

**B Elections - General Provisions****Statute - 2**

For all purpose of the Act :

(a) The term "teacher" within the meaning of section - 2, sub-clause (14), shall include -

(i) Professors, Readers and Lecturers and such full time Demonstrators and Tutors as hold at least a Master's Degree and imparting instruction in a recognised institution or an affiliated college or a University Department.

(ii) Instructors of Physical Training who are graduates and hold a Diploma in Physical Education provided they are on the permanent staff of a college;

(iii) And such other posts as declared teaching posts by the State Government from time to time for rural studies colleges.

Notwithstanding anything contained in (i), and (ii) above the name of a part-time teacher who does not work for at least four periods a week or in the case of a teacher doing exclusively research guidance, for at least four hours a week in any one affiliated colleges, recognised institution or University Department shall not be included in the electoral roll of the teachers in any Faculty.

**Statute - 3 DELETED**

**Election of Faculty by**

**Graduates and teachers the S. 16 (1) Class II (a) Cl.(iv) & (vii)**

**Statute – 4**

A person desiring to be enrolled as required under section 16 (1) Class II (A), Clauses (iv) and (vii) of the Act, shall at least 28 days before date fixed for the preparation of the Electoral Roll as laid down in St. 10 and St. 7 elect faculty under which he desires to be enrolled from which he desires to stand as a candidate or to vote at the election. He shall not be entitled to stand as a candidate or vote in more than one Faculty.

If a person fails to give his option within the stipulated period as above the Vice-Chancellor shall decide the faculty to which he should be admitted and his decision shall be final.

**Statute - 4 - A**

In all Faculties or Constituencies where elections are to be held under Section 16 (1) Class II Ordinary Member, (A), there shall be an annual revision of the Roll on the 31st of December every year including persons who are entitled and have applied for registration.

**Statute - 5**

**Publication and**

**Correction of Electoral**

(1) For every election to the Court, the electoral roll shall be the one published before the date of issue of the election notice.

(2) The rolls of persons, public associations or bodies entitled to vote at an election to the Court shall be published, except when otherwise

**Rolls; Notice  
of Election  
S.16 (1)  
Cl. II (A)**

specified, at least 42 clear days before the date of election. An announcement that the rolls are ready shall be inserted in such newspapers as the Vice-Chancellor may select at least 35 days before the date of election.

(3) The Vice-Chancellor shall have the authority to correct the rolls, if any, omission or wrong entries be brought to his notice at least 25 days before the date of election. The Vice-Chancellor's decision in the matter shall be final.

(4) Whenever there is a vacancy in the Court, the notice of election relating thereto shall be given to the voters concerned through newspapers selected for the purpose by the Vice-Chancellor or it shall be issued to the voters individually except when otherwise provided for, at least 21 clear days before the date of election; and in the said notice, the date fixed as the last day for receiving nominations and the date of election shall be precisely stated along with other relevant details.

**Statute - 6**

**Ele.Roll of  
sec.  
teachers  
and H.M.  
S.16(1)  
Cl. II  
(A) (ii) & (iii)**

(1) In the case of elections to the Court under Section 16 (1) Class - II (A) (ii) and (iii) the Registrar shall as on the 31st December just preceding the date of election prepare a roll as for each of these constituencies of all those entitled to vote there at as per Statute No. 4 (A) and not less than 21 clear days before the date of election shall publish in the newspapers selected by the Vice-Chancellor, a notice of election to be held in accordance with the procedure prescribed in Statute - 30 stating there in all relevant particulars.

(2) In the preparation of the Roll of Secondary Teachers, the names of only such teachers shall be included on the roll as are on the date of its preparation, members of the teaching staff of a Secondary School as defined in Clause (12) of section - 2 and are actively participating in the work of teaching as Secondary teachers.

(3) In the case of Head Masters the roll shall include the names of permanent Head Masters.

(4) The names of the persons entitled to vote shall appear only once on the roll.

**Statute - 7**

**Electoral  
Rolls of  
Colleges  
Teachers  
etc.**

(1) In the case of election to the court by Teachers from amongst themselves under section 16 (1) Class - II (A) clause (vii) the Registrar shall, as on the 31st December just preceding the date of election prepare a Roll, institution wise of Teachers (excluding the Deans of Faculties and the Principals of the affiliated colleges) and showing against the names of teachers having teaching experience of less than ten years, a specific differentiating mark to that effect, and not less than 21 clear days before the date of election, shall publish in the newspapers selected by the Vice-Chancellor, a notice of election to be held by ballot in accordance with the procedures prescribed in Statute - 40. Election from this constituency shall be held at polling centers fixed for the same. A voter shall have to vote at a polling centre fixed in the town in which his college is situated.

