

*(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 NO. 25**

### **ELECTION OF TEACHER REPRESENTATIVES ON THE COURT**

[Refer Group B of Sub-Section (1) of Section 20]

1.
  - (i) The election of representatives under Group B of sub-section (1) of section 20 shall be by simple majority vote.
  - (ii) Every teacher whose name is included in the Final Electoral Roll for election under each of the items under Group B shall be an elector qualified to be a candidate and vote at the election, under each such respective item.
2. Whenever it is necessary to hold an election under all or any item of Group B 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 by registered post of two copies thereof to each affiliated college. Teaching Department and School of Studies for display on the notice board of the institution and for reference;
  - (a) call upon the electors to elect members on the Court specifying the item/items of subsection (1) of Section 20 under which members are to be elected and the number of members to be elected under each 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 twenty one days from the date of the publication of the notice and if the twenty first 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 the receipt of claims and objections;
  - (d) fix the last date for the publication of the final electoral (in the same manner as that for provisional electoral roll) such date being not later than seven 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 twenty one 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 hours for poll which shall not be later than seven days from the date for withdrawal of candidature.
  - (i) fix the place, date and hours for counting of votes. Such date being not later than three days from the date of the poll.
- 3.
- (i) The Registrar shall prepare separate provisional electoral roll for election under each item in Group B of sub-section (1) of Section 20 showing the names of teachers in each College/Teaching Department/School of Studies under the category concerned 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 Principal of an affiliated college and Head of University Teaching Department/School of Studies for display on the notice board of the institution concerned and for reference by teachers.
- 4.
- (i) Any teacher 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 teacher 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 teacher whose name is included in the provisional electoral roll may object in the 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" super scribed thereon.
- 5.
- (i) All claims and objections to the provisional electoral roll shall be scrutinized and enquired into by a committee consisting of two Deans of Faculties

nominated by the Kulpati and the Registrar at the University Office on the date fixed for the purpose and the teacher filing the claim or the objection shall be entitled to be present at such scrutiny.

The Kulpati shall appoint one of the Deans 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.
  - (iii) An appeal by the person preferring a claim or raising an objection shall lie with the Kulpati, whose decision in the matter shall be final. Every appeal shall be lodged in writing with the Registrar within two days of the date of the decision appealed against.
6. After all claims and objections have been decided upon the provisional electoral roll shall be revised, if needed, and the final electoral roll shall be prepared and published by the Registrar.
  7. The Registrar shall send to every College/Teaching Department/School of Studies blank nomination forms in Form- 4 not later than the date fixed for inquiry into claims and objections to the provisional electoral roll with the request that the forms be supplied to teachers who may require them. Teachers may obtain blank nomination forms from the University office, if they so desire.
  8. On or before the date appointed under clause (c) 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 hereto 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 a nomination paper completed in Form-4 appended hereto and signed by the candidate and by two electors as proposer and seconder.
  9. 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.
  10. 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 thereafter shall be treated as rejected.

11. On the date and time fixed for scrutiny of nominations under clause (f) of paragraph 2, the candidates, their proposers or seconders, 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 (8).
12. (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 for being chosen to fill the seat 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 (8) and (9);
  - (c) That the signature of the candidate or the proposer or seconder on the nomination paper is not genuine;
  - (d) That the cover containing the 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 nominations 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 Colleges/teaching Department or Schools of Studies to which they belong. Provided that in case of election under item (x) of Sub-Section (1) of section 20 the names of candidates shall be in the following order.

- (a) Principals of Women's Colleges.
- (b) Principals of Government Colleges.
- (c) Principals of Colleges other than those in (a) and (b) above.

Provided also that in case of election under item (xv) of Sub-section (1) of Section 20, the names of the candidates shall be in the following order;

- (a) Lecturers/Assistant Professor of University Teaching Department/Schools of Studies.
  - (b) Lecturers/Assistant Professor other than those in (a) above.
13. (i) Any candidate may withdraw his candidature by a notice in writing duly 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 candidature 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.
14. Immediately after the expiry of the period within which candidatures 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 candidature within the said period. The list shall contain the names of contesting candidates together with the names of colleges. Teaching Departments or School of Studies to which they belong in the same order as the list of validly nominated candidates under paragraph 12.
15. (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 subject to the provisions appearing hereafter in this paragraph be declared elected.

Provided that if there is more than one contesting candidate from any University Teaching Department, School of Studies or College, one of them shall be declared elected on the basis of election held by secret ballot.

Provided further that the contesting candidates under item (x) or item (xv) shall not be elected unless they include at least one Lady Principal.

