Report of the Committee

Constituted by Ministry of Human Resource Development, Government of India as per the Direction of the Hon'ble Supreme Court of India to frame Guidelines on Students' Union Elections in Colleges/Universities

Submitted to:

Ministry of Human Resource Development
Department of Secondary and Higher Education
Government of India
New Delhi – 110001

May 23, 2006

Dear Shri Banerjee,

In terms of the Ministry's letter No. F.9-6/2005. U-5, dated 4th January 2006, it pleases me to forward to you the final copy of the Report (in triplicate) of the Committee constituted by the Ministry of HRD, Government of India as per the direction of the Hon'ble Supreme Court of India in the matter of Special Leave Petition (Civil) No. 24295 of 2004 to frame Guidelines on Students' Union Elections in Colleges/Universities.

I would like to take this opportunity to place on record my deep sense of appreciation and thanks to all the members of the Committee, as well as the Ministry of HRD, the Association of Indian Universities (AIU), and the National Institute of Educational Planning and Administration (NIEPA), whose assistance and support considerably facilitated the conclusion of this Committee's task.

With regards,

Yours Sincerely

(J. M. LYNGDOH)
Chairman of the Committee

Shri Sudeep Banerjee
Education Secretary
Department of Secondary & Higher Education
Ministry of Human Resource Development
Government of India
Shastri Bhawan
New Delhi – 110001

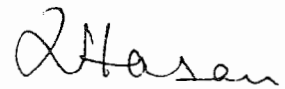Encl: As above

The Committee

Shri J.M. Lyngdoh
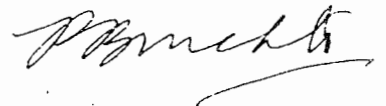Former Chief Election Commissioner

Chairman

Prof. Zoya Hasan
Professor
Centre for Political Studies

Member

Dr. Pratap Bhanu Mehta
President & Chief Executive
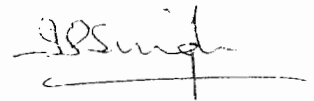Centre for Policy Research
New Delhi

Member

Prof. Ved Prakash
Director
National Institute of Educational
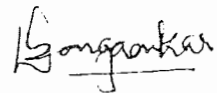Planning and Administration (NIEPA)
New Delhi

Member

Shri I.P. Singh
Retired Deputy Comptroller
and Auditor General

Member

Prof. Dayanand Dongaonkar
Secretary General
Association of Indian Universities (AIU)
New Delhi

Convener

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Report of the Committee

Constituted by Ministry of Human Resource Development, Government of India as per the Direction of the Hon'ble Supreme Court of India to frame Guidelines on Students' Union Elections in Colleges/Universities

1. Background

1.1 University of Kerala Matter

The Council of Principals of some of the Colleges affiliated to the Universities in Kerala filed writ petitions against four Universities in Kerala with regard to a judgment given by the High Court of Kerala. In that they had sought order or direction from the court to not insist for college union elections on the basis of order issued to them by their Universities to conduct elections until the existing system was modified to the parliamentary model. However, the Principals of the affiliated colleges were given Notification by their respective Universities for conducting the College Union elections according to the existing model, Presidential form. Aggrieved by the direction given to them, they assailed the Notification by filing Special Leave Petition in the High Court. The inspiration for their Petition was from the judgment of the Division Bench of the High Court of Kerala in the W.P.No.535/2003 which stated,*" it was open to the educational institutions to prohibit political activities within the college campus and forbid students from organizing or attending meetings other than the official ones within the college campus*." The Court made references to the authority and importance given to the Principal of an educational institution as highlighted by the Supreme Court and the High Court in various decisions. The Division Bench concluded that the Head of the institution should in law be presumed to possess an inherent right of such acts as are necessary in his opinion to maintain discipline in his institution. The Principals wanted to have a change in the election procedure. They submitted that if the elections were held in accordance with the existing

mode there would be chaos and anarchy in the colleges and would lead to many other problems. Therefore, they wanted a change from Presidential form to the Parliamentary form of election.

The background of the above judgment was that, a college student of second year BA degree, who was an office bearer of the College Union, was denied permission to appear for the university examination for shortage of attendance, such shortage being primarily attributable to the students' participation in union activities. Despite the direction from the Controller of Examinations to permit him provisionally the Principal did not allow him to take the examination. The student, therefore, moved the Kerala High Court challenging the action of the Principal. The Court upheld the action of the Principal as he was right as per rule in not permitting the petitioner to write the examination due to lack of adequate percentage of attendance.

The petitioner had also complained that the action of the Principal was politically motivated and it was an attempt to curb the activities of SFI within the college campus as the petitioner was an area Committee Member of SFI. The question raised for consideration was *whether an educational institution could legally prohibit political activities within the college campus and forbid the students from organizing or attending activities other than official ones within the college campus and whether a student who is admitted to the college is bound by the code of conduct laid down by the educational institution*. And, *whether such restrictions laid down by the educational institutions would violate the fundamental rights guaranteed under Article 19 (1)(a) and (c) of the Constitution of India*. The issue was examined at length. The court held that for giving effect to Article 19(1)(g) and 30(1), educational institutions can lay down their own code of conduct to be made applicable to the management, teaching staff, non-teaching staff and the students. The Division Bench held that for maintaining the discipline in educational institutions it was necessary to strengthen the heads of the institutions and to arm them with sufficient powers so that those who are keen to study and to improve their careers should not be made victims of a handful of persons who were found to spoil the academic

atmosphere by indulging in anti-social activities. The court held that a rule which is not primarily designed to restrict any fundamental rights cannot be called in question as violating Articles 19(1) or 19 (1)(c). The court was of the view that guidelines banning political activities within the campus and forbidding the students from organizing or attending meetings other than the official ones within the campus is not designed to prohibit any of the fundamental rights of the students guaranteed under Articles 19(1)(a) or 19(1)(c). The right to admission not being absolute there could be regulatory measures for ensuring educational standards and maintaining excellence in education. Therefore, the court declared that it was open to the educational institutions to prohibit political activities within the college campus and forbid students from organizing or attending meetings other than the official ones within the college campus and such a restriction would not violate Article 19(1)(a) or (c) of the constitution of India. Therefore, the court rejected the contention that the action of the Principal was politically motivated.

The Council of Principals maintained the stand that they are entitled to follow a system which would enable them to maintain discipline in their colleges. They proposed to follow the parliamentary system of election. Universities have filed counter affidavit. They took up the stand that the syndicate had got power to decide the type of system to be followed by the various affiliated colleges for college union elections. The High Court of Kerala considered the issues and gave the judgment and order dated 24.6.2004 as: *"the direction given to conduct election following presidential system of election cannot be sustained and the affiliated colleges are free to follow a system which is better for the administration and discipline for the college. The direction given to conduct election following the presidential system of election will stand set aside."*

1.2   *Issues and Concerns of the Supreme Court of India*

The University of Kerala (hereinafter referred to as the "University") filed a Special Leave Petition challenging a judgment of the Kerala High Court. The University has an independent students' union, with affiliated colleges having their own unions. The Kerala

University Union has a set of bylaws, which have been approved by the Syndicate of the University. Clause 7 of the said bylaws provides that there shall be a college union in all colleges and a Department Union for the University Department. Each college union was meant to have a constitution as prescribed by the University Syndicate. However, this was part of the bylaws with respect to the Kerala University Union. According to the bylaws of the Kerala University Union, a constitution had been framed for each college union. The said constitution provided that the Chairman of the executive committee of the college union would be elected by and from among the students of the college. In other words, it contemplated a presidential form of election. The University of Kerala wrote to college Principals asking them to ensure that elections to the college unions be conducted in accordance with the constitution framed by the University of Kerala for the colleges.

The Kerala High Court, in a set of writ petitions filed by the Council of Principals of Colleges in Kerala (hereinafter referred to as the "Council"), concluded that the said constitution, as stipulated by the University, was not binding upon the affiliated colleges, and that it was open to such colleges to adopt any method of election, including an indirect method of election, such as the parliamentary form of election.

The Council made a reference before the High Court as well as before the Supreme Court to a committee called the Perumal Committee, which appears to have gone into the methods of conducting elections, and has opined that the indirect method should be adopted in order to avoid indiscipline, violence and chaos on the college campuses. The Council further brought to the notice of the Supreme Court several instances of election related violence and other malpractices observed during the conduct of elections on college campuses in Kerala. The Council cited one particular instance of Sojan Francis, a student of St. Thomas' college, Pala. The said college, vide its General Discipline code, prohibited political activism on the campus. Sojan Francis, who was an office bearer of the students' union of the said college, was denied permission, by the college Principal, to appear for the University examination due to a shortage of attendance, a part of such shortage being attributable to Sojan Thomas' participation in union activities. Sojan Francis challenged

the actions of the college principal before the Kerala High Court, which subsequently dismissed his petition and upheld the denial of permission by the college Principal.

The Council placed on record several instances of violence against college teachers and students by union activists, as well as of one instance of armed violence between union members and the police. The Council further submitted that a substantial portion of the academic year in most colleges was exhausted in conducting elections and other union activities, leaving very little time for academic activities.

In concluding its submissions to the Supreme Court, the Council put forth, for the consideration of the Supreme Court, a list of suggestions to improve the present system of student elections in Kerala. These suggestions had originally been placed before the Kerala High Court by the State of Kerala, and are enumerated below:

1. Change the election system from direct election to a parliamentary form of election, which would involve the election of class representatives, who would then appoint the office bearers. The University would regulate this system of elections.

2. The candidates contesting the elections should possess certain minimum levels of discipline and academic ability. Any candidate other than a 1st year student would be required to have at least 80% attendance in the previous year and that he has attempted and passed all the examinations that he should have taken as part of the course undergone.

3. No political activity to be allowed on the campus. Demonstrations, campaigning, and rioting in the classroom etc. will not be allowed. No meeting to be held in the campus without the permission of the Principal. Banners, posters, flags etc. not be allowed on campus as well as on the gates and compound walls of the campus. No student to enter a classroom other than his own, while the class is in session, without the permission of the teacher-in-charge of the concerned class.

4. No outsider to be invited into the college by any group of students without the consent of the Principal.

5. Any damage to college property caused by students will be recoverable from such students, if they can be identified or from the most identifiable group, which includes the suspects. In the event the suspects cannot be identified, the loss shall be recovered in the form of a collective fine on the entire student body. In the event of damage to any public property, the appropriate District Collector shall assess the damage and the Principal shall recover the damages based on the norms and procedures mentioned above.

6. Mobile phones not to be allowed on the campus without the prior permission of the Principal or of any other teacher so authorized for this purpose. Teachers will have the power to impound mobile phones in cases of violation of the ban, and where justified, such phones may be returned to the students' parents / guardians.

7. Students charged with criminal offences and are under suspension should not be allowed to enter the campus without prior permission.

8. Teachers and other staff members not to indulge in any political activity within the campus. Stringent action to be taken against any teacher or staff member found instigating strikes or violence. Demonstrations by teachers within the campus or at the campus gates to be prohibited.

9. The principal shall have the power to declare a college holiday if he is satisfied that peaceful academic activity cannot be had on any particular day.

10. Any case/instance of criminal activity on campus shall immediately be reported to the police and the police shall register such cases and take serious follow-up action, with the proceedings being supervised by the Superintendent of Police.

11. Specific conditions of admission and the terms of a code of conduct to be included in the college calendar that is to be given to the students in the application form itself. Students and parents to sign a suitably worded undertaking at the time of admission.

12. Part of the task of enforcing the abovementioned measures may be delegated to some of the teachers. Teachers to whom such tasks are assigned should carry them out in an unbiased and professional manner taking into consideration the welfare of the student community as a whole as well as the educational institution. Any lapses in this regard shall be treated as misconduct warranting disciplinary action.

13. Teachers shall be bound to immediately report any instance of serious indiscipline of the students coming to their notice. Failure in reporting such instances of cooperating with enquiries shall be dealt with seriously.

14. Setting up a grievance redress mechanism in each institution. This mechanism may involve eminent persons such as retired Judges, and shall be empowered to decide on contentious issues relating to student discipline, and specifically act as an appellate authority in cases relating to expulsion of students from colleges.

The court further directed the Ministry of HRD to constitute the present committee and to nominate two other members, one of them to be preferably a Chartered Accountant as financial expert as financial angle were to be examined. Dr. Dayanand Dongaonkar was to be the Convenor of the Committee.

The Committee

Shri J.M. Lyngdoh Former Chief Election Commissioner	*Chairman*
Prof. Zoya Hasan Professor Centre for Political Studies	*Member*
Dr. Pratap Bhanu Mehta President & Chief Executive Centre for Policy Research New Delhi	*Member*
Prof. Ved Prakash Director National Institute of Educational Planning and Administration (NIEPA) New Delhi	*Member*
Shri I.P. Singh Retired Deputy Comptroller and Auditor General	*Member*
Prof. Dayanand Dongaonkar Secretary General Association of Indian Universities (AIU) New Delhi	*Convener*

1.3   *Rationale*

Elections to Students' Union in the universities and colleges throughout India are conducted differently. In some States election to Students' Union is banned owing to unpleasant incidences that had taken place during the election process. The Supreme Court of India may have considered it appropriate to streamline the process of elections by prescribing guidelines. Thus, it ordered setting up of a Committee of experts to suggest guidelines. The Committee has been mandated to make recommendations on aspects that are required to be observed to maintain academic atmosphere in the educational institutions with stress on indiscipline and divisions on the basis of political beliefs and such other

avoidable considerations. The Committee was mandated to express its views as to the eligibility of candidates, e.g. maximum age limit, standard of educational performance, maximum ceilings of expenses for the election, indication of the source of expenditure. The Committee was also to examine as to whether it would be desirable to require the candidates to submit details of expenditure, furnishing of returns by the Union in respect of its transactions and scrutiny of the returns. The Committee was also to suggest a forum for ventilating grievances in case a dispute arises as regards the fairness, eligibility of the candidate and/or the non-observance of norms while holding the elections.

Elections to Students' Union in the universities and colleges throughout India are conducted differently. In some States election to Students' Union is banned owing to unpleasant incidences that had taken place during the election. The Supreme Court of India may have thought it appropriate to streamline the process of election by laying down guidelines. Thus, it ordered setting up of a Committee of experts to suggest guidelines. The Committee has to make recommendations on aspects that are required to be observed to maintain academic atmosphere in the educational institutions with stress on indiscipline and divisions on the basis of political beliefs and such other avoidable considerations. The Committee is mandated to express its views as to the eligibility of candidates, e.g. maximum age limit, standard of educational performance, maximum ceilings of expenses for the election, indication of the source of expenditure. The Committee was also to examine as to whether it would be desirable to require the candidates to submit details of expenditure, furnishing of returns by the Union in respect of its transactions and scrutiny of the returns. The Committee would also suggest a forum for ventilating grievances in case a dispute arises as regards the fairness, eligibility of the candidate and/or the non-observance of norms while holding the elections.

2.   Terms of Reference of the Committee

Pursuant to the order of the Honourable Supreme Court, dated December 12, 2005, the Committee was mandated to examine, *inter alia*, the following broad aspects of students' elections:

1.   Criminalisation in student elections;

2.   Financial transparency and limits of expenditure in the conduct of such elections (such as ceilings on election-related expenditure, indication of the details and sources of such expenditure, the filing of returns by students' unions in respect of their transactions and the scrutiny of such returns);

3.   Eligibility criteria for candidates seeking to contest such elections (such as maximum age limits for candidates and minimum standards of educational performance attained by candidates); and

4.   The institution of a forum to address grievances and disputes arising out of students' elections as regards procedural fairness, eligibility of candidates and/or the non-observance of norms during the conduct of student elections.

In addition, the Committee was empowered to examine and consider all aspects relating to the conduct of students' elections, such as aspects affecting the academic atmosphere in educational institutions including, but not limited to, indiscipline and divisions on the basis of political beliefs and such other avoidable considerations. The Committee was also empowered to focus on the need to ensure that elements undesirable to the academic atmosphere in universities do not enter students' unions.

The Committee was requested by the Hon'ble Court to submit its report within a period of four months from the date of notification of the constitution of the Committee, i.e. by May 5, 2006. The Committee was also empowered to issue notices to such parties as it deemed proper and invited suggestions from those interested in the subject matter and consider them. The Committee was expected to give its suggestions in respect of the elections to universities, colleges and the affiliated colleges.   It was proposed that wide publicity of the constitution of the Committee and the invitation of suggestions to be given to the Committee would be made by the Ministry of Human Resources and Development and subsequently, MHRD agreed to it. It was also decided that a copy of the order be handed

over to the learned Additional Solicitor General for necessary follow-up action. The Honorable Supreme Court also decided that the matters would be listed after submission of report by the Committee.

3. Methodology/Strategies Adopted by the Committee

With a view to achieve the above objectives, the Committee adopted a democratic method of collecting the data and information as well as the responses from the universities and other organizations from all over India.

3.1 Regional Meetings

The Committee decided to hold a series of Regional Meetings (public discussions) of two days each on various issues relating to students' election in universities and colleges at Chennai, Kolkatta, Delhi, Mumbai and Lucknow on the pre-decided dates as per the following:

Chennai	-	February 14-15, 2006
Kolkata	-	February 27-28, 2006
Delhi	-	March 6-7,2006
Mumbai	-	March 20-21, 2006
Lucknow	-	March 27-28, 2006

The details (dates, venues etc.) in respect of the above mentioned regional meetings/public discussions were notified on the web page of the Association of Indian Universities at www.aiuweb.org. In these meetings, the stakeholders and the interested persons were requested/expected to voice their opinions, suggestions and comments about students' election mechanisms in universities and colleges either in writing, or through e-mail, in addition to submissions made in person.

3.2   Collection of Data from Interested Parties

The Committee also collected responses from the universities, students, faculty members of the universities and colleges and from the members of the student organizations through a Questionnaire and a Structured Schedule, prepared particularly for this purpose by MHRD, Government of India, and Association of Indian Universities (AIU) respectively (the Questionnaire and Structured Schedule are annexed as **Annexures I & II**, respectively).   The questionnaire/structured schedule sought information on various aspects of students' election conducted by the universities and colleges like eligibility criteria, criminalization of student politics, financial transparency and grievances and redressal issues.   The respondents were requested to send duly completed structured schedules/questionnaires either to the Secretary General, AIU or to the Director, NIEPA by February 15, 2006.

