

**CONSTITUTION OF
DR. ROHINI KANTA BARUA LAW COLLEGE STUDENTS' UNION
*Dibrugarh, Assam***

*(Bye laws to run and govern Dr. Rohini Kanta
Barua Law College Students' Union)*



**DR. R. K. B. LAW COLLEGE
Khalihamari, Dibrugarh (Assam) - 786001**

*(Framed as per recommendations of Sri J.M. Lingdho Committee
constituted by Ministry of Human Resource Development, Government of
India as per the direction of the Hon'ble Supreme Court of India to frame
Guidelines on Students' Union Elections in Colleges/Universities)*

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Drafting Committee of the Constitution-

1. Dr. Gautomi Dutta Borah *Chairperson*
Principal
Dr. R.K.B. Law College
2. Sri S. C. Goswami *Member*
Vice Principal
Dr. R.K.B. Law College
3. Sri S. B. Sarma *Member*
Sr. Lecturer
Dr. R.K.B. Law College

Constitution of Dr. Rohini Kanta Barua Law College Students' Union, Dibrugarh, Assam

(Bye-laws to run and govern Dr. Rohini Kanta Barua Law College Students' Union, Dibrugarh, Assam vide Governing Body Resolution No. IV, Dated 05/03/2018)

Article 1: Name

The Union shall be called the 'DR. ROHINI KANTABARUA LAW COLLEGE STUDENTS' UNION in short, RKBLCU.

Article 2: Place of Establishment and Head Office

K.C. Gogoi Path, Khalihamari, P.O. Dibrugarh, District-Dibrugarh, pin: 786001, Assam

Article 3: Emblem and Flag

The Emblem and Flag of Dr. R. K. B. Law College shall be the Emblem and Flag of the RKBLCU.

Article 4: Working Area

The administrative area of the College shall be the area of the working area of the RKBLCU.

Article 5: Aims and Objectives

The following shall be the aims and objectives of the RKBLCU.

1. To promote educational, intellectual, moral, physical, cultural and social development of the students.
2. To promote civil responsibility, leadership quality, discipline and knowledge for social life among the students.
3. To promote mutual friendship and co-operation, tolerance, sacrifice and other human values among the students.
4. To promote the sense of social service among the students.
5. To organize and hold meetings, seminars, debates, competitions, symposiums and exhibitions.
6. To give importance for the fulfillment of the necessity of students canteen, pure water facility and other things of a similar nature of common interests.
7. To organize and participate in the inter-college festivals.
8. To publish College Magazines, Journals, Bulletins, Pamphlets, Wall Magazine and submit memorandum whenever necessary.
9. To render services for greater interests of the College with the prior consent of the College authority.

10. To organize Freshers' Social, Farewell Ceremony, observation of the Tithis of the Great Saints, Cultural Festivals and Annual College Week Festival etc..
11. To organize and execute cleanliness drive in and outside the College campus.
12. To organize educational excursions to visit different places of academic interests.
13. To undertake any other programme of actions as may be necessary for the attainment of the objectives as stated above.

Article 6: Membership:

1. All the bona fide regular student of the College shall be the **Primary Member** of the RKBLCU.
2. All the Teachers will be **Well Wisher Member** of the RKBLCU.
3. The primary members of RKBLCU who may be elected to the Executive Body of RKBLCU from time to time shall be **Executive Members**.

Article 7: Composition of General Body:

The General Body of RKBLCU will be the Supreme Body which will be composed by all the Primary Members and Well Wisher members.

Article 8: Executive Body:

1. The Executive Body of RKBLCU shall be comprised of the following Office Bearers-
 - a. President
 - b. Vice-President
 - c. General Secretary
 - d. Assistant General Secretary
 - e. Cultural Secretary
 - f. Debating & Symposium Secretary
 - g. Games and Sports Secretary
 - h. Magazine Secretary
 - i. Common Room & Social Welfare Secretary
 - k. Class Representatives.
2. There shall be one Teacher-in-charge/Adviser to be appointed by the Principal in consultation with the President & General Secretary, of the Executive Body, against the group of office bearer as mentioned

below. The teacher in charge may be selected from among the regular teachers of the College.

