

K.C. DAS COMMERCE COLLEGE STUDENTS' UNION

K.C. DAS COMMERCE COLLEGE

CHATTRIBARI

GUWAHATI – 781008



CONSTITUTION

Drafted and implemented w.e.f. 2017-18

Constitution Drafting Committee, 2017

Chairman : **Dr. Radhey Shyam Tiwari**, Vice Principal & Associate Prof., Deptt. of Hindi

Convenor : **Dr. Naba Kumar Goswami**, HOD & Associate Prof., Deptt. of Finance.

Members : **Dr. Runjun Phookun**, HOD & Associate Prof., Deptt. of Maths. & Stats.

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Dr. Bhababhuti Sarma, HOD & Associate Prof., Deptt. of Management

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Dr. Dipak Barman, HOD & Associate Prof., Deptt. of Assamese

Dr. Prarthana Barua, HOD & Associate Prof., Deptt. of English

Dr. Shrabani Bhadra, HOD & Associate Prof., Deptt. of Bengali

Mr. Jitumoni Bora, HOD & Assistant Prof., Deptt. of IT

Observation of the Committee :

As per the direction of the Hon'ble Supreme Court of India for implementation of the recommendations of J.M. Lyngdoh Committee in the matter of certain aspects of student body and student union election conducted in universities, colleges and institutions of Higher Education across India, K.C. Das Commerce College Students' Union constitution was drafted. The drafted constitution was finalised in a meeting held on 17/8/2017 under the Presidentship of Dr. Radhey Shyam Tiwari, Vice Principal of K.C. Das Commerce College to be effective with immediate effect.

Approval of General Students and Teachers:

The draft constitution of the students' union of the college was approved in a General Meeting of Students, Teachers and office staff under the Presidentship of Dr. Ghanashyam Nath, M.Com., LLB, Ph.D. Principal, K.C. Das Commerce College on 18th September, 2017

CONSTITUTION OF K.C. DAS COMMERCE COLLEGE STUDENTS' UNION

(as drafted and implemented w.e.f. 2017-18)

PREAMBLE:

The preamble of the constitution declares that in order to provide justice and equality and to up keep the congenial academic atmosphere in the college campus to avoid communal matters and any social evils, to inherit and develop democratic values in the mind of the students so as to make them competent in the sphere of social and political platform in the country.

CLAUSE I : NAME

The name of the union shall be "K.C. DAS COMMERCE COLLEGE STUDENTS' UNION" hereinafter called the "UNION".

CLAUSE II : AIMS AND OBJECTS

The aims and objectives of the union shall be:

- a) To contribute for an active and collaborative life.
- b) To endeavour and bestow towards all round development of its members.
- c) To contrive for the progression of aesthetic and hygienic ambience in the college to enhance patriotism.
- d) To keep oneself beyond all political and communal matters.
- e) To endeavour for augmentation of education in general.
- f) To take such other steps and purposes which may be beneficial to foster and protect the aforesaid objects.

CAUSE III : MEMBERSHIP AND ORGANISATION

- a) All students whose names are on the college rolls shall be the members of the union:
- b) The Union shall function through an Executive Body consisting of (i) The President (ii) The Vice-President and all the Secretaries of the Union elected as per clause X.
- c) There shall be at least one Professor – Advisor for each Secretary, mentioned in clause IV, except the portfolio of the Asstt. General Secretary to guide and supervise the activities of the Secretary concerned. The Professor in-charge shall guide and supervise the activities and programmes of the Secretaries of their respective sections and have financial control of their respective sections. They shall not attend the Union meetings unless invited in special situation for advices.
- d) The Professor in-charge shall be nominated annually by the Principal of the college from amongst the members of the teaching staff.
- e) **Source of Fund :**
 - (i) The Fund of the Students' Union shall be raised from all the bonafide students by way of Students' Union Fees collected by the college authority at the time of Admission.
 - (ii) Any additional Fund required for any specific purpose may be provided by the college authority with the approval of the Governing Body.

