

Lyngdoh Committee and Student Union Elections: A Study

Ankita Upadhyay

Faculty, B.Ed., Kameshwar College of Education, Ahmedabad, Gujarat.

Abstract

The Supreme Court of India, while hearing a petition filed by the University of Kerala challenging the decision of the Kerala High Court on 19 September 2005, directed the Central Government to give directions regarding the country's student union elections. Set up a high level committee headed by a judge or a former election commissioner. According to the order, the Ministry of Human Resources constituted a six-member committee under the leadership of former Election Commissioner of India James Michael Lyngdoh as per the directions of the Court. Whose main recommendations are as follows-

- *Candidate should have minimum 75% attendance. The minimum percentage of marks should also be fixed and he should be a regular student.*
- *The candidate should not have any criminal record.*
- *The election expenses of the candidate should not exceed 5000.*
- *The candidate shall submit his audited report of expenditure details to the University/College Administration within two weeks of the declaration of result.*

After the recommendations of the Lyngdoh Committee, a new framework for the student union elections was prepared in the universities of India, which was supported and opposed by the students. After the order of the Supreme Court, from 2007, student union elections were started in all the universities of the country on the basis of the recommendations of the Lyngdoh Committee.

Keywords: Student Unions, Universities, Political Parties, Student Politics, Supreme Court

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*Author's Correspondence

 Ankita Upadhyay

 Faculty, B.Ed., Kameshwar College of Education, Ahmedabad, Gujarat

 ankitaupadhyay12394@gmail.com

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Introduction

India is a democratic country and elections are still a matter of concern in the educational campus so students are encouraged to learn the electoral process whether it is a student of primary secondary or higher education to inculcate the spirit of democracy and leadership in them.

Political cleanliness will come in India only when it starts with student union elections. For this it is necessary. Students' union elections should be fought on the issues of facilities. The recommendations of the Lyngdoh Committee have been made the basis for conducting student union elections across the country. During the hearing of a petition filed by a student from Kerala, the Supreme Court had directed the Central Government to give its views on framing of guidelines regarding student union elections in educational institutions across the country.

The student union dreams of becoming a youth leader of the country through elections, while someone wants to work for the welfare of the students. It is also the job of the student leader to provide all the necessary facilities for the students living in the university. The purpose with which student politics was started in India so that everyone could understand democracy, but in the student union elections, hooliganism and attempts were made to vote students by luring them with money. Political party is also wasting money like water in student elections to make their public support, due to which corruption is seen in student union elections and only youth who raise their voice

against corruption are doing corruption. Therefore it was necessary that the student union elections be controlled. Student politics is an essential element of Indian politics. In the freedom struggle, Lala Lajpat Rai, Bhagat Singh, Subhash Chandra Bose, Jawaharlal Nehru gave great importance to student politics.

Mahatma Gandhi always had a political message for the students when he spoke of Satyagraha in 1919, civil disobedience in 1931 and leaving India in 1942. Education centers like Gujarat Vidyapeeth, Kashi Vidyapeeth and Jamia Millia Islamia were the product of the student movement. Gandhi's followers relied on student movements in independent India, Jayaprakash Narayan's movement is an example of this. Movements were also involved in the implementation of the Mandal Commission report and creating an atmosphere against it.

The Supreme Court of India, while hearing a petition filed by the University of Kerala challenging the decision of the High Court of Kerala on 19 September 2005, directed the Central Government to appoint a former Judge and Chief Justice of India to give directions regarding the student union elections in the country. Set up a high level committee under the leadership of the former election commissioner. According to the order, the Ministry of Human Resources constituted a six-member committee under the leadership of former Election Commissioner of India James Michael Lyngdoh as per the directions of the Court. Prominent members of which:-

- Mr. J. M Lyngdoh, former Chief Election Commissioner, Chairman
- Shri Dayanand Dogaonkar, General Secretary, Association of Indian Universities, Convener
- Prof. Zoya Hassan, Professor, Center for Political Studies, Jawaharlal Nehru University, Member
- Dr. Pratap Bhanu Mehta, President and Chief Executive Policy Research Center, Member
- Prof. Ved Prakash, Director, National Institute of Education, Planning and Management (NIEPA) Member
- Shri IP Singh, Retd. Deputy Comptroller and Auditor General, Member.

