SANT GADGE BABA AMRAVATI UNIVERSITY GAZETTE

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PART- ONE

Thursday, the 17th August, 2023

DIRECTION

No. 33/2023 Date : 17/08/2023

Subject : Procedure for prescribing Nomination Paper, Notice of Withdrawal, Rotation Policy of Reservation seats, drawing lots etc. in the elections/ nominations to the university authorities Direction, 2023.

Whereas, the Maharashtra Public Universities Act, 2016 (hereinafter referred as the 'Act') come into force w.e.f. 1st March, 2017;

And

Whereas, the procedure regarding constitution of various authorities in the University needs to complete in the light of provisions of sub section (2) of section 62 of the Act;

And

Whereas, the university has started the procedure for constitutions of various authorities in the light of provisions of the Act, Uniform Statutes and an order regarding eligibility conditions for becoming members of the authority specified by Higher and Technical Education Department, Mumbai in exercise of powers conferred under Section 27 of the Act;

And

Whereas, uniform Statute No.1 of 2017 regarding procedure of conduction of elections does not provide nomination paper, fees for nomination, notice of withdrawal, ballot paper to be used for nomination in the meeting, order of rotation policy for reservation seats, policy of drawing lots etc;

And

Whereas, some statutes which are already in existence under the Maharashtra Universities Act, 1994 are inconsistent with the provisions of the M.P.U.Act, 2016 needs to amend or repeal in accordance with the new provisions,

And

Whereas, Direction No. 34/2017 dt. 9.8.2017 in this regard, was used for the last election i.e. authorities elections-2017, which was converted into draft Statute No. 3/2021 and submitted to the Hon'ble Chancellor's office vide letter No. SGBAU/21/LegalCell/192/2021, dt. 5.5.2021 as approved by the Management Council and the Senate. The consent to the said draft Statute, from the Hon'ble Chancellor is yet to received.

And

Whereas, again Direction No. 55/2022, dt. 15.9.2022 issued in this regard, is used for the election held in the month of November, 2022, which was automatically lapsed as mentioned under the proviso of section 12(8) of the Act.

And

Whereas, the schedule for the conduction of election to the Management Council from the Academic Council is fixed in the month of September, 2023, which needs nomination paper, notice of withdrawal etc through legal instrument i.e. Direction.

And

Whereas, it is not possible to amend or make a new statute in this regards in a short period ;

And

Whereas, making of Statute is a time consuming process,

Now, therefore, I, Dr. Pramod Yeole, Vice-Chancellor, of the Sant Gadge Baba Amravati University in exercise of powers conferred upon me u/s 12(8) of the Act, issue the following directions :-

1. These Directions may be called **"Procedure for prescribing Nomination Paper, Notice of Withdrawal, Rotation Policy of Reservation seats, drawing lots etc. in the elections/ nominations to the university authorities Direction, 2023."**

2. These Directions shall come into force w.e.f. the date of its issuance.

3. In these Directions, unless the context otherwise requires –

   (a) **"Act"** means the Maharashtra Public Universities Act, 2016.

   (b) **"Ballot Paper"** means a secret ballot used for voting purpose of nomination of member / person annexed as '**Annexure-C'.**

   (c) **"Drawing lots"** means a lot drawn for the purpose of allotments of reservation as mentioned u/s 32(3)(g) of the Act.

   (d) **"Fee for nomination"** means a non-refundable fee for every nomination paper in case the elections to be held at the polling centres only.

   (e) **"Nomination Paper"** means, a general prescribed proforma for the purpose of nomination for election / nomination, as the case may be annexed as **"Annexure-A".**

   (f) **"Notice of Withdrawal"** means a prescribed proforma for the purpose of withdrawal of candidature by candidate for election / nomination as the case may be annexed as **"Annexure-B**".

   (g) **"Rotation"** means allotment of seats for reserved candidate member of the concerned authority for the period of term of office of member mentioned u/s 62 of the Act.

4. Procedure for filling nomination paper, notice of withdrawal –

   (a) Nomination paper prescribed herewith as **Annexure-A** should be used for every election / nomination purpose, as the case may be.

   (b) Candidates shall submit their nominations as provided / specified under clause 10 of uniform Statute No.1 of 2017 along with fee for nomination in case the elections are to be held at the polling centres.

   (c) Fee for nomination will be fixed and notified by the Registrar & Returning Officer in consultation with the Vice-Chancellor.

   (d) Form of Notice of Withdrawal prescribed herewith as **Annexure-B**, if necessary, should be used in every election/ nomination purpose, as the case may be in the light of provisions stated under clause 10 of uniform Statute No.1 of 2017.

   Provided that, the time for submission for Notice of Withdrawal in the meeting will be decided by the Returning Officer and Secretary of the meeting.

5. Voting paper and counting of voting papers for the elections held at the polling centres and in the meeting, as the case may be, shall be the same as prescribed under uniform Statute No.1 of 2017.

   Provided that, voting, if necessary required in the meeting for nomination of person / member, shall be held through ballot paper as prescribed herewith as **Annexure-C.**

6. Every member of the nominating authority shall mark as ✓ in column No.3 of the ballot paper against the name/s of person/s not more than the number of person/s to be nominated.

7. The ballot paper shall be invalid, if –

   (a) it is signed by the voter, or any mark is placed which identifies or tends to identify the voter;

   (b) it cannot be determined for which candidate, the vote is recorded;

   (c) it is unmarked;

   (d) marks are placed against the name/s of person/s more than the member/s to be nominated.

