

ALL INDIA FEDERATION OF UNIVERSITY & COLLEGE TEACHERS' ORGANISATIONS

(Regd. under Act. XXI of 1860)

५ सप्टेंबर २००७

रोजी प्राध्यापकांचे देशव्यापी धरणे आंदोलन

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अखिल भारतीय प्राध्यापक महासंघाच्या (एआयफक्टो) निदेशानुसार ५ सप्टेंबर २००७ रोजी देशभरातील प्राध्यापक 'धरणे आंदोलन' करून शिक्षक दिन हा मागणी दिन म्हणून पाळतील.

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- (१) U.G.C. Pay review Committee नेमण्यात यावी, ह्या मुख्य मागणीसह
 - (२) स्थाननिश्चितीचे लाभ १.१.१९९६ पासून मिळावेत,
 - (३) सर्व राज्यांमध्ये सेवानिवृत्तीचे वय एकसमान असावे,
 - (४) सहावा वेतन आयोग १.१.२००६ पासून लागू करण्यात यावा,
 - (५) कंत्राटी/सी.एच.बी. नेमण्याची पद्धत बंद करण्याबाबत यु.जी.सी.ने सक्ती करावी,
 - (६) तिसरी पदोन्नती देण्यात यावी,
 - (७) नवीन पेंशन योजना रद्द करावी,
 - (८) राष्ट्रीय ज्ञान आयोगाचा अहवाल रद्द करावा,
 - (९) राष्ट्रीय शिक्षण आयोग नेमावा.
- उपरोक्त मागण्यांसाठी हे आंदोलन करण्यात येत आहे.

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वरील निर्णय एआयफक्टोच्या पॉडेचरी येथे दि. २८, २९ जुलै रोजी झालेल्या कार्यकारिणीच्या बैठकीत घेण्यात आला आहे.

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अमरावती आणि नागपूर विद्यापीठ क्षेत्रातील सर्व विद्यापीठीय व महाविद्यालयीन प्राध्यापक ह्या आंदोलनात सहभागी होतील. संत गाडगेबाबा अमरावती विद्यापीठ क्षेत्रामधील प्राध्यापक अमरावती येथे विद्यापीठासमोर धरणे आंदोलन करतील तर राष्ट्रसंत तुकडोजी महाराज नागपूर विद्यापीठ क्षेत्रातील प्राध्यापक नागपूर येथे विद्यापीठासमोर हे धरणे आंदोलन करतील. धरणे आंदोलन दुपारी ३ ते ५ या वेळात करण्यात येईल. ह्या आंदोलनात दोन्हीही विद्यापीठ क्षेत्रातील प्राध्यापकांनी सहभागी व्हावे अशी विनंती करण्यात येत आहे.

डॉ. एकनाथ कठाळे
सचिव, नागपूर विद्यापीठ शिक्षक संघ

संघटनेच्या जिल्हा कार्यकारी मंडळाच्या तातडीने बैठकी आयोजित करण्यात याव्यात. जिल्हा पदाधिकार्यांनी आपापल्या जिल्ह्यांमध्ये दौरे आयोजित करून उपरोक्त आंदोलन यशस्वी करण्यासाठी कार्यरत व्हावे अशी विनंती करण्यात येत आहे. - सचिव "नुटा"

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY CIVIL APPELLATE JURISDICTION
CONTEMPT PETITION NO. 318 OF 2006**

IN

WRIT PETITION NO. 55/2002, 5782/2001 AND 63 TO 128 OF 2002

Maharashtra Federation of university and College Teachers Organization and Anr*Petitioners*

Vrs.

Dr. Sukhadeo Thorat, Chairman UGC and Ors*Respondents*

I Dr. Sukhadeo Thorat, being the Chairman, University Grants Commission, New Delhi do hereby on solemn affirmation states as under:

1. That having read a copy of the aforesaid Petition, I am filing the instant affidavit in reply for the limited purpose of opposing the admission of the above petition. In view thereof, nothing ought to be construed as having been admitted for not having been specifically denied. I crave leave of this Hon'ble Court to file a further affidavit, if and when necessary. **I respectfully submit that the UGC and myself as the Chairman of the said body hold the Institution of judiciary in the highest esteem and we did not have any intention whatsoever to either delay the implementation of the directions passed by this Hon'ble Court or violate such directions, much less any willful disobedience whatsoever.** I say that the delay has taken place in view of the series of steps taken by the UGC administration to find out an overall viable solution to the pending cases pertaining to NET/SET eligibility criteria.

2. That it is respectfully submitted as and by way of preliminary objections as to the maintainability of the instant petition that apart from the said Petition being filed beyond the period of limitation prescribed by the Contempt of Court Act, 1971, it is also not in consonance with the provisions of the relevant Rules under the Contempt of Court (Bombay High Court) Rules, 1994. Moreover, whereas the judgment and order dated 18/4/2002 was to be implemented according to the Petitioners as per para 5,6 and 7 thereof, in respect whereof an overall time limit of 1 year was laid down, out of which period the last 4 months was applicable to the UGC, during the said last relevant period of 4 months and thereafter till 05.02.2006 my predecessors were holding the charge of Chairmanship as I assumed charge only on 06.02.2006. Moreover, the petition filed in a representative capacity by resorting to generalizations without pinpointing the concerned cases wherein the alleged Contempt, if any, is committed, this Respondent is even otherwise at an immense disadvantage to deal with the same. Therefore, the Petition itself even on the ground of locus stand is unsustainable in that behalf.

3. That it is humbly submitted that the above contempt petition is not filed by the petitioners who had filed the earlier Writ Petitions individually before this Hon'ble Court leading to the passing of common judgment and order dated 18/4/2002. I say that the averments made by the Petitioners are even otherwise vague. Without prejudice to the aforesaid preliminary objections, it is hereby denied that I failed to act within the time limit set out by the decision rendered by the Hon'ble Division Bench (Appellate side) in their judgment and orders passed by (i) Aurangabad Bench dated 15/2/2002, 18/2/2002, 20/2/2002 in writ petition no.5022 of 2001 (reported in 2003(2) Mh.L.J 176) and ii) an order dated 5/3/2002 in bunches of writ petition Nos. 55/2002 with W.P.No. 5782/2001 and 63 to 128 of 2002 and order dated 18/4/2002 in W.P. No. 5782 of 2001. I say that University Grant Commission (UGC for short) has laid down regulations for minimum qualifications for appointment of teachers in Universities and Colleges. As per the UGC regulations 1991, any relaxation in the prescribed qualification can only be made by University with regard to posts under it or any of the institutions including constituent and affiliated colleges recognized under section 2(f) of the UGC Act with the prior approval of the UGC. As per UGC regulations 2000, any relaxation in the prescribed

qualifications can only be made by the UGC in a particular subject in which NET is not being conducted or enough number of candidates are not available with NET qualifications for a specified period only. **I say that the regulations framed by UGC were upheld as mandatory and binding for all universities in the judgment delivered by the Learned Apex Court in Re: University of Delhi V/s. Raj Singh and Ors. In pursuance of the Hon'ble Supreme Court's judgment dated 8th September, 1994 in the aforesaid case holding the UGC regulations mandatory, the Commission** at its meeting held on 11th January 1995 deliberated on question of giving relaxation in minimum qualification for the appointment of teachers in Universities/Colleges and decided to form a committee to examine the requests received from the various universities and desired that such committee may examine the requests and give its recommendations to the Commission for consideration. I further say that in view of the above decision of the Commission, an Experts Committee (i.e. Exemption Committee) has been constituted by the commission for considering case for grant of exemption in minimum qualifications for appointment to the post of lecturer. The Hon'ble Court in its verdict has provided for a provision for relaxation on case to case basis provided prior approval is taken from UGC.