- a. Group - A :
 - (i) President
 - (ii) Vice President
 - (iii) General Secretary
 - (iv) Asst. General Secretary
- b. Group B :
 - (i) Cultural Secretary
 - (ii) Debating & Symposium Secretary
- c. Group C :
 - (i) Games & Sports Secretary
 - (ii) Magazine Secretary
- d. Group D :
 - (i) Common Room and Social Welfare Secretary
 - (ii) Class Representative

Article 9: Powers and Functions of the President

- a. Except election related matters and disputes, in all other matters the President can take the final decision. However, before taking such decision he/she must consult with others member of Executive Body.
- b. He/She shall conduct the Budget Meeting, General Meeting and the meetings of Executive Body.
- c. He/She shall exercise his/her voting right in case of a tie when necessary.
- d. The President can terminate the membership of any member of the Executive Body if he/she is found to be absent from 03 (three) consecutive meetings of the Executive Body without prior information to the President in writing or is found guilty of violation of the RKBLCU's Constitution.
- e. The president shall observe that none of the members of the Executive Body should carry on any kind of business directly or indirectly in the name of the RKBLCU or the institution.

Article 10: Powers and Functions of the Vice-President

- a. In the event of absence of the President due to leave, illness or any other cause, the Vice-President shall exercise all the powers and function of the President.
- b. The Vice President shall offer counsel and advice to the Secretaries of different portfolios for smooth discharge of their duties.

Article 11: Powers and Functions of the General Secretary

- a. He/She shall co-ordinate the activities of the Sectional Secretaries and shall act in consultation with the President as well as Faculty

Adviser and shall function in all matters relating to the RKBLCSU in accordance with this Constitution.

- b. He/She shall arrange meetings and other functions of the Union, shall represent to the different bodies and authorities of the Colleges and Universities on behalf of the Union.
- c. He/She shall prepare the budget for the year and shall keep all the records of expenditure.
- d. He/She shall be the custodian of all records of the different activities of the Union and shall keep records of minutes of the meetings.
- e. He/She shall be the publisher of all the publications of the Union and shall be responsible for this.
- f. He/She should render help and support to the Principal or Authority of the College to maintain law & order in the College.
- g. He/She shall co-operate the College Authority in organizing any programme, event etc. if assistance is asked for.

Article 12 : Powers and Functions Assistant General Secretary

In the event of the absence of the General Secretary, the Assistant General Secretary shall act as the General Secretary and will assume all the powers and functions of the General Secretary. He/She shall assist the General Secretary in all the matters relating to the Union. In absence of the Secretary of any other portfolio, the Executive Body may empower the Assistant General Secretary to discharge the duties of that portfolio temporarily.

Article 13: Powers and Functions of Other Office Bearers/Secretaries

The other Office Bearers/Secretaries of Union Body shall perform their duties in their respective portfolios under the advice of the respective Faculty Adviser(s). They shall maintain records of the activities and stock register and account of fund within their respective jurisdiction.

NB - Any jurisdictional disputes between/ among the Sectional Secretaries shall be resolved by the President in consultation with other members of Executive Body.

Article 14: Class Representatives

The Class Representatives shall take account of opinions in their respective class as far as possible and shall help the Secretaries to discharge their duties properly.

Article 15: Advisers (Faculty members)

The Office Bearers shall act as per advice of the Adviser(s). Fund shall not be released to the office bearer without the recommendation of the Adviser(s).

Article 16: Eligibility Criteria of the Candidates

- a. The candidate must be a regular full time student between the age group of 22 to 25 years.
- b. The candidate should not have any academic arrears in the year contesting the election.
- c. The candidate shall have an attendance record of at least 75% in the current semester till the date of his/her filing of the nomination paper.
- d. A candidate shall not be allowed to contest for more than one office bearers of the Executive Body of RKBLCU.
- e. The candidate shall not have any bad academic record such as adopting unfair means during examinations, ragging, and any other disciplinary action connected with the College.
- f. The candidate shall not have a previous criminal record, that is to say he should not have been convicted of any criminal offence or misdemeanor. The candidate shall also not have been subjected to any disciplinary action by the affiliating University.
- g. The Assistant General Secretary, General Secretary and President of RKBLCU shall be elected exclusively from among the students of 1st, 3rd and 5th Semester Classes respectively.
- h. All other portfolios shall remain open for 1st and 3rd Semester classes only.

Article 17: Language of College Magazine:

The language of the College Magazine shall be Assamese and English.

Article 18: Election

The Principal shall constitute a 3 (three) member Election Commission from among the teaching staff to be headed by Chief Election Officer. The Election Commission shall enforce model code of conduct for the election period and shall ensure observance of the same by the candidate.

Article 19: Powers and Functions of Chief Election Officer

- a. The Chief Election Officer (CEO) shall notify a complete schedule of elections giving therein the date and time for filing nominations, scrutiny of nominations, the authority to whom nominations are to be filed, the date of withdrawal of nomination, declaration of the final list of contestants, the date and time for holding campaign, election, counting and declaration of results.

