An Insight into the Governance of Indian Universities since 20th Century

Dr. Biswambhar Mandal[1], Ahmed Hussain[2]

[1]Assistant Professor, Dept. of Commerce, University of Kalyani, West Bengal, India
[2]Ph. D. Research Scholar, Dept. Of Commerce, University of Kalyani, West Bengal, India

Abstract— *The present paper is an attempt to present the overview of governance of Indian universities along with the structural reforms recommended by different committees appointed by Government of India from time to time based on secondary data collected from various secondary sources including journals, articles, books newspaper and various research based websites. The goal of democratization of human welfare through democratization of higher education cannot be achieved without democratizing the governance structures of educational establishments for which a practical dynamic governance mechanism having openness, participation, accountability, effectiveness, uniformity and coherence is must. Political Considerations in governance matter of universities are the root cause for keeping the best academic talents aloof who are capable of facing challenges for getting the university global recognition. A proper democratic set up of progressive and supportive governance at the highest level can help an organization to reach its goal in the national spirit. No central government could effectively implement all recommendations of committees appointed by government even once since independence. If the universities have to perform their functions properly, it is imperative that the governance structure of the university should be framed in the light of recommendations made by government appointed committees from time to time because those recommendations are meant for implementation and not for formal paper work