4. That I say that as per the directions given in order dated 18/4/2002 by this Hon'ble High Court, the matter was taken up with the Govt. of Maharashtra in respect of non NET /SET qualified teachers under the provisions of UGC's Regulation of 1991/2000 whereby the State Universities of Maharashtra approached the UGC. In compliance of the above order, the Commission started receiving proposals for relaxation/exemption from the various universities of Maharashtra but the proposals were incomplete wherein full information in respect of the concerned persons was not given. In view thereof, UGC by letter dated 3rd January 2003 requested these Universities to send the cases in prescribed proforma framed for the purpose by the Exemption Committee to take a decision on the basis of appropriate and complete information for each of the individual case separately. These proposals for relaxation/exemption were again placed before the Exemption Committee at its meeting held on 10th April, 2003 for consideration. I say that the cases were considered by the Exemption Committee and the Committee desired that the Universities be once again requested to send the information in the prescribed format (10 copies) as designed by the Exemption Committee. Thereafter, these recommendations were placed before the Commission at its meeting held on 10th June 2003. In the said meeting, the Commission approved the recommendations of the Expert Committee constituted by the UGC to consider the specific request received from various Universities for granting exemptions from NET for appointment as lecturers. After this consideration, the then chairman, UGC Prof. Arun Nigavekar on 2nd May 2003 wrote letters to all the concerned Vice Chancellors as well as Mrs. Chandra Iyengar, Principal Secretary, Higher Education, Government of Maharashtra soliciting the desired information which was not forthcoming from the Universities as desired by the Exemption Committee. I further say that the Commission received 46 cases from the Amravati University and 9 cases from the Pune University, in the revised format (in 10 copies) duly completed in all respects, which were placed before the Exemption Committee at its meeting held on 7th Oct. 2003 for its consideration. In the said meeting, the Committee desired that the Vice-Chan-

cellors, of the Amravati University (46 cases) and Pune University (9 cases) be requested to provide additional information; particularly educational qualifications acquired by each candidate at graduate level and post graduate level clearly indicating subject specialization, percentage of marks obtained etc. to facilitate taking a decision in that regard. The said recommendations were placed before the Commission on 24/11/2003. Thereafter, upon considering the specific request received from the various Universities for granting Exemptions from NET for appointment as lecturers, the Commission approved the recommendations of the committee constituted by the UGC office. Accordingly, the decision of the Exemption Committee was informed to all concerned Universities to send the proposals in the prescribed format along with the additional information required by the Exemption Committee from the Universities at its meeting held on 7/10/2004. The copy of the said format is annexed hereto and marked as Exhibit 'A'. It is further submitted that in a similar Contempt Petition No. 161 of 2006 in Writ Petition No. 5437 of 2004 in the Hon'ble High Court of Bombay, Bench at Aurangabad, the UGC had filed a reply stating the action taken by UGC, consequent upon the 1st Judgment in this regard dated 08-08-2005. The copy of said reply and Judgment dated 08-08-2005 are annexed hereto and marked as Exhibit - 'B' and 'C respectively. It is respectfully submitted that so far as the petitioner No.2 herein is concerned, proposal in the revised proforma has not yet been

received from the University of Mumbai.

5. That I further say that as per the above decision of the UGC, the requisite information had been supplied by the various Universities and colleges through the University to UGC. **In regard to this thereafter a meeting was held on 2/8/2004 in the Chamber of the then Chairman, UGC regarding relaxation in qualifications pertaining to a large number of lecturers appointed in the colleges of Maharashtra State Universities consequent upon the directions of Hon'ble High Court of Bombay.** In the said meeting, it was decided to hold a meeting of the High Powered Committee in Mumbai so as to enable the Universities and colleges to provide the required information. As per the decision taken thereat, an advance UGC team was sent in April 2005 to the University of Mumbai to work on individual cases and to make the agenda item for Special Exemption Committee meeting to be held on 11th-12th April, 2005. On 4th April, 2005, an advance team consisting of one section officer and four other officials of the UGC prepared a comprehensive synopsis of the proposals received from the following :-

Universities on individual basis in respect of each candidate for consideration of the Special Exemption Commission Meeting :

Sr. No.	Name of the University	No. of Proposals
1	Mumbai University	685
2	SNDT Women's University	110
3	Yeshwant Rao Chauhan Maharashtra Open University	001
Total :		796.

The said proposals were placed before the Special Exemption Committee meeting held on 11th -12th April 2005 at Mumbai.

6. That I say that the said recommendations of the Exemption Committee were placed before the Commission at its meeting held on 29th June and 23rd September 2005 in which the same was however deferred. The deferred item was again placed before the Commission at its meeting held on 8th December, 2005 in which the Commission resolved as under:-

"It was informed by the representative of Ministry of Human Resource Development that the Government has appointed a committee under the Chairmanship of Prof. B.L. Mungekar to consider the issue regarding NET as eligibility conditions for appointment of lecturers. The Commission decided that this issue may be kept in abeyance till the report is received from the Committee appointed by the Government."

Under the above circumstances the decision of the Commission was conveyed to all the Universities and State Governments vide our letter dated 20th January 2006. A copy of the said letter dated 20th Jan. 2006 is annexed hereto and marked as Exhibit- 'D'.

7. That I state that the Commission at its meeting held on 7th April 2006 reviewed its earlier decision taken in its meeting held on 8/12/2005 and decided that the already constituted Exemption Committee may consider all the requests relating to exemption from NET examination. After the constitution of Committee by the aforementioned MHRD to review the National Eligibility Test, the interim report and recommendations made by the Committee to the Commission were as under :-

a. So far as the Post graduate level teaching is concerned, the Candidates having Ph.D. degree should be exempted from acquiring NET qualifications for being considered for the post of lecturers.

b. As regards the undergraduate level teaching, the candidates having M.Phil or Ph.D. degree should be exempted from acquiring NET qualifications for being considered for the post of Lecturers. In the above circumstances the Commission approved the recommendations "in principle" and authorised the Chairman to finalize further details in the matter on receipt of communication from the MHRD.

स्थाननिश्चितीबाबत सहसंचालक उच्च शिक्षण यांचे स्तरावर वेळेवर निर्णय होणेबाबत

महाराष्ट्र विधानपरिषद : दुसरे अधिवेशन २००७
मंगळवार, दिनांक २४ जुलै, २००७

(२३) * २९७२६ प्रा. बी. टी. देशमुख, श्री. वि. यू.डायगव्हाणे, श्री. वसंतराव खोटे, श्री. जी. एल. अनापूरे : तारांकित प्रश्न क्रमांक २०९१९ ला दिनांक १५ डिसेंबर, २००६ रोजी दिलेल्या उत्तराच्या संदर्भात : सन्माननीय उच्च व तंत्रशिक्षण मंत्री पुढील गोष्टींचा खुलासा करतील काय :-

(१) संलग्न महाविद्यालये किंवा विद्यापीठातून काम करणाऱ्या अधिव्याख्यात्यांच्या वरिष्ठ किंवा निवडश्रेणीमध्ये स्थाननिश्चितीच्या संदर्भात काही अनियमितता झालेली असल्यास ती बाब १५ दिवसाच्या आत संचालकांच्या लक्षात आणून द्यावी व कोणत्याही परिस्थितीत याबाबतचा निर्णय १५ दिवसाच्या आत करावा असे जे आदेश उच्च शिक्षण सहसंचालकांना देण्यात आले आहेत त्या संदर्भात १ जुलै, २००६ ते १ जून, २००७ या कालखंडात विभागवार उच्च शिक्षण सहसंचालकांनी एकूण किती प्रकरणी वेळेच्या आत निर्णय घेतले,

(२) किती प्रकरणी विलंबाने निर्णय घेण्यात आले,

(३) विलंबाने निर्णय होण्याची कारणे काय आहेत?