3.3   Responses from the General Public

The Committee further directed MHRD, Government of India to send letters to newspapers/press, television and radio to give wide publicity and also to invite suggestions from the general public.

3.4   Follow-up Meetings of the Committee

After the conclusion of the regional meetings, the Committee held meetings at NIEPA on 16th and 17th April 2006 to (i) review the proceedings of all the regional meetings; (ii) to discuss about various issues relating to students' election in framing the guidelines; and (iii) to finalize the modalities of preparing the report of Committee on guidelines for student election in the universities and colleges in India. It was decided that Prof. Ved Prakash, Director, NIEPA, Prof. Dayanand Dongaonkar, Secretary General, AIU, and Shri Abhishek Tewari, Legal Advisor, would prepare the draft report of the Committee on the Guidelines on Students' Election based on the deliberations in the regional meetings,

written responses from the universities and colleges, students' organisations and the general public and the recommendations of the Committee. The draft report was discussed page by page during the meeting of the Committee held at NIEPA on 22nd May, 2006. After detailed deliberations, the report was unanimously approved by the Committee. The final copy of the report was handed over to the Chairman on 23rd May 2006, for its onward transmission to both MHRD and the Hon'ble Supreme Court.

4. Summary of the Proceedings of Regional Meetings

With a view to obtain comments, suggestions and view points of a variety of students' institutions, students' and teachers' organizations, concerned citizens, governments and the public on all aspects of students' elections in the country, the Committee held regional meetings at Chennai, Kolkata, Delhi, Mumbai and Lucknow as mentioned in Section 3. The Committee received overwhelming responses from all quarters in all the regional meetings. All the meetings have been illuminating and several relevant issues relating to students' elections in Indian universities and colleges have been highlighted by the universities, students and faculty organizations and the general public in these meetings. The discussions and deliberations in the meetings on different issues in respect of students' union elections were useful in understanding the situation and have facilitated in framing the guidelines for students' elections. The minutes of all the regional meetings have been placed on recod. However, a summary of the proceedings of the regional meetings is set out herein below:

4.1 Summary of Proceedings of the Committee Meeting held in Chennai from February 14-15, 2006

In the meeting held at Chennai, representatives from 2 universities, 10 colleges, 3 students' organizations (Student Federation of India, AISF/AISDF/ABVP and DYFI), 4 teacher organizations, students' representatives and other organizations such as Kerala Private College Managements' Association, Human Rights Foundation and Jeppiar Group of Engineering Institutes participated and expressed their views on various aspects of students' elections. Most of the representatives expressed their concern about the shrinking role of the State in higher education and the consequent acceleration of

privatization of college education. It was observed by the Committee that many of the private institutions are owned or controlled by politicians. These politicians and their respective political ideologies and political affiliations play a significant role in the students' election process whether it is parliamentary or presidential form of election, as well as in cases where no elections are being conducted. Due to involvement of political parties in the students' elections in the universities and colleges, unwanted and illegal practices like criminalization of students' election, unwarranted monetary transactions, sexual harassment/exploitation, and unfair means of conduct of election, have crept into the election process, as well as into the day-to-day academic atmosphere of the universities and colleges. It was also submitted to the Committee that major political parties in Kerala were also attempting to change the system of elections from parliamentary to presidential. It was perhaps due to this reason that the main issue that came up for discussion in the meeting was the form of election. Whereas very few representatives were against any students' election (as they are happy with the student council system where the toppers of each class are nominated to form the student council), all others were either in favour of presidential or parliamentary system of election. The other issues which were discussed during the meeting included (i) Code of conduct in election; (ii) eligibility criteria for candidates; (iii) expenditure on election; (iv) grievance redressal; (v) reservation for women and socio economically weaker sections; and (vi) empowering college principals to tackle election related violence. There was unanimity about the formation of (i) a code of conduct to curb criminalization and (ii) a grievance redressal cell to deal with all sorts of disputes arising out of the election process during the conduct of election as well as in the post election period. Almost all the representatives felt that the eligibility criteria for contesting in the election have to be fixed. Barring a few, most of the representatives from universities, colleges and student organizations were of the opinion that regular attendance (70% of attendance in the previous year which justifies that he/she is a regular student on roll) should be an eligibility criteria, and the academic performance and/or financial arrears/irregularities of the candidate should not be a disabling factor in respect of eligibility criteria. Though a few were against any kind of expenditure on election, almost all of them favoured limited expenditure on election to avoid misuse of money and power.

It was generally felt that the period of election should not be more than two weeks starting from notification of the election till the announcement of the result and in both the colleges and universities, an Election Commission/Committee should be established to conduct students' elections. It was generally observed that the students and teachers of the public funded institutions were in favour of direct elections, and those representing self-financed institutions were in favour of indirect elections or the nomination system (nomination of meritorious students to student councils).

4.2   Summary of the proceedings of Regional Meeting held in Kolkata, West Bengal from February 27-28, 2006

The Regional Meeting at Kolkata was attended by representatives from 6 universities, 2 colleges, 4 teachers' organizations and 8 students' organizations. In this meeting, it was highlighted that in the many of the colleges of Kolkatta, and surrounding regions, students' elections had not been conducted for the last 20-25 years. It was observed that candidates to different posts were either being nominated or were being elected uncontested. It was also observed that, surprisingly, in most of the colleges and universities in this region, the Principals of the colleges were the ex-officio Presidents of the respective unions, and consequently, it was observed that political parties in power in the state, use this position of the college principals to manipulate indirect elections so as to perpetuate their hold on college unions. In some colleges even out-going unions, with the collusion of the principals, have nominated their own successors in the students' unions while formally showing these nominations as indirect elections. It was also common for students with affiliation to students' groups other than the one in power, to be threatened with violence and be coerced into not filing nominations or into withdrawing them. It was observed that various groups of individuals reflected contradictory views on the current manner of conduct of students' elections in this region.

Regarding the mode of election, a majority of the representatives from the universities, colleges, teachers' organizations and students' organizations opined that the universities and colleges having a small number of students should follow a direct/presidential method

of election and the universities and the colleges having large number of students should follow the indirect/parliamentary system of election since direct elections may lead to many administrative problems. Though the colleges and universities in this region do not face any significant problems in conducting students' election in their colleges and universities (direct or indirect system of election) it was still felt that there should be a code of conduct to enable holding of elections in a peaceful manner. Some of them mentioned that the rules and regulations relating to the conduct of election as followed by Calcutta University may be followed by all the colleges (government and affiliated colleges) and this may also be considered in framing the guidelines for students' elections by the committee. Besides it was agreed by the most of the representatives that there should be an electoral body consisting of the Principal and the faculty of the colleges to supervise the conduct of the election as well as the grievance redressal. Regarding the eligibility criteria, the representatives from the universities felt that eligibility criteria for admission of students in the colleges and universities and the duration of time within which the student should complete their courses, automatically sets up the built-in mechanism under which there is no scope for contesting the elections by an overage student. It was also unanimously felt that regular students of the universities and colleges (except those students who are enrolled in distance education) be allowed to contest in elections. About the expenditure on election, a majority of the representatives felt that though universities and colleges currently are generally not facing any problems relating to the election-related expenditure, it was felt that there ought to be a ceiling on election related expenditure to avoid misuse of power and money. It was also opined that the expenditure on election should be borne by the student union and the university administration on equal sharing basis, as is being practiced in Vishwa Bharti University. It was unanimously felt that there has been increasing involvement of political parties in the process of election in the universities and the colleges, which needs to be checked. Hence, to curb criminalization, both faculty and students should be involved in the election process wherein Principal/senior professor should assist the student committee and outsiders should be restricted from campaigning within the campus. It was also advocated that some independent statutory body of State Government or the Election Commission of

India, if possible, may conduct student election in the State. It was specifically observed by the Committee that the involvement of the faculty in the election process was unusually high.

4.3 *Summary of the Proceedings of Regional Meeting held in New Delhi from March 6-7, 2006*

The Committee held its third regional meeting at NIEPA, New Delhi from March 6-7, 2006 which was attended by representatives from 3 Universities, 3 Students Unions and other organizations (1) from Delhi and nearby States. In this meeting, Delhi University represented an aggravation of the issues of Kerala case, particularly of the open participation of political parties. The focus was also on the blatant use of great sums of money in the election process in certain universities; and the extent of the geographical spread of certain universities, The main issue, which came up for discussion, was the presidential versus parliamentary system of students' election. The representatives from the Guru Gobind Singh Indraprashta University (which does not have a student union, only a rudimentary student council) were of the opinion that there was no need for student elections, on the ground that students in a university offering professional courses do not have the time nor the inclination to participate in union activities. Other universities, as well as representatives of various students' organisations were in favour of direct elections. There was no representation from any of the colleges of Delhi University. However, it was the general opinion of all attending representatives that "non-political students' organizations" like ABVP, NSUI, AISF and SFI should be allowed to participate in the students' election. Everyone was of the view that there should be some code of conduct to check the criminalisation of students' election. However, the students from Rajasthan and Meerut Universities felt that there should be a system of casting two votes by each voter for electing the college union and university union office bearer simultaneously. It was unanimously agreed by the representatives from universities, students' unions and other organizations that (i) there should not be posters/banners; (ii) contestant should not have criminal record; (iii) there should be ceiling on spending in election by individual contestant; (iv) the election period should not exceed two weeks; (v) electronic voting

machines and identity cards should be used for pooling; and (vi) outsiders should not be allowed to campaign in the campus, (vii) the age limit should be 25 years; (vii) a student may be elected for a particular post only once during his/her study period; and (ix) He/she should not have any academic or attendance arrears.

In addition to this, certain representatives also suggested that in the university election only P.G. students should be allowed to contest election. If possible, the University Administration should provide funds to the candidates to meet their expenditure on campaigning in the election.

Shri Bawa (Retd. IPS) submitted for the consideration of the Committee extracts of his Report of 2002 on the conduct of students' elections and hostel-related and other violence in Delhi University. One of the more pertinent points highlighted by him was the inability of the present legal framework, pertaining to elections, to effectively keep political and criminal influences out of students' elections.

It was very obvious from the presentations made by former office bearers and students that the main feature of elections in Delhi and in surrounding areas was the excessive use of money and political power during the course of the election.

4.4 Summary of the Proceedings of Regional Meeting held in Mumbai from March 20-21, 2006

The regional meeting held at Mumbai was attended by representatives from 9 universities, 9 colleges, 9 student organizations, 2 teacher organizations including students and the general public. The institutions in Mumbai, it was observed, in the past had suffered from the vices afflicting Delhi University, together with the uniquely noxious influences of highly professionalised crime and, in one case, an expansive red-light area. Besides, privatization of college education and ownership of institutions by politicians were more rampant than even in Chennai. In fact this college-owing politician lobby had secured the enactment of the Maharashtra Universities Act 1994 (ostensibly on the murder of a student

in 1989 and quoting unspecified violence thereafter), which prohibits students' elections throughout the state and has student representation entirely on merit-based nomination. It was noted that the provisions of the Maharashtra Universities Act, prohibiting the holding of elections, has not been challenged in a court of law, even though *prima facie*, it appeared that the said provision was contrary to the constitutional right of association as provided by the Constitution of India. Representatives of certain students' organisations also submitted to the Committee that the lack of effective student representation in the region was reflected in various instances of malpractice and exploitation of the students by the management of self-financed institutions, and also in the manner of neglect displayed by the State in enforcing academic and co-curricular standards in educational institutions in the region.

Regarding the form of election, the representatives from the universities favoured indirect elections whereas the representatives from the colleges, students' and teacher organizations favoured direct elections as followed by Jawaharlal Nehru University and Delhi University. Representatives of certain colleges were also of the opinion that there was no need for a change in the present nomination system. Almost all the representatives felt that, to check criminalization and money and muscle power in students' elections, there should be a code of conduct. Regarding eligibility criteria, there should be separate age limits for candidature in college and university elections, they emphasised. Many of the representatives opined that a student should have at least 70% attendance in the last academic year to be eligible to contest in the election. Besides, some representatives from the public and students suggested that a student having involvement in co-curricular activities like games, sports and cultural activities should be given preference to contest in the election. It was generally felt that candidates should not have any criminal record during their stay in the institution. Some representatives from the colleges felt that, while filing nomination, the contestant should attach a character certificate with the nomination papers. Regarding expenditure on election, there was a unanimity among representatives from universities, colleges and students' organizations that there should be a ceiling on election expenditure for each and every post in order to check the misuse of funds.

However, some representatives opined that the institution (college/university) should provide some funds to the candidates contesting in the election. Whereas the representatives from the student organizations were in favour of the involvement of registered student organizations (NSUI, ABVP, AISF, SIO, SIOA, SFI and others), the teacher organizations expressed that the student organizations should not be allowed to be involved in the election. There was unanimity on the following; (i) There should be some reservation for girls and socio economically weaker sections of the society; (ii) election should be completed within two weeks from the date of nomination to declaration of result; (iii) electronic voting machines should be used for polling; (iv) faculty should not be involved in the election process; (v) there should be an electoral college; and (vi) there should be a grievance redressal cell in all the universities conducting students election.

4.5   Summary of the proceedings of Regional Meeting held in Lucknow from March 27-28, 2006

The regional meeting held at Lucknow was attended by representatives from 12 universities, 27 colleges, 3 student organizations, teachers from 27 colleges including the general public. The meeting at Lucknow went well beyond Mumbai for the worse. The Committee was appalled by reports of the chaos, lawlessness and crime produced by direct college and university elections, not only during elections but as a permanent condition in UP state universities and the colleges they encompass. The cities and towns in which these universities were located were equally affected. With elections approaching, student candidates in Lucknow, for example openly supported by national and regional political parties, extorted money and vehicles from businessmen, plastered the city with posters and subjected it to their violent and clamorous will. After elections, elected leaders extorted contracts from the university, particularly the works department, forced entry into all important university decisions and exacted protection money from government contractors. They also sported the latest cars, had their own gunmen and strode the university overawing and coercing college principals and university vice-chancellors to do their bidding. They did not stop at university authorities, but extorted money and goods from local merchants, ostensibly to "fund student activities". All this in the context of a petrified

society and the police quite accustomed to such situation. And student leaders themselves were promoted and directed by some of the teachers. Teaching was lax, and some teachers got away with one class in the year. It was reported that violence, coupled with complete apathy on the part of the police, was a salient feature of student elections in the region, and that, as a result, voter turnout was pitifully low at 5-10%. It was also reported that the State Government had added to the already volatile situation by issuing a circular in 2003, which directed the holding of direct elections in the State of UP, together with a relaxation on age limits and academic criteria for candidates.

The representations put forth to the Committee varied from holding of direct elections at both the college and the university level to a complete prohibition of elections. In addition to suggestions for introduction of age limits and academic merit as eligibility criteria, several representations were made focusing on the need for reservation of union office positions for women and for socio-economically backward students. There was unanimity on the demand for a comprehensive code of conduct for holding elections as well as for the establishing of grievance redressal cells. Representations were also made for the constitution of an independent body, analogous to the Election Commission of India, to conduct university and college elections. In one particular instance, a demand was raised for the Government itself to conduct student elections, whereas another suggestion was made to make collection of money from students (for election purposes) optional.

5.   Presentation and Analysis of Data

The present section is devoted to analysis and interpretation of the data. On the onset of the project, it was envisaged that the views of various stakeholders would be taken on the issue under consideration. For such varied types of respondents, structured schedule was designed. Another close-ended questionnaire was also developed to have concise views of

the respondents. Both the structured schedule and the questionnaire were uploaded on AIU's Website for respondents' easy access. Letters were sent to the Chancellors and the Vice Chancellors of 332 universities, Secretaries of Higher Education to all the State Governments and also to various national level students' organisations through mail and fax asking for their valuable opinion on the issue and with a request to send a copy of their constitution/guidelines on the students' union elections.

In pursuance of the nature of the study, the entire data has been subjected to qualitative analysis using numbers. All the views ascertained through the modes of filled-in structured schedules and questionnaires, discussions in the meetings etc. were codified, quantified and analyzed. The results drawn, by and large, have been tabulated and interpreted group-wise (of various respondents). Along with the group-wise analysis, category-wise analysis (of various institutions of higher learning) has also been done. To give a focused view on various sub-areas of the entire process of the students' union elections, the following classification has been carried out on the basis of which analysis and interpretation of the data has been presented.

5.1   *Profile of Respondents*

5.2   *Present Status of Students' Union Elections*

   5.2.1 Eligibility Criteria

   5.2.2 Code of Conduct

   5.2.3 Criminalization of Students' Union Elections

   5.2.4 Financial aspects of Students' Union Elections; and

   5.2.5 Redressal of Election-related Grievances

5.1   *Profile of Respondents*

An attempt has been made to give a profile of the respondents under consideration, that is, in respect of universities, institutions, colleges, students' and teachers' organisations, general public etc.

Table 1: Zone-wise Distribution of various Groups of Respondents

Respondents	North	East	South	West	Place Not Mentioned	Total
Universities	43	33	31	52	0	159
Colleges/Institutions	7	4	42	17	0	70
Students' Organisations	11	7	10	10	0	19
Teachers' Organisations	1	8	8	2	0	13
Other Organisations	2	8	0	0	3	12
Individual - Students	11	1	0	7	3	22
Individual - Teachers	4	4	3	2	1	14
General Public	2	3	6	1	3	15
Total	**81**	**67**	**99**	**89**	**10**	**350**

It can be analyzed from Table 1 that the share of respondents belonging to universities was the highest (159 out of total 350) while respondents from colleges were 70. Respondents from students' and teachers' organisations were 38 and 19 respectively. Individual students were 22 while 14 were teachers and 15 persons represented general public. In addition, 13 respondents were from different organisations e.g. Association of Management of Private Colleges, Chennai, Magnum Organics, Kashipur, Uttaranchal, Academics-India, Lucknow, UP etc. A group-wise list of the respondents has separately been complied and is placed in *Annexure IV* for quick perusal.