CLAUSE IV : THE EXECUTIVE BODY

- a) The Executive Body of the Union shall consist of:
 - i) President

- ii) Vice-President
 - iii) General Secretary
 - iv) Assistant General Secretary
 - v) Secretary, Debate and Symposium
 - vi) Secretary, Social Service
 - vii) Secretary, Major Games
 - viii) Secretary, Minor Games
 - ix) Secretary, Athletics, Gymnasium and Asanas
 - x) Secretary, Boys' Common Room
 - xi) Secretary, Girls' Common Room
 - xii) Secretary, Music and Cultural Affairs
 - xiii) Secretary, Literary and Magazine
- b) The Executive Body shall meet quarterly a year to transact the following businesses:
- i) To discuss the important matters and problems faced by the Union.
 - ii) To prepare the Budget for different activities to be presented by the General Secretary in the general meeting of the members of the Union. The budget shall be for all the sections and shall not exceed the amount collected from the students of the session.
 - iii) To discuss any other matter, emergent or otherwise, if considered necessary in the interest of the union.
 - iv) The function of the Executive Body will be to workout the policies and programmes to be followed to the fulfilment of the aims and objectives of the union specified in the clause II above.

- v) The meeting of the executive body shall be ordinarily convened by the General Secretary with prior approval of the President.
- vi) The notice of the meetings of the executive body shall be given by the General Secretary at least 3 (three) days before the meeting.
- vii) The urgent meetings can be conducted with a short notice.
- viii) The General Secretary will submit the agenda of a meeting, programme, address etc. to the President for approval before the circulation of notice and finalization of any matter in this regard.
- ix) Prior permission must be obtained from the Principal of the college for holding all kinds of meeting in the college premises submitting the agenda of the meeting. The decisions so taken in the meetings have to be communicated to the Principal. Such decisions of the Union are to be implemented only after they have been ratified by the Principal. The Principal shall reserve the right to refuse his consent to the decisions of the Union. In doing so the Principal shall have prior consultation with the Professors-in-charge or members of the college Governing Body.
- x) The Secretaries shall bear full responsibility of executing the works and programmes adopted or directed by the general meeting of the members.
- xi) Six elected members will form a quorum for a meeting of the executive body and in the absence of quorum, the meeting shall be adjourned for 3 (three) working days and the requirement of quorum shall be waived in regard to such adjourned meeting.

CLAUSE V : FUNCTIONS OF OFFICE BEARERS

i) President:

- a) The President shall preside over all meeting of the Union.
- b) In the matters where a clear consensus could not be arrived at, the decision in such matters shall be taken by result of voting. The President can exercise his voting rights only when there is a tie.

ii) Vice-President:

The Vice President shall preside over the meeting of the Executive Body in absence of the President. Also, he will act as President of the Union in case of vacancy of the post of President.

iii) General Secretary:

- a) The General Secretary shall have the overall responsibility for the functions of the Union. In the absence of any Secretary, the General Secretary shall be responsible for discharging the duties assigned to him/her. He / she shall be responsible for all expenses incurred by him/her.
- b) The General Secretary shall organise and address the Annual Freshers' Social, Annual Meets and such other functions as may be deemed necessary from time to time.
- c) The General Secretary shall convene the meetings of the Union and the Executive Body with prior permission of the President and the Principal, and shall write and keep its proceedings. He / she shall submit the proceedings book to the Principal at the end of the session or when called for.

- d) The General Secretary shall prepare the annual consolidated budget for all the sections submitted by all the Secretaries with necessary approval of concerned Professors in-charge and same has to be approved in the general meeting. The budget must be submitted to the Principal for final approval.
- e) The General Secretary shall hold the Annual General Meeting at the end of his / her tenure and present accounts duly audited and submit his / her report to the Principal.

iv) Assistant General Secretary:

The Assistant General Secretary shall carry on the functions of the General Secretary during her / his absence or at the time when required to do so and help the General Secretary in discharging of his / her functions. He / she shall organise the Saraswati Puja Festival of the college.

v) Secretary, Debate and Symposium:

