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Is the Model Act for the Universities the Need of the Hour?*

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"Education is essentially for all. This is fundamental to our all round development material and spiritual"

-National Policy on Education, 1986

No doubt, education will certainly play a pivotal role in the development of a country. It develops not only the society or polity as a whole but leads to achieve greater strides to receive name and fame in the international arena. This is what has been highlighted by the Indian society from ancient times. In fact Swami Vivekananda, Dr. B.R. Ambedkar and Mahatma Gandhi et al., have clearly highlighted the need for the promotion of education in India especially that of Higher education. In the contemporary era, higher education especially university education plays a very significant role in shaping of the country and its people.

University education is not a new concept in India. It is in existence since ancient periods. Visitors from China have had expressed their admiration for the Higher education system in ancient India that served the community of the polity through famous Universities like Nalanda and Thakshasila etc. But unfortunately, after the arrival of the British changed the educational scenario in India and it had to face several upheavals. From the days of Independence both the Union and State governments are trying their best to recoup the education system in leaps and bounds. In the cotemporary era, the University system is more vital than yester years and taken care by the University Grants Commission.

However, of late there is a kind of degeneration in the education system, especially in the higher education system of the country. This is because of various factors, significantly the funding problem is one such an important area where in several universities are not in a position to cope up with the International Standards. They are not able to keep up their glorious past and degenerating. Further, in view of different policy perspectives by various states and the Acts and Statutes of various universities is also becoming another problem to really live up to their standards. In the contemporary era of borderless world, they are not able to discharge their functions effectively in view of lack of finances, less importance given to meet the needs of faculty, the petty politics among the faculty, interference of the administrative machinery of the Union and States, one up man ship of the top echelons of the University administration, etc., are pushing them to a secondary level in the competitive international era.

*This paper has been developed on the presentation made in the National Conference on "Formulation of A Model Act for the Universities in India" conducted by the Madhusudan Law College, Cuttack, during 11-12, November 2006, sponsored by the UGC.

At this point of time the University Grants Commission coming out with a novel idea of having Uniform Act for toning up the University system is a welcome trend and needs to be encouraged. In the light of the proposal of a Model Act for the Universities initiated by the University Grants Commission, an attempt is made in this paper to study in brief, the role played by the various committees, and, to examine the significance of the Model Act. The paper also makes a critical evaluation of the significant changes that are contemplated by the UGC and offers further suggestions which need to be considered for the sustainability of education system in India for years to come.

Various Committees of the UGC

After the independence of India, the UGC has appointed many committees to tone up the higher education of the country. Starting from Dr. S. Radhakrishnan Committee till the P.C. Alexander Committee various committees have rendered a host of suggestions which have been implemented to a great extent. Among the various Committees, Prof A. Gnanam Committee appointed in 1987 is the most significant committee. This committee has analyzed the need for liberalization of Higher Education from the administrative echelons of the state. Among the various suggestions rendered by this Committee, the need for autonomy of the Universities has had been given top priority (for a detailed discourse on the Gnanam Committee see the UGC web site). Though it is too long to describe the entire recommendations, a few of them are mentioned here for further discussion.

Main Points of the Committee

- Enactment of legislation by Parliament setting out the basic structure of the University Governance with provisions for the States to implement in their respective Universities.
- To Review the Acts and Statutes of the Union Universities (central) to bring them under one umbrella of statutory provisions under the guidance of the UGC
- To constitute a Common Council for Union Universities
- Need to review the Act of the UGC to empower more powers and teeth to it to tone up the University education.
- New Universities to be opened only with the

consent of the UGC

- To establish consultancy mechanism at the State Level.
- UGC should have more number of regional Offices at least four or five to cover every part of the country
- State Governments should constitute Higher Education Councils to over see the Functioning of all the Universities with in the State
- Universities should establish planning and evaluation committees to oversee the functioning of the affiliated institutions
- Universities should clearly spell out their aims and objectives
- Universities should be given more powers to regulate their activities without the interference of the State
- Vice Chancellor should play a decisive role without any inclination towards one up man ship.
- Performance Audit with in the institution need to be established to tackle its own problems of all sections of the University
- No political interference is there in the affairs of the University especially in regulating discipline among the student community and in the appoint of faculty
- Universities should concentrate more on research and development

Among the various suggestions rendered by the Committee, many of them have been implemented and basing on the deliberations of this committee, other committees and especially on the suggestions of the British, American and Commonwealth of Universities, the UGC has established the NAAC in the early nineties to oversee the functioning of the Universities and linked the allocation of funding on the basis of the NAAC grading. In spite of the newer developments that have been contemplated and established still there is a need to over haul the functioning of the universities in India is really the need of the hour to meet the expectations nationally and internationally in the 21st century.