Supreme Court accepts Lyngdoh Report Lyngdoh Committee after extensive deliberations on improving student union elections filed its report in Supreme Court. The Supreme Court fully accepted the recommendations of the Lyngdoh committee and said that the guidelines specified by the committee should be followed in the elections of all the student unions of the country and the elections of the student unions should be conducted according to the guidelines of the committee. The Supreme Court held the committee's recommendations binding under Article 141 of the Constitution and said that its disobedience would amount to contravention of the court.³ the committee submitted its report to the Supreme Court in May 2006.

Major recommendations of Lyngdoh Committee regarding student union elections:-

- The attendance of the candidate should be at least 75 percent, the minimum percentage of marks should also be fixed and he should be a regular student.
- The candidate should not have any criminal record.
- The election expenses of the candidate should not exceed 5000.
- The candidate shall submit his/her audited report of expenditure details to the University/College Administration within two weeks of the declaration of result.
- The candidate shall not engage in any activity which is likely to increase enmity and tension between religion, caste, community, linguistic based groups or other groups. Votes will not be appealed on the basis of caste and community.
- Candidate should not criticize any other candidate on aspects related to his personal life. His policies can be criticized.
- The candidate shall not make threats, bribes or any other inducement to woo the voters. Will not indulge in any kind of corrupt practices.
- Printed publicity material will not be used during student union elections.
- Only handmade publicity material can be put up at the places identified by the university/college.
- No promotional activities like processions, meetings can be held outside the university/college campus.
- No candidate shall deface any property of the University/College for any purpose whatsoever.

- The student and candidate who violates the election code of conduct can be debarred from the election.
- The use of posters or hoardings and vehicles and sound amplifiers will be prohibited in the campus.
- A Grievance Committee will be formed in every university/college for redressal of election related complaints, which will be able to hear the cases of violation of the code of conduct and take action against the guilty.

Saurabh Kumar Sharma, member of Akhil Bharatiya Vidyarthi Parishad and Joint Secretary of JNUSU, said that the election is a sign of the strength of democracy. In the past, the Left organizations made a mistake due to which the student union elections were not held in JNU. As far as the JNUSU's constitution and elections as per the Lyngdoh committee's recommendation are concerned, the matter is still sub-judice in the court.

Demolition in Lucknow Streets Struggle Lathi Charge On 7 December 2006, students in Lucknow got furious over the recommendations of the Lyngdoh Committee regarding student union elections. They created a ruckus by locking the university campus, broke the gate and burnt the effigy of the vice-chancellor. While marching to the Raj Bhavan, the furious students created a ruckus in Hazratganj, on which the police lathi-charged. In Lucknow's Shia College, the students blocked the road and pelted stones. Vidhan, KKC and Kalicharan College were also vandalized along with demonstrations. Police arrested five students including the university student Mahamatri and sent them to jail. Several students also received injuries due to the lathi charge.

Student organizations in JNU rejected the recommendation of Lyngdoh Committee. After being in constant controversies over the anti-national activity in Jawaharlal Nehru University, the student union was now in the discussion about the elections. Left student organizations are insisting on holding student union elections as per the constitution of the JNU Students Union, whereas in the last years the elections were held by implementing the recommendations of the Lyngdoh Committee.

Sucheta Dey, president of the All India Student Association, says that in the case where the Supreme Court had recommended the Lyngdoh committee, the basis of that case has been canceled in a new decision, in such a situation, on the basis of the recommendations of the Lyngdoh committee, the students union elections should be held. There is no basis.

Monarchical parties have activated their student parties in all the universities, in a way they have made their student organizations, whose control is with the political parties and in the general elections here the students work as "man force".

Students with criminal tendencies have entered the university and education campuses, police raids have become common in hostels, where guns, narcotics, and criminals are caught from the hostels as if the hostel has become a safe place for criminals. Student union elections Due to non-fixation of age limit, even the middle-aged of 40-45 years remain a student by enrolling in some diploma course to become an officer.

The reason for the low dignity of educational institutions is to a large extent the responsible student politics class. As a result of which the attraction towards the student union by the common students is decreasing, which is a frightening sign for democracy.

Reactions to the recommendations of the Lyngdoh Committee

Responded to the recommendations of the Lyngdoh Committee in the October 14, 2006 issue of TheTribute, the country's top magazine.