- b. The Chief Election Officer shall supply nomination papers to the candidates and shall receive the filled-up nomination papers along with supporting documents.
- c. The Chief Election Officer shall have the right to determine the eligibility or otherwise of the contestants and proposer/seconders. If it is found that candidate is ineligible as per these regulations, his/her nomination papers shall be rejected. The decision of the CEO in this matter shall be final.
- d. After issuing nomination papers, CEO shall convene a meeting with the aspiring candidates to brief them about the rules/guidelines of the election process. Moreover, it is the bounden duty of the Chief Election Officer to apprise of all the rules and regulation and about any decision of Election Commission to the contesting candidates in due course of election process.

The scrutiny of each nomination paper shall be carried out by the Election Commission in presence of the concerned candidate or his/her authorized representative along with his/her proposer and seconder.

Article 20: Frequency and Duration of Election Process

- a. The Election shall be normally held within four to six weeks from the commencement of the academic session.
- b. The entire process of election commencing from the date of filing of nomination papers to the date of declaration of results, including the campaign period, shall not exceed 10 (ten) days.

Article 21: Mode of Election

- a. Direct election to all the portfolios shall be held through secret ballots.
- b. The Ballot Box shall be locked and sealed by the CEO or his/her representative in the presence of each candidate or his/her representative who should also be a bona-fide student of the College.
- c. The Election shall be by simple majority by means of a single non-transferable vote.
- d. The CEO can change the time & venue of the voting and counting after due notification.
- e. If two contestants of the same portfolio secure equal number of votes, the CEO shall apply Toss method in presence of the candidates or their authorized representatives to declare the winner.
- f. A time window of 02 (two) hours preferably from 2:00 AM to 4: 00 PM may be allotted for casting votes.

Article 22: Documents to be submitted along with nomination papers:

- a. High School Leaving Pass Certificate/Admit Card as age proof.
- b. Fee clearance certificate of the current semester/academic session issued by the Accountant of the college. Fee clearance certificate is also mandatory for the proposer and the seconder.
- c. Certificate of percentage of attendance from the Vice-Principal of the College.
- d. A Certificate from the Vice-Principal declaring that the Candidate has no academic arrears in the year of contesting the election.
- e. An affidavit stating that the candidate has no previous criminal records as well as has not been subjected to any disciplinary action by the College Authority.
- f. Photo Identity Card (containing clear photograph)

Article 23: Electors Identity

- a. The Electors, i.e. the student should be in college uniform.
- b. A Student should produce his/her Identity Card while coming for casting vote.

Article 24: Provision for recounting

If a candidate is not satisfied with results of the counting, he/she may appeal to the Chief Election Officer within 48 hours for recounting of votes stating valid reasons and paying fee fixed by the Commission. If the Commission prima facie finds the petition for recounting reasonable, recounting for that portfolio shall be held within one week from the date of appeal. If the difference between the winner and the defeated candidate is not more than five votes, the petition of the appellant for recounting shall not be entertained by the Commission.

Article 25: Provision for filling up vacancy

- a. If any port folio remains uncontested and thereby remains vacant, the College Authority may nominate any student to fill up that vacancy.
- b. If any vacancy arises to any port-folio due to resignation, removal etc., the College Authority shall after consultation with existing Executive members may hand over the charge of that port-folio to any of the existing member.

Article 26: No Confidence Motion:

- a. Any Member of the Union can move a no-confidence motion.
- b. The no-confidence motion shall be adopted in a General Body Meeting if it is supported by 2/3 (two-third) member of the Executive Body.
- c. In case the no-confidence motion is won against an office bearer or

the whole elected Executive Body, a fresh election shall be announced to fill the vacancy/vacancies so created within a fortnight from the date on which the no-confidence motion was passed.

- d. The resignation of any member of the Executive Body shall be accepted by the President in consultation with the Executive Body.
- e. The resignation letter of the President shall be received by the Vice-President and may be accepted by him/her on the advice of the other members of the Executive Body.

Article 27: Quorum

One Third of the total Office Bearer shall constitute the quorum.

Article 28: Tenure

The tenure of RKBLCU shall be One Year or till the formation of the next Body.

Article 29: Fund:

There shall be a fund known as RKBLCU Fund at State Bank of India, Dibrugarh Branch. The Fund shall be operated by the Principal and President of the Governing Body in consultation with the President, General Secretary, other Office bearer of Union Body and respective Teacher in charge/adviser(s).

