

# Challenges in Higher Education

*The UGC, when it was established in 1956, was not made as powerful as originally envisaged, as the power vested in the centre by the Constitution was not given concrete expression. Educational policy was last reviewed in India in 1986 but the failure to implement its recommendations may not have been an accident: the specific line of authority laid down by the Constitution to fulfil the given mandate was not followed. We need to put the centre and the states in the dock.*

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Educational policy in India was last reviewed in 1986. Before that, in 1985 to be precise, the ministry of education (it was still known by its earlier name) put out a document entitled *The Challenge of Education*. That particular document proved to be a kind of a curtain raiser for the Policy that came to be framed a year later. As a part of the exercise undertaken in 1985 and 1986, certain important and meaningful recommendations were made. Two decades later, several of them still remain to be implemented.

In the sector dealing with higher education, two time-bound targets were laid down at that time. One was that vocationalisation at the school level (which would have had a direct impact on enrolment in colleges) was to cover 10 per cent of the total enrolment by 1995. By the year 2000 it was to be 25 per cent. Another important recommendation made was that the number of autonomous colleges would be raised to 500 from the less than 100 colleges that existed at that time. This was to be done by the end of the seventh Plan. These two targets are singled out for special mention here. In India, the gap between what is recommended and what is implemented remains as wide as ever. (It may be mentioned here in passing that some of the recommendations made by the 1882 Commission on Education, the first such body to be appointed, are yet to be implemented.) During the last century or so, various committees and commissions have repeatedly made certain recommendations but most of them remain unimplemented.

A good deal can be said on the subject but I refrain from doing so for the simple reason that the root cause of our failures is that we refuse to examine the reasons which prevent us from achieving targets. What is worse, we refuse to learn from our experience. There is almost an incurable tendency in our country to say one thing and do another. If India has not progressed as well as she could have, it is because we have failed to go more deeply into this issue. This formulation would perhaps sound negative and I may be accused of being cynical. My response to such reactions would be that while there can be failures on the conceptual plane, the most important reason for our failures flows from our inability to either evolve and establish appropriate structures, which work for the objectives aimed at, or the plain refusal to critically examine those things which are within the competence even of the structures so established. Lest this should sound vague or distant, I would like to be more specific.

While the University Grants Commission (UGC) was established as a statutory body in 1956, its origins lay in the 1951 draft when the Universities (Regulation of Standards) Bill was presented by the ministry of education to the parliament. How the bill was handled, rather mishandled, was analysed by this writer in an article which was published in the *Journal of Higher Education* brought out by the UGC more than two decades ago. Without going into further details, one thing needs to be underlined. The original bill contained two provisions which got deleted when the matter was referred to the Joint Select Committee. One was the provision that, after the enforcement of this act, no university would be established unless it had been

found acceptable both by the ministry of education and the UGC. The second such provision was that the UGC would have the power to de-recognise any university degree. When these two key provisions in the UGC bill were deleted and the bill was passed, it made the University Grants Commission into more of a recommendatory entity than a body which could lay down the law. What is more relevant, it was not in accordance with what had been laid down in the Constitution.

While discussing the issue of responsibility for education, the Constituent Assembly spent a good deal of time on how powers should be allocated between the states and the centre. When the Constituent Assembly was seized of the matter, the University Education Commission presided over by S Radhakrishnan was also at work at the same time. This commission was asked for its advice; It suggested that education be made a concurrent subject. The Constituent Assembly, in its wisdom, did not accept this advice. Instead, it decided that all education, including university education, will be the responsibility of the states. However, the centre would perform two key functions: coordinate and determine standards. In other words, a kind of concurrency was given to the higher education sector but the control of all levels and modes of education was made the exclusive responsibility of states. This was the constitutional position between 1949 and 1976. In the latter year, even other levels of education were brought under concurrency as had been suggested, amongst others, by the University Education Commission. It is another matter that there has been no follow up legislation since then and concurrency remains a theoretical provision rather than a constitutional imperative.

## I

As far as higher education is concerned, the first step in the direction of coordination and determination of standards was taken when the UGC was established in late 1953. While doing so, the power vested in the centre by the Constitution was not given a concrete expression when the UGC, as established, was not made as powerful as it had been originally envisaged. To cut a long story short, this infirmity in the UGC structure was brought into the open by the state of Chhattisgarh in 2003. For almost half a century, in spite of the awareness of this infirmity, no state had chosen to take advantage of it. Since all education, including university education, was in the state sector and the central sector had not been adequately armed with statutory powers, as should have been the case, Chhattisgarh adopted an act under which new universities could be established through executive action.