श्री. दिलीप वळसे-पाटील : (१) राज्यातील ८ विभागीय कार्यालयाकडे दिनांक १ जुलै, २००६ ते १ जून, २००७ या कालावधीत खालीलप्रमाणे विभागवार एकूण १७५६ प्रकरणे प्राप्त झाली. त्यापैकी १५८६ प्रकरणे निकाली काढण्यात आली व १७० प्रकरणात त्रुटी असल्याने ती परत पाठविण्यात आली.

अ.क्र.	विभाग	प्राप्त प्रकरणे	निकाली काढलेली प्रकरणे	त्रुटी असल्याने परत पाठविलेली प्रकरणे
१.	पुणे	१४१	१४१	-
२.	मुंबई	५०३	३४०	१६३
३.	नागपूर	६३७	६३७	-
४.	अमरावती	२६६	२६६	-
५.	नांदेड	३०	३०	-
६.	जळगांव	८४	८४	-
७.	कोल्हापूर	६६	५९	०७
८.	औरंगाबाद	२९	२९	-
एकूण		१७५६	१५८६	१७०

(२) प्रश्न उद्भवत नाही.

(३) प्रश्न उद्भवत नाही.

8. That I say that the Standing Committee meeting for Exemption in qualifications for appointment was held on 15th May 2006, the Committee also recommended that the Universities of Maharashtra may be requested to review these 5534 cases in the light of the amendment in the regulations and send the remaining cases to the UGC for exemption. On the aforesaid background pertaining to the said recommendations, on 14th June 2006 the UGC had issued 2nd Amendment to its regulations on minimum qualifications required for the appointment and the career advancement of teachers in Universities and institutions affiliated to it. As per the said 2nd Amendment "NET shall remain the compulsory requirement for appointment as lecturer for those with post graduate degree. However the candidate having Ph.D. degree in the concerned subjects are exempted from NET for PG level and UG level teaching. The candidate having M.Phil degree in the concerned subjects are exempted from NET for UG level teaching only." A Copy of the said amendment is annexed here to and marked as Exhibit 'E'.

9. That accordingly, the Commission vide its letter dated 5/7/2006 had requested to Amravati University, University of Mumbai, Dr. B.A.M. University, Aurangabad, Nagpur, Pune University, North Maharashtra University, SNTD women's University, Shivaji University, SRTM Nanded University, to send the cases for exemption in the revised format separately for the following three categories:-

- 1) The candidate having Ph.D degree
- 2) The candidate having M.Phil. degree
- 3) The candidates who do not possess M.Phil/Ph.D degree.

10. That I say that the required information from S.N.D.T Women's University, Dr. Babasaheb Ambedkar University, Amravati University was received and all the proposals were placed before the Exemption Committee in its meeting held on 5th January, 2007.

Sr.	Name of the University	No. of proposals
1	S.N.D.T Women's University, Mumbai	78
2.	Sant Gadge Baba Amravati University, Amravati	62
3.	Dr. B.A. M University, Aurangabad	05
	Total	145

The recommendations of the Exemption Committee were placed before the Commission and the decision of the Commission was communicated to all the concerned Universities in respect of each case separately on 27th April, 2007. A copy of the sample letter is annexed hereto and marked as Exhibit 'F'.

11. That the 764 proposals received from the S.R.T.M. University, Nanded along with the various universities were placed before the Exemption Committee at its meeting held on 1st June, 2007 for consideration. The recommendation of the Exemption Committee would be placed before the next Meeting of the Commission on 2nd July, 2007. The decision of the Commission would then be communicated to all concerned. I say that the proposals received from the Shivaji University, Kolhapur. Mumbai University, Mumbai were incomplete. The required information is being called for from the concerned Universities. The above information is awaited

NATIONAL KNOWLEDGE COMMISSION

PRINTED HEREIN BEFORE

(1) Letter From : Sam Pitroda, Chairman, The National Knowledge Commission dated 29th November 2006 Page 58 of 2007 NUTA Bulletin.

(2) National Knowledge Commission : Note on higher education, dated 29th November 2006 NOTE ON HIGHER EDUCATION INTRODUCTION Page 70 of 2007 NUTA Bulletin.

(3) Government of India : Report of National Knowledge Commission of India Page 85 of 2007 NUTA Bulletin.

from the rest of the Universities of Maharashtra which are as follows:-

1. Nagpur University, Nagpur
2. North Maharashtra University, Jalgaon
3. Pune University, Pune.

12. That I say that the procedure of approval of the proposals is in progress as per the said amended regulations dated 14/6/2006 and it is respectfully submitted that there is no willful disobedience whatsoever in regard to the implementations of the directions on the part of the UGC, as its action was wholly dependent on the proper and complete proposals receivable from the concerned University and in view of the said amended provisions of 14/6/2006, many cases coming under its sweep have got worked out on their own and therefore, it is most respectfully reiterated that there was no negligence or much less any violation whatsoever on the part of the UGC.

13. That in the facts and circumstances mentioned herein above, it is respectfully submitted that the above Contempt Petition is liable to be dismissed with costs.

PROF. SUKHDEO THORAT,
CHAIRMAN, UNIVERSITY GRANTS COMMISSION
BAHADUR SHAH ZAFAR MARG, NEW DELHI 110002.

VERIFICATION:

I, the above named deponent do hereby verify that the facts stated in the above affidavit are true to my knowledge. No part of the same is false and nothing material has been concealed there from.

Verified at New Delhi on this the 20th day of June, 2007.

DEPONENT
PROF. SUKHDEO THORAT,
CHAIRMAN, UNIVERSITY GRANTS COMMISSION
BAHADUR SHAH ZAFAR MARG, NEW DELHI 110002.

वेतनश्रेणीच्या कमाल वेतनावर कुंठीत झालेल्यांना कुंठीत वेतनवाढ मंजूर न करणे

महाराष्ट्र विधानपरिषद : : दुसरे अधिवेशन २००७
शुक्रवार, दिनांक २० जुलै, २००७

(३२) * २९७३५ प्रा. बी. टी. देशमुख, श्री. वि. यू. डायगव्हाणे, श्री. वसंतराव खोटे : सन्माननीय कृषी मंत्री पुढील गोष्टींचा खुलासा करतील काय :-

(१) विद्यापीठ अनुदान आयोगाने आपल्या ऑक्टोबर, २००६ च्या पत्रान्वये (क्रमांक F-2-11/3001/PS) तसेच केंद्र शासनाच्या कृषी विभागाने आपल्या दिनांक ८ ऑगस्ट, २००६ च्या पत्रान्वये (क्रमांक ३७-१६/०२) कळविले असतांना व महाराष्ट्र शासनाच्या वित्त विभागाने २५ जानेवारी, १९९९ रोजी स्पष्टपणे शासननिर्णय निर्गमित केलेला असतांना डॉ.पंजाबराव देशमुख कृषी विद्यापीठ अकोलाच्या कुलसचिवांनी कुंठीत वेतनवाढ नामंजूर करण्याचे धोरण स्विकारल्याची तक्रार करणारे एक निवेदन दिनांक १७ मे, २००५ रोजी किंवा त्या दरम्यान आनंदनिकेतन कृषी महाविद्यालय, वरोरा येथील प्राचार्यांनी उपसचिव, कृषी विभाग यांचेकडे सादर केले हे खरे आहे काय,

(२) खरे असल्यास, उक्त तक्रारीच्या निवारणार्थ शासनाने काय उपाययोजना केलेली आहे,

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

श्री. बाळासाहेब थोरात : (१) नाही, दिनांक १७ मे, २००५ चे निवेदन प्राप्त झालेले आढळून येत नाही तथापि दिनांक ४ नोव्हेंबर, २००६ चे निवेदन प्राप्त झाले आहे.

(२) व (३) सदर निवेदनावर कृषि विद्यापीठ अकोला यांच्याकडून अहवाल मागविला असून अहवाल अद्याप अप्राप्त आहे.

