

MINUTES

of the General Body Meeting of
NAGPUR UNIVERSITY TEACHERS' ASSOCIATION
held at 12.00 noon on **SUNDAY, the**

20 th May, 2007 at
Smt. L.R.T. College of Commerce,
Ratanlal Plot, AKOLA

General Body of Nagpur University Teachers' Association met at 12.00 noon on Sunday, the 20th May 2007 at Smt. L.R.T. College of Commerce, Ratanlal Plot, AKOLA Prof. B.T.Deshmukh, President was in the chair. The membership numbers of the members present at the meeting are as follows :-

0044, 0072, 0090, 0269, 0302, 0311, 0389, 0474, 0480, 0496, 0497, 0612, 0715, 0823, 0824, 1113, 1121, 1122, 1154, 1161, 1177, 1196, 1213, 1217, 1245, 1302, 1382, 1603, 1685, 1705, 1792, 1857, 1900, 1948, 2000, 2009, 2010, 2049, 2116, 2138, 2148, 2154, 2161, 2162, 2311, 2370, 2375, 2425, 2439, 2472, 2495, 2583, 2603, 2625, 2629, 2664, 2960, 2966, 2994, 3041, 3083, 3109, 3169, 3218, 3222, 3234, 3246, 3250, 3276, 3277, 3306, 3319, 3327, 3341, 3351, 3427, 3432, 3446, 3451, 3464, 3478, 3480, 3483, 3492, 3495, 3496, 3498, 3508, 3512, 3519, 3527, 3549, 3586, 3600, 3612, 3619, 3621, 3630, 3659, 3664, 3691, 3693, 3706, 3772, 3775, 3815, 3829, 3863, 3872, 3886, 3988, 3997, 4021, 4030, 4037, 4038, 4039, 4101, 4335, 4364, 4417, 4428, 4443, 4507, 4584, 4588, 4589, 4629, 4630, 4680, 4706, 4707, 4782, 4795, 4800, 4846, 4866, 4888, 4965, 4966, 4983, 5003, 5061, 5064, 5138, 5177.

Agenda of the General Body meeting was circulated on pages 41 to 42 of 2007 NUTA Bulletin. Additional Agenda was circulated to the members as on pages 26 to 29 of 2007 Ex-File.

ITEM NO. 442 :**CONFIRMATION OF MINUTES**

(A) **CONFIRMED** the minutes of the General Body meeting of Nagpur University Teachers' Association held at 12.00 noon on Sunday, the 8 th October, 2006 at Jeevan Vikas Mahavidyalaya, Thugaon Deo, Tal.: Narkhed Dist. : Nagpur.

Notes :- 1) Copy of the minutes was Circulated on pages 65 to 68 of 2006 NUTA Bulletin.

2) Corrections, if any, were invited in the copy of the Minutes of the General Body Meeting of Nagpur University Teachers' Association held at 12.00 noon on Sunday, the 8 th October, 2006 at Jeevan Vikas Mahavidyalaya, Thugaon Deo, Tal.: Narkhed Dist. : Nagpur. vide No.CIM/22 Dated 2nd November, 2006 published on page 77 of 2006 NUTA Bulletin. No correction was received.

विषय क्रमांक ४४२ (अ) :

प्रा.ज्ञानेश्वर सदाशीव पडोळे यांच्या दुःखद निधनाबद्दल शोकप्रस्ताव

प्रा. ज्ञानेश्वर सदाशीव पडोळे यांच्या दुःखद निधनाबद्दल प्रा. डॉ.अ.म.साहूरकर यांनी मांडलेला पुढील शोकप्रस्ताव **सम्मत करण्यात**

आला.

“श्रीकृष्णदासजी जाजू ग्रामीण सेवा महाविद्यालय पिंपरी (मेहे) ता.जि. वर्धा येथील मराठी विषयाचे प्राध्यापक श्री. ज्ञानेश्वर सदाशीव पडोळे यांचे २५.२.२००७ रोजी दुःखद निधन झाले. ते ६५ वर्षांचे होते. त्यांनी ३५ वर्षे मराठी विषयाचे प्राध्यापक म्हणून अध्यापनाचे कार्य केले. त्यांचे संत साहित्यावर विशेष प्रभुत्व होते. ते अत्यंत विद्यार्थीप्रिय शिक्षक होते. ते नुटाचे आजीवन सदस्य होते. नुटाच्या कार्यक्रमात त्यांचा सक्रिय सहभाग रहात असे. अशा या सतत कार्यरत व्यक्तित्या मृत्यूने पडोळे कुटुंबियांवर दुःखाचा मोठा आघात झाला आहे. परमेश्वर पडोळे कुटुंबियांना हे दुःख सहन करण्याची शक्ती देवो व मृताच्या आत्म्यास चिरशांती व सद्गती देवो ही प्रार्थना.”

विषय क्रमांक ४४२ (ब) :

प्रा.डॉ.सुधीर पुंडलिकराव उमरकर यांच्या दुःखद निधनाबद्दल शोकप्रस्ताव

प्रा. डॉ.सुधीर पुंडलिकराव उमरकर यांच्या दुःखद निधनाबद्दल प्रा. डॉ.सुनील हजारे यांनी मांडलेला पुढील शोकप्रस्ताव **सम्मत करण्यात आला.**

“नवीरा महाविद्यालय, काटोल जि. नागपूर येथील वरिष्ठ महाविद्यालयातील प्राणीशास्त्राचे प्राध्यापक डॉ. सुधीर पुंडलिकराव उमरकर यांचे दि. २१.०२.२००६ रोज बुधवारला सकाळी हृदयविकाराच्या झटक्याने दुःखद निधन झाले. मृत्यूसमयी त्यांचे वय ४५ वर्षे होते. अत्यंत विद्यार्थीप्रिय व मनमिळावू स्वभावाचे स्वर्गीय डॉ. सुधीर उमरकर हे नुटाचे सहकारी व नुटाचे आजीवन सभासद होते. नुटाच्या कार्यक्रमात ते हिरीरीने भाग घेत असत. अशा या सतत कार्यरत व्यक्तित्या मृत्यूने उमरकर कुटुंबियांवर दुःखाचा तीव्र आघात झाला आहे. परमेश्वर उमरकर कुटुंबियांना हे दुःख सहन करण्याची शक्ती देवो व मृताच्या आत्म्यास चिरशांती व सद्गती देवो ही प्रार्थना.”

विषय क्रमांक ४४२ (क) :

प्रा.एस.एन.अग्रवाल यांच्या दुःखद निधनाबद्दल शोकप्रस्ताव

प्रा. एस.एन.अग्रवाल यांच्या दुःखद निधनाबद्दल प्रा. जे.एम.काळे यांनी मांडलेला पुढील शोकप्रस्ताव **सम्मत करण्यात आला.**

“श्रीमती ल.रा.तो.वाणिज्य महाविद्यालयातील वाणिज्य विभाग प्रमुख प्रा.एस.एन.अग्रवाल यांचे महाविद्यालयातील प्रदीर्घ सेवेनंतर दि. ११ फेब्रुवारी २००७ रोजी दुःखद निधन झाले. प्रा.एस.एन. अग्रवाल हे नुटाचे आजीवन सक्रीय सदस्य होते. त्यांच्या निधनाबद्दल दुःख व्यक्त करून त्यांच्या आत्म्यास सद्गती प्राप्त होवो अशी प्रार्थना ही सभा करीत आहे.”

शोकप्रस्ताव मांडणाऱ्या सदस्यांनी आपल्या भावना व्यक्त केल्या. सभाध्यक्षांनी सुद्धा आपल्या भावना व्यक्त केल्या. सभेने दोन मिनिटे स्तब्ध उभे राहून दिवंगत सदस्यांना आपली आदरांजली वाहिली. सम्मत केलेल्या शोकप्रस्तावाची प्रत संघटनेच्या वतीने सचिव शोकाकुल कुटुंबियांकडे पाठवतील असे सभाध्यक्षांनी सांगितले.

ITEM NO. 443 :**APPROVAL TO THE ANNUAL REPORT :**

(A) **CONSIDERED AND APPROVED** the Annual Report regarding the working of the Association for the calendar year ending on 31st December, 2006.

Notes : (i) As per Article VI (b) (iii) of the Constitution of NUTA, the Annual Report of the working of the Association was prepared by the Executive Committee (vide item No.02 of 2007) and was placed for the approval of the General Body.

(ii) The Copy of the Annual Report was circulated in 2007 NUTA Bulletin on pages 43 to 46

(iii) Dr. E.H.Kathale, Secretary presented the Annual Report on behalf of the Executive Committee.

(B) At the Stage of consideration of this Item, the following documents were also taken into consideration. :-

1. Letter from Shri. K.G.Khamare, Registrar, Sant Gadge Baba Amravati University, Amravati No. AU/8/10/C-1702/2006 Dated 31.10.2006, in respect of Information of cases, for exemption from NET/SET, in revised UGC formats, to Dr. (Mrs.) Pankaj Mittal, Joint Secretary, University Grants Commission, Bahadur Shah Zafar Marg, New Delhi - 110 002.

2. Order dated 13th April 2007 of the Honourable High Court of Judicature at Bombay, Nagpur Bench, Nagpur in Contempt Petition No. 62 / 2007 in Writ Petition No. 3974 / 2001

3. Letter from Mrs. Shashi Munjal, Under Secretary UGC No. F-1-1/2006 (PS) Meeting dated 27 April 2007, in respect of Proposal received from the Sant Gadge Baba Amravati University, Amravati for exemption from NET examination to the Registrar, Sant Gadge Baba Amravati University, Amravati - 444 602. (Maharashtra).

NOTES :- 1. Letter from Shri. K.G.Khamare Registrar, Sant Gadge Baba Amravati University, Amravati No. AU/8/10/C-1702/2006 Dated 31.10.2006, in respect of Information of cases, for exemption from NET/SET, in revised UGC formats, to Dr. (Mrs.) Pankaj Mittal, Joint Secretary, University Grants Commission, Bahadur Shah Zafar Marg, New Delhi - 110 002, was circulated on page 27 of 2007 Ex-File. (Now Circulated on page 63 of 2007 NUTA Bulletin).

2. Order dated 13th April 2007 of the Honourable High Court of Judicature at Bombay, Nagpur Bench, Nagpur in Contempt Petition No. 62 / 2007 in Writ Petition No. 3974 / 2001, was circulated on page 28 of 2007 Ex-File. (Now Circulated on page 64 of 2007 NUTA Bulletin).

3. Letter form Mrs. Shashi Munjal, Under Secretary UGC No. F-1-1/2006 (PS) Meeting dated 27 April 2007, in respect of Proposal received from the Sant Gadge Baba Amravati University, Amravati for exemption from NET examination to the Registrar, Sant Gadge Baba Amravati University, Amravati - 444 602. (Maharashtra), was circulated on page 29 of 2007 Ex-File. (Now Circulated on page 65 of 2007 NUTA Bulletin).

ITEM NO. 444 :

APPROVAL TO THE ANNUAL BUDGET

APPROVED the Annual Budget of the Association for the Financial year commencing on 1st April, 2007.

Notes : (i) Prof. S.A.Tiwari, Treasurer, NUTA, presented the Budget on behalf of the Executive Committee.

(ii) The copy of the Budget was circulated on page No.42 of 2007 NUTA Bulletin.

ITEM NO.445 :

APPOINTMENT OF THE AUDITORS

CONSIDERED AND APPROVED the following resolution for the appointment of Auditors for the Financial year ending on 31st March, 2007 namely :-

"C.R.Sagdeo & Co. Chartered Accountant "Prabha Niwas" Nagpur be appointed as auditor for the Financial year ending on the 31st March 2007"

Notes : (i) As per Article VII of the Constitution of NUTA the "General Body shall appoint auditors annually in the Annual Meeting of the Association."

(ii) The Executive Committee resolved to recommend the above resolution, (Vide item No. 04 of 2007) which was placed before the General Body for its approval.

(iii) Dr. S.A.Tiwari, Treasurer, on behalf of the Executive Committee, moved the resolution.

सिटीइन्स फोरम (नागरिक मंच) महाराष्ट्र

दक्ष नागरिक पुरस्कार - २००७

सन्मानपत्र

आदरणीय प्रा.बी.टी.देशमुख सर,

संसदीय लोकशाहीच्या आपणासारख्या एका महान दीपस्तंभाला हे मानपत्र सादर करतांना आम्ही स्वतःच गौरवान्वित झालो आहोत. मनाची संवेदनशीलता कायम असेल तर राजकारण व समाजकारणाचे सैद्धांतिक अधिष्ठान अबाधित राखता येते, याचा प्रत्यक्ष पुरावा आपण आपल्या कार्याच्या रूपाने समाजासमोर ठेवला आहे.

महोदय, आपल्या संसदीय कारकिर्दीची सुरुवात जरी प्राध्यापकांच्या अभेद्य संघटनेच्या उभारणीपासून झाली, तरी आपले कर्तृत्व या एकाच कार्यक्षेत्रापुरते मर्यादित राहिले नाही. विदर्भ विकासाचा अनुशेष, शेतकऱ्यांच्या समस्या, पाणी टंचाई, अशा विविध प्रश्नांना न्याय देण्यासाठी आपल्या अद्वितीय कौशल्याचा आपण ज्या लढावू बाण्याने उपयोग केला, त्यामुळे संसदीय आयुधे कशी वापरावीत याचा एक आदर्श आपण नवोदित लोकप्रतिनिधीसमोर ठेवला आहे. जागरूक लोकप्रतिनिधी कसा असावा याचे मूर्तिमंत उदाहरण म्हणून आपला उल्लेख करता येईल.

अप्रतिम संघटन कौशल्य, कमालीची सचोटी, स्वच्छ व पारदर्शक कार्यपद्धती, सामंजस्य व आक्रमकता यांचा सुरेख संगम, आणि जनसामान्यांच्या प्रश्नांसाठी संसदीय आयुधांचा अचूक वापर, या आपल्या वैशिष्ट्यांमुळे महाराष्ट्र विधान परिषदेवर आपण गेल्या पंचवीस वर्षांपासून अधिराज्य गाजवीत आहात. अध्ययन, चिंतन, मनन, आणि हाती घेतलेल्या कामाचा चिकाटीने पाठपुरावा, या गुणांमुळे सत्ताधऱ्यांना आपल्याविषयी सदैव आदरयुक्त धाक वाटत राहिला. आपल्या अजोड योगदानाची दखल घेवून राष्ट्रकुल संसदीय मंडळाच्या महाराष्ट्र शाखेने 'उत्कृष्ट संसदपट्ट' म्हणून आपला गौरव केला.

आदरणीय सर, आपली तत्त्वनिष्ठा, साथी राहणी, निराभिमानी वृत्ती, यामुळे विदर्भाच्या लोकमानसात आपण विलक्षण जिह्वाळ्याचे व प्रेमाचे स्थान प्राप्त केले आहे. 'बी.टी.' या दोन अक्षरांमध्ये सामान्य माणसाच्या हृदयाचा ठाव घेणारी जादू आहे. जनसामान्यांच्या प्रश्नांसाठी लढणाऱ्या सर्वच व्यक्तींचे व संस्थांचे आपण प्रेरणास्थान आहात. या लोकभावनेचे प्रतीक म्हणून आम्ही अर्पण केलेला हा लहानसा पुरस्कार स्वीकारून आपण आम्हाला उपकृत केले आहे. आपले जीवितकार्य पुढे नेण्यासाठी आणि नवीन पिढीला सातत्याने प्रेरणा देण्यासाठी आपल्याला उर्दंड आणि निरामय आयुष्य लाभो, हीच ईशचरणी प्रार्थना.

नागपूर

रविवार, दि. २४ जून २००७

कार्यकारिणी

सिटीइन्स फोरम (नागरिक मंच) महाराष्ट्र

विषय क्रमांक ४४६ :**नुटा पदाधिकाऱ्यांची मा. शिक्षण सहसंचालकांशी झालेली बैठक**

मा. सहसंचालक, उच्च शिक्षण, अमरावती विभाग, अमरावती यांच्याशी नुटा पदाधिकाऱ्यांच्या दि. २३.३.२००७ रोजी झालेल्या बैठकीचे इतिवृत्त व त्या इतिवृत्तासोबत प्राप्त झालेली सहपत्रे विचारात घेण्यात आली.

