



Parliamentarian, Students' Senate (2016-17)
Indian Institute of Technology Kanpur
Ayushya Agarwal



End Term Report

Introduction

The post of the Parliamentarian is envisioned as a guardian of the Constitution of the Students' Gymkhana. It is the duty of the Parliamentarian to advise the Senate on all Constitutional matters, interpret the Constitution and to ensure that the integrity of the Constitution is upheld in the procedures followed in the Senate. The Parliamentarian acting as the ex-officio convener of the Rules and Procedures Committee supervises its working and helps formulate the opinion of the committee in all matters related to the Constitution.

The report will focus on the working of the Rules and Procedures Committee and the work of the Parliamentarian on the floor of the Senate.

Rules and Procedures Committee

Members of the Committee

The members of the Committee were:

- Mr. Pranav Sao (Senator, BT/BS, Y15)
- Mr. Pranjal Prasoon (Senator, BT/BS, Y15)
- Mr. Himanshu Negi (Senator MBA/MDes Y15)

Mr. Vedant Goenka, Chairperson, Students' Senate was present in each meeting of the Committee in his capacity as the Chairperson.

Further the committee was helped by the presence and opinions of:

- Mr. Siddhant Naik
- Mr. Rutuj Jugade



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I am thankful to all the individuals mentioned here for their support in the functioning of the committee.

Meetings of the Committee

The Rules and Procedures Committee met four times this year. The exact details of the meetings are as follows:

2016-17/RPC 1st Meeting: The meeting was held on 15th August, 2016 and the following Agenda items were discussed:

- To consider the inclusion of the hierarchy of the Senate ratified posts in Appendix F: Eligibility Criterion for the Gymkhana Posts
- To consider the incorporation of the changes related to the structure, responsibilities and ratification procedure of the Election Council and to deliberate on the creation of a new appendix for the same
- To consider the incorporation of the changes in the structure of the COSHA into the Constitution
- To update the Constitution by checking and correcting the inconsistencies, if any.

2016-17/RPC 2nd Meeting: The meeting was held on 27th October, 2016 and the following Agenda items were discussed:

- To consider the COSHA Constitution and its inclusion as Appendix 'C' of the Constitution
- To update Appendix 'E' of the Constitution of the Gymkhana following the acceptance of new guidelines for the utilization of the buffer funds of the festivals by the Senate.
- To consider the formation of a new appendix to the Constitution of the Gymkhana which shall contain the code of conduct that is to be followed during election period in the campus.
- To update the Constitution by checking and correcting the inconsistencies, if any.



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2016-17/RPC 3rd Meeting: The meeting was held on 6th January, 2017 and the following Agenda items were discussed:

- To consider the changes related to introduction of new Senator posts
- To consider the purpose of Udghosh as mentioned in Appendix E of the Constitution.
- To consider the removal of article 4.07 of the Constitution
- To update the Constitution by checking and correcting the inconsistencies, if any.

2016-17/RPC 4th Meeting: The meeting was held on 19th March, 2017 and the following items were discussed:

- To consider the power of the Parliamentarian to interpret the Constitution of the Students' Gymkhana
- To consider the Appendix A of the Constitution of the Students' Gymkhana
- To consider the issue of appointment of Acting Office Bearers that do not meet the Eligibility Criterion as defined in Appendix F.
- To consider the required amendments to the Constitution to facilitate a merger of the Cultural and Films and Media Council
- To update the Constitution by checking and correcting the inconsistencies, if any.

Salient points:

- 1) Election Council reform: The Election Council was restructured into a cell and renamed as Election Commission. The text for the corresponding Constitutional amendments was prepared by the Committee.



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- 2) Merger of the Films and Media Council and the Cultural Council: The text for the merger of the two councils was prepared by the committee following the provisional acceptance of the proposal.
- 3) The Committee worked extensively towards the goal of completing the Constitution of the Students' Gymkhana. The Appendix A and C of the Constitution were discussed and edited by the Committee. The Appendix A has been presented to the Senate while the last draft of the Appendix C has to be taken up once again.
- 4) The power of the Parliamentarian: The Committee was of the opinion that the power of the Parliamentarian to interpret the Constitution should not be limited to the exact wording of the clause, however the Parliamentarian should provide a reference to the clause that is being interpreted.