Campus Election Party's time is up. The face of student politics has never been seen like this. The Lyngdoh Committee report has come into force with the recent order of the Supreme Court. Now it will help in curbing money and muscle power in campus elections and also ensure more transparency, accountability and discipline.⁷

Reacted to the recommendations of the Lyngdoh Committee in the December 16, 2006 issue of Hindustantime. Follow the report of the Langdoh panel. The Allahabad High Court on Friday issued a direction to all universities in the state to comply with the apex court's order accepting the Lyngdoh committee's recommendations regarding student union elections.

Conclusion

At present, the student union elections held in universities are held under the recommendations of the Lyngdoh Committee. But at present all the student organizations want a change in the recommendations of the Lyngdoh Committee. Especially regarding 'the election expenditure of the candidate should not exceed 5 thousand'. The Election Commission and the university administration are aware that today's university election process has become very expensive and the amount of 5 thousand is very less. Generally, the student unions are spending lakhs of rupees in the elections to the universities. Therefore, it is necessary that the amount of election expenses of the candidate should be increased by the appropriate amount.

Student union elections have been plagued by all those evils which are visible in the politics of general elections today.

Casteism, muscle power and money power have started appearing in the student union elections. Earlier it used to show in the Lok Sabha and Assembly elections that candidates are adopting unique methods in campaigning and in the midst of these methods, Lyngdoh's recommendations are being openly violated, some are seeking votes amid the noise of firecrackers and some are luxury like Hummer Lamborghini. Attracting students by showcasing cars. Somewhere there is a period of sloganeering, while some activists are campaigning in the campus with moving cars, then it seems that the general election is going on. Requires massive arrangements for student elections as the situation in student elections can be volatile at any time.

Student politics leads to rapid political socialization of youth, whether a student wants it or not, he has to be involved in student politics, he cannot escape from it. There is still a marginalized section in Indian politics which has not been able to reach the university campuses. Rural students experience an alienation on campuses plagued by racism and slavery of the English language.

Students from marginalized groups are discriminated against on the basis of language, caste, dress, pronunciation. This may involve teachers and senior students, ragging has been abolished but many levels of discrimination persist on campuses, through student politics, students also find a way to overcome it, student politics is within them. Removes fear, it enables his personality.

In the universities of the country where elections are being held, students from other backward classes, scheduled castes, scheduled tribes, minority classes are becoming socially and culturally vocal.

On the basis of the recommendations of the Lyngdoh Committee, the Supreme Court issued effective guidelines for educational institutions, making it mandatory for all the institutions to follow the rules of the Lyngdoh Committee. Most of the rules in the Lyngdoh report are justified and some should be reconsidered.

In protest against the student union elections, allegations are made by the government and the university administration that money power and muscle power are used in it, which spoils the learning environment. Students' union elections of various universities of India are not being held. So the campuses there have become violence free and Jawaharlal Nehru University and Delhi University where elections are held every year, then has the education system there ended.

Direct student union elections have been banned in Banaras Hindu University for the past several years. The Supreme Court had constituted Lyngdoh Committee to improve the student union elections. Whose recommendations have become mandatory for student union elections? According to this committee, a candidate

can spend only five thousand rupees, he cannot contest for re-election, the student's age should be up to 25 years, if a research student then up to 28 years, printing posters should be banned etc.

In a sense, the recommendations of the Lyngdoh Committee appear impractical. Jawaharlal Nehru University is an intensive campus, which can be campaigned for five thousand rupees, but Delhi University, whose 51 colleges belonging to the student union are located in Delhi, then it is not possible to campaign for the student unions for five thousand rupees.

Jawaharlal Nehru University Student Union Elections where the entire election management is in the hands of the students and which is considered to be the ideal student union. The student union elections were postponed due to the recommendations of the Lyngdoh committee. JNU is a research institute. But the age limit of 28 years is a kind of barrier, thereby depriving the students of democratic rights.

The Lyngdoh report is mostly justified. The only question that should be reconsidered is that student unions should be formed on the basis of 'direct election', in which all students can participate. In the name of discipline, the Vice Chancellors and Principals should not be empowered so much that they deprive whoever they want from participating in the elections of the student union. One question that remains to be questioned is "why the acts which the Lyngdoh Committee has declared as the criteria of disqualification for candidature in the student union elections cannot be applied to the elections to Parliament and to the Legislative Assemblies".

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