



GOVT. OF ASSAM
OFFICE OF THE VICE PRINCIPAL
SILCHAR MEDICAL COLLEGE AND HOSPITAL :: SILCHAR:788014 :: ASSAM

Grievance Redressal Cell for Student's Union election May 23

A Grievance Redressal Cell has been constituted with the following members:

- i. Vice Principal – Prof A Swami
- ii. Prof D Chakraborty, Department of Radiology
- iii. Dr B Sandalya, Additional Superintendent
- iv. Final Year students – 1) Sri Hari Gaudel
2) Smt Lubna Shehnaz

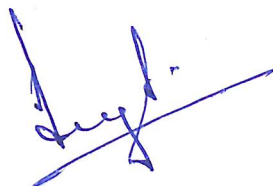
The final year students will not contest the Student's Union election

(Dr A Swami)

Vice Principal cum Prof of Medicine
Silchar Medical College

Scope of the Grievance Cell

1. The grievance cell shall redress the election-related grievance, including, but not limited to breaches of the code of conduct of elections and complaints relating to election-related expenditure.
2. In pursuit of its duties, the grievance cell shall prosecute violators of any aspect of the code of conduct or the rulings of the grievance cell. The grievance cell shall serve as the court of original jurisdiction. The institutional head shall have appellate jurisdiction over issues of law and fact in all cases or controversies arising out of the conduct of the elections in which the grievance cell has issued a final decision. Upon review, the institutional head may revoke or modify the sanctions imposed by the grievance cell.
3. In carrying out the duties of the office, the Grievance cell will conduct proceedings and hearing necessary to fulfill those duties. In executing those duties they will have the authority: (i) to issue a writ of subpoena to compel candidates, agents, and workers and to request students to appear and give testimony, as well as produce necessary records; and (ii) to inspect the financial reports of any candidate and make these records available for public scrutiny upon request.
4. Any other student may file a complaint with the Grievance cell, within a period of 3 weeks from the date of declaration of results. All complaints shall be filed under the name of the student filing the complaint. The Grievance cell shall act on all complaints within 24 hours after they are received by either dismissing them or calling a hearing.
5. The Grievance cell may dismiss a complaint if (i) The complaint was not filed within the time frame prescribed; (ii) the complaint fails to state a cause of action for which relief may be granted. (iii) the complainant has not and/or likely will not suffer injury or damage.
6. If a complaint is not dismissed, then a hearing shall be held. The Grievance cell shall inform, in writing, or via e-mail, the complaining party and individuals or groups named in the complaint of the time and place of the hearing. The parties are not considered notified until they have received a copy of the complaint.
7. The hearing shall be held at the earliest possible time, but not within twenty-four (24) hours after receipt of the notice described above, unless all parties agree to waive the 24 hour time constraint.



8. At the time, notice of hearing is issued, the Grievance Cell, by majority vote, may issue a temporary restraining order, if it determines that such action is necessary to prevent undue or adverse effects on any individual or entity. Any restraining order, once issued, will remain in effect until a decision of the Grievance Cell is announced after the hearing or until rescinded by the Grievance Cell.

9. All Grievance Cell hearing, proceedings, and meetings shall be open to the public.

10. All parties of the Grievance Cell hearing shall present themselves at the hearing, may be accompanied by any other student from which they can receive counsel, and have the option to be represented by that counsel.

11. For any hearing, a majority of sitting Grievance Cell members shall be in attendance with the Chair of the Grievance Cell presiding. In the absence of the Chair, the responsibility to preside shall fall to an Grievance Cell member designated by the Chair.

12. The Grievance cell shall determine the format for the hearing, but shall require that both the complaining and responding parties appear physically before the board to discuss the issues through a complaint, answered, rebuttal, and rejoinder format. The purpose of the hearing is to gather the information necessary to make a decision, order, or ruling that will resolve an election dispute. To effectuate this purpose, the following rules shall prevail at all hearings:

a. Complaining parties shall be allowed no more than two witnesses, however, the Grievance cell shall call witnesses as required. If said witnesses are unable to appear at the hearing, signed affidavits may be submitted to the Grievance Cell Chair for the purpose of testifying by proxy.

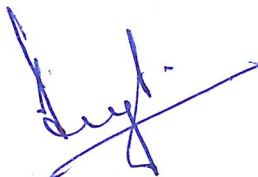
b. All questions and discussions by the parties in dispute shall be directed to the Grievance Cell.

c. There shall be no direct or cross-examination of any party or witness by complaining or responding parties during hearings.

d. Reasonable time limits shall be set by the Grievance Cell provided they give fare and equal treatment to both sides.

e. The complaining party shall bear the burden of proof

f. Decisions, orders and rulings of the Grievance Cell shall be concurred to by a majority of the Grievance Cell present and shall be announced as soon as possible after the hearing. The Grievance cell shall issue a written opinion of the ruling within 12 hours of announcement of the decision. The written opinion shall set forth the findings of fact by the



Grievance Cell and the conclusions of law in support of it. Written opinions shall set a precedent for a time period of three election cycles for Grievance Cell ruling, and shall guide the Grievance Cell in its proceedings. Upon consideration of prior written opinions, the grievance cell may negate the decision, but shall provide written documentation of reasons for doing so.

g. If the decision of the Grievance Cell is appealed to the institutional head, the Grievance Cell shall immediately submit its ruling to the commission

h. The Grievance Cell shall select the remedy or sanction most appropriate to both the type and severity of the infraction, as well as the stand of mind or intent of the violator as determined by the Grievance Cell. Possible remedies and sanctions include, but are not limited to, fines, suspension of campaigning privileges, and disqualification from the election.

i. Any fine or total account of fines against a candidate in an election cycle may not exceed the spending limit as defined herein above.

j. If, after a hearing, the Grievance Cell finds that provisions of this Code were violated by a candidate, or a candidate's agent or workers, the Grievance Cell may restrict the candidate, or the candidate's agents or workers, from engaging in some or all campaign activities for some or all of the remainder of the campaign. If an order is issued covering only part of the remaining period, it shall take effect immediately so that after its termination, the candidate will have an opportunity to resume campaigning during the days immediately prior to and including the election days.

k. If, after a hearing, the Grievance Cell finds that provisions of either this Code or decisions, opinions, orders, or ruling of the Grievance Cell have been willfully and blatantly violated by a candidate, or a candidate's agents or workers, the Grievance Cell may disqualify the candidate.

l. Any party adversely affected by a decision of the Grievance Cell may file an appeal with the institutional head within twenty four (24) hours after the adverse decision is announced. The institutional head shall have discretionary appellate jurisdiction over the Grievance Cell in all cases in which error on the part of the Grievance Cell is changed.

m. The decision of the Grievance cell shall stand and shall have full effect until the appeal is heard and decided by the institutional head.

n. The institutional head shall hear appeals of Grievance Cell rulings as soon as possible, but not within twenty four (24) hours after the Grievance cell delivers to the Appellant and the institutional head a copy of its written opinion in the case. Appeal may be



heard prior to this time, but only if the Appellant waives the right to a written opinion and the institutional head agrees to accept the waiver.

o. The institutional head can issue suitable orders to suspend or halt the operation of the ruling issued by the Grievance Cell until the appeals are decided.

p. The institutional head shall review findings of the Grievance cell when appealed. The institutional head may affirm or overturn the decision of the Grievance cell, or modify the sanctions imposed.

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