

(As Approved by the Coordination Committee in its meeting held on 25/10/2017 and Adopted by Devi Ahilya Vishwavidyalaya in its EC meeting held on 04/12/2017).

STATUTE – 34

ELECTION OF REPRESENTATIVE OF NON-TEACHING EMPLOYEE ON THE COURT [Refer Group ‘C’ Of Sub-Section (1) Section No. 20]

1. (i) The election of representatives under group ‘C’ of sub section (I) of section 20 shall be by simple majority Vote.
- (ii) Every non-teaching employee whose name is included in the Final Electoral Roll for election under group ‘C’ shall be an elector qualified to be a candidate and vote at the election.

Note: The term of non-teaching employee would include an employee who has put in at least two years of continuous service on the regular establishment of the University.

2. Whenever it is necessary to hold an election under all or any item of Group C (xx-a) of sub-section (1) of section 20, the Registrar shall by a notice, publish by affixing a copy thereof on the office notice board of the University and by dispatch of two copies thereof to each section/Teaching Department for display on the notice board of the section/department and for reference.
 - (a) Call upon the electors to elect members on the Court specifying the item/items of sub-section (1) of Section 20 under which members are to be elected and the number of members to be elected under the item.
 - (b) Fix the last date for receipt of claims for inclusion of any name not included in the provisional electoral roll or for correction of a name and of objection to the inclusion of any name appearing in the provisional electoral roll, such date being seven days from the Date of the publication of the notice and if the seventh day is a holiday, the following working day.
 - (c) Fix the date of inquiry into claims and objections to the provisional electoral roll which shall not be later than three days from the last date for receipt of claims and objections.
 - (d) Fix the last date for the publication of the final electoral roll (in the same manner as that of provisional electoral roll) such date being not later than three days from the date fixed for inquiry into claims and objections to the provisional electoral roll.

- (e) Fix the last date for the receipt of nominations at the University Office which shall not be later than seven days from the last date for the publication of final electoral roll.
 - (f) Fix the date and time for the scrutiny of nominations which shall not be later than three days from the last date for the receipt of nominations:
 - (g) Fix the last date for the withdrawal of candidature which shall be the third day after the date for the scrutiny of nominations and if that day is a holiday. The next succeeding day which is not a holiday;
 - (h) Fix the place, date and time of polling.
 - (i) Fix the date and place for the counting of votes, such date being not later than three days from the date fixed for polling.
3. (i) The Registrar shall prepare separate provisional electoral roll for election under of said clause (xx-a) showing the names of employees in each section/Teaching Department as on the date of issue of notice under paragraph 2 of this statute.
- (ii) The provisional electoral roll shall be published by the Registrar simultaneously with the notice under paragraph 2 of this statute by affixing a copy thereof on the notice board at the University Office and dispatching two copies thereof to every section officer and Head of University Teaching Department/School of Studies for display on the notice board of the office/Deptt. concerned and for reference by employee.
4. (i) Any employee whose name is not included in the provisional electoral roll may make in Form-1 a claim for inclusion of his name in the electoral roll.
- (ii) Any employee whose name has not been correctly given in the provisional electoral roll may make in form-2 a claim for correction of his name.
- (iii) Any employee whose name is included in the provisional Electoral roll may object in form-3 to the inclusion of the name of any person in the roll.
- (iv) All claims and objections shall be delivered to the Registrar in person or by registered post in a sealed envelope with "claims and objections" superscripted thereon.
5. (i) All claims and objection to the provisional electoral roll shall be scrutinized and enquired into by a committee consisting of two professors of University nominated by the Kulpati and the Registrar at the University Office on the date fixed for the purpose and the employee filing the claim or the objection shall be entitled to be present at such scrutiny. The Kulpati shall appoint one of the Professors to be the Chairman of the Committee.

