

“ अधिसूचना ”

भोपाल, दिनांक 10 अप्रैल, 2007

भारत के संविधान के अनुच्छेद 348 के खण्ड (3) के अनुसरण में, इस विभाग की अधिसूचना क्रमांक/एफ-49/1/2007/42-1 दिनांक 10 अप्रैल, 2007 द्वारा प्रकाशित राजीव गांधी प्रौद्योगिकी विश्वविद्यालय सभा के अध्यापक प्रतिनिधियों का निर्वाचन परिनियम, 2007 (परिनियम क्रमांक - 28) का अंग्रेजी अनुवाद राज्यपाल के प्राधिकार से एतद्वारा प्रकाशित किया जाता है।

मध्यप्रदेश के राज्यपाल के नाम से तथा आदेशानुसार

शमीम उद्दीन
अपर सचिव
मध्यप्रदेश शासन
तकनीकी शिक्षा एवं प्रशिक्षण विभाग

Bhopal 10th April, 2007

No/F-49/1/2007/42-1 In exercise of the powers conferred by sub-section (1) of Section 38, read with Section 37 of the Rajiv Gandhi Proudyogiki Vishwavidyalaya Adhinyam, 1998 (No. 13 of 1998), the State Government hereby makes the following first Statute for the Rajiv Gandhi Proudyogiki Vishwavidyalaya, namely: -

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STATUTE NO-28

1. **Short title and commencement:**
 - (1) This Statute may be called the Rajiv Gandhi Proudyogiki Vishwavidyalaya **(Election of Teachers Representative of the Court) Statute, 2007**
 - (2) This shall come into force with effect from the date of publication in the Madhya Pradesh Gazette.
2. Definitions; In this statute, unless the context otherwise requires;
 - (a) **“Adhinyam”** means the Rajiv Gandhi Proudyogiki Vishwavidyalaya Adhinyam, 1998 (No 13 of 1998);
 - (b) **“Statute”** means the Statute made under the provisions of Section 37 and 38 of the Rajiv Gandhi Proudyogiki Vishwavidyalaya Adhinyam, 1998 (No 13 of 1998);
 - (c) **“Section”** means Section of the Adhinyam;
 - (d) Words and expression used but not defined in this statute shall have the meaning as assigned to them in the Adhinyam.
3. (1) The election of representatives under Group B of Sub-section (1) of Section 22 shall be conducted by simple majority vote.

- (2) Every teacher whose name is included in the final Electoral roll for election under each of the item under Group B of the said sub-section shall be an elector qualified to be a candidate and vote at the election, under each such respective item.
4. Whenever it is necessary to hold an election under all or any item of Group B of sub-section (I) of Section 22, the Registrar shall.
- (a) by a notice, published by affixing a copy there-of on the office notice board of the University and dispatch by registered post two copies thereof to each affiliated college. Teaching Department and School of Studies for display on the notice board of the institution for reference;
 - (b) call upon the electors to elect members on the Court specifying the item/items of sub- section (I) of section 22 under which members are to be elected and the number of members to be elected under each item;
 - (c) 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 shall be twenty one days from the date of publication of the notice and if the twenty first days is a holiday, the following working day;
 - (d) 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;
 - (e) fix the last date for the publication of the final electoral roll 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 objection to the provisional electoral roll;
 - (f) 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;
 - (g) 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;
 - (h) fix the last date for the withdrawal of candidates which shall be the third day after the date for the scrutiny nominations and if that day is a holiday, the next succeeding day which is not a holiday;
 - (i) fix the last date for dispatch of ballot paper to the elector which shall not be later than seven days from the last date for the withdrawal of candidate;
 - (j) fix the last date for the return of ballot paper which shall not be later than fifteen days from the last date for the dispatch thereof;

- (k) Fix the place, date and hours for poll which shall not be later than seven days from the date of withdrawal of the candidate;
 - (l) Fix the date and place for the counting of votes. Such date being not later than three days from the date of the poll.
- 5.
- (1) The registrar shall prepare separate provisional electoral roll for election under each item in Group B of sub section (I) of section 22 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 statute 2 of this Statute.
 - (2) The provisional electoral shall be published by the Registrar simultaneously with the notice under statute 2 of this statute by affixing a copy thereof on the notice board at the University Office and dispatch 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 for reference by teachers.
- 6.
- (1) Any teacher whose name is not included in the provisional electoral roll may make in a claim Form-1 for inclusion of his name in the electoral roll.
 - (2) Any. teacher whose name has not been correctly given in the provisional electoral roll may make in a claim Form-2 for correction of his name.
 - (3) Any teacher whose name is included in the provisional electoral roll may object in Form-3 in connection with the inclusion of the name of any person in the roll.
 - (4) All claims and objection shall be delivered to the Registrar in person or by registered post in a sealed envelope with "claims and objections" super-scribed thereon.
- 7.
- (1) 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 filling 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.
 - (2) The decision of the Committee. on the claims and objections shall be recorded in writing and notified on the day of the enquiry.
 - (3) 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.