Table 2: Zone-wise Distribution of Respondent Universities

Type of University	North	East	South	West	Total
Central Universities	4	4	3	0	11
Institutes of National Importance	3	1	0	0	4
State Universities	20	24	17	36	97
Deemed Universities – Public Funded	9	2	5	5	21
Deemed Universities – Self Financing	5	2	6	9	22
Private Universities	2	0	0	2	4
Total	**43**	**33**	**31**	**52**	**159**

Further, a majority of the respondent universities were state universities (97), followed by deemed to be universities (21 public financed and 22 self financing). 11 central universities were also the respondents while 4 each were institutes of national importance and private universities.

The majority of the respondents (of all groups) were from south zone (99) followed by west zone (89), from north the number was 81 with the least number of respondents from east (67). It is pertinent to mention here that as far as universities are concerned, the west zone topped the list with 52 and in case of colleges, 42 out of 70 were from south zone. It can be directly related to the fact that students' union elections are banned in many of the west and south zone institutions. It may also be inferred that they wanted to restore the system of elected representatives.

Table 3: Institutions Provided Written Constitution/Statutes/Guidelines

Institutions	Written Constitution	Guidelines
Colleges	3	12
Central Universities	4	0
Institutes of National Importance	3	1
State Universities	31	9
Deemed Universities – Public Funded	3	2
Deemed Universities – Self Financing	1	0
Private Universities	1	0
Total	**46**	**24**

43 universities and 3 colleges have sent their written constitutions/Statutes pertaining to students' union elections whereas 12 universities and 12 colleges have sent their guidelines. Majority (159 out of 229) have sent neither of the two. Besides, 100 universities and 56 respondent colleges have expressed their views on various facets of students' union elections.

5.2   Present Status of Students' Union Elections

Table 4: Distribution of Responses on Actual Status of Students' Union Elections in the Institutions

Institutions	Conducted		Banned	No Response Given	Total
	Yes	No			
Colleges	32	0	0	38	70
Central Universities	4	4	1	2	11
Institutes of National Importance	4	0	0	0	4
State Universities	54	22	9	12	97
Deemed Universities – Public Funded	10	10	1	0	21
Deemed Universities – Self Financing	6	13	1	2	22
Private Universities	1	3	0	0	4
Total	**111**	**52**	**12**	**54**	**229**

It is apparent from the Table 4 that in 111 institutions students' union elections are being conducted. In 12 respondent universities elections were banned out of which, in four universities, ban was imposed by the respective state governments and in one university the ban has been imposed by the judiciary, while rest had not mention anything pertaining to this aspect.

Table 5: Distribution of Respondent Universities on Procedure Followed for Students' Elections

Institutions	Nomi-nation	Class Represen-tation	Direct Election	Mixed System	NR*	Total
Colleges/Institutions	12	20	10	9	19	70
Central Universities	3	1	3	0	4	11
Institutes of National Importance	0	0	3	0	1	4
State Universities	16	23	19	8	31	97
Deemed Universities – Public Funded	4	6	3	0	8	21
Deemed Universities – Self Financing	7	3	2	0	10	22
Private Universities	2	1	1	0	0	4
Total	**44**	**54**	**41**	**17**	**73**	**229**

NR* No Response Given.

Table 6: Distribution of Views of Respondents on Students' Union Elections

Respondents	In Favour of Election				Preferred System of Students' Selection/Election					
	Yes	No	NR*	Total	Nomi-nation	Class Repre-sentation	Direct Election	Mixed System	NR*	Total
Universities	57	23	79	159	31	9	30	35	54	159
Colleges/ Institutions	29	0	41	70	23	30	6	2	9	70
Students' Organisations	27	1	10	38	1	2	14	3	18	38
Teachers' Organisations	18	0	1	19	0	5	4	2	8	19
Other Organisations	7	2	4	13	1	4	2	0	6	13
Individual - Students	22	0	0	12	0	5	6	0	11	12
Individual - Teachers	12	0	2	14	0	5	2	0	7	14
General Public	12	1	2	15	0	2	0	0	13	15
Total	**183**	**27**	**139**	**350**	**56**	**62**	**64**	**42**	**126**	**350**

NR* No Response Given

For the constitution of students' election union/council there are mainly four types of systems viz.:

a) **Nomination:** Students' council constituted by nominating the students on the basis of merit and/or participation in co-curricular activities (e.g. sports, cultural programs etc.).

b) **Class Representative/Parliamentary System:** It is a decentralized system which can be further dichotomized into two categories. In one of its forms, students of each class choose their representatives and office bearers are elected from among these chosen representatives. In another form, some of the main office bearers (e.g. President) are nominated by the administration, though, in many institutions the former system is prevalent.

c) **Direct Election/Presidential System:** It is a miniature system of general election in which all the students directly elect their representatives through the mode of secret ballot.

d) **Mixed System:** In this system, students of smaller units like college-classes and university-departments elect their representatives through class representation system, the elected representatives constitute an electoral college and the members of electoral college elect their office bearers from among themselves through the mode of direct election. In a few cases, some of the office bearers are also nominated by the administrative authorities. Mainly, two types of students are nominated viz. meritorious students and/or representatives of under-privileged groups.

It can be interpreted from the Table 5 that 54 institutions had class representative system, 44 had nomination system, 39 had presidential, and another 16 had mixed system. In terms of having favourable attitude towards students' union elections, although many respondents have not touched upon the issue at all, as many as 181 respondents showed positive attitude towards students' union elections. Anticipating the election-related evils of direct elections 54 institutions (31 universities and 23 colleges) were in favour of nomination system. Individually, majority of colleges were in favour of class representative system while in case of universities, majority favoured mixed system. Most of the teachers' organisations, other organisations, university and college teachers and general public preferred the class representative system. Nearly two-third of students' organisations wanted presidential form. Almost fifty per cent of the individual students wanted parliamentary and same number of them wanted presidential system. A few respondents have also suggested that the students' union elections should be made mandatory to safeguard the interests of the students.

**Table 7: Responses on the issue of Election Commission for Conducting Students'
Union Elections**

Institutions	Yes	No Response Given	Total
Colleges/Institutions	25	45	70
Central Universities	5	6	11
Institutes of National Importance	4	0	4
State Universities	34	63	97
Deemed Universities – Public Funded	6	15	21
Deemed Universities – Self Financing	2	20	22
Private Universities	0	4	4
Total	**76**	**153**	**229**

75 out of 229 respondents from the institutions of higher learning were in favour of the constitution of an election commission or committee. As far as its constituents are concerned 42 stated that administration and faculty should undertake this work in collaborative manner, though a few of them (6) were of the view that the students should also be involved in the process. Three respondents suggested that the Election Commission

of India should undertake this responsibility while two other felt that respected persons from the society should be involved in the conduct of students' union elections.

5.2.1 Eligibility Criteria

Table 8: Respondents' Views on Eligibility Criteria for Contestants

Parameters	Yes	No	No Response	Total
Age Limit	**68**	16	266	350
Academic Performance	**121**	18	211	350
Percentage of Marks	**86**	20	244	350
Academic Arrears	**58**	13	279	350
Financial Arrears	**38**	10	302	350
Attendance	**60**	8	282	350
Cheating in Exams	**40**	5	305	350
Criminal Record	**84**	4	262	350
Indiscipline	**69**	5	276	350
Participation in Co-curricular Activities	**59**	6	285	350

On the aspects of eligibility criteria for candidates in terms of essential pre-requisites for contesting students' union elections, a deep contrast can be observed among the views of various stakeholders. Although the issues of age-limit, academic performance (consistently good academic record) and attendance have not dealt with by many organisations, a substantial number of universities and colleges had a clear-cut policy on these issues. As many as 116 respondents believed that academic performance should be one of the most important criteria for contesting, while a few of them (18) felt that it was not fair to have such criteria.

Table 9: Respondents' Views on Age Limit Criterion (in years)

Respondents	In favour of Age Limit Criterion					Total in favour of	Not in favour of	No Response	Total
	Just in * Favour of	22-23	24-25	26-27	< 28				
Universities	10	0	13	1	2	26	3	130	159
Colleges/Institutions	5	3	9	0	0	17	5	48	70
Students' Organisations	2	0	3	0	0	5	4	29	38
Teachers' Organisations	2	0	1	0	0	3	3	13	19
Other Organisations	0	0	0	0	0	0	1	12	13
Individual - Students	3	0	4	2	0	9	0	13	12
Individual - Teachers	1	0	3	0	0	8	0	6	14
General Public	0	0	0	0	0	0	0	15	15
Total	**23**	**3**	**33**	**3**	**2**	**68**	**16**	**266**	**350**

Just in Favour of* implies that respondents were in favour of age-limit criterion but they have not mentioned any limits.

Table 10:   Respondents' Views on Percentage of Marks Obtained Criterion (in per cent)

Institutions	In favour of Percentage of Marks Obtained Criterion				Total in favour of	Not in favour of	NR**	Total
	Just in* Favour of	40-49	50-59	60-70				
Universities	50	1	4	2	159	2	100	159
Colleges/Institutions	5	1	6	1	70	9	48	70
Students' Organisations	0	0	0	0	38	3	35	38
Teachers' Organisations	1	0	1	0	19	5	12	19
Other Organisations	2	1	0	0	13	0	10	13
Individual - Students	2	2	2	2	12	0	14	12
Individual - Teachers	1	0	2	0	14	0	11	14
General Public	1	0	0	1	15	1	12	15
Total	**62**	**5**	**15**	**6**	**350**	**20**	**242**	**350**

Note: *=Just in Favour of implies that respondents were in favour of percentage of marks criterion
but they have not specified any
**   **   No Response Given**

Table 11: Respondents' Views on Percentage of Attendance Criterion (in per cent)

Institutions	In Favour of Percentage of Attendance Criterion					Total in favour of	Not in favour of	No Response Given	Total
	Just in* Favour of	50-59	60-69	70-79	80				
Universities	16	1	1	2	0	20	0	139	159
Colleges/Institutions	9	2	0	10	3	24	5	41	70
Students' Organisations	0	0	0	1	0	1	0	37	38
Teachers' Organisations	3	0	0	2	0	5	3	11	19
Other Organisations	1	0	0	0	0	1	0	12	13
Individual - Students	4	0	1	1	0	6	0	6	12
Individual - Teachers	1	0	1	0	0	2	0	12	14
General Public	1	0	0	0	0	1	0	14	15
Total	**35**	**3**	**3**	**16**	3	**60**	**8**	**282**	**350**

Note: *= Just in Favour of implies that respondents were in favour of percentage of attendance criterion but they have not mentioned any percentage for it.

33 out of 68 respondents believed that 24-25 years should be the maximum age-limit for contesting students' union elections. 88 respondents, in all, were of the opinion that percentage of obtained marks in last examination should be given due consideration. Among those who specified the minimum percentage of marks for contesting elections 15 were in favour of candidates obtaining atleast 2nd division marks in their last examinations. 16 out of 60 respondents also advocated 70-79 per cent attendance. Apart from these, participation in co-curricular activities should also be considered according to 59 respondents.

As far as disqualification is concerned, 58 respondents held the view that the candidate should not have any academic backlog (arrears) in terms of essential repeat in last examinations. 38 of them raised the issue of financial arrears in terms of no dues pending against them. Cheating in examinations (40), having criminal record (84) and involvement in any activity of indiscipline (68) were also some of the aspects should strictly be taken under consideration to disallow such students for contesting students' elections.

Table 12: Distribution of Respondents on the basis of Reservation Policy

Respondents	Women	Socio-economic	Differe-ntly Abled	Geographical region Based	For Both Differently Abled & Geographical region	No Reser-vation
Universities	28	17	5	4	10	0
Colleges/Institutions	16	4	1	0	1	1
Students' Organisations	6	2	1	1	0	1
Teachers' Organisations	5	3	0	0	0	0
Other Organisations	0	0	0	0	0	0
Individual - Students	6	0	1	0	0	0
Individual - Teachers	1	1	0	0	0	1
General Public	0	0	0	0	0	0
Total	**62**	**27**	**8**	**5**	**11**	**3**

62 respondents were in favour of reservation for women candidates. Very few of them (7) also suggested the limits for women reservation (kindly refer Table 3.3, Annexure III). 27 respondents advocated reservation on the basis of socio-economic status while 8 favoured reservation for differently abled. A small number of respondents (5), mostly from the western part of the country, favoured geographical-region based reservation and another 11 supported the reservation policy for both – differently abled and geographical-region based.

5.2.2   Code of Conduct

Table 13: Responses on Modes of Campaigning

Modes of Campaigning	Yes	No	No Response	Total
Maintain Academic Atmosphere	**53**	0	297	350
Within Campus Activity	**44**	0	306	350
Election Manifesto	**6**	0	344	350
Qualifying Speech	**27**	2	321	350
Interaction with Students	**25**	0	325	350
Debates	**13**	0	337	350
Discussions	**10**	0	340	350

Though most of the respondents did not deal with the aspect of a code of conduct, as per the views of 53 respondents the academic atmosphere (classes should not be disturbed for canvassing) should not be affected and no outsiders should be called in the campus. At the same time, campaigning activities should be strictly kept within the four walls of the campus. According to respondents qualifying speech (27) and one-to-one interaction with the voter-students (25) could be the modes of election campaigning. Other than these, debates (13), discussions (10) and presentation of election manifesto (6) were some strategies which can also be used.

Table 14: Responses Pertaining to Campaigning Process

Campaigning Process	Yes	No	No Response	Total
Posters and Banners	16	**59**	275	350
Loudspeakers	3	**37**	310	350
Processions	2	**44**	304	350
Rallies of Vehicles	4	**30**	316	350
E-mail/SMS	5	**21**	324	350
Use of Muscle Power	0	**78**	272	350

Considering the nature of these elections, some of the modes of campaigning should not be allowed. On the aspect of use of muscle power, all the respondents of all the groups, who have dealt with the issue, condemned such things. Loudspeakers (36), processions (44), rallies of vehicles (30) should not be allowed. 21 out of 26 of the respondents suggested e-mail/SMS should not be used, while only 10 respondents were in favour of using posters and banners and another six were in favour of use of handmade posters only. A substantial number of respondents (58) were totally against the use of any posters and banners.

5.2.3   *Criminalization of Students' Union Elections*

Table 15 shows that 41 out of 52 respondents were not in favour of candidates having any sort of association with students' organisations. Similarly, as per 111 respondents candidates should not have any affiliation with any political party, Hence, it may be

concluded that majority of those respondents who have dealt with the issue, were totally against the politicization of students' union elections.

Table 15: Views of Respondents on Politicization of Students' Election

Respondents	Affiliation with Students' Organisations				Affiliation with Political Parties			
	Yes	No	NR*	Total	Yes	No	NR*	Total
Universities	0	10	149	159	5	37	117	159
Colleges/Institutions	0	21	49	70	1	26	43	70
Students' Organisations	7	1	30	38	3	9	26	38
Teachers' Organisations	0	0	19	19	4	5	10	19
Other Organisations	1	2	10	13	0	7	6	13
Individual - Students	2	3	17	22	2	10	10	22
Individual - Teachers	1	3	10	14	2	7	5	14
General Public	0	1	14	15	0	10	5	15
Total	**11**	**41**	**298**	**344**	**17**	**111**	**222**	**350**

5.2.4 Financial Aspects of Students' Union Elections

Utilization of financial resources in students' union elections is another important aspect. Nearly four-fifth of the respondents who have dealt with the issue, were in favour of use of funds for the purpose of campaigning. At the same time, it was also clearly stated by majority of them that this money should not be spent for the entertainment of voters or for wooing them in any other ways. Moreover, 66 felt that there should be some limit to expenditure. However, there was deep contrast in the views of various stakeholders with regard to the range of ceiling. 12 respondents opined that there should be no spending on elections. However, 10 respondents felt that the maximum limit to the elections related spending should be within the range of Rs.5001-15000 and with least number of respondents suggested that it should be less than Rs.1000. So, it may be concluded that the 17 out of 23 respondents were in favour of spending more than Rs.5000 in students' union elections.

Table 16: Resources Mobilization & Utilization for Students' Union Election

Financial Aspects	Yes	No	No Response	Total
Use of Funds Allowed	**95**	24	231	350
Ceiling on Funds	**66**	12	272	350
Audited Accounts	**33**	15	302	350
Source of Funds (i) Administration	**14**	0	315	350
(ii) Students	**10**	0		
(iii) Both Administration & Students	**11**	0		

Table 17: Range of Ceiling on Expenditure in Students' Union Elections (in rupees)

+Respondents	Just in* Favour of	< 1000	1000-5000	5001-15000	15001-25000	> 25000	No Spending	NR**	Total
Universities	6	0	1	4	2	0	3	143	159
Colleges/Institutions	5	1	3	1	0	0	9	51	70
Students' Organisations	10	0	0	1	2	0	0	25	19
Teachers' Organisations	7	0	1	1	0	0	0	10	13
Other Organisations	2	0	0	0	0	0	0	11	12
Individual - Students	4	0	0	1	1	2	0	14	22
Individual - Teachers	2	0	0	2	0	0	0	10	14
General Public	6	0	0	0	0	0	0	9	15
Total	**42**	**1**	**5**	**10**	**5**	**2**	**12**	**273**	**350**

Note: * = Just in Favour of implies that the respondents were in favour of ceiling but they have mentioned any limits.

 **** = No Response**

As far as resource mobilization is concerned, by and large, the views of respondents of various categories are same. 14 believed that administration of the institutions should bear the cost of students' union elections. Ten of them were in favour of students generating their own resources for contesting elections. While another 11 wanted the proportionate basis of sharing of expenditure between the students and the administration. So, it may be concluded that as per the views of respondents the administration should also contribute to the election-related spending. 48 respondents have also given their views on audit reports of election expenditures, out of which 33 suggested that candidates should submit their audit reports.

5.2.5 Redressal of Election-related Grievances

Table 18: Constituents of Cell for Redressal of Grievances Pertaining to Students' Election

Respondents	Adminis-tration	Adminis-tration & Faculty	Administration & Students	Administration, Faculty & Students	No Response	Total
Universities	28	10	1	2	119	159
Colleges	13	7	1	2	47	70
Students' Organisations	3	0	0	0	35	38
Teachers' Organisations	4	4	4	0	7	19
Other Organisations	0	1	0	0	12	13
Individual - Students	2	1	0	1	18	22
Individual - Teachers	1	0	1	0	12	14
General Public	2	1	0	0	12	15
Total	**53**	**24**	**7**	**5**	**261**	**350**

89 out of 350 respondents have expressed their views on the issue. Out of which 53 felt that the administration alone should constitute the cell. While 23 persons stated that both administration and faculty should constitute such a cell, seven respondents suggested that cell should comprise administration as well as students while another five believed that representatives of all the stakeholders viz. – administration, faculty as well as students should be members of the cell.

