

THE STUDENTS' UNION STATUTES OF DR. SHYAMA PRASAD MUKHERJEE UNIVERSITY, RANCHI

**(Based on the recommendations of Lyngdoh committee as per the judgment of Hon'ble
Supreme Court of India, 2006)**

WHEREAS **section 43(1)** of the **Jharkhand State Universities Act, 2000** directs to form a Union of students of the University consisting of all the students of the colleges and departments of the university.

WHEREAS **section 43(2) (Subs. By Act 68 of 1982)** suggests that the organization and functions of the university Students' Union shall be prescribed by the statutes.

CHAPTER – I

SECTION 43 (2) NAME OF THE STATUTES.

1. THESE STATUTES MAY BE CALLED THE STUDENTS' UNION STATUTES OF THE UNIVERSITY AND THIS WILL APPLY TO DSPMU, RANCHI.

- (i) There shall be University Students' Union of which all students of the university Departments and the Self-Financing Departments in the university shall be members.
- (ii) Election of students' union be held on a yearly basis. The process be completed latest by the end of September every year. Entire process of elections, commencing from the date of filing of nomination papers to the date of declaration of results, including the campaign period be completed within 10 days.

2. THE TERMS USED IN THESE STATUES, SHALL HAVE THE MEANING AS SET FORTH BELOW:

- a) **'Candidate'** means a person who is student of DSPMU, Ranchi and member of the union and going to contest a position in a students' union election.
- b) **"GC"** means The General council of the students' Union.
- c) **"Campaign materials"** means any printed or electronic material prepared and distributed by a candidate and it includes banners, posters, pamphlets, e-mail, interviews. Wall writing and sticking of posters on walls are not under campaign materials, thus not allowed.
- d) **"Chief Returning Officer"** means a person appointed among the Officers/teachers to act as chief Returning Officer (**CRO**) who will also known as **Chairman Advisory Council** of

Students' election.

- e) **Returning Officer (RO)** means a person appointed among the Officers/teachers to act as returning officer in a University and the senior Dean/Officers in the University Departments.
- f) **“Deputy Returning Officer”** means the person appointed among the Officers/teachers to act as deputy returning officer (**DRO**) to co-operate and assist the Returning officer.
- g) **Advisory Council** means a body which includes officers, teachers and Deans in the University to be nominated by the V.C.
- h) **“Elector”** means a person eligible to vote in a students' union election who is a member of the union.
- i) **“EC”** means **The Executive Council** of the Students' Union of the University.
- j) **“Funds”** means the fund of the students' union to be used for the welfare of the students.
- k) **“Official year”** means from 16th of August of every year to the 15th of August of the following year.
- l) **Chief Patron** means the Vice-Chancellor of Dr. Shyama Prasad Mukherjee University.
- m) **Patron** means Dean Students' Welfare for the Students' Union of the University Departments.
- n) **Staff advisors** means members of the Advisory Council.

3. OFFICE:

The office of the University students' union will be located in the premises of the University campus. It shall be its official address.

4. AIMS AND OBJECTIVES:

The following will be the aims and objectives of the Students' Union.

- (i) To foster students activities and unity, designed to inculcate sense of responsibility and discipline among the students.
- (ii) To promote and enrich intellectual educational, cultural and physical development of the students.
- (iii) To encourage co-curriculum activities amongst students.

- (iv) To promote among the students of the University, a sense of service to the people and duty towards the state.
- (v) To promote harmonious relations among all sections of the University community.
- (vi) To meet, discuss and make representations to the University authorities on matters concerning common interest of the students.

5. ACTIVITIES:

- (i) To organize debates, elocution competition, essay competition, Seminars, Symposium, Excursion and Tour, Dramatic activities, Social Service and such other activities as are likely to benefit co-curricular activities of the students.
- (ii) To organize and hold sports and games from time to time.
- (iii) To make donation to poor boys' fund of the University, colleges and University departments.
- (iv) To publish magazines, bulletin and wall news papers which may be displayed on the notice board.
- (v) Organizing and running Co-operatives.
- (vi) Such other activities as will help in enhancing aims and objectives of the union.
- (vii) To assist in solving students problems.