नोटसू :- (१) मा. सहसंचालक, उच्च शिक्षण, अमरावती विभाग, अमरावती यांना संघटनेच्या सहसचिवांनी दिनांक २१.३.२००७ रोजी नुटा पदाधिकाऱ्यांसोबत बैठकीच्या आयोजनाबाबत दिलेले पत्र सन २००७ च्या नुटा बुलेटीनच्या पृष्ठ ४८ वर प्रसृत केलेले होते.

(२) डॉ.प्रविण रघुवंशी, सहसचिव, नुटा, अमरावती यांना दिनांक २३.३.२००७ रोजी संपन्न झालेल्या बैठकीचे इतिवृत्त पाठविल्याबाबतचे मा. सहसंचालक, उच्च शिक्षण, अमरावती विभाग, अमरावती यांचे पत्र क्रमांक ससं/उशि/लले/०७/७५५ दिनांकीत २४.०३.२००७ सन २००७ च्या नुटा बुलेटीनच्या पृष्ठ ४८ वर प्रसृत केलेले होते.

(३) दिनांक २३.३.२००७ रोजी सायंकाळी ५.०० वाजता मा. सहसंचालक, उच्च शिक्षण, अमरावती विभाग, अमरावती ह्यांच्या दालनात संघटनेच्या पदाधिकाऱ्यांसोबत झालेल्या बैठकीचे इतिवृत्त सन २००७ च्या नुटा बुलेटीनच्या पृष्ठ ४८ वर प्रसृत केलेले होते.

(४) धनाकर्ष त्वरित मिळणेबाबत मा. सहसंचालक, उच्च शिक्षण, अमरावती विभाग, अमरावती यांनी शाखा प्रबंधक, स्टेट बँक ऑफ इंडिया, कॅम्प ब्रँच, अमरावती यांना दिलेले पत्र क्रमांक ससं/उशि/अनु-४/०७/१८६ दिनांकीत १७.०१.२००७ सन २००७ च्या नुटा बुलेटीनच्या पृष्ठ ४९ वर प्रसृत केलेले होते.

(५) वेतन अनुदानाची देयके त्वरित पारित करणेबाबत मा. सहसंचालक, उच्च शिक्षण, अमरावती विभाग, अमरावती यांनी जिल्हा कोषागार अधिकारी, अमरावती. यांना दिलेले पत्र क्रमांक ससं/उशि/अनु-४/०७/३४३ दिनांकीत ०९.०२.२००७ सन २००७ च्या नुटा बुलेटीनच्या पृष्ठ ४९ वर प्रसृत केलेले

होता.

(६) अशासकीय अनुदानित कला, वाणिज्य, विज्ञान, विधी महाविद्यालयांना महागाई भत्त्याची रक्कम देण्यासाठी अनुदान मंजूर करणे या विषयावरील मा. शिक्षण संचालक (उच्च शिक्षण) महाराष्ट्र राज्य, पुणे-१ यांचा आदेश क्रमांक अर्थसं-२००६/३०९१६/अशा./लेखा-२ दिनांकीत १७ मार्च, २००७ सन २००७ च्या नुटा बुलेटीनच्या पृष्ठ ५० वर प्रसृत केलेले होते.

(७) संघटनेचे सहसचिव डॉ. प्रविण रघुवंशी यांनी सहसंचालक, उच्च शिक्षण, अमरावती विभाग, अमरावती यांना दिनांक २१.३.२००७ रोजी लिहिलेल्या पत्रातील मुद्दा क्रमांक १ व ३ बाबत दिनांक २३.०३.२००७ रोजी झालेल्या बैठकीत देण्यात आलेली माहिती सन २००७ च्या नुटा बुलेटीनच्या पृष्ठ ५० वर प्रसृत केलेले होते.

(८) अशासकीय अनुदानित कला, वाणिज्य, विज्ञान विधी महाविद्यालयांना थकित अनुदान मंजूर करणे या विषयावरील मा. शिक्षण संचालक, (उच्च शिक्षण) महाराष्ट्र राज्य, पुणे-१ यांचा आदेश क्रमांक अर्थसं-२००६/३०९१६/अशा./लेखा-२ दिनांकीत १७ मार्च, २००७ सन २००७ च्या नुटा बुलेटीनच्या पृष्ठ ५१ वर प्रसृत केलेले होते.

(९) उच्च शिक्षण संचालनालयाचे आदेश क्रमांक अर्थसं-२००६/३०९१६/अशा./लेखा-२ दिनांक १७ मार्च, २००७ चे विवरणपत्र सन २००७ च्या नुटा बुलेटीनच्या पृष्ठ ५१ वर प्रसृत केलेले होते.

विषय क्रमांक ४४७ :**सर्व रिक्त जागा त्वरित भरणे**

प्रा.वी.एन.गर्गे अनुपस्थित असल्याने पुढील प्रस्ताव मांडण्यात आला नाही. :

सर्व महाविद्यालयांमध्ये व विद्यापीठ शिक्षण विभागांमध्ये २००७-२००८ सत्राच्या प्रारंभीच प्राध्यापकांच्या सर्व जागा कायमस्वरूपी भरल्या जाव्यात.

विषय क्रमांक ४४८ :**समाजकार्य महाविद्यालयातील शिक्षक व शिक्षकेतर कर्मचारी निवृत्ती वेतनापासून वंचित असणे**

(अ) प्रा.आर.एन.ठाकरे यांनी मांडलेला पुढील प्रस्ताव विचारात घेण्यात आला. :-

समाजकार्य महाविद्यालयामधील शिक्षक व शिक्षकेतर कर्मचारी निवृत्ती वेतनापासून अद्यापही वंचित आहेत इतर महाविद्यालयामधील सर्व शिक्षक व शिक्षकेतर कर्मचाऱ्यांना निवृत्ती वेतनाचा लाभ मिळतो. केवळ समाजकार्य महाविद्यालयामधील कर्मचाऱ्यांना मात्र निवृत्ती वेतनाचा लाभ मिळत नाही. समाजकार्य महाविद्यालयातील कर्मचाऱ्यांना निवृत्ती वेतन मिळावे असा ठराव करण्यात येत आहे.

(ब) उक्त प्रस्ताव विचारात घेतांना सभेपुढे प्रसृत करण्यात आलेली पुढील माहिती सुद्धा विचारात घेण्यात आली. :-

(१) विधान परिषदेमध्ये उपरोक्त विषयावर १८ जानेवारी २००० पूर्वी निरनिराळ्या वेळी झालेली काही प्रश्नोत्तरे पुढील प्रमाणे आहेत.:-

अ) समाजकार्य महाविद्यालयातील शिक्षक व शिक्षकेतर कर्मचाऱ्यांना निवृत्तीवेतन, उपदान योजना लागू करण्याबाबत या विषयावरील प्रश्नोत्तरे (महाराष्ट्र विधानपरिषद कार्यवाही अधिकृत प्रतिवेदन, खंड ११४, क्रमांक ५, पृष्ठ वि.प.६ (१०४) शुक्रवार, दिनांक २४ एप्रिल १९९८, तारांकित प्रश्न क्रमांक २३०२५) सन २००१ नुटा बुलेटीनच्या पृष्ठ क्रमांक १५९५ वर प्रसृत केलेली आहे.

ब) समाज कार्य महाविद्यालयातील शिक्षक व शिक्षकेतर कर्मचाऱ्यांना निवृत्तीवेतन, उपदान योजना लागू करण्याबाबत प्रश्नोत्तरे (महाराष्ट्र विधानपरिषद कार्यवाही अधिकृत प्रतिवेदन, खंड ११५, क्रमांक ४, पृष्ठ २० गुरुवार, दिनांक २३ जुलै १९९८, तारांकित प्रश्न क्रमांक २७२८३) सन २००१ नुटा बुलेटीनच्या पृष्ठ क्रमांक १५९७ वर प्रसृत केलेली आहे.

क) समाजकार्य महाविद्यालयातील शिक्षक व शिक्षकेतर कर्मचाऱ्यांना निवृत्तीवेतन, उपदान योजना लागू करणेबाबत प्रश्नोत्तरे (महाराष्ट्र विधानपरिषद कार्यवाही अधिकृत प्रतिवेदन, खंड ११६, क्रमांक ५, पृष्ठ २६ शुक्रवार, दिनांक १८ डिसेंबर १९९८ रोजी तारांकित प्रश्न क्रमांक ३१७३७) सन २००१ नुटा बुलेटीनच्या पृष्ठ क्रमांक १६२५ वर प्रसृत केलेली आहे.

(२) समाजकार्य महाविद्यालयातील शिक्षक व शिक्षकेतर कर्मचाऱ्यांना निवृत्तीवेतन, उपदान योजना लागू करणे या विषयावरील तारांकित प्रश्न क्रमांक ३१७३७ च्या प्रश्न भाग २ ला मा. समाजकल्याण मंत्री यांनी शुक्रवार, दिनांक १८ डिसेंबर १९९८ रोजी दिलेले उत्तर पुढील प्रमाणे

By Registered Post

No. AU/8/10/C-1702/2006 Date 31.10.2006

To,
Dr. (Mrs.) Pankaj Mittal,
Joint Secretary, University Grants Commission,
Bahadur Shah Zafar Marg, New Delhi - 220 002.

Subject : Information of cases, for exemption from NET/SET, in revised UGC formats.

Reference : 1) UGC letter No. F-1-1/2006 (PS) Meeting, dated 5th July, 2006

2) This University letter No. AU/8/10/C-1409/2006, dated 12.9.2006.

R/Madam,

I would like to bring your kind attention to this university letter referred at Sr. No. (2) above. In which it was communicated that the NET/SET qualification has been introduced through legal instruments in this University on 30th December, 1999 as recruitment level qualification for Lecturers. The University is of the opinion that the appointments made prior to 30th December, 1999 does not require any type of relaxation in qualification as per second proviso of para 2 of UGC Regulation, 2000.

Now, in reference to your above referred letter, I am sending herewith the required information in respect of cases for exemption from NET/SET, which were already submitted to UGC, by this university, in accordance with the various decisions given time to time by the Hon'ble High Court. The above mentioned information, filled in revised UGC formats, is enclosed herewith in ten copies of Appendix - A, Appendix - B Appendix - C, for granting exemption to the concerned candidates from passing NET/SET.

Thanking you in anticipation.

Yours faithfully,
(K.G.Khamare)
Registrar

Encl : Ten copies of Appendix - A, Appendix - B & Appendix - C

आहे. :-

“राज्याची आर्थिक परिस्थिती लक्षात घेता यापुढे राज्य शासनाने निवृत्तीवेतनाची योजना कोणत्याही आस्थापनेवरील तसेच अनुदानित संस्था, मंडळे, महामंडळे इत्यादींमधील कर्मचाऱ्यांना लागू करू नये व राज्य शासनाच्या निवृत्तीवेतनाच्या दायित्वात वाढ करू नये, असा धोरणात्मक निर्णय मंत्रिमंडळाने दिनांक ८-७-१९९८ रोजी झालेल्या बैठकीत घेतला असल्याने राज्यातील समाजकार्य महाविद्यालयातील शिक्षक शिक्षकेतर कर्मचाऱ्यांना निवृत्तीवेतन उपदान योजना लागू करणे शक्य होणार नाही.”

(3) **JUDGEMENT** of the **BOMBAY HIGH COURT** (P. S. PATANKAR AND R. K. BATTA, JJ.) ON 18TH JANUARY, 2000 in Dr. Suresh Shrikrishna Naik .. Petitioner. Versus Karmaveer Hire Rural Institute and others ...Respondents. WRIT PETITION NO. 5467 OF 1999. (Circulated on page 83 of 2001 NUTA Bulletin.) Para 7 & 8 of the Judgement is as follows :-

"7. The ground on which the State Government had taken the policy decision to deny benefit of pension scheme to the teaching and non-teaching staff of Social Welfare Department is financial burden/crunch. The State Government had earlier denied such benefits to the teachers working in Ayurvedic, Unani and Homeopathic private aided educational institutions on the ground of huge financial outlay which was the subject-matter of litigation before this Court as well as the apex Court in State of Maharashtra & Ors. v. Dr Shri Hari Shankar Vaidhya & Ors. (supra.). In that case, the learned Senior Coun-

sel appearing on behalf of the State had contended that in view of huge financial outlay, the Government has been, in a phased manner, extending the benefits from time to time, but directions cannot be given to tide down the hands of the Government to extend all the benefits to all of them at a stretch. It was pointed out before the apex Court in the said case that in State of Maharashtra v. Manubhai Pragaji Vashi (1995) 5 SCC 730,) directions were given to extend similar benefits to the teachers working in private Law Colleges. In this view of the matter, the apex Court had observed that whether the scheme could be extended or not is a question of executive policy and the Court will not take the responsibility of directing the Government to extend the policy. The apex Court appreciated the stand taken by the Government that in view of huge financial outlay, the policy of extending benefits could be implemented only in a phased manner. Accordingly, the Government was directed to consider the extension of benefit of pension and gratuity scheme to the teachers working in Ayurvedic, Unani and Homeopathic aided educational institutions in a phased manner as was done in respect of other aided institutions.

8. In the facts and circumstances, we are inclined to issue similar directions to the State Government and, accordingly, pass the following order :

ORDER

The decision of the State Government to deny benefits of pension-cum-gratuity scheme to teaching and non-teaching staff of the Institutions/Colleges under the Social Welfare Department taken on 8-7-1998 and communicated by the Director, Social Welfare Department, vide letter dated 31-3-1999 is set aside and the State Government is directed to consider extension of such benefits to the teaching and non-teaching staff working in the Institutions/Colleges under the Social Welfare Department in a phased manner. Once this scheme is made applicable, the option as well as adjustment of Contributory Provident Fund paid to them can be worked out and adjusted. The rule is made absolute in the aforesaid terms with no order as to costs." (P 83 of 2001 NB)

(४) विधान परिषदेमध्ये उपरोक्त विषयावर १८ जानेवारी २००० नंतर निरनिराळ्या वेळी झालेली काही प्रश्नोत्तरे पुढील प्रमाणे आहेत :-

अ) समाजकार्य महाविद्यालयातील शिक्षक व कर्मचाऱ्यांना सेवानिवृत्ती वेतन योजना लागू करणेबाबत मा.उच्च न्यायालयाचा निर्णय, या विषयावर (महाराष्ट्र विधानपरिषद कार्यवाही, अधिकृत प्रतिवेदन, खंड १२३ , क्रमांक २, पृष्ठ ६० मंगळवार, दिनांक २८ नोव्हेंबर २००० रोजीचा तारांकित प्रश्न क्रमांक ९११८) झालेली चर्चा सन २००१ नुटा बुलेटीनच्या पृष्ठ क्रमांक ८१ वर प्रसृत केलेली आहे.

ब) समाजकार्य महाविद्यालयातील शिक्षक व कर्मचाऱ्यांना सेवानिवृत्ती वेतन योजना लागू करणेबाबत माननीय उच्च न्यायालयाचा निर्णय, या विषयावर (महाराष्ट्र विधानपरिषद कार्यवाही, अधिकृत प्रतिवेदन, खंड १२४ , क्रमांक २, पृष्ठ १३ मंगळवार, दिनांक १३ मार्च २००१ रोजीचा तारांकित प्रश्न क्रमांक १२१४०) झालेली चर्चा सन २००१ नुटा बुलेटीनच्या पृष्ठ क्रमांक ८१ वर प्रसृत केलेली आहे.

क) समाजकार्य महाविद्यालयातील शिक्षक व कर्मचाऱ्यांना सेवानिवृत्ती वेतन योजना लागू करणेबाबत मा. उच्च न्यायालयाचा निर्णय, या विषयावर (महाराष्ट्र विधानपरिषद कार्यवाही, अधिकृत प्रतिवेदन, खंड १२५ , क्रमांक ९, पृष्ठ १ गुरुवार, दिनांक २६ जुलै २००१ रोजी तारांकित प्रश्न क्रमांक १६१११) झालेली चर्चा सन २००१ नुटा बुलेटीनच्या पृष्ठ क्रमांक

IN THE HIGH COURT OF JUDICATURE AT BOMBAY NAGPUR BENCH, NAGPUR
Contempt Petition No. 62 / 2007 in
Writ Petition No. 3974 / 2001

(In the matter of non compliance of interim order dated 27.11.2001 passed in W.P. No. 3974 by this Hon'ble High Court and judgement dated 18.4.2002 passed in W.P. No. 91/02, (On transferring case at Hon'ble High Court Bombay bench writ Petition renumbered as W.P.No. 91/02)

PETITIONERS :- (1) Ku. Kalpana Tryambakrao Mehare, Aged about 35 years, Occupation -Service, R/o C/o Deepakrao Yawale C/o Ashok Dhawale, Laghuvetan Colony, Amravati, Tq. & Dist. : Amravati (2) Khushal Jagatrao Alaspure, Aged about 35 years, Occupation - Service, R/o C/o S.P. Rangacharya, New Vaishali Colony, Near Ravikiran Colony, Badnera Road, Amravati Tq. & Dist. Amravati (3) Santosh Pandurangji Bansod, Aged about 35 years, Occupation - Service, R/o C/o S.N. Gawande, Sukhpushpa L.I.C. Colony, Ramnagar, Amravati. Tq.& Dist. Amravati. (4) Ku. Sangita Gotulal Bhangadiya, Aged about 35 years, Occupation - Service, R/o C/o Sanjay Ramesh Malani, R/o Ambapeth, Amravati, Tq. & Dist. Amravati

VS.