8. After all claims and objections have been decided, the provisional electoral roll shall be revised, if need be, and the final electoral roll shall be prepared and published by the Registrar.
9. The Registrar shall send to every College/Teaching Deptt./school of Studies blank nomination forms in Form-4 not later than the date fixed for enquiry 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
10. On or before the date appointed under clause (f) of Statute 4, each candidate shall: -
 - (a) 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.
 - (b) send by registered post in a sealed cover marked "Nomination Paper" to the Registrar a nomination paper compiled in Form-4 appended hereto and signed by the candidate and by two electors as propose and seconder.
11. 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.
12. On receipt of a cover containing nomination paper, the Registrar or his nominee 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 (f) of Statute 4 above or thereafter, shall be treated as rejected.
13. On the date and time fixed for scrutiny of nomination under clause (f) of Statute 2 of this Statute, the candidates and 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 Statute 10 of this Statute.
14. (1) The Register shall examine the nomination papers and shall decide all objections which may be made for any nomination, and may, either on such objections 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 the seat under any of the provisions .of the Adhiniyam and the statutes made thereunder;
 - (b) that there has been a failure to comply with any of (the provisions of the Statute 10 and 11 of this Statute;
 - (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.
- (2) Nothing contained in clause (b) or (c) of sub-statute (1), shall be deemed to be 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.
- (3) 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 the reason for such rejection. The decision of the Registrar shall be final.
- (4) 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.
- (5) The said list shall contain the names of candidates in alphabetical order and the names of the colleges/Teaching Deptt. or school of studies to which they belong.
- 15 (1) 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 Statute 4 of this Statute.
- (2) No person who has given a notice of withdrawal of his candidate under sub-statute (1) shall be allowed to cancel the notice
- (3) The Registrar shall, on receiving notice of withdrawal under sub-statute (1) as soon as may be thereafter, cause a notice of the withdrawal to be affixed on office notice board.
16. 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 the validity nominated candidate 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 schools of Studies to which they belong the same order as the list of validly nominated candidates under Statute 14.
- 17 (1) 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 be declared elected.

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

- (2) Seats not filled in and for which there are no eligible contesting candidates shall be declared vacant and shall remain unfilled till the next constitution of the Court.
18. 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 Adhinyam and this Statute.
19. 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 together with the names of college, Teaching Department or School of Studies to which they belong. The ballot paper shall show at the top, the item under which election is to take place and number of seats to be filled. Each ballot paper shall bear the signature of the Registrar.
20. (1) Every elector shall have as many votes as there are seats to be filled through voting.
- (2) An elector in giving his vote shall place on his ballot paper a cross mark (x) in the space opposite the name of the candidates for whom he wishes to vote.
21. (1) One ballot paper in Form 5 and two covers in Form 6 and 7 (hereinafter referred to as covers 6 & 7 respectively) shall be sent by the Registrar by registered post to every elector on or before the last date fixed for the purpose under Statute 4.
- (2) The Registrar shall record or cause to be recorded the serial number of each ballot paper against the entry relating to that elector in the copy of the final electoral roll.
22. After recording his vote on the ballot paper, the elector shall place it in the Form 6 and then seal the cover and place it in the Form 7 and seal the letter cover. Each Form 7 shall bear the name and electoral roll number of the elector.
23. The elector shall then take the sealed Form 7 to an Attesting Officer who shall be
- (i) A Statutory Officer of the University
 - (ii) A Principal of a college, or
 - (iii) A Professor or College Professor, or Reader or Assistant Professor in a College, Teaching Department or School of Studies.
 - (iv) A Magistrate, or
 - (v) A Gazetted Officer of the state of the Madhya Pradesh or of Central Government and place his signature at the space provided for the purpose on the Form 7 in the presence of the Attesting Officer. The Attesting Officer shall

then attest to the identity of the elector by placing his signature and the date of signature, his designation and the name of the city or town in which his headquarters are located with seal at the space provided on the Form for the purpose. The Form shall then be delivered to the Registrar by the electors personally or sent to him by registered post. Not more than one ballot paper shall be sent in one set of Forms. No ballot paper shall be sent by messenger. On receipt of a ballot paper the Registrar shall endorse on the Form the date and in case of a ballot paper received on the last date for receipt, the hour of receipt and place it in a locked box. Any ballot paper received after office hours on the last date fixed for return of ballot papers shall be rejected and kept in a separated looked box.

24. A ballot paper shall be void.
- (i) if the elector has given more votes than the number of seats to be filled up, or
 - (ii) if it is signed by the elector, or
 - (iii) if it is unmarked or void for uncertainty, or
 - (iv) of which the Form 7 is not signed by the elector, or
 - (v) in the case of which the signature on the Form 7 is not duly attested, or
 - (vi) of which the Form 7 is not duly sealed.

