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APPENDIX-E

Rules for Election to the Court under the Provision of Statute 2(1) (xvi) :

1. (1) There shall be an alumni Association established for the Delhi University hereinafter referred to as the Association.
 - (2) All existing members of the Association who have completed 5 years of the membership will be required to get re-enrolled on making an application in the form prescribed by the University and on payment of Rs. 100/- as re-enrolment fee within 30 days of the date of notification to be issued by the University in this behalf, failing which the membership will be deemed to have lapsed.

Provided that the membership will be deemed to have lapsed unless renewed every 5 years.
 - (3) Any graduate of the Delhi University who had been admitted to the Degree of the University either at the convocation or in absentia and is not pursuing any course of study in Delhi University or any other University can be a member of the Association on making an application in the form prescribed by the University and on payment of Rs. 100/- as initial registration fee. Provided however, the membership will lapse unless it is renewed after every 5 years on making an application in the form prescribed by the University on payment of Rs. 100/- as renewal fee.
 - (4) The Registrar on being satisfied that the application is in order, and on receipt of the prescribed fee, shall cause the name of the applicant to be enrolled as a member of the Association.
2. No member of the Association shall be entitled to vote or stand for election unless he is a citizen of India and has been a member of the Association for at least one year period to the last date fixed for the receipt of nomination.

Provided further that no member of the Association shall be entitled to vote at or stand for an election for a period of two years from the date of his becoming eligible for the purpose if in respect of him an order of direction has been passed or issued by the Executive Council or by the Vice-Chancellor by virtue of his authority that the graduate be for an indefinite or a stated period expelled from the University or his College or his

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Institution or be debarred from seeking admission to a course of study in a College or Institution or a Department of the University having been found guilty of any offence involving moral turpitude or gross mis-behaviour including resorting to unfair means at the examinations.

3. (1) The election shall ordinarily be held in anticipation of vacancies about to occur by efflux of time.
- (2) The term of all members elected to fill the vacancies occurring with the efflux of time shall begin from the date on which the result of the election concerning any one of such vacancies is declared or from the date on which such a vacancy occur, whichever is later, irrespective of the fact that any other such vacancy is filled after the said date. This rule, in so far as may be, would equally apply to an election where seats are filled in for the first time.
- (3) Except as otherwise provided, the Registrar shall be responsible for the election.
- (4) The following procedure shall be adopted for the election :
 - (A)(i) The Registrar shall cause to be prepared an electoral roll of the members of the Association eligible to vote at the election. While preparing the electoral roll, the Registrar may, if he so desires, keep a copy of the existing roll in the University Office four months prior to the date of election with a view to enable all concerned to bring to his notice any additions alterations or omissions to be made in the said electoral roll. The electoral roll will be published at least 75 days before the date of the election. The public shall be informed of the publication of the said electoral roll by notification in such newspapers as may be prescribed by the Executive Council and applications shall also be invited for changes etc. in the said roll so as to reach the Registrar within one month of the date of the said notification.
 - (ii) The Vice-Chancellor shall have the authority to correct the roll by adding, altering or omitting any name if any omission or wrong entry is brought to his notice at any time but not later than 25 days before the date of election.
 - (iii) Only those persons whose names are inscribed on the electoral roll shall be entitled to vote at or stand for the election.

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- (iv) The notice of election stating the time and date fixed for receiving nominations, for scrutiny of nomination papers and the date of election shall be published in such newspapers as may be prescribed by the Executive Council and shall also be pasted on the notice board of the University 30 clear days before the date of election. The date fixed for the receipt of nomination shall not be less than seven days from the date of publication of the said notice.
- (v) Any two electors may nominate as a candidate another elector for election to the Court by sending to or delivering at the office of the Registrar a nomination paper duly filled in before the expiry of the time fixed for the receipt of nominations.
- (vi) Nomination paper shall be in the prescribed form. It shall contain full names, as in the electoral roll, of the two electors and of the candidate nominated and shall be dated and signed by the said electors. No person shall be nominated as a candidate for election unless he signified his consent on the nomination paper.
- (vii) As soon as possible after the last day fixed for the receipt of nominations, at a time and place fixed by the Vice-Chancellor and notified in the notice of election any person, or persons nominated by the Vice-Chancellor shall scrutinize the nominations. The candidate or his agent duly authorised by him in writing in this behalf shall be entitled to be present at such scrutiny. The agent so authorised must be an elector in the election. A nomination paper which does not comply with the requirements shall be rejected.
- (viii) Any candidate aggrieved at such scrutiny may appeal to the Vice-Chancellor by 4.00 p.m. of the working day immediately following the day of scrutiny. The Vice-Chancellor shall decide the said appeal forthwith after hearing those candidates who desire to be heard. In case such an appeal is filed, a notice stating the date, time and place fixed by the Vice-Chancellor for hearing the candidates will be pasted on the notice board of the University provided that where the appeal is against the acceptance of the nomination paper of any candidate a copy of the notice shall also be sent to such candidate.
- (ix) It shall be open to a candidate to withdraw from an election at any time up to 4.00 p.m. of the working day following two days after the date of scrutiny provided the candidate wishing to withdraw sends to the Registrar, so as to reach him before the hour aforesaid, an intimation of withdrawal in writing signed by the candidate and attested by a member of the Court, the Executive Council or the Academic Council of the University.