RESPONDENTS : (1) Dr. Shri. Sukhadeo K. Thorat University Grants Commission, Bahadur Shah Zafar Marg New Delhi - 110 002. (2) Shri. R.P.Agrawal, Secretary, Human Resources & Development, Department, Union of India, New Delhi. (3) Shrimati Joyas Shankaran, Secretary, Department of Higher & Technical Education, Mantralaya, Mumbai - 400 032.

Petition under section 12 of contempt of courts Act, 1971

Shri. D.P. Dapurkar, Adv. for the petitioner.

CORAM : R.V. MORE, J.
13.4.2007

Issue notice before admission to respondent No. 1 returnable after vacation.

१८९४ वर प्रसृत केलेली आहे.

(५) समाजकार्य महाविद्यालयातील शिक्षक व कर्मचाऱ्यांना सेवानिवृत्ती वेतन योजना लागू करणेबाबत मा. उच्च न्यायालयाचा निर्णय या विषयावर गुरुवार, दिनांक २६ जुलै २००९ रोजी तारांकित प्रश्न क्रमांक १६१११ च्या भाग १ ते ३ ला शासनाने दिलेली उत्तरे पुढील प्रमाणे आहेत.

“१६१११ सर्वश्री नानासाहेब बोरस्ते, बी.टी.देशमुख, व्ही.यू.डायगव्हाणे, सुरेश पाटील, प.म.पाटील : तारांकित प्रश्न क्रमांक १२१४० ला दिनांक १३ मार्च २००९ रोजी दिलेल्या उत्तराच्या संदर्भात सन्माननीय समाजकल्याण मंत्री पुढील गोष्टीचा खुलासा करतील काय-

(१) समाजकार्य महाविद्यालयातून काम करणाऱ्या “शिक्षक व कर्मचाऱ्यांना सेवानिवृत्ती वेतन व्यवस्था लागू करण्यात येणार नाही.” हा शासनाचा दिनांक ८ जुलै १९९८ रोजी घेतलेला निर्णय नमूद असलेले संचालक, समाजकल्याण विभाग यांचे दिनांक ३१ मार्च १९९९ चे आदेश रद्दबादल ठरविणारा निर्णय मा.मुंबई उच्च न्यायालयाने रिट पिटीशन नंबर ५४६७ ऑफ १९९९ या प्रकरणात दिनांक १८ जानेवारी २००० रोजी दिला व त्या निवाड्यातच सदर निवृत्ती वेतनयोजना टप्पाटप्प्याने लागू करण्यासंबंधी न्यायालयाने दिलेल्या निर्णयाची अंमलबजावणी करण्याच्या विचाराधीन प्रश्नावरील शासनाचा विचार पूर्ण झालेला आहे काय;

(२) असल्यास, उक्त निर्णयाच्या अंमलबजावणीसाठी काय उपाययोजना करण्यात आलेली आहे;

(३) उपाययोजना केलेली नसल्यास, याबाबत होणाऱ्या विलंबाची कारणे काय आहेत?

श्री.जयवंत आवळे : (१) होय.

(२) अनुदानित समाजकार्य महाविद्यालयातील शिक्षक व शिक्षकेत्तर कर्मचाऱ्यांना सेवानिवृत्ती वेतन योजना लागू न करण्याचा धोरणात्मक निर्णय शासनाने घेतला आहे.

(३) प्रश्न उद्भवत नाही. ”

6. "THE CONTEMPT PETITION STANDS REJECTED" is the order in the Judgement of the Honourable HIGH COURT of Judicature at Bombay Civil Appellate Jurisdiction in Contempt Petition No. 136

UNIVERSITY GRANTS COMMISSION

Bahadur Shah Zafar Marg, New Delhi - 110 002.

By Speed Post

No. F-1-1/2006 (PS) Meeting 27 April 2007

The Registrar,

Sant Gadge Baba Amravati University,
Amravati - 444 602. (Maharashtra)

Sub. :- Proposal received from the Sant Gadge Baba Amravati University, Amravati for exemption from NET examination in respect of Shri.K.J. Alaspure, Director of Physical Education in Arts College, Badnera Rly. Dist. Amravati.

Sir,

With reference to your letter No. AU/8/10/C-1702/2006 dated 31.10.2006 on the above subject, I am directed to convey the approval of the UGC for exemption from NET examination in respect of Shri. K.J. Alaspure, Director of physical Education since no NET qualified /NET exempted candidate was available at the time of interview, **exemption may be granted subject to the condition that NET examination should be cleared in the relevant subject within 2 years from the date of communication of this exemption.**

Yours faithfully,
(Mrs. Shashi Munjal)
Under Secretary

Copy to
1. The Principal, Arts College, Badnera Rly., Dist. Amravati.

(Hari Pawar)
Section Officer

of 2001 in Writ Petition No. 5467 of 1999. Coram R.M.S.Khandeparkar J. decided on 26th February, 2002 in Suresh S. Naik Vs. Department of Social welfare.

(क) उपरोक्त अ वरील प्रस्ताव **सम्मत करण्यात आला.**

(ड) प्रस्ताव सम्मत करण्यात आलेला असल्याने उपरोक्त (व) अंतर्गत प्रसृत करण्यात आलेली माहिती विचारात घेऊन, त्या माहितीशी संबंधित मुळ कागदपत्रे लक्षात घेऊन सर्व संबंधितांनी आपली जबाबदारी पार पाडावी **असाही निर्णय घेण्यात आला.**

विषय क्रमांक ४४९ :

वेतन वेळेवर व नियमित अदा करण्यासाठी कोअर बँकिंग प्रणाली लागू करणे

प्रा.विवेक रा. विश्वरूपे यांनी सभागृहाच्या परवानगीने पुढील प्रस्ताव मागे घेतला. :

महाराष्ट्र सरकारने महाराष्ट्रातील अनुदानित अशासकीय महाविद्यालयातील शिक्षक आणि शिक्षकेत्तर कर्मचाऱ्यांचे वेतन वेळेवर व नियमितपणे अदा करण्यासाठी कोअर बँकिंग प्रणाली लागू करण्यासाठी त्वरीत आवश्यक कार्यवाही करावी असा ठराव ही सभा करित आहे.

विषय क्रमांक : ४५०

गणसंख्या :

नुटाच्या घटनेतील खंड ५ मध्ये असलेल्या तरतुदीनुसार गणसंख्येच्या अभावी सुरुवातीला सभा अर्धा तासासाठी तहकूब करण्यात आली होती, ही बाब कार्यवृत्तामध्ये नोंदविण्यात येत आहे, असे अध्यक्षानी जाहीर केले.

विषय क्रमांक : ४५१

सभा व्यवस्थेबद्दल आभार :

कार्यकारी मंडळाच्या वतीने अध्यक्षांनी महाविद्यालयाचे प्राचार्य व स्थानिक शाखेच्या इतर प्राध्यापकांनी, जिल्हा नुटाचे अध्यक्ष, सचिव व सदस्य यांनी, ही सभा यशस्वी करण्यासाठी घेतलेल्या परिश्रमाबद्दल आणि दिलेल्या सहकार्याबद्दल त्यांचे मनःपूर्वक आभार मानले. शेवटी सर्व उपस्थित सदस्यांचे आभार मानून सभा संपली असे अध्यक्षांनी जाहीर केले.

स्वा / बी.टी.देशमुख
अध्यक्ष

स्वा / एकनाथ कठाळे
सचिव

No.CIM/ 23 :

: Dated 2nd July 2007

CORRECTION
in the copy of the Minutes
of the General Body Meeting of NUTA

Copy of the Minutes of the General Body Meeting of NAGPUR UNIVERSITY TEACHERS' ASSOCIATION held at 12.00 noon on Sunday, the 20th May 2007 at Smt. L.R.T. College of Commerce, Ratanlal Plot, AKOLA is circulated in this NUTA Bulletin.

If you propose to suggest any correction to the Minutes, it may be pointed out to the Secretary (Prof.E.H.Kathale, Secretary, NUTA, N-162, Reshim Bagh, Nagpur-440 009.) by letter within 10 days from the date of posting of this Bulletin.

It will not be possible for the corrections received after the due date to be included in the List of corrections for consideration.

Please send one copy of your letter to Prof. B.T.Deshmukh, President NUTA, 3, Subodh Colony, Near Vidarbha Mahavidyalaya, Amravati. 444 604.

Dr. E.H. Kathale
Secretary, NUTA

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR
WRIT PETITION NO, 973 OF 2007**

(Office Notes, Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders. : Court's or Judge's orders)

**CORAM : A.B,CHAUDHARI, J.
DATE : MAY 25, 2007.**

Heard Mr, Anil Mardikar, Adv. for the Petitioner and Mr. J.B.Kasat, Adv. for the Respondent.

Mr, Anil Mardikar, Adv. for the Petitioner submits that the petitioner was placed under suspension on 9.6.2006 and eventually, the suspension continued till the petitioner attained the age of superannuation, Mr. J.B.Kasat, Adv. does not dispute this position. It is then submitted that the appeal under Rule 49 (2) (a) of the Maharashtra Non-Agricultural Universities and Affiliated College Standard Code (Terms and Conditions of Service of non-teaching employees) Rules, 1984 was preferred by the petitioner to the Management Council against the order of suspension which was made by the Vice Chancellor. Before that appeal could be heard, the issue was referred to the Grievances Committee calling for recommendation. **The Grievances Committee after making enquiry made recommendations that the petitioner was not required to be placed under suspension, particularly when there were no charges of either misappropriation or immoral conduct. The service record of the petitioner has been excellent throughout and therefore, the Grievance Committee recommended for reversal of the suspension order.** The matter then went before the

Management Council. The Council then heard the appeal finally and in terms accepted the recommendations made by the Grievances Committee and further looking to the excellent record of the petitioner the Management Council also allowed the appeal and directed that the suspension shall be revoked. This order was made by the Management Council on 29.9.2006.

Further grievance is made by the petitioner that despite allowing of the afore-said appeal, the Vice Chancellor did not implement the said order and as a result, the petitioner had to retire upon attaining the age of superannuation.

Mr.J.B.Kasat, Adv. for the respondent vehemently opposed the submissions made by Mr. Mardikar, Adv. for the Petitioner.

Mr. J.B.Kasat, Adv. for the respondent submitted that under Rule 12 (3)(d) the Vice Chancellor was justified in holding that the resolution proposed could not be placed before the Management Council. Rule 12 (3) (d) read thus :

"12 (3) : A resolution to be admissible

(d) shall not refer to any matter of fact, on which a judicial decision is pending or to a matter pending before any Statutory Tribunal or Statutory Authority performing any judicial or quasi-judicial function, or any Commission or Court of Enquiry or any authority appointed to enquire into or investigate a matter concerning the University. "

Mr. J.B. Kasat, Adv. then submitted that the proceedings of the departmental enquiry being in progress, said clause (d) is clearly attracted and therefore, the Vice Chancellor was justified in disallowing the resolution. He then submitted that since the resolution, was disallowed, the Management Council was not justified in interfering in the appeal since there was no legal sanctity to the resolution that was proposed by the Management Council.

Having heard the learned counsel for the respective parties and having given my anxious thought, I am of the opinion that Rule 12 (3) (d) has absolutely no application in the present case. The departmental enquiry has neither any judicial or quasi-judicial characteristic. Said provision is made in the event the proceedings of judicial nature or quasi-judicial nature are pending before the Statutory Tribunal or Statutory Authority, any Commission or Court of Enquiry. The purpose is obvious that there should be no conflicting orders or decisions by the Management Council in spite of the matters being subjudice before the judicial or quasi-judicial authority or any Commission or Court of enquiry. In my opinion, therefore, the argument advanced by Mr. Kasat Adv. for the respondent is unsustainable. **Consequently, the submission that the proposed resolution that was placed before the Management Council as a Appellate Authority having no legal sanctity is rejected.**

Having seen the impugned orders and the proceedings of the Management Council, **prima facie I find that the Vice Chancellor has undermined the Authority of Management Council, which is a Appellate Authority over the order of Vice-Chancellor. When the Appellate Authority is created under a Statute over the decisions of Vice Chancellor, it is not expected of the Vice Chancellor to undermine the authority of the higher Authority as that will be destructive of the rule of**

**IN THE HIGH COURT OF JUDICATURE
AT BOMBAY : NAGPUR BENCH,
NAGPUR**

WRIT PETITION NO, 973 OF 2007

Prayer: It is therefore, most humbly and respectfully prayed that this Hon. Court may be pleased to issue a writ mandamus or\ any other suitable writ order or direction and further may be pleased to:

(1) Hold and declare that the action of respondent in refusing to implement the recommendation / order dated 29.9.2006 of Management Council, S.G.B. Amravati University, Amravati to be arbitrary and illegal.

(2) Quash and set aside communication / order dated 30.9.2006 of the respondent being arbitrary, illegal and without jurisdiction.

(3) Direct respondent to pay the petitioner all the monetary benefits to which the petitioner is entitled treating the suspension of the petitioner to have been revoked on 29.9.2006 in view of decision of the management council S.G.B. Amravati University, Amravati in its meeting dated 29.9.2006 on the appeal of the petitioner.

(4) By way of ad-interim relief, direct respondent to pay all the monetary dues to the petitioner pending disposal of the petition however, without prejudice to his right to retire as Registrar, in case his earlier Writ Petition No. 2648 / 2006 is allowed and get all monetary benefits accordingly,

(5) Grant any other relief as may be deemed fit in the interest of justice.

Nagpur : Date : 15.01.2007

CHANCELLOR

Raj Bhavan, Mumbai 400 035

CS/AU/37/05/(6300)/2045

30 June 2007

ORDER

Subject : Regarding co-option of Prof. R. Chittaranjan as an "Evaluation Expert" on the Board of Examinations, S.G.B. Amravati University.

I had received a petition dated 15 December 2005 under Section 9(3) and (4) of the Maharashtra Universities Act, 1994 (hereinafter referred as the "Act") from Prof. Dr. Mohammed Samiullah, Dean, Faculty of Arts, S.G.B. Amravati University (hereinafter referred as the "University") and two other Deans challenging the Order dated 8 December 2005 co-opting Prof. R. Chittaranjan as an "Evaluation Expert" on the Board of Examinations (hereinafter referred as "Board") under Section 31(3) (h) of the Act on behalf of the Board under Section 32(4) of the Act, on the grounds that –

i) the action to be taken in emergency under Section 32(4) of the Act by the Chairman of the Board i.e. Vice Chancellor or any person authorised by him is only to ensure proper organisation of examination and tests of the University and not to appoint persons of his /her choice on the Board.

ii) the Vice Chancellor had postponed the meeting of the Board scheduled to be held on 8 December 2005 without assigning any reason obviously with oblique move to co-opt a person of her choice on the Board.

iii) there was no emergency necessitating the co-option of a member by exercising extra ordinary powers conferred under Section 32(4) of the Act.

2. I had also received another petition dated 24 December 2005 from Shri Umesh Rathi and three Others

law. It was not proper on the part of the Vice Chancellor to have not implemented the decision of the Management Council dated 29 th September 2006.

In my opinion, the Vice Chancellor should not have taken recourse to writing letter to the Petitioner saying that she did not agree with the decision of the appellate Authority. If the Vice-Chancellor was aggrieved by the decision of the Council, she could have taken recourse to available remedies. That apart, the petitioner has made out a strong prima facie case and since he has retired from service, I do not find any reason to decline to grant interim relief.