In addition to the analyzed data, a few Chancellors of universities have also expressed their valuable views on the issue of students' union elections. The focal points of their suggestions are enumerated below:

A. Comments of Shri T.V. Rajeswar, Governor of Uttar Pradesh and Chancellor of Universities of Uttar Pradesh:

1. Students' union election should be made optional. Universities and colleges should have right to decide whether they want to have elections or not.

2. In addition to elected members, the students' unions should also have some nominated bright students from the field of academics and co-curricular activities, as their members.

3. On Eligibility Criteria

   a. 25 years should be the maximum age-limit to contest elections.

   b. The student should have good academic record.

   c. Candidate should not have any academic arrears.

   d. Student who has been punished for any misconduct or any form of misdemeanor should be disqualified.

   e. Students having gun license should not be allowed

4. There should be reservations for the following groups:

   a. Women Students

   b. Students from weaker socio-economic groups

   c. Bright students from the field of academics, co-curricular activities (e.g. cultural, sports etc.)

5. The election campaigning should be confined only to the university/college premises and should not be spill over into the town.

6. Posters etc. should be removed immediately after the election process is over.

7. Limit to election-related expenditure should be not be more than Rs.10, 000/-. Audited report of election-related expenditure should be submitted. Failure to submit the audited report should result in cancellation of his/her election.

8. No politicians and ex-students should be allowed to enter the university/college premises or address the students in connection with the students' election.

B. Comments of Shri Gopalkrishna Gandhi, Governor of West Bengal:

1. The office bearers of the union should be elected through indirect system of elections.

2. The Dean of the institution should be the returning officer.

3. The election should be completed within 2 to 3 hours of a single day.

4. A student who has failed so repeatedly as to have crossed 5 years as an undergraduate or 4 years as a post graduate should not be allowed to vote.

5. There should be an Election Manual with Preamble, published by university spelling out the principles and procedures for compliance by all concerned.

6.   Guidelines for Students' Elections: Recommendations of the Committee

> *"Just as during the freedom movement every university student was a nationalist at heart (whether he was active in the movement or not), even so, every university student today must be an integrationist at heart, whatever be his or her field… Virtues like tolerance, discipline, law abidance and punctuality, must be cultivated right from now. True democracy rests on voluntary observance of the laws of the land and not on the enforcement thereof by authority. Your education should inspire you for honour of the motherland and humanism. Students must engage yourself in economic and social development which narrows down disparities and gradually assists society in raising its standards of behaviour and morality".[1]*

It is with these words of Hon'ble the Chief Justice of India in mind that this Committee proceeds to the final chapter of its Report, namely, the Guidelines for the Conduct of Student Elections in universities and colleges across the country.

The original mandate of this Committee, as prescribed by the Hon'ble Supreme Court, was primarily to examine and recommend upon: -

1. Criminalisation in student elections;

2. Financial transparency and limits of expenditure in the conduct of such elections;

3. Eligibility criteria for candidates seeking to contest such elections; and

4. The institution of a forum to address grievances and disputes arising out of student elections as regards procedural fairness, eligibility of candidates and / or the non-observance of norms during the conduct of student elections.

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[1] Per Y. K. Sabharwal, Hon'ble the Chief Justice of India, at the 55th Annual Convocation of the Panjab University, Chandigarh on 4th February 2006.

However, after having heard and considered the views of students, student organizations, university administrators, and members of the pedagogy, belonging to a myriad spectrum of institutions across the country, this Committee strongly feels that it must step a little beyond the four corners of its mandate, to make good the insurmountable task of balancing the interests of student democracy and political education with the larger interest of maintaining an "academic atmosphere" within the university and the college campus.

To this effect, this Committee has, in addition to prescribing norms for regulating the conduct of the election process, also made certain recommendations qua the possible models of elections, as well as in respect of the larger question of whether or not elections ought to be conducted at all, keeping in view the various instances of malpractice (on the part of students and faculty / administrators) and violence that were brought to the notice of the Committee.

The recommendations of this Committee, therefore, may be categorized under the following heads:

1. The need for student elections and student bodies / organizations;
2. Modes of elections;
3. Disassociation of student elections and student representation from political parties;
4. Frequency and duration of the election process;
5. Eligibility criteria for candidates;
6. Election-related expenditure and financial accountability;
7. Code of conduct for candidates and election administrators;
8. Grievance redressal mechanism;
9. Maintaining law and order on the campus during the election process;
10. Miscellaneous recommendations; and
11. Limitations Affecting the Implementation of this Committee's Recommendations.

It is to be noted here that the Recommendations No. 3 through 10 will apply to all modes of student elections.

During the process of examination of data (which has been described in sufficient detail in the preceding Chapter), as well as during the public hearings conducted by the Committee, it was observed that there were certain 'impediments', both statutory, as well as in the form of veiled protest from various stakeholders, which would make the implementations of the recommendations, set out herein below, a difficult task. The Committee is of the opinion that some of these impediments are serious enough as to warrant the intervention of the judiciary as well as of the executive (Central as well as State) to effectively and efficiently implement the recommendations set out herein below. The views of the Committee on this issue have been taken up towards the end of this Chapter under a sub-heading labeled 'Limitations'.

The Committee feels that that, in addition to achieving the object of streamlining the election process, these recommendations should also, it is hoped, encourage students guided by academic considerations to contest for positions on student representative bodies, so as to represent the academic interests of the student body.

6.1   The Need for Student Elections and Student Bodies/Organizations

During the various public meetings held by the Committee, and during the internal deliberations of the Committee, an urgent need was felt as to whether or not it was feasible, from a purely academics-related point of view, to conduct elections in universities and colleges. During the five (5) public meetings conducted by the Committee across the country, it was observed that many privately-funded institutions, affiliated to particular universities, in particular institutions conducting purely professional courses, did not provide for a structured system of student representation, much less providing for the conducting of elections for representation on student bodies. These institutions either had no system of student representation, with student grievances being dealt on a case to case

basis by a Dean of Student Welfare or a like administrator, or had a rudimentary system of merit-based nominations, wherein, in certain instances, unwilling meritorious students were being nominated to represent students before the administrative authorities of the institution, and, where such meritorious students declined from taking up the nomination, undesirable students were being nominated to represent the student body. Indeed, in several instances, students themselves expressed the view that elections were unnecessary as the students (especially in professional courses such as engineering, law and management) had very little time away from their studies to even consider, much less concentrate upon, elections and matter of student representation. It was further observed, especially in the South and in Maharashtra, that an alarmingly large number of colleges were directly or indirectly owned and controlled by politicians, who were 'satisfied' with not holding any elections, possibly to prevent any 'errant' political ideologies from creeping into the students' mind.

On the other hand, various instances were brought to the notice of the Committee involving harassment of students by the faculty and the administration, including sexual harassment, charging of exorbitant capitation fees for obtaining seats in courses as well as, ostensibly, for the provision of 'infrastructural facilities' to the students, as well as the imposition of unusually harsh norms on day-to-day student life in the name of maintaining discipline in the institution.

And finally, instances (past and present) of student elections rife with the influences of political 'funding' (Delhi, Mumbai, Kerala and U.P.) and the use of violence (Kerala and U.P.), which bring about the possible need to do away with the system of elections all together.

In the light of the myriad experiences of the conduct of elections faced by the various stakeholders, the Committee was faced with the dilemma of choosing between prohibiting elections, and to enforce a uniform system of student elections across the country. The choice boiled down to the creation of a space for democratic representation through an

effective mechanism that would not only ensure the voicing of grievances and the general welfare of the student populace, but would also provide a healthy learning field for the leaders of tomorrow, while keeping in mind the autonomy of the university in matters of imparting education and maintaining a certain modicum of decorum and discipline on the campus.

The recommendation of the Committee in this regard is thus:

6.1.1 *Universities and colleges across the country must ordinarily conduct elections for the appointment of students to student representative bodies. These elections may be conducted in the manner prescribed herein, or in a manner that conforms to the standards prescribed herein.*

6.1.2 *Where the atmosphere of the university campus is adverse to the conduct of peaceful, free and fair elections, the university, its constituent colleges and departments must initiate a system of student representation based on nominations, especially where elections are being held at present. It would be advisable, however, not to base such nomination system on purely academic merit, as is being practiced throughout the country.*

6.1.3 *In cases where elections are not being held, or where the nomination model prevails, the nomination model should be allowed to continue for a limited period of time. It is to be noted that the nomination system suffers from several flaws, and must only be resorted to as an INTERIM MEASURE.*

6.1.4 *Subject to the recommendations in respect of the possible models of elections, all institutions must, over a period of 5 years, convert from the nomination model to a structured election model, that may be based on a system of parliamentary (indirect) elections, or on the presidential (direct) system, or a hybrid of both. It is highly desirable that all institutions follow this mechanism of gradual conversion, especially for privately funded institutions that prefer a status quo situation.*

6.1.5 *All institutions must conduct a review of the student representation mechanism. The first review may be conducted after a period of 2 years of the implementation of the mechanism detailed above, and the second review may be conducted after the 3rd or the 4th year of implementation. The primary objective of these reviews will be to ascertain the success of the representation and election mechanism in each individual institution, so as to decide whether or not to implement a full-fledged election structure. Needless to say these reviews will be based on a consideration of the views and suggestions of all stakeholders, such as students, faculty, administration, student bodies, and parents.*

6.1.6 *Institutions must, as a primary objective, subject to the pertinent issue of discipline on campus, seek to implement a structured system of student*

elections by the conclusion of a period of 5 years from the date of the implementation of these recommendations.

Another issue for the consideration of the Committee was the manner of student bodies that may be permitted to represent students. It was generally felt that organizations such as NSUI, ABVP, AISF, SFI etc., had a tendency, more often than not, to unnecessarily politicize the election process. The involvement of these organizations in student elections leads to the creation of rival factions within the students, which, in turn, leads to the subservience of the ultimate goal of democratic student representation. Additionally, there seems to be a widespread confusion as to the hierarchy of student bodies in universities, especially in universities that are geographically spread over a large area, sometimes encompassing entire States. Where, on one hand, it is extremely important that there be an Apex student representative body at the University level, it is extremely important to consider the fact that having a sole representative body causes logistical problems where the university includes colleges that are situated in separate districts all over the State. In this respect, therefore, the Committee recommends as thus: -

> **6.1.7** **Subject to the autonomy of the universities in respect of the choice of the mode of election, all universities must institute an apex student representative body that represents all students, colleges, and departments coming under the particular university. In the event that the university is geographically widespread, individual colleges may constitute their own representative bodies, which would further elect representatives for the apex university body.**
>
> **6.1.8** **The union/representative body so elected shall only comprise of regular students on the rolls of the institution. No faculty member, nor any member of the administration shall be permitted to hold any post on the executive of such representative body, nor shall be allowed to be a member of any such representative body.**

6.2 Modes of Elections

The Committee was faced with varying types of election models that are being followed in institutions across the country, with varying results. These ranged from purely direct elections, wherein the entire student body voted for the elections to the post of union office bearers (such as in Delhi University) to systems where each department of the university

had separate elections, with separate office bearer and with the vice-chancellor as the head of the union (as followed in Jhadhavpur University, West Bengal), to highly structured and regulated systems of direct elections, where the entire election process was supervised by an election committee comprising of students (as followed in Jawaharlal Nehru University, Delhi, and University of Hyderabad, Hyderabad). Certain instances of indirect election, wherein elected class representatives formed an electoral college, which in turn elected the office bearers of the college / university union.

However, each existing model examined by the Committee had its own drawbacks. The direct election model followed in Delhi University is plagued with an overflow of unnecessary funds for plastering the city with posters, and for the hiring of a convoy of vehicles to tour the city and achieve fledgling political glory as well as for 'entertaining' constituents. The indirect form of elections followed in many parts of the country like Rajasthan is a tedious, time-consuming affair often involving college representatives traveling to the university center, at no meager expense of time and money, from far-flung districts to be a part of the apex union election process. The JNU/University of Hyderabad mode of elections, where direct elections are held in a peaceful manner and are conducted entirely by the students, where election-related expenditure is kept to a relative minimum due to strict norms on the use of posters and election propaganda, has a major drawback inasmuch as this form of election is suitable only for small universities with of the single campus type. These drawbacks, of course, are in addition to the ground realities of the present situation, perfect examples of which are the events in Kerala, which eventually led to the constitution of this Committee, as well as the situation in Lucknow and neighbouring areas.

There also arose the question of the wishes of the various stakeholders in respect of the mode of elections. Many members of the faculty and the administration (in particular of the privately funded colleges) felt that there was no need for elections at all, whereas others wavered between indirect and direct elections. The various student organizations unanimously demanded direct elections. Individual students wavered between no

elections, indirect elections and direct elections. The general consensus was that the model to be followed was the JNU model, which, however, in the Committee's opinion is not suitable for very large universities.

In view of the observations of the Committee in respect of a suitable mode of election, it was found to be extremely difficult to settle upon a uniform system for elections for the entire country. The types, sizes and compositions of universities and colleges across the country are far too many to feasibly recommend a single, foolproof mode of elections. Therefore, this Committee will recommend the following alternative modes of elections, which may be applied to universities and institutions on a case-to-case basis:

6.2.1 *A system of direct election of the office bearers of the student body whereby all students of all constituent colleges, as well as all students of the university departments vote directly for the office bearers. This model may be followed in smaller universities with well-defined single campuses (for e.g. JNU/University of Hyderabad), and with a relatively smaller student population. A graphic representation of this model is annexed herewith at Annexure IV-A.*

In respect of universities with large, widespread campuses and large student bodies, either of the following models may be adopted:

6.2.2 *A system of elections, where colleges and campuses directly elect college and campus office bearers, as well as university representatives. The university representatives form an electoral college, which shall elect the university student union office bearers. A graphic representation of this model is annexed herewith at Annexure IV-B.*

6.2.3 *A system of elections where on one hand, directly elected class representatives elect the office bearers of the college as well as the university representatives, and the campus itself directly elects the campus office bearers and the university representatives. The university representatives shall form an electoral college, which shall elect the office bearer of the university student union. A graphic representation of this model is annexed herewith at Annexure IV-C.*

6.2.4 *A system of election wherein class representatives shall be directly elected in the colleges and universities campus and they in turn shall elect the office bearers for the college unions and the university campus union. Also they shall elect their representatives for university student union. These elected representatives from colleges and university campus shall form the electoral college, which shall elect the office bearers of the university student union. This model shall be applicable to large university with large number of affiliated colleges. A graphic representation of this model is annexed herewith at Annexure IV-D.*

6.3 Disassociation of Student Elections and Student Representation from Political Parties

The linkages between political parties and student elections are seeped deep in Indian history. However, gone are the days when the student movement was an integral cog in the *Satyagraha* machine. A large majority of the universities of India, at present, have become feeder devices for political candidates and party workers, as well as a mechanism for political parties to by-pass conduct norms prescribed by the Election Commission, as such norms do not apply to students as students.

To illustrate the seriousness of the situation, it would be pertinent here to note certain observations made by the UGC Committee on the Working of Central Universities, which was established in 1981, and which submitted its report in November 1983:

> *"4.1 Political activity in the universities is natural because the university is a community of thinking people, of those who are exploring the frontiers of knowledge and of those who criticize and evaluate every idea before accepting it. Our democratic tradition, and now the Constitution, ensures fundamental rights to all citizens which include freedom of thought and speech, and freedom of association. Teachers and a section of students are not only voters but they can also be candidates in local, State or Parliamentary elections. We, therefore, see nothing wrong in political parties being active on the campuses of our universities. Presentation of and debates about different ideologies and plans and perspective of national development are to be welcomed and political activity directed towards this end would be wholesome for the growth of the universities.*
>
> *4.1 We, however, regret to say that much of "political" activity which we noticed and sensed on the campuses is of a degenerate nature which is a blot on the concept of politics. It is a "politics" of expediency, opportunism, that is doing what would be most advantageous at the moment to the doer and his partners; doing it while even knowing that it is wrong. The price of the little gain for the doer may be a disruption of educational activities for all. One sees this when campaigns are mounted to prevent action against those who copied in the examinations, or misused university funds in a variety of ways.*
>
> *4.2 It is also a politics of corruption where money or other attractions are used to achieve an end, be it victory in an election, or hiring of goondas to harass the functionaries or disrupt a meeting or examination.*

4.3 In the most harmless form it is the supporting of the party's followers, whether they are right or wrong-and hounding out of the opponents.

4.4 It must be said, to give due recognition to the intellectuals in the universities, that at least half the time they are exploiting the politicians. Those who have vested interests in property and civil works or stores and purchases in the university or those who are frustrated because of a variety of circumstances, including non-selection to posts, or amongst students, those who failed or didn't get admission to course they desired or were rusticated for indiscipline-they use political connection and affiliation to further their interests. It is common in the universities that an agitation will go upto a certain point and when there is danger of its fizzling out, the agitators do something designed to attract counter-measures-like breaking open offices or hostels or some other provocation, and when the university is obliged to react either by taking disciplinary action, or in grave and violent circumstances, by calling in the police-the agitators appeal to the politicians to give them a hand. In a situation when the leadership of a young group of a few hundred agitators can be grabbed on seemingly "democratic" or '"humane" grounds, the temptation to give a political backing becomes irresistible.

4.5 It is politics of this kind about which we firmly believe the mature political parties can be persuaded to take the broader interest of their own followers and of education into account, and to observe certain norms of conduct. As we all unite in facing an external danger to the country, we should unite in protecting our universities which have a key role in building our future.[2]"

Although the situation today has definitely improved for the better, it is true that political interference in the student election process is still clearly rampant, in some places more than in others. The Committee does not need to expound upon the situation in Delhi. However, instances in Kolkata were brought to the notice of the Committee, where members of political parties regularly forced independent candidates, or candidates 'not conforming to the prevalent political ideology' from contesting in student elections. Similar instances from Kerala were also brought to the notice of the Committee. The widely televised images of the successfully elected candidates in the recent Delhi University elections visiting political leaders to receive their blessings remain fresh in the minds of not only this Committee, but also in the minds of the general public.

