



**Students' Gymkhana
General Elections 2013**
(January 17th – January 26th)



Grievances Redressal Committee

The Grievances Redressal Committee (here forth GRC) for Gymkhana Elections will consist of Dean (Students' Affairs), Head of Counselling Service, Assistant Registrar (Students' Affairs) and two nominees of the Students' Senate (one boy and one girl). Dean (Students' Affairs) will be the Chairman of the committee.

Any student (other than members of the GRC) may file any election related complaint with the GRC, within a period of 3 weeks from the date of declaration of results. The GRC shall act on all complaints within 24 hours after they are received by either dismissing them or calling a hearing.

If a complaint is not dismissed, then a hearing must be held. The GRC 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.

At the time, notice of hearing is issued, the GRC, 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order, once issued, will remain in effect until a decision of the GRC is announced after the hearing or until rescinded by the GRC.

All GRC hearing, proceedings, and meetings must be open to the public. All parties of the GRC 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.

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

The Director, IIT Kanpur 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 GRC has issued a final decision. Upon review, the Director may revoke or modify the sanctions imposed by the GRC.



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Guidelines for GRC Hearings

The GRC will determine the format for the hearing, but must 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 should prevail at all hearings:

- Complaining parties shall be allowed no more than two witnesses, however, the Grievance cell may call witnesses as required. If said witnesses are unable to appear at the hearing, signed affidavits may be submitted to the GRC Chair for the purpose of testifying by proxy.
- All questions and discussions by the parties in dispute shall be directed to the GRC.
- There shall be no direct or cross-examination of any party or witness by complaining or responding parties during hearings.
- Reasonable time limits may be set by the GRC provided they give fair and equal treatment to both sides.
- The complaining party shall bear the burden of proof.
- Decisions, orders and rulings of the GRC must be concurred to by a majority of the GRC present and shall be announced as soon as possible after the hearing. The GRC shall issue a written opinion of the ruling within 12 hours of announcement of the decision. The written opinion must set forth the findings of fact by the GRC and the conclusions of law in support of it.
- If the decision of the GRC is appealed to the Director, the GRC must immediately submit its ruling to him.
- The GRC 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 GRC. Possible remedies and sanctions include, but are not limited to, fines, suspension of campaigning privileges, and disqualification from the election.
- Any fine or total amount of fines against a candidate in an election cycle may not exceed Rs. 5000/-.



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Appeals against the Decisions by GRC

Any party adversely affected by a decision of the GRC may file an appeal with the Director within 24 hours after the adverse decision is announced. The Director shall have discretionary appellate jurisdiction over the GRC in all cases in which error on the part of the GRC is charged.

The decision of the GRC shall stand and shall have full effect until the appeal is heard and decided by the Director. The Director can issue suitable orders to suspend or halt the operation of the ruling issued by the GRC until the appeals are decided. The Director shall review findings of the GRC when appealed.

The Director may affirm or overturn the decision of the GRC, or modify the sanctions imposed.