   (e) makes more than one mark against the name of same candidate.

8. The result of nomination shall be decided by a simple majority vote, that is to say, the person/s equal to the number of person/s to be nominated securing higher number of votes in serial order shall be declared as nominated.

   Provided in case of difficulties in declaring the result of nomination on account of equal number of votes secured by two or more candidates, a lot shall be drawn and the person in whose favour the lot is drawn shall be declared nominated.

9. Policy of rotation under the tenure period of 5 years for one reserved seat mentioned u/s 28(2)(p), 28(2)(s) of the Act shall be as per serial order stated in the respective provisions of the Act, which is started from the elections held in year 2017 and will be followed next serial order for thereafter elections.

   Provided firstly that, a period for a particular category in any case shall not be transferable to any other category. It should be treated as 'vacant' for the said period, if the candidate not found suitable.

   Provided secondly that, the serial order starting point under the rotation policy for the reserved seat mentioned u/s 30(4)(f), 30(4)(g), 30(4)(h), 30(4)(i) of the Act for the Management Council is notified vide Notification No. 8/2018, dt. 29.1.2018 and will be followed next serial order for thereafter elections

   Provided thirdly that, the same rotation policy mentioned in main para-9 should be applicable to the nominations made u/s 32(3)(f)(i) & 32(3)(f)(ii) by the Vice-Chancellor.

10. Procedure for drawing lots –

    a) The Registrar & Returning Officer, in consultation with Vice-Chancellor, shall fix the date and time for declaration of allotment of faculty wise reservation for the teachers representing the faculty, including woman category on the Academic Council u/s 32(3)(g) of the Act.

    b) The Registrar shall give wide publicity to the said programme through newspaper & election portal.

    c) On the date fixed for this, the Registrar shall put two separate bowls. One bowl contains lots regarding names of faculties and other bowl contains lots regarding names of reservation categories.

    d) The Registrar, before requesting the Vice-Chancellor or Guest to draw lots one by one from both bowls at a time, shall make announcement before the audience present in the hall regarding actual procedure of drawing the lots. After drawing the lots, it should be declared by the Registrar and be notified the same in the detailed election programme as mentioned under clause 9 of the uniform Statute No.1 of 2017.

    Provided that the same procedure shall be followed for woman category.

11. For every election / nomination, there will be a category wise separate nomination paper, notice of withdrawal and voting /ballot paper viz., general, woman, SC/ST/DT/NT/OBC etc. as the case may be.

Sd/-

Place : Amravati
Date : 17.08.2023

(Dr.Pramod Yeole)
Vice-Chancellor

Annexure -A

Sant Gadge Baba Amravati University
Nomination paper
(See para 4(a) of Direction No. 33 of 2023)

Election to the/Nomination on the *---------- (Authority/Committee) from the ** ---------- (Constituency) in the *** ---------- (category)

I, nominate following person as a candidate for the above election/nomination,

Candidate's Name : ----------
His/Her postal address : ----------

His/Her name is entered at Sr.No. ---------- in the electoral roll of the above mentioned constituency.

My name is ---------- and it is entered at Sr.No. ---------- in the said electoral roll.

Date : (Signature of the Proposer)

I, second the above proposal.

My name is ---------- and it is entered at Sr.No. ---------- in the said electoral roll.

Date: (Signature of the Seconder)

Declaration by the Candidate

I, the above mentioned candidate, assent to the nomination and vouch that I am not attracted by the provisions of section 64 of the Maharashtra Public Universities Act, 2016.

I declare that, I fulfill the eligibility conditions specified vide Notification No. MNS-2016/(347/16)/Ue-3, dt. 28th April, 2017 issued by the Higher & Technical Education Department of the Govt. of Maharashtra, Mantralaya, Mumbai.

I am enclosing herewith -------@ documents as specified in above mentioned order in support of my eligibility for the said election/nomination.

Date : (Signature of the Candidate)

For Reserved seats

I, hereby state that, I belong to ---------- (mention Caste or Tribe) in support of which I submit herewith a certificate**** from the competent authority.

(Signature of the Candidate)

* *Here mention the name of the Authority/Committee.*
** *Here mention the name of the constituency.*
*** *Here mention the name of the category. viz. S.C./S.T./D.T./N.T./OBC/General/Women.*
**** *Here submit the Caste/Tribe certificate alongwith validity certificate.*
@ *Here mention the number of documents enclosed.*

Annexure -B

Sant Gadge Baba Amravati University

Notice of Withdrawal

(See para 4(d) of Direction No. 33 of 2023)

To,

The Registrar and Returning Officer
Sant Gadge Baba Amravati University.

Subject : Withdrawal of nomination paper for the election to / nomination on the *----------
from the ** ----------

Sir/Madam,

I, ---------- candidate at the above mentioned election/nomination, do hereby give notice that I withdraw my candidature from contesting the election/nomination scheduled.

Date : (Signature of Candidate)

---

* *Here mentioned the name of authority/committee.*

** *Here mentioned the name of constituency.*

Annexure -C

SANT GADGE BABA AMRAVATI UNIVERSITY

Nomination as Member/s on

_____

Ballot Paper

(See proviso of para 5 of Direction No. 33 /2023)

Nomination of _____ in accordance with the provisions of section _____ of the Maharashtra Public Universities Act, 2016.

1 Sr.No.	2 Name of the candidate	3 Put mark as ✓ against the name/s of person/s whom you want to nominate

Registrar
Sant Gadge Baba
Amravati University