Interpretations of the Constitution by the Parliamentarian

- 1) Clarification on the applicability of the Eligibility Criterion on Acting Office Bearers. It was clarified on the floor of the Senate that the Eligibility Criterion extended to all the posts that derived their authority from the Senate and thus applied on the posts of the Acting Office Bearers too. There were differing opinions and the Parliamentarian decided to further consult the Rules and Procedures Committee. The committee in its last meeting decided on the issue and has said that in compliance with the Student Governance Report the criterion will be applicable on the Acting Office Bearers too.
- 2) Clarification on the Adjournment of a meeting if minutes of previous meetings have not been presented. It was clarified that the motion for adjournment could be moved at any point in the meeting, if desired by even one Senator.



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Work to be done

The work that is to be taken up by the incoming Parliamentarian and the Rules and Procedures Committee is:

- 1) Work related to Appendices: The completion of the following work will result in the Constitution getting completed.
 - The amendments to the Appendices 'E' related to buffer rules of the Festivals were discussed by the Committee but could not be updated. The same need to be incorporated on a priority basis.
 - The Finance Manual (Appendix 'B') and the Code of Conduct (proposed to be Appendix 'I') need to be completed.
 - The description of the different entities of the Gymkhana is to be added in Appendix 'D'
 - The changes to Appendix 'H' have to be presented to the Senate for approval.
 - The Appendix 'F' of the Constitution is currently written in the form of paragraphs and needs to be broken down into clauses and parts for the sake of uniformity of the appendices. The Hierarchy of Gymkhana posts shall have to be included in the Appendix after finalisation by the Senate.
- 2) Work related to amending the Constitution:
 - The acceptance of Appendix 'A' by the Senate shall lead to redundancies due to repetition in the Constitution. The same shall have to be removed.
 - Internal hyper-linking of related articles in the Constitution and the Appendices is to be undertaken.

Recommendations

- 1) The Finance Manual needs to be written from scratch as most of the provisions of the Old Constitution related to the Finances of the Gymkhana are out of date. Thus, it is necessary for the writers of the



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appendix to be familiar with the working of the financial machinery of the Gymkhana. I thus recommend that the Finance Convener be given the duty of completing the draft of Appendix and a fixed deadline (I recommend till the end of January so that there is sufficient time for the Finance Convener to get familiar with his work and for drafting the appendix while leaving time for the Rules and Procedures Committee to revise and edit the Appendix).

- 2) The description of the various entities in the Gymkhana could not be written in Appendix 'D' as many of the entities did not provide one to the Rules and Procedures Committee. I recommend that the incoming General Secretaries include descriptions of the clubs and hobby groups (which shall include the vision with which the entity exists and its main activities) in their council in their pre-term reports. Further as the End-term reports of the Cells have not been presented, I recommend that the Cells add their description in them.
- 3) This is not a recommendation but a piece of information for the incoming Parliamentarian. There is no compulsion in any situation for the Parliamentarian to present his interpretation of the Constitution or its appendices on the floor of the Senate. The Parliamentarian can and should take the recourse of discussing with the Rules and Procedures Committee, if he finds himself unsure of a part of the Constitution. It is necessary for the Parliamentarian to understand that no issue is urgent enough to be pushed through with Constitutional anomalies.

Epilogue

My tenure as the Parliamentarian has taught me lessons that shall remain with me for my entire lifetime. I have had respect for the written word of law ingrained in me. Working alongside Mr. Vedant Goenka was an extreme pleasure and I hope that I have in this period of working together picked up some of your amazing work ethic. I am grateful to my committee members for turning up for the meetings even at extremely short notices and for



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contributing to the discussions. I am thankful to Mr. Ashutosh Ranka, Mr. Rutuj Jugade and Mr. Siddhant Naik for all their contributions.

I am glad that I took this opportunity to serve the Students' Senate and through it my institute.

Yours sincerely,

Ayushya Agarwal.

“We are not now that strength which in old days
Moved earth and heaven; that which we are, we are;
One equal temper of heroic hearts,
Made weak by time and fate, but strong in will
To strive, to seek, to find, and not to yield.”