(2) 20 members to be elected faculty wise, by teachers (excluding Deans of Faculties and Principals of affiliated colleges) shall be elected from amongst themselves as specified here below :

Teachers in the Faculty of	No. of Teachers having Teaching Experience of	
	10 years & above	Less than 10 year
Arts	5	2
Education	1	1
Commerce	4	1
Science	3	1
Technology including Engineering	1	--
Law	1	--
Total	15	5

### Statute - 8

#### Electoral Rolls etc. of Principals

(1) In case of election of Principals of affiliated colleges under clause (viii) of section 16 (1) Class-II (A), the Registrar shall, as on the 31st December just preceding the date of election, prepare a roll of Principals of colleges and not less than 21 clear days before the date of election shall publish in newspapers selected by the Vice-Chancellor, a notice of election to be held by ballot in accordance with the procedure prescribed for the same. Election from this constituency shall be held at polling centres fixed for the same. A voter shall have to vote at a polling centre fixed in the town in which his college is situated. However, a bye-election from this constituency shall be held at a meeting of the Principals of the affiliated colleges in accordance with the procedure laid down in Statutes 37,38 and 39.

(2) Not more than 15 Principals of affiliated colleges in the proportion of one for every three Principals of such colleges shall be elected in such a manner as would ensure that at least one Principal from each faculty gets its representation on the Court.

15 Principals of affiliated colleges shall be elected faculty wise from amongst themselves as specified here below :

Principals in the Faculty of	Number
Arts	5
Education	2
Commerce	4
Science	2
Technology including Engineering	1
Law	1

**Statute - 9**

**Election by Public Bodies** The election of ordinary-members by the public associations or bodies named in section - 16 (1) Class-II (A) Clause (i) and Clause (V) Sub-Clauses (a), (b) and (c) shall be held in the manner prescribed in Statute 41. The Registrar shall as on 31st December just preceding the date of election prepare a roll of the public associations and bodies entitled to vote there of; and not less than 21 clear days before the date of election, the Registrar shall notify to the public associations and bodies concerned whose names are entered in the respective rolls, that an election of their representative to the Court of the University is due, indicating at the same time, the date by which the result of the Election shall be communicated to the University.

Provided that in the case of election of ordinary members by the Gujarat Legislative Assembly named in Clause (i) the Secretary, Gujarat Legislature Secretariat shall, in the event of its reconstitution or occurrence of any vacancy of its representative on the Court, intimate to the University Registrar about it and the Registrar shall thereupon notify in the aforesaid manner within a period of 21 days from the date of receipt of such intimation by the state legislative Assembly.

**Statute - 10**

**Electoral Rolls of Registered Graduates S.16(1) Cl. II(A) Cl.(IV)** In the case of election of ordinary members by Registered Graduate under section 16 (1) Class- II (A) clause (iv), the Registrar shall as on the 31st December just preceding the date of elections prepare faculty wise Electoral Rolls of the Registered Graduates and publish them every five years. The intimation of holding of the election shall be published in newspapers to be selected by the Vice-Chancellor, at least 21 days before the date of election to be held according to the relevant Statutes in this behalf, stating therein the necessary details. The election of the ordinary members to the Court by the Registered Gradates shall be held by ballot at polling Centres fixed for the same. Not more than one by election shall be held during any academic year by a Registered Graduates constituency.

One member shall be elected from amongst the registered graduates of each of the relevant faculties as specified below :

Sr. No.	Faculty	No. of Registered Graduate to be elected
1	Arts	1
2	Commerce	1
3	Science	1
4	Education	1
5	Technology including Engineering	1
6	Law	1
7	Medicine	1
8	Pharmacy	1

9	Home Science & Rural Studies (Grouped as one Faculty)	1
10	Management Studies	1

**Statute - 11**

**Registered  
Graduates  
Candidates  
deposit  
S.16(1) Cl. II  
(A) (iv)**

(1) Every candidate in an election to the Court, by the constituency of Registered Graduates shall, before nomination, deposit with the Registrar a sum of Rs. 200/- in cash, the candidate shall not be duty nominated unless the said deposit has been made.

(2) The said deposit shall be forfeited to the University, if the candidates is not elected and the number of votes credited to him at the last count before he is excluded or before the last of the successful candidate is elected is less than one eight of the quota.