Article 30: Sources of Income

- a. Union fees collected from the students of the College at the time of admission as fixed by the College Authority from to time.
- b. Donations from the individuals and organizations subject to the approval of the College Authority.
- c. Grants from the College, District Administration and State Government.

Article 31: Budget:

- a. Within a month of the election of the new Executive Body, the Executive Body in the Budget meeting will prepare the Annual Budget of the Union.
- b. The funds allotted to the different portfolio shall be spent under the supervision of respective Teacher in charge/Adviser and details of the accounts have to be submitted within 30 days from the event, to the respective Teacher in charge or Adviser.
- c. The General Secretary shall maintain a general Cash Book containing different heads of income and expenditure.
- d. The President shall be responsible for the utilization of the fund in accordance with the allocation in the budget. He/she shall forward the application of the Secretaries to the Principal to withdraw the

money from Bank after getting recommendation from the concerned Teacher in charge/Adviser.

- e. There shall be an Auditor to audit the account of the Union and to submit report to the Executive Body from to time.
- f. The Auditor shall be appointed by the Principal in consultation with the President of the Union.
- g. The budget of the Union shall be notified by the President for providing information to the members of Union, a copy of which will also be submitted to the Principal of the College.
- h. In case of misappropriation of Union funds by any members of the Executive Body, the College Authority shall appoint an Enquiry Body consisting of 03 (three) members to enquire into the matter and who will submit the report within 01 (one) month from the date of appointment. The College Authority shall take necessary action on the basis of the report.

Article 32: Code of Conduct for candidates and Election 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 the 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 vote. Place 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 station, holding public meeting 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 pamphlet, or any printed material for the purpose of canvassing. Candidates may only utilize handmade posters for the purpose of canvassing.

- f. Candidates may only utilize handmade posters at certain places in the campus, which shall be notified in advance by the Election Commission.
- g. No candidate shall be permitted to carry out procession, 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. 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 processions and/or public meetings, provided that such processions and/or public meetings 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 previous 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) Cooperate with the officers on election duty to ensure peaceful and orderly polling and complete freedom to the voters to exercise their franchise without being subjected to any annoyance or obstruction.
 - (ii) Not serve or distribute any eatable, or other solid and liquid consumables except water on polling day.
 - (iii) Not hand out any propaganda on the polling day.
- l. Except the voters, no one without a valid pass/letters of authority from the Election Commission or from the College authorities shall enter the polling booths.
- m. The Election Commission shall appoint impartial observers; if the candidates have any specific complaint or problem regarding the conduct of the elections & they bring the same to the notice of the Election Commission.
- 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 rules may make the candidate liable to be stripped off his candidature, or his elected post, as the case may be. The Election Commission may also take appropriate disciplinary action against such a violator.

- p. In addition to the above, provisions of the Penal Code, 1860 (Section 153-A and Chapter IX-A 'Offences relating to election) may also be made applicable to student election.
- q. In the matter of interpretation of these regulations, the decision of the Chief Election Officer shall be final.

Article 33: Grievances Redressal mechanism

If any dispute arises relating to student election, the matter will be forwarded to the Grievance Redressal Cell of the College which will enquire the matter as per the rules given in the Lyngdho Committee Report.

Article 34: Commencement of the Constitution

The draft constitution shall come into force with effect from such date as the college Authority may notify after due approval from the Governing Body of the College.

Article 35: Amendment of the Constitution:

The provision of the constitution of RKBLCU may be amended from time to time as per procedure mentioned below.

- a. A proposal for amending any of the provision of the constitution may be moved by any of the Executive Member or Well Wisher member of RKBLCU and to be submitted to the Principal in writing.
- b. The Principal shall place the proposal for amendment in the meeting of the Governing Body, who shall appoint a committee for drafting the amendment. If feel necessary the Committee shall consist of three members of which one of the member shall be from the Executive body of the RKBLCU, preferably the General Secretary.
- c. The amended draft of the provision shall be placed in the Executive Meeting of the RKBLCU. If the Executive Body approves the amended draft by 2/3 majority present and voting, it shall be placed in the general meeting of the RKBLCU. Once the General Body of RKBLCU approves it by 1/3 majority present and voting, the same shall be placed before the Governing Body of the college for final approval.








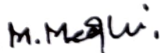

Thereafter the amendment shall come into force with effect from a date to be notified by the Principal.

Notwithstanding anything provided in the above mentioned provision, no proposal for amendment shall be accepted; if it deviates from the provisions of Lingdho Committee Report or any other existing govt. rules as the case may be.