GOVERNMENT OF INDIA

*Where the mind is without fear and the head is held high;
Where knowledge is free;
Where the world has not been broken up into fragments by narrow domestic walls;
Where words come out from the depth of truth;
Where tireless striving stretches its arms towards perfection;
Where the clear stream of reason has not lost its way into the dreary desert sand of dead habit;
Where the mind is led forward by thee into ever-widening thought and action...
Into that heaven of freedom, my Father, let my country awake.*

-- Rabindranath Tagore

Foreword

As the National Knowledge Commission (NKC) presents its first annual report to the nation, we feel a sense of excitement at the potential that India has to emerge as one of the leading knowledge societies in the world. The Commission was set up by Prime Minister Manmohan Singh to prepare a blueprint to tap into the enormous reservoir of our knowledge base so that our people can confidently face challenges of the 21st century. We are conscious that this is a daunting task, which requires not only resources and time but also a vision and a long term view. At the same time, we are happy that we have taken this first important step. At the heart of the NKC's mandate are five key areas related to Access, Concepts, Creation, Application and Services. We have addressed the question of how to build a knowledge society from these perspectives with a particular focus on access to knowledge. Of the nine sets of recommendations made by the NKC in 2006, six deal directly with access. We have done so consciously in conformity with the UPA government's philosophy of building an inclusive society. The emerging knowledge society and associated opportunities present a set of new imperatives and new challenges for our economy, polity and society. Our future prosperity depends upon the policies, programmes and people that can foster continuous generation and application of knowledge in the pursuit of learning.

We have addressed a wide range of subjects including a comprehensive reform of higher education, overhaul of public libraries, creation of a Knowledge Network, setting up of national portals, transformation of vocational education, re-engineering of government processes and making E-governance citizen-friendly.

The impact of what we have proposed would be felt over the next decade and beyond. We have taken particular care to keep the entire process democratic, transparent and participative. In doing so, we have consulted a wide range of stakeholders in government, parliament, politics, academia, industry, civil society and the media. Our recommendations reflect and incorporate

the concerns and aspirations of experts and persons from the concerned spheres.

The Commission members have worked painstakingly on every aspect of our recommendations. I want to thank all members for the exceptional dedication they have brought to their mandate even though they all know that the impact of their work will be felt only in the long-term. We have had our agreements and disagreements on many issues on the table but their expression has always been in the highest traditions of democracy. I would also like to thank the members of various working groups and the secretariat for their contribution and support. I would like to particularly acknowledge the support and guidance of the Prime Minister's Office and the Planning Commission. We hope that the work we have done during our first year will be of value to the government and will find the enthusiasm and support of the administration in its implementation. We also hope that our recommendations will receive the attention they deserve and create necessary public discussion, debate and dialogue to shape and mobilize public opinion. We say this with a focus on the 550 million people below the age of 25 who will benefit the most from the new knowledge initiatives. The destiny of India is in their hands. While making the recommendations we have been guided by how knowledge will impact the lives of people, ordinary people, of India. We are conscious that knowledge is about farmers having access to accurate information about water resources, land quality and fertilizers, students having access to schools and colleges of high quality relevant education and good jobs, scientists having access to well equipped modern libraries and laboratories, industry having access to a skilled workforce and people feeling empowered with good governance in a vibrant democracy. The recommendations of the National Knowledge Commission are really a call to action. It is time to act here and now.

Sam Pitroda

Chairman, National Knowledge Commission

National Knowledge Commission

Terms of Reference

- Build excellence in the educational system to meet the knowledge challenges of the 21st century and increase India's competitive advantage in fields of knowledge.
- Promote creation of knowledge in Science & Technology laboratories.
- Improve the management of institutions engaged in Intellectual Property Rights.
- Promote knowledge applications in Agriculture and Industry.

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· Promote the use of knowledge capabilities in making government an effective,

transparent and accountable service provider to the citizen and promote widespread

sharing of knowledge to maximize public benefit.

The National Knowledge Commission has a designated time-frame of three years:

from 2nd October 2005 to 2nd October 2008

This Report highlights the major initiatives taken by the National Knowledge Commission and the recommendations submitted to the Prime Minister in the first year of its inception, and gives a brief introduction to the Commission. **ntensionsiations 77**

National Knowledge Commission organization

The ability of a nation to use and create knowledge capital determines its capacity to empower and enable its citizens by increasing human capabilities. India today stands poised to reap the benefits of a rapidly growing economy and a major demographic advantage that will see the country having the largest pool of young people in the world in the next few decades. In the words of Dr. Manmohan Singh, Prime Minister of India, *“The time has come to create a second wave of institution building, and of excellence in the fields of education, research and capability building so that we are better prepared for the 21st century.”*

To make the best of these opportunities and respond to global challenges more strongly than ever before, India today needs a knowledge-oriented paradigm of development to give the country a competitive advantage in all fields of knowledge. The potential is tremendous, but the task of realizing it is daunting too. It is with this broad task in mind that the National Knowledge Commission (NKC) was constituted on 13th June 2005 as a high-level advisory body to the Prime Minister of India, with a mandate to guide policy and direct reforms. NKC's overarching aim is to transform India into a vibrant knowledge-based society. This entails a radical improvement in existing systems of knowledge as well as the creation of avenues for generating new forms of knowledge. Increased participation and a more equitable access to knowledge across all sections of society are also of vital importance in achieving these goals.

In view of this, NKC seeks to develop appropriate institutional frameworks to strengthen the education system, promote domestic research and innovation and facilitate knowledge application in sectors like health, agriculture, and industry. It also aims to leverage information and communication technologies to enhance governance and connectivity. Its prime focus is on the on five key areas of the knowledge paradigm — access to knowledge, knowledge-concepts, knowledge-creation, knowledge application and development of better knowledge services. T

Members

Mr. Sam Pitroda: Mr. Pitroda has spent four decades in the world of telecommunications, having pioneered its use as a means to expedite the process of development and nation building, and bridge the global communications divide. His professional career has been divided between the three continents of North America, Asia and Europe, and he has received international acclaim for using telecommunications as a tool for national development.

As Adviser to Prime Minister Rajiv Gandhi, Mr. Pitroda helped to build India's telecommunications and information technology infrastructure. He was the founding Chairman of the Telecom Commission in India and headed the National Technology Missions on Drinking Water, Literacy, Immunization, Oilseeds and Dairy. In

these roles, he made a notable contribution to India's developmental planning and policy approaches. Mr. Pitroda has owned and run several companies in the United States and Europe; as an inventor he owns more than 75 patents worldwide.

Dr. P.M. Bhargava: Widely regarded as the architect of modern biology and biotechnology in India, Dr. Bhargava is Chairman of The Medically Aware and Responsible Citizens of Hyderabad, the Sambhavna Trust, Bhopal, and the Basic Research, Education and Development Society (BREAD), New Delhi.

He was the Founder-Director of the Centre for Cellular and Molecular Biology (CCMB), Hyderabad, President of the Society of Biological Chemists of India, President of the Indian Academy of Social Sciences, President of the Society for Scientific Values, and President of the Association for Promotion of DNA Fingerprinting and Other DNA Technologies. The author of over 125 major scientific publications and over 400 articles, Dr. Bhargava has headed or served on over 125 major national and international standing committees and has been connected with numerous scientific, social and cultural organizations.

He has received over 100 national and international honours and awards, including the Padma Bhushan, the Legion d'Honneur and the National Citizens Award (India). Dr. Bhargava has delivered over 250 invited lectures in over 60 countries and more than 1600 invited lectures in India.

Dr. Ashok Ganguly: Dr. Ganguly is the Chairman of ICICI OneSource Limited and ABP Pvt. Ltd., and a Director on the Central Board of the Reserve Bank of India, since November 2000. He heads his own consulting company, Technology Network India Pvt. Ltd.