In view of this, the interim relief in terms of prayer clause (3) and (4) is granted.

The respondent is directed to comply with the above-mentioned ad-interim, order within a period of four weeks from today.

Place the matter for admission on 9.7.2007.

Copy of this order be supplied to the learned counsel for the parties on payment of usual copying charges.

Sd/-

JUDGE

Under Section 9(3) and (4) of the Act challenging the co-option of Prof. Chittaranjan on the said grounds.

3. I called for a report from the Vice Chancellor of the University, in the matter. The Vice Chancellor had submitted report vide her letters dated 20 January 2006, 1 February 2006, 13 and 15 April 2006. The facts in brief, as reported by the Vice Chancellor are as follows –

i) The University vide Notification dated 7 December 2005 had notified that the Board is constituted as per provisions of Section 31(3) of the Act. The Board had a vacancy of co-opted member viz. Evaluation Expert. On the same day, emergency meeting, of the Board was convened on 8 December 2005 to transact the following two items.

a) Item No. 61 Order of Hon'ble High Court Bench at Nagpur in W.P. No. 4560 of 2005.

b) Item No. 62 Co-option of an "Evaluation Expert" on the Board.

ii) However being a Chairperson of the Board, the Vice Chancellor postponed the meeting of the Board on the morning of the 8 December 2005 on the ground that one member of the Board brought the following facts to her notice pointing out the illegality of the meeting.

a) Notification dated 7 December 2006 constituting the Board was not proper as one "Evaluation Expert" was still to be co-opted on the Board.

b) Item of co-option should have been first i.e. Item No. 61 and not Item No. 62.

c) Members were not been given sufficient time to go through the Agenda Notes of the meeting.

d) It was not proper to give reconsideration to the matter remanded by the Hon'ble High Court as the appeal of the University was pending before the Hon'ble Supreme Court.

e) The Vice Chancellor is violating the ruling given by the Ex-Vice Chancellor in the meeting of the Academic Council held on 29 December 2000 then it was resolved that only item on the agenda in respect of co-option of one teacher representing each Faculty be taken for consideration in that day's meeting.

iii) In the postponement letter, reasons were not given for postponing the meeting.

iv) Considering the emergency of constituting the Board and necessity of co-opting an "Evaluation Expert" on the Board under Section 31(3) (h) of the Act to reconsider the matter remanded by the Hon'ble High Court, the Vice Chancellor had co-opted Prof. R. Chittaranjan as an "Evaluation Expert" on the Board under 31(3) (h) of the Act, by exercising powers vested in her as a Chairperson of the Board under Section 32(4) of the Act.

v) As required under Section 32(4) of the Act, the action of the Vice Chancellor to co-opt Prof. R. Chittaranjan as an "Evaluation Expert" was reported to the Board in its meeting held on 23 January 2006. In the meeting, amongst fourteen members present, six members recorded their dissent against his co-option. While two members recorded their dissent note on the dissent of the said six members.

4. Under Section 31(3) (h) of the Act, an "Evaluation Expert" is to be co-opted on the Board by the Board itself.

5. Under Section 32(4) of the Act, in case of emergency requiring immediate action to be taken, the Chairman of the Board or any other officer or person authorised by him in that behalf shall take such action as he thinks fit and necessary, and shall report at the next meeting of the Board the action taken by him.

6. After scrutiny of the facts on record submitted by the University and provisions in the Act, I had found that no satisfactory reasons were given for postponing the meeting. Similarly the emergency power of Chairman of the Board or any officer or person authorised by him in that behalf under Section 32(4) of the Act, cannot be said to include a power to co-opt a member.

7. I had therefore in exercise of powers conferred upon me under Section 108 of the Act, issued Show Cause Notices to the Vice Chancellor of the University and Prof. R. Chittaranjan, to explain within fifteen days of the receipt of Notices, why the co-option of Prof. Chittaranjan should not be aside.

8. Both the Vice Chancellor and Prof. Chittaranjan vide letters dated 23 November 2006 submitted their replies. The Vice Chancellor also submitted a petition/appeal to invoke Section 9(4) of the Act.

The Vice Chancellor in her reply has mainly stated that,-

i) Being a new Vice Chancellor she depended on the trust and confidence of the Officers. However, they, especially Dr. Narkhede the then Registrar misled her for committing illegalities by providing insufficient information.

ii) Even though the subject of the High Court's Order in the matter of Dr. Santosh Thakare was discussed everyday, she was not informed of the emergent need to constitute the Board and the need to consider the Hon'ble High Court Order. She was also informed about the nominations made by Dr. V.S. Jamode, the then Acting Vice Chancellor on the Board under Section 14(7) of the Act.

iii) The University Counsel advised that the emergent meeting of the Board should be convened immediately not only to consider the Order of the Hon'ble High Court but also to co-opt the "Evaluation Expert". Accordingly Notice was sent on 7 December 2005 with the Agenda. In the Agenda, the item of co-option was second (Item No. 62) instead of first (Item No. 61), which was against the advice of University Counsel and violation of original Statute 45. This lapse was committed by the Controller of Examinations intentionally, in collusion with then the Registrar Dr. Narkhede.

iv) To strengthen NUTA group, Dr. Jamode, the then Acting Vice Chancellor probably on 17 October 2005, hardly three days before her joining, finalised nominations of Prof. Anil Somavanshi, Principal Hotey and Prof. Praveen Raghuvanshi on the Board under Section 14(7) of the Act and necessary Notifications were published with backdate viz 14 October 2005 but actually dispatched on 24 October 2005 in a secret and stealthy manner. The said notifications were sent to the nominees on 7 December 2005 along with the Notice of the meeting and the Agenda. She did not understand why Dr. Narkhede kept her in dark about the vacancy of "Evaluation Expert" and achieved two goals: one acquiring sanction to three dubious nominations; second placed her in an illegal position for convening the meeting of the Board.

v) She was not aware of strained relations of Prof. Chittaranjan with NUTA and Prof. B.T. Deshmukh. When she mentioned his name for co-option, the Registrar Dr. Narkhede and the Controller of Examinations did not say anything to her but they must have thought that his co-option would tilt the balance against the NUTA group in the Board.

vi) There is no mandatory provision that postponed or cancelled meeting notice should be accompanied with reasons. The complainants did not ask her the reasons for postponement but they approached the Chancellor. It was unavoidable necessity due to the

Hon'ble High Court's Order and the meeting convened was torpedoed by the top officers by issuing the notifications and items on the agenda in a reverse and irregular order. Short Notice given for the meeting with its reversed agenda was also objected by the members.

vii) While taking decision to co-opt Prof. Chittaranjan, she had an alternative between Section 14(7) and 32(4) of the Act. She also compared the advice given vis-a-vis the need for such nomination. Then, she was convinced that she should the Section 32(4) of the Act.

viii) She was given to understand that emergent power could be exercised for nominations and co-options. As such, she did not make any complaint against Dr. Jamode, for his action to nominate Prin. Hotey and Prof. P.B. Raghuvanshi on the Board by exercising the emergent power in Section 14(7) of the Act. The nominations made by Dr. Jamode need to be considered by the Chancellor's office and decided whether they are legal or not, even there is no complaint.

ix) She feels that Section 14(7) of the Act may be more appropriate to co-opt a person on the Board. Therefore she has filed a separate petition/appeal under Section 9(4) of the Act for the consideration of the Chancellor.

x) If the technical error is unpardonable, the same can be resolved by obtaining the resignation, of Prof. Chittaranjan to maintain the status and prestige of the Vice Chancellor.

9. In her petition/appeal, the Vice Chancellor has stated that the above emergencies, led her to co-opt Prof. Chittaranjan. There can be no doubt in the minds of the complainants about merit and mettle of Prof. Chittaranjan to be an "Evaluation Expert". There is no bar for the Vice Chancellor to exercise the powers under Section 14(7) of the Act for making nominations. The complainants have no objections to the nominations made by Dr. Jamode under Section 14 (7) of the Act, as it appears that the nominations were correct and justified from their point of view. In view of this, the Vice Chancellor has requested me to permit to her rectify the mention of Section 32(4) by substituting the same with Section 14(7) of the Act. After rectification, such a decision can again be placed before the Board for its consideration. The Vice Chancellor has therefore appealed to me to invoke my powers under Section 9(4) of the Act, to allow her the aforesaid modification of the action taken which according to her would strictly follow and confirm with the Act, Statutes and the procedure of University.

10. In his reply, Prof. Chittaranjan has mainly stated that,

i) Dr. Kamal Singh, Vice Chancellor yearns to elevate the University towards great academic heights. She herself being disciplined person expects the same from all.

ii) Most of the officers had their allegiance to some outside and Centre of the University. Dr. Narkhede is helping other camp and the said group is collecting all such items and incidents only to put the Vice Chancellor into difficulty by preparing a file against her and place the same before the Government and the Chancellor.

iii) By demanding to quash his co-option, are not complainants revealing their "oblique move" to co-opt somebody else of their choice. Some of complainants may be called to explain what is the real meaning of "oblique move" and every word of their complaints and to ask them to answer some intricate questions regarding the legalities involved therein.

iv) As per Section 32(4) of the Act, the Chairman decides whether there is any emergency existed or not, and reports the matter to the Board and if the Board is satisfied, he thinks it is final. However, the Chancellor is

the fittest and wisest judge to decide whether there was emergency or not.

v) Placing of matter regarding co-option under section 32(4) of the Act was only for the reporting. However as six members wanted to debate, they submitted a dissent note. Two members asserted that item is to report and therefore it cannot be discussed/debated and on this point they recorded their dissent.

vi) Three nominations on the Board, made by Dr. Jamode under Section 14(7) of the Act, also need to be set aside. The detailed report may be called regarding these nominations and after study cancel all the four nominations (three made by Dr. Jamode and one by Dr. Kamal Singh).

vii) He is also Chancellor's nominee on the Senate. As such if his co-option is set aside, the Chancellor will also have to terminate his nomination on the Senate or he will have to resign from Senate on moral grounds. He is ready to tender his resignation to save the image of the Vice Chancellor and also to protect her from any possible strictures.

viii) The Chancellor may decide to amend the Vice Chancellor's action taken under section 32(4) to Section 14(7) as the Chancellor is empowered under Section 9(4) of the Act to amend any order made by any officer.

11. Both the Vice Chancellor and Prof. Chittaranjan had requested for personal hearing. I gave them the opportunity of personal hearing, in addition to their written submissions in reply to the Show Cause Notice. I had also called all the seven petitioners for personal hearing. Accordingly the Vice Chancellor, Prof. Chittaranjan, and four petitioners viz. Prof. M.C. Hate, Dr. D.S. Dhote, Shri S.H. Meshram and Shri V.R. Thakare had appeared before me on 18 May 2007 to put forth their arguments personally.

12. During the hearing, Dr. D.S. Dhote spoke on behalf all the petitioners' present and they submitted their written submissions to the Chancellor. They reiterated what they have stated earlier in writing. They requested to allow their appeal and set aside the co-option of Prof. Chittaranjan.

13. During the hearing, Prof. Chittaranjan submitted that his role in his co-option is minimum. He would like to ask the petitioners what is the grudge they are having against him. He further submitted that Section 32(4) of the Act is clear. When the Vice Chancellor feels an emergency he/she can act but condition is that the matter will have to be reported to the Board. Accordingly the Board has approved his co-option. He also submitted that it is for the Chancellor to decide whether Section 32(4) of the Act can be invoked for the co-option or not.

14. During the hearing Dr. Kamal Singh, Vice Chancellor of the University submitted oral as well written submissions. She also submitted another letter on 19 May 2007. She reiterated what she had stated earlier in writing. The Vice Chancellor submitted that the matter of Dr. Santosh Thakare was to be heard on 8 December 2005. Therefore Dr. Thakare on 2005 telephonically informed her that the Court would discuss the question of "Stay" asked by the University. He therefore suggested to postpone or cancel the meeting of the Board scheduled to be held on the next day i.e 8 December 2005. Alongwith other considerations, this point weighed on her to cancel the scheduled meeting. She further submitted that it was the season of examinations and the presence of "Evaluation Expert" in the Board was essential. His role in the Board is vital because he advises the Vice Chancellor and the Controller of Examinations on all matters and issues related to the valuations, assessment or moderation. The Dean and members deal with the matters related to their respective faculties, but the "Evaluation Expert" is there

to guide to solve the problems of all the faculties. So there was an urgent need for "Evaluation Expert" and hence she decided to make the said co-option even after the cancellation of the meeting. She also submitted that emergent power is conferred in Section 32(4) of the Act for dealing with the emergent situations relating to the Board. It suggests that the law makers have visualised the general power conferred on the Vice Chancellor to deal with the emergent situation in Section 14(7) of the Act would not be applicable for the matters related to the Board. Therefore the Section 32 appears in the Act and she was therefore convinced that this section was more appropriate for the matters relating to the Board. She had also submitted that these complainants from NUTA are not really concerned with the exercise of Section 32(4) of the Act. They are only against Prof. Chittaranjan, as he does not belong to the NUTA. They have not objected to the nominations of Dr. A.G. Somavanshi, Principal S.B. Hote and Dr. Praveen Raghuvanshi on the Board made by Dr. V.S. Jamode, the then Acting Vice Chancellor by exercising power under Section 14(7) of the Act because the nominated persons belong to NUTA.

15. I have carefully considered the written as well as oral submissions of the petitioners, Prof. Chittaranjan and Dr. Kamal Singh, Vice Chancellor of the University and also her petition under Section 9(4) of the Act in the light of the facts on record and after obtaining clarifications on the legal issues raised by both the sides, I have now come to the following conclusions:-

i) Section 32(3) of the Act lays down powers and duties of the Board and Section 32(4) of the Act has to be read in the light of powers and duties contained in Section 32(3) of the Act. Similarly the emergency power of Chairman of the Board or any officer or person authorised by him in that behalf under Section 32(4) of the Act cannot said to include a power to co-opt a member on the Board. Thus to read the powers to co-opt as an "emergency power" is not proper. Therefore there is no merit in the contentions of Prof. Chittaranjan and Dr. Kamal Singh, Vice Chancellor about the interpretation of Section 32(4) of the Act. Co-option of Prof. Chittranjan was therefore not valid under Section 32(4) of the Act.

ii) Similarly the emergency power under Section 14(7) of the Act cannot said to include a power to co-opt or nominate a member on the Board. Therefore, appeal of the Vice Chancellor under Section 9(4) of the Act, to invoke the powers of the Chancellor under Section 9(4) of the Act to substitute Section 32(4) by Section 14(7) of the Act is not acceptable.

16. I S.M. Krishna, Chancellor of the Sant Gadge Baba Amravati University, therefore in exercise of powers conferred upon me under Section 9(4) of the Maharashtra Universities Act, 1994-

i) declare the co-option of Prof. Chittaranjan on the Board of Examinations under Section 32(4) of the Act as invalid.

ii) set aside the University's Order No. 214/2005 dated 8 December 2005.

iii) reject the petition/appeal dated 23 November 2006 of Dr. Kamal Singh, Vice Chancellor to modify the University's Order dated 8 December 2005.

(S.M. Krishna)
Chancellor

Sant Gadge Baba Amravati University.

NATIONAL KNOWLEDGE COMMISSION

NOTE ON HIGHER EDUCATION

INTRODUCTION

The spread of education in society is at the foundation of success in countries that are latecomers to development. In the quest for development, primary education is absolutely essential because it creates the base. But higher education is just as important, for it provides the cutting edge. And universities are the life-blood of higher education. Islands of excellence in professional education, such as IITs and IIMs, are valuable complements but cannot be substitutes for universities which provide educational opportunities for people at large.

There can be no doubt that higher education has made a significant contribution to economic development, social progress and political democracy in independent India. It is a source of dynamism for the economy. It has created social opportunities for people. It has fostered the vibrant democracy in our polity. It has provided a beginning for the creation of a knowledge society. But it would be a mistake to focus on its strengths alone. It has weaknesses that are a cause for serious concern.

There is, in fact, a quiet crisis in higher education in India that runs deep. It is not yet discernible simply because there are pockets of excellence, an enormous reservoir of talented young people and an intense competition in the admissions process. And, in some important spheres, we continue to reap the benefits of what was sown in higher education 50 years ago by the founding fathers of the Republic. The reality is that we have miles to go. The proportion of our population, in the age group 18-24, that enters the world of higher education is around 7 per cent, which is only one-half the average for Asia. The opportunities for higher education, in terms of the number of places in universities, are simply not enough in relation to our needs. What is more, the quality of higher education in most of our universities requires substantial improvement.