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[2] Report of the Committee on the Working of Central Universities, November 1983.

The primary need, therefore, is to evolve some mechanism that does away with, or at least minimizes the influence of political parties in student elections. A starting point would be the concept of a "union", and the recognition of students' representatives as a "union". In general parlance, the term "union" brings to mind issues relating to the suppression of tradesmen and workmen, something that cannot be applied to students in an institution. It is true that all students should be entitled to certain basic standards of teaching and on-campus infrastructure, but this in itself cannot be equated to the rights of a workman.

The Committee, in its deliberations, debated over the fact that placing restrictions on affiliation to political parties may be viewed as contrary to the fundamental right of association, as provided for in the Constitution of India. However, it is also true that the right to association, as under Article 19 of the Constitution, is amenable to reasonable restrictions, as are all the other rights under Article 19. It is true that the aim of prescribing a system of elections is not only to provide for representation of student issues, but also to provide a base for young students to learn the basic fundamentals of representing others, as well as the principles of good governance. However, it is not appropriate to permit the level of interference being exercised by political parties at present, as the primary function of a university is, after all, education, and not political indoctrination, especially when such political influence brings with it all the indiscretions that political parties are known for. Therefore, in this respect, the Committee recommends:

> ***6.3.1*** ***During the period of the elections no person, who is not a student on the rolls of the college/university, shall be permitted to take part in the election process in any capacity. Any person, candidate, or member of the student organisation, violating this rule shall be subject to disciplinary proceedings, in addition to the candidature, as the case may be, being revoked.***

6.4   *Frequency and Duration of the Election Process*

There was general unanimity that the election process should be held over as short a period as possible, so as to reduce the time students spend away from class in election related activities. It was noted by the Committee that in many instances elections would be held

across a period of several weeks, thus leading to a sever shortage of actual teaching hours, in as much as classes would be disrupted regularly by campaigning candidates, who would often resort to interrupting lectures to make short election speeches and to distribute propaganda such as leaflets and cards. Candidates also resorted to missing classes on the pretext of touring the campus, and the countryside in the process, allegedly for campaigning purposes. In the view of this Committee it is important that elections be held in an efficient manner so as to minimize the number of teaching hours lost by the various colleges and by the university. Furthermore, keeping in view the recommendation pertaining to the code of conduct, which will be dealt with subsequently, the Committee feels that the Elections can be held over a period of a few days. To this effect, it is recommended as follows:

> **6.4.1** *It is recommended that the entire process of elections, commencing from the date of filing of nomination papers to the date of declaration of results, including the campaign period, should not exceed 10 days.*
>
> **6.4.2** *It is further recommended that elections be held on a yearly basis and that the same should be held between 6 to 8 weeks from the date of commencement of the academic session.*

6.5   *Eligibility Criteria for Candidates*

Prescribing eligibility criteria for the candidates was an exceptionally difficulty task for the Committee, keeping in mind the various kinds of suggestions submitted to the committee in this respect. A major hurdle before the Committee was dealing with the issue of academic merit as an eligibility criterion. Where, on one hand, institutions following the nomination model relied ostensibly on merit as a criterion for appointing student representatives, on the other hand, representatives of various student organizations such as NSUI, ABVP etc. were of the opinion that academic merit is not a fit criteria for making a student eligible for candidature. They felt that simply because a student could not attain good marks, it did not mean the he would be a bad leader. From another point of view, where many privately funded colleges supported merit as a primary criteria, it was noticed by the Committee, especially in Mumbai, that many meritorious students declined to take on the responsibility of student representatives, as they were more interested in their

studies. As a result undesirable students would then be selected as student representatives. However, the Committee does not entirely want to reject the use of merit as an eligibility criterion, neither it is feasible to prescribe such high standards of merit so as to bring about the problem faced by colleges in Mumbai.

Another important eligibility criterion is that of the age of the candidate. Although, generally, it was observed that candidates and office bearers were between the ages of 20 and 25, a particular instance was brought to the notice of the committee, where a 54-year-old man had contested for the post of an office bearer of a college union in Allahabad. It was even more shocking to learn that his 22-year-old son was campaigning for him. Also, several members of the various student organizations, which made submissions before the committee, were in their mid and late 30's and claimed to be permanent executives of the student organizations. In light of the above observations it is recommended that:

6.5.1 *Under graduate students between the ages of 17 and 22 may contest elections. This age range may be appropriately relaxed in the case of professional colleges, where courses often range between 4 to 5 years.*

6.5.2 *For Post Graduate Students the maximum age limit to legitimately contest an election would be 24 – 25 years.*

6.5.3 *For research Students the maximum age limit to legitimately contest an election would be 28 years.*

6.5.4 *Although, the Committee would refrain from prescribing any particular minimum marks to be attained by the candidate, the candidate should in no event have any academic arrears in the year of contesting the election.*

6.5.5 *The candidate should have attained the minimum percentage of attendance as prescribed by the university or 75% attendance, whichever is higher.*

6.5.6 *The candidate shall have one opportunity to contest for the post of office bearer, and two opportunities to contest for the post of an executive member.*

6.5.7 *The candidate shall not have a previous criminal record, that is to say he should not have been tried and/or convicted of any criminal offence or misdemeanor. The candidate shall also not have been subject to any disciplinary action by the University authorities.*

6.5.8 *The candidate must be a regular, full time student of the college / university and should not be a distance/proximate education student.*

That is to say that all eligible candidates must be enrolled in a full time course, the course duration being at least one year.

6.6 Election – Related Expenditure and Financial Accountability

Keeping election-related expenditure to a minimum and to put a stop to inflow of funds from political parties, and from other undesirable sources, was always in the mandate of this Committee. During the course of the public hearings it was noticed that various persons appearing before the Committee were not comfortable in discussing the issue, and the Committee received a considerable number of vague suggestions to the query as to what a suitable expenditure ceiling ought to be. However, many representations were made where a suitable ceiling was considered to be Rs. 5000 – Rs. 10,000 per candidate.

The problem of excessive expenditure, although not as prominently visible across the country as in Delhi and Lucknow, is an issue that needs to be dealt with in as strict a manner as possible. The problem of excessive expenditure is certainly not an alien concept, having being noted as far back as the early and mid 1980s by the Committee on the Working of the Central Universities, which observed as follows:

> *"There is little control over expenditure; and there is no accountability in this respect. In fact, we have been informed that large sums of money are often spent on individual elections, which make it impossible for an ordinary student without political or other connection to get elected. We are told that a lot of expenditure on elections to the unions is incurred by the universities from their own resources; in one case a sum of Rs. 50,000 is mentioned for printing the ballot papers."[3]*

In this light, the Committee recommends as follows:

> **6.6.1 The maximum permitted expenditure per candidate shall be Rs. 5000/-**
>
> **6.6.2 Each candidate shall, within two weeks of the declaration of the result, submit complete and audited accounts to the college / university authorities. The college/university shall publish such audited accounts, within 2 days of the submission of such accounts, through a suitable medium so that any member of the student body may freely examine the same.**

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[3] Ibid.

6.6.3 *The election of the candidate will be nullified in the event of any non-compliance or in the event of any excessive expenditure.*

6.6.4 *With the view to prevent the inflow of funds from political parties into the student election process, the candidates are specially barred from utilizing funds from any other sources than voluntary contributions from the student body.*

6.7 Code of Conduct for Candidates and Elections Administrators

Just as the Election Commission of India has prescribed a code of conduct for the general elections, it is equally important to prescribe a similar code of conduct for student elections, not only to ensure an orderly, free and fair conduct of the election process, but also to instill in students a sense of propriety in respect of student governance and the conduct of elections, so that the same values may, it is hoped, be carried forward by students interested in a career in national and local politics. The recommended code of conduct also seeks to streamline the election process in such a manner that elections may be conducted efficiently and with minimal use of monetary and other resources.

6.7.1 *No candidate shall indulge in, nor shall abet, any activity, which may aggravate existing differences or create mutual hatred or cause tension between different castes and communities, religious or linguistic, or between any group(s) of students.*

6.7.2 *Criticism of other candidates, when made, shall be confined to their policies and programs, past record and work. Candidates shall refrain from criticism of all aspects of private life, not connected with the public activities of the other candidates or supporters of such other candidates. Criticism of other candidates, or their supporters based on unverified allegations or distortion shall be avoided.*

6.7.3 *There shall be no appeal to caste or communal feelings for securing votes. Places of worship, within or without the campus shall not be used for election propaganda.*

6.7.4 *All candidates shall be prohibited from indulging or abetting, all activities which are considered to be "corrupt practices" and offences, such as bribing of voters, intimidation of voters, impersonation of voters, canvassing or the use of propaganda within 100 metres of polling stations, holding public meetings during the period of 24 hours ending with the hour fixed for the close of the poll, and the transport and conveyance of voters to and from polling station.*

6.7.5   No candidate shall be permitted to make use of printed posters, printed pamphlets, or any other printed material for the purpose of canvassing. Candidates may only utilize hand-made posters for the purpose of canvassing, provided that such hand-made posters are procured within the expenditure limit set out herein above.

6.7.6   Candidates may only utilize hand-made posters at certain places in the campus, which shall be notified in advance by the election commission / university authority.

6.7.7   No candidate shall be permitted to carry out processions, or public meetings, or in any way canvass or distribute propaganda outside the university/college campus.

6.7.8   No candidate shall, nor shall his/her supporters, deface or cause any destruction to any property of the university / college campus, for any purpose whatsoever, without the prior written permission of the college / university authorities. All candidates shall be held jointly and severally liable for any destruction / defacing of any university / college property.

6.7.9   During the election period the candidates may hold processions and / or public meetings, provided that such processions and / or public meetings do not, in any manner, disturb the classes and other academic and co-curricular activities of the college / university. Further, such procession / public meeting may not be held without the prior written permission of the college / university authority.

6.7.10 The use of loudspeakers, vehicles and animals for the purpose of canvassing shall be prohibited.

6.7.11 On the day of polling, student organizations and candidates shall –

(i)   co-operate with the officers on election duty to ensure peaceful and orderly polling and complete freedom to the voters to exercise their franchise without being subjected to any annoyance or obstruction;

(ii)   not serve or distribute any eatables, or other solid and liquid consumables, except water on polling day;

(iii)   not hand out any propaganda on the polling day.

6.7.12 Excepting the voters, no one without a valid pass / letter of authority from the election commission or from the college / university authorities shall enter the polling booths.

6.7.13 The election commission / college/ university authorities shall appoint impartial observers. In the case of deemed universities and self-financed institutions, government servants may be appointed as observers. If the candidates have any specific complaint or problem regarding the conduct of the elections they may bring the same to the notice of the observer.

> *Observers shall also be appointed to oversee the process of nomination of students in institutions that are following the nomination model of student representation.*

6.7.14 *All candidates shall be jointly responsible for ensuring the cleaning up of the polling area within 48 hours of the conclusion of polling.*

6.7.15 *Any contravention of any of the above recommendations may make the candidate liable to be stripped of his candidature, or his elected post, as the case may be. The election commission / college / university authorities may also take appropriate disciplinary action against such a violator.*

6.7.16 *In addition to the above-mentioned code of conduct, it is also recommended that certain provisions of the Indian Penal Code, 1860 (Section 153A and Chapter IXA – "Offences Relating to Election"), may also be made applicable to student elections.*

6.8   *Grievance Redressal Mechanism*

Another important item on the mandate of the Committee was the creation of a grievance redressal mechanism to adjudicate upon disputes arising out of student elections. To this effect, the Committee strongly recommends the setting up of grievance redressal mechanisms / election courts on the following lines:

6.8.1 *There should be a Grievances Redressal Cell with the Dean (Student Welfare) / teacher in charge of student affairs as its chairman. In addition, one senior faculty member, one senior administrative officer and two final year students – one boy and one girl (till the election results declared, students can be nominated on the basis of merit and/or participation in the co-curricular activities in the previous year). The grievance cell shall be mandated with the redressal of election-related grievances, including, but not limited to breaches of the code of conduct of elections and complaints relating to election-related expenditure. This cell would be the regular unit of the institution.*

6.8.2 *In pursuit of its duties, the grievance cell may 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.*

6.8.3   In carrying out the duties of the office, the Grievance cell shall conduct proceedings and hearings necessary to fulfill those duties. In executing those duties they shall 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.

6.8.4   Members of the Grievance cell are prohibited from filing complaints. 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 must 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.

6.8.5   The Grievance cell may dismiss a complaint if:

(iii)   the complaint was not filed within the time frame prescribed in Recommendation 8.4 above;

(iv)   the complaint fails to state a cause of action for which relief may be granted;

(v)   the complainant has not and / or likely will not suffer injury or damage.

6.8.6   If a complaint is not dismissed, then a hearing must be held. The Grievance cell shall inform, in writing, or via e-mail, the complaining party and all 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.

6.8.7   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.

6.8.8   At the time notice of a 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.

6.8.9   All Grievance cell hearings, proceedings, and meetings must be open to the public.

6.8.10 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.

6.8.11 *For any hearing, a majority of sitting Grievance cell members must 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.*

6.8.12 *The Grievance cell shall 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 the the Grievance cell Chair for the purpose of testifying by proxy.*

- *All questions and discussions by the parties in dispute shall be directed to the Grievance cell.*

- *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 Grievance cell, 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 Grievance cell must 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 must 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 rulings, and shall guide the Grievance cell in its proceedings.   Upon consideration of prior written opinions, the grievance cell may negate the decision, but must provide written documentation of reasons for doing so.*

- *If the decision of the Grievance cell is appealed to the institutional head , the Grievance cell must immediately submit its ruling to the commission.*

- *The Grievance cell shall select the remedy or sanction most appropriate to both the type and severity of the infraction, as well as the state 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.

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

- *If, after a hearing, the Grievance cell finds that provisions of this Code were violated by a candidate, or a candidate's agents or workers, the Grievance cell may restrict the candidate, or the candidates 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 campaign 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.*

- *If, after a hearing, the Grievance cell finds that provisions of either this Code or decisions, opinions, orders, or rulings 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.*

- *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 charged.*

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

- *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.*

- *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.*

▪ *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.*

6.9   Maintaining Law and Order on the Campus during the Election Process

In addition to the code of conduct prescribed above, it is important that the college/ university authorities resort to the assistance of the police in the event of any unlawful activity occurring not only during the elections, but also otherwise. The Committee on the Working of Central Universities gave a similar recommendation. However, it is observed that colleges / universities more often than not refrain from taking police assistance to deal with campus violence and lawlessness on the ground that the reputation of the university / college would be adversely affected. The Committee does not agree with this line of thought. In the words of the Committee on the Working of Central Universities:

> *"2.44 There is a strange hangover of the colonial period when politics of freedom was combated with the help of the police force that university "autonomy" is supposed to be violated if the police is called in. We believe that the police is a part of civil law and order machinery, and it should be as much available to protect lives, property and functioning of the university as is available to any other establishment in the country. If the university is working normally or within defined bounds of tension naturally there is no need for the police; but if it becomes disturbed by exceeding certain limits, as suggested above, the blame, if any, for causing the police to come in for protection would squarely lie with those who created the particular conditions. The autonomy of the university has no relation to this circumstance, just as the fundamental rights or privacy of a citizen are not related to his having to take police assistance in an emergency. "[4]*

6.9.1   *Any instance of acute lawlessness or the commission of a criminal offence shall be reported to the police by the university / college authorities as soon as possible, but not later than 12 hours after the alleged commission of the offence.*

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[4] Ibid.

6.10   Miscellaneous Recommendations

6.10.1   Student representation is essential to the overall development of students, and, therefore, it is recommended that university statutes should expressly provide for student representation.

6.10.2   Student representation should be regulated by statute (either a Central Statue, State Statute or individual university statutes), incorporating the recommendations prescribed herein.

6.10.3   The institution should organize leadership-training programs with the help of professional organizations so as to groom and instill in students leadership qualities.

6.10.4   In the event of the office of any major post of office bearer falling vacant within two months of elections, re-elections should be conducted; otherwise the Vice President may be promoted to the post of President and Joint Secretary to the post of Secretary, as the case may be.

6.11   Limitations Affecting the Implementation of this Committee's Recommendations

The primary and most substantial impediment in the way of the implementation of the recommendations contained herein is the fact that certain States, such as Maharashtra, prohibit the holding of student elections by way of a State statute. For instance, the Maharashtra Universities Act, 1994, vide Section 40(1), provides for the setting up of a University Students' Council, but specifically prohibits the Council from engaging in any political activity, effectively prohibiting student elections in the State of Maharashtra. The same may be true for other States, which the Committee could not examine due to paucity of time and the magnitude of the task at hand.

The existence of such prohibitory Statutes, the Committee understands, will prevent the implementation of its recommendations, as that would require the amendment of such statutes, which is in the province of the State Legislature, which may not, as history has shown (e.g. in the case of Maharashtra), be inclined to implement such stringent regulation of student election.

The other possible way of bypassing this hurdle would be for a State High Court or the Supreme Court to declare such prohibitory provisions as unconstitutional. However, such

provisions must first be challenged before the Courts, and it is the observation of the Committee that no person, till now, seems to have taken up this issue before the judiciary. It would thus, in the opinion of the Committee, be prudent for the Central Government and/or the Hon'ble Supreme Court to lead the way in the matter, and to impress upon the concerned State Governments the need for a healthy student democracy, and, consequently, the need to amend any prohibitory statutes that may be in place.

Structured Schedule on Students' Union Elections

1. Is there any registration of students' organizations? If so, by whom?

- Any indication of affiliation with national/regional political parties?
- Any requirement that the unions while applying must show that they uphold the Constitution of India and its democratic principles?
- Any provisions for deregistration or de-recognition, and if so what are the reasons there for?

2. Are there any statutes/rules for conducting elections?

- What is the system of elections – first-past-the-post or preferential system?