(3) The said deposit shall be returned :

- (a) if the candidate is elected ; or
- (b) if the duty withdraws his nomination; or
- (c) if his nomination is declared invalid; or
- (d) if the dies before the date fixed for election; or
- (e) if the candidate is not elected and the deposit has not been forfeited under clause (2) hereof.

**Statute - 12**

**Electoral  
Rolls of  
Governing  
Bodies  
S.16 (1)  
Cl. II (A)  
(VI)**

(1) In case of election to the court by the governing bodies of the colleges (other than a government college or a college maintained by the Government) from amongst themselves under section 16 (1); Class-II (A) (vi), the register shall as on the 31st December, just preceding the date of election prepare a roll of the Governing bodies of such colleges as are situated within the University area and not less than 21 clear days before the date of election publish news papers selected by the Vice-Chancellor, a notice of election to be held by ballot at polling centres to be fixed by the executive council in accordance with procedure prescribed in statute 40.

(2) The registrar shall ask each of such governing bodies for the purpose of preparing the above rolls to intimate to the University within 21 days of such request from the registrar, the name, degree, if any, and address of its representative for the purpose of voting and the name of such representative shall be put on the roll as a voter, provided that no single person shall, even if he is nominated as a representative of the governing bodies of more than one college, be entitled to more than one vote at any one election.

**Statute - 13**

**Electoral Roll of Non-teaching Staff**  
**S.16 (1)**  
**CI-II (A) (ix)**

In the case of election to the court by the members of non-teaching staff of the University, colleges, recognised institutions and approved institutions, if any, from among themselves under section 16 (1) Class II (1) (ix) for its representative, the registrar shall as on 31st December just preceding the dates of election prepare a roll of all confirmed full time employees other than the teaching staff and less than 21 clear days before the date of election publish in newspapers selected by the Vice-Chancellor a notice of election to be held by ballot in accordance with the procedure prescribed in statute-40. Election from this constituency shall be held at polling centres fixed for the same. The voter shall have to vote at a polling centre fixed in the town in which his college is situated.

**Statute - 14**

**Nomination by Chancellor**  
**S.16 (1)**  
**Cl. II (C)**

In respect of nominations to be made under section 16 (1) class II (C), the registrar shall, not less than 21 clear days before the date fixed by the Vice-Chancellor, intimate to the chancellor the date fixed for nomination and request him to furnish, not later than that date, the names, degree, if any and addresses of the persons nominated by him.

**Statute - 15**

**Register of Donors**  
**S.16 (1)**  
**Cl. II (B)**

(1) The registrar shall prepare at the end of every year on 31st December a register of donors, each donating a sum of not less than Rs. 5 lacks or other property of the market value of not less than Rs. 5 lacks to or for the purpose of the University or to or for the purpose of a college or institution.

(2) The registrar shall also include in the said register the donors each of whom has donated a sum of not less than Rs. 5 lacks or other property of the market value of not less than Rs. 5 lacks to or for the purpose of the college or institution prior to the date on which such college or institution was deemed to be affiliated or recognised and admitted to the privileges of the University, under section-5 or affiliated to or recognised by the University or the Vice-Chancellor under section - 35, 37 or 84 as the case may be.

(3) If the donor is undivided Hindu family, trust, firm, company or body corporate, for the purpose of voting, the name of the representative nominated from time to time by each such undivided Hindu family, trust, firm, company or body corporate shall be enrolled on the register maintained by the University.

(4) In the case of donation given jointly in the names of two or more persons the name of only one representative will be enrolled in respect of that donation if other conditions are fulfilled.

(5) In the case of donations given by installments the total of such donations being Rs. 5 lacks or more the date of acceptance of the first installment will be taken as the date of acceptance for purpose of enrolment. The person so entitled shall not, however, be entitled to vote or stand for election till the full amount i.e. Rs 5 lacks or more has been paid.

(6) If the number of names enrolled under sub-clause (B) of section 16 (1) class - II is less than three, each person whose name is so enrolled subject to the provisions herein contained be deemed to have been elected. If the number exceeds two the persons whose names are enrolled on the register shall elect two members to the court.

(7) Notwithstanding anything contained above, the names of the donors who have donated a sum of rupees one lakh to the colleges affiliated to Gujarat University before the commencement of Gujarat Ordinance No. 5 of 1986, shall be included in the electoral roll of donors constituency of the period following short of twenty years from the date of acceptance of donations by the concerned colleges affiliated to Gujarat University then.