Earlier, a bill to establish a new university had to be brought before the legislature. Apart from other things, a case had to be made out for the establishment of a new university. This requirement was now done away with. No wonder, within a matter of months, more than 50-60 universities were established through executive action. Most of them were what are generally described as private universities. What almost each one of them did was

to rent some space in the city of Raipur – and, so to speak, register their presence in the state – but they functioned mainly in other parts of India.

For the preceding decade or more, there was persistent pressure to set up self-financing universities. The ministry of human resource development (HRD) itself had moved a bill in 1994 to give legislative sanction to this new type of enterprise. It was adopted by the Rajya Sabha but not by the Lok Sabha. The logical thing to do would have been to move the bill again in an amended form, but the ministry of HRD failed to do so. Why it chose to turn a blind eye to what was happening is a question to which there is no clear answer. In the upshot, self-financing universities, which wanted a legal umbrella over their head, were left to fend for themselves.

The ministry of HRD did not move in the matter for almost a whole decade with the result that pressure in favour of self-financing universities kept on mounting. With the Chhattisgarh initiative and the promotion of the self-financing universities as described above, the result was what could have been anticipated. Scores of such universities came to be established and most of them, to use a hackneyed phrase, were sub-standard and more keen on profiteering than genuinely imparting professional education. It requires to be added that neither was the private universities bill moved again nor was the UGC Act amendment proposal brought before the parliament. Such a proposal had been vetted by a committee which reported to the ministry of HRD in 1998. The fact of the matter is that Chhattisgarh took advantage of this act of omission on the part of the ministry. The existing weakness of the UGC Act was fully and cynically exploited by the state. The UGC is now trying to recover from the situation but cannot do so beyond a point. What is required to be done is to amend the UGC Act and this job can be done by the ministry of HRD and not the UGC itself.

To come back to the starting point however, by deleting those powers from the UGC Act, the centre had failed to arm itself with those powers that the Constitution had conferred upon it. Tomorrow, if and when such a proposal is formulated, the issue will take on or be given political overtones. The initiation would be projected as an intrusion by the centre into the powers vested in the states. Having permitted the states for almost half a century to virtually function as they pleased and the standards of performance having consistently declined, the centre looked on and did little about what was happening. The situation could have been salvaged had the UGC been given greater funding than it actually was. In a sense, thus, the UGC fell between two stools. It neither had the statutory power to direct the universities, to do what in its judgment should be done, nor the financial clout to oblige the universities to fall in line with its directives.

In addition to the UGC, the centre has set up more than a dozen professional councils. Each one of them has specific powers relating to the area with which it is concerned. For instance, the Medical Council of India (MCI) deals with medical education, and the All India Council for Technical Education (AICTE) with technical education. There are several others too but they are not mentioned here. Each one of them has a specific role to play and it is for the ministry of HRD to deal with how they coordinate their functioning with one another.

The lack of coordination amongst them is a problem that, in a sense, the ministry of HRD itself has created. With a number of professional councils in existence, overlapping of functions could not be avoided. Before these councils were set up, universities were attending to the various issues which arose from time to time but some of them were then brought under the purview of the councils. In a few cases, the issue as to which agency has jurisdiction over what matter has been agitated before different courts of law. By and large, the latter have been able to harmonise their working. The overall line of approach adopted by the courts has been that matters requiring special expertise

may be dealt with by the concerned council. But the basic responsibility continues to be that of the universities and the ministry of HRD, who are expected to ensure that the problems of jurisdiction do not impede their overall working.

It is here that the HRD has stumbled. The 1986 policy clearly envisaged the establishment of a body which would deal with all these matters under the auspices of the ministry of HRD. Problems did arise because some of these bodies were set up by ministries other than the HRD. For instance, the MCI is controlled by the ministry of health and the Bar Council by the ministry of law. It was in order to sort out the problems of coordination that the 1986 policy made a specific suggestion to set up an apex body.

Apart from this problem, another important issue which arose during the last couple of decades was the role of the private sector in higher education. This issue became particularly prominent in respect of professional education. There was so much pressure from the burgeoning middle class that more and more privately-controlled institutions came to be set up. As a matter of fact, the problem became so insistent that, in the early 90's of the last century, the Supreme Court had to intervene. For ten long years, the law laid down by the Supreme Court in 1992 continued to operate. It was however discovered within a couple of years after the judgment that the Supreme Court formula of charging a very low fee – a legacy of the past – for the first 50 per cent who qualified for admission after a test, and charging the full cost of education from the remaining 50 per cent was not pragmatic or fair.