CHAPTER – II

6. PATRON:

- (i) The Vice-Chancellor shall be the Patron-in-Chief of the students' union.
- (ii) The Dean Students' Welfare shall be the Patron of the Students' Union of the University.

7. MEMBERSHIP OF THE STUDENTS' UNION:

Only regular students on the rolls of the Institution will be the member of the students' union.

- (i) Every student studying at Degree level and P.G. level in the University Depts. shall be a member of the Students' union.

(ii) The students who are studying vocational/self financing courses at the Degree or Diploma/Add-on Course level, P.G. or P.G. Diploma level Course shall also be the members of the Students' Union.

(iii) Every student registered for M.Phil, Ph.D. and actively engaged in research shall be a member of the Students' Union.

8. FUNDS FOR WELFARE OF THE STUDENTS THROUGH STUDENTS' UNION:

The membership fee for the Students' Union shall be Rs. 30.00 (Thirty) per student per annum which will be collected at the time of admission.

CHAPTER – III

9. A. ELIGIBILITY CRITERIA FOR CANDIDATES:

(i) Under graduate students between the ages of 17 and 22 may contest elections.

(ii) For Professional courses the maximum age limit would be 21-24.

(iii) For Post Graduate Students the maximum age limit to legitimately contest election would be 24- 25 years.

(iv) For research students the maximum age limit to legitimately contest an election would be 28 years.

(v) The date of birth be counted on the first day of nomination.

(vi) The candidate must be a regular full time student of the University, the course duration being at least one year.

9.B. DISABILITY/DISQUALIFICATION FOR STUDENT MEMBERS AS CANDIDATE FOR ELECTION.

No student shall be entitled for election as a candidate if:

(i) He is not a member of the students' union.

(ii) He has completed 7 years in the University.

(iii) He has completed the age of 28 years.

- (iv) He has been held guilty of and punished for use of unfair means at an examination held by the University or who has been rusticated by any college or any University or who has been expelled from the hostel of the college or the University on disciplinary grounds.
- (v) He has been sent up for or appeared in the final University examination.
- (vi) No elected office bearers shall be entitled to hold the post of office bearer twice.
- (vii) A member will cease to be a member if he becomes of unsound mind & charge sheeted/ convicted of any criminal offence on record anywhere in India or abroad.
- (viii) Violation of Code of Conduct disqualifies the Students from the candidature.
- (ix) The candidate should in no event have any academic arrears (i.e. not promoted or promoted prior to the filing of the nomination paper) in the year of contesting the election.
- (x) The candidate should have the minimum percentage of 75% of attendance. The attendance must be certified by the concerned Department.

Explanation: A mere warning/ show cause notice issued against a student will not be deemed to be a punishment.

9. C. DISASSOCIATION OF STUDENT ELECTIONS AND STUDENT REPRESENTATION FROM POLITICAL PARTIES.

- (i) During the period of the elections 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.
- (ii) Any person, candidate, or member of the student organization, violating this rule shall be subject to disciplinary proceedings, in addition to the candidature as the case may be, being revoked.

9.D. STUDENTS WHO ARE NOT ELIGIBLE TO VOTE:

- (i) Final year sent up under graduate and post graduate students (General, Professional and Vocational courses) are not eligible to vote.
- (ii) Part time Internal candidate and part time external candidate registered for Ph.D. are not eligible to vote.

9.1. ELECTION RELATED EXPENDITURE AND FINANCIAL ACCOUNTABILITY:

- (i) The maximum permitted expenditure per candidate shall be Rs. 5,000/- (Rs. Five thousand) only.

- (ii) Each candidate shall, within two weeks of the declaration of the result submit complete and audited account of Income and Expenditure to the University authorities. The University shall publish such published accounts within two days of the 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 of any event and any excessive expenditure.
- (iv) With the view to prevent the in flow of funds from political parties in to the student election process, the candidates are specially barred from utilizing funds from any other sources and violently taken contributions from the student body.

