



## Letter to the Lok Sabha Speaker, 14.2.17

28 FEB  
2017

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### AN APPEAL TO PARLIAMENT TO SAVE THE JNU ACT!

Dear Madame Speaker

Jawaharlal Nehru University is the premier research university of the country established by an Act of Parliament in 1966. It is the recipient of this year's award for the Best Central University, and has been awarded the highest grade by the National Academic Accreditation Council. These plaudits have come our way because of the research character of the university and its progressive admission policy that for over four decades created a unique teaching and learning environment in the university.

The university's future is now under great threat however, through a series of violation of the Jawaharlal Nehru University Act, 1966 and The Central Educational Institutions (Reservation in Admission) Act, 2006 by the Vice-Chancellor and his administration. Recent unilateral and authoritarian decisions taken by this administration have involved serious violations of the Statutes, Ordinances, rules and established processes of the university. These have perverted of the sanctity of selection committees for the appointment and promotion of faculty, and unilaterally altered the admission system and the weights given to deprived student categories,

and are now proposing in a drastic reduction of admissions to its research programmes in 2017-18 and subsequent academic years.

We have therefore come to Parliament, the august body that gave us these two Acts, to request for your urgent intervention to ensure that Jawaharlal Nehru University is administered with the guarantees of institutional autonomy, due process, and internal democratic consultation guaranteed to us by the JNU Act and in a manner which is in full consonance with the Constitutionally mandated provisions on reservation in educational institutions.

**Tampering with Selection Committees:** Through a resolution passed in the 142nd meeting of the Academic Council of JNU dated 26.12.2016, the Vice-Chancellor has illegally empowered himself to make additions to the “Panel of Experts” for selection committees for the appointment and promotion of faculty to each Centre/School/Special Centre. This AC resolution has been impugned on the grounds of falsification of minutes by 34 members of the Academic Council. This is a gross violation of the JNU Act, as the Selection Committee is a statutory body. Clause 27.2 of the Act clearly lays down that for Selection Committees, “the Vice-Chancellor may nominate three experts in the concerned subject out of the panel of names approved by the relevant statutory body of the University” i.e. the Academic Council, which holds this power exclusively. The UGC Regulation on Minimum Qualification for Appointments of Teachers and Other Academic Staff in Universities and Colleges and Measures for the Maintenance of Standards in Higher Education 2010 also restrict the powers of the Vice-Chancellor, allowing him only “to nominate three experts in the concerned subject out of the panel of names approved by the

relevant statutory body of the University. If the VC can hold Selection Committees in which he is both the Nominating Authority and the Recommendatory Authority, the independence of selection committees will be seriously compromised

**Unlawful imposition of a New Admission Policy:** Bypassing all established norms and procedures, the JNU Vice-Chancellor and his administration are seeking to impose a new Admission Policy and format of entrance examination on the University. By the JNU Act, the Academic Council is the sole academic authority responsible for all matters relating to admissions, but none of these decisions have been discussed in an Academic Council. Instead, the Vice-Chancellor has taken to invoking the authority of the Executive Council to impose his new admission policy, but by the JNU Act, the Executive Council has no such powers.

The process of changing the admission policy of JNU were duplicitously begun on the pretext of mandatory implementation of the University Grants Commission (Minimum Standards and Procedure for Award of M.Phil./Ph.D Degrees) Regulations, 2016 (henceforth UGC Regulations 2016) at the 142nd Academic Council meeting. No discussion was allowed and minutes were falsified to convey approval to it. The imposition of these guidelines is now going to result in a drastic reduction of seats for admission in 2017-2018 for most departments of JNU. This is in violation of The Central Educational Institutions (Reservation In Admission) Act, 2006. Clause 5 of this Act says that the number of seats has to be fixed upon the date of coming into force of the Act, and cannot be reduced thereafter. JNU teachers have been pointing out to the Vice-Chancellor that there can be no contest between an Act of Parliament with a set of Regulations drafted

by the UGC, and that the Act must prevail, but our advice has fallen on deaf ears.

The reason for the cut in admissions to the research programmes in 2017-18 and following years, is Clause 6.5 of the UGC Regulations 2016. This clause imposes arbitrary caps on the number of M.Phil. and PhD students that teachers, by rank, may supervise. Teachers' arguments that since JNU is a research university with an integrated M.Phil./ PhD programme to which the UGC Regulations 2016 cannot be applied mechanically, and that interpretation of these Regulations in the light of the JNU Act and the CEI Act is necessary, have been ignored. In fact, in recent pronouncements, the Vice-Chancellor has indicated that he shall also apply these Regulations with retrospective effect to the students already enrolled in the university, leading to a loss of career for hundreds of students.

Madame Speaker, in a country where the Gross Enrolment Ratio in Higher Education is just about 21% and the developmental goal is 30% by 2020, any slash in admissions is counterproductive. The faculty of JNU have borne – and are ready to continue to bear – the burden of extra research supervision gladly, even as close to three hundred faculty positions have languished in the university today. We have done so because we know that our efforts contribute to the creation of teachers for the rest of the country, and because we believe that it is through teaching and this supervision that we can disseminate the highest of standards of research. Turning qualified students away, and especially those who come from socially deprived backgrounds and backward areas, cannot be the goal of education in general, or of the admission policy of any university. And specially not a university whose stated objective is to “take special

measures to facilitate students and teachers from all over India to join the University and participate in its academic programmes” (JNU Act 1966, Schedule II).

Appeal: We have come to Parliament to plead for your urgent intervention to ensure that the Vice Chancellor is not allowed to continue to flout all established procedures and democratic norms, especially those as laid down by Acts of Parliament. We appeal to you, and through you to all Members of Parliament, to communicate to the JNU VC and his team that the JNU Act must be upheld in all its actions and that this tampering with Selection Committees and the JNU admission policy for 2017-18 is illegal and unlawful. He must engage in a consultative and democratic discussion of all aspects of the admission policy, and to do so in a manner that is restitutive of violations that he has committed in the 142nd Academic Council meeting, he must reconvene the said Academic Council meeting by the 16th of February to discuss all agenda items pertaining to admissions. We also request you to communicate to him and the UGC that across the country, the UGC Regulations 2016 should not, and cannot be applied in a manner that undermines the CEI Act of 2006.



Ayesha Kidwai      Pradeep K. Shinde

President, JNUTA      Secretary, JNUTA

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