



BABA FARID UNIVERSITY OF HEALTH SCIENCES

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Faridkot-151203 (Pb.) INDIA
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ulid.bfuhs@gmail.com and dr.rajeevmanhas@gmail.com
(Office of Nodal Officer)

No.:11-BFUHS(LI-UGC-92)16/
Date:

To


The Principal,
All affiliated/constituent colleges of the
Baba Farid University of Health Sciences, Faridkot

Sub: Regarding Recommendations of Lyngdoh Committee Report.

R/Sir/Madam,

This has reference to D.O. letter No. 1-11/2007 (CPP-II) dated May 27th, 2016 (necessary documents are available on University website i.e. www.bfuhs.ac.in), regarding the subject cited above. As per aforesaid letter and as directed by the office of Vice-Chancellor, your good office is requested to follow the instructions given by UGC, New Delhi and compliance of the same be sent to the office of undersigned from time to time, please.


With regards,


(Dr. Rajeev Manhas)
Nodal Officer
UGC Affairs

Endstt. No. 11-BFUHS(LI-UGC-92)16/ 2363-66
Cc to:

Dated: 6/9/16

1. SVC for kind information of Hon`ble Vice-Chancellor, please.
2. Registrar Office
3. Prof. Dr. Jaspal Singh Sandhu, Secretary, UGC, New Delhi for kind information, please.
(to be sent through e-mail)
- ✓ IT Cell with request to upload it on University website.
5. College Branch.


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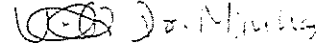


प्रो. (डॉ.) जसपाल एस. सन्धू
सचिव

Prof. Dr. Jaspal S. Sandhu
MBBS, MS (Ortho), DSN, FAIS, FASM, FAFSM, FFIMS, FAMS
Secretary



विश्वविद्यालय अनुदान आयोग
University Grants Commission
(मानव संसाधन विकास मंत्रालय, भारत सरकार)
(Ministry of Human Resource Development, Govt. of India)
बहादुरशाह ज़फ़र मार्ग, नई दिल्ली-110002
Bahadur Shah Zafar Marg, New Delhi-110002
Ph.: 011-23239337, 23236288,
Fax : 011-23238858, email : jssandhu.ugc@nic.in



BY SPEED POST

D.O. No.1- 11/2007 (CPP-II)

27th May, 2016

Sub : Recommendations of Lyngdoh Committee Report.



Dear Sir / Madam,

Consequent upon the orders of the Hon'ble Supreme Court of India dated 2nd December, 2005. the Ministry of Human Resource Development constituted a Committee under the Chairmanship of Sh. J.M. Lyngdoh (Former Chief Election Commissioner) to give recommendations on issues relating to student bodies and student union election conducted in universities, colleges and other institutions of higher education across India. The Committee submitted its Report on 26th May, 2006. The Hon'ble Supreme Court in its order dated 22nd September, 2006 directed that the recommendations of the Lyngdoh Committee shall be implemented and followed by all colleges / universities for the student elections to be held thereafter.

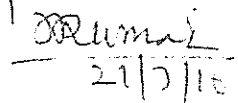
UGC had directed all universities vide letters of even number dated 17.08.2007, 15.11.2007, 05.09.2014 and 19.08.2015 to follow these recommendations.

You are once again requested to kindly take necessary steps to ensure strict compliance of the orders of the Hon'ble Supreme Court. The recommendations of the Committee can be seen on UGC website- www.ugc.ac.in.

With regards,

Yours faithfully,

To put up case, please.


21/5/16

LA

(Jaspal S. Sandhu)

The Vice-Chancellor
Baba Farid University of Health Sciences,
Sadiq Road, Faridkot-151 203,
Punjab.

19/5/2016

No. 501
21/5/16



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Dr. Rajeev Manhas)
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The recommendation of the Committee accepted by the Hon'ble Supreme Court for implementation:

- 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.

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

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

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

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

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 and 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
 - 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.
 - 6.6.3 The election of the candidate will be nullified in the event of any noncompliance 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

- 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

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

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 to 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.

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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

- 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 meters 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.

- 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

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.

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 Statute, 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.

The recommendation of the Committee accepted by the Hon'ble Supreme Court for implementation:

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