It is clear that the system of higher education in India faces serious challenges. And it needs a systematic overhaul, so that we can educate much larger numbers without diluting academic standards. This is imperative because the transformation of economy and society in the twenty-first century would depend, in significant part, on the spread and the quality of education among our people, particularly in the sphere of higher education. It is only an inclusive society that can provide the foundations for a knowledge society.

The challenges that confront higher education in India are clear. **It needs a massive expansion of opportunities for higher education, to 1500 universities nationwide, that would enable India to attain a gross enrolment ratio of at least 15 per cent by 2015.** It is just as important to raise the average quality of higher education in every sphere. At the same time, it is essential to create institutions that are exemplars of excellence at par with the best in the world. In the pursuit of these objectives, providing people with access to higher education in a socially inclusive manner is imperative. The realization of these objectives, combined with access, would not only develop the skills and capabilities we need for the economy but would also help transform India into a knowledge economy

and society.

We recognize that a meaningful reform of the higher education system, with a long-term perspective is both complex and difficult. Yet, it is imperative. And we would suggest the following building blocks in this endeavour. First, **it is essential to reform existing public universities and undergraduate colleges.** Second, it is necessary to overhaul the entire regulatory structure governing higher education. Third, every possible source of financing investment in higher education needs to be explored. Fourth, it is important to think about pro-active strategies for enhancement of quality in higher education. Fifth, the time has come to create new institutions in the form of National Universities that would become role models as centres of academic excellence. Sixth, the higher education system must be so designed that it provides access to marginalized and excluded groups.

I. UNIVERSITIES

Universities perform a critical role in an economy and society. They create knowledge. They impart knowledge. And they disseminate knowledge. Universities must be flexible, innovative and creative. They must be able to attract the best talent whether teachers or students. They must have the ability to compete and the motivation to excel. We cannot even contemplate a transformation of our higher education system without reform in our existing universities.

There is, however, a serious cause for concern about universities in India. The number of places for students at universities is simply inadequate. The quality of education at most universities leaves much to be desired. The gap between our universities and those in the outside world has widened. And none of our universities rank among the best, say the top fifty, in the world. The symptoms are clearly visible, even if we do not wish to diagnose what ails our universities. Of course, every problem does not exist everywhere. And there are exceptions. But the following problems are common enough to be a cause for concern. First, curricula, which have remained almost unchanged for decades, have not kept pace with the times, let alone with the extending frontiers of knowledge. Second, learning and creativity are at a discount in a system of assessment that places a premium on memory rather than understanding. Third, the milieu is not conducive to anything beyond the class room, for it is caught in a 9.30 to 1.30 syndrome. Fourth, the academic calendar is no longer sacrosanct for classes or for examinations, as there are slippages in schedules so much so that, at several places, classes in the timetable are not held and results are often declared with a time-lag of 6 to 12 months. Fifth, the infrastructure is not only inadequate but also on the verge of collapse. Sixth, the boundaries between disciplines have become dividing walls that constitute barriers to entry for new disciplines or new courses, while knowledge is developing most rapidly at the intersection of disciplines. Seventh, the importance attached to research has eroded steadily over time. Eighth, the volume of research in terms of frequency of publication and the quality of research reflected in the frequency of citation or the place of publi-

cation, on balance, is simply not what it used to be. Ninth, as in most public institutions, there is little accountability, because there are no rewards for performance and no penalties for non-performance. Tenth, structures of governance put in place fifty years ago are not responsive to changing times and circumstances but the system is readily subverted by vested interests.

It is difficult enough to provide a complete diagnosis of what ails our universities. It is even more difficult, if not impossible, to outline a set of prescriptions for our universities. Nevertheless, it is clear that a reform of existing institutions must be an integral part of our endeavour to transform higher education. We recognize that this is easier said than done. Even so, we believe that reforms in the following spheres, along the lines suggested by us, are not only possible but would also make a difference.

Number and Size : India has about 350 universities. This number is simply not enough with reference to our needs in higher education, or in comparison with China which has authorized the creation of 1250 new universities in the last three years. Yet, some of our universities are much too large, for ensuring academic standards and providing good governance. We need to create more appropriately scaled and more nimble universities. The moral of the story is not only that we need a much larger number of universities, say 1500 nationwide by 2015, but also that we need smaller universities which are responsive to change and easier to manage.

Curriculum : The syllabi of courses in universities, which remain unchanged for decades, need to be upgraded constantly and revised frequently. The laws of inertia reinforced by resistance to change must be overcome. Universities should be required to revise or restructure curricula at least once in three years. These revisions must be subjected to outside peer review before implementation. The process for such revisions should be streamlined and decentralized, with more autonomy for teachers, through a change in statutes wherever necessary. For existing systems often act as major impediments to a timely or speedy revision of curricula. There should be some mode of censure for departments or universities that do not upgrade their courses regularly. It needs to be recognised that it is very difficult to introduce new courses or innovative courses in universities because of departmental divides. Appropriate institutional mechanisms should be put in place to resolve this problem.

Assessment : The nature of annual examinations at universities in India often stifles the teaching-learning process because they reward selective and uncritical learning. There is an acute need to reform this examination system so that it tests understanding rather than memory. Analytical abilities and creative thinking should be at a premium. Learning by rote should be at a discount. Such reform would become more feasible with decentralized examination and smaller universities. But assessment cannot and should not be based on examinations alone. There is a clear need for continuous internal assessment which empowers teachers and students alike, just as it breathes life back into the teaching-learning process. Such internal assessment would also foster the analytical and creative abilities of students which are often a casualty in university-administered annual examinations. To begin with, internal assessment could have a weight of 25 percent in the total but this should be raised to 50 percent over time.

Course Credits : The present system is characterised by too many rigidities and too few choices for students. Universities that are smaller, or run semester-based systems, are obviously more flexible. Even in large universities, however, it is necessary to introduce greater diversity

and more flexibility in course structures. This would be the beginning of a transition to a course credit system, where degrees are granted on the basis of completing a requisite number of credits from different courses. Every student should be required to earn a minimum number of credits in his/ her chosen discipline but should have the freedom to earn the rest from courses in other disciplines. It is essential to provide students with choices instead of keeping them captive.

Research : We attempted to create stand-alone research institutions, pampered with resources, in the belief that research should be moved out of universities. In the process, we forgot an essential principle. There are synergies between teaching and research that enrich each other. And it is universities which are the natural home for research. What is more, for universities, research is essential in the pursuit of academic excellence. It is time to reverse what happened in the past and make universities the hub of research once again. This would need changes in resource-allocation, reward-systems and mindsets. Substantial grants should be allocated for research. The provisions of these grants should be competitive and the criteria for these grants should be different from the usual criteria for non-plan and plan grants.

Faculty : There must be a conscious effort to attract and retain talented faculty members. This is necessary because talented students who are potential faculty members have choices that are far more attractive in other professions in India or in the academic profession outside India. It is necessary to provide working conditions in the form of office space and research support combined with housing. But it may not be sufficient. This must be combined with some incentives and rewards for performance. There is, however, another dimension to the problem. Universities do not always choose the best in part because of native-son/daughter policies which leave them to select their own former students. This tends to lower quality and foster parochialisation in universities. Therefore, cross-pollination between universities should be encouraged. It may be worth introducing a ceiling, say one-half or even one-third, on the proportion of faculty members than can be hired from within the university. This would almost certainly engender greater competition and more transparency in faculty appointments.

Finances : There is a serious resource crunch in universities which leaves them with little financial flexibility. In general, about 75 per cent of maintenance expenditure is on salaries and pensions. Of the remaining 25 per cent, at least 15 per cent is absorbed by pre-emptive claims such as rents, electricity, telephones and examinations. The balance, less than 10 per cent, is not even enough for maintenance let alone development. Laboratories and libraries languish while buildings crumble. But that is not all. In most universities, plan (investment) expenditure is less than 5 per cent of non-plan (maintenance) expenditure. Such a small proportion of investment in total expenditure can only mortgage the future. It is doing so. The time has come for some strategic thinking on the re-allocation of budgets for universities with some allocation for development grants and on needs other than salaries. The criteria for resource allocation should seek to strike a much better balance between providing for salaries/ pensions and providing for maintenance/ development/ investment. These criteria should recognise the importance of a critical minimum to ensure standards and strategic preferences to promote excellence.

Infrastructure : The elements of infrastructure that support the teaching-learning process, most directly, need to be monitored and upgraded on a regular basis. This means particular attention to libraries and laboratories,

in addition to class rooms, sports facilities and auditoriums. It is imperative that universities provide broadband and connectivity to all students and teachers in campuses. In parallel, information technology systems should be used for admissions, administration and examinations along with other relevant web services for campus communities. And, as soon as possible, a digital infrastructure for networking universities should be put in place.

Governance : There is an acute need for reform in the structures of governance of universities. The present system is flawed. On the one hand, it does not preserve autonomy. On the other, it does not promote accountability.

IN THE SUPREME COURT OF INDIA

Civil Appellate Jurisdiction : Review Petition (c) No.
251 of 2007 IN
SLP (C) No. 18832 of 2006
State of Maharashtra & ANR. *Petitioners*
Versus
Shivaji Eknathrao Jagtap &Ors. *Respondents*
with
Review petition (C) No. 75 of 2007 in
SLP (C) No. 18833 of 2006

ORDER

Delay condoned.

We have carefully gone through the Review Petitions and the connected records. We do not find any merit therein. The Review petitions are, accordingly, dismissed.

Dr.AR LakshmananJ Altamas KabirJ
New Delhi, March 15, 2007

Chamber Matter

SUPREME COURT OF INDIA

Record of Proceedings
Review petition (C) No(s). 251 of 2007 in SLP (C) No.
18832/2006
State of Maharashtra & ANR. *Petitioner(s)*
Versus
Shivaji Eknathrao Jagtap &Ors. *Respondent(s)*

With appln(s) for c/delay in filing review petition, stay, oral hearing, exemption from filing O.T. and office report) with W.P.(C) No. 75/2007 in SLP (C) No. 18833/2006, With appln(s) for oral hearing, interim stay, c/delay in filing review petition, exemption from filing O.T. and office report)

Date : 15.3.2007

These petitions were listed in Chambers today.

Coram :

Hon'ble Dr., Justice AR. Lakshmanan, Hon'ble Mr.
Justice Altamas Kabir

By Circulation, Upon perusing the papers the Court made the following

ORDER

Delay condoned.

Review petitions are dismissed.

(Phoolan wati Arora) (Satish K. Yadav) Court Master
(Signed order is placed on the file)

LIBRARIANS AND DPE'S

ग्रंथपाल व शारीरिक शिक्षण संचालक यांचे म्हणणे ऐकून न घेता, राज्यशासनाच्या उपसचिवाने काढलेल्या ६.१.१९९० च्या आदेशाला, अवर सचिवाच्या ३१.१०.२००२ च्या आदेशाला व डेस्क ऑफिसरच्या २५.११.२००४ च्या आदेशाला मा. सर्वोच्च न्यायालयाने, एकतर्फी स्थगनादेश द्यावा म्हणून राज्य शासनाची सर्वोच्च न्यायालयात याचिका.

(For More Details see page 51 of 2006 NUTA Bulletin)

The autonomy of universities is eroded by interventions from governments and intrusions from political processes. This must be stopped. At the same time, there is not enough transparency and accountability in universities. This must be fostered. It is exceedingly difficult to provide generalized prescriptions. Some steps, which would constitute an important beginning, are clear. First, the appointments of Vice-Chancellors should be based on search processes and peer judgment alone. These must be freed from direct or indirect intervention on the part of governments. Once appointed, Vice Chancellors should have a tenure of six years, because the existing tenure of three years in most universities and five years in central universities is not long enough. Second, the size and composition of University Courts, Academic Councils, and Executive Councils slows down decision-making processes and sometimes constitutes an impediment to change. University Courts, with a size of 500 plus, which are more a ritual than substance, could be dispensed with. Large Academic Councils do not meet often. Even when they meet, decisions are slow to come. Thus, Standing Committees of Academic Councils, which are representative, should be created for frequent meetings and expeditious decisions. The Vice-Chancellor should, then, function as a Chief Executive Officer who has the authority and the flexibility to govern with the advice and consent of the Executive Council which would provide checks and balances to create accountability. Third, experience suggests that implicit politicisation has made governance of universities exceedingly difficult and much more susceptible to entirely non-academic interventions from outside. This problem needs to be recognised

and addressed in a systematic manner not only within universities but also outside, particularly in governments, legislatures and political parties.

II. UNDERGRADUATE COLLEGES

Undergraduate education, which accounts for about 85 percent of the enrolled students, is the largest component of our higher education system. It is imparted through colleges where students enrol for first degrees in Arts, Science or Commerce. There are a total of about 17,700 undergraduate colleges. Of these, a mere 200 colleges are autonomous. The rest, as many as 17,500 colleges, are affiliated to, or constituent in, 131 universities. On average, each university has more than 100 affiliated colleges, but there are some universities each of which has more than 400 affiliated colleges.

This system of affiliated colleges for undergraduate education, which may have been appropriate fifty years ago, is neither adequate nor appropriate at this juncture, let alone for the future. It is cumbersome to manage. And it is difficult to ensure minimal academic standards across the board. The problem has at least three dimensions. First, it imposes an onerous burden on universities which have to regulate admissions, set curricula and conduct examinations for such a large number of undergraduate colleges.

The problem is compounded by uneven standards and geographical dispersion. Second, the undergraduate colleges are constrained by their affiliated status, in terms of autonomy and space, which makes it difficult for them to adapt, to innovate and to evolve. The problem is particularly acute for undergraduate colleges that are good, for both teachers and students are subjected to the 'convoy problem' insofar as they are forced to move at the speed of the slowest. There is also a problem for undergraduate colleges that are not so good, or are poor, because universities cannot address their special needs or unique problems. Third, it is difficult to set curricula and assess performance for such a large number of students where there is such a large dispersion in performance at school before

entering college. This reality tends to make courses less demanding and examinations less stringent across the board. In fact the design of courses and examinations needs to be flexible rather than exactly the same for large student communities.

There is an urgent need to restructure the system of undergraduate colleges affiliated to universities. In doing so, it is important to make a distinction between undergraduate colleges that already exist and undergraduate colleges that will be established in the future. It is also important to remember that undergraduate colleges are afflicted by problems which are very similar to those that afflict universities.

The most obvious solution is to provide autonomy to colleges, either as individual colleges or as clusters of colleges.

Individual colleges : Colleges with a proven record of academic excellence and efficient administrative functioning can be granted autonomy in terms of academic selfgovernance.

Existing affiliated or constituent colleges should be granted autonomy in phases after due assessment by professional accreditation bodies. A review of performance of these colleges should be institutionalised and they may be granted university status on the fulfilment of stated criteria of academic and administrative performance. The college authorities should be given financial autonomy with regard to internal allocation of resources. However existing methods of financing should be retained. In operational terms, then, the autonomy would be accorded in setting of curriculum and evaluation of students.

College Clusters : Autonomy can be provided to clusters of colleges, selected on the basis of criteria such as similar standards or geographical proximity. These colleges could then form a group, complementing each other, offering different courses between them. In time, these clusters could be upgraded to universities. The course-credit system can be implemented in these autonomous clusters, whereby different colleges offer semesterbased courses on a credit system and credits can be transferred across colleges. A mechanism for the administration of courses across colleges and for the resolution of problems should be institutionalized with provision for representation in committees.

Such autonomous colleges, or clusters of colleges, would constitute a part of the 1500 universities we propose nationwide by 2015. It must be recognised, however, that this is, at best, a limited solution. There are two discernible problems.

The first problem with the model of autonomous colleges is the principal-agent problem of providing autonomy as an option. It becomes necessary to distinguish between the motivations and the capabilities of colleges. We need to make a distinction between colleges that wish to become autonomous but do not deserve to, and colleges that have the capabilities to be autonomous but do not wish to opt for autonomy. For colleges that wish to become autonomous but may not be suitable, clear cut criteria should be put in place as a filtering mechanism for colleges wishing to attain autonomous status: critical number of faculty and disciplines, governance, track record in terms of students, faculty and research, administrative competence measured by utilization of grants, regularity of audits, office resources and account maintenance, contribution to university processes, infrastructural facilities and ratings, if available, by accreditation agencies. For colleges that can be autonomous but do not wish to be, appropriate incentives have to be designed, especially for the teaching

staff to encourage a move towards autonomy. Institutional incentives relating to funding and resource generation and professional incentives for staff including positions of professors, research grants and greater mobility should be provided.

