

MAHARASHTRA FEDERATION OF UNIVERSITY & COLLEGE TEACHERS ORGANISATIONS

University Club House, Churchgate, B-Road, Mumbai 400 020

Mumbai , 23rd December 2000

Dr. P.C. Alexander
His Excellency
The Governor of Maharashtra &
The Chancellor, Universities in Maharashtra,
Raj Bhavan, Mumbai.

Your Excellency:

This is to draw Your Excellency's kind attention to the serious injustice arising due to issuance of G.R. No.RPS-2000/53/TE-6, dated 4th October 2000, by the Higher & Technical Education Department, Government of Maharashtra. **The provisions of the said GR have the effect of adversely affecting the teachers, librarians and instructors of physical education in the non-government engineering colleges**, and other degree level technical institutions including architectural and pharmacy colleges. This is a matter of serious concern for all of us and teachers in general and teachers of the technological institutions in particular, have made representations to their respective University level Associations and also to the MFUCTO. Several hundred teachers in the technological institutions affiliated to various Universities in the State, also submitted Petitions addressed to Your Excellency in the form of condemnation letter. The MFUCTO at its executive committee meeting held on 17th December 2000, considered the issue in all its aspects and resolved to draw Your Excellency's attention in this regard before taking any other step to prevent such un-academic action.

The original G.R. RPS-2198/77/TE-6 dated 18th December 1999 issued by the Higher and Technical Education Department was the correct G.R. in relation to revision of pay scale for teachers in the state. As, per said G.R. implementation of the Fifth pay commission recommendations on the revision of pay scales was to be from 1 - 1 - 1996 for all teachers in the technology faculty including those working in the unaided technological institutions. However, the new GR dated 4th October 2000 has changed the policy decision already taken by the government and notified, **in as much as the unaided institutions are now released from the liability of making payment of arrears** by providing in the GR that implementation may be done from 1-8-2000 instead of 1-1-1996.

The argument given in the GR for making this policy change is untenable. The fee structure in engineering and other technological institutions has been revised on several occasions, since 1 - 1-1996 and the reason advanced from time to time for effecting the said change in fee structure was to meet the liabilities arising out of the implementation of fifth pay recommendations of pay scales and the institutions have been compensated to retrospectively in that respect in anticipation of retrospective implementation.

It may not be impertinent to point out here that recently the teachers of the Shriram Polytechnic, Airoli, had moved the Hon'ble High Court at Mumbai in Writ Petition No.3097 of 2000 which was to get the pay scales recommended by the Fourth and Fifth Pay Commissions implemented in the said Polytechnic. The Hon'ble Court was pleased to issue order for implementation of the Fourth Pay Commission recommendations with arrears and also implement the Fifth Pay Commission recommendations

with effect from the month of September 2000. The arrears arising out of the Fifth Pay Commission recommendations from 1-1-1996 was to be settled when the Writ Petition was to be finally disposed of. The Polytechnic is run by the NYSS with which Shri. Datta Meghe, who is an Hon'ble Minister in the Maharashtra State today, is closely connected. The campus has also an engineering college affiliated to the University of Mumbai by name Datta Meghe College of Engineering (DMCE). It is clear from the circumstances therefore that the change in the policy decision contained in the original GR dated 18th December 1999 to adversely affect the interest of teachers by denying to them the arrears of 55 months from 1 - 1 - 1996 to 31-7-2000, is to preempt the possibility of the technology teachers of the said college also moving the Hon'ble High Court at Mumbai as their polytechnic teachers had done and obtained favorable orders based on the existing GR. There are other ministers in the Council of Ministers who are also conducting engineering colleges and who are party to the decision of the government for denying the teachers their arrears on the account of revision of scales of pay. **In other words, paucity of fund is not the real reason for the issuance of the said new GR.**

It is worth noting that apart from the gross injustice done to the teachers in technology faculty under the unaided institutions, **the action is discriminatory and therefore unconstitutional.** This policy change will not only affect the teachers in the engineering unaided institutions but it will have adverse impact on technological education itself in the State, more particularly because most of the technological institutions are in the category of unaided ones.

In the light of these facts brought out including injustice and gross discrimination, it is our earnest request to Your Excellency as the Governor of the State and also Chancellor of the Universities in the State, to intervene immediately and call for the papers including the Writ Petition filed by the Polytechnic teachers in the Hon'ble High Court at Mumbai and the interim Orders of the Court, and see that the Government of Maharashtra withdraws the new GR dated 4th October 2000 and restores the original GR dated 18th December 1999 which was just and proper and on the lines of GR issued by the Government of Maharashtra for teachers in other Faculties as also the GRs issued all over the country for teachers and other employees in implementation of the revision of scales based on the recommendations of the Fifth Pay Commission as accepted by the UGC (and AICTE).

