



## Rules and Procedures Committee, Students' Senate, 2014-15 Indian Institute of Technology, Kanpur

Parliamentarian | Sabyasachi Verma

Minutes of the 3rd Meeting held on 09.03.15

**The 2014-15/3rd Meeting of the Rules and Procedures Committee was held on Monday, 9th March, 2015 in the Convener's Room, New SAC. The meeting was called to order by the Convener, Rules and Procedures Committee at 11:25 PM.**

The Agenda Items were taken up for the consideration.

<b>Item No.</b> <b>1</b>	To consider the issue regarding manner of selection of the Festival Core Team as stated in the Festival Manual.
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The issue of selection was concerned with the proceedings in case of a tie in the selection panel of the Festival Core Team. Ordinarily, the procedure followed in the selection of Festival Core Team members was based on the idea that the vote of the Chairperson was kept hidden and was considered in case of a tie. This procedure was considered during the meeting of the Students' Senate and the Rules and Procedures Committee was asked for its opinion in this matter.

The committee looked into the principle approach behind the procedure that should be followed. The Constitution, as it is, does not specify the procedure to be followed in this case. The old version of the Constitution states to recommend both the names to the Senate in case of tie, where every panel member has an equal vote. In FESTIVALS Appendix, Article 8.15 (c), it states-

**"Every person in the panel has one vote each. In case of a tie, the panel will report both the names to the Senate for the final decision."**

-The interpretation of this statement is considered crystal clear where everyone in the panel has got voting rights and none of the votes is hidden. However, the older version is deemed to be inactive now.

The Festival Manual was presented and accepted by the Students' Senate in this Gymkhana Year where it states that-

**" All the members of the panel who are members of the panel by virtue of the same position shall share one vote equally among themselves. The Convener of the panel shall have the tie breaking vote."**

**Note-** The committee recommends, as of now, that such a procedure shall be followed only in selection panel of the core team of the festivals. This is so because the committee was asked for the recommendation and interpretation in this matter only.

The Rules and Procedures Committee hereby presents the interpretation and the reasons for pursuing the same-

"All the members of the panel, including the Chairperson, SS who is the Convener of the panel shall have equal voting rights, as stated in the Appendix of the Festivals and none of the votes shall be considered to be hidden in this case. Then, if under any circumstances, a tie occurs, the Chairperson will have the tie-breaking vote and his vote shall be considered as the recommendation of the selection panel. "

The committee also suggests that-

All such cases, shall be presented on the floor of the Senate and the Senate, if finds, that the vote of the Chairperson is against the general inclination of the Senate, shall take necessary action against the Chairperson for exercising his right wrongfully as a representative of the Senate in the panel. Hence, the Chairperson is deemed to be well aware of the inclination of the Senate in such an issue and it is hoped that he/she will exercise his/her rights in a good spirit.

Such an interpretation has been made on the following grounds-

- 1) The Constitution was written in principle that any such case of a tie shall be placed on the floor of the Senate for its decision. This is so because the Senate is a higher body than the selection panel. The Chairperson acts as a representative of the Senate in the selection panel.
- 2) The general procedure followed ensures that the Convener of the committee has the tie-breaking vote. Hence, in this case, such power shall lie in the hands of the Convener of this committee.
- 3) The Festival Manual states that all the members of the panel shall have equal voting rights. Hence, in a committee such as this, none of the vote shall be considered hidden. The Chairperson is supposed to act in such a manner that would show the decision of the Senate as a whole.

4) Since all the recommendations of the panel shall be placed on the floor of the Senate, the Senate, if it feels can always take the right decision in this manner. In such a case, the Chairperson will be answerable to the Senate and strict measures may be taken against him/her, if found guilty in any manner.

<b>Item No. 2</b>	To update the Constitution by checking and correcting the inconsistencies, if there are any.
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The Agenda item was deferred to the next meeting due to paucity of time.

<b>Item No. 3</b>	Any other item with the permission of the Chair.
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No other agenda item was introduced.

**The meeting was adjourned at 12.15 AM.**