- (ii) The decision of the Committee on the claim and objections shall be recorded in writing and notified on the day of the inquiry. The decision of the Committee shall be final.
6. After all claims and objections have been decided upon, the provisional electoral roll shall be revised, if need be, and the final electoral roll shall be prepared and published by the Registrar.
7. On or before the date appointed under clause (a) of paragraph 2, each candidate shall:
- (i) either in person or by his proposer or seconder, between office hours, deliver in a sealed cover marked "Nomination Paper" to the Registrar or his nominee a nomination paper completed in Form-4 appended here to and signed by the candidate and by two electors as proposer and seconder,
- or
- (ii) Send by registered post in a sealed cover marked "Nomination Paper" to the Registrar nomination paper completed in Form-4 An appended hereto and signed by the candidate and by two electors as proposer and seconder.
8. Each candidate shall be nominated by a separate nomination paper and not more than one nomination paper shall be delivered or sent in one cover.
9. On receipt of a cover containing nomination paper the Registrar or his nominee receiving the same shall enter on the cover the time and date of receipt of the paper and shall initial the entry, Nomination papers received after office hours on the date fixed under clause (e) of paragraph 2 or there after shall be treated as rejected.
10. On the date and time fixed for scrutiny of nominations under clause (i) of paragraph 2, the candidates, their proposes or seconder, but no other person, may attend the office of the Registrar and the Registrar shall give them all reasonable facilities for examining the nomination papers of all candidates which have been received by him within the time and in the manner laid down in paragraph (7)(i).
11. (i) The Registrar shall examine the nomination papers and shall decide, all objections, which may be made to any nomination, and may, either on such objection or on his own motion after such summary enquiry, if any, as he thinks necessary, reject any nomination on any of the following grounds
- (a) That the candidate is not qualified or is disqualified for being chosen to fill these at under any of the provisions of the Adhiniyam and the Statutes made there under.

(b) That there has been a failure to comply with any of the provisions of paragraphs (7)(i) and (8);

(c) That the signature of the candidate or the proposer or seconder on the nomination paper is not genuine:

(d) That the cover containing nomination paper is not sealed.

(ii) Nothing contained in sub-clause (b) or (c) of clause (i) shall be deemed to authorize the rejection of the nomination of any candidate on the ground of irregularity in respect of a nomination paper, if the candidate has been duly nominated by means of another nomination paper in respect of which no irregularity has been committed.

(iii) The Registrar shall endorse on each nomination paper his decision accepting or rejecting the same and if the nomination paper is rejected, he shall record in writing a brief statement of his reasons for such rejection. The decision of the Registrar shall be final.

(iv) Immediately after all the nomination papers have been scrutinized and decisions accepting or rejecting the same have been recorded, the Registrar shall prepare a list of candidates whose nomination have been found valid and affix it on his office notice board.

(v) The said list shall contain the names of candidates in alphabetical order and the names of section/teaching Department to which they belong.

12. (i) Any candidate may withdraw his candidature by a notice in writing only signed by him and delivered to the Registrar either by such candidate in person or his proposer or seconder, during office hours on or before the last date fixed for withdrawal under clause (g) of paragraph 2.

(ii) No person who has given a notice of withdrawal of his candidate under clause (i) shall be allowed to cancel the notice.

(iii) The Registrar shall, on receiving notice of withdrawal under clause (i), as soon as may be thereafter, cause a notice of the withdrawal to be affixed on his office notice board.

13. Immediately after the expiry of the period within which candidature may be withdrawn the Registrar shall prepare and affix on his office notice board a list of contesting candidates who are included in the list of validly nominated candidates and who have not withdrawn their candidatures within the said period. The list shall contain the names of contesting candidates together with the names of

section/Teaching Department or School of Studies to which they belong in the same order as in the list of validly nominated candidates under paragraph 11.

14. (i) If the number of contesting candidates is equal to or less than the number of seats to be filled in, all the candidates shall be declared elected.
(ii) Seats not filled in and for which there are no eligible contesting candidates shall be declared vacant and shall remain so till the next constitution of the Court.
15. If the number of contesting candidates is more than the seats to be filled in, voting shall take place and the requisite number of candidates shall be elected in accordance with the provisions of the Adhiniyam and this Statute.
16. Where voting is necessary the names of contesting candidates from whom the elector has to elect, shall be printed on the ballot paper in the same order as in the list of valid nominations affixed on the University Office Notice Board under paragraph (11). The ballot paper shall show at the top the item under which election is to take place and number of seats to be filled indicating clearly the number of seats if any, reserved for any particular category. Each ballot paper shall bear the signature of the Registrar.
17. (i) Every elector shall have as many votes as there are seats to be filled through voting.
(ii) An elector in giving his vote shall place on his ballot paper a cross mark (X) in the space opposite the name of each candidate for whom he wishes to vote.
(ii) On the date and time fixed for counting the votes shall be counted and the Registrar shall draw up a list showing the names of candidates arranged in order of the votes received the name of the candidates securing the highest number of votes appearing at the top of the list, candidates equal in number to the number to be elected who have secured the highest number of votes shall be declared elected. When two or more candidates have secured equal number of votes, the result of the election shall be decided by drawing lots.
18. A ballot paper shall be void
(i) If the elector has given more than the number of seats to be filled.
or
(ii) If it is signed by the elector, or
(iii) If it is unmarked or void for uncertainty
19. All proceeding for counting of votes shall be conducted in the presence of a committee as constituted in clause 5(i).

