At the end of his tether

Encounter

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ore than two decades back, a young Indian lawyer, busy expounding passionately to his students on the right of Aboriginals in Australia, the man who was already a name, had fixed a public interest litigation in a multinational company, from acquiring the pristine rich Goy island inhabited by the Aboriginals. But, on that pulpy afternoon, an enthusiastic student interrupted the entire lecture with a question: How are the indigenous people treated in India?

That simple question changed the life of the lecturer, who was, struck, and embarrassed by his ignorance. So he took the first plane out of Australia when the Delhi University offered him the opportunity to teach as well as as the Director Law Centre in the Capital. Seventeen years later, the man who was appointed its vice-chancellor, a post most educationists would love to hold.

Prof. Upendra Baxi, whose life changed dramatically on that sunny afternoon in Australia, is, more than 25 years later, quite comfortable answering this one. Yes, why did you resign as the Delhi University’s vice-chancellor (VC)? Why was you pipped—understand-embarrassed—by his ignorance?

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Upendra Baxi, whose life changed dramatically on that sunny afternoon in Australia, is, more than 25 years later, quite comfortable answering this one. Why did you resign as the Delhi University’s vice-chancellor (VC) when the University Grants Commission (UGC) told Delhi University that it could make available only Rs 50 crore against its conservative demand of Rs 350 crore? Well, what was so special about Rs 50 crore? For, Prof Baxi himself had been clamouring for four long years to step down against the UGC’s decision to freeze the maintenance grant (essentially salaries of the staff in central universities).

Baxi says the situation changed once the UGC accepted the Funnaya Committee’s recommendations on the resourcing of central universities. The Committee, among other things, wanted the UGC to take recourse to income funding—calculating the total income earned in teaching a student and multiply the amount with the number of students to arrive at the minimum budgetary allocation that ought to be made available to a university. The Delhi University authorities thought it needed 5000 crores.

Baxi, with his shoulder-length hair, the top of his buttons, of his shirt open and a dreamy smile on his face, conveys the impression of a man more concerned in metaphysical abstractions than with the nit-picky straitjacket of finance. So, when you resigned, I ask, what with only nine months remaining for the completion of your five-year term, the corporate body of the University will remain but its soul will be lost forever.

"My resignation is addressed as a statement of agony to save Delhi University. If the financial situation does not improve immediately, the corporate body of the University will remain but its soul will be lost forever."

I will continue with my commitment even though I was not worthy of it. I think they are angry and I have to accept the consequences. Besides, there is also this aspect of institutional hierarchy and I necessarily have to defend the university.

"But didn't the Wad Committee recommend that Bhata be dismissed?"

Baxi says a five-member bench of the Supreme Court had, in 1997, ruled that when an inquiry is conducted under an institutional hierarchy, it is for the latter to decide on the disciplinary authority, it is for the latter to decide on the disciplinary authority.

Prof. Baxi answers, "The disciplinary authority here is the Executive Council (EC), which was convoked, on December 13 to discuss the report. The meeting carried on for nine hours and there was a full general discussion on the report as well as the specific charges. We then had to make a decision on the punishment, which ought to be meted out to Prof. Bhata."

He claims he was keen that the EC take the decision unanimously because, during his tenure, no decision was ever put to vote. Prof. Baxi says, "There was unanimity on the punishment for Prof. Bhata, that was passed unanimously, without putting the issue to vote. Now, a person's case was terminated, which was then backed by two-thirds of the members present and voted on."

In the bulletin, there were stories that the number of people in favour of the resignation had increased.

Imitating his tone, I ask him, "Tell me, have you been het on the resolution and, therefore, on the committee, taking sides with Prof. Bhata?"

"No, it is not like that. The whole thing was a man accused of sexual harassment, the case was again and again and dramatically discussed. My critics should know that I have not only had to decide on the case, but also to defend the man in any case. I tried to do my best to defend the man."

The critics also say Prof. Baxi resigned from the post because he was not given a voice in the South African Government to play a role in the country's new constitution. He has heard nothing of this.

"Friends who create this kind of fiction exist. There was no voice or vote given me."

The UN has no voice, he says. "The voice and what have you. I am blessed that people think of me as having said something, but I may be wrong."

We are now walking down the long driveway of the vice-chancellor's residence. Prof. Baxi says, "The next time we will be meeting there."

And he simply laughs.