10. THE OFFICE BEARERS OF THE STUDENTS' UNION:

There shall be the following office bearers of the students' union:

a) University Department Students' Union (By direct election):

1. President – 1
2. Vice President – 1
3. General Secretary – 1
4. Joint Secretary-cum-Treasurer – 1
5. Deputy Secretary – 1

b) Powers, Functions and Responsibilities of Office-Bearers of the Union :

President :

- i) The President shall be the Chief Executive of the Union and shall preside over its meetings unless the Chief Patron or his / her representative is present in which case the meeting shall be presided over by Chief Patron or his representative. In case of absence of the President in a meeting, the General Secretary will preside over the meeting and in case he / she is also not present, then, the Joint Secretary-cum-Treasurer will preside over it.
- ii) It shall be the duty of the President to ensure the complete fulfilment of the aims and objectives of the Union.
- iii) The President shall have the power to convene meetings after giving notice of 7 clear days.
- iv) It will be the responsibility of the President to conduct the affairs of the union as per the Act, Statutes, Ordinances and Regulations of the University.

Vice - President :

- i) The Vice-President will assist the President in discharging his / her duties.
- ii) In the absence of the President, and after authorization by the President or President ceases to be the student of the University, Vice-President will perform the duties of the President.

General Secretary :

- i) The General Secretary shall be the custodian of all records of the Union.
- ii) The General Secretary shall issue notices to the members of the Union for its meetings giving the items of the agenda and the date and time and venue of the meetings with the approval of the President.
- iii) The General Secretary shall be responsible for the preparation and issue of the agenda, minutes and proceedings of all the meetings of the Union.

Joint Secretary-cum-Treasurer :

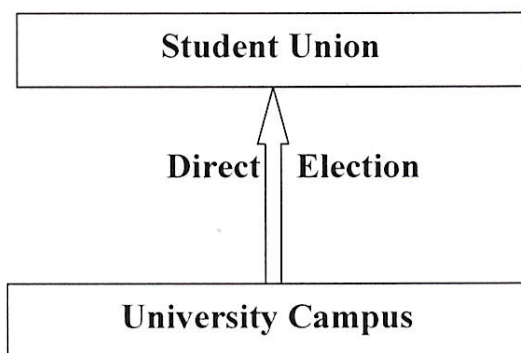
- i) He / She shall prepare the annual budget in consultation with the President and General Secretary for its approval by the Union.
- ii) He / She shall be responsible for proper maintenance, upkeep and submission of the accounts of the union
- iii) He / She shall be responsible for the proper maintenance of all the materials and stores of the Union.

Deputy Secretary :

- i) He / She shall assist other Office-Bearers of the Union as per requirement.

MODE OF ELECTION: Annexure-IV (A) of Lyngdoh Committee Report

Direct Election of Students' Union in the University Campus



Frequency and Duration of the Election Process :

The entire process of election, commencing from the date of filing of nomination papers to the date of declaration of results, including the campaign period, should not exceed 10 days. It is further recommended that elections be held on a yearly basis and that the same should be held between 6 to 8 weeks from the date of commencement of the academic session.

CHAPTER – IV

11. GENERAL COUNCIL

There shall be a General council for Students' Union of the University as follows :

- a. The office bearers of University Students' Union.
- b. The Staff advisors of the Union.
- c. The outgoing President of the Union, provided he continues to be on the rolls of the University.
- d. Nominated from the Students of the University

NSS - 01

NCC - 01

Athletes

Boy - 01

Girl - 01

The members mentioned in (b), (c) and (d) above will have no voting right.

2. The General Council will be the supreme authority of their respective Unions and shall carry on its activities of the Union in accordance with the constitution.

3. Meetings:

(i) The General Council will meet at least twice a year.

(ii) The meetings of the General Council will be convened by the General Secretary of the Union by giving at least 7 days notice. An emergency meeting of the General Council may, however, be convened in consultation with the Staff Advisor by giving at least 24 hours notice.

(iii) All the meeting of General Council shall be held at the Union office.

(iv) An Agenda of the meeting will be issued along with the notice of the meeting except for an emergency meeting.

(v) **Quorum:** In all meeting of the General Council $\frac{1}{3}^{\text{rd}}$ of the total member ship of the body will constitute the Quorum.

12. IDENTITY CARD

The Students are required to carry Identity Card for entry to the premises and issue of ballot

papers.