With respectful regards,

Yours sincerely
(C.R. SADASIVAN)
General Secretary, MFUCTO
* * *

Copy forwarded with compliments to -
1.Shri Vilasrao Deshmukh, Hon'ble Chief Minister of Maharashtra
2.Shri Dilip Valse Patil, Hon'ble Minister for Higher & Technical Education Maharashtra State
3.Prof B.T. Deshmukh, Member of the Legislative Council, Amaravati.
For information and necessary action.

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Technical education system in India.

RELOOK AT THE ROLES OF EXISTING REGULATING AND CONTROLLING AUTHORITIES.

SHRIDHAR G. VAIDYA. & DEEPAK R. SHARMA

Background:

In order to understand the role of the existing regulating and controlling authorities, let us first have a look at the spread of the technical education system in India.

| TABLE A | | | | |
|---|----------------------------------|------------|-----------------------------------|------------|
| Spread of Technical Education Institutions region wise all over India. | | | | |
| Total No of Degree Engineering Institutions in the country : 776 | | | | |
| Total No of Diploma Engineering Institutions in the country : 1215 | | | | |
| Region | Degree Engineering Institutions. | | Diploma Engineering Institutions. | |
| | No. of Institutions | Percentage | No. of Institutions | Percentage |
| Central | 67 | 8.63 % | 84 | 6.91 % |
| East. | 34 | 4.38 % | 67 | 5.51 % |
| North | 75 | 9.66 % | 139 | 11.44 % |
| North-West | 89 | 11.46 % | 150 | 12.34 % |
| South | 259 | 33.37 % | 307 | 25.26 % |
| South- West | 95 | 12.24 % | 251 | 20.65 % |
| West | 157 | 20.23 % | 217 | 17.86 % |

| TABLE B | | | | |
|---|----------------------------------|------------|-----------------------------------|------------|
| Spread of Technical Education Institutions in the Four States. | | | | |
| Total No. of Degree Engineering Institutions in the country : 776 | | | | |
| Total No. of Diploma Engineering Institutions in the country : 1215 | | | | |
| State | Degree Engineering Institutions. | | Diploma Engineering Institutions. | |
| | No. of Institutions | Percentage | No. of Institutions | Percentage |
| Andhra Pradesh | 102 | 13.14% | 92 | 7.57% |
| Tamil Nadu | 153 | 19.71% | 211 | 17.36% |
| Karnataka | 75 | 9.66% | 199 | 16.37% |
| Maharashtra | 135 | 17.39% | 169 | 13.90% |
| Spread in Four States | 465 | 59.92% | 671 | 55.22% |

| TABLE C | | | | | | |
|---|----------------------------------|--------|--------|-----------------------------------|--------|--------|
| Percentage of Private and Govt. Technical Institutions in the four states. | | | | | | |
| State | Degree Engineering Institutions. | | | Diploma Engineering Institutions. | | |
| | No. of Institutions | Pvt. | Govt. | No. of Institutions | Pvt. | Govt. |
| Andhra Pradesh | 102 | 93 | 09 | 92 | 27 | 65 |
| Tamil Nadu | 153 | 134 | 19 | 211 | 148 | 63 |
| Karnataka | 75 | 62 | 13 | 199 | 141 | 58 |
| Maharashtra | 135 | 110 | 25 | 169 | 105 | 64 |
| Spread in Four States | 465 | 399 | 66 | 671 | 421 | 250 |
| | | 85.80% | 14.20% | | 62.75% | 37.25% |

| TABLE D | | | | | | |
|---|----------------------------------|-------|-------|-----------------------------------|-------|-------|
| Percentage of Private and Govt. Technical Institutions all over India. (Region wise) | | | | | | |
| Total No of Degree Engineering Institutions in the country : 776 | | | | | | |
| Total No of Diploma Engineering Institutions in the country:1215 | | | | | | |
| Region | Degree Engineering Institutions. | | | Diploma Engineering Institutions. | | |
| | No. of Institutions | Pvt. | Govt. | No. of Institutions | Pvt. | Govt. |
| Central | 67 | 41 | 26 | 84 | 14 | 70 |
| East. | 34 | 08 | 26 | 37 | 04 | 63 |
| North | 75 | 40 | 35 | 139 | 09 | 130 |
| North-West | 89 | 50 | 39 | 150 | 44 | 106 |
| South | 259 | 230 | 29 | 307 | 175 | 132 |
| South- West | 95 | 64 | 31 | 151 | 143 | 108 |
| West | 157 | 120 | 37 | 217 | 113 | 104 |
| Spread all over India | 776 | 553 | 223 | 1215 | 502 | 713 |
| | | 71.2% | 28.7% | | 41.3% | 58.7% |

Table 'A' shows the engineering and technology institutions both degree and diploma, region-wise all over India.

Table 'B' shows the percentage of these technology institutions only in four states of India i.e. in the state of Andhra, Tamilnadu, Karnataka and Maharashtra.

Table 'C' shows the percentage of private and Government institutions in the four states of Andhra, Tamilnadu, Karnataka and Maharashtra.