The second problem with the model of autonomous colleges is that it would be able to provide a solution for a limited proportion, or number, of undergraduate colleges. There would be a significant number of undergraduate colleges that would remain because they may not have the capabilities to become autonomous or join an autonomous cluster. The obvious solution would be for this latter group to continue as affiliated colleges with their present universities. In that event, problems will persist not only for these undergraduate colleges but also for their affiliating universities. Nevertheless, a proportion of these undergraduate colleges will continue to be affiliated to their present universities on the basis of stipulated criteria. There are two other possibilities that could be explored.

The first possibility is that some of these affiliated colleges could be remodelled as community colleges. These colleges could provide both vocational education through two-year courses and formal education through three-year courses. This would serve the needs of a particular segment of the student population better. They could focus on promoting job-oriented, work-related, skill-based and life-coping education. These community colleges could provide a unique opportunity to provide holistic education and eligibility for employment to the disadvantaged.

The second possibility is that we establish a Central Board of Undergraduate Education along with State Boards of Undergraduate Education which would set curricula and conduct examinations for undergraduate colleges that choose to be affiliated with them. These Boards would separate the academic functions from the administrative functions and at the same time provide quality benchmarks. Governance would become much simpler. It is possible that some of the existing undergraduate colleges, particularly those that are at some geographical distance from their parent university, may wish to affiliate themselves to these Boards.

New undergraduate colleges are bound to be an integral part of the expansion of opportunities in higher education. Where would these be located? It would be difficult for them to become autonomous colleges without a track record. It may be possible for some to join a cluster of autonomous colleges but this would be more the exception than the rule. It would not be possible for them to affiliate with existing universities which are already overloaded. Hence, there are three possible options for new undergraduate colleges to come. First, they could be established as community colleges. Second, they could be affiliated with the Central Board of Undergraduate Education or State Boards of Undergraduate Education. Third, they could be affiliated with new universities that are established.

There are, of course, issues related to governance, curricula, examinations, course credits and access which arise in the context of undergraduate colleges. These have been discussed in the context of universities in the preceding section of this note.

III. REGULATION

There is a clear need to establish an Independent Regulatory Authority for Higher Education (IRAHE). Such a regulatory authority is both necessary and desirable.

It is necessary for two important reasons. First, in India, it requires an Act of Legislature of Parliament to set up a University. The deemed university route is much too difficult for new institutions. Entry through legislation

alone, as at present, is a formidable barrier. The consequence is a steady increase in the average size of existing universities with a steady deterioration in their quality. The absence of competition only compounds problems. Second, as we seek to expand the higher education system, entry norms will be needed for private institutions and public-private partnerships. The institutional framework for this purpose must be put in place here and now.

It is desirable for four important reasons. First, it would minimise conflicts of interest as it would create an arm's-length distance from stakeholders. Second, it would replace the present system which is over-regulated but under-governed, through more appropriate forms of intervention. Third, it would rationalize the existing system where mandates are both confusing and overlapping. Fourth, it would dispense with the multiplicity of regulatory agencies to provide a single-window clearance.

The present regulatory system in higher education is flawed in many respects. The barriers to entry are too high. The system of authorizing entry is cumbersome. And there are extensive rules after entry, as the UGC seeks to regulate almost every aspect of an institution from fees to curriculum. The system is also based on patently irrational principles. The UGC Act section 3.1.2(a) suggests that permission for receiving grants will be accorded only if the Commission is satisfied that the existing institutions in the state are not adequate to serve the needs of the state. The other regulators, say in the sphere of professional education, are often inconsistent in their adherence to principles. There are several instances where an engineering college or a business school is approved, promptly, in a small house of a metropolitan suburb without the requisite teachers, infrastructure or facilities, but established universities experience difficulties in obtaining similar approvals. Such examples can be multiplied. These would only confirm that the complexity, the multiplicity and the rigidity of the existing regulatory structure is not conducive to the expansion of higher education opportunities in India.

In sum, the existing regulatory framework constrains the supply of good institutions, excessively regulates existing institutions in the wrong places, and is not conducive to innovation or creativity in higher education. The challenge is therefore to design a regulatory system that increases the supply of good institutions and fosters accountability in those institutions. An independent regulator has to be the cornerstone of such a system.

The proposed IRAHE will rationalize the principles on which entry is regulated. There are two aspects to this rationalization: what is to be regulated and what are the principles used for regulation.

In higher education, regulators perform five functions: (1) Entry: licence to grant degrees. (2) Accreditation: quality benchmarking. (3) Disbursement of public funds. (4) Access: fees or affirmative action. (5) Licence: to practice profession.

India is perhaps the only country in the world where regulation in 4 of the 5 functions is carried out by one entity, that is, the UGC. The purpose of creating an IRAHE is to separate these functions. The proposed IRAHE shall be responsible for setting the criteria and deciding on entry. It would, in addition, license agencies to take care of accreditation. The role of the UGC will be limited to disbursing public funds. Issues of access will be governed by state legislation on reservations and other forms of affirmative action. And, professional associations may, in some institutions, set requirements to determine eligibility for conducting a profession. All other regulatory agencies such as the AICTE will need to be abolished while the MCI and the BCI will be limited to their role as professional associa-

tions. These professional associations could conduct nationwide examinations to provide licences for those wishing to enter the profession.

The second aspect of regulation is the principle used to regulate. The IRAHE will determine eligibility for setting up a new institution based on transparent criteria rather than discretionary controls. Its main role would be to exercise due diligence at the point it approves a licence to grant degrees. In doing so, it would assess the academic credibility and the financial viability of the proposed institution on the basis of information submitted in accordance with the stipulated criteria. It will apply exactly the same norms to public and private institutions, just as it will apply the same norms to domestic and international institutions.

The IRAHE would be constituted as follows. It would have a Chairperson and six Members. The tenure of the Chairperson would be six years. The tenure of the Members would also be six years. One-third of the Members of the Authority will retire every two years. The Chairperson would be a distinguished academic from any discipline with experience of governance in higher education. The Members would be distinguished academics drawn from the following sets of disciplines: physical sciences, life sciences, social sciences, humanities and professional subjects such as engineering, medicine, law or management. The IRAHE could have some part-time members or standing committees drawn from academia to advise the Authority in each of the aforesaid sets of disciplines. The Chairperson and the Members of the IRAHE would be appointed by the Prime Minister based on the recommendations of a Search Committee.

The IRAHE would have to be established by an Act of Parliament. It would be the only agency that would be authorized to accord degree granting power to higher education institutions. It would also be responsible for monitoring standards and settling disputes. It should also be thought of as the authority for licensing accreditation agencies. The IRAHE must be at an arm's-length from the government and independent of all stakeholders including the concerned Ministries of the Government. The Acts of the UGC, AICTE, MCI and BCI would have to be amended. The role of the UGC would be re-defined to focus on the disbursement of grants to, and maintenance of, public institutions in higher education. The entry regulatory functions of the AICTE, the MCI and the BCI would be performed by the IRAHE, so that their role would be limited to that of professional associations. These professional associations could conduct nationwide examinations to provide licenses for those wishing to enter the profession.

IV. FINANCING

The expansion of our system of higher education, which is both necessary and desirable, is not possible without financing. For an increase in supply of quality education depends upon an increase in investment which, in turn, requires financial resources. There are several sources of such financing.

Government Support: There is no system of higher education in the world that is not based upon significant public outlays. And government financing will remain the cornerstone of any strategy to improve our system of higher education. The present support for higher education, at 0.7 per cent of GDP, is simply not adequate. In fact, over the past decade, in real terms, there has been a significant decline in the resources allocated for higher education, in the aggregate as also per student. In an ideal world, government support for higher education should be at least 1.5 per cent, if not 2 per cent of GDP, from a total of 6 per cent of GDP for education. This is easier said than done.

But the government should endeavour to reach these levels by 2012. Even this magnitude of state financing, however, would not suffice for the massive expansion in higher education that is an imperative. Therefore, it is essential to explore a wide range of possibilities which can be complements to the increase in public expenditure.

Better Asset Management : Most public universities are sitting on a large reservoir of untapped resources in the form of land. In effect, with some imagination, many of our universities can be converted into institutions that are similar to land grant universities. Each university should thus have an innovative asset management plan. Such plans should be in consonance with objectives of universities. At the moment, however, universities have no strategy in this sphere. And there is considerable room to think in strategic terms about the use of physical assets in the possession of universities. **It should be possible to draw up norms and parameters for universities to use their land as a source of finance.**

Rationalization of Fees : On an average, fees constitute less than 10 per cent of total expenditure in our universities. And, in most universities, fees have remained unchanged for decades. In theory, universities have the freedom to decide on fees. In practice, however, universities have not exercised this freedom in part because of some genuine concerns about access but in larger part because of the rhetoric and populism in the political process. **The problem has been compounded by the UGC method of providing grants-in-aid to bridge the difference between income and expenditure. Consequently, there is no incentive for universities or colleges to raise income through higher fees as that sum would be deducted from their UGC (or State government) grants. The low fees in public universities, without any means test, have meant unquantifiable benefits for unintended beneficiaries.** But private players and foreign institutions have not been restrained in charging fees that the market can bear. The time has come to rethink, as we have no choice but to rationalize fees. It is for universities to decide the level of fees but, as a norm, fees should meet at least 20 per cent of the total expenditure in universities. In addition, fees need to be adjusted every two years through price indexation. Such small, continuous, adjustments would be absorbed and accepted far more easily than large, discrete changes after a period of time. This rationalization of fees should be subject to two conditions: first, needy students should be provided with a fee waiver plus scholarships to meet their costs; second, universities should not be penalized by the UGC for the resources raised from higher fees through matching deductions from their grants-in-aid.

Philanthropic Contributions : It is clear that we have not exploited this potential. In fact, the proportion of such contributions in total expenditure on higher education has declined from more than 12 per cent in the 1950s to less than 3 per cent in the 1990s. It should be possible to nurture this tradition of philanthropy through changes in incentives for universities and for donors. In the present system, there is an explicit disincentive. **If universities mobilize resources from elsewhere, they are in effect penalized through a matching deduction in their grant-in-aid. What we need to do is exactly the opposite.**

Universities which mobilize resources through contributions should be rewarded with matching grants-in-aid. At present, there is also an implicit disincentive in both lax laws and trust laws. Endowments of universities can only be placed in specified securities where rates of return are low and barely keep up with rates of inflation. What is more, trusts must spend 85 per cent of the income stream from the endowment in the same year, so that only 15 per

cent of the income stream can be used to build up the corpus in the endowment. **These laws should be changed so that universities can invest in financial instruments of their choice and use the income from their endowments to build up a corpus.**

Other Sources : Obviously, universities must not be driven by commercial considerations. But it would be both prudent and wise to tap other sources such as alumni contributions, licensing fees, or user charges (for facilities in universities used by people from outside). **We need to create supportive institutional mechanisms that allow universities to engage professional firms for this purpose.** Mobilizing resources, even from former students, is a task that cannot be performed by academics because it needs specialised talents and experience. Current UGC practice also penalises universities for any resources mobilised with a matching deduction from the grants-in-aid provided to the institution. Rather than penalizing universities for raising resources, the UGC should incentivise them. In addition, universities must have the autonomy and flexibility to mobilise resources from elsewhere by creating or using appropriate institutional mechanisms.

Private Investment : In three professions – engineering, medicine and management- there has been a de facto privatization of education so that two-thirds to three-fourths of the seats are in private institutions. But private investment in university education, where more than 70 per cent of our students study, is almost negligible. It is essential to stimulate private investment in higher education as a means of extending educational opportunities. We must recognise that, even with the best will in the world, government financing cannot be enough to support the massive expansion in opportunities for higher education on a scale that is now essential.

Public-Private Partnerships : It might be possible to leverage public funding, especially in the form of land grants, to attract more (not-for-profit) private investment. The present system of allotment of land, where political patronage is implicit, discourages genuine educational entrepreneurs and encourages real estate developers in disguise. In principle, it should be possible to set up new institutions in higher education, not just more IITs and IIMs but also more universities, **as public-private partnerships where the government provides the land and the private sector provides the finances.** Such public-private partnerships which promote university- industry interface would also strengthen teaching and research.

International Students : India is not an attractive destination for international students, not even as much as it used to be 30 years ago. It is time for us to make a conscious attempt to attract foreign students to India for higher education. This would enrich our academic milieu. This would enhance quality. This would be a significant source of finance. Even 50,000 foreign students charged fees at an average rate of US\$ 10,000 per annum would yield US\$ 0.5 billion: the equivalent of Rs. 2300 crores per annum in current prices at current exchange rates. The other side of the coin is perhaps even more important. Estimates suggest that there are about 160,000 students from India studying abroad. If their average expenditure on fees and maintenance is US\$ 25,000 per student per year, Indian students overseas are spending US\$ 4 billion: the equivalent of Rs. 18,400 crores per annum in current prices at current exchange rates. **This has an enormous potential as a source of finance for higher education in India,** if only we could create more opportunities for students with increased places and enhanced quality in our system.

V. QUALITY

The introduction of an independent regulator in higher

education, the reform of existing public universities and the creation of national universities, taken together, would contribute to enhancement of quality in higher education. But this needs to be supported with some pro-active steps that would foster quality in higher education.

Accountability : The quality of higher education depends on a wide range of factors. But accountability, at every level, is a critical determinant. The higher education system must, therefore, provide for accountability vis-à-vis the outside world and create accountability within the system. Accountability of universities must not be confused with control of the state. Institutional mechanisms, based on checks and balances, constitute the most effective system for this purpose. The essential objective of accountability to society must be to empower students to take decisions rather than simply increase the power of the state. Stipulated performance criteria or inspections are forms of control. We need to create systems that enable students, or their parents, to choose between and assess universities.

Competition : The supply constraint on higher education is an impediment to accountability. When students have relatively few choices, institutions have greater power over them. An expansion of higher education which pro-

vides students with choices and creates competition between institutions is going to be vital in enhancing accountability. Such competition between institutions within India is, of course, essential. But the significance of competition from outside India, more qualitative than quantitative, must not be underestimated. For this purpose, we must formulate appropriate policies for the entry of foreign institutions into India and the promotion of Indian institutions abroad. Such policies must ensure that there is an incentive for good institutions and a disincentive for sub-standard institutions to come to India. The present regime does the opposite: sub-standard players rush in while premier universities stay away as they care more about their autonomy and wish to set benchmarks for themselves. However, a level playing field should be ensured and all rules that apply to domestic institutions should also be applicable to foreign institutions. At the same time, policies must encourage rather than discourage Indian institutions to create campuses abroad not as business opportunities but as competition opportunities in their quest for academic excellence. Of course, expansion abroad should not be at the cost of domestic provision, either at present or in the future.

Accreditation : So far, we have sought to create accountability by increasing the powers of government regu-

ALL INDIA FEDERATION OF UNIVERSITY & COLLEGE TEACHERS' ORGANISATIONS

(Regd. under Act. XXI of 1860)

493, Urban Estate (Phase I), Jalandhar – 144022

Ph. : 0181-4610493,, 98154-89493(M) PH. 0181-2481493 : E-mail: tewari_vk@rediffmail.com,

PRESS RELEASE : JALANDHAR MAY 12, 07

The Office Bearers of AIFUCTO held meeting with Professor Sukhadeo Thorat, Chairman, University Grants Commission (UGC) and other officials yesterday (i.e. 11th May 2007) and discussed the issues raised by the apex body of teachers.