It was assumed by the Supreme Court that this formula would take care of the needs of poor students. It however became apparent in no time that the top 50 per cent were not necessarily poor. On the contrary, a substantial number of them belonged to the affluent middle class and would have been able to pay the higher fee only if it had been demanded. By not doing so, the state had forgone a considerable amount of revenue and the system did not work in the interests of the poor students. Stung by what had happened, the Supreme Court reversed its earlier decision in 2002. Not only that, it swung over to the other extreme. It permitted professional institutions to fix their own fees. Even if it was on the high side, it was required to re-deploy the surplus in order to improve facilities, both academic and infrastructural. This was not observed in practice with the result that what was formulated as a desirable practice was not made statutorily enforceable.

## I

It should be clear by now that the failure not to implement those recommendations, which were made in 1986, may not have been an accident. On the contrary, it was a part of the system that the country had evolved for herself even though the Constitution had prescribed a particular course of action, and laid down a specific line of authority in order to fulfil the mandate given. If followed, the outcome would have been significantly different. In concrete terms, the situation may be described as follows:

(a) There was an unambiguous failure on the part of the ministry of HRD as also the other concerned ministries to arm the professional bodies created by them with the requisite powers as mandated by the Constitution.

(b) The failure of the professional councils lay in not having devised a mechanism at their own level and in not having framed appropriate rules and regulations. At the same time, they also did not evolve a system of supervision and control over the institutions which they were required to deal with.

(c) Part of the failure of the professional councils also lay in how the principal executives, as also the members of various councils, were selected from time to time.

(d) In certain cases, central funding would have helped. In the case of the UGC, for example, some additional funding would have made a lot of difference. In the case of the AICTE, greater

political support to those in authority would have prevented some of the questionable decisions that were taken.

In this context, one can analyse the working of each professional council to see how, and in what precise way, statutory or financial support had been withheld or only partially extended to them. In addition to statutory support, political and financial support is equally important. In quite a few cases, it was not forthcoming in the measure expected, with the result that the job that was required to be done remained incomplete or undone.

In short, instead of blaming the professional councils for under-performance or lack of performance, it would be more relevant to analyse and assess the performance of the political masters who controlled them. No professional council is autonomous to the point that political masters cannot influence its working. They always have a decisive say and, perhaps in more cases than most people would like to admit, the councils failed to perform. This in my opinion is responsible for the persistent failures discussed above. That we have not chosen to interrogate our masters with any degree of thoroughness or persistence is a part of our failure.

To put it bluntly, governance is not something ethereal or out of this world. Over the last few decades, higher education has been handled casually and, for the most part, is lacking in initiative or direction. In certain cases, those who control policy-making or implement those policies can be legitimately accused of a criminal degree of neglect in respect of the targets that had to be fulfilled and the priorities that had to be re-determined. The challenge before us, therefore, is to assess and evaluate the working of the professional councils, as also the performance of the political masters who guide and control them. At the same time, only to look at the role of the centre and not at the performance of the state governments, which have been vested with complete authority over all aspects and levels of education, including university education, would be to misunderstand the constitutional scheme and to commit serious academic misjudgment. We have been guilty of it for more than five decades.

Formally speaking, the centre, as also the professional councils, have been under close scrutiny but no one seems to notice that the bulk of the job is handled at the state level. How are the states performing? Are they doing what they have been mandated to do? Had this been the case, India would have been 100 per cent literate by now and our universities would have been swarming with several hundred thousand foreign students each year. There is much that requires to be said on this issue but, perhaps, on another occasion and in some detail.

To put it no more strongly, it is time to put our political masters, both at the centre and in the states in the dock and work out a balance sheet of what they have been doing or not doing. At the same, the question of who is to do this job and how it is to be done also calls for some discussion.

### III

Can we put our political masters in the dock? My answer is that it is difficult but not impossible. One thing is clear: unless we put them in the dock, things will not change. It is not only the centre which has been negligent but, the states also deserve censure. While a few of us concentrate our attention on how the professional councils are performing or not performing, the fact is that they are instruments of policy which the political masters wield as they decide. To focus on the performance of those who take the ultimate decisions is therefore a prerequisite for any kind of advance.

