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Higher Education Governance: Students' Participation, Union Elections & the Role of Lyngdoh Commission

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Abstract

This paper, being introductory in kind and limited in its scope and objective, tries to outline some basic issues of Higher Education Governance and Student-Participation in the same. The paper focuses on Students' Union, Election and Representation of Students in the said Union, and the role of Lyngdoh Commission in the regard. It assumes that Lyngdoh Commission, with its recommendations on Students' Union Election, has contributed considerably to the issue of Student-Participation in Higher Education Governance. The paper adopts the method of qualitative data analysis and survey of relevant literature in the process of meeting its objectives.

Key Words: *Governance, Higher Education, Students' Participation, Union Election, Lyngdoh Commission*

1. INTRODUCTION

1.1 Governance: The term 'Governance' is used in a relatively small scale in commonplace language and day to day activities than the corresponding words like 'govern', 'government', 'governable' etc. In its common parlance, the term 'governance' is often used as a synonym for 'ruling'. However, 'governance' is distinct from 'ruling' in that the former implies legitimacy of the governors, which the latter does not suggest. In the contemporary world, the term has come to be used in a number of ways in relation to "the act, process, or mechanism of governing" ⁱ and having concerns for legitimacy, accountability and governability. Governance, thus, pertains to the action, manner, or system of governing and connotes the ideas of authority, control, or power.

1.2. Higher Education Governance: Higher Education Governance has become a matter of much discussion and debate in the contemporary era with the rapid social and economic changes across the world resulting in global competitiveness, rapid development of transnational education, increasing intervention of quality assurance, research and innovation. It has become a key issue in the 21st Century demanding flexibility and autonomy for Higher Educational Institutions in their pursuit of holistic education to meet the needs of the society and economy.

As a term of academic concern, Higher education Governance refers, in its most rudimentary sense, to the means by which Higher Educational Institutions are organized and managed. In broader sense, it can be said to encompass "a complex web including the legislative framework, the characteristics of the institutions and how they relate to the whole system, how money is allocated to institutions and how they are accountable for the way it is spent, as well as less formal structures and relationships which steer and influence behaviour." ⁱⁱ Higher Education Governance, thus, connotes the ideas of operation, administration, accountability, and legitimacy of the Higher Educational Institutions.

2. Higher education governance & students' participation: Students have a definite role to play in Higher Education Governance. The traditional idea of student as a 'passive receptor' is no longer tenable in the contemporary world. Instead, there is a growing reorganization of students as a responsible stakeholder and integral partner in the arena of Higher Education. They are assumed to be capable of using resources in an effective and responsible manner as well as having the potential of becoming active and worthy global citizens given the chance to participate. The rights of students to organize themselves and to pursue their individual and social interests by participating in governance of the institutions to which they are enrolled have also been given due importance. Besides, Higher Education in its pursuit of promoting 'lifelong learning' as well as 'learning for life' has felt the need of creating opportunities to get students involved in organizations, activities, leadership and governance. Thus, students are primary, rather than secondary or tertiary, agents through which the goals of governance in Higher Education can be achieved.

3. Students' union: a means of student-participation in governance

Students' Union is a formal body consisting of student representatives to administer governance in educational institutions. Most of the Higher Educational Institutions in India, comprising chiefly of Colleges and Universities, have their own Student Unions. The Students' Union, on the one hand, ensures participation of students in the process of governance; while on the other, provides students the means to select or elect members from among them to administer the governance of the institution to which they are enrolled.

The Union members customarily hold significant posts concerning various activities, programmes and apex bodies of the parent organization; and contribute a great deal to the process of decentralization of in Higher Education Governance. The members of the Union are either selected following a rudimentary procedure of merit-based nomination or are elected through direct (Parliamentary) or indirect (Presidential) form of election.