3. Is there any body corresponding to Election Commission of India to conduct university elections?

4. How are nominations filed by nominees of students' organizations /independent candidates?

- How many proposers for each category?
- What is the nomination fee?
- Are there any qualification requirements – minimum/maximum age limits, minimum attendance, previous academic record, general conduct, number of times for which a candidate may contest?
- Do candidates have to file an affidavit deposing whether they have been convicted of any criminal offence or whether any criminal cases are pending against them, as well as details of their assets and liabilities including those of their dependants if any?
- Are there any rules for disqualification? If so, on what grounds?
- Are there any electoral rolls?
- Are they revised annually?
- By whom are they maintained and revised?
- Are the voters assigned to pre-determined polling stations?
- Are ID cards used to identify voters?
- If not, how is the identity established before voting?
- Is voting by ballot paper or voting machines?
- If by ballot paper, where are ballot papers printed?

- And how is their security ensured to make it sure that they don't fall into wrong hands or substituted by counterfeit ballot papers at the poll?

- Is there a common ballot papers for various posts on separate ballot papers for each post?

- How are the names of candidates arranged on ballot papers?

5. Any previous instances of election related violence with details?

6. What security arrangements are there for ballot boxes from polling till declaration of results?

7. How many voters are there per polling stations and what are the voting hours?

- Is voting discontinued automatically at the end of polling time?

- Are the voters in queue before the end of the polling time allowed to cast their votes even after the expiry of the polling time?

8. What is the composition of the polling personnel in each polling station?

- Is the composition such that the personnel do not favour one student union or the other?

9. What are the arrangements for counting and who counts?

- Is the counting done in the presence of candidates and their agents?

- Is there any provision of recounting and who directs recounting?

10. Between the announcement of the elections and the declaration of results, is there anything corresponding to the Model Code of Conduct for the political parties which neutralises the advantages of the ruling parties? For e.g. In Assembly and Parliamentary elections using public funds for election related advertisements making new appointments, entering new contracts, taking up new projects, using public resources like guest houses, vehicles, government servants etc. for election purposes if there is a Model Code of Conduct how does university deals with criminal activities during the election process?

- How soon are the police informed/involved, if at all?

11. Are there any rules for not putting up posters in public places or for removing the same?

- How does university deals with election related damage to its properties on campus?

12. What are the overall security arrangements for conducting elections in proper manner since the police are not allowed in university premises? How does the university regulate campaigning in the campus i.e. where and when candidates may campaign, cut off dates/times for campaigning.

13. Are candidates required to make financial disclosures on their electoral expenditure and are there any expenditure ceilings? If so, who scrutinises/audits the expenditure?

- Are the candidate's financial records available for public inspection?
- Any consequences for breaking the ceilings?
- Are there any restrictions on (i) use of vehicles for campaign and on the day of poll (ii) use of loudspeakers, (iii) entertainment of voters.

14. What is the machinery for election appeals?

15. What are the activities that the unions / organizations undertake for student's welfare?

16. Are postgraduate students permitted to conduct elections? If so, do they have a separate representative body?

- Are they permitted to vote in undergraduate elections?

17.   Is email used as a medium of campaigning?(use of mailing lists/leased servers?

18.   How are girls represented on students bodies/unions?

19.   What is the ratio of boys to girls?

20.   How many girls contest elections?

21.   Are there any seats by reservation or nomination for girls?

22.   What is the role of the faculty in the election process?

- Are faculty members allowed to put question to candidates in respect of their proposed or post policies as the case may be?
- Do faculty members play any role in regulating the election process?

Annexure-II

Questionnaire on Students' Union Elections

S. No.	Questions	Remarks
1.	Does your University and/ or affiliated College hold Student Union Election?	Yes / No
2.	If yes, which is the composition of Student Body/Student Union and how are office bearers elected?	Nomination/Election
3.	If they are elected by Nomination, What is the criterion?	Academic Merit/ Qualification / Age
4.	If they are elected by contest what is the criterion?	Consensus / Secret ballot / Show of hands
5.	Is there political interference/sponsorship?	Yes / No
6.	Is there indication of source of expenditure?	Yes / No
7.	If yes, is there any ceiling on expenditure?	Yes / No
8.	Is there any mechanism to ensure free and fair elections?	Yes / No
9.	Whether print media/electronic media is allowed to be used?	Yes / No
10.	Any suggestions in respect of holding of student bodies / union elections	Your suggestions will be given due consideration at the highest level.

Other Related Data and Analyses

Table 3.1 Pre-requisites for Filing Nomination

Pre-requisites	Affidavit	Character Certificate from Faculty	Both Affidavit and Character Certificate	Parents' Consent Letter	Nothing	No Response Given	Total
Universities	6	2	0	0	0	151	159
Colleges	2	3	4	1	7	53	70
Students' Organisations	2	0	0	0	0	36	38
Teachers' Organisations	0	0	0	0	0	19	19
Other Organisations	0	0	0	0	0	13	13
Individual - Students	0	1	0	0	1	20	22
Individual - Teachers	0	0	0	0	0	14	14
General Public	0	0	1	1	0	13	15
Total	**10**	**6**	**5**	**2**	**8**	**319**	**350**

Ten respondents were in favour of submitting affidavits, six in favour of character certificates and another five wanted both affidavits and character certificates. Two wanted parents' consent letter to be enclosed with the nomination papers, whereas eight believed that there should not be any such pre-requisites.

Besides, many universities and colleges have a clear-cut policy on to whom the right to vote should be given. 45 universities and 11 colleges have endowed this right to all their regular students. According to four of them it should not be given to the students of diploma and certificate courses and also not to the employed students. Quite a few of them (8) believed that it should not be given to the students of affiliated, aided and private colleges. In a few universities and colleges students of professional courses were not allowed to vote for the purpose of constitution of students' union elections. Hence, it may be concluded that majority of the respondents from universities and colleges were in favour of giving right to vote to all their students for composition of students' union.

It is convention that generally the post of president is reserved for final year outgoing students in many universities. A few universities (13) conform to this. A few of them (7) felt otherwise. According to 11 of them, the post of general secretary should be reserved for the students who were in their second-last year, whereas for other posts there were no such restrictions.

It may be interpreted from Table 3.2 that 47 universities were using secret ballot system. To streamline the process 6 respondents suggested the use Electronic Voting Machines for casting votes instead of secret ballot. Three universities also suggested that there should be a facility of postal and proxy voting for the more convenience of the students. Moreover, 12 universities and 15 colleges used students' identity cards as their identity proof for polling process.

Table 3.2: Strategy Adopted for Casting Votes

Respondents	Identity Card	Secret Ballot	Electronic Voting Machine	Postal Ballot	Proxy Vote
Universities	12	47	1	3	3
Colleges/Institutions	15	22	0	0	0
Students' Organisations	3	3	3	0	0
Teachers' Organisations	0	0	0	0	0
Other Organisations	1	2	0	0	0
Individual - Students	1	0	2	0	0
Individual - Teachers	0	1	0	0	0
General Public	0	0	0	0	0
Total	**32**	**75**	**6**	**3**	**3**

Table 3.3: Views on Percentage of Women Reservation

Respondents	< 33 %	33 - 49 %	> 50 %	Total
Universities	0	1	0	1
Colleges/Institutions	1	0	3	4
Students' Organisations	0	0	0	0
Teachers' Organisations	1	0	0	1
Other Organisations	0	0	0	0
Individual - Students	0	0	0	0
Individual - Teachers	0	1	0	1
General Public	0	0	0	0
Total	**2**	**2**	**3**	**7**

7 respondents have also given their views on the aspect of the percentage of seats to be reserved for the women candidates.

For the entire process of election, according to the 17 out of 29 respondents (only 29 respondents have dealt with this issue) two weeks should be allotted. For the right time of conducting election, 21 out of 41 believed that it should be conducted within the span of two months, immediately after the commencement of new academic session.

Table: 3.4   Responses on the Ideal Duration & Time Session for Conducting Students' Elections

Respondents	Ideal Duration (in days)					Ideal Time Session (in months)				
	>2	2-7	8-14	NR*	Total	1-2	3-5	6-8	NR*	Total
Universities	2	1	4	152	159	15	5	2	137	159
Colleges/Institutions	0	1	8	61	70	5	2	0	63	70
Students' Organisations	0	1	2	35	38	4	0	3	31	38
Teachers' Organisations	1	1	1	16	19	1	0	0	18	19
Other Organisations	1	1	0	11	13	0	0	0	13	13
Individual - Students	1	2	0	19	22	2	0	1	19	22
Individual - Teachers	0	0	2	12	14	0	0	1	13	14
General Public	0	0	0	15	15	0	0	0	15	15
Total	**5**	**7**	**17**	**321**	**350**	**27**	**7**	**7**	**309**	**350**

Note: * No Response

It is also suggested by as many as 10 respondents that students' union elections conducted in Indian Institutes of Technology should be followed as model. Further, quite a few of

them suggested that there should be orientation training program for candidates for contesting elections.

Table 3.5: Distribution of Respondents on the Aspect of Number of Chances to be Given to Contestants

Respondents	No. of Chances to Contest				No. of Chances to be Elected				No. of Post to be Contested			
	One Time	More than One Time	NR*	Total	One Time	More than One Time	NR*	Total	One Time	More than One Time	NR*	Total
Universities	3	3	153	159	8	6	145	159	14	1	144	159
Colleges/Institutions	0	2	68	70	0	0	70	70	3	1	66	70
Students' Organisations	0	1	37	38	1	0	37	38	0	0	38	38
Teachers' Organisations	0	0	19	19	0	1	18	19	0	0	19	19
Other Organisations	0	0	13	13	0	0	13	13	0	0	13	13
Individual - Students	1	0	21	22	2	1	19	22	1	0	21	22
Individual - Teachers	0	1	13	14	0	0	14	14	0	0	14	14
General Public	0	0	15	15	0	0	15	15	0	0	15	15
Total	**4**	**7**	**339**	**350**	**11**	**8**	**331**	**350**	**18**	**2**	**330**	**350**

Note: * No Response

According to 7 respondents a candidate should get more than one chance for contesting elections, whereas 11 felt that only one chance should be given to get elected. 18 stakeholders felt that each candidate should be allowed to contest for one post only, at a time.

Table 3.6: Composition of Students' Union

Institutions	Students	Students & Administration	Students & Faculty	Students, Administration & Faculty	NR*	Total
Colleges	0	0	1	2	67	70
Central Universities	1	1	0	1	8	11
Institutes of National Importance	0	0	0	1	3	4
State Universities	0	4	6	20	67	97
Deemed Universities – Public Funded	0	0	2	1	18	21
Deemed Universities – Self Financing	0	1	1	2	18	22
Private Universities	0	0	0	0	4	4
Total	**1**	**6**	**10**	**27**	**185**	**229**

Note: * No Response

According to 27 respondents the students' union should comprise representatives of all three – students, faculty and administration.

Table 3.7: In Case Vacancy Occurs after Students' Union Election

Institutions	Vice-President becomes President	Re-election	Remained Vacant	NR*	Total
Colleges	0	0	0	70	70
Central Universities	0	2	1	8	11
Institutes of National Importance	0	0	0	4	4
State Universities	4	5	2	86	97
Deemed Universities – Public Funded	0	2	1	18	21
Deemed Universities – Self Financing	0	0	0	22	22
Private Universities	0	0	0	4	4
Total	**4**	**9**	**4**	**212**	**229**

Note: * No Response

9 respondents stated that there should be re-election in case any vacancies occurred due to any reasons, while 4 of them felt that vice president should be made president. Another group (4) opined that the post should be kept vacant till the next elections. So, it may be interpreted that promoting vice president to the post of president would be more viable option; although, considering various aspects e.g. time-factor etc. other options could also be adopted as per the feasibility.

Table 3.8: Role of Police in Conducting Students' Union Election

Respondents	Precautionary	After Violence	No Role of Police	No Response	Total
Universities	3	0	1	155	159
Colleges/Institutions	12	2	1	55	70
Students' Organisations	3	0	0	35	38
Teachers' Organisations	1	0	0	18	19
Other Organisations	0	0	0	13	13
Individual - Students	1	0	0	21	22
Individual - Teachers	1	0	0	13	14
General Public	0	0	0	15	15
Total	**21**	**2**	**2**	**325**	**350**

To avoid any untoward incidence in the campus during the students' union election the help of local police could be sought as precautionary measure according to 21 stakeholders, while two of them believed that police should be called only when it is

required, whereas another two believed that there should be no role of police in the students' union elections.

Table 3.9: **Range of Nomination Fee for Contesting Students' Union Elections (in Rupees)**

Respondents	< 100	101-300	> 300	No Nomination Fee	No Response	Total
Universities	0	0	3	0	156	159
Colleges/Institutions	4	0	1	3	62	70
Students' Organisations	1	1	1	0	35	38
Teachers' Organisations	0	0	0	0	19	19
Other Organisations	0	0	0	0	13	13
Individual - Students	0	0	0	0	22	22
Individual - Teachers	0	0	0	1	13	14
General Public	0	0	0	0	15	15
Total	**5**	**1**	**5**	**4**	**335**	**350**

11 respondents felt that there should be some nomination fee to be levied on the candidates for contesting elections, while other four were against it.

Modes of Elections

Chart 1: Direct Election in University Campus

Student Union

Direct | Election
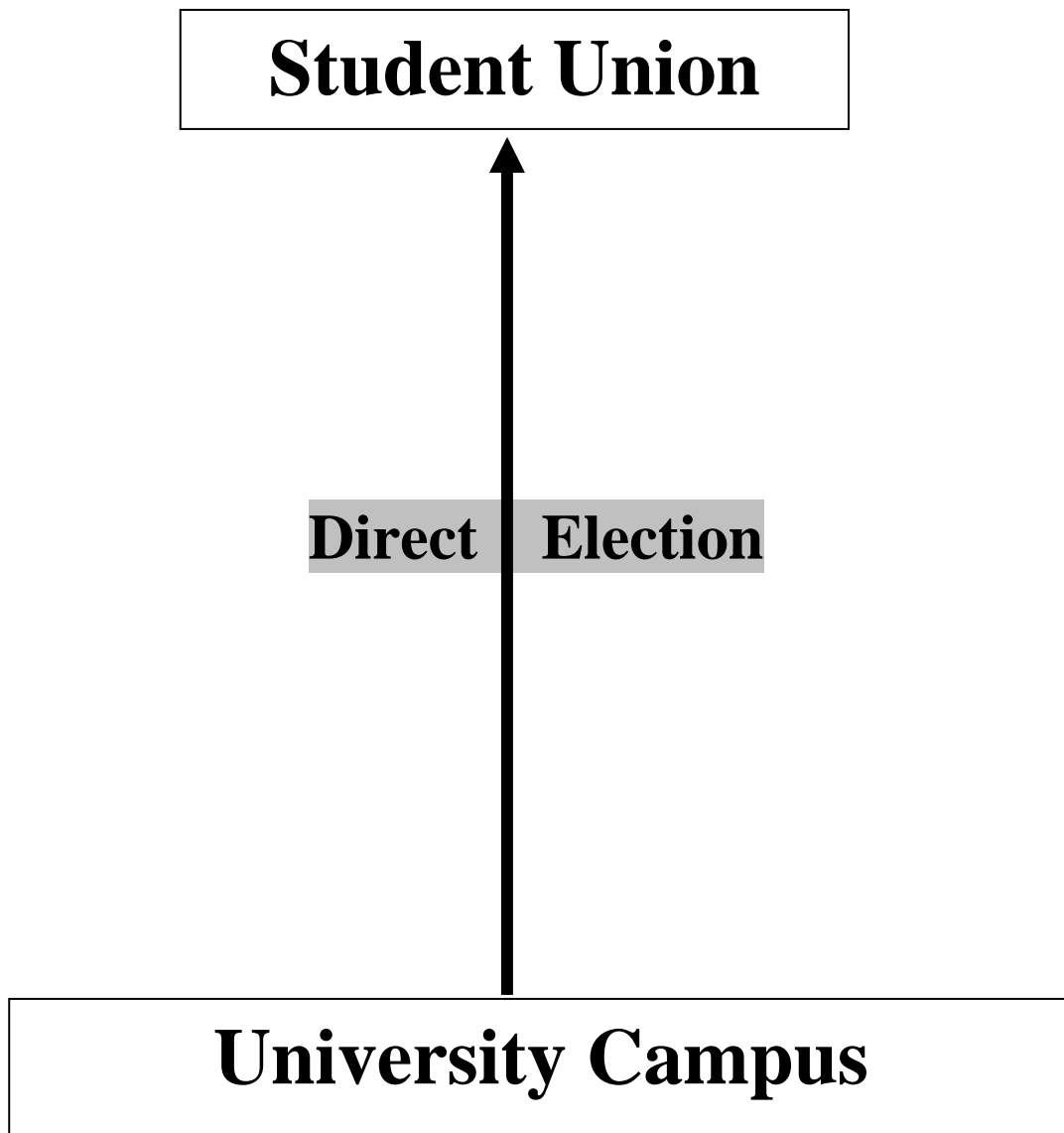
University Campus

Annexure-IV (B)