The more relevant question is: how do we examine the performance of the centre and the states? Those who are a part of the political system will be willing to join the venture as long as it suits them from their factional point of view. This kind of support therefore is both shifty and undependable. We should take advantage of whoever is willing to agree with us, but to

assume that they will adhere to what they say today and not shift their stand tomorrow, would be to assume more than we should. Unlike Pakistan, where civil society is uncommonly weak, we in India have a relatively stronger civil society. That civil society can play a positive role in this context should not be in doubt. In certain situations, it has done so in the past and with good results. The problem now, if one may so, is twofold.

Most members of civil society do not feel involved in education. They might talk about entering the era of what is called the knowledge society but they do not really care about how the job can be done. The only ones who know what is happening are the teachers; they as a matter of fact are the main actors. What is required is that they become observers who can critically examine themselves as well. Owing to a combination of circumstances spread over the last few decades, teachers have not grasped the real meaning of what is happening. According to their perception, as long as the salary scales of teachers are safe from attack, other dimensions of policy-making are not all that important.

This is an oversimplified view of higher education, without question. More serious than that, the teacher leadership is so inward looking and self-centred that, on the whole, they have failed to notice – to take only one instance – of an important development which has the potential of significantly altering the direction of higher education. Whether they have failed to understand or refused to do so is also a question which may be raised at some stage. The far from flattering role of some of our educational entrepreneurs, who have chosen to take interest in professional education, is a case in point.

Before the 1992 judgment of the Supreme Court, there was enough evidence of the private sector knocking at the gates of education. After that judgment, its role came to be recognised, and since the 2002 judgment, its role has been even sanctified to some extent. Has permitting these institutions to fix their own fees put a stamp of approval on what they were doing. What next, however? There is a related problem to which the Supreme Court has not paid as much attention as it ought to have. The issue has been discussed earlier and need not be referred to again, except to make one categorical point. Anyone who chooses to treat education as a business enterprise is not a friend of education. Education is service; to equate it with business is to misread and distort its role. A number of those who are involved in promoting professional education are not disinterested in their dealings. Even if this development is helpful in the short run, in the long run it causes a good deal of damage, both to professional education and the cause of education.

What can cause real damage is not the growth of private enterprise; that in point of fact is a welcome development as it would help to deregulate the higher education scene. State predominance in this sector has curbed initiative to a considerable extent and decidedly come in the way of its growth. But there is a negative dimension too and it should not be overlooked. For one thing, it is benefiting only the affluent category of students and, by implication, discriminating against poor students. For another, it would strengthen the tendency towards corruption which is already a considerable menace both to our academic life and polity.

From these points of view, I have reservations against the entry of many entrepreneurs into higher or professional education. A large number of them look upon this activity as yet another source of income. To recall what was said earlier, education is a service, not a money-making proposition. However, no clear line of distinction is being drawn between the two modes of activity. In the ultimate analysis, the inclination to profiteer from education would eventually hurt it. Teachers, as much as others, should guard against such a negative development.

The Supreme Court, for lack of appropriate guidance from the ministry of HRD, has, so far, not looked at this problem with any degree of concern or care. Had it done so, it could have proposed some preventive steps to ensure that such an outrage

does not occur. Indeed, even certain penalties for profiteering could have been prescribed. Why should it be difficult to impose a heavy fine on anyone who chooses to make money out of education? Even the ministry of HRD has not given as much attention to this impending crisis of credibility as it should have.

What is more disquieting, however, is the callous attitude of teachers. How do they react to this evolving situation? Do most teachers understand the deeper meaning of what is happening? Do they approve of it or do they have reservations in the matter? Are standards of performance in professional education what they should be or are they in a state of stagnation or decline? There is a whole host of questions which can be raised. But the tragedy of the situation is that these are not being raised, particularly by the teachers who are more concerned with the matter than anyone else.

#### IV

Another area of darkness, if one may put it that way, is the unwillingness of most teachers to look at what they are doing themselves. In the case of non-professional education, two problems stand out like a sore thumb. The first one is that, in terms of numbers, this sector is much larger than the professional sector. According to UGC figures, 88 per cent of students are enrolled at the undergraduate level. Out of them, perhaps not more than 10 per cent would be enrolled in professional courses; the rest are in the non-professional sector. Furthermore, UGC and the departments of education in different states manage this sector of education. How have they been performing and in which direction are they going? These questions are seldom raised.