13. SATFF ADVISORS OF THE STUDENTS' UNION:

There shall be at least 5-10 Staff Advisors of the Union who shall be appointed/nominated by the Patron-in-Chief of the University Students' Union from amongst Dean and Teachers.

14. THE STAFF ADVISORS / ADVISORY COMMITTEE WILL BE RESPONSIBLE FOR THE ELECTION PROCESS OF STUDENTS' UNION.

15. UNIVERSITY STUDENTS' UNION ACCOUNT

- (i) There shall be a separate University Students' Union Bank Account in which Rs.30/- per student fees received for Students' Union will be credited.
- (ii) The General Council of the University Students' Union shall prepare an annual budget for the activities of the Union.
- (iii) The account shall be operated under joint signatures of Treasurer of the Union and Deans Students' Welfare on the advice of the Chairman of the Staff Advisors, and on approval of the University as per Budget.
- (iv) The fund be spent only on those items for which provision has been made in the budget.

16. PURPOSE OF THE UNION FUND

The University Students' Union fund shall be spent for the following purposes:

- (i) To organize debates, elocution competition, essay competition, Seminars, Symposium, Excursion and Tour, Dramatic activities, Social Service and such other activities as are likely to benefit co-curricular activities of the students.
- (ii) To organize and hold sports and games, from time to time.
- (iii) To make donation to poor boy fund of the University.
- (iv) To publish magazines.
- (v) For the maintenance of the office of the Students' Union and other contingent expenditure connected thereto.

17. RESTRICTION OF EXPENDITURE

- (i) No amount of the University students' Union Fund shall be spent for which provision has not been made in the budget in accordance with the purposes for which the fund shall be spent.
- (ii) The Patron-in-Chief or the Patron, as the case may be, may if he/she considers that any item of the budget is not in accordance with the objectives of the Union, shall have powers to disallow that item of the budget.

18. AUDIT

The account mentioned above will be audited separately by the Chartered Accountant appointed by the University for the purpose & will be placed before the General Council for approval.

19. POWERS OF THE PATRON-IN-CHIEF OR PATRON OF THE STUDENTS UNION:

- (i) The Patron or the Patron-in-chief, as the case may be, on the advice of the Advisory Committee may rescind any resolution or resolutions passed by the Students' Union which are against the objectives of the Union or prejudicial to the interest of the Institution.
- (ii) The Patron or the Patron-in-Chief may convene meetings of the General Council and address it.
- (iii) When Patron or the Patron-in-Chief, on the advice of the Advisory Committee is satisfied that a situation has arisen, when the activities of the Students' Union of the University are prejudicial to the interests of the Union or the institution or there has been gross mismanagement of the affairs of the Union, he shall have the power to suspend or dissolve the General Council of the Students' Union after recording reasons thereof.
Provided that before suspending or dissolving the General Council of the Students' Union, the Patron or the Patron-in-Chief as the case may be shall allow reasonable opportunity to the General Council concerned why such action be not taken.
- (iv) The Chief Patron can amend the constitution and election procedure whenever necessary.

20. GRIEVANCES REDRESSAL MECHANISM:

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

20.2 In pursuit of its duties, the grievance cell may prosecute violators of any aspect of the code of conduct or the ruling 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.

20.3 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.

20.4 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.

20.5 The Grievance cell may dismiss complaint if :

- (i) The complaint was not filed within the time frame prescribed in section 21.4 above :
- (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.

20.6 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 of 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.

20.7 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.

20.8 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.

20.9 All Grievance Cell hearing, proceedings, and meetings must be open to the public.

20.10 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 the counsel.

20.11 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 designed by the chair.

20.12 The Grievance cell will 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 and election dispute. To effectuate this purpose, the following rules should prevail at all hearings:

- (i) 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.
- (ii) All questions and discussions by the parties in dispute shall be directed to the Grievance cell.
- (iii) There shall be no direct or cross-examination of any party or witness by complaining or responding parties during hearings.
- (iv) Reasonable time limits may be set by the Grievance cell provided they give fare and equal treatment to both sides.
- (v) The complaining party shall bear the burden of proof.
- (vi) Decisions, orders and rulings of the Grievance cell must be concurred to by a majority of the Grievance cell present and shall be announced as soon as possible after the hearing. The Grievance cell shall issue a written opinion of the ruling within 12 hours of announcement of the decision.