University System in India

At present University system in India has different facets and functioning under various traditions and conventions established over the years since independence. Among the diversified systems, the University system in India functions under four

categories according to their organizational structure. They are broadly classified as:

1. Affiliating Universities, having University Departments, Constituent colleges and Affiliated Colleges, with single or multiple campuses;
2. Unitary Universities having University Departments and constituent Colleges, with single or multiple campuses;
3. Private Universities, most of them are unitary type and having distributed campuses. Foreign Universities is still not yet opened broadly and working in liaison with the existing Universities.
4. Virtual Universities (relatively a new phenomenon) working through scientific and technological collaboration by rendering education to students through out the globe.

Besides these Universities, a number of premier educational institutions are offering education through various other bodies in the fields like Medicine, Science and Technology, Law and Management.

Among the various Universities, which are nearly 398, mostly funded by the State offers a wide variety of courses in the Disciplines of Arts, Commerce, Science and Technology and carrying on research activities. In the contemporary era, taking into consideration of the impact of the fourth phase of the globalization wherein the individuals are expected to play a dominant role, in the years to come there is going to be a great demand for many universities in the country. Already the Government of India is contemplating to establish another 300 and odd Universities including Central, State, foreign and private universities in the country. To this affect, a bill has been introduced by the Human Resources Ministry of India in the current session of the Parliament. Even the recently concluded National Conference held during 10-11th October, 2007, on Development of Higher Education Expansion, Inclusion and Excellence of the UGC also expressed the need to establish more Universities in the rural and semi urban areas than in the metros.

Apart from the various cultures that the different universities adopt and work, as rightly pointed out by the UGC paper on guidelines for the Model Act, two new cultures are now dominating the University system in the contemporary India. They are commercial culture which is useful to support activities like continuing education, testing and consultancy, distance education and publication. The latter is the corporate

culture which emphasizes the leadership role provided by senior academics/officials and the top-down planning and monitoring practices which may be introduced by them in the functioning of the university.

University System in the 21st Century

The Higher Education System in the country has lots of responsibilities to respond to augment the needs of the society in the contemporary era. It has to bridge the assimilating gaps that exist between the society and the state. The Universities have to shoulder more responsible role than in yester years in imparting skill based education to meet the demands of the contemporary era and make themselves saleable in the international arena. They have to have more focused vision in imparting skill based education to cope up with the changing realities of the society nationally and globally. To meet this requirement the components of the University especially the higher echelons of the University and the academics should shrug their differences and mend in their ways to live, learn, interact with a dedicative work culture levels.

Keeping the above aspects in mind, the Universities should discharge onerous responsibilities in areas of imparting education, sponsored research consultancy, continuing education and extension activities, and developmental services to the society and efficient management. These functions may be common to what the Indian Universities are familiar with it. But the need of the hour demands more focused vision in reality to discharge their functions in a more efficient manner and the academicians should take the responsibility to mobilize the resources to the University through consultancy and other academic activities in a vigorous fashion than in yester years. (For detailed division of the above functions see the UGC Model Act guide lines available on the UGC site at ugc.ac.in). This has been reiterated even by the recent National Conference too.

Taking these aspects into consideration, the Model Act has framed a number of guide lines which need to be adopted by all the Universities in a more uniform way than disintegrating themselves. The guide lines of the model act mostly reemphasize the existing systems of the University with more efficient functioning and coordination between the various administrative and academic bodies of the University system. Among the various features, the important point that the Model Act guidelines highlight is the retaining the autonomous character of the University system that it is functioning

in the present day structure. Hence many academicians who ally their fears either publicly or privately need not worry that the autonomy is not going to be taken over by the UGC. What the UGC contemplates is that it needs to stress the point in a more focused manner that the Universities in India should join together to shoulder the responsibility to help the state in toning up the society in a more polished manner and educate the people to drive away the existing plaguing problems, and, to make them more self sufficient and earn a good mark for the country in the international sphere.

Critical Outlook of the Act

As stated already, the idea expressed by the UGC is certainly a welcome trend which needs to be appreciated. However, for a teacher and researcher working in the Indian University system what is contemplated in the Model Act guidelines is not new. Only the tone and tenor has changed a little bit and it makes an appeal once again to the academic community to shed their responsibilities in a more focused manner than in the yester years. If the UGC really needs to improve the situation, it has to really pull the shocks of the University system from the scratch. Of course, such an act will certainly be opposed vehemently both by the academicians, the state and the public to a great extent. But if we have to live up to the expectations of the community of nations and to look forward for result oriented society 2020, it has to start some where or the other to build up the reputation of the Indian polity in delivering the goods to the people really what they need are expected to be from the University system in the country. In order to achieve the goals, the following points need a meritorious consideration, if necessary having long deliberative secession through out the country to arrive at a common formula.