Undergraduate education in respect of arts, science, social sciences, commerce, education, etc, has been expanding rapidly. Why it is expanding so rapidly is an issue that needs to be discussed but not here. In terms of the argument in hand, it is enough to recognise that the numbers are growing by something like 5 per cent every year. Another issue is how we impart skills of different kinds to our undergraduates. In order to function in everyday life, we all require two capabilities: knowledge as well as skills, both manual and non-manual. Teaching at the undergraduate level does take care of a certain minimum of knowledge required, but hardly any attention is paid to the other dimensions of education. The 1882 Commission had raised this issue but even after more than a century, it has not been taken care of as well as it could have.

The only positive contribution to the solution of this problem made by the UGC was in the early 1990s when an attempt was made to promote vocational courses. A committee appointed by the UGC recommended that a couple of vocational courses be pursued in addition to what the students were studying. A decade later, all that one can say is that there has been some marginal impact on the range and quality of undergraduate education. For the rest, everything remains as it was more than half a century, even a century ago. In plain words, the crisis of undergraduate education has not been attended to at any time during the recent decades.

The scale of expansion has been steadily increasing but it should have been handled differently. It should not be necessary to elaborate on this issue except to call attention to the impact of this growth on the size of the undergraduate sector and its further impact on the thinking and outlook of the teacher movement. From about 1.50 lakh teachers when the salary scales were revised upwards in the early 1970s, the count has now gone up to over 4,00,000. Most of the expansion has been at the undergraduate level.

Since it was decided in the early 70s to equate undergraduate and postgraduate teaching, the same scale of pay became applicable in both cases. Owing to the continued expansion in numbers, however a situation has been reached when the states are finding it difficult to sustain this. That is why, during recent years, something

like 5-10 per cent, or even more, of teaching jobs have either not been filled or filled on an ad hoc or contract basis. The deeper meaning of these developments should not be overlooked. When the next round of salary revision gets under way in a few years, the states would find it difficult to be as forthcoming as they were during the earlier decades. In an article entitled 'Ravages of Affiliation' published in the *Economic and Political Weekly* on July 26, 2003, this writer discussed the entire issue in considerable detail and it need not be discussed here again.

Without going into further details, it needs to be stated that the teacher leadership, such as it is, has failed to read the writing on the wall. So far, its attention has been focused on only one thing: how to maintain parity between undergraduate and postgraduate teaching? It is becoming clear, day by day, that whether this parity is maintained or not, the state of undergraduate education will shortly undergo a fairly drastic change. It should also require no effort to show that by concentrating on only one issue – parity between undergraduate and postgraduate teaching – the teacher leadership has hurt the interests of teachers in the ultimate analysis. This one-track approach has led to a situation where, exceptions apart, full-time wages and part-time work seem to go hand in hand. It should not be, therefore, difficult to understand why civil society today is on the whole indifferent to what is happening in higher education. In plain words, by the end of this decade, the crisis would have reached a flash point and it would not be possible to resolve it without some structural changes.

As if to underline the irony of it, it is the political masters who will bring these changes about. Today, the teacher leadership has fairly close links with political leadership, but the situation is changing and the latter will be left with no choice except to bring about some structural changes within the next few years. Left to themselves, these changes can hurt the interests of teachers but it would be possible to moderate the scale and direction provided the teachers can work out an alternative structure in which their role is not self-serving but constructive. If that can be done, their interests would be duly protected. Put another way, unless the teachers recognise the critical nature of the crisis which is emerging, they will be overtaken by the march of events. While the majority in civil society would continue to be indifferent, a small but influential section can be persuaded to take a somewhat favourable view of the looming crisis, as also to protect the limited interest of those who man the profession.

#### V

Today, those connected with the media are not really as interested in education as they can, or indeed, should be. The media can play a powerful role in changing the outlook of civil society. Most who are connected to the media are unconcerned about what teachers are doing or not doing. While media persons are generally overworked, the teaching community in contrast looks generally underworked. This single fact creates a mental block between the two, though it would be hard to say that several other contributory factors are also not at work. The situation is complex and its complexity must be understood.

The teaching community today gives the impression of having marginalised itself whereas it must become embedded into civil society and, to some extent, play a role which is innovative and forward looking. What has happened during the last couple of decades – more or less automatic promotions – has hurt its reputation and standing. This situation, unfortunately, is not even acknowledged as critical by those who constitute the leadership of the teaching community. Eventually, it is the opinion of civil society that will prevail. How to influence and remodel it: this is the challenge that confronts us in the field of higher education. [amrik\\_83@hotmail.com](mailto:amrik_83@hotmail.com)

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