Chart 2: Direct/Indirect Elections in College/Campus/University (Larger University)

```
              ┌─────────────────────────────────────────────────┐
              │ Office Bearers of the University Student Union   │
              └─────────────────────────────────────────────────┘
                                      ↑

              Indirect    │    Election

              ┌─────────────────────────────────────────────────┐
              │ Electroal College of the University Student Union│
              └─────────────────────────────────────────────────┘
                                      ↑
          ┌───────────────────────────┴───────────────────────────┐
          ↑                                                         ↑
┌──────────────────┐  ┌──────────────┐      ┌──────────────────┐  ┌──────────────┐
│ Office Bearers of│  │  University  │      │ Office Bearrers of│ │  University  │
│    the College   │  │Representatives│     │    the Campus    │  │Representatives│
│  Student Union   │  │              │      │  Student Union   │  │              │
└──────────────────┘  └──────────────┘      └──────────────────┘  └──────────────┘
          ↑                   ↑                       ↑                   ↑

      Direct  Election                            Direct  Election

┌──────────────────────────┐                ┌──────────────────────────┐
│   Class Representatives   │                │   Class Representatives   │
└──────────────────────────┘                └──────────────────────────┘
          ↑                                             ↑

      Direct   Election                            Direct   Election

      ┌──────────┐                                ┌──────────┐
      │  College │                                │  Campus  │
      └──────────┘                                └──────────┘
```
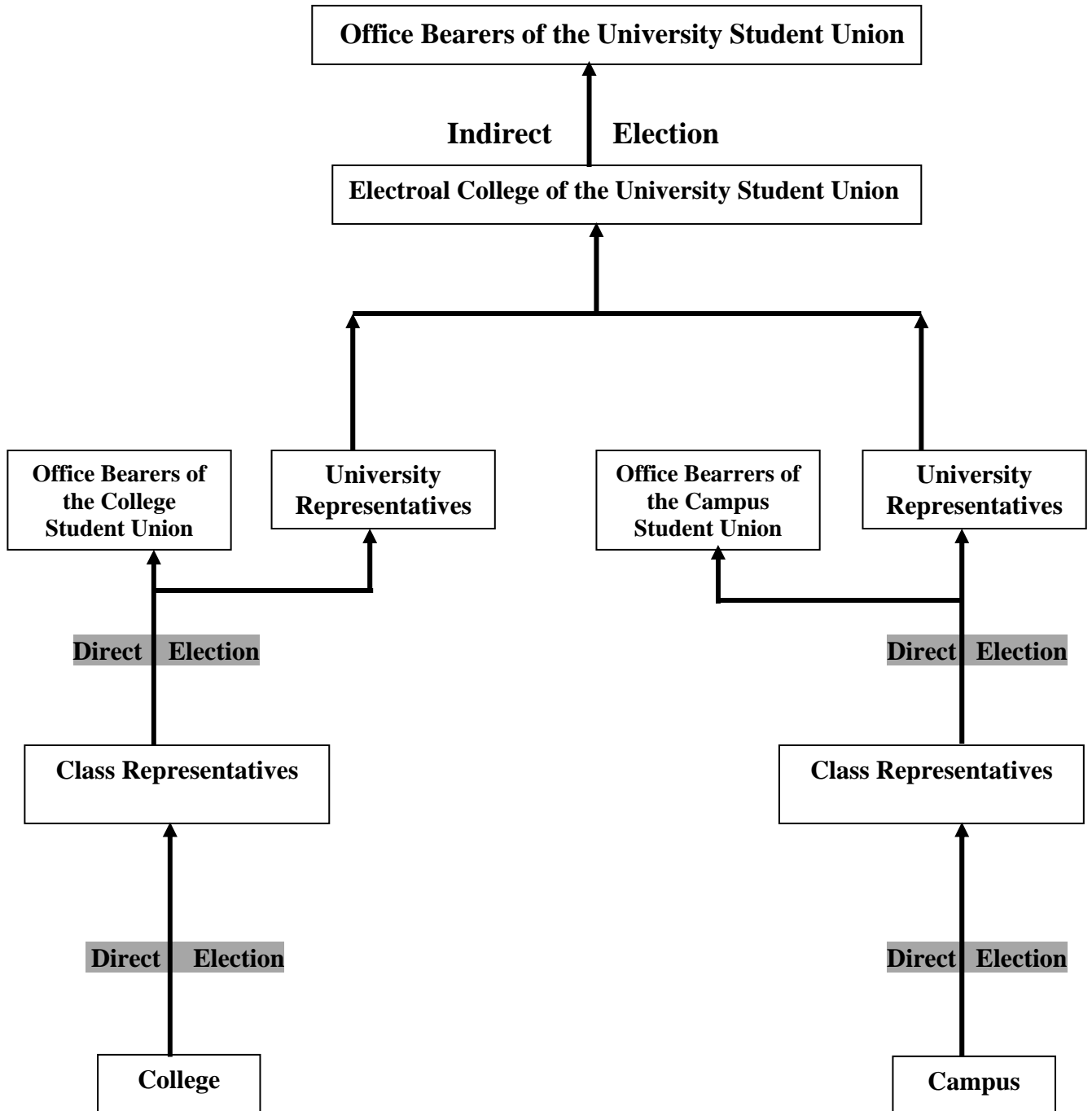
Annexure-IV (C)

Chart 3: Direct/Indirect Elections in College/Campus/University (Larger University)
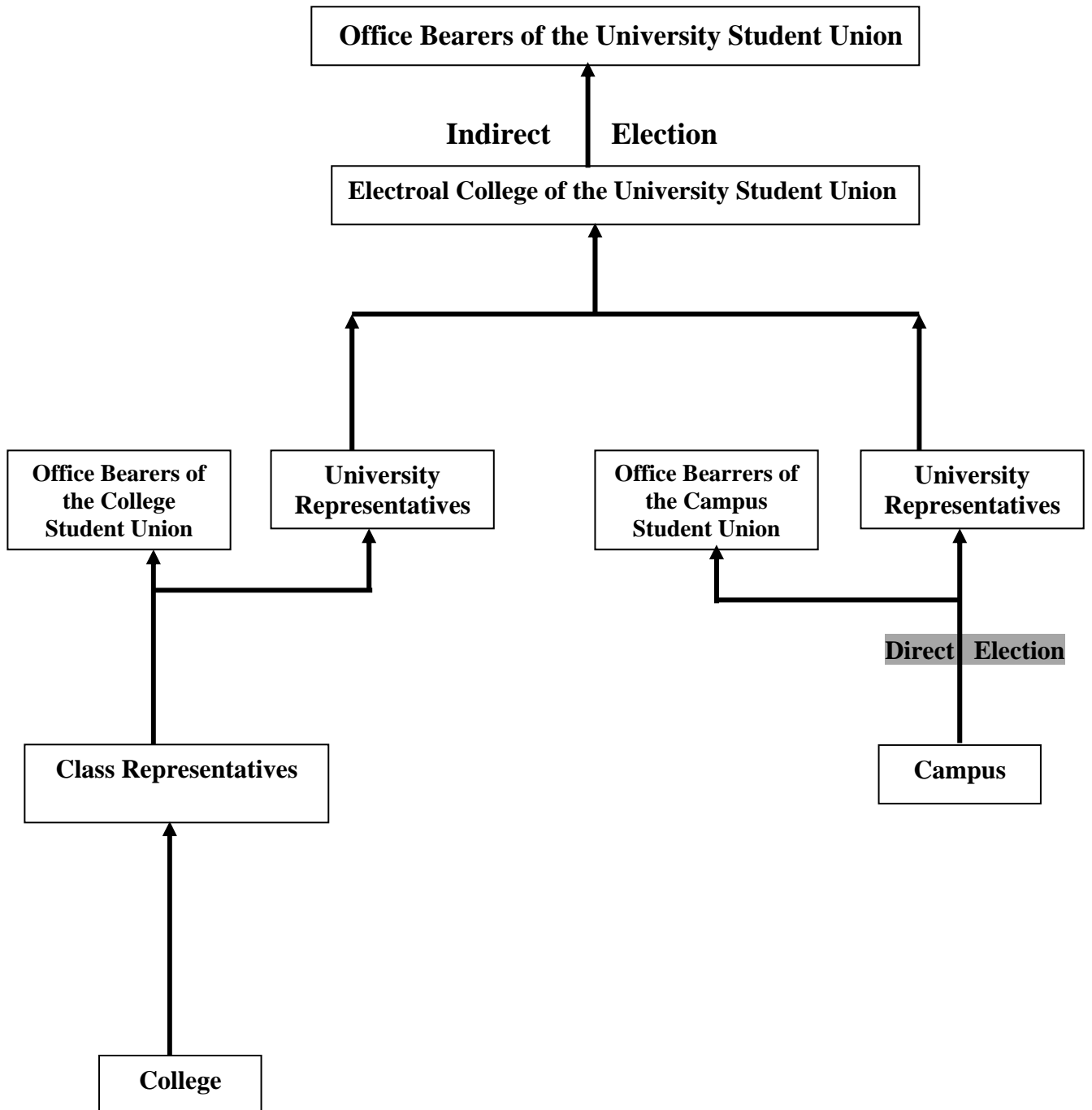
Chart 4: Indirect Elections in College/Campus/University (Larger University)