He is a member of the Prime Minister's Council on Trade and Industry as well as the Investment Commission. Dr. Ganguly's principle professional career spanned 35 years with Unilever Plc/N.V. He was the Chairman of Hindustan Lever Ltd from 1980 to 1990 and a member of the Unilever Board from 1990 to 1997, with responsibility for worldwide research and technology. A recipient of the Padma Bhushan and an Honorary Professor of the Chinese Academy of Science, Dr. Ganguly has authored three books – *Industry and Liberalization*, *Strategic Manufacturing for Competitive Advantage* and *Business Driven R&D - Managing Knowledge to Create Wealth*. National Knowledge Commission

Dr. Jayati Ghosh: Dr. Ghosh is a Professor of Economics and Chairperson of the Centre for Economic Studies and Planning, School of Social Sciences, Jawaharlal Nehru University, and is an alumna of Delhi University, Jawaharlal Nehru University and the University of Cambridge. Her research interests include globalization, international trade and finance, employment patterns in developing countries, macroeconomic policy, and issues related to gender and development. Her published works include *Crisis as a Conquest: Learning from East Asia*, *The Market that Failed: A Decade of Neoliberal Economic Reforms in India* and *Work and Well-being in the Age of Finance*. She was the principle author of the West Bengal Human Development Report 2004 which received the UNDP Award for excellence in analysis, and numerous academic papers. She is a regular columnist for leading journals and periodicals. Dr. Ghosh is involved in managing several public information websites, a founder of the Economic Research Foundation, and is the Executive Secretary of International Development Economics Associates (IDEAS), an international network of heterodox development economists. She chaired the Andhra Pradesh Commission on Farmers' Welfare in 2004, and continues to be closely

involved in working with progressive organizations and social movements.

Dr. Deepak Nayyar: Dr. Nayyar is a Professor of Economics at Jawaharlal Nehru University, and has taught at the universities of Oxford and Sussex, and the Indian Institute of Management, Calcutta. He was Vice Chancellor of the University of Delhi from 2000 to 2005. He served as Economic Adviser in the Ministry of Commerce, Chief Economic Adviser to the Government of India and Secretary in the Ministry of Finance. A graduate of St. Stephen's College, University of Delhi, he became a Rhodes Scholar and obtained a D.Phil in Economics from Balliol College, Oxford. He has received the VKRV Rao Award for his contribution to research in Economics. His books include *India's Exports and Export Policies*, *The Intelligent Person's Guide to Liberalization*, *Governing Globalization: Issues and Institutions and Migration, Remittances and Capital Flows: The Indian Experience*. Dr. Nayyar is an Honorary Fellow of Balliol College and Chairman of the Advisory Council for the Department of International Development, Queen Elizabeth House, University of Oxford. He is the Vice President of the International Association of Universities, Paris and Chairman of the Board of Governors of the World Institute for Development Economics Research, Helsinki. He served as a Member of the World Commission on the Social Dimension of Globalization.

Mr. Nandan Nilekani: One of the founders of Infosys Technologies Ltd., Mr. Nilekani is its Chief Executive Officer, and was formerly its Managing Director and President. Mr. Nilekani co-founded India's National Association of Software and Service Companies (NASSCOM). He is Vice-Chairman of The Conference Board, Inc. – an international research and business membership organization and Member of the London Business School's Asia-Pacific Regional Advisory Board. He has served as Chairman of the Government of India's IT Task Force for the power sector. He was a member of the insider trading subcommittee of the Securities and Exchange Board of India (SEBI), and of the Reserve Bank of India's Advisory Group on corporate governance. His many honours include Fortune magazine's 'Asia's Businessmen of the Year 2003' award (along with Infosys Chairman Mr. N. R. Narayana Murthy), the Corporate Citizen of the Year Award at the Asia Business Leader Awards (2004) and Padma Bhushan (2006). In 2002 and 2003, he was named among the 'World's Most Respected Business Leaders', according to a global survey by Financial Times and PricewaterhouseCoopers. National Knowledge Commission

Working Groups: Libraries, Language, Health, Information Network, Undergraduate Education, Medical Education, Legal Education, Management Education, Traditional Knowledge.

Workshops/Seminars: Literacy, Translation, Networks, School Education, Muslim Education, Vocational Education, Open and Distance Education, Intellectual Property Rights, Science and Technology, Agriculture.

Surveys: Innovation, Health, Information Network, Traditional Knowledge. **area**

The methodology followed by the National Knowledge Commission involves identification of focus areas in the first instance. This selection arises from wide consultation, within and outside the government. Thereafter, diverse stakeholders in these focus areas are identified and the major issues highlighted. Given the fact that the Government is already undertaking initiatives in some of NKC's focus areas, selection of areas also takes into account an analysis of unique value addition by the NKC. This could be either through proposing innovative solutions for conventional problems or

bringing together disparate groups working on an area.

After the identification of focus areas, Working Groups of specialists and practitioners are constituted. Working Groups typically consist of between five to ten experts, and meet periodically over a period of three to four months in order to prepare a report. Working Group reports are one of the inputs used by the NKC during deliberations to frame its recommendations. In addition, workshops and seminars are held periodically along with informal consultations with concerned entities and stakeholders to get as broad-based a point of view as possible. Through this process, the NKC serves as a forum to bring together diverse opinions, in order to understand the issues in depth. For issues requiring an understanding of a very broad spectrum of experiences, a survey is undertaken. NKC has adopted different approaches for different focus areas, with the aim of setting in place a process that is as inclusive and participatory as possible. At this stage of discussions, representatives from the relevant ministries are actively involved. NKC Members discuss the issues raised during Consultations and in the Working Group Reports to finalize recommendations. After several rounds of deliberations, a letter is sent to the Prime Minister containing key recommendations, first steps, financial implications etc., supported by relevant explanatory documents. Widespread dissemination of NKC recommendations to state governments, civil society and other stakeholders takes place after the recommendations have been received by the Prime Minister and the relevant ministries. The implementation of the recommendations under the aegis of the Prime Minister's Office is then initiated, along with coordination and follow up with various implementing agencies.

An Interactive, Consultation-based

Work Methodology

Government

(Central & State)

Professionals

(Academics, Vice Chancellors & Principals, Scientists, Social Scientists, Regulatory Bodies, Major National Think-tanks, Industry, NGOs, Multilateral Agencies)

Regional/National Bodies

CONSULTATIONS

National Knowledge Commission

Five aspects of the knowledge paradigm Access to Knowledge Knowledge Concepts Delivery of Services Knowledge Applications Creation of Knowledge

National Knowledge Commission

Providing access to knowledge is the most fundamental way of increasing the opportunities and reach of individuals and groups. Therefore, means must exist for individuals who have the ability to receive and comprehend knowledge to readily obtain it. This also includes making accurate knowledge of the state and its activities available to the general public. Certain issues that are being examined in this context by the National Knowledge Commission are literacy, knowledge portals, networks and translation.

Literacy

The National Literacy Mission (NLM) was initiated in 1988 with the objective of achieving a sustainable threshold level of 75 per cent functional literacy for non-literates in the 15-35 age group by 2007. It relied on mass mobilization through locally organized cultural and social events, and integrating literacy into a wider

programme of mass social education and awareness. The 2001 Census indicates that the literacy level in the country has gone up to 65.38%, from 52.21 per cent in 1991. For the first time, the total number of non-literates has decreased in absolute terms from 329 million to 304 million during this decade. However, the national average masks enormous disparities, pockets of residual illiteracy and differentials based on factors such as region, caste, gender. These continue to be problematic and the total number of non-literates continues to be enormous. No country on its path to becoming a knowledge society can allow a sizeable proportion of its population to remain illiterate. Literacy initiatives have to be re-invigorated to ensure that these problems can be tackled. In this context, NKC organized a brainstorming workshop on 'Literacy: Emerging Issues and Next Steps' in July 2006. Some of the issues discussed were:

- The framework of the National Literacy Mission
- Use of Information Communication Technology (ICT) based approaches in Literacy initiatives
- Development of relevant material and quality training of resource persons
- The role of Panchayat Institutions
- Convergence with the state developmental programmes and the setting up of community universities to codify people's knowledge systems. Concurrent to this process, NKC initiated an independent evaluation of the Computer-Based Functional Literacy Programme developed by Tata Consultancy Services (TCS). The evaluation was undertaken during July 2006 by a team headed by Kerala Sastra Sahitya Parishad (KSSP), Kerala. The findings of the evaluation were considered at the workshop.