- (a) they include not less than four Principals from colleges belonging to the State Government and one Principal from a Women's College or one Lecturer from

the University Teaching Departments or Schools of Studies as the case may be, or

- (b) the number of contesting candidates eligible to fill the reserved states is less than the number of such reserved seats and the number of remaining contesting candidates is also equal to or less than the number of non-reserved seats.

Provided also that if the number of contesting candidates eligible to fill the reserved seats under item (x) or item (xv) is less than the requisite number of seats to be filled in all of them shall, subject to the first provision, 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.

16. 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.

Provided that such contesting candidate under item (x) or item (xv) include four or less Principals from Colleges belonging to the State Government and from a Women's college or one Lecture from the University Teaching Department or Schools of Studies as the case may be, all such candidates eligible for the reserved seats shall be declared elected to the reserved seats subject to the condition laid down in clause (ii) of the Explanation to sub-section (1) of Section (20) and:-

- (a) The reserved seats for which there are no eligible candidates shall be declared vacant and shall remain so till the next constitution of the Court.
- (b) Voting shall take place to fill the seats not filled in or declared vacant.

17. 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 (12) together with the names of colleges, Teaching Departments or Schools of Studies to which they belong. Each ballot paper shall bear the signature of the Registrar.

18. (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.

19. a) All elections shall be held by ballot at the place/s and between the times on the date fixed by the Registrar.

Provided that for the teachers of outstation colleges the polling centre shall be at such place/s as notified by the Registrar.

- (b) The Registrar shall appoint the requisite number of Polling Officers for conducting the poll.
- (c) No person other than a voter shall be permitted to enter the polling station. The area of the polling station shall be fixed by the polling officer.
- (d) The polling officer shall regulate the number of voters to be admitted at any one time inside the place fixed for the poll and shall exclude there from all other persons except
- (a) The candidate or his agent.
  - (b) Persons on duty.
  - (c) Person or persons authorized by the officer.
  - (d) Such other persons as the polling officers may from time to time admit for the purpose of assisting him in taking the poll. The polling officer shall close the doors of entry to the polling station at the hours fixed by him for this purpose and shall not admit thereto any voter after that hour. Provided that all voters who have sought entry to the polling station before the expiry of the closing time shall be entitled to record votes even after the expiry of the closing time.
  - (e) Ten minutes before the polling commences, the polling officer shall show to the candidates, or their authorized agents present at the polling centre that the ballot box is empty and shall then lock and seal it for use; but in case no candidates or his agent is present at the appointed time, he shall lock and/or seal the ballot box.
  - (f) No voting paper shall be delivered to a voter unless he has put signature against his name in the electoral roll in token of the receipt of the voting paper.
  - (g) The voter on receiving the voting paper shall forthwith proceed to the polling booth, where he shall mark and put his voting paper in to the ballot box.
  - (h) If a voter spoils his voting paper inadvertently he/she may be given another voting paper on surrendering the spoiled paper which shall be

cancelled by the polling officer before issuing a fresh voting paper. All voting papers cancelled under this rule shall be kept in a separate packet and preserved for a period of one month.

20. A ballot paper shall be void:
- \* If the elector has given more votes than the number of seats to be filled, or
  - \* If it is signed by the elector, or
  - \* If it is unmarked or void for uncertainty.

Provided that where there is uncertainty in respect of any vote/votes but not in respect of all votes given by the elector, the ballot paper shall be void to the extent of the uncertainty only.

21. All proceeding for counting of votes shall be conducted in the presence of a Committee of three persons appointed by the Kulpati. Every elector shall have the right to be present at the proceedings provided that in the opinion of the Registrar, no disturbances of the proceedings is caused thereby.
22. On the date and at the place fixed for counting of votes the Registrar shall open the boxes containing the ballot papers. He shall then examine the ballot papers and shall reject the ballot papers which are invalid under paragraph. He shall count the votes cast in favor of the different candidates in the remaining ballot papers.
23. After all votes are counted, the Registrar shall prepare a list of candidates arranged in order of votes they received, the candidate obtaining the highest number of votes being placed first in the list.

Provided that if there are two or more candidates from any University Teaching Department, School of Studies or College, only the candidate getting the highest number of votes among candidates from each such Teaching Department, School of Studies or college shall be included in the list and the rest shall be excluded.

24. (a) If the seats for which voting has taken place, include any seat/seats reserved for any particular category of contesting candidates, contesting candidates belonging to such category, equal in number to the number of seats reserved for such category and highest in the list referred to in paragraph 25 above shall be declared elected.
- (b) After the result of election to the reserved seats is declared, contesting candidates equal in number to that of remaining seats to be filled and highest in the list amongst the candidates not declared elected under sub-clause (a)



above shall be declared elected. (2) If the seats for which voting has taken place do not include any reserved seat/seats contesting candidates equal in number to the number of seats to be filled shall be declared elected in the order in which their names appear in the list referred to in paragraph 25 above.