The Secretary, Debate and Symposium shall organise debates, symposia, extempore speeches, quiz and mock parliaments on important current topics of academic interest.

vi) Secretary, Social Service:

The Secretary, Social Service shall organise and execute all works relating to social service.

vii) Secretary, Major Games:

The Secretary, Major Games shall have to organise Football, Cricket, Khokho, Hockey games of the college etc. and the participation of the college team in inter college tournaments and competitions.

viii) Secretary, Minor Games:

The Secretary Minor Games shall organise Badminton, Volleyball, Basketball, Kabadi and Handball games of the college and the participation of the college teams in the inter college tournaments and competitions.

ix) Secretary, Athletics, Gymnasium and Asanas:

The Secretary, Athletics, Gymnasium and Asanas shall organise Annual Sports Meet, Gymnasium and Asanas competitions in the college and participation of college teams in the competitions.

x) Secretary, Boys' Common Room:

The Secretary, Boys' Common Room shall have the responsibility of looking after the Boys' Common Room and maintaining discipline and decency therein and shall organise carom.

xi) Secretary, Girls' Common Room:

The Secretary, Girls' Common Room shall have the responsibility of looking after the Girls' Common Room and maintaining discipline and decency therein and shall organise carom.

xii) Secretary, Music and Cultural Affairs:

The Secretary, Music and Cultural Affairs will organise all cultural functions including music and drama competitions in the college. He / she shall arrange for participation in the Youth Festival organised by Gauhati University and inter college tournaments.

xiii) Secretary, Literary and Magazine:

The Secretary, Literary and Magazine shall organise literary competitions in the college and shall arrange for publication of the college magazine and wall magazine.

CLAUSE VI : DUTIES AND RIGHTS OF STUDENT-MEMBERS

- a) The student-members shall be duty-bound to take active part in all the programmes, festivals, gatherings and functions etc. organized by the Secretaries and shall extend their full co-operation to the Secretaries in the arrangements and preparation for the holding of the aforesaid functions.
- b) The student-members of undergraduate classes unless disqualified by the college authorities, shall be eligible to seek election for any post in the Union, according to the election procedure followed for such purpose.
- c) The student-members shall have the right to demand explanations in respect to the expenditure of the Union and the Secretaries shall be obliged to give the explanations so sought within a reasonable period.
- d) The student-members shall have the right to inspect the Proceeding Book of the General Meetings of the Union on giving a notice of three days in advance to the General Secretary subject to the consent of the President.
- e) The student-members may adopt a 'No-confidence Motion' against any Secretary or Secretaries, if there is violation of clauses of the constitution by any one of them or work against the basic of the union.

Under such situation, the General Secretary will convene an extra ordinary meeting of the union in consultation with

the President and to ratify by atleast one third of the total student-members.

CLAUSE VII : ACCOUNTS AND AUDIT

- a) Each Secretary shall prepare Receipts and Payments Account recording the money received and expenditures incurred by him/her in connection with the execution of programmes of his/ her section.
- b) All the expenditures shall have to be properly supported by valid vouchers.
- c) Each Secretary shall have to submit his / her accounts to the Principal through the Professor In-charge concerned within 7 days of the holding of function or functions.
- d) The audited accounts of the Union, together with the Auditors' Report, shall be notified on the Notice Board of the college for general information of the members of the Union within a reasonable period after the approval and acceptance of the same in the General Meeting.
- e) At least two auditors shall be appointed by the Principal and such auditors shall scrutinise the accounts and submit their report in the general meeting.

CLAUSE VIII : FILLING UP OF VACANT POST

In case of vacancy in any post within two months from the date of election reelections shall be conducted, otherwise the Vice-President shall take the charge of President and Asstt. General Secretary shall take the charge of the General Secretary. In case of other post(s) the General Secretary will take charge.

CLAUSE IX : CEASATION OF MEMBERSHIP

If a student member or an office bearer / Secretary is punished under concerned rules / codes as may be made applicable by the college authorities on the ground of mis-conduct, mis-behavior, indiscipline and mis-appropriation of funds, he/she shall cease to be a member of the Union or the Executive Body.