Libraries

The role of libraries in providing widespread and inclusive access to knowledge is widely acknowledged. In today's context, a library has to play two distinct roles to serve as a local centre of information and knowledge, and to be a local gateway to national and global knowledge. To achieve this goal, existing libraries must modernize their collections, services and facilities, become more pro-active, and collaborate with other institutions, agencies and non-governmental organizations (NGOs) in order to develop a community-based information system. Recognizing that the Library and Information Services (LIS) sector needs immediate and sustained attention in order to fulfill its potential, NKC constituted a Working Group on Libraries, composed of experts in the area. The Working Group formulated its recommendations after holding extensive discussions with a wide range of professionals. NKC's recommendations on LIS were submitted to the Prime Minister in December 2006. The need to use modern information and communication technology to meet the changing needs of the LIS sector has been widely recognized. Some of the issues considered by NKC include institutional framework of libraries; networking; Access to Knowledge LIS education, training and research; modernization and computerization of libraries; maintenance of private and personal collections, and staff requirements to meet changing needs.

Translation

High quality translation is vital for increasing access to knowledge in many critical areas, and strengthening people's participation in education and the creation and dissemination of knowledge. However, the current facilities for translation are inadequate. There is both latent unrecognized demand and uneven availability of complete information. Therefore some amount of public intervention is crucial to encourage the translation industry

in scope, scale and quality. NKC submitted its recommendations to the Prime Minister on translation and the nature of public intervention needed in September 2006. There is a need to provide an impetus for developing translation, to establish a storehouse of information, to create and maintain various tools for translation and to provide for training and capacity building to develop a competent pool of translation experts. Towards these objectives, NKC has recommended the establishment of a National Translation Mission which will supervise and coordinate the initial public intervention in the area.

Language

An inclusive society is the foundation for a knowledge society. Language is significant, not only as a medium of instruction or a means of communication but also as a determinant of access. In the current scenario, an understanding and command of the English language, is a most important determinant of access to higher education, employment possibilities and social opportunities. School-leavers who are not adequately trained in English as a language are always at a disadvantage in the world of higher education. There is an irony in this situation. English has been part of our education system for more than a century. Yet, English is beyond the reach of most of our young people. This makes for highly unequal access. In this context, NKC engaged in informal consultations on this subject with a wide range of people in government, academia, media and industry including some chief ministers in the states, Members of Parliament, people in professions such as medicine and law, as well as civil society organizations. There was unanimity that the time has come for us to teach our people - ordinary people - English as a language in schools. In order to work out first steps, a Working Group was constituted. The report submitted by this group was used as an input in NKC deliberations. Based on these inputs, NKC submitted its recommendations to the Prime Minister in October 2006. The recommendations broadly deal with the modalities of introducing English in schools from Class I, teacher training, language pedagogy and resource support for language teaching and learning.

Networks

1. Knowledge Network

Extensive educational infrastructure and resources are required to meet the challenge of producing quality trained personnel in sufficient numbers in the country. While the requirement of having enough quality educational institutions with adequate research facilities cannot be compromised, one way of meeting this challenge is to use the existing educational material, equipment and facilities available in the limited number of centres of excellence with a large number of universities and technical, agricultural and medical institutions throughout the country. In addition, research and development activity in various fields the world over is increasingly being carried out through interinstitutional and even transnational collaborative approaches. This has become necessary owing to the increased activity and data-intensive research problems requiring intensive computation. Key elements in this approach are consultations, data sharing, and resource sharing. Thus it is necessary to create facilities to enable Indian researchers to undertake such collaborative efforts at reasonable cost. Sharing of Research & Development infrastructure and data, which has been an approach favoured in Europe from the 1980s and since then adopted by other countries around the world, could provide a viable solution for India as well. National Knowledge Commission An NKC project explored the possibility of establishing an efficient and cost-effective network design

to interconnect all universities, research and development institutions, science and technology institutions; health service facilities, agricultural research and extension services and libraries in the country with high-speed access. A white paper outlining the concept and the approach has been prepared for NKC by Dr. D.P.S. Seth, an external expert. This report was extensively circulated amongst relevant stakeholders, and feedback and suggestions were incorporated to finalize NKC recommendations on this subject which have been submitted to the Prime Minister (December 2006).

2. Health Information Network

A reliable, swift, real-time health data collection system is essential to enhance the quality of health care delivery in India. Moreover, independent growth of health care delivery institutions could create multiple dissimilar standards of data collection and dissemination which would increase the cost of health care enormously. A Health Network is thus urgently needed to pre-empt these and other problems confronting mature health care systems of the world today. Recognizing this, NKC has constituted a Working Group on the Health Information Network, composed of experts in the area. The group is in the process of holding extensive discussions and will address issues such as the required IT and clinical standards, and the regulatory framework that needs to be put in place to facilitate a national level, webbased, secure electronic health information system. The Working Group has held two meetings to discuss these issues.

Portals

Web portals have risen in popularity as a way of aggregating, organizing and presenting content of a uniformly high standard in a customized and personalized way. A web portal is essentially a web site or service that offers a single point of access to information on a given subject and allows users to share and create a broad array of resources and services, such as case studies, email groups, forums and search engines within that sector. NKC recognizes that as the drive towards decentralization, right-to-information, people's participation and transparency sweeps the country, tools like public portals can play an important role in ensuring that more people exercise their rights. In this context NKC has adopted the following procedure for setting up public portals on certain key sectors-

- Identification of champion or lead organization(s).
- Submission of proposal on architecture of the portal by the champion organization(s) for consideration by the Commission.
- Identification of stakeholders and partners and setting up of framework for portal management.
- Development of content.
- Launch of Portal India Water Portal is being developed by Arghyam Trust, a public charitable trust. Initiated in January 2006, it was launched in January 2007. The portal seeks to create an open platform for sharing information and knowledge about the water sector. The primary objectives of the portal are:

1. Increase awareness and demystify various aspects of water management for a general audience.

2. Share successful techniques and experience amongst serious practitioners

3. Provide a platform for information flows between multiple stakeholders. India Energy Portal is being developed along similar lines, with Tata Energy Research Institute (TERI) as the lead organization. The portal was launched in January 2007. The broad functions of the energy portal would include the following.

1. Identification of sources and providing essential knowledge on basic aspects of energy
2. Providing data and information in a comprehensive manner.
3. Enabling efficient and effective retrieval of information.
4. Maintaining and updating the knowledge repository.
5. Access to Knowledge Providing a platform for interaction and exchange of ideas.

A proposal for developing an India Environment Portal has been received from the Centre for Science and Environment (CSE) and is under consideration by NKC. Possible future portals could be on Citizen's Rights, Health, Employment etc.

National Knowledge Commission

Knowledge concepts are organized, distributed and transmitted through the education system. It is through education that an individual can make better informed decisions, keep abreast of important issues and trends around him or her and most importantly, question the socio-economic arrangements in a manner that can lead to change and development. NKC's concern with many aspects of the Indian education system covers school education, higher education, professional education, and vocational education.

School Education

It is essential to address the issues related to school education in order to build the foundation for a knowledge society. Children must be from all backgrounds in order to prepare India for the 21st century and to ensure that all sections of society can meaningfully participate in the development process.

NKC organized a national workshop with a wide range of stakeholders in order to identify appropriate intervention areas. A model Right to Education Bill was circulated to all state governments. NKC submitted its recommendations to the Prime Minister in October 2006. Further consultations will be held with experts in order to frame policy recommendations on different aspects of school education, including the quality of education imparted, management of schools, developing the human resource capacity for teachers, and ensuring quality education for children from different backgrounds.