4. LYGDOH COMMISSION AND STUDENTS' UNION ELECTION

4.1 Introducing Lyngdoh Commission: The Lyngdoh Commission was constituted by Ministry of Human Resource Development, Government of India, as per the direction of the Hon'ble Supreme Court of India in matter of Special Leave Petition (Civil) No. 24295 of 2004 to frame guidelines on Students' Union Elections in Colleges/Universities.ⁱⁱⁱ The Committee was delegated to express its views upon eligibility of candidates as regards their age, educational performance, limits of election expenses, source of fund etc. as well as 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."^{iv}

The aim behind constitution of the Committee was to make the Students' Union Elections transparent, democratic, and free from political bias. It was hoped that the Committee would highly influence factors like transparency, accountability and discipline as concerns College/University elections. The stimulating origin was a decision of High Court of Kerala stating: "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."^v

The Lyngdoh Commission consisted of the following members:

Shri J. M. Lyngdoh Former Chief Election Commissioner	Chairman
Prof. Zoya Hassan 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 & 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	Convenor

(Source: Lyndoh Committee Report,
Department of Secondary and Higher Education, MHRD, New Delhi, p-7)

4.2 Lyngdoh Commission: Its Concerns and Commissions: Lyndoh Commission, in its process of framing guidelines for Students' Union Election for Colleges/Universities, has conducted several public hearings and meetings; discussed with various student organizations like AVBP, NSUI, AISF, SFI etc; closely examined the Election Procedure of various Universities across India such as Jhadvapur University, West Bengal, Jawaharlal Nehru University, university of Hyderabad, Hyderabad etc.; consulted the Constitution of India and recent observations of UGC on Student Elections; and compiled a detailed report of its observation, analysis and recommendation. The Commission submitted its final report to the Ministry of Human Resource Development on 23rd May 2006.

The report of the Lyngdoh Commission, popularly known as Lyngdoh Commission Report, exceeds the initial mandate prescribed by the Hon'ble Supreme Court of India and covers a wide range of areas and issues. Thus the commission, in addition to prescribing norms for regulating the conduct of the Election process, turns up making some valuable recommendations as well as suggesting models of Students' Union Election.

4.3 Recommendations of Lyngdoh Commission: Some of the major recommendations of the Lyngdoh Commission concerning Students' Union Election and having relevance to Students' Participation in Higher Education Governance are as outlined below:

- Elections should be held on a yearly basis between 6 to 8 weeks from the date of commencement of the academic session; and the entire process of elections should be completed within 10 days.
- Students between 17-22 years of age, post graduate students between 24-25 years and research students up to 28 years can legitimately contest and election.

- No person, except a student on the roles of the College/University shall be permitted to take part in the process in any capacity; and candidate must be a regular, full time student.
- The candidate must have minimum 75% of attendance; and should have no academic areas.
- Criticism of other candidate should exclude all aspect of private life and should be devoid of caste and communal feelings; and places of worship should not be used for election propaganda.
- The maximum permitted expenditure per candidate shall be Rs. 5000/- subject to submission of audited accounts within 2 weeks of declaration of the result and publication of the same by college/ university within next 2 days.
- Only hand-made posters at specified places can be used for canvassing. The use of printed materials, loud speakers, vehicles or animals for canvassing should be avoided; no one without a valid pass / letter of authority shall be allowed to enter polling booths.

4.4 Objections to Lyngdoh Commission Recommendations: The Lyngdoh Commission Report has been severely attacked by various Political Parties, Students' Organizations and other bodies for some of its recommendations. Both the Congress and BJP criticized the Lyngdoh Recommendation for non-involvement of Political Parties in Campus elections. Highlighting the necessity of fostering future leadership of the country, these two parties claimed that "in a democracy where students fight elections based on ideology, political parties are like a source of inspiration." ^{vi} The SFI, which is aligned to the CPM, has also been skeptical over the proposal of indirect elections. They doubted this move of Lyngdoh Commission to be the interest of private managements as against student activism: "While there is need to eradicate violence and criminalization of student politics, we must remember that it is in the interest of private managements to put an end to student movement." ^{vii} The ABVP and the NSUI were equally outspoken against the committee recommendation of Rs. 5000/- as election expense of a candidate. The DSUJNU viewed the the Lyngdoh Commission's claim of combating money and muscle power as a smokescreen to restrict student-participation in election process and to weaken students' unions so as to "push the agenda of Privatization and Commercialization of Higher Education" ^{viii}.