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.

25. All proceedings 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 proceeding provided that in the opinion of the Registrar, no disturbance of the proceedings is caused thereby.
26. On the date and at the place fixed for counting of votes the Registrar shall open the box containing the Form of ballot papers. He shall then examine the Form 7 and shall reject the ballot papers, if: -
- (a) if the Form 7 is not duly signed by a person authorized to vote at the election;
 - (b) if the signature on the cover is not duly attested; or
 - (c) if the Form 7 is not duly sealed

The Form 7 rejected under this Statute shall not be opened. They shall be kept in a separate parcel. He shall then remove the Form 7 and place together all Form 6. He shall thereafter open the form 6 and scrutinize the ballot papers. He shall reject the ballot papers, which are invalid under Statute 24. He shall count the vote's cast in favour of different candidates in the remaining ballot papers.

27. After all votes are counted; the Registrar shall prepare a list of Candidates arranged in order of votes 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.

28. (1) (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 Statute 27 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 field and highest in the list amongst the candidate not declared elected under clause (a) above shall be declared elected.
- (c) When two or more candidates have secured equal votes, the result of the election shall be decided by drawing lots.
- (2) If the seats for which voting as taken place who not include any reserved seat/seats contesting candidate equal in numbers to the number of seats to be field shall be declared elected in the order in which their names appear in the list referred in the Statute 27 above.
29. An election against petition any returned candidates may be presented to the Kulpati by any candidate or elector within ten days from the date of publication of the result of the election on the notice board of the University. The Kulpati's order on the petition shall be final.

FORM-1

(See Statute 6(1)

(Election of representatives on the Court of University under item..... of sub-section (1) of section 22 of the Adhiniyam).

Claim Application for inclusion of Name in the Electoral Poll

To,

The Registrar,
.....University,
.....

Sir,

I am a(Designation e.g. Professor/Asst. Professor/Lecturer)
.....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 this sub-section (1) of section (22) of the Adhiniyam.

Signature.....

Place.....

Full Name

Date

Designation

Name of Institution

Where employed

I.....Principal of.....College
/ Head of Teaching Deptt. or School of Studies ofcertify
that shriis a.....(designation).....
.....in..... College/ Teaching Deptt. or School of
Studies of since.....(Month &
year).....

Signature

Place.....

Full Name

Date

Designation

Name of Institution

FORM 2
(See Statute 6(2))

(Election of representation on the Court ofUniversity under
item.....of Subsection (I) of Section 22 of the Adhiniyam)

Claim for Correction of Name

To .

The Registrar,
.....University
.....

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

“.....”

Place.....

Date

Signature

Full Name.....

Designation

Name of Institution

Where employed

FORM 3
(See Statute 6(3))

(Election of representation on the court ofUniversity
under itemof Subsection (1) of section 22 of the
RGPV Adhiniyam)

OBJECTION OF INCLUSION OF NAME

To,
The Registrar,
.....University
.....

Sir,

I object to the inclusion of the name of of
serial No.....of the provisional electoral roll for the
following reason:

REASON

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..... Name of the Institution

Date..... Where employed

**FORM-4
(Statute 9)**

NOMINATION FORM

(Election of representatives on the Court of.....
.....University under itemof sub-section (I) of
section 22 of the Adhiniyam)

I.....(Full Name).....purpose the name of
Shri/Smt/Kumariwhose name
appears at serial No of the final electoral roll as member of the Court of
.....University under itemof subsection (1) of section 22 of
the Adhiniyam.

Signature

Full Name

Serial No. in

The Final Electoral roll

Name of Institution.....

Where employed

I.....(Full Name).....Second the above proposal

Signature

Full Name

Serial No. in

The Final Electoral roll

Designation

Name of Institution.....

Where employed

I.....(Full Name).....give my consent to my nomination
as a candidate for a seat on the Court ofUniversity under item
.....of sub-section (I) of Section 22 of the Adhiniyam

Signature

Full Name

Serial No. in

The Final Electoral roll

Designation

Name of Institution.....

Where employed

FORM 6
(See Statute 21)

This Form must be duly sealed.
This Form must contain only one Form "5".
Form containing Ballot Paper.
Please do not sign or put any other.
Identification mark.

FORM 6
(See Statute 21)

Registered Letter

(The Form must be sealed.)
It should contain only one Form 6)

From:

Signature of Voter:.....

Name of Voter.....

S.N. in final Elector roll.....

Address.....

To,

Signed in my presence

Shri.

Signature of Attesting

Registrar,

Officer and Date..... University

Designation.....

City.....

Seal

By order and in the name of the Governor of Madhya Pradesh,

Shamim Uddin,
Additional Secretary
Govt. of Madhya Pradesh
Technical Education & Training Department