The written opinion must set forth the findings of fact by the Grievance cell and the conclusions of law in support of it. Written opinions shall set a precedent for a time period of three election cycles for Grievance cell ruling and shall guide the Grievance cell in its proceedings. Upon consideration of prior written opinions, the grievance cell may negate the decision, but must provide written documentation of reasons for doing so.

- (vii) If the decision of the Grievance cell is appealed to the institutional head i.e. The Vice-Chancellor the Grievance cell must immediately submits its ruling to the commission.
- (viii) 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.
- (ix) Any fine or total amount of fines against a candidate in an election cycle may not exceed the spending limit as defined herein above.
- (x) If after a hearing, the Grievance cell finds that provisions of this code were violated by a candidate, or a candidate's agent or workers, the Grievance cell may restrict the candidate, or the candidate's 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.
- (xi) If, after a hearing, the Grievance cell finds that provisions of either this code of 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.
- (xii) Any party adversely affected by a decision of the Grievance cell may file an appeal with the institutional head i.e. the Vice-Chancellor within twenty four (24) hours after the adverse decision is announced. The Vice-Chancellor shall have discretionary appellate jurisdiction over the Grievance cell. All cases in which error on the part of the Grievance cell is charged.
- (xiii) The decision of the Grievance cell shall stand and shall have full effect until the appeal is heard and decided by the Vice-Chancellor.
- (xiv) The Vice-Chancellor shall hear appeals of Grievance cell rulings as soon as possible, but not within twenty four (24) hours after the Grievance cell delivers to the appellant and the 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.
- (xv) 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.
- (xvi) The Vice-Chancellor shall review findings of the Grievance cell when appealed. The institutional head may affirm or overturn the decision of the Grievance cell, or modify the sanctions imposed."

21. CODE OF CONDUCT

The following instructions should be followed strictly otherwise nomination of the candidate for election will be treated as cancelled:

1. No wall writing and poster pasting in University Campus.
2. Campaign material is defined in the definition section of the Statutes, which will be followed strictly.
3. No campaigning is allowed in the running class rooms.
4. Any type of meeting conducted by the candidate for election of the student's Union will be allowed only after the prior permission of the Dean Students' Welfare.
5. Caste and religion provocation during campaign is not allowed in any form.
6. No meeting for election purpose is allowed in the DSPMU, Ranchi office premises.
7. Collection of money in public places is strictly not allowed.
8. The use of Loud Speaker for the purposes of campaigning are strictly prohibited.
9. A candidate is allowed to display one poster/Banner on the specified place provided by the University.
10. 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 close of the pole and the transport and conveyance of voters to and from polling station.
11. Candidate may utilize hand made posters only and pasted as per direction in clause (9).
12. 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 university authorities. All candidates shall be held jointly and severally liable for any destruction defacing of any University property.
13. The University authorities shall appoint impartial observers: Government servants may be appointed as observers if the candidates have any specific complaint or problem regarding the conduct of the elections they may bring the same to the notice of the observer.
14. All candidates shall be jointly responsible for ensuring the cleaning up of the polling area within 48 hours of the conclusion of polling.

15. Any contravention of any of the above mentioned code of conduct it may make the candidates 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.

16. In addition to the above-mentioned code of conduct, that certain provisions of the India penal code, 1860 (section 153-A and chapter IXA – “offences relating to Election) are applicable to student elections.

22. Maintaining Law and order on 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 authorities as soon as possible, but not later than 6 hours after the alleged commission of the offence.

23. The University should organize leadership training programme with the help of the professional organizations so as to groom and instill in students leaderships qualities.

24. In the event of the office of any major post of office bearers falling vacant within 2 months of elections, the Vice President may be promoted to the post of president and Joint Secretary to the post of secretary as the case may be.

25. As per direction of the Hon'ble Supreme Court of India the responsibility to ensure protection to the college and University administration the direction has been given to the superintendent of Police and In-charge of the Area to provide enough police protection and shall ensure that no untoward incident takes place by providing adequate number of police personnel to be posted near the place of elections.

Handwritten signature and date: 25/9/18

Registrar

Dr. Shyama Prasad Mukherjee
University, Ranchi