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                    ┌─────────────────────────────────────────────┐
                    │  Office Bearers of the University Student Union │
                    └─────────────────────────────────────────────┘
                                        ▲
                    Indirect   │   Election
                    ┌─────────────────────────────────────────────┐
                    │  Electroal College of the University Student Union │
                    └─────────────────────────────────────────────┘
                                        ▲
              ┌─────────────────────────┴─────────────────────────┐
              ▲                                                     ▲
  ┌──────────────┐  ┌──────────────┐      ┌──────────────┐  ┌──────────────┐
  │ Office Bearers │  │  University   │      │ Office Bearrers │  │  University   │
  │  of the College│  │ Representatives│     │  of the Campus │  │ Representatives│
  │  Student Union │  └──────────────┘      │  Student Union │  └──────────────┘
  └──────────────┘           ▲              └──────────────┘           ▲
         ▲        ┌──────────┘                      ▲       ┌──────────┘
         └────────┘                                 └───────┘
  ┌──────────────────────┐                   ┌──────────────────────┐
  │ Class Representatives │                   │ Class Representative  │
  └──────────────────────┘                   └──────────────────────┘
              ▲                                          ▲
  ┌──────────────┐                            ┌──────────────────────┐
  │   College    │                            │  University Campus    │
  └──────────────┘                            └──────────────────────┘
```
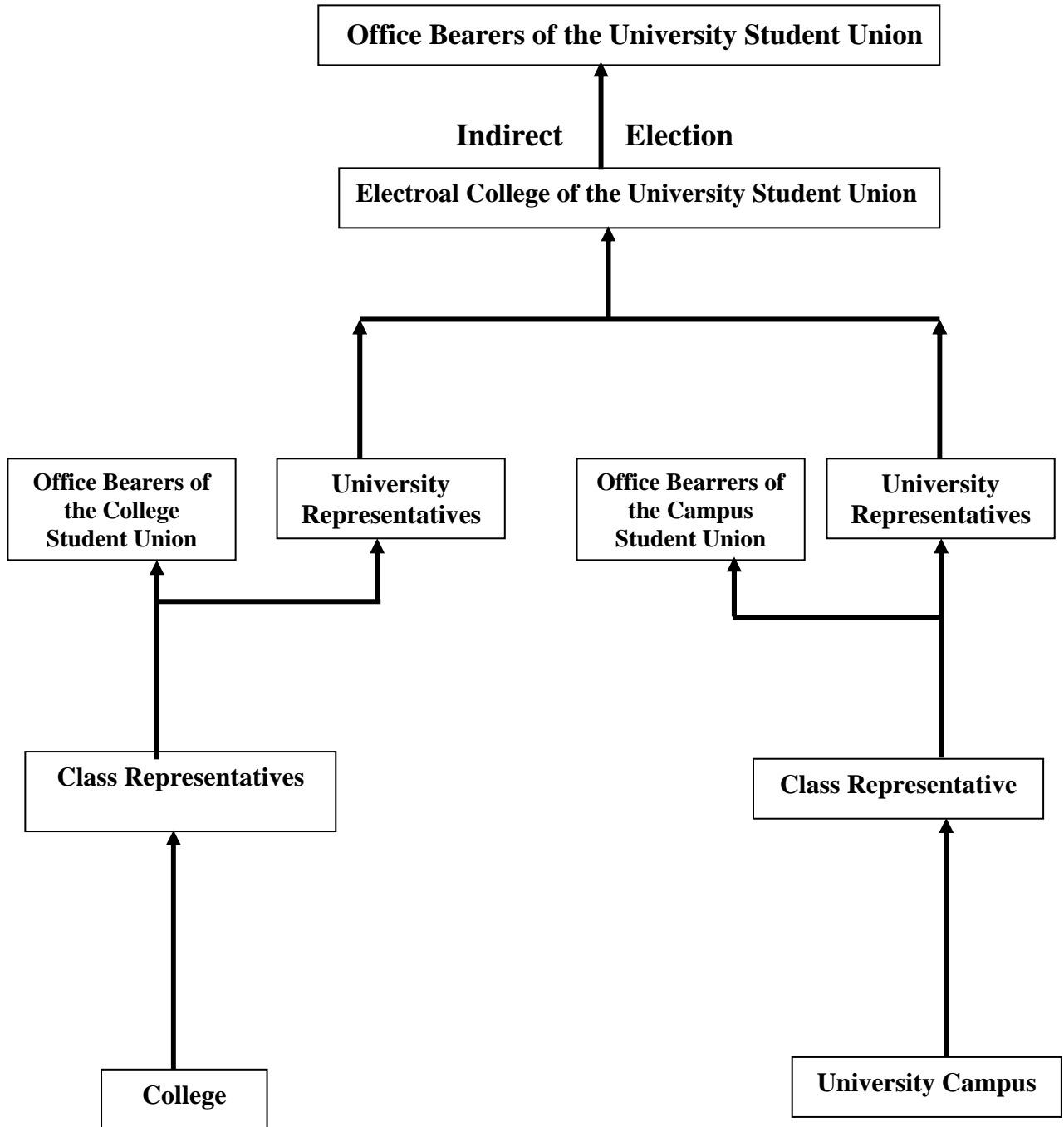
List of Respondents

S. No.	Respondent Universities
1	Acharaya N G Ranga Agricutlural University, Hyderabad, Andhra Pradesh
2	Acharya Nagarjuna University, Andhra Pradesh
3	Aligarh Muslim University, Aligarh, Uttar Pradesh
4	Andhra University, Visakhapatanam, Andhra Pradesh
5	Assam Agricultural University, Jorhat, Assam
6	Avinashilingham Institute of Home Science and Higher Education for Women, Coimbatore, Tamil Nadu
7	Baba Farid University of Health Sciences, Faridkot, Punjab
8	Baba Saheb Bhimrao Ambedkar University, Lucknow, Uttar Pradesh
9	Banaras Hindu University, Varanasi, Uttar Pradesh
10	Banasthali Vidyapith, Rajasthan
11	Barkatullah University, Bhopal, Madhya Pradesh
12	Bharathi Vidyapeeth, Pune, Maharashtra
13	Bharatkhande Music Institute, Lucknow, Uttar Pradesh
14	Bhavnagar University, Gujarat
15	Birsa Agricultural University, Jharkhand
16	BIT, Mesra, Jharkhand
17	BITS, Pilani, Rajasthan
18	Calcutta University, Kolkata, West Bengal
19	Central Institute of Fishery Education, Mumbai, Maharashtra
20	Central Institute of English and Foreign Languages, Hyderabad, Andhra Pradesh
21	Chandra Shekhar Azad University of Agriculture & Technology, Kanpur, Uttar Pradesh
22	CSK Himachal Pradesh Krishi Vishvavidyalaya, Palampur, Himachal Pradesh
23	Datta Meghe Institute of Medical Sciences, Nagpur, Maharashtra
24	Dayalbagh Educational Institute, Agra, Uttar Pradesh
25	DDU Gorakhpur University, Uttar Pradesh
26	Deccan College, Pune, Maharashtra
27	Devi Ahilya Vishvavidyalaya, Indore Madhya Pradesh
28	Dhirubhai Ambani Institute of Information and Communication Technology, Gandhinagar, Gujarat
29	Dr. BR Ambedkar National Institute of Technology, Jalandhar, Punjab
30	Dr. Babasaheb Ambedkar Marathwada University, Aurangabad, Maharashtra
31	Dr. BR Ambedkar Open University, Hyderabad, Andhra Pradesh
32	Dr. DY Patil Vidyapeeth, Pune, Maharashtra
33	Dr. Harisingh Gour Vishvavidyalaya, Sagar, Madhya Pradesh
34	Dr. Ram Manohar Lohia Avadh University, Faizabad, Uttar Pradesh

35	Dr. Yashwant Singh Parmar University of Horticulture and Forestry, Solan, Himachal Pradesh
36	Dravidian University, Kuppam, Andhra Pradesh
37	Fakir Mohan University, Balasore, Orissa
38	Gandhigram Rural Institute, Tamil Nadu
39	Goa University, Goa
40	Gokhale Institute of Politics & Economics, Pune, Maharashtra
41	Gujarat University, Ahmedabad, Gujarat
42	Gujarat Vidyapith, Ahmedabad, Gujarat
43	Gulbarga University, Gulbarga, Karnataka
44	Guru Govind Singh Indraprastha University, Delhi
45	Guru Jambheshwar University, Hisar, Haryana
46	Hemchandracharya North Gujarat University, Gujarat
47	Himachal Pradesh University, Shimla, Himachal Pradesh
48	IASE, Churu, Rajasthan
49	IIT New Delhi
50	IIT Kanpur, Uttar Pradesh
51	IIT Kharagpur, West Bengal
52	IIT Roorkee, Uttaranchal
53	Indian Institute of Foreign Trade, New Delhi
54	Indian Institute of Information Technology, Allahabad, Uttar Pradesh
55	Indian School of Mines, Dhanbad, Jharkhand
56	Indira Gandhi Krishi Viswsvidyalaya, Raipur, Chhattisgarh
57	Integral University, Lucknow, Uttar Pradesh
58	International Institute of Population Studies, Mumbai, Maharashtra
59	Jadavpur University, Kolkata, West Bengal
60	Jagadguru Ramanandacharaya Rajasthan Sanskrit University, Jaipur, Rajasthan
61	Jai Narayan Vyas University, Rajasthan
62	Jai Prakash Viswavidyalaya, Chapra, Bihar
63	Jamia Hamdard, New Delhi
64	Jamia Millia Islamia, New Delhi
65	Jawaharlal Nehru University, New Delhi
66	Jaypee Institute of Information Technology, Himachal Pradesh
67	Kachchh University, Bhuj, Gujarat
68	Kalinga Institute of Industrial Technology, Bhubneshwar, Orissa
69	Karnataka University, Dharwad, Karnataka
70	Karunya Institute of Technology and Sciences, Coimbatore, Tamil Nadu
71	Kavi Kalidas Sanskriy Vishwavidyalaya, Ramtek, Maharashtra
72	Kerala Agricultural University, Kerala
73	Kumaun University, Nainital, Uttaranchal
74	Kurukshetra University, Kurukshetra, Haryana
75	Kushabhau Thakare Patrkarita evam Jansanchar Vishvavidayala, Raipur, Chhattisgarh
76	Lucknow University, Lucknow, Uttar Pradesh

77	Madurai Kamaraj University, Madurai, Tamil Nadu
78	Magadh University, Bodh Gaya, Bihar
79	Maharaj Syajiroa University, Baroda, Gujarat
80	Maharana Pratap University of Agriculture & Technology, Udaipur, Rajasthan
81	Maharshi Dayanand Saraswati University, Ajmer, Rajasthan
82	Maharshi Dayanand University, Rohtak, Haryana
83	Mahatama Gandhi Chitrcoot Gramodaya Vishvavidyalaya, Satna, Madhya Pradesh
84	Mahatama Gandhi Kashi University, Varanasi, Uttar Pradesh
85	Mahatama Gandhiji University, Kottayam, Kerala
86	Mahatama Phule Agricultural University, Maharashtra
87	Manipal Academy of Higher Education, Manipal, Karnataka
88	Manipur University, Manipur
89	Marathwada Agricultural University, Parbhani, Maharashtra
90	Maulana Azad National Urdu University, Hyderabad, Andhra Pradesh
91	Mody Institute of Technology & Science, Sikar, Rajasthan
92	Mohanlal Sukhodia University, Udaipur, Rajasthan
93	Motilal Nehru National Institute of Technology, Allahbad, Uttar Pradesh
94	NALSAR University, Hyderabad, Andhra Pradesh
95	National Dairy Research Institute, Karnal, Haryana
96	National Institute of Technology, Silchar, Assam
97	National Institute of Technology, Srinagar, Jammu & Kashmir
98	National Law University, Jodhpur, Rajasthan
99	National Museum Institute, New Delhi
100	Netaji Subhas Open University, Kolkata, West Bengal
101	North Eastern Hill University, Shillong, Meghalaya
102	North Maharashtra University, Jalgaon, Maharashtra
103	North Orissa University, Orissa
104	Orissa University of Agriculture and Technology, Bhubneswar, Orissa
105	Panjab University, Chandigarh
106	Patna University, Bihar
107	Pondicherry University, Pondicherry
108	Pravara Institute of Medical Sciences, Ahmednagar, Maharashtra
109	Punjab Agricultural University, Ludhiana, Punjab
110	Punjabi University, Patiala, Punjab
111	Rajasthan Agricultural University, Bikaner, Rajasthan
112	Rani Duragavati Viswavidyalay, Jabalpur, Madhya Pradesh
113	Rashtrasant Tukadoji Maharaj Nagpur University, Maharashtra
114	Rashtriya Sanskrit Vidyapeetha, Tirupati, Andhra Pradesh
115	Rashtryiya Sanskrit Sansthan, New Delhi
116	Sambalpur University, Sambalpur, Orissa
117	Sant Gadge Baba Amrawati University, Maharashtra
118	Sardar Patel University, Vallabh Vidyanagar, Gujarat
119	SASTRA (Shanmugha Arts, Science, Technology & Research Academy), Tamil

	Nadu
120	Shivaji University, Kolhapur, Maharashtra
121	SNDT University, Mumbai, Maharashtra
122	Solapur University, Solapur, Maharashtra
123	Sri Ram Chandra Medical College and Research Institute, Chennai, Tamil Nadu
124	Sri Krishnadevaraya University, Anantapur, Andhra Pradesh
125	Sri Satya Sai Institute of Higher Education, Anantpur, Andhra Pradesh
126	Sri Venkateswara Institute of Medical Sciences & University, Tirupati, Andhra Pradesh
127	SRM Institute of Science and Technology, Kanchjpuram, Tamil Nadu
128	Swami Ramanand Treeth Marathwada University, Nanded, Maharashtra
129	Tamil Nadu Agricultural University, Coimbatote, Tamil Nadu
130	Tata Institute of Social Sciences, Mumbai, Maharashtra
131	TERI School of Advanced Studies, New Delhi
132	Tezpur University, Assam
133	Thapar Institute of Engineering & Technology, Patiala, Punjab
134	The ICFAI University, Uttaranchal
135	Thiruvalluvar University, Tamil Nadu
136	Tripura University, Tripura
137	U P Rajashri Tandon Open University, Allahabad, Uttar Pradesh
138	U P Technical University, Lucknow, Uttar Pradesh
139	University of Allahabad, Uttar Pradesh
140	University of Burdwan, Burdwan, West Bengal
141	University of Hyderabad, Hyderabad, Andhra Pradesh
142	University of Jammu, Jammu Tawi, Jammu & Kashmir
143	University of Kalyani, West Bengal
144	University of Kashmir, Srinagar, Jammu & Kashmir
145	University of Kerala, Thiruvananthapuram, Kerala
146	University of Mumbai, Maharashtra
147	University of North Bengal, Darjeeling, West Bengal
148	University of Rajasthan, Jaipur, Rajasthan
149	Utkal University, Orissa
150	Uttar Banga Krishi Viswavidyalaya, Cooch Behar, West Bengal
151	Veer Narmad South Gujarat University, Surat, Gujarat
152	Vellor Institute of Technology, Tamil Nadu
153	Vidyasagar University, Midnapur, West Bengal
154	Vikram University, Ujjain, Madhya Pradesh
155	Vishva Bharati, West Bengal
156	Visvesvaraya National Institute of Technology, Belgaum, Karnataka
157	Visvesvaraya National Institute of Technology, Nagpur, Maharashtra
158	West Bengal University of Animal and Fishery Sciences, Kolkata, West Bengal
159	West Bengal University of Technology, West Bengal

S. No.	Respondent Colleges
1	Bhurhani College, Maharashtra
2	Bonaigarh College, Orissa
3	Chandibai Himathmal Mansukhani College, Maharashtra
4	Chandrakanti Ramavati Devi Arya Mahila PG College, Gorakhpur, Uttar Pradesh
5	CMS College, Kottayam, Kerala
6	College of Agriculture, Dharwad, Karnataka
7	DG Vaishnav College, Chennai, Tamil Nadu
8	Dhanraj Baid Jain College, Chennai, Tamil Nadu
9	DKM College for Women, Vellore, Tamil Nadu
10	Dr. Ambedkar Government Arts College, Chennai, Tamil Nadu
11	Dr. T K Tope Senior Night College, Parel, Mumbai, Maharashtra
12	Durga Narayan PG College, Fatehgarh, Uttar Pradesh
13	Dwaraka Dass Goverdhan Dass Vaishnav College, Chennai, Tamil Nadu
14	Ethiraj College for Women-Autonomous, Chennai, Tamil Nadu
15	Government Art College for Men, Chennai, Tamil Nadu
16	Government Polytechnic College, Kalamassery, Kerala
17	Govt. College of Dentistry, Indore, Madhya Pradesh
18	Govt. Girls' PG College, Moti Tabela, Indore, Madhya Pradesh
19	Guru Nanak College, Chennai, Tamil Nadu
20	HHMSPB NSS College for Women, Thiruvananthapuram, Kerala
21	Institute of Post Graduate Medical Education and Research, West Bengal
22	Islamia Women's Art and Science College, Vellore, Tamil Nadu
23	Kamala Nehru College, New Delhi
24	Kisan Snatakottar Mahavidyalaya, Kushinagar, Uttar Pradesh
25	Kishinchand Chellaram College, Maharashtra
26	Lachoo Memorial College, Jodhpur, Rajasthan
27	Loyola College-Autonomous, Chennai, Tamil Nadu
28	Mahatama Gandhi College, Thiruvanathapuram, Kerala
29	Mannam Memorial NSS College, Kottayam, Kerala
30	MD College, Maharashtra
31	Meerut College, Meerut, Uttar Pradesh
32	MES Asmabi College, Thrissur, Kerala
33	MGM Medical College, Indore, Madhya Pradesh
34	Nagindas Khandwala College, Maharashtra
35	National Institute of Homoeopathy, West Bengal
36	Nirmalagiri College, Kannur, Kerala
37	NSS College, Manjeri, Malappuram, Kerala
38	NSS College, Nemara, Kerala
39	NSS College, Ottapalam, Kerala
40	NSS College, RajkumariKulapparachal, Idukki, Kerala
41	NSS Hindu College, Changanacherry, Kerala

42	Omkarmal Somani Commerce College, Jodhpur, Rajasthan
43	Panchayat College, Orissa
44	Pazhassi Raj NSS College, Mattanur, Kerala
45	Pragati College, Maharashtra
46	Presidency College-Autonomous, Chennai, Tamil Nadu
47	PSG College, Tamil Nadu
48	Quaide Milleth College, Chennai, Tamil Nadu
49	Quaid-E-Millath Government College for Women-Autonomous, Chennai, Tamil Nadu
50	Ramakrishna Vivekananda College, Chennai, Tamil Nadu
51	Shri Dharamasthala Manjunatheshwara Law College, Mangalore, Karnataka
52	Shri Nakoda Parshanath Jain Mahavidyalaya, Jodhpur, Rajasthan
53	Siddharth Law College, Surat, Gujarat
54	Sir Theagaraya College, Chennai, Tamil Nadu
55	SIWS College, Maharashtra
56	Sree Arumughaam Arts and Science College, Thiruvalluvar, Tamil Nadu
57	Sri Jai Narain PG College, Lucknow, Uttar Pradesh
58	Sri Vyasa NSS College, Thrissur, Kerala
59	St. Albert College, Ernakulam, Kerala
60	St. Aloysius College, Elthuruth, Thrissur, Kerala
61	St. Andrews College, Gorakhpur, Uttar Pradesh
62	St. Thomas College, Palai, Kerala
63	Stella Maris College-Autonomous, Chennai, Tamil Nadu
64	SVR NSS College, Kottayam, Kerala
65	Thangal Kunju Musaliar College of Arts & Science, Kollam, Kerala
66	The New College, Chennai, Tamil Nadu
67	Vaze Kelkar College, Maharashtra
68	Vivekananda College, Tamil Nadu
69	VM Salgacar College of Law, Goa
70	VTMNSS College, Dhanuvachapuram, Kerarla

S. No.	Respondent - Students' Orgaisations
1	ABVP, Mumbai, Maharashtra
2	Akhil Bhartiya Vidyarthi Parishad-Central Executive Committee, New Delhi
3	Akhil Bhartiya Vidyarthi Parishad-Chennai, Tamil Nadu
4	Akhil Bhartiya Vidyarthi Parishad-Kerala
5	Akhil Bhartiya Vidyarthi Parishad-UP, Bareli, Uttar Pradesh
6	All India Democratic Students' Organisation-Delhi State Committee, New Delhi
7	All India Democratic Students' Organisation-Kolkata, West Bengal
8	All India Progressive Students' Union, Kolkata, West Bengal
9	All India Students' Federation-Kerala

10	All India Students' Federation-National Council, New Delhi
11	All India Students' Federation-State Council-Chennai, Tamil Nadu
12	All India Students' Federation-West Bengal State Council, West Bengal
13	Social Service Committee, Maharashtra
14	Bareli College Student Union, Uttar Pradesh
15	Ch. Charan Singh University, Meerut, Uttar Pradesh
16	DYFI, Kerala
17	FETSU Jadavpur University, West Bengal
18	H R College of Commerce & Economics Students' Council, Mumbai, Maharashtra
19	Kerala Students Union, Kerala
20	Lucknow University Students' Union, Uttar Pradesh
21	Maharashtra Pradesh Rashvadi Vidyarthi Congress, Maharashtra
22	National Students Union of India (I), Mumbai, President, Maharashtra
23	National Students Union of India (I), Mumbai, Vice President, Maharashtra
24	Presidency College Students' Union, Chennai, Tamil Nadu
25	Students' Federation of India-Central Executive Committee, New Delhi
26	Students' Federation of India-Kerala, Thiruvananthapuram, Kerala
27	Students' Federation of India-Mumbai, Maharashtra
28	Students' Federation of India-Tamil Nadu, Chennai, Tamil Nadu
29	Students' Federation of India-West Bengal State Committee, West Bengal
30	Students' Forum For Democratic Rights, Rajasthan
31	Students Representative-Alagappa College of Technology, Anna University, Tamil Nadu
32	Students' Union of Mumtaz Post Graduate College, Lucknow, Uttar Pradesh
33	Students' Union of Shia Post Graduate College, Lucknow, Uttar Pradesh
34	Students' Islamic Organisation of India, Maharashtra
35	Trinamool Congress Chattra Parisad, West Bengal
36	Uttar Pradesh State Executive Committee Students' Federation of India, Lucknow, Uttar Pradesh
37	Vidyapeeth Vidyarthi Sangram Parishad, Nagpur, Maharashtra
38	West Bengal State Chhatra Parisad, Kolkata, West Bengal
S. No.	**Respondent - Teachers' Orgaisations**
1	All Bengal Principals' Council, West Bengal
2	All India Federation of University & College Teachers' Organisations, Hyderabad, Andhra Pradesh
3	All India Federation of University & College Teachers' Organisations, Jalandhar, Punjab
4	All India University Urdu Teacher Association, Muzaffarpur, Bihar
5	Association of Kerala Govt. College Teachers, Thiruvananthapuram, Kerala
6	Association of University Teachers-Tamil Nadu, Chennai, Tamil Nadu
7	Bengal Engineering and Science University, Shibpur Teachers' Association,

	Howrah, West Bengal
8	Bombay University and College Teachers' Union, Mumbai, Maharashtra
9	DDU Gorakhpur University Teachers' Union, Uttar Pradesh
10	Federation of World Teachers' Union, West Bengal
11	Jadavpur University Teachers' Association, Kolkata, West Bengal
12	Madurai Kamraj-Manonmaniam Sundaranar University Teachers' Association, Madurai, Tamil Nadu
13	Medical Colleges Body, West Bengal
14	Medical Teachers' Association, Kolkata, West Bengal
15	Principals' Council of Kerala, Kerala
16	Tamil Nadu Government Collegiate Teachers' Association, Chennai, Tamil Nadu
17	The All Kerala Private College Teachers' Association, Thiruvananthapuram, Kerala
18	Vidyapeeth Vikas Manch, Mumbai, Maharashtra
19	West Bengal College and University Teachers' Association, Kolkata, West Bengal

S. No.	Respondent - Other Orgaisations
1	Academics-India, Lucknow, Uttar Pradesh
2	All India Democratic Voluntary Organisation
3	Association of Management of Private Colleges, Chennai, Tamil Nadu
4	People's Federation, Maharashtra
5	Federation of Muslim Colleges, Calicut, Kerala
6	Higher Education Department, Govt. of Kerala, Kerala
7	Human Rights Advocacy And Research Foundation, Chennai, Tamil Nadu
8	Jeippiar Group of Engineering Institutions
9	Karshaka Vedi-Farmers Association, Kerala
10	Kerala Private College Managements' Association, Kerala
11	Magnum Organics, Kashipur, Uttaranchal
12	NSS Coleges' Central Committee, Kottayam, Kerala
13	Vidyabhyasa Suraksha Samithi, Kerala

S. No.	Individual - Student Respondents
1	Anil Kumar Sinha
2	Arun A Kurkute
3	Arun Nandal, University of Rajasthan, Jaipur, Rajasthan
4	Ashok et al.
5	Avinash Khandare
6	Dileep M A
7	Garima Anand & Nupur Sharma
8	Harish Chandra Nainwal, Nainital, Uttaranchal

9	Jaspal Singh
10	Jasvir Rana et al.
11	Kapil Kumar Sharma, Jaipur, Rajasthan
12	Kulbir Dhillon et al., Amritsar, Punjab
13	Nagendra Tiwari
14	Neeraj Meel et al., Rajasthan
15	P S Bawa
16	Prem Nath Rai
17	Rakesh Chandra
18	Sanjay Sudhakar Salve
19	Sanjeev Kumar Srivastava
20	Satendra Tiwari
21	Sowesh Pattanaik, New Delhi
22	Toshi Anand, Raebareli, Uttar Pradesh

S. No.	**Individual - Teacher Respondents**
1	Dr. Amar Nath Giri
2	Dr. Beena Aggarwal, Sanskrit Department, University of Rajasthan, Jaipur, Rajasthan
3	Dr. C K James, Reader, M G University, Kerala
4	Dr. N Narayan Pillai, Coimbatore, Tamil Nadu
5	Dr. Onkar Nath Tiwari, Gorakhpur, Uttar Pradesh
6	Dr. R C Dalela
7	Dr. Ved Prakash Pandey, Kushinagar, Uttar Pradesh
8	G S Karkara, University Law College, University of Rajasthan, Jaipur, Rajasthan
9	Kalplata, et al.
10	Prof. K L Chopra, New Delhi
11	Prof. Koshy Ninan
12	Prof. Ram Naresh Chaudhary
13	Prof. S P Gupta, U P Rajashi Tandon Open University, Allahabad, Uttar Pradesh
14	Raj Kumar Bhatia

S. No.	**Individual - General Public**
1	Dr. M L Jangir
2	Mahen Kumar Mishra, Rourkela, Orissa
3	Mandardhar Mohapatra, Bhadrak, Orissa
4	Ninan Abraham, Kottayam, Kerala
5	P B Sahasranaman, Kochi, Kerala
6	Prof. M V Pylee, Cochin, Kerala
7	Prof. Santosh Bhattacharyya, Calcutta, West Bengal
8	Sandeep Sharma
9	Sanjiv Kushwaha, Lucknow, Uttar Pradesh

10	Seby Joseph, Marathakkara, Kerala
11	Shyam Mohan Jaiswal, Uttar Pradesh
12	Sunil Upadhyay
13	Thomas Abraham, Chennai, Tamil Nadu
14	V C Kurian, Kottayam, Kerala
15	Vijay Malik

Responses Received after 12-05-2006	
S. No.	**Universities**
1	Dr. Babasaheb Ambedkar Technological University, Raigad, Maharashtra
2	Tamil University, Thanjavur, Tamil Nadu
3	Sikkim Manipal University of Health, Medical & Technological Sciences, Sikkim
4	University of Agricultural Sciences, Dharwad, Karnataka
5	National Institute of Technology, Jamshedpur, Jharkhand
S. No.	**Colleges**
1	Smt. Parvatibai Chowgule Cultural Foundation's College of Arts and Science, Goa
2	Goa Vidyaprakashan Mandal's College of Education, Goa