Professor Thorat informed the delegation that the UGC had constituted the pay Review Committee for University and College Teachers and that the same would be announced shortly after the approval of Ministry of Human Resource Development (MHRD). The UGC also decided to include in terms of reference the suggestions made by the AIFUCTO in its 3 page note : to provide suitable pay scales to attract and retain talent, to consider the whole university system holistically with respect to uniformity in pay scales, promotional placements, service conditions including the age of retirement for the academic staff. Professors, Readers, Lecturers, Directors of Physical Education, Librarians, to include other teacher categories like Accompanists, Tabla Players, Coaches and the allied academic staff, to provide for all benefits to be recommended by the 6th CPC . **The AIFUCTO demanded a Status Report on the full implementation of UGC notifications regarding 1.1.86 and 1.1.96 pay revision to ensure implementation of pay package as total mandatory package in all the states so that the UGC full filled its constitutional responsibility of standards and their maintenance.**

The UGC assured the apex body that all steps were being undertaken to implement the UGC order of 19.10.2006 on parity in career advancement Scheme for DPES and Librarians, biennial stagnation increments, filling of posts with regular teachers as per UGC mandate of 23.3.2006 and MHRD's direction of 18.4.2006 to end adhocism, to review the guidelines regarding Deemed Universities and to take steps to regulate the fast mushrooming private universities in the states. Efforts were on to implement uniform age of superannuation, but there was unwarranted response from the state governments. The order of UGC based on decision of Cabinet of Govt. of India on raise in retirement age to 65 years for centrally-funded institutions had also been sent to the State Education Secretaries on April 4, 2007 "for necessary action." **The UGC also informed that the problem of about 8,000 Lecturers appointed in Maharashtra during 19.9.91 and 11.12.99 regarding their relaxation from NET/SLET was under active consideration and the process of total solution would be completed soon. Also assured to resolve the problems of teachers of MDU, Rohtalk regarding dual scales.**

The UGC agreed to bring DPEs and Librarians in the ambit of FIP Scheme so that they could avail Teacher Fellowships for M.Phil and Ph.D on par with teachers.

The AIFUCTO delegation led by President Prof. Thomas Joseph presented copies of "AIFUCTO policy on Higher Education" to the Chairman and Officials for study and comment. The alternative vision had been prepared after wide consultations over one year.

Delegation also met Mr. R. Chakravarty, Deputy Secretary, MHRD earlier in the day who informed that the Secretary-Level talks between Finance Ministry and MHRD would help resolve the burning issue of implementation of CAS from 1.1.96 instead of 27.7.98

Dr. V.K.Tewari
G.S.AIFUCTO

lators. Yet, it has done little to improve the quality of higher education. Consider, for example, the National Accreditation and Assessment Council. This system has three characteristics which significantly erode its credibility. First, it grants one institution, the NAAC, monopoly power over accreditation. Second, NAAC itself does not have the capacity to rate all the institutions. It has rated just about 10 percent of the total number so far. Third, the methodology of NAAC is much too discretionary. Instead of vesting one institution created by the state with monopoly power, the IRAHE may be empowered to license a number of accreditation agencies, public and private, to do the ratings. In doing so, the regulator would set standards for them. This will need to be accompanied by stringent information disclosure norms for all educational institutions, including the source and level of their accreditation. The rapid growth in higher education, particularly in the private sector, has created a strong need for empowering students and parents with reliable information from a credible accreditation process. This system can be supplemented with the creation of self-regulatory bodies in the higher education system and the freedom to seek recognition from global accreditation systems.

Internal Systems : In most universities, the main stakeholders, students, are minimally part of any mechanism for accountability. Obviously, student evaluations need to be used with care. Even so, they can be part of a baseline set of accountability measures which could at least establish whether classes scheduled in the timetable are held. But that is not all. Evaluation of courses and teachers by students is also needed, just as much as we need peer evaluation of teachers by teachers. Such internal systems of evaluation would strengthen accountability in the teaching-learning process. These must be combined with institutional mechanisms for accountability in other dimensions of university systems.

Information : Almost everywhere, information in the public domain is an important source of accountability. Higher education should be no exception. There should be disclosure norms for universities and institutions imparting higher education. They should be required to place basic information relating to their financial situation, physical assets, accreditation ratings, admissions criteria, faculty positions, academic curricula, and so on, in the public domain. This would empower students and parents and enable them to make informed choices. Information, along with competition, fostered by increased supply, will close the accountability loop.

Incentives : Even if we cannot introduce penalties for non-performance, it is necessary to introduce rewards for performance. We must, of course, recognise that universities are different from the hierarchical worlds in governments and corporate structures. The web of incentives is far more subtle. Even so, the time has come to think of salary differentials within and between Universities as a means of attracting and retaining talented faculty members. The salary differentiation among teachers within the same university needs to reflect the opportunity costs for teachers in some departments. This will help retain talent in some disciplines where remuneration in the market is much higher than in other subjects. Salary differentiation may enable some universities to develop centres of excellence in some disciplines. At the same time, it is important to ensure that disciplines which are essential for a good liberal education such as social sciences and humanities, as well as basic sciences which are not necessarily rewarded by the market, are given appropriate incentives to attract both teachers and students. Such salary differentials between and within universities could be effective without being large. Indeed, there is a good reason to stipulate a

maximum ratio for differences in salaries between faculty members so as not to threaten the identity of the professoriate. Obviously, universities cannot compete with salaries elsewhere, but they should endeavour to provide a comfortable minimum for all, with some premium for those who perform. It is also important to think of other incentives, such as housing, good facilities for teaching and research and some flexibility for non-teaching professional activities so long as these do not impinge on the primary responsibilities to the institution.

Differentiation : We have to recognize that there is bound to be diversity and pluralism in any system of higher education. Therefore, in a country as large as India, we cannot afford to adopt the principle that one-size-fits-all. We must allow diversity to blossom. This could have many dimensions: curriculum, specialization, institutional architecture, students' composition, and so on. Similarly, differentiation is inevitable if not natural. Even if we do not wish to recognize it, such differentiation is a reality. Students and parents have clear preferences, possibly implicit rankings, based on their perceptions derived from available information. Our sense of pluralism must recognise, rather than ignore or shy away from, such diversity and differentiation. It is characteristic of every higher education system in the world. For higher education is about a quest for excellence. It is, at least in part, about distinction and not always about levelling. The institutions which excel are the important peaks that raise the average. They are also role models others seek to emulate. And institutions that become such role models could mentor and guide other selected institutions.

VI. NATIONAL UNIVERSITIES

We need to create substantial additional capacity in higher education for achieving a quantum jump in the gross enrolment ratio for a rapidly expanding population of young people. It would be expeditious to do so by simply expanding on our existing educational infrastructure. A fundamental paradigm shift in our understanding of quality and standards in higher education, however, requires creating completely new institutions that operate unconstrained by the current institutional and regulatory framework. We recommend the creation of up to 50 National Universities that can provide education of the highest standard. As exemplars for the rest of the nation, these universities shall train students in a variety of disciplines, including humanities, social sciences, basic sciences, commerce and professional subjects, at both the undergraduate and post-graduate levels. **The number 50 is a long term objective. In the short run, it is important to begin with at least 10 such universities in the next 3 years.** It is worth noting that the National Universities need not all be new universities. Some of the existing universities could also be converted into National Universities, on the basis of rigorous selection criteria, to act as exemplars. We recognise that there could be a human resource constraint if faculty members are not available in adequate numbers to establish these universities. But, for such centres of academic excellence, it should be possible to attract talent from among those who choose other professions in India or the academic profession outside India.

National Universities can be established in two ways, by the government, or by a private sponsoring body that sets up a Society, Charitable Trust or Section 25 Company. Since public finance is an integral constituent of universities worldwide, most of the new universities shall need significant initial financial support from the government. This could be in several forms. Each university may be endowed with a substantial allocation of public land, in excess of its spatial requirements. **The excess land can be a subsequent source of income generation, its value**

rising over time due to the growing stature of the university. In the case of privately executed Charitable Trusts, exceptions need to be made in existing Income Tax laws to encourage large endowments. In particular, there should be no restriction on the utilization of income in any given time period, the Trusts should be allowed to invest their funds in financial instruments of their choice, and all proceeds from the sale of capital assets should be exempt from capital gains tax. These universities shall have the autonomy to invest in financial instruments of their choice, by employing private fund managers if required. Appropriate mechanisms also need to be put in place for the optimal management of physical assets, like laboratories, libraries, classrooms and other facilities. Finally, these universities shall have the autonomy to set student fee levels and tap other sources for generating funds such as industry collaborations, overseas operations, as also commercial use of university facilities and alumni networks.

The National Universities we propose shall admit students on an all-India basis. They shall adopt the principle of needs-blind admissions, thereby ensuring that an applicant's ability or inability to pay shall not influence the admission decision made by a university. Further, once admitted, the university should ensure that no student has to forego his/her place due to financial constraints. This will require a host of scholarships, freeships, bursaries and awards for economically disadvantaged students. At the undergraduate level, a nationwide test that objectively measures the verbal, quantitative and analytical abilities of applicants shall be administered by an independent testing body. Admissions shall be based on a combination of Class XII results, scores from the nationwide test, application materials including written work and personal statements, as also interviews. At the postgraduate level, admissions shall be based on a combination of the applicant's academic record, application materials, interviews and academic or professional references that indicate his/her aptitude for further studies in the relevant discipline.

Undergraduate degrees in the National Universities shall have a duration of three years so that these are in conformity with the duration of undergraduate courses elsewhere in India. In the first year, students shall have the opportunity to study foundation, analytical and tools courses before choosing a specific discipline in the second year. They shall also have the option, at the end of the second year, of completing an integrated five-year master's degree. Degrees should be granted on the basis of completing a requisite number of credits, obtained from different courses. Each student shall be required to earn a minimum number of credits in his/her chosen discipline, and shall have the freedom to earn the rest from courses in other disciplines. The academic year shall therefore be semester-based and students shall be internally evaluated at the end of each course. Transfer of credits from one National University to another shall also be possible. A wide variety of courses shall be offered, in traditional academic disciplines, employment-oriented specific areas and cross-cutting competencies. Syllabi shall be revised every year to keep up with changes and current developments in various disciplines. Departments that do not update their syllabus for two consecutive years shall be asked to provide justification. Students shall have the option of taking up internships in private companies or research institutions in lieu of a certain number of credits.

An appropriate system of appointments and incentives is required to maximize the productivity of faculty in the National Universities. **There shall be scope for salary differentials between National Universities and also between disciplines.** Faculty training will be contingent on periodical reviews of research output and student evaluation. The most accomplished faculty members shall be

encouraged to teach undergraduate courses. There shall be no career advancement schemes and appointments at every level shall be through open competition. The total number of faculty positions may be specified, but there should be complete flexibility in choosing the level at which faculty appointments are made, so that, for talented faculty members, career paths are not constrained by the number of vacancies. In order to maintain the quality of the National Universities, mechanisms should be in place to monitor and evaluate the performance and progress of teachers including peer reviews. The procedures and results of these evaluations will be open and transparent.

The research outputs of these universities shall be vital contributors to India's socio-economic development and progress in science and technology. Strong linkages shall be forged between teaching and research, universities and industry, and universities and research laboratories.

The National Universities shall be department-based and shall not have any affiliated colleges. Each department will administer undergraduate and post-graduate courses. Non-teaching functions should be outsourced wherever possible, and a maximum ratio of 2:1 should be maintained between non-teaching and teaching staff. Each university should appoint an internal ombudsman for the redressal of faculty, staff, student and public grievances. Administrative processes, wherever possible, should be streamlined and made transparent and accountable by the use of information and communications technology.

VII. ACCESS

Education is an essential mechanism for inclusion through the creation of social opportunities. It is, therefore, essential that in addition to ensuring that no student is denied the opportunity to participate in higher education due to financial constraints, access to education for economically and historically socially underprivileged students is enhanced in a substantially more effective manner.

Economic barriers to higher education can be addressed by ensuring financial viability for all students wanting to enter the world of higher education. This can be done through two strategies. One is to adopt a needs blind admissions policy. This would make it unlawful for educational institutions to take into account any financial factor while deciding whether or not to admit a student. Every institution will be free to use a variety of instruments to achieve this aim: scholarships or cross-subsidies. **In addition, academic institutions would be able to set a fee of their own choice subject to the provision that there are at least two banks that are willing to finance the entire cost of education at that institution,** without any collateral other than the fact of admission. The cost of education includes not just fees but also reasonable living expenses including costs such as hostel and mess fees and any other expenses associated with the course of study. Since commercial banks may be wary of funding economically deprived students, especially in non-professional courses, we need a well-funded and extensive National Scholarship Scheme targeting economically underprivileged students and students from historically socially disadvantaged groups, particularly students from rural and backward areas. The success of this proposal depends on generous government support. For instance, the government should endeavour to make available about 100,000 scholarships for such students. These scholarships should be set at a level where students are empowered to go to any institution of their choice.

We also need to undertake more proactive forms of affirmative action to ensure inclusion of marginal and excluded groups. Reservations are essential but they are a part, and one form of, affirmative action. Disparities in

राष्ट्रीय ज्ञान आयोगाच्या शिफारशी
फायदा धनाढ्य व्यक्तींना; पण शब्दयोजना
मात्र सर्वसमावेशक

डॉ. किशोर के. ठेकेदत्त, मुंबई

मुळ इंग्रजी लेखाचा मराठीतून गोपवारा : प्रा. संभाजी जाधव, कोल्हापूर

प्रस्तावना :- राष्ट्रीय ज्ञान आयोगाच्या शिफारशी ह्या सत्ताधीश वर्गाना फायदेशीर असणाऱ्या बाबी तातडीने मांडण्यासाठी केलेल्या आहेत. त्या शिफारशी करीत असताना डॉ. भालचंद्र मुणगेकर समितीने ह्या विषयांबाबत धोक्याच्या म्हणून काही सूचना आपल्या अहवालात अगोदरच केलेल्या आहेत; पण या आयोगाने त्या सर्व वाऱ्यावर सोडून दिल्या आहेत. राष्ट्रातील पैशाचा ओघ स्टॉक एक्स्चेंजकडे कसा वळेल, हे ह्या आयोगाने पाहिले आहे; वड्या उद्योगपतींना करमुक्तता जास्तीत जास्त कशी लाभेल, हेही पाहिले आहे, आणि तसेच शासनाच्या मालकीची जमीन अशा धनाढ्यांना कशी देता येईल आणि त्यातून मिळणारा पैसा विद्यापीठांच्या विकासासाठी खर्ची होणार आहे, असे कसे 'दाखविता' येईल, याची सर्व काळजी घेतलेली आहे. थोडक्यात, खासगीकरण - जे सध्या देशात चालू आहे, त्याला बळकटी आणण्यासाठी ही सर्व उपाययोजना तातडीने मांडलेली आहे. ह्यामुळे काही मर्यादित, मूठभर व्यक्तींचा फायदा होण्यासाठी सर्वसामान्य लोकांच्या हिताला हानी पोहोचविली आहे, अनेक महत्त्वाच्या बाबींपासून त्यांना वगळून, वंचितही ठेवले आहे; म्हणून ह्या राष्ट्रीय ज्ञान आयोगाच्या सर्व शिफारशी पूर्णतः सर्वांनी फेटाळून लावल्या पाहिजेत; त्यासाठी हे टिपण तयार केले आहे.

नव्या-खुल्या आर्थिक धोरणामध्ये 'नवी संधी' हा शब्दप्रयोग आवडीचा

educational attainments are related to caste and social groups, but are also strongly related to other indicators such as income, gender, region and place of residence. Access to quality higher education is further limited for students from certain types of schools. Therefore deprivation of educational opportunities is a multi-dimensional problem and attention needs to be paid to different salient levels of deprivation faced by students. A meaningful and comprehensive framework would account for the multidimensionality of differences that still persist. Such a deprivation index could provide weighted scores to students and the cumulative score could be used to supplement a student's school examination score. After adding the score from the deprivation index, all students could compete for admissions.

The indicators need to be easily identifiable and verifiable for the system to work effectively. They should cover the different types of disadvantages that a student could face at the school level, and while applying for admissions to higher education. This system serves the dual purpose of considering various disadvantages and ensuring that a reserved category student who has otherwise enjoyed other benefits does not get great preference at the time of admissions.

Illustrative indicators of backwardness that need to be measured by such an index could include social background covering caste (keeping in view regional variations), religion and gender, family education history; family income, type of school distinguishing between government and private schools and between schools from different locations, the medium of instruction, place of residence distinguishing between urban and rural areas and accounting for regional deprivation by sorting districts along an index of infrastructure or access to social benefits and physical disability.

व अत्यंत महत्त्वाचा मानला जातो; पण ही संधी कोणाच्या कल्याणासाठी आहे, हे पाहिले तर दिसते की, मार्केट फोर्सद्वारे अखंड फायदा मिळविण्यासाठी आणि असा सर्व वाजूनी फायदा, ज्यांच्याकडे खरेदी करण्याची आर्थिक ताकद आहे, त्यांनाच मिळतो. इतरांचा अशी नवी संधी आणि मार्केट यांच्याशी काहीही संबंध नसतो. केवळ धनाढ्यांनाच ही संधी मिळते.