- The UGC should confine itself to research and other activities especially that of a link between the Universities in India and abroad and should monitor the growth and expectations of the Universities to allocate the funds.
- There is a need to create a National Higher Education Council to share the administrative responsibilities of the UGC and should be a link to oversee the functioning of the Universities of all kind.
- The National Higher Education Council should work with State Higher Education Councils (which needs to be created in states where they are not in existence) to monitor the functioning of the Universities
- The proposed National Higher Education Council should be only a facilitation Centre along with the State Councils and should not itself interfere with the functioning of the University system.
- The Proposed National Higher Education Council should work as a liaisoning body between the Universities and the UGC
- Too much interference of the Ministry of Human Resources Development and the State Education Ministers need to be riddled out of the University System
- The University bodies such as the Court, the Executive Council, Academic Council, Planning Board, Finance Committee and other appropriate bodies need to be filled with academicians than having some political appointees from the state. (In many Central and State Universities representatives of the Speaker of the Legislatures and other political nominees of the education ministry or of the Government appointees need to be eliminated altogether).
- For a better augmentation of the resources the Union and the States should clearly demarcate the finances allocated to the Higher Education system and that should be paid to the UGC directly and it should distribute the money to the Universities instead of having present ratio of 50:50 to the State Universities
- While allocating the funds to various Universities, the UGC should really take into consideration of its needs and allocate the budget basing on the academic results achieved by each University instead of excess grants to some Universities and lesser grants to other Universities.
- There is a need to create Indian Educational Services on the Lines of the Administrative Services of the State. People who want to enter the University system should qualify such a test conducted by the UGC namely the NET and keep qualified candidates in a systematic fashion and circulate to universities for their selection whenever a need arises. This will certainly go a long way instead of Universities advertising in local news papers and not able to attract the talent of the country. It may not be liked by many especially the senior academicians, but we as academicians should think of the future of the country than thinking of our petty gains.
- When the UGC expect the teachers to undertake

the research and consultation activities, it should also clearly lay down norms especially for consultation activities. Many academicians in India though are competent to undertake serious consultancy, they are not inclined to do so, because under the present system, the Universities without paying anything or providing the basic facilities expect at least 30 to 40% of the consultancy fees and also doesn't really bother to consider that as part of the work of the teacher. This tendency certainly makes many teachers not to go for consultancy for two reasons. One they have to pay huge amount to the University without any recognition and end up in paying heavy tax to the state. Finally, what they derive out of consultancy is nothing and no recognition. This policy need to be changed and the UGC should evolve a clear cut formula that is beneficial both to the individual teachers and to the University.

- At the level of Professors it should be demarcated on two levels that are Professors (Teaching and Administration) and Professors (teaching and Research). In the present setup professors should do their teaching, administration and research. In the end of the day they don't find much time left for research and neglect it. Many Universities especially the unitary kind of Universities in professional courses try to exploit more from the Professors and some Universities even have rule that their Professors should spend most of the time in the campus only. Though the UGC prescribes that a teacher should be in the campus at least four to five hours in the campus, they insist that they should spend all through the day only in the campus. This type of harsh provisions make many interested scholars disgusted and finally they just buy their time and neglect research in the end of the day. On the contrary in most of the countries a professor comes to the University and takes his class and goes off to do his research. Well this is misused in a country like ours. However, strict guidelines can be drafted by the UGC to consider the merit of the professors and give them some additional increments or some research encouragements certainly make the Indian academics to live up to the standards that the UGC is really looking for.
- In the Vice Chancellors Conference's the senior professors too may be invited to express their views and ideas. Otherwise the Vice-Chancellors conferences end up only in meeting places for them

and no information precludes down to the other echelons of the University system. Whatever discussions take place in these conferences need to be circulated among the teaching community of the universities.