Article 36: Oath and Charge taking of Executive Body:

- a. Within a week after declaration of the result of election the new Executive Body shall take Oath and charge of their office. The Principal of the College shall conduct the oath taking ceremony of the new body in a general meeting and also announce the name of teacher-in charge/Adviser in different portfolios of the Union Body.
- b. Oath taking and assuming the office by the new body will be held in a general meeting in the presence of all students and Teachers.
- c. The oath shall be as 'I..... do swear in the name of God that as a of Dr. Rohini Kanta Barua Law College Students' Union, I shall maintain the honour and chastity of the Constitution of RKBLCSU . I shall try my best to fulfill the aims and objectives recorded in the Constitution which are imposed on me as a member of Union'.

**Members of Governing Body present on the day of
adoption of the Constitution of RKBLCSU.**

Sl. No.	Name	Designation	Signature
1.	Dr. Prakash Barooah	President	
2.	Dr. Gautomi Dutta Borah	Principal and Secretary	
3.	Sri S.C. Goswami	Vice Principal (Ex-Officio Member)	
4.	Sri A.K. Dutta	Member (University Nominee)	
5.	Dr. N. Ahmed	Member (Women Member)	
6.	Dr. U. Dowerah	Member (Donor Representative)	
7.	Sri S.B. Sarma	Member (Teachers' Representative)	
8.	Mrs. M. Medhi	Member (Teachers' Representative)	
9.	Sri P.K. Dey	Member (Guardian Representative)	

ANNEXURE A

SCHEDULE FOR ELECTION OF THE OFFICE BEARERS OF THE EXECUTIVE BODY, DR. R.K.B. LAW COLLEGE STUDENT' UNION (RKBLCSU)

1. Date & Time for issue of Nomination Papers:.....
2. Date & Time for receipt of Nomination Papers:.....
3. Date & Time of Scrutiny of Nomination Papers:.....
4. Date & Time of Publication of list of eligible contesting candidates:.....
5. Last Date for withdrawal of Nominations:.....
6. Date & Time of Publication of Final list of Candidates:.....
7. Date for general Campaigning:.....
8. Date of Election:.....
9. Timings of Voting:.....
10. Counting of Votes:.....

Note : Venue for submission of Nomination Papers: (To be decided by the Chief Election Officer)

(The Central Election Office shall be located at the office of the Principal or as decided by the Chief Election Officer.)

Chief Election Officer

ANNEXURE-B

NOMINATION PAPER FOR ELECTION TO THE POST OF OFFICE BEARER OF THE STUDENT UNION FOR 20.....-20..... DR. ROHINI KANTA BARUA LAW COLLEGE : DIBRUGARH

(Please read the election notification carefully before filling up this Nomination Form. Furnish correct and full information. It is the responsibility of the proposer, seconder and the candidate to submit the nomination paper, complete in every respect, to the Chief Election Officer / or any person authorized by the CEO, within the time limit.)

Name of the Post (IN BLOCK LETTER):.....

Part I : Nomination of the Candidate

1. Name of the Candidate (IN BLOCK LETTER) :
2. Semester :
3. Date of Birth :
4. Age :

Signature of the Proposer :

Name of the Proposer (IN BLOCK LETTER) :

Semester :

Date:

Part II Seconding of the Candidate

I do hereby second the nomination of the above candidate

Signature of the Secunder :

Name of the Secunder (IN BLOCK LETTER) :

Semester :

Date:

Part III : Consent and Delcaration of the Candidate

- I. I, (Name of the Candidate) agree to serve on the College Union, if elected.
- II. I hereby declare that:
- (1) I am a full time regular student of the college.
 - (2) I have no academic arrears as on date. I have passed all the examinations the result of which have been declared and have not absented from any of the examinations, the results of which are to be declared.
 - (3) I have attained the minimum percentage of attendance prescribed by the College for the Course of study or 75%, whichever is higher.
 - (4) I have not been subjected to disciplinary proceedings by the college.
 - (5) I will follow the code of conduct for candidates.
 - (6) I have not been convicted of any criminal offence or misdemeanor.

Signature of the Candidate :

Name of the Candidate :

Date :

Part IV : Verification

The declarations made by the candidate at Sl. No. II - 1, 2, 3 & 4 have been verified with the recoards and found correct / incorrect.

Name & Signature
(Members of the Election Commission)

Name & Signature
(Members of the Election Commission)

Date :

Decision of the Chief Election Officer

Signature
Chief Election Officer