union Executive after obtaining approval of the President. At least one meeting of the Union Executive should be held every month.
- (iii) Maintain records of the Parliament of the Union / Union Executive.
- (iv) Give over charge of all papers and books to the Adviser/CRO of the Union at the close of the session.

FUNCTIONS OF JOINT GENERAL SECRETARY

Article-16

He/she shall assist the General Secretary and shall act for him/her in his absence.

EXECUTIVE OF CONSTITUENT COLLEGES

Article-17

The Executive at constituent Colleges level shall consist of President, Vice-President, General Secretary, and Joint General Secretary as office bearers and CRs of constituent College as Executive members.

The Office bearers and Executive members shall hold office for one Academic Year (July to June).

FUNCTIONS OF PRESIDENT OF CONSTITUENT COLLEGES

Article-18

The President shall:

- (i) Be the Chief Executive of the College level Union and shall be the Editor of the Magazine of students' College level union.
- (ii) Preside over the meetings of the College level Union Bodies.
- (iii) Arrange all the activities of the College level Union with the approval of the College Level Parliament of the Union by majority of members present in the meeting and on the advice of the Adviser.
- (iv) Prepare the annual budget including estimated expenditure with the approval of office bearers of the Union Body. The guide line regarding budget and expenditure is given in Annexure-IV.

FUNCTIONS OF VICE-PRESIDENT, GENERAL SECRETARY AND JOINT GENERAL SECRETARY OF CONSTITUENT COLLEGES

Article-19

The Vice-president, General Secretary and Joint General Secretary of the College level Union shall perform the same functions for the College level Union as the Vice-president, General Secretary and Joint General Secretary performs for the University APEX Union.

NOTIFICATION FOR THE ELECTION

Article-20

The notification for the Students' Union Election will be issued by the University as directed by the State Government from time to time.

AMENDMENT OF THE CONSTITUTION

Article-21

Amendment in the constitution may be made by the University and the decision of Patron in this regard shall be final.

ANNEXURES

Article-22

All the Annexure shall be treated as Part of the Constitution

ANNEXURE-I: Code of conduct of Candidates

ANNEXURE-II: Grievance Redressal Cell

ANNEXURE-III: Office of the office Bearers

ANNEXURE-IV: Budget and Expenditure of the Union

ANNEXURE-V: Oath Ceremony cum Inaugural Function of Union Bodies

ANNEXURE-VI: Shri J. M. Lyngdoh committee's recommendations

Annexure-I

Code of Conduct for Candidates (Students'
Union Elections)

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 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 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 starting of the poll, and the transport and conveyance of voters to and from polling station.
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 that has been set.
6. Candidates may only utilize hand-made posters at certain places in the campus, which shall be notified in advance by the University administration.
 7. No candidate shall be permitted to carry out processions, or public meetings, or in any way canvass or distribute propaganda outside the university campus.
 8. No candidate shall, nor shall his/her supporters, deface or cause any destruction to any property of the university 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.
 9. During the election period the candidates may hold processions and / or public meetings in the campuses, 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 university. Further, such procession/public meeting may not be held without the prior written permission of the university authority.
 10. The use of loudspeakers, vehicles and animals for the purpose of canvassing shall be prohibited.
 11. On the day of polling, student organizations and candidates shall:-
 - (a) - 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;
 - (b) - not serve or distribute any eatables, or other solid and liquid consumables, except water on polling day;
 - (c) - no hand-out or any propaganda on the polling day.
 12. Excepting the voters, no one without a valid pass / letter of authority from the Chief Returning Officer (CRO) or from the university authorities shall enter the polling booths.
 13. University administration shall appoint impartial observers.
 14. 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.
 15. All candidates shall be jointly responsible for ensuring the cleaning up of the polling area within 48 hours of the conclusion of polling.
 16. 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 University authorities may also take appropriate disciplinary action against such a violator.
 17. In addition to the above-mentioned code of conduct, certain provisions of the Indian Penal Code, 1860 (Section 153A and Chapter IXA - "Offences Relating to Election"), may also be made applicable to student elections.
 18. The expenditure incurred for elections by the candidates and his supporters shall not exceed Rs. 5000/- * (Rupees Five thousand only).