Vocational Education

An important dimension of India's rapidly growing economy is the development of a skilled and educated workforce, and a demographic advantage over aging Western societies. Technicians and other skilled workers and craftspersons form the backbone of manufacturing and infrastructure development. There is a growing demand for skilled workers but data suggests that this demand is not met by the existing system, since the skills imparted do not match employer needs. For the system to become more relevant in the changing context and to leverage this demographic advantage in the future, there is a need to create a model of imparting vocational education that is flexible, sustainable, inclusive and creative. NKC has submitted its recommendations to the Prime Minister on vocational education, taking into consideration consultations with a wide range of stakeholders. In addition to strengthening the current institutional structure, NKC has proposed alternative delivery structures to expand capacity, meet the increasing demand for skilled workers and provide training to workers in the informal and unorganized sectors. These include public-private partnerships, computer-based training, distance learning and a decentralized model that takes local needs and aptitudes into account. In order to achieve

this, a robust regulatory and accreditation framework needs to be set in place. A national 'rebranding' exercise should be undertaken to address the negative association of vocational education with manual labour. In addition, there is a need for a detailed manpower analysis before formulating policy.

Higher Education

Higher education in India means to education beyond secondary school. The medium-term macro-objective for higher education would be to increase the gross enrolment ratio to 20%. This would imply more than doubling the scale of higher education in the next few years. The system needs to be expanded without diluting quality and by raising the standard of education imparted and making higher education more relevant to the needs and opportunities of a knowledge society. There is also a widespread recognition of the need to make higher education more accessible to all sections of society.

NKC submitted its recommendations to the Prime Minister on higher education in November 2006. The current regulatory structure needs to be examined to make it more robust, flexible, transparent and dynamic. The standard of colleges across the country urgently needs to be improved; this could be done by imparting greater autonomy to the colleges. The recommendations have a focus on quality enhancement in educational institutions. The recommendations have been drafted taking into consideration consultations with a wide range of stakeholders (including a working group on undergraduate education) and previous reports on higher education submitted to various ministries.

Open and Distance Education

Almost half the students enrolled in higher education are receiving education through the distance mode, through open universities or through correspondence courses of traditional universities. But issues of acceptability of students for higher degrees and suitable employment persist. There is also an unprecedented opportunity with regard to open courseware (open education course content and material available on the web). There have already been great developments in broadband and internet infrastructure needed to facilitate the spread of open courseware, and this needs to be further developed in the country. A repository of such material could be developed by national experts for use across institutions. A working group on open and distance education has met twice to discuss the infrastructure – technical and organizational – needed to implement these reforms. A two-day symposium was also held, with participation from a wide range of stakeholders including international experts, academics, local institutions involved in the development of open courseware, government representatives and industry.

Professional Education

1. Medical Education

India has wide disparities in the distribution of health professionals and health services, not only between rural and urban areas but also between various states. All the teaching hospitals and medical colleges are located in urban areas where only 30-35 per cent of the population lives. During the last 60 years, the present medical education programmes have failed to address these twin situations as health outcomes show. It is obvious that our health system needs revamping to make the changes needed to upgrade the existing medical colleges to be in tune with the astounding progress of science and technology in the field of medical science. At the same time, rural medical education needs to be addressed by developing innovative tracks in existing colleges for establishing rural medical education programmes specific

to our needs and training rural physicians within the existing medical colleges in the country. NKC has set up a working group of practicing doctors and educationists to address the state of medical education as it stands today. Steps need to be taken to improve the standards in education and recommendations need to be worked out to implement the changes required.

2. Legal Education

Legal Education as an aspect of professional education has assumed considerable significance, not only in terms of the historical utility of law in society but also in the current context of globalization. Legal education is a vital link in the creation of knowledge concepts as well as in the application of such concepts in society. The need for trained law personnel in academia, litigation, corporate practice, government and civil society has increased significantly in recent years and it is estimated that the demands for such trained personnel will rise far more exponentially in the years to come. There is therefore need to articulate a clear long-term vision on legal education in India, guided by a continuing commitment to excellence. NKC is engaged in consultations with some of the country's foremost practitioners and academics in legal education. Some of the key areas under consideration are:

- Access to quality legal education;
- Methods of attracting and retaining a talented faculty;
- Identifying avenues for continuous curriculum development;
- Finding innovative solutions for infrastructure and administrative questions; Knowledge Concepts

National Knowledge Commission

- Regulatory issues;
- Developing a serious research tradition that is globally competitive;
- Formulating a culture of sustained law training that meets the needs of the different sectors of the society and economy.

3. Management Education

In the field of management education, India has more than 1,200 institutions providing undergraduate and post-graduate level courses. Since the management graduates and post-graduates produced by these institutions are primarily absorbed by industry, there is a growing need to match the curriculum and structure of management education to fit the needs of India better and sensitize it to the changes in the industrial and services sectors within the country. There is a need to measure the quality of the education provided by these mostly private organizations. This will also benefit selection and recruitment by potential employers. Some of the issues under consideration of NKC are:

- Constraints, problems and challenges relating to curriculum, teaching, infrastructure, administration and access;
- Methods of strengthening teaching and research in the management of public systems (including state governments and local governments), regulatory structures and public policy;
- Methods of attracting and retaining talented faculty members;
- Measures to promote and sustain research in management education;
- Issues of autonomy and accountability of institutions;
- Innovative means of raising standards and promoting excellence in management education situated in the wider context of society.

4. Engineering Education

India produced a total of 415,000 engineers in 2005. Though impressive, this is nowhere near to the number required. Over the next decade, India will have two significant opportunities in the form of manufacturing and). For India to make the most of these opportunities, the number of engineers has to be increased and their quality enhanced. Except in a few elite institutes, engineering education in India is often outdated and irrelevant. Most graduates do not possess the skills needed to compete in the economy, and industries have been facing a consistent skills deficit. Also, most institutes, including premier institutes, fail to attract and retain quality faculty. These deficiencies in technical and engineering education mean that India runs the risk of missing out on significant opportunities. NKC is examining the following issues:

- Constraints, problems and challenges relating to curriculum, teaching, infrastructure, administration and access;
- Methods of attracting and retaining talented faculty members;
- Measures to promote and sustain research in collaboration with Industry;
- Issues of autonomy and accountability of institutions;
- Innovative means of raising standards and promoting excellence in technical education situated in the wider context of society.

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A nation can develop in two ways – either it learns to use existing resources better, or it discovers new resources. Both activities involve creation of knowledge. This makes it important to consider all activities that lead to the creation of knowledge directly or help in protecting the knowledge that is created. India must therefore examine issues such as innovation systems in the country, science and technology activities and the regime of intellectual property rights.

Intellectual Property Rights

Intellectual Property Right (IPR) has emerged as an indispensable strategic tool in today's knowledge economies and societies, particularly in the context of economic globalization. The ability to compete in the global market depends to a large extent on the capacity to generate new ideas through innovation in science and technology, where such ideas are transformed into wealth-generating products. IPR, by conferring exclusive monopoly rights to its owner for a limited duration, has emerged as a significant factor in creating incentives for innovation and generation of economic value. An effective IPR system is also a constituent of a reliable legal environment, which in turn becomes an important factor for decisions on foreign investment and technology transfer. Key systemic issues in this regard are:

- Clearly defined contractual rights and obligations enshrined in the law; respect for law; development of effective legal systems for enforcement; availability of accurate and detailed ready-to-use IPR information;
- Opportunity for continual training of IPR professionals across sectors; creation and development of modern infrastructure, including human resources in the various IPR establishments;
- Harmonization and streamlining of administrative procedures of the different IPR offices and perhaps most significantly, the development of a vibrant IPR culture in the processes of knowledge creation, application and dissemination, all of which are connected with market demand and rewards. In a developing country like India,

there are various sectors in the economy where India has the potential of achieving competitive advantage, in which substantive policy-legal issues connected with IPR, along with its manifold dimensions, assume significance. NKC organized a nationwide symposium of top IPR experts in the country, drawn from academia, industry, law, government and civil society, to brainstorm on the topic 'IPR Protection and Management in India'. The symposium was chaired by Dr. R. Mashelkar, the Director-General of Council of Scientific and Industrial Research (CSIR). To facilitate discussion on some of the most pertinent issues in IPR that the country faces today, NKC believes that IPR is a factor of enormous strategic significance in the context of knowledge creation, application and dissemination in the 21st century.