20. No person other than the candidate(s) shall be allowed to be present at the proceedings.
21. An election petition against the returned candidate may be presented to the Kulpati by any candidate or elector within seven days from the date of publication of the result of the election on the notice board of the University Office. The Kulpati's order on the petition shall be final.
22. The Registrar shall have the right to satisfy himself in regard to the identity of any one or all elector (s).
23. For matters not provided in the foregoing paragraph the Kulpati shall have powers to give such directions as may be deemed necessary by him to give effect to the provisions of this statute.

FORM – 1

(Election of representatives on the Court of ----- University, under item XX (A) of Group ‘C’ of sub-section (1) of section 20 of the Adhiniyam).

Claim Application for inclusion of Name in the

ELECTORAL ROLL

To

The Registrar

Sir,

I am an employee of -----University, -----in
.....Section/U.T.D. since(Month & year)

I request that my name be included in election roll) for election under item (XX a) of Group “C” of Sub-Section(1)of Section 20 of the Adhiniyam.

Signature

Full Name

Designation

Name of Section/Deptt.

Where employed

ISectional Officer

Of.....Head, Teaching

Department or school of studies of.....

.....certify that Shri is a

(Designation) in Section/Teaching Department or

School of Studies of Since (Month & year.)

Signature

Full Name

Designation

Place

Name of Section/UTD.....

Date

FORM -2

(Election of representatives on the Court of ----- University, under item XX (A) of Group 'C' of sub-section (1) of section 20 of the Adhinyam).

Claim for Correction of Name

To

The Registrar

Sir.

I submit that the entry relating to myself which appears at Serial No.
of the provisional electoral roll as “
.....” is not correct. It should be corrected to read as follows:
“”

Signature

Full Name

Place

Designation.....

Date

Section Where employed

FORM –3

(Election of representatives on the Court of -----University, under item XX (A) of Group ‘C’ of sub-section (1) of section 20 of the Adhinyam).

OBJECTION ON INCLUSION OF NAME

To
The Registrar

Sir.

I object to the inclusion of the name of Serial No. of the provisional electoral roll for the following reasons:

REASONS:

I hereby declare that the facts mentioned above are true to the best of my knowledge and belief. My name has been included in the provisional electoral roll at Serial No.

Signature

Full Name

Place

Designation.....

Date

Section / UTD Where employed

FORM-4

(Election of representatives on the Court of ----- University, under item XX (A) of Group 'C' of sub-section (1) of section 20 of the Adhiniyam).

NOMINATION PAPER

Ipropose the
(Full Name)

Name of Shri/Shrimati/Kumari whose name appears at Serial No. of the final election roll as member of the Court of ----- University under Item XX-a of Group 'C' Sub-Section (I) of Section 20 of the Adhiniyam.

Signature.....

Full Name

Serial No. in the final Electoral Roll

Designation

Section/UTD where employed

Isecond the above
(Full Name)

Signature.....

Full Name

Serial No. in the final Electoral Roll

Designation

Section/UTD where employed

Igive my consent to my
(Full Name)

Nomination as a candidate for the seat on the Court of University under Item XX-a of Group 'C' of sub-Section(1) of section 20 of the Adhiniyam.

Signature.....

Full Name

Serial No. in the final Electoral Roll

Designation

Section/UTD where employed

FORM - 5
----- UNIVERSITY, -----

BALLOT PAPER

(Election of representative of non-teaching employee to the Court Item No XX-a Group 'C' of sub-section(1) of Section 20 of the M.P. Vishwavidyalaya Adhiniyam.

Total number to be elected: 'one'.

S.No.	Name of Candidate	Institution where employed	Vote
1	2	3	4

NOTE:

- (1) The elector put a cross mark (X) in the vote column in the blank space against the name of the candidate he wished to vote for.
- (2) A ballot paper shall be void:
 - (i) If the elector has given more votes than the number of seats to be filled, or
 - (ii) If it is signed by the elector, or:
 - (iii) If it is unmarked or void for uncertainty.