19. The President and Office Bearers of the Students' Union will be administered oath of office by the Vice-Chancellor or a teacher nominated by him/her having not less than 10 years of teaching experience.
20. The directions laid down for maintenance of peace and discipline by the Election Officers/Deans/Heads etc. has to be strictly followed.
21. No direct or indirect or forbidden ways of campaigning like raising demands, exercising pressure/influence/impudence shall be used before or after the issuance of election notification.
22. The authorized agents shall be the regular students from the last session of the Faculty/College/Institute of the University.
23. Campaigning at Women's Colleges shall be only in the open area near the office. Stepping into the Building, Classes, Library and Hostel is strictly forbidden. For the purpose of campaigning only two students can accompany the candidates with the permission of the Director/Principal. Further, the students accompanying the candidates will be allowed entry for a maximum period of one hour.
24. Use of Cell phones by the candidate or the authorized agents at polling booths and counting stations is strictly prohibited.
25. The voters, candidates and authorized agents should carry their identity cards with them. Only regular students of the concerned Faculty/College can act as authorized agents at the respective Faculty/College. It is forbidden to make anyone else other than the persons described above as agents. All agents shall have to procure a valid permission letter from the authorized election officers. Only candidates will be allowed entry into the counting stations.
26. Entry of anyone else except the regular students into the University Offices and Campuses for purposes of campaigning is strictly prohibited. Such entry of unauthorized persons will be treated as trespass and criminal proceedings will be initiated against them.
27. Candidates contesting the election may setup the camp in the campus of University/College/Institute with the permission of Registrar, MBM University, Jodhpur. No camp or campaigning shall be allowed outside the University campus. If any of the government agency reports about the camp or campaigning outside the university campus, then the candidature of such candidate may be cancelled even after the declaration of the Students' Union election results.

*** Expenditure and Financial Accountability of the Election**

The maximum permitted expenditure per candidate and his supporters shall be Rs. 5000/-. Each candidate shall, within 2 Weeks of the declaration of the result, submit complete and audited accounts to the College/University authorities. The election of the candidate will be nullified in the event of any non-compliance or in the event of any excessive expenditure

(as notified by the Department of Higher Education, Govt. of Rajasthan, vide order No. F No.3 (54) Edu.4/2002 Part, dated 26.07.2013).

Annexure-II

GRIEVANCE REDRESSAL MECHANISM

1. There shall be a Grievances Redressal Cell which will be constituted by the Patron. The cell will be consisting of minimum three members including chairperson. The grievance cell shall 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 to election-related expenditure.
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 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 Appellate Authority may revoke or modify the sanctions imposed by the grievance cell.
3. In carrying out the duties, the Grievance cell shall conduct proceedings and hearings necessary to fulfil its duties. In executing duties, it shall have the authority:
 - (i) - to issue a writ of subpoena to compel candidates, agents, and Workers, and to request students to appeal 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 prescribed time;
 - (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. 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 all individuals or groups named in the complaint of the time and place of the hearing. The parties are not considered notified until they have received a copy of the complaint.

7. The hearing shall be held at the earliest possible time, but not within twenty-four hours after receipt of the notice described above, unless all parties agree to waive the 24 hours' time constraint.
8. At the time notice of a 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 hearings, proceedings, and meeting must be open to the public.
10. All parties of the Grievance cell hearing shall present them-selves 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 a 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 shall 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 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 opinion shall set a precedent for a time period of three election cycles for Grievance cell rulings, and shall guide the Grievance cell in its proceedings. 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 Appellate authority, the Grievance cell must immediately submit its ruling to the Appellate authority.
 - The Grievance cell shall select the remedy or sanction most appropriate to both the type and severity of the infraction, as Well as the state of mind 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, and dis-qualification from the election.
 - Any fine of total amount of fine/s 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 provisions of this Code were violated by a candidate, or a candidate’s agents 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 campaign 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 rulings 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.
13. Any party adversely affected by a decision of the Grievance cell may file an appeal with the Vice-Chancellor within twenty-four (24) hours after the adverse decision is announced. The Vice-Chancellor shall have appellate jurisdiction over the Grievance cell in all cases in which error on the part of the Grievance cell is charged.
 14. The decision of the Grievance cell shall stand and shall have full effect until the appeal is heard and decided by the Appellate authority.
 15. 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 Appellate 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 Appellate Authority to accept the waiver.
 16. The Appellate Authority can issue suitable orders to suspend or halt the operation of the ruling issued by the Grievance cell until the appeals are decided.
 17. The Appellate Authority shall review findings of the Grievance cell when appealed. It may affirm or overturn the decision of the Grievance cell, or modify the sanctions imposed.

ANNEXURE-III

Office of the office Bearers

- (i) There shall be only one office for the APEX of the University and all the office bearers of APEX of the University shall enjoy the same office.