25. An election petition against any elected candidate may be presented to the Kulpati by a candidate or elector within ten days from the date of the publication of the result of the election on the notice board of the University. The Kulpati's order on the petition shall be final.
26. For ensuring free and fair election, the Registrar shall have power to issue instructions, appoint inspection committees, and take all other steps as may be deemed necessary by him.

**FORM - 1**

(ELECTION OF REPRESENTATIVES ON THE COURT OF JIWAJI VISHWAVIDYALAYA  
UNDER ITEM \_\_\_\_\_ 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 a ..... (Designation e.g. Professor/Lecture)  
in .....College/teaching Department/School of Studies since.....  
(Month & Year).

I request that my name be included in electoral roll for election under Item .....  
of sub section (1) of section 20 of the Adhiniyam.

**Signature .....**

**Full Name.....**

**Designation .....**

**Name of Institution**

**Where**

**employed.....**

**Place .....**

**Date .....**

I..... Principal of ..... College/Head, Teaching Department or School of Studies  
of ..... Certify that Shri ..... is a..... (Designation) in .....  
College/ Teaching Department or School of Studies since .....  
(Months & Year)

**Signature .....**

**Full Name.....**

**Designation .....**

**Name of Institution**

**Where**

**employed.....**

**Place .....**

**Date .....**

**FORM - 2**

(ELECTION OF REPRESENTATIVES ON THE COURT OF .....  
VISHWAVIDYALAYA UNDER ITEM \_\_\_\_\_ OF SUB-SECTION (I) OF SECTION 20 OF  
THE ADHINIYAM).

**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 follow:

“ ..... ”

**Signature .....**

**Full Name .....**

**Designation .....**

**Place.....**

**Date .....**

**Institution where employed .....**

**FORM - 3**

(ELECTION OF REPRESENTATIVES ON THE COURT OF .....  
VISHWAVIDYALAYA UNDER ITEM ..... OF SUB-SECTION (1) OF SECTION 20  
OF THE ADHINIYAM)

**OBJECTION OF INCLUSION OF NAME**

**To,**  
**The Registrar,**  
.....

Sir,  
I object to the inclusion of the name of ..... at 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** .....

**Designation** .....

**Place** .....

**Date** .....

**Institution where employed** .....

**FORM - 4**

**NOMINATION PAPER**

(ELECTION OF REPRESENTATIVES ON THE COURT OF .....  
VISHWAVIDYALAYA UNDER ITEM.....OF SUB-SECTION (1) OF SECTION 20 OF  
THE ADHINIYAM).

I..... Propose the name of Shri/Shrimati/Kumari..... (Full Name)  
Whose name appears at Serial No? ..... of the final electoral roll as member of the  
Court of Jiwaji University. Gwalior under Item of sub-Section (1) of Section 20 of the  
Adhiniyam.

Signature.....

Full Name .....

Serial No. in the Final Electoral Roll

.....

Designation.....

Institution where employed .....

I..... Second the above Proposal.

(Full Name)

Signature.....

Full Name .....

Serial No. in the Final Electoral Roll

.....

Designation.....

Institution where employed .....

I ..... Give my consent to my nomination as a candidate for a seat on the court  
of ..... University under Item ..... of sub-Section (1) of Section 20 of the  
Adhiniyam.

\*I am a candidate as the Principal of a Government College/Women's' College.

Signature .....

Full Name .....

Serial No. in the Final Electoral Roll .....

Designation.....

Institution where Employed

.....

\*In case of election under item (X) of Sub-Section (I) of Section 20 the Principal of a Women's College belonging to the State Government who is a candidate for the election, shall opt and indicate her status by scoring out the portion not applicable.

**FORM - 5**

..... UNIVERSITY, .....

**BALLOT PAPER**

Election of ..... to the Court under Item No. ....in

(Category of Teacher)

Group B of sub-Section (1) of Section 20 of the M.P. Vishwavidyalaya Adhiniyam.

Total Number to be elected .....

Number of Seats reserved for .....

(a) .....

(b) .....

S.No.	Name of Candidate	Institution where employed	Nature of Intuition – Govt./Non. Govt./Women’s/Teaching Department/School of studies	Vote

**Note:**

- (1) The Elector has as many votes as the number of seats to be filled.
- (2) While voting, the elector should bear in mind the number of seats reserved for any special category.
- (3) The elector should put a cross mark (x) in the vote column in the blank space against the name of the candidate he wishes to vote for.
- (4) Not more than one person shall be elected from any University Teaching Department, School of Studies or College.
- (5) The elector should not put his signature on the ballot paper.