- Uniform service conditions need to be implemented with respect to retirement of age and other pay conditions. More so when professors move from one university to another university, many a times the Universities refuse to transfer their service registers for reasons better known to them and finally they end up with less service. Though the Union of India has made it clear that no university can stop transfer the service and protection of the service in a previous university, it is rarely given due consideration. In view of this whether the conditions permit or not, even if they have a chance to prove their skills many a time's professors are reluctant to move out of their university and end-up their services in the university they work.
- In each University a core group of professors need to be constituted to discuss and suggest the working modules to the authorities before placing any matter in the policy making bodies. The Core group of Professors should be a facilitator group to function in the University in a more focused way. The Vice chancellors should often discuss and take their suggestions and implement them basing on their viability. If a Vice Chancellor turns to be autocratic, this core group should be able to present the case to the Chancellor of the University for Remedial Measures which includes the recalling of a Vice Chancellor. In the present day system in most of the Universities, once the Vice chancellor is appointed, he/she is sure to complete the term without any difficulty. There should be provisions in every University Act that the Vice Chancellors are under the Control of the State Higher Education Council, National Higher Education Council and finally the UGC. If the UGC arrives at a decision that a Vice Chancellor is ignorant of the needs of the University such people need to be reverted back upon the recommendation of the UGC.
- The appointment of a Vice Chancellor needs to be approved by the UGC. This can be achieved only if a panel of names selected make presentations before the UGC on what would be their objective and goals during their tenure and on the basis of the report of the UGC, the Chancellor should appoint the Vice Chancellor. Though this may be looking difficult at

present, however, such a step will certainly go a long way in developing the university systems to the needs of the society.

- Before permitting the foreign Universities into the country, the UGC should have strict mandate to see that they should not impair the established structures of University system in India. For this if a foreign University wants to establish in India, it should at least work with an Indian University in liaison for a period of five years, before they establish their campuses in India.
- Universities in India need to be grouped together without any distinction between central and state Universities. For this the Union and the States should come forward as already suggested to contribute their funds to the UGC which in turn should distribute to the Universities. To this affect, if necessary a constitutional amendment or a legislative enactment needs to be brought in. If such a system is implemented, it would be easy for professors to be sent on exchange between the Universities within the Country for at least a semester, on a rotational basis at least once in two or three years. This will certainly go a long way in breeding the Indian educational aspirations to a great extent.
- Further, the Universities in the country need to be grouped as teaching and affiliating, research Universities, Science and technological, humanities and social sciences, professional Universities apart from private and other foreign Universities. Such a grouping will certainly go a long way in imparting education to the students the way they look in. Many a times a Vice chancellor belongs to science discipline tries to neglect the other disciplines. If a humanities or social sciences person or a professional course discipline man is appointed they may over look the science disciplines. It is happening most frequently though we may not agree on theory. Further more, it will help the University to concentrate more on its infrastructure what it needs? Having a multi faceted university, the University's are not in a position to spend for the academic requirements such as labs, equipments or library etc. Though the UGC started the supply of online journals many of the Universities are still not in a position to use them. This is because lack of infrastructure and not able to provide adequate equipments or modern scientific gadgets.
- The Administrative Officers of the proposed National Higher Education Council and State Education Council and the Registrars and Finance Officers should be only teachers and they can only manage their work better than the administrators.
- As the UGC has already initiated in the Guidelines for the Model Act that it is going to pursue with the CAG of the Country to have less bureaucratic norms separately for academic institutions, it is a welcoming trend and the UGC should pursue it certainly.
- The on going Academic Staff College functions need to be reviewed along with the model Act. Many a times the Academic Staff Colleges are not able to deliver the goods, the intention with which the UGC wanted. Because, most of the Academic staff colleges already built academic guilds and they call for any course only those professors whether they deliver the goods or not. No new exposition is welcomed. This is more so in the orientation courses. As a teacher I myself underwent academic staff college programmes and more closely observed as the departments conducted these programmes, they are really quite boring than giving knowledge. The UGC instead of having this programme as three weeks, it can reduce it 10 or 12 days and rest of the money may be given to the teachers as seed money to purchase books or journals or ask them to conduct research. The list of resource persons need to be approved by the UGC for each programme before it grants. The Academic Staff Colleges should be asked to send curriculum vitae of the resource persons along with the proposal or the UGC can draw a list of experts for each area and send the list to the ASCs for their utilization.
- Many academicians may not agree, but the UGC should adopt a rule that a teacher's increment may be granted only on proven research either by publication, or contribution to seminars or conferences or in any other manner. Until such time the teacher proves his quality, the increment may be stopped. It should not be a routine affair. This will certainly stop politics among the teachers and lead to a progressive development of the University system. Well it is difficult to achieve, but the need of the hour demands quality.
- Further the UGC should tone up its administrative machinery too and make it more vibrant to meet the expectations of the teachers and researchers.

(contd. on page 13)