- (ii) There shall be only one office for the APEX of College level Union Bodies and all the office bearers of APEX of College level Union Bodies shall enjoy the same office.
- (iii) The Charge of office building including all the Furniture/Fixtures/Fittings/Equipment/Curtains and other items of the union office shall be given to the General Secretary of the respective Union Bodies by the University Engineer (UE) or person nominated by the University Engineer as per the rules of University.
- (iv) The maintenance and cleanliness of office building including all the Furniture/Fixtures/Equipment/curtains and other items of the union office shall be a joint responsibility of respective Union Bodies. The Bearers of Union Bodies shall keep all the items of the office as declared under the charge of Union Bodies in good condition.
- (v) The office of the Union Bodies shall be opened only on working days during the office hours of central office of the University/ office of the constituent College, respectively.
- (vi) No one shall be allowed to use the office of Union Bodies other than the office bearers of respective Union Bodies for its functions defined in the constitution of students' union.
- (vii) If the office is used by any person/s other than the office bearer/s of respective Union Bodies, then the office bearer/s of respective Union Bodies has/have to take necessary and timely action against such person/s. Failing to which the term of office bearers of respective Union Bodies will be ended by itself.
- (viii) The General Secretary of the respective Union Bodies shall handover the Charge of office building including all the Furniture/Fixtures/Fittings/Equipment/Curtains and other items in good condition to the University Engineer or the person nominated by him/her on or before the end of the session and/or whenever the Chief Proctor orders to do so.
- (ix) If any of the item found short/damaged/disfigured/broken/partly missing or not in good condition at the time to handover of the Charge of office building including all the Furniture/Fixtures/Fittings/Equipment/Curtains and other items to the University Engineer or the person nominated by him/her; the same should be replaced personally by the office bearers of respective Union Bodies. Failing to which the Registrar of the University has to take necessary action against office bearers of respective Union Bodies for causing the loss/damage/disfiguring/breaking of such items and property of the University.
- (x) The name plates of office bearers of Union Bodies shall be arranged by the Building Cell and should be placed on the outside wall of the Union Offices of the respective Union Bodies.
- (xi) Office Bearers of Union Bodies shall not display their names anywhere in University Camps except provided as per the preceding rule (x of Annexure-III).

Failing to which the term of office bearer/s of respective Union Bodies will be ended by itself.

- (xii) The building of the office of the APEX Union Body of University shall be located near the central office of the university and office of the Union Body of respective constituents Colleges shall be located in the campus of respective constituents Colleges.
- (xiii) All the buildings of Union Bodies shall be prepared & permanently marked; and it should not be changed in any case.
- (xiv) Any issue not covered in the Annexure-III-(i) to Annexure-III-(xiii) regarding building of buildings of Union Bodies including all the Furniture/Fixtures/Fittings/Equipment/Curtains and other items shall be decided by the university engineer and registrar of the university and the decision of Registrar shall be final.
- (xv) If the office of the Union Body is located in the campus of any examination centre, then the office of the Union Body shall be closed and shall be handed over to the university engineer or person nominated by university engineer.

ANNEXURE-IV

Budget and Expenditure of the Union

- (i) The annual budget of the APEX Union Body of the university shall be Union Fee collected from the students for the session except the Union Fee collected from the students of constituent Colleges.
- (ii) The annual budget of the Union Bodies of the constituent College/Institute shall be Union Fee collected from the students for the session apportioned fifty-fifty between the APEX Union Body of the university and the Union Body of the respective constituent Colleges in proportion to the numerical strength of the regular students of the constituent College.
- (iii) Budget and Expenditure of the Union Bodies shall be approved by the respective Parliament of Union Bodies.
- (iv) The expenditure of the Union Bodies shall be regulated by the Financial Adviser of the university and the decision of Financial Adviser shall be final.
- (v) To conduct the various activities of Union Bodies, the Union Bodies have to use the existing infrastructure of the university and shall not spend extra amount on tents/pandals/temporary domes/publicity materials/board/holdings etc.
- (vi) Expenditure of the Union Bodies shall be carefully met and the office bearers of Union Bodies shall try to optimize its Expenditure/s by adopting good practices (like - adopting simplicity, minimizing expenditure on publicity materials/furniture/food etc.).
- (vii) All the stage performances and other performances like anchoring of the programs, orchestra, organizing activities etc. shall be done by the regular student/s of the university and no money should be spend on such person or professionals or

firm/company etc. If the Union Bodies spend money on such person or professionals or firm/company etc.; then the person responsible to call such person or professionals or firm/company etc. shall bear all the expenses of such programs/activities.

- (viii) The unused amount of the budgets shall be utilized by the Advisor of the respective Union Bodies on the expenditure of permanent nature to help the students like books, laboratory equipment, teaching equipment etc. with the consultation of next respective Union Body.
- (ix) University Auditor and Financial Adviser shall audit all the financial accounts of Union Bodies.

ANNEXURE-V

Oath Ceremony cum Inaugural Function of Union Bodies

All authorities of the University, constituent College/Institute and Students' Union shall ensure that the Oath Ceremony cum Inaugural Function of all Union Bodies and shall be organized within 30 days from the date of declaration of election results of the respective Union Bodies and only one common function of all Union Bodies be organized by the CRO.

ANNEXURE-VI

Shri J. M. Lyngdoh committee's recommendations

Shri J.M. Lyngdoh committee's recommendations (as per the Hon'ble Supreme Court in its order 22nd September 2006 to implement Shri J.M. Lyngdoh committee's recommendations) shall be binding along with the guide lines issued by the state government.

If any of the provision in the constitution of union is not strictly in accordance with Shri J.M. Lyngdoh committee's recommendations & guide lines issued by the state government, then Shri J.M. Lyngdoh committee's recommendations & guide lines issued by the state government shall prevail.

Anything which is not covered by the preceding part of the constitution of union shall be decided by the Patron and his decision shall be final.