CLAUSE X : ELECTION

In pursuant to an order of the Hon'ble Supreme Court dated 2nd December, 2005 the Ministry of Human Resource Development constituted a committee under Shri J.M. Lyngdoh (former Chief Election Commissioner) to examine and recommend in the matter of certain aspects of student body and student union election conducted in Universities, Colleges and Institutions of Higher Education across India. The committee submitted its Report on 26th May, 2006 and the Hon'ble Supreme Court vide order dated 22nd September, 2006 directed that the recommendations of the committee be implemented and shall be followed in all colleges and University elections.

On the basis of the above the election of the Union will be conducted as per the recommendations of the Lyngdoh Committee.

I. Eligibility Criteria for the candidates:

- a) Undergraduate students (i.e. B.Com. students) not above the age of 22 may contest election.
- b) The Candidate should in no event have any academic arrears in the year of contesting the election.
- c) The candidate should have attained the minimum percentage of attendance as prescribed by the university or 75% attendance, whichever is higher.

- d) The candidate shall have one opportunity to contest for post of an office bearer.
- e) The candidate shall not have a previous criminal record, that is to say he/she should not have been tried and or convicted of any criminal offence or misdemeanor. The candidate shall also not have been subject to any disciplinary action by the authority.
- f) The candidate must be a regular, full time student of the college and should not be a distance / proximate education student. That is to say that all eligible candidates must be enrolled in a full time course, the course duration being at least one year.
- g) The candidate must not be associated with any political party.
- h) The candidate must not campaign as a candidates by of any political party; moreover he / she is not to be supported by any national / regional students' union.
- i) The students who have been admitted on the day of General Admission as mentioned in the Prospectus, will be allowed to contest in the election

II. Frequency and Duration of the Election Process

- (a) As per recommendation of the Commission the entire process of elections, commencing from the date of filling of nomination papers to the date of declaration of results, including the campaign period, should not exceed 10 days.
- (b) The Commission recommended that election 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.

iii. Election– Related Expenditure and Financial Accountability

- (a) The maximum permitted expenditure per candidate shall be Rs. 5000/-.
- (b) The election of the candidate will be nullified in the event of any noncompliance or in the event of any excessive expenditure.
- (c) With the view to prevent the inflow of funds from political parties into the student election process, the candidates are specially barred from utilizing funds from any other sources than voluntary contributions from the student body.
- (d) Each candidate shall, within two weeks of the declaration of result, submit complete and audited accounts to the college / authority. The college shall publish such audited accounts, within 2 days of the submission of such accounts, through a suitable medium so that any member of the student-body may freely examine the same.

iv) Code of Conduct for Candidates and Elections Administrators

- (a) No candidate shall indulge in, nor shall abet, any activity, which may aggravate existing differences or create mutual hatred or cause tension between different castes and communities, religious or linguistic, or between any group(s) of students.
- (b) 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.

- (c) 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.
- (d) 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 poll, and the transport and conveyance of voters to and from polling station.
- (e) 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 handmade posters for the purpose of canvassing, provided that such hand-made posters are procured within the expenditure limit set out herein above.
- (f) Candidates may only utilize hand-made posters at specified places in the college campus, which shall be notified in advance by the election commission/authority.
- (g) No candidate shall be permitted to carry out processions, or public meetings, or in any way canvass or distribute propaganda outside the college campus.
- (h) No candidate shall, nor shall his / her supporters, deface or cause any destruction to any property of the college campus, for any purpose whatsoever, without the prior written permission of the college authority. All candidates shall be held jointly and severally liable for any destruction/ defacing of any college property.