#### **Statute - 16**

**Donors**  
**represent-**  
**ative**  
**S.16 (1)**  
**Cl. II (B)**

The registrar shall ask the manager of an undivided Hindu family, the trustees of the trust, the Directors of the company, joint donors or the representative of any body corporate mentioned in the preceding Statute, to intimate to the University within 21 days of such request from the Registrar, the name degree and addresses of the representative for the purpose of voting and the names of such representatives shall be put on this register.

#### **Statute - 17**

**Election**  
**from donors**  
**S.16(1)**  
**Cl. II (B)**

For the election by donors under Section 16 (1) Class II (B) the registrar shall maintain a list of persons entitled to vote in accordance with the qualifications laid down there in and shall conduct the election by post and by the system of proportional representation. The electoral roll prepared as on 31st of December just preceding the date of election shall be used for the election.

**C : Election procedure :**

#### **Statute - 18**

**Interpretation**

Every election to any authority of the University shall be made according to the system of proportional representation by means of a single transferable vote ballot as provided in section 73 of the Act.

Except as otherwise expressly provided for, all elections to the authorities of the university will be held in accordance with this chapter.

In this chapter unless there is anything repugnant in the subject or context :

- (1) The expression "voter" with reference to the election at any authorities means any person or a representative of a public association or body entitled to vote at such election;
- (2) The expression "continuing candidate" means any candidate not elected or not excluded from the poll at any given time.
- (3) The expression "first preference" means the figure "1" standing alone opposite the name of a candidate. "second preference" means the

figure "2", standing alone opposite the name of a candidate in succession to the figure "1" "third preference" means the figure "3" standing alone opposite the name of a candidate in succession to the figures "1" and "2" and so on;

(4) The expression "next available preference" means second or subsequent preference recorded in consecutive numerical order for a continuing candidate the preference next in order a voting paper for candidates already elected or exclude from the poll being ignored;

(5) The expression "transferable paper" means a voting paper on which following the first preference, second or subsequent preference is recorded in consecutive numerical order for a continuing candidate;

(6) The expression "non - transferable paper" means a voting paper on which no second or subsequent preference is recorded for a continuing candidate;

Provided that a paper shall be deemed to have become a non-transferable paper whenever :

(a) the names of two or more candidates (whether continuing or not) are marked with the same number, and are next in order of preference;

or

(b) the name of the or candidate next in order of preference (whether continuing or not) is marked :

(i) by a number not following consecutively after some other number on the voting paper;

or

(ii) by two or more number;

or

(c) for any other reason it cannot be determined for which of the continuing candidates the next available preference of the elector is recorded;

(7) The expression "original vote" in regard to any candidate means a vote derived from a ballot paper on which a first preference is recorded for that candidate;

(8) The expression "transferred vote" in regard to any candidate means a vote derived from a voting paper on which a second or subsequent preference is recorded for that candidate;

(9) The expression "surplus" means the number of votes by which the total number of the votes, original and transferred, credited to any candidate, exceeds the quota;

(10) The expression "count" means :

(a) all the operations involved in the counting of the first preferences recorded for candidates;

or

(b) all the operations involved in the transfer of the surplus of an elected candidate;

or

(c) all the operations involved in the transfer of the votes of an excluded candidate or of two or more candidates excluded together.

**Statute - 19**

**Mode of Elections**

(A) Subject to provision under Section 75 of the Act, the Vice-Chancellor shall have the power :

- (i) to fix the date of election;
- (ii) to decide in cases of doubt the validity or invalidity of a vote recorded and to declare the result of each election.

(B) (i) Elections to the Court under the following provisions shall be held by post.

S. 16 (1) Class II A (ii) (iii) and Class II B.

- (ii) Elections to the Court under the following provisions shall be held by ballot at polling centres to be fixed by the Executive Council.

S. 16 (1) Class II A (iv), (vi), (vii), (viii) and (ix)

- (iii) Elections to the Court under the following provisions shall be held in the manner prescribed in St. 41.

S. 16 (1) Class II (A) (i) (V) (a), (V) (b), (V) (c)

- (iv) Elections by any of the authorities of the University to any other of its authorities shall be held at a meeting of such authority in accordance with the procedure laid down in Statutes 36,37,38 and 39 here below.

**Statute - 20**

**Responsibility of Registrar**

Except as otherwise provided for, the Registrar shall be responsible for the conduct of all elections.