Table 'D' shows the percentage of private and Government institutions region wise all over India.

A close look at these tables reveals the following facts :

a) Of the 30 states nationwide, @ 60% of the degree institutions and @ 56% of the diploma institutions are concentrated in four states only. (Refer table B.)

b) Of the total no of 776 degree engineering institutions all over India , @72% are run by the private trusts/bodies while only 28% run by the Government. Of the 1215 diploma institutions,@42% are run by the private trusts/bodies while rest 58% are run by Government. (Refer table D.)

c) For the four states mentioned above, the % of private engineering ;degree institutions is 86 while that of private engineering diploma institutions is @63. (Refer table C.)

What do these facts reveal?

1) The growth of the technical education is concentrated in four southern and western states of India only.

2) The proportion of the private engineering degree and diploma institutions is drastically more nationwide.

3) Of the four states, where the engineering and

diploma institutions are concentrated, the number of private run institutions is more dominant than the government run institutions.

This paper tries to take a look at the role of the existing regulating and controlling authorities in the state of Maharashtra where @ 18% of the engineering degree and @14% diploma institutions nationwide are concentrated. Various factual illustrations are quoted in the paper to highlight the role of such regulating and controlling authorities. In the state of Maharashtra, 110 out of 135 engineering degree institutions are 'owned' by the private trusts/bodies (two more are added recently - thanks to AICTE) and 105 out of 169 diploma institutions are 'owned' by the private management. Thus @ 82% degree engineering and @62% diploma engineering institutions are 'owned' by the private trusts/bodies. The word 'owned' is used purposely, because barring a few exceptions, the trustees of such private trust have become the owner of such institutions. Thus the success or failure of the regulating and controlling authorities in the management of these private institutions can be a role model for the relook at the roles of the existing regulating and controlling authorities.

THE CONTROLLING AUTHORITIES.

The constitutional controlling and regulating body in the field of technical education is All India Council for Technical Education (AICTE), which is formed by the AICTE Act-1987. Mostly for, all the states nationwide, the Director of Technical Education (DTE) is the controlling and regulating authority at the state level.

The All India Council for -Technical Education act was passed by the Parliament on 15th December 1987 and was assented by the President of India on 23rd December 1987.

The preamble of the act says :- "An act to provide for the establishment of All India Council for Technical Education with a view to the proper planning and co-ordinated development of the technical education system throughout the country, the promotion of qualitative improvements of such education in relation to planned quantitative growth and the regulation and proper maintenance of norms and standards in the technical education system and for matters connected therewith."

This act is passed by the elected representatives of India in the house of highest authority i.e. Parliament of India. When the act was passed in 1987, AICTE had become the highest constitutional body to regulate and control the matters related with the technical education system in India. Has AICTE met the expectations of the people of India? As the preamble says, AICTE is established with a view to the proper planning and coordinated development of the technical education system throughout the country. Do we find that there is, a proper planning and coordinated development of technical education system throughout the country...the answer is sadly 'NO'. There- is geographical imbalance. When only four states have @60% of the technical education institutions and rest 26 states have the balance 40% of the institutions, it is the failure of AICTE. AICTE was not vigilant about the uniform spread of the technical education system throughout the country. AICTE has failed here by acting against the wishes of the people of India as described in the preamble of the act. This is the first and the far most failure of AICTE.

Has AICTE fulfilled the other expectations described in the preamble? i.e. promotion of qualitative improvements of technical education in relation to planned quantitative growth and the regulation and proper maintenance of norms and standards in the technical education system and for matters connected therewith."

"AICTE should build its home first." "AICTE has made a mockery of technical education system in India.", "AICTE has created more mess than proper maintenance of norms and standards in the technical education system." These are the remarks passed by various honorable courts all over the country. This year, in the state of Maharashtra, the admission process of first year engineering was halted twice by the decisions taken by AICTE. When 70% of the admissions were over, AICTE gave permission to two more engineering colleges; reverting the whole admission process. These two new engineering colleges were allotted to two stalwart politicians of Maharashtra. Again when the admissions begun, AICTE announced 5000 more intake for I.T. and computer related courses. The whole process of admission was reverted once again. Has AICTE ever thought of the sheer agony and the troubles to the student community and their parents ? Is it a planned quantitative

Revision of pay scales of Teachers, Librarians and Instructors of physical Education in Non- Government Engineering Colleges and other Degree level technical institutions including Architectural and Pharmacy Colleges.

GOVERNMENT OF MAHARASHTRA : HIGHER & TECHNICAL EDUCATION DEPARTMENT
Resolution No. RPS 2000/53/TE-6 : Mantralaya Annex, Mumbai-400 032
DATED 4TH OCTOBER, 2000.

Read:- Government Resolution, Higher & Technical Education Department
 No. RPS 2198/77/TE-6, dated 18th December, 1999.