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- (x) After the expiry of the time fixed for withdrawal the list of the validly nominated candidates remaining in the field shall be pasted on the notice board at least 15 clear days before the date of election.
- (xi) If after expiry of the time fixed for withdrawal of candidature from election, it is found that—
 - (a) the number of candidates nominated is less than the number to be elected, all the candidates so nominated shall be declared duly elected and the Vice-Chancellor will specify another date for receiving fresh nominations for filling the remaining vacancy or vacancies; (These Rules, in so far as they may be applicable, will also apply in such a situation).
 - (b) the number of candidates nominated is equal to the number to be elected, the candidates so nominated shall be declared duly elected.
 - (c) The number of candidates nominated exceeds the number to be elected, election will be held in accordance with the system of proportional representation by means of the single transferable vote.
- (xii) The Vice-Chancellor may, in the event of any emergency of which he shall be the sole judge, increase or reduce the time for any step contemplated in sub-Clause (i), (ii), (iv), (v), (vii), (viii), (ix) and (x) above to such extent as he may deem necessary.
- (B)(i) If a candidate whose nomination has been found valid on scrutiny and who has not withdrawn his candidature dies before the expiry of the time fixed for such withdrawal and the number of candidates including him after the said expiry of time falls under Sub-Clause (A) (xi) (a) or (b), then all the candidates in the field excluding the one who has died shall be declared duly elected and fresh nominations shall be invited only for filling the remaining vacancy or vacancies.
- (ii) Save as in Clause (i) above, if a candidate whose nomination has been found valid on scrutiny and who has not withdrawn his candidature dies before the commencement of the poll, the Registrar shall, upon being satisfied of the death of the candidate, countermand the poll and shall invite fresh nominations for the vacancies to be filled; provided that no further nomination shall be necessary in the case of a person who was a contesting candidate at the time of the countermanding of the poll.

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(C) Procedure for Voting :

- (I) (i) When election becomes necessary, the Registrar shall be responsible for conducting the poll.
- (ii) The poll will be taken at one or more polling centres as may be declared by the Registrar.
- (iii) The Registrar shall nominate an Election Officer for each of the polling centres. The Election Officer will be assisted by such other persons as may be deputed by the Registrar.
- (iv) In case there are more polling centres than one, the Registrar shall decide and notify in advance the serial numbers of the electors in the electoral roll who will vote at a particular polling centre.
- (v) The Registrar shall fix the hours during which the poll will be taken and the hours so fixed shall be notified in advance.
- (vi) For any sufficient cause, the Vice-Chancellor may adjourn the poll to a date to be notified later. Whenever a poll is adjourned, the Registrar shall, as soon as may be, fix the day on which the poll shall recommence and notify the place at which and the hours during which the poll will be taken.
- (vii) At the time of polling, the Election Officer will conduct and supervise the election at his respective polling centre.
- (viii) The Voting shall be by secret ballot.
- (ix) The polling booth will be near the place where ballot papers are issued.
- (x) Before the polling commences, the Election Officer shall show to the persons presently at the polling centre that the ballot box is empty and shall then lock and seal it for use.
- (xi) A polling centre will have such number of compartments as the Election Officer may think necessary to enable the electors to record their votes.
- (xii) The Election Officer shall count and check for verification the ballot papers given to him.
- (xiii) The Election Officer shall ascertain the serial number of the elector and check his name in the electoral roll, when he comes at the polling centre to cast his vote.
- (xiv) If the election Officer has some doubt regarding the identity of the person seeking to cast his vote, he may ask him to produce satisfactory proof of his identity. If that person fails to do so, he may not be allowed to vote.