Innovation

Given that the Indian economy is growing at 6-8 per cent per year, while exports are growing at 30 per cent compound annual growth rate (CAGR), and many Indian firms are successfully competing against international firms and brands, it can be concluded that this has been made possible by a combination of enabling environment, rising capital and labour productivity, and improved quality of goods and services at lower cost. In the growth of quality and quantity of Indian economy, innovation is a key driver, although this may not be readily visible. NKC seeks to explore and discover how innovations are taking place, driving growth and improving competitiveness in various sectors of the Indian economy, with a view to replicating and enhancing innovation. NKC envisages a national innovation system, where entrepreneurship at the local and national levels is encouraged, and inter¹⁹ disciplinary studies in science and technology are undertaken in order to encourage new approaches and methodologies. In order to explore this sector, NKC is undertaking a survey to seek answers from key players from each of these sectors. It will also hold a series of workshops with key players in each sector.

Science and Technology

Development of Science and Technology is essential to ensure the economic and social advancement of a people. Leadership in science and technology is an indispensable facet of knowledge ceation and application. Progress in science and technology can significantly open new avenues for industry and be an engine for providing crucial knowledge services in a developing country like India. In order to be a leader in the global arena, it is imperative that India emerges as a leader in the spheres of science and technology. There is need to give further impetus to the scale and scope of research activities being carried out within the country. There is need to improve the research landscape of the country through various measures directed at ensuring better Research and Development (R&D). Some of the issues under consideration of NKC are:

- Identifying and removing hurdles in obtaining funding for research
- Identifying some major unsolved problems in science and technology, where India can play a significant leadership role in research and development
- Identifying futuristic interdisciplinary areas in science and technology and setting up studies
- Envisaging the use of science and technology as a crucial tool for development and facilitating their use for solving problems of the poor and the underprivileged. NKC has submitted a recommendation to the

Prime Minister proposing the establishment of National Science and Social Science Foundation.

Creation of Knowledge

Anil S. Mardikar & Mrs. Ranjana A. Mardikar
Advocates

403, Kalidas Apartment, Bhagwagar Layout,
 Dharampeth, Nagpur - 440 010. Tel.: 2537816, 2536461

BY REGISTERED POST A/D

To,
 The Chairman,
 University Grants Commission,
 Bahadur Shaha Jafar Marg, New Delhi 110002.
 Sir,

Under the instructions and authority of my clients - Shri A.Y. Bhaik, Shri A.A. Wankhede, Ku. L.A. Kadu, Shri M.D.Balpande, Shri S.R. Jadhao, the employees under the colleges affiliated to Rashtra Santa Tukdoji Maharaj Nagpur University, Nagpur [hereinafter referred as Nagpur University for the sake of brevity], I have to serve you with the following notice:

1] That my clients are amongst the persons mentioned and classified under Appendix A to the proposal regarding questions and contentions of relaxation in relation to passing of NET/SET Examination as directed by Hon. High Court Bombay in W.P.5782/01 decided on 18.4.2002, accordingly a proposal was submitted by Nagpur University bearing No. NU/CS/02 dated 17.12.2002. That you noticee have not till date taken a decision on the said proposal sent by Nagpur University. **It is however learnt that subsequent to filing of Stamp contempt petition no. 18082/06 in Writ petition No. 3974/2001, by, five professors, from the colleges affiliated to Amravati University, after the notice before admission being issued by Hon. High Court, Nagpur, you noticee in April 2007 took decision on said proposal of Amravati University regarding relaxation of NET and SET Examination, as referred to above. It is however seen that you noticee have also granted relaxation in respect of candidates mentioned in Appendix A in the proposal forwarded by Amravati University. However you noticee have in the said proposal failed to take note of the recommendations by the Amravati University to the effect that the candidates whose names appeared in Appendix A are those candidates who have joined services prior to the date of implementation of NET/SET as a compulsory qualification at the recruitment level through lawful instruments & 5th pay commission being implemented, their services are governed by prescribed minimum qualification for appointment to the post of lecturer as then prevailed and those candidates are therefore, not required to even qualify NET / SET examination, the qualifications which are prescribed later on. You noticee has not considered the recommendations by the Amravati University that the candidates whose names appeared in Appendix A are not governed by the first proviso to clause (2) of the regulations of 1991 and 2000 of the University Grants Commission and those candidates being not even required to acquire NET /SET qualification need not even be considered for exemption from acquiring other qualifications. The Amravati University as well as Nagpur University while forwarding proposal had requested UGC to clarify the said stand of the university. It was also brought to the notice of the UGC that in respect of Nagpur University a direction as to NET /SET qualification was**

given on 28.12.1999 and in respect of Amravati University it was dated 30.12.1999 and in both universities persons whose names appeared in Appendix A are the persons who have been recruited & who have joined services prior to the above two dates and since they are covered by the second proviso of Para 2 of U.G.C. Regulation 2000, the question of applying first proviso of para 2 of the said regulation does not arise and they should be therefore, excluded from consideration to acquire or exemption regarding NET/SET examination. In respect of Amravati University you noticee failed to give clarification in respect of said fact, though being requested to, and without giving any reason held that the persons named in Appendix A are exempted from NET /SET qualification. In respect of Nagpur University you noticee have till date taken no steps and taken a decision. You noticee have contrary to judgment passed by High Court Bombay in Writ Petition No.5782/01 dated 18.4.2002, which is in the same terms as in the decision of Aurangabad High Court in Writ Petition no. 5022/01, wherein Hon. Court held while striking down clause 2(d) of the G.R. dated 18.10.2001, the court directed that cases of those candidates appointed from 12.10.1999 to 18.10.2000 should be considered pertaining to applicability of first proviso to clause 2 of U.G.C. 1991 regulation as well as 2000 regulation before their services could be terminated. Bombay High Court had granted 4 months time for considering said question and besides had directed that same be considered in respect of petitioners in petition 5782/01 as also petitioners in list annexed to said petition in Writ petition No.5782/2001. However, contrary to the said directions, you noticee called upon state universities to forward the proposals of those candidates who were not NET/SET holders. However, following said direction, Nagpur University and Amravati University had classified proposal in categories A B C while appendix B and C was as per direction of Hon. High Court and Appendix A was in respect of names of those persons who were not having NET/SET, but were governed by the second proviso of para 2 of U.G.C. Regulation of 1991 and 2000 and therefore, though their proposals were directed to be forwarded by you noticee, they were not required to be said to have cleared NET/SET or required to consider for exemption from acquiring said NET/SET, as their services were prior to the said qualifications being prescribed by UGC and being implemented on later date by respective university.

2] Therefore, I call upon you noticee to take decision on the proposal sent by Nagpur University as referred to above, as also clarify the Firm stand taken by Nagpur University in respect of candidates whose names appeared in Appendix A which includes names of my clients who are governed by the second proviso of para 2 of the Regulation within one months from the date of receipt of this notice, and clarify the stand of the University that my clients are not required to acquire NET/SET qualification in view of the fact that they are covered by the second proviso of para 2 and not by the first proviso of para 2 of the Regulation, **failing which my clients have given me standing instructions to proceeding against you for contempt committed by you noticee.**

Please take notice and comply.

Thanking you,

Yours Sincerely

Nagpur : Date: 9.7.2007 [Anil Mardikar: Advocate]

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To,.....