- (i) During the election period the candidates may hold procession and / or public meeting, provided that such processions and / or public meeting do not, in any manner, disturb the classes and other academic and co-curricular activities of the college. Further, such procession / public meeting may not be held without the prior written permission of the college authority.
- (j) The use of loudspeakers, vehicles and animals for the purpose of canvassing shall be prohibited.
- (k) On the day of polling, student organizations and candidates shall:-
 - (i) Co-operate with the officers on election duty ensure peaceful and orderly polling and complete freedom to the votes to exercise their franchise without being subjected to any annoyance or obstruction;
 - (ii) not serve or distribute any eatables, or other solid and liquid consumables, except water on polling day;
 - (iii) not hand out any propaganda on the polling day.
- (l) Excepting the voters, no one without a valid pass / letter of authority from the election commission or from the college authority shall enter the polling booths.
- (m) The election commission or college authority shall appoint impartial 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 observer. Observers shall also be appointed to oversee the process of nomination of students in institutions that are following the nomination model of student representation.

- (n) All candidates shall be jointly responsible for ensuring the cleaning up of the polling area within 48 hours of the conclusion of polling.
- (o) Any contravention of any of the above recommendations may make the candidate liable to be stripped of his candidature, or his elected post, as the case may be. The election commission / college authority may also take appropriate disciplinary action against such a violator.

V. The Election activities to be conducted by the Returning Officer:

The Principal shall appoint the Returning Officer for smooth conduct of the election.

- a) The Principal of K.C. Das Commerce College shall notify the date, place and time for holding the election of the office bearers of the union.
- b) The intending candidates shall have to fill-up nomination papers which can be obtained from the Returning Officer and shall submit the same within the prescribed period to the Returning Officer.
- c) Along with the nomination paper the candidate shall have to submit a duly filed declaration and undertaking that he/she is not a defaulter in any way.
- d) The intending candidates' names shall have to be proposed and seconded by regular students who are not defaulters.
- e) The nomination papers shall be scrutinised by the Returning Officer or by his/her authorized persons on the specified date for the purpose. The candidates or their agents shall be present at the time of scrutiny and in the event of rejecting any nomination, the reasons shall have to be shown, if challenged.

- f) The names of those candidates whose nomination papers are found valid shall be notified in the college notice boards showing the portfolios contested for.
- g) All the regular students of undergraduate classes of K.C. Das Commerce College shall be entitled to vote by producing students' identity cards updated and signed by the Principal.
- h) Each voter will be supplied with a ballot paper containing serial nos.
- i) The Presiding Officers shall be appointed by the Returning Officer. In any matter of dispute at the time of polling in a booth the opinion of the presiding officers shall be binding.
- j) Each member shall have one vote for each portfolio for which he/she is entitled to vote.
- k) The voters after receiving the ballot papers shall have to place cross (x) mark against the name of the candidate he/she desires to vote for. He/she shall then fold the ballot paper and drop it in the ballot box.
- l) A ballot paper shall be invalid:
 - i. If it does not contain the initial of the presiding officer.
 - ii. If a voter writes anything except the cross mark (X) on it.
 - iii. If it is unmarked and not numbered.
 - iv. If the cross mark touches any of the lines set opposite the name of the candidates, then the vote for that or those portfolios shall be treated as invalid.

- v. If the cross mark is put opposite to the names of the candidates more than one for the same portfolios.
- vi. If there is any other valid ground not covered by the grounds mentioned above.
- m) No ballot paper shall be issued after the closing hour fixed by the Returning Officer but any voter who has entered the polling booth before closing hour shall be allowed to cast his / her vote.
- n) The votes shall be counted by the Returning Officer with the help of members of the teaching staff in the presence of candidates or their agents on the same day.
- o) The results shall be published as early as possible by the Returning Officer.
- p) All canvassing shall be stopped within twenty four hours before the commencement of the election within the college premises.

VI. 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 college authority as soon as possible, but not later than 12 hours after the alleged commission of the offence.

CLAUSE XI : TAKING OVER CHARGES

The newly elected body will take oath and assume charge within seven days from the date of announcement of the election results.

CLAUSE XII : AMENDMENT OF THE CONSTITUTION

The constitution shall not be amended except by a resolution duly moved in the meeting of the Union after a 15 days' notice to the Principal and after circulation of the same to the members of the Union 10 days before the meeting and passed by a majority of not less than two-third of the members of the Union present in the meeting.

Such proposed amendments will have to be approved by the Principal and Professor In-charges.

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