यासाठी शिक्षण क्षेत्रातील उदाहरण द्यायचे झाल्यास, फी वाढ, खुल्या बाजारात कोणास परवडते, ज्यांच्याकडे अमाप पैसा आहे अशा लोकांनाच; इथेच उच्च शिक्षण घेऊ इच्छिणाऱ्यापैकी निदान ५० टक्के आपोआपच वगळले जातात. हेच नेमके मुणगेकर समितीने मांडले आहे. तरी ज्ञान आयोगाने फी-वाढ ही वाढीव खर्च भागविण्यासाठी एक आधार म्हणून सुचविलेली आहे. ही फी वाढ किमान स्वरूपाची म्हणून सांगितली आहे. 'गरजूना फीमध्ये सवलत द्यावी', ही नेहमीची खोटी घोषणादेखील केलेली आहे. यामुळे ह्या राष्ट्रीय ज्ञान आयोगाचा अप्रामाणिकपणा स्पष्ट होतो. शिक्षणक्षेत्रात समानतेचे तत्त्व सांगायचे; पण फायदा मात्र काही धनवान लोकांनाच मिळेल, अशी सर्व रचना करावयाची, हे ठरलेलेच आहे!

'ज्ञानाधिष्ठित समाज'निर्मितीचे ढोल वाजवावयाचे, ते इतके की, जणू काही जागतिक धनाढ्य समाजापेक्षा वेगळा व नवा समाज आता निर्माण होणार आहे, असे केवळ भासवावयाचे. सन २०१५ पर्यंत आजच्या ७ टक्के उच्च शिक्षण घेणाऱ्या तरुणांची संख्या १५ टक्के होईल, असे आशादर्शक चित्र रेखाटले आहे; ह्याचा हिशेब केला तर प्रत्येक वर्षी एक टक्का प्रवेश वाढेल; म्हणजेच ५० लाख विद्यार्थी नव्याने प्रवेश घेतील. ह्या ज्ञान आयोगाने शिफारस केली आहे की, एक लाख शिष्यवृत्त्या स्कॉलरशिप्स शासनाने द्याव्यात. याचा उघड अर्थ असा की, दोन टक्क्यांहून कमी विद्यार्थ्यांना त्याचा लाभ होईल. म्हणजेच एक तर राष्ट्रीय ज्ञान आयोगाचे सदस्य गणितात कच्चे असले पाहिजेत, अथवा त्यांचा विश्वास असला पाहिजे की, आर्थिकदृष्ट्या मागासलेल्या तरुणांनी उच्च शिक्षण घेण्याच्या नादालाच कधी लागू नये! ती स्वप्नेच मुळी पाहू नयेत.

मुणगेकर समितीने स्पष्टपणे धोक्याची सूचना केली आहे की, जर फी-वाढ केली तर काही तरुण उच्च शिक्षणाची पायरी कधी चढूच शकणार नाहीत. ते अशा शिक्षणातून वगळले जातीलच; पण ज्ञान आयोगास मात्र वाटते की, ह्या प्रक्रियेत ज्यांच्याकडे आर्थिक बळ नाही, असे तरुण उच्च शिक्षण घेण्यासाठी वगळले गेले तरी आर्थिकदृष्ट्या सधन असणारे तरुण त्यांची जागा घेतील आणि आवश्यक तेवढी फी भरतील. त्यामुळे विद्यापीठे आर्थिकदृष्ट्या स्वयंपूर्ण होतील.

नव-खुलं आर्थिक धोरण धारण करणाऱ्यांना वाटते की, वाढीव पुरवठ्यामुळे मागणीत वाढ होईल आणि म्हणून पुरवठा करणाऱ्यांना करामध्ये शासनाकडून अधिकाधिक सूट देण्यात येत आहे. भांडवलदारांवर आर्थिक बोजा वाढविण्याऐवजी शासन हा बोजा कामगार वर्गावर वाढवित आहे आणि म्हणून स्थानिक आर्थिक स्रोत वाढविण्यासाठी आणि कामगार वर्गाना आज देय असणाऱ्या सवलती (सबसिडीज)मध्ये कपात करण्यासाठी प्रयत्न केले जात आहेत.

ज्ञान आयोगाने एकूण शिक्षणावर होणाऱ्या खर्चाच्या सहा टक्के रक्कम उच्च शिक्षणावर खर्च व्हावी, असे नुसते म्हटले आहे; पण ह्यामुळे प्राथमिक व माध्यमिक शिक्षणावर होणारा खर्च कमी होणार आहे, हे त्याने ध्यानात घेतलेले नाही. उलट खाजगी विद्यापीठे स्थापन करण्याकरिता अनेक प्रकारच्या करसवलती आणि आर्थिक प्रोत्साहने उपलब्ध करावीत, अशी शिफारस ज्ञान आयोगाने केलेली आहे. ह्या अगोदरच केंद्रीय मंत्रिमंडळाने खाजगी विद्यापीठे स्थापण्यासाठी यथायोग्य कायदा करण्यास मान्यताही दिलेली आहे आणि ज्ञान आयोग त्यासाठी समर्थन पुरवित आहे.

विद्यापीठांना आर्थिक मदत देण्यासाठी शासनाने विद्यापीठांकडे असणाऱ्या प्रचंड जमिनीचा विनियोग करण्यास परवानगी द्यावी. म्हणजे अशी जमीन धनवान लोक आपल्या उपयोगासाठी स्वतःकडे घेतील आणि त्यातून विद्यापीठांना आर्थिक साहाय्य मोठ्या प्रमाणात होईल, अशी योजना ह्या ज्ञान आयोगाने सुचविली आहे. म्हणजे असे की, आज सार्वजनिक उपयोगासाठी असणारा जमीनजुमला खासगी उपयोगासाठी उपलब्ध व्हावा, अशी ही योजना होय!

मुंबई विद्यापीठाने अलीकडेच आपल्या जमिनीचा काही भाग, जरी तेथील शिक्षकांचा विरोध असला तरीही, एका खासगी उद्योगधंद्यास 'हॉटेल ह्याट्र'साठी हस्तांतरित केलेला आहे. तेव्हा, आता हे उदाहरण समोर ठेवून आर्थिक पाठबळ कोणत्याही विद्यापीठास मिळविण्याचा आणखी एक मार्ग उपलब्ध झालेला आहे. याशिवाय, फी वाढ हा तर एक मार्ग उपलब्ध केलेला आहेच!

पूर्वी एन.डी.ए.च्या शासनाने आणि आता यु.पी.ए.च्या शासनाने पैशाचा ओघ स्टॉक एक्सचेंजकडे वळविला आहे. ह्या दोन्ही शासनांना कामगारांच्या सेवानिवृत्तिवेतनाची, पेन्शनची रक्कम, किमान पाच टक्के स्टॉक मार्केटकडे वळवावयाची आहे हे एक नव्या आर्थिक साधनांपैकी एक होय!

ह्याच धर्तीवर ह्या ज्ञान आयोगाने आणखी एक शिफारस, विद्यापीठांना आर्थिक साहाय्य प्राप्त होण्यासाठी खालीलप्रमाणे केलेली आहे :

“भारताने आपली समाजासाठी, इथे विद्यापीठांसाठी, धनदान करण्याची परंपरा जोपासली पाहिजे. त्यासाठी विद्यापीठांना आणि दान करणाऱ्यांना प्रोत्साहन स्वरूपात काही सवलती दिल्या पाहिजेत. सध्या, अप्रत्यक्षरित्या करविषयक कायद्यांत आणि विश्वस्त कायद्यांत असे प्रोत्साहन मिळण्याची तरतूद नाही, असे दिसते. म्हणून हे दोन्ही कायदे अशा रीतीने बदलले पाहिजेत की, विद्यापीठांना आपली आर्थिक गुंतवणूक आपल्या इच्छेप्रमाणे व आपल्या निवडीनुसार, पद्धतीने कोठे करावयाची हे ठरविता येईल आणि त्यामुळे विद्यापीठांना आपली गंगाजळी वाढविता येईल!”

हे तर धनाढ्य कारखानदारांना करांमध्ये सवलती देण्याकरिता कायद्यात बदल करण्याचे एक उघडउघड निमंत्रणच दिले आहे आणि तसेच, विद्यापीठांनाही स्टॉक मार्केटला साहाय्य करून आपली आर्थिक परिस्थिती बळकट करता येईल, अशी आशा करण्यास कसलीही अडचण राहणार नाही!

एक्सलन्स, उत्कृष्टत्व या कल्पनेत इतर अनेक कल्पना समाविष्ट झालेल्या आहेत. यातच 'मूठभरां'साठीचीही कल्पना आहे; गुणवत्तेचीही कल्पना दडलेली आहे. उत्कृष्टता, गुणवत्ता कोणी ठरवावयाची? तर, समान असणाऱ्यांनी, पिअर्सनी. आजचा समाज एकजिनसी नाही, त्यात अनेक भेदभाव आहेत, पिळणारा व पिळला जाणारा असे दोन वर्ग आहेत. बुद्धिमान लोक तर, आज अस्तित्वात आहे तेच कसे टिकून राहिल, हे पाहणारे. म्हणजे हे बुद्धिवादी मागासलेले, प्रतिगामी आहेत. ह्या देशातील न्यायव्यवस्थादेखील आपणास आश्चर्याचे धक्के देणारी आहे. न्यायदेवतेचे काही भक्त तर उघड उघडपणे प्रतिगामी असल्यामुळे कष्टकरी वर्गाविरुद्ध ते निर्णय देत आहेत. खुल्या अर्थव्यवस्थेचे तत्त्वज्ञानच ज्यांच्या अंगात मुरले आहे, तेच फी-वाढ, आरक्षण अथवा कष्टकऱ्यांचा संप करण्याचा जन्मसिद्ध हक्क याविषयी प्रतिकूल निर्णय देणारे आहेत.

ज्यामध्ये राजकारणाचा संबंध पोहोचत नाही, अशा विज्ञानात पिअर्सच्या मूल्यमापनांचा उपयोग करून, सत्ताधीश वर्गाच्या हितांविरुद्ध जाणारे संशोधन

रोखले जात आहे. त्याचे उत्तम उदाहरण म्हणजे श्री. जयंत नारळीकर व इतर यांनी लिहिलेल्या पुस्तकाच्या - 'डिफरन्ट अप्रोच टू कॉस्मॉलॉजी' (केंब्रिज विद्यापीठ प्रेस, २०००) - तिसऱ्या प्रकरणात स्पष्ट केले आहे की, आज परंपरेने प्रचलित असणारा विश्वनिर्मितीचा सिद्धान्त म्हणजे विश्व स्थिर असल्याची 'बिग बॅंग क्रिएशन'च्या विरुद्ध जाणारे संशोधन पिअर्सचा उपयोग करून रोखले जात आहे. प्रचंड मोठ्या निर्माण होणाऱ्या दुर्विणीच्या निर्मितीस विरोध दर्शविला जात आहे. हे सर्व विज्ञानाबाबत घडते आहे, तर सामाजिक शास्त्रात - अर्थशास्त्र, राज्यशास्त्र, नवनवीन वी- वियाण्यांच्या शेतीविषयक संशोधनाचे - काय होत असेल, याची तर कल्पना करणेदेखील अवघड आहे. पिअर्स (तुल्यबळां/जोडीदारां)चे मूल्यमापन हे बहुधा कष्टकरी वर्गाच्या विरुद्ध जाणारे असते. तसेच निवड प्रक्रिया आणि पदोन्नतीबाबतही हाच अनुभव येतो. पिअर्सचे मूल्यमापन दलितविरोधी, अल्पसंख्याकांविरोधी आणि महिलांविरोधी असते. थोडक्यात म्हणजे आज आहे ती प्रचलित समाजव्यवस्था, तीत कसलाही मूलभूत बदल न होता, आहे तशीच पुढे जात राहावी, यासाठी पिअर्स मूल्यमापन नामक गोड गोळी अनेक व्यक्तींना दिली जात आहे. याचाच अर्थ, आजची एकूण समाजव्यवस्था वर्गभेदांवर आधारलेली आहे ती मूठभरांना उपयुक्त व अनुकूल स्वरूपाची आहे. अनेकांना, बहुसंख्याकांना उघडपणे वगळणारी आहे.

ज्ञानाधिष्ठित समाजनिर्मिती करण्यासाठी राष्ट्रीय ज्ञान आयोगाने अनेक प्रकारच्या शिफारशी केल्या आहेत; पण सन १९६४ मधील कोठारी आयोगाने ह्या अगोदर केलेल्या पण प्रत्यक्षात न आणलेल्या अनेक शिफारशींचा उल्लेखदेखील या ज्ञान आयोगाने आपल्या अहवालात कोठेही केलेला दिसत नाही. 'नेवरहुड' शाळा, व्यावसायिक शिक्षण, ग्रंथालयात सुधारणा या महत्त्वाच्या बाबींबद्दल ज्ञान आयोगाने काहीही म्हटलेले नाही. थोडक्यात, ज्ञान आयोगाच्या सर्व लेखनाचा मुख्य गाभा नव्या-खुल्या अर्थशास्त्राच्या तत्त्वज्ञानाशी सतत जोडलेला आहे, असेच दिसून येते. ढीगभर लोक वगळून, मूठभर व्यक्तींच्या कल्याणाशी शिक्षणव्यवस्था, त्यातील गुणवत्ता, अभ्यासक्रम बदलही सतत जोडलेले असतात.

ह्या सर्व कारणांसाठी राष्ट्रीय ज्ञान आयोगाचा उच्च शिक्षणावरील हा अहवाल पूर्णतः फेटाळून लावला पाहिजे. अत्याधुनिक शब्दप्रयोगाच्या सापळ्यात शिक्षक, विद्यार्थी आणि लोकशाहीवर विश्वास ठेवणारा समाज यांनी अडकता कामा नये, म्हणून सतत सतर्क राहिले पाहिजे. (Knowledge society) 'ज्ञानाधिष्ठित समाज' अथवा 'कारखानदारी उत्तर समाज' (post Industrial society) अशा प्रकारच्या शब्दजाळ्याच्या मोहापासून ग्रामाणिक व निष्ठावंत व्यक्तींनी स्वतःला दूर ठेवले नाही तर त्यांना खरोखरच असे वाटू लागते की, भांडवलदारांचे दिवस आता कोठे राहिले आहेत? ते कधीच संपले. पण हे खरे नसते. मूठभर धनाढ्य व्यक्तींचा लहान समाज सर्वसमावेशक शब्दजालाच्या पाठीमागे लपलेला असतो.

(हा मुळातील इंग्रजी निबंध प्रा.के.के. ठेकेदत्त यांनी यु.जी.सी.प्रणीत राष्ट्रीय ज्ञान आयोगाच्या शिफारशींवर - स्कॉटिश कॉलेज, कोलकाता येथे २४ व २५ मार्च २००७ रोजी जो परिसंवाद झाला- त्यात वाचला असून तो 'टिचर्स ऑफ दी वर्ल्ड'च्या एप्रिल-जून, २००७ च्या अंकात प्रसिद्ध झाला आहे. त्याचा प्रा.संभाजीराव जाधव यांनी मराठीतून दिलेला गोषवारा 'प्राध्यापक विश्व'च्या मे २००७ च्या अंकात प्रकाशित झाला आहे.)

NUTA BULLETIN (Official Journal of NAGPUR UNIVERSITY TEACHERS' ASSOCIATION) CHIEF EDITOR : Dr. A.G. Somvanshi, Shankar Nagar, AMRAVATI-444 606. EDITOR : Prof. S.S. Gawai 1, Abhinav State Bank Colony, Chaprashi Pura, Camp, AMRAVATI 444 602. PUBLISHER : Prof. S.R. Kalmegh, Lahari Apartment, Keshao Colony, Camp, AMRAVATI 444 602. Type Setting at NUTA Bulletin Office, Phundkar Bhavan, Behind Jain Hostel, Maltekadi Road, Amravati-444 601. PRINTED AT Bokey Printers, Gandhi Nagar, Amravati. (M.S) REGD NO. MAHBIL/2001/4448 Postal Registration No. ATI/RNP/78/2005-08 WPP Registration No. NR/ATI/WPP-01/2005-08 Price : Rs. Five / Name of the Posting office : R.M.S. Amravati. Date of Posting : 12.07.2007

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