



OFFICE OF THE SECRETARY
N.S.S. COLLEGES' CENTRAL COMMITTEE
CHANGANACHERRY - 2

Date: 9-11-2007

No. E/8184/07

CIRCULAR

From the very inception of student politics in Kerala, the academic atmosphere of our campuses started deteriorating and due to various reasons it has become uncontrollable. Clashes between the rival politically sponsored organisations became the order of the day and the peaceful and serene academic atmosphere once we enjoyed became a thing of the past. Various administrative measures like the delinking of pre-degree from colleges have not changed the scenario. Though the colleges have to work at least for 180 days during an academic year several NSS colleges are trying hard even to reach a total of 75 to 100 actual teaching days making the situations even worse. More than 90% of the students who reach our campuses belong to financially very poor sections of the society and their academic interests are sabotaged by a handful of miscreants owing allegiance to various students organisations. N.S.S. Management was watching the situations very closely and up till now co-operated with the University and other bodies in allowing student politics in the campus. We were following the guidelines issued by the universities regarding college union elections, though legally we were not obliged to do so. The political parties and their feeder student organisations misused the opportunities given to them, misinterpreted the good intentions of the Management and converted our campuses into virtual battle fields. NSS management is in the forefront to cater the academic needs of the poor students. But those who are vocal on the rights of the havenots and preaching high on the need for the protection of the aided sector are not coming forward to control the hooliganism of the students in the name of freedom for student politics in the campus. The latest situation in NSS Hindu College, Changanacherry where a policeman lost his life, forces the management to take steps to curb the vandalism and hooliganism of the students within the college campuses.

In Sojan Francis vs MG University and other (WA No 535 of 2003) the Honble High Court of Kerala held that "it is 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 institutions would not violate Act 19(1) a or 19 (1)c of the constitution of India". In RP No. 435 of 2003 the Honble High Court upheld "the rights of the private managements and educational agencies in prohibiting the interference of students organisations like SFI, ABVP etc. ^{and their} have no legal right to interfere with the fundamental rights guaranteed to management or various educational institutions in the state under Act 19 (1) g of the constitution".



OFFICE OF THE SECRETARY
N.S.S. COLLEGES' CENTRAL COMMITTEE
CHANGANACHERRY

No.....

Date.....

The court made it clear that "strikes, gherao, dharna, bandh etc. within the campus are illegal and do not have the support by any law and could be prevented, failing which disciplinary action could be taken against the students". We have therefore no hesitation to hold that students are bound by the code of conduct laid down by the educational institutions in which they are studying and the code of conduct banning strikes, bandhs, gheraos, hartals etc. in the college campus is binding on them and could be enforced". These judgments have become settled law now.

Keeping all the above in the correct perspective, NSS Management has decided to ban forthwith all political activities of the students in the campuses of all NSS colleges. The interference of student organisations like SFI, ABVP, KJU etc. within the campus either directly or through their member student and strike, gherao, dharna, bandh, hartal etc. within the campus are also prohibited. Principals are directed to give wide publicity regarding this among the students parents and staff of their respective colleges. The decision shall be incorporated in the college calendar and prospectus with immediate effect.

In WP(c) No. 29547 of 2003 (s) the Honble High Court held that the "University has no authority to direct the colleges to conduct the college union elections in a particular mode". The court also ruled that "the constitution for college unions and the related byelaws does not have the authority of University Act or statutes and hence not legal. Hence the university letters to conduct the election in the Presidential system cannot be legally sustained and the affiliated colleges are free to follow a system which is better for the administration and discipline in college."

Accordingly NSS management has decided to direct the principals of NSS colleges to conduct the college union elections in the parliamentary mode as outlined by Mr. J.M. Lingdoh, in his reports and accepted by the Honble Supreme Court of India.

A lot of reports are reaching the management regarding the entry of outsiders into the campuses without the permission of the principals and creating mischief within the campus. Instances are quite common where these miscreants interfered in the student affairs within the campus and creating law and order problems. Principals are directed to prohibit the entry of outsiders who have no prior permission into the campus.

Principals are directed to strictly adhere to the directions issued and act accordingly. The full text of the circular shall be brought to the notice of the stake holders of your institution and ensure their support for the litera legis implementation within the campus.


SECRETARY
N.S.S. COLLEGES' CENTRAL COMMITTEE