The commission recommendations on age, attendance and grades are also disregarded by most of the above mentioned organizations. It is also pointed out that the Commission is lacking in appropriate mechanism to "monitor the implementations of its recommendations" ^{ix}. It has also been argued that the commission recommendations have "gone against the spirit of campus democracy" ^x. The Commission has also been held to be undemocratic for not facilitating the scope of SC/ST representation in students' elections: "This goes against the Constitutional policy of encouraging people from background communities to be a part of the larger societal and political setup." ^{xi}

5. Findings and conclusion: Lyngdoh Commission, despite its apparent drawbacks, did make some prospective moves in respect of Representation and Student- Participation in Higher Education Governance. For one thing, apart from taking all the Higher Educational Institutions across India within the ambit of a structured and uniform pattern of Students' Union Election, the Commission has made the said election procedure comparatively less ambiguous, free from personal and political bias, transparent and self-contained. Besides, there is little scope for political influence, overflow of unnecessary funds and use of force or

violent means in the process of election. Moreover, the commission allowing all students irrespective of their caste, creed, sex, and linguistic and ethnic backgrounds to participate in the election process has tried to promote the democratic rights of students. Furthermore, by imposing restrictions on use of religious places as propaganda, the Lyngdoh Commission has supplemented its spirit for and of democracy.

In a nut shell, Lyngdoh Commission has made the Students' Union Election comparatively flexible, orderly, fair and democratic; thereby infusing a sense of propriety in respect of student governance. Nevertheless, the study conducted by the Liberal Youth Forum (LYF) shows that there is poor awareness among the students about the Lyngdoh Committee Recommendations: "Only 39% of the students have heard of Lyngdoh recommendations"^{xii}. Further, the study conducted by the Liberal Youth Forum also makes it clear that the committee recommendations have not been implemented uniformly across the country: "The Study found that less than 46 percent of the colleges where the study was conducted had implemented Lyngdoh Committee recommendations while 5 percent of the colleges had partially implemented it."^{xiii} Careful amputation of its minor drawbacks and proper implementation of the Lyngdoh recommendations would definitely ensure added participation of Students in the matter of governance and supplement effective governance in Higher Educational Institutions.

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ⁱ The American Heritage, 4th Edition copyright, Houghton Mifflin Company, 2009.

ⁱⁱ Changing Patterns of Governance in Higher Education, Education Policy Analysis, OECD, 2003, p-61

ⁱⁱⁱ Letter of the Chairman, J. M. Lyngdoh, forwarding the Report to MHRD dated 23rd May' 2006

^{iv} Lyngdoh Committee Report, Department of Secondary and Higher Education, MHRD, New Delhi, p-8

^v Lyngdoh Committee Report, Department of Secondary and Higher Education, MHRD, New Delhi, p-1

^{vi} Campus Elections: The Party Time is Over, Saturday Extra, The Tribune, Saturday, October 14, 2006

^{vii} Campus Elections: The Party Time is Over, Saturday Extra, The Tribune, Saturday, October 14, 2006

^{viii} Why we must reject Lyngdoh Committee Recommendations in toto? Expose & defeat the ruling class assault on radical students' movements – Part I, Nov 10, 2013, access Jan 16, 2014, <http://dsujnu.blogspot.in/2013/11/why-we-must-reject-lyngdoh-committee.html>

^{ix} Report on Student Participation in Campus Democracy and Governance in India, Liberal Youth Forum, Campus Democracy V-5.0, p- 77

^x Report on Student Participation in Campus Democracy and Governance in India, Liberal Youth Forum, Campus Democracy V-5.0, p- 101

^{xi} Report on Student Participation in Campus Democracy and Governance in India, Liberal Youth Forum, Campus Democracy V-5.0, p- 103

^{xii} Report on Student Participation in Campus Democracy and Governance in India, Liberal Youth Forum, Campus Democracy V-5.0, p- 8

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