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- (xv) On being satisfied about the identity of the elector, the Election Officer shall obtain the signature of the elector against his name on the electoral roll and then issue him a ballot paper.
 - (xvi) The elector on receiving the ballot paper shall forthwith proceed to one of the compartments where he/she shall mark the ballot paper and after folding it put into the ballot box. The Election Officer will ensure that the ballot paper has been put into the ballot box in his presence.
 - (xvii) Every elector shall vote without undue delay and shall quit the polling centre as soon as he has put his ballot paper in the ballot box.
 - (xviii) If an elector spoils his ballot paper inadvertently he may be given another and the spoiled paper shall be cancelled by the Election Officer.
 - (xix) If an elector after obtaining the ballot paper for the purpose of recording his vote decides not to use the same he shall return the ballot paper to the Election Officer. The ballot paper so returned shall be immediately cancelled and kept in the custody of the Election Officer.
 - (xx) No elector shall be allowed to enter the polling centre for recording his vote before or after the expiry of the period fixed for the purpose.
 - (xxi) Immediately after the election is over the Election Officer shall seal the slit of the ballot box in the presence of person/ persons present at the polling centre and send the ballot box to the Registrar alongwith the keys of its locks duly sealed in a separate cover.
- (II) Electors residing outside the territorial limits of National Capital Territory of Delhi will have the option to vote by post provided they inform the Registrar in writing within 14 days from the date of notification of the election. The following procedure will be followed for voting by post:
- (i) The Registrar shall send to each elector at his address as given in the electoral roll, at least 10 days before the date of election, voting papers consisting of the following:
 - (a) a ballot paper containing on its reverse the directions for voting and the time within which the voting papers should reach back the Registrar.
 - (b) a smaller cover, and

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- (c) a bigger cover on which are printed, on the left half, the number of the elector in the electoral roll and a form of certificate of identity, and on the right half the words; "To Registrar, University of Delhi, Delhi."

The elector shall enclose the ballot paper duly filled in but without his name or signature, in the smaller cover and enclose this again in the bigger cover, sign the certificate of identity on it, get his signature attested and send it to the Registrar, so as to reach the University Office within the time notified in the notice of election.

- (ii) The certificate of identity as aforesaid shall be signed by the elector in the presence of and shall be attested by a Magistrate or a Gazetted Officer of Government or a member of the Court, the Academic Council, or the Executive Council of the University of Delhi.
- (iii) (a) An elector who has not received his voting papers sent by post or whose papers, before they are returned to the Registrar, have been lost or spoilt in such manner that they can not be conveniently used, on his transmitting to the Registrar a declaration to the effect signed by himself, may require the Registrar to send him new voting papers in place of those not received, spoilt or lost. If the papers have been spoilt, the spoilt papers shall be returned to the Registrar who shall cancel them on receipt.
- (b) On receipt of such a declaration, the Registrar shall issue new voting papers to the elector. In case the elector has desired that the papers should be sent to him at an address other than his address given in the electoral roll, then notwithstanding anything contained in the Rules, the new papers will be issued to the elector at the address desired by him. No new voting papers shall be issued by post if a declaration by the elector as aforesaid, has not been received at least 48 hours prior to the last hour fixed for the receipt of voting papers, provided that new papers may be issued to an elector at any time before the time fixed for the receipt of voting papers on an elector transmitting personally to the Registrar a declaration as aforesaid.

In every case when new voting papers are issued, a mark will be placed against the number of elector's name in the electoral roll to denote that new papers have been issued in place of those not received spoilt or lost.

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- (iv) No voting papers received after due date and time for whatever reasons, shall be taken into account provided that the Vice-Chancellor may, in an emergency of which he shall be the sole judge, extend the time generally by such period as he may specify in a notification issued and published for the purpose, for the receipt of voting papers in the University Office.
- (D) The counting of votes will be done and the result tabulated in accordance with the Rules set out in Appendix "X" to the Statutes.
- (E) (i) After the counting is completed, the Registrar shall forthwith report to the Vice-chancellor the result of the counting.
- (ii) On the result being reported as aforesaid, the result of counting, showing for each candidate the number of first votes obtained and the successive additions to or subtractions from the number till the candidate was excluded or elected, shall be published by the Registrar. The voting papers shall be destroyed after two weeks unless directed by the Vice-Chancellor to be preserved even thereafter.