RESOLUTION

The State Government has revised the pay scales of the teachers, librarians and physical Education instructors in the Engineering Colleges and other equivalent Technological institutions at degree level vide Government Resolution Higher & Technical Education Department, No. RPS 2198/77/TE-6, dated 18th December, 1999. Those revised pay scales are made applicable to the teachers of the Government, Non-Government aided and un-aided institutions with effect from 1.1.1996. **However, it is brought to the notice of State Government that it is not possible for the un-aided institutions to make payment of arrears on account of revision of pay scales to the teachers with effect from 1.1.1996** due to paucity of funds. Hence, the Government is pleased to direct that the scheme of revision of pay scales declared vide Government Resolution, dated 18th December, 1999, mentioned above, should be made applicable to the teachers, librarians and instructors of physical education in the un-aided Engineering Colleges and other equivalent institutions of technical education including Architecture and Pharmacy at degree or equivalent level in the State, with effect from 1st August, 2000.

By order and in the name of the Governor of Maharashtra.

(M.D. Ambade)
 Under Secretary to Government

growth as promised to the people of India in the AICTE Act? Sadly again the answer is "NO". In fact AICTE does not have any plan for the quantitative growth of the technical education throughout the country. Has AICTE confirmed whether the institutions to whom the IT and computer related courses are thrown like peanuts have the necessary infrastructure and qualified staff to teach these courses? With the advent of I.T. boom, there are no takers for the courses like civil engineering, chemical engineering etc. Does AICTE has any answer to whether the teaching and non-teaching staff of these courses will be absorbed? Again the answer is "NO". When the people of India have entrusted the quantitative growth and regulation and proper maintenance of norms and standards in the technical education system throughout the country, it is expected that AICTE should weigh all the pros and cons of every decision of theirs. Now it is the time to think seriously about the role of AICTE in the growth of technical education system in India.

Another important function of AICTE is the regulation and proper maintenance of norms and standards in the technical education system in the country. The present day machinery of AICTE has further deteriorated the standards of technical education in India rather than improving it. The private technical institutions owners lobby is so strong that they dictate the terms and standards to AICTE. As per the AICTE guidelines, an inspection team

should carry out the inspection at least for three days to decide about the recognition to any technical institution. However in practice, it is seen that the inspection committee visits even three or more institutes in a day. (And many a times the recognition is granted even without visiting the institute and doing the inspection physically.) What standards we may expect from such inspections? There are instances like in case of Premalatai Chavan Polytechnic, Karad; where the state government has derecognized the institute, but AICTE has given its recognition. Isn't it contradictory? But 'who cares' is the attitude of AICTE. I don't think that AICTE has derecognized any institution once it is started for the want of any standards and norms. Substandard educational facilities, non payment of full salary and other service benefits to the staff, lack of infrastructure, autocracy of the management is a common scene in most of the private engineering and polytechnic institutions in Maharashtra. AICTE takes an undertaking from the management of all the private non-aided engineering and polytechnic institutions to fulfill all the conditions laid down by AICTE as per the norms. However the execution of the undertaking is never confirmed by AICTE.

An illustration is self-explanatory. The services of all the staff members were terminated orally and the polytechnic was declared closed by the management of Sant Gadage Baba Polytechnic, Bhusawal. The management did this because the staff members protested

LANDMARK JUDGEMENT OF SUPREME COURT

AIR, 1996, SC, PAGE 1 TO 11

(From AIR 1989, Bombay 296)

KULDIP SINGH & K. S. PARIPOORNAN, JJ

State of Maharashtra, Appellant versus Manubhai Pragaji Vashi & Ors. Respondents

A) Constitution of India, Arts. 226, 14-education-Recognised private law colleges-Non-extension of grant-in-aid by State to said Colleges and at same time extending of such benefit to other non-government colleges is patently discriminatory. (Paras 10, 12, 14)

PARA 10

On hearing counsel, we are of the view that no dispute seems to have been raised in the High Court regarding the grant-in-aid made available to recognised private professional colleges other than law. Nor was any material placed before the court on this score. The conclusion of the High Court to the effect that not extending the grant-in-aid to non-government law colleges and at the same time extending such benefit to non-government colleges with faculties viz. Arts, Science, Commerce, Engineering and Medicine (other professional non-government colleges) is patently discriminatory and based on material unsustainable. The state has not discharged the burden of proof cast on it to sustain the differential treatment meted out to one of the government recognised professional colleges (private law colleges). **It is patent that likes have been treated unlikes, without proper justification or reason and the private law colleges have been singled out for hostile treatment.** The disparity in the service conditions in not affording the benefit of pension-cum-gratuity scheme to the non teaching staff in non-government law colleges and at the same time affording the same benefit to non-teaching staff of colleges with faculties in Arts, Science, Commerce, Engineering and Medicine with effect from 1-10-1982 is discriminatory as correctly opined by the High Court and requires to be set right.

PARA 12

The facts stated above amply bring out the fact that recognised private law colleges alone were singled out for hostile discriminatory treatment. The recommendation of the committee (Pages 198-208) to apply the new formula for the grant to private law colleges and the resolution adopted by the government to extend the UGC scales to teachers of law colleges (pages 86-87) remained only in paper and no concrete steps were taken to implement them. It is not explained as to why recognised private law colleges alone are disentitled to receive grant-in-aid from the government. The burden of proof cast on the state, that discrimination against recognised private law colleges is based on a reasonable classification having nexus to the object sought to be achieved has not been discharged. The High Court has held so, placing reliance on the decisions of this Court reported in Budhan Choudhary V. State of Bihar, AIR 1955, Sc 191; Express Newspaper V. Union of and conclusion of the High Court is fully justified and no exception can be taken to the decision arrived at by the High Court. The High Court has further referred to the plea of paucity of funds pleaded by the state and has held that paucity of funds can be no reason for discrimination placing reliance on the decision of this Court in Municipal Council, Ratlam V. Vardhichand, AIR 1980, SC, 1622. **This reasoning of the High Court is also fully justified and no exception can be taken to the said proposition as well. We hold so.**

against the physical abuse to one of the lab assistants and were demanding for payment of wages and other service benefits as per the government rules and regulations. These staff members have to go up to the Supreme Court to get justice, but the regulating and controlling authorities kept mum at their end. This is status of technical education under the control of AICTE and DTE in the state of Maharashtra.

To put in nutshell, AICTE, the highest regulating and controlling authority has failed in both proper planning and coordinated development of the technical education system throughout the country and maintaining any standards in the technical education system in the country. AICTE has done more harm than any good to the technical education in India.

Chapter III of the AICTE Act 1987 speaks about the powers and functions of the council. Section 10(1) 'a to v' specifies the functions of the council.

10(1). 'a' - To undertake survey in the various fields of technical education, collect data on all related matters and make forecast of the needed growth and development in the technical education.

10(1). 'b' - Coordinate the development of technical education in the country at all the levels.

10(1). 'n' - Take all necessary steps to prevent the commercialization of the technical education.

These are some of the functions conferred on to

AICTE by the AICTE act and where AICTE has failed miserably in executing all these functions.

Take the example of the sudden I.T. boom. Has AICTE collected the relevant data on the related matters?. Has it forecasted the required growth and development in the field of I.T.? The sudden I.T. boom is only because of the highly propagandized lucrative prospectus in the I.T. field. But what are the ground realities? Most of the students prefer I.T. course for a lucrative job, that too in western countries. But the reports say that the I.T. qualified people from India do not get a managerial job in the west. They are slightly *above* a data entry operator; and in fact a reverse brain drain has already started from west back to India. When AICTE is entrusted with the task of making a forecast of needed growth, it should do the forecast carefully. In the British era, Indians were taught English not because English is the window of the world; but because the British wanted "Babbus" (Clerks) to run their administrative machinery. Similarly, after 50 years of independence, AICTE should seriously think about the planned growth of technical education in India. Are we going to produce "cheap labour" to cater the needs of the western countries is the millennium question. AICTE should carefully answer this question. AICTE is a constitutional body and it should believe in its strength and powers. It should avoid making cheap decisions catering the short term needs and goals of the politicians.

Section 10(1).b confers the function of coordinating the development of technical education in the country at

ALL INDIA FEDERATION OF UNIVERSITY & COLLEGE TEACHER'S ORGANISATIONS

(Regd. under Act. XXI of 1860)

4-3-225/8, Gujarati Galli, Kothi, Bank Street, Hyderabad-500 195. : Phone & Fax 040 - 4756914

20th JANUARY 2001

To
The Member Secretary
All India Council for Technical Education
Indira Gandhi Sports Complex, I.P. ESTATE, New Delhi-110 002.

Dear Sir:

SUBJECT: Injustice to the teachers of technical institutions through AICTE notification on REVISED PAY SCALES and SERVICE CONDITIONS, for DEGREE LEVEL TECHNICAL INSTITUTIONS (PRIVATE SELF-FINANCING)

REF : My letter dated 6/6/2000.

With reference. to the above, it appears that my letter written on behalf of the AIFCTO for all the teachers in the Technology faculty, has not been given due consideration. A number of anomalies were raised in the Memorandum submitted (copy enclosed for ready reference) particularly on the account of workload and qualifications experience required for the position of Asstt. Professors and Professors for which Ph.D has been made compulsory. The Government of Maharashtra by its GR dated 5th Sept 2000 applicable to government Engineering Colleges, has not made Ph.D an essential condition for these posts.

The entire community of teachers in Engineering Colleges have expressed strong dissatisfaction and protest against the manner in which arbitrary service conditions are being imposed upon in the name of revision of scales of pay and to the detriment of technical education itself.

For private and self-financing sector of technical education, on the workload and qualifications, there is discrimination being adopted which is not proper and legal.

In the light of these facts, it is requested that the issued should be immediately taken up again and correct decision being taken and imposed without discrimination. Memorandum submitted should be given due consideration.

Thanking you,

Yours faithfully
(C.R. Sadasivan)
Secretary, AIFUCTO
Uni. Club House, B-road Churchgate, Mumbai - 20

Copy to :

1. Prof. Murali Manohar Joshi, Hon'ble Minister of HRD.
2. Prof. B. Vijay Kumar, Gen. Secretary, AIFUCTO.

all levels. Sadly, there is no coordination in the development of technical education in the country at any level. The state governments are not aware of what decisions are being taken by AICTE and vice versa. At present there is I.T. boom. But the people at AICTE should understand that I.T. and computer related courses are a service sector. Any growth in the service sector only is not going to strengthen the infrastructural muscles of the nation. If for the want of I.T., we are going to close the civil engineering courses, it will be a great mistake; a mistake for which the nation will have to pay in long run.

Section 10(l)n assigns the function of taking all necessary steps to prevent the commercialization of technical education. Now is the time for AICTE to make a confession. No one can deny that running a technical education institution has become a business now a days. Just because the regulating and controlling authorities like AICTE and DTE have failed in performing their duties and functions, there is a large-scale exploitation of students, parents, teachers and -staff and the whole society in general by a handful private technical institution owners. When @ 60% of the technical education institutions are run by the private trusts with sheer motive of earning profit, and when the controlling and regulating bodies are dumb, deaf and blind, the result is exploitation of the society. Recently, in the NRI -quota case, the Mumbai Highcourt has slapped the Government of Maharashtra and the Director of Technical Education. All of a sudden, the NRI quota was raised from 5% to 15%. It was revealed that even the 5% NRI quota is not filled completely and many RI students take admissions against the vacant NRI quota with some under the table dealings. The court in it's verdict said that why don't the state government allow an auction of the engineering seats instead of cheating the people by way of increasing the NRI quota from 5% to 15% when even 2% of the quota is not filled by the genuine NRI's. Our shameless controlling and regulating authorities should learn some lesson from this verdict. Instead of becoming the puppets in the hands of the private technical institution owners lobby, (which mainly consists of politicians in the state of Maharashtra), they should be loyal to the people of this country. To what extent the commercialization of the technical education has gone : Once a politician went to the chief minister and asked for a license for a liquor shop, the chief minister said, why don't you start an engineering or polytechnic institution; there is more money in it Now is the time for all of us to think seriously about the deteriorating level of technical education because of the cent percent commercialization of the technical education in India.

The second important regulating and controlling authority at the state level is the Director of Technical Education (DTE). Especially in the states like Maharashtra, where the technical education system is dominated by the private owned technical engineering and polytechnic institutes, the DTE is a helpless poor fellow who doesn't have any guts to take any action against any misconduct by the management of these private institutions. More or less, the director is a fellow who is appointed to legalize the illegal things. If any teacher or their association complains to the DTE that the staff is not paid as per the government norms, the rules and regulations framed by you yourself are violated, the DTE coolly advises; "why don't you quit the job." The service conditions of the private non-aided polytechnic employees are governed by the 'Maharashtra Employees of Private School Act -1977, but most of the times the DTE has not even heard of such act Many of the Director of Technical Education become the technical advisor to the private institutions after completing his term as the DTE, is not a mere coincidence The DTE has recently started a web site named www.dte.org. We can gauge about the image of the DTE in the minds of the students/parents and the society in general if we go through the mails sent to DTE by the students. The students have used foul language out of frustration to curse DTE for his failure in performing his duties. Some student organizations have even blackened the face of the DTE. This is actually the blackening of the face of the whole technical education system in India. Such instances are going to increase in future if due attention is not paid towards the needs of the society. If this is the status of DTE in a progressive state like Maharashtra, least can be said about other states in the country.

Critical Analysis of the failure of the controlling and regulating authorities.

The above discussion highlights about what responsibilities have been conferred to the highest controlling and regulating authorities like AICTE and DTE by the people of India. Why these authorities like AICTE /DTE have failed in executing their duties ? In my opinion some of the reasons are as follows:

a) The controlling authorities totally lack the social vision. They lack in any future prediction and forecasting and do not have a growth plan of technical education system in India. The AICTE Act clearly lays down the functions and powers of AICTE. But some how AICTE has become helpless in executing its role properly. The decision-makers and planners at AICTE should think the nation as a whole for the planned development of technical education system

विनाअनुदानित अभियांत्रिकी महाविद्यालयामध्ये पाचव्या वेतन आयोगाच्या वेतनश्रेणीची प्रत्यक्ष अंमलबजावणी होणेबाबत.

महाराष्ट्र विधानपरिषद : गुरुवार, दिनांक ३० नोव्हेंबर २००० : तिसरे अधिवेशन, २०००

(७३)* १४०४ सर्वश्री रामदास तडस, बी.टी.देशमुख, व्दि.यू.डायगव्हाणे, सुरेश पाटील, प.म.पाटील : सन्माननीय उच्च व तंत्रशिक्षण मंत्री पुढील गोष्टीचा खुलासा करतील काय :-

(१) अभियांत्रिकी महाविद्यालयाची फी वाढवितांना तसेच येथील अनिवासी भारतीयांच्या कोट्यात, वाढ करतांना पाचव्या वेतन आयोगाच्या वेतनश्रेणी विचारात घेण्यात आल्या होत्या, हे खरे आहे काय;

(२) असल्यास, शासन निर्णय निर्गमित होऊनसुध्दा अनेक महाविद्यालयांनी याबाबतच्या शासन निर्णयाची अंमलबजावणी केलेली नाही, हे खरे आहे काय;

(३) नवीन वेतनश्रेणी लागू केलेल्या व न केलेल्या महाविद्यालयांची संख्या किती;

(४) शासन निर्णयाची अंमलबजावणी न केलेल्या महाविद्यालयांनी ती करावी म्हणून शासनाने काय उपाययोजना केलेली आहे?

श्री.दिलीप वळसे-पाटील : (१) होय.

(२), (३) व (४) याबाबतचा खुलासा खालीलप्रमाणे आहे- विना अनुदानित अशासकीय अभियांत्रिकी महाविद्यालये व तत्सम संस्थामधील शिक्षकांना पाचवा वेतन आयोग व अखिल भारतीय तंत्रशिक्षण परिषद यांच्या शिफारशीनुसार सुधारित वेतनश्रेणी दिनांक १-१-१९९६ पासून लागू करण्याबाबतचा शासन निर्णय दिनांक १८-१२-१९९९ रोजी निर्गमित करण्यात आला.

in the country and not the cancerous growth of technical education in the four states only.

b) The lack of any sort of accountability on the part of AICTE or DTE has deteriorated the technical education system. If these two powerful authorities remain indifferent towards the needs of the society, they will sink the technical education system in this country. The office bearers should be held accountable for their decisions. Once accountability is linked with the decisions of AICTE or DTE, they will behave responsibly while executing their functions.

c) Another bottleneck in the planned development of the technical education system all over the country is the lack of dedicated and trained manpower both at AICTE and DTE. The government machinery is simply insufficient

and incompetent to handle the various problems arising out of the rapid growth of the technical education institutions especially in the western and southern Indian states. There is no transparency in the decision making process of both AICTE and DTE. With the advent of the governance, let us hope that the things at AICTE as well as DTE will be more transparent and flexible. To give an illustration, this year, for the reasons best known to DTE, the process of admission to direct second year of degree institutions was unnecessarily delayed. There were lots of rumours amongst the student community. No official clarification was ever given by DTE, which only added to the confusion. Any e-mail sent to DTE in this connection was never replied. If the authorities have to raise the standards of the technical education system in India, they have to be more

विनाअनुदानित अभियांत्रिकी महाविद्यालयामध्ये पाचव्या वेतन आयोगाच्या वेतनश्रेणीची प्रत्यक्ष अमंलबजावणी होणेबाबत

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(१) अभियांत्रिकी महाविद्यालयाची फी वाढविताना, तसेच येथील अनिवासी भारतीयोंच्या कोट्यात वाढ करताना पाचव्या वेतन आयोगाची वेतनश्रेणी विचारात घेऊन निर्गमित करण्यात आलेल्या १८ डिसेंबर १९९९ च्या शासन निर्णयाची प्रत्यक्ष अमंलबजावणी किती महाविद्यालयांनी केलेली आहे;

(२) नवीन वेतनश्रेणी लागू केलेल्या व लागू न केलेल्या महाविद्यालयांची संख्या किती आहे;

(३) शासन निर्णयाची अमंलबजावणी न केलेली महाविद्यालये कोणती;

(४) या महाविद्यालयांनी नवीन वेतनश्रेणीची अमंलबजावणी करावी म्हणून शासनाने काय उपाययोजना केलेली आहे?

श्री.दिलीप वळसे-पाटील : (१) अखिल भारतीय तंत्रशिक्षण परिषदेने शासकीय, अशासकीय अनुदानित व विनाअनुदानित अभियांत्रिकी महाविद्यालये व तत्सम संस्थांमधील शिक्षकांच्या वेतनश्रेणी ठरविण्याबाबत निर्गमित केलेल्या शिफारशींना अनुसरून सदरहू दिनांक १८ डिसेंबर १९९९ चा शासन निर्णय निर्गमित करण्यात आला होता.

विनाअनुदानित अभियांत्रिकी महाविद्यालये व तत्सम संस्था यामधील शिक्षकांना लागू करावयाच्या वेतनश्रेणीबाबत सुधारित आदेश दिनांक ४ ऑक्टोबर २००० च्या शासन निर्णयान्वये देण्यात आले आहेत.

प्रश्नात उल्लेखिलेल्या दिनांक १८ डिसेंबर १९९९ च्या शासन निर्णयाची प्रत्यक्ष अमंलबजावणी एकूण ३२ विनाअनुदानित संस्थांनी केलेली आहे.

(२) दिनांक ४ ऑक्टोबर २००० च्या शासन निर्णयानुसार लागू करण्यात आलेल्या नवीन वेतनश्रेणीची अमंलबजावणी ४३ संस्थांनी केलेली असून वरील ३२ व या ४३ अशा मिळून ७५ संस्थांनी पाचवा वेतन आयोग शिक्षकांना लागू केला आहे. उर्वरित ३५ संस्थांनी अद्याप अमंलबजावणी केलेली नाही.

(३) दिनांक ४ ऑक्टोबर २००० च्या शासन निर्णयाची अमंलबजावणी न केलेल्या महाविद्यालयांची यादी सोबत जोडली आहे.

(४) शासन निर्णयाची अमंलबजावणी या संस्थांनी करावी यासाठी पाठपुरावा करण्यात येत आहे.

पाचवा वेतन आयोग लागू न केलेल्या अभियांत्रिकी महाविद्यालयांची यादी

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transparent and responsive people.

d) Since @72% of the engineering degree institutions and @42% of the diploma institutions are run by the private trusts/bodies nationwide, the health of the technical education system will much depend on the welfare of the teaching and non teaching staff of these institutions. AICTE, DTE and even the state government do notify that the service conditions and the pay scales of the employees of the private technical institutions are at par with the government institutions. But none of the controlling authorities do verify whether the employees are getting these benefits or not. This year in the state of Maharashtra, the tuition fee was hiked in order to implement the 5th pay commission recommendations to the employees of private technical institutions. However @80% of the private institutions have not implemented the 5th pay to their employees and not a single institution has paid any arrears of pay from 1-1-96. If any complaint is made to DTE / AICTE, this controlling authority is helpless. All the times these employees have to go to the court in order to get their rightful dues and justice. The number of court cases has drastically increased in the last few years. If these employees do not have any job satisfaction or any job security, the technical education system is going to get damaged in long run. Before it is too late, a nationwide survey in this regard and a quick solution to ensure the welfare of the teaching and non-teaching staff of the private technical institutions is urgently needed. If the controlling and regulating authorities still keep on ignoring the welfare of these employees, it will be difficult to carry out any sort of damage repair exercise in future.

THE WAY OUT

To my opinion, above AICTE and DTE, the most powerful controlling and regulating authority is the teaching community. Now its time to unite for all like minded people who want to take the technical education system to a new height. If the teaching community insists on transparency and accountability on the part of AICTE and DTE, these authorities will have to show a better performance. There is a need of performance appraisal of the controlling and regulating authorities by the various sections of the technical education system. To govern the activities of the technical institution, AICTE has recommended the formation of a local governing council, which has representation from the various sections of the society. But as usual, this local governing council is again on paper and nobody bothers to check if the members of this council do ever meet each other or not. There is a need of code of conduct for the bureaucrats. The person of the rank of chairman of AICTE or Director of Technical Education should not accept any job with any private technical institution after his retirement. The teaching community should have a vigilant watch over the activities of the bureaucrats. Only constructive contribution of the teaching community in accepting the challenges posed by the controlling and regulating authorities can elevate the standards of technical education system in India.

Following measures are immediately required.

- 1) AICTE should disclose its blueprint for the

development of technical education system throughout the country for the next ten years.

2) The geographical imbalance in the development of technical education system should be corrected and more number of technical institutions should be started in the central, northern, northwestern and eastern region of India.

3) A detail audit of all the private engineering degree and diploma institutions should be done by an independent authority. If any false or fabricated reports are submitted, the said authority should be held accountable and responsible for it. This report should be made public and action should be taken against the defaulter institute's management.

4) A white paper about the unplanned growth in the I.T. field only and its effects on the demand of the other courses should be brought out by AICTE immediately.

5) Since the number of private run technical institution is more dominant all over the country the welfare of the teachers and the non-teaching staff must be ensured by AICTE and DTE. At present there is large scale exploitation of these employees with the consent of the AICTE and DTE. If the staff members are not paid as per Govt. norms and if the other service conditions are not as per rules and regulations, an administrator should be appointed on such institutions by the concerned state government. If the welfare of the employees of the private technical institutions is not assured in time, the whole technical education system in the country will collapse one day.

6) The technical education system in India needs a renaissance. A code of conduct is necessary for all the components of the system. People who are force to resign owing the moral responsibility of some scandal should not be allow to hold any important portfolios. (e.g. the pious post of President of ISTE). The names of the officer / bureaucrats / teachers whose involvement in some sort of malpractice is proved should be disclosed on the web site of AICTE or DTE. A nationwide discussion on code of conduct for all element of technical education system in India' is necessary ; and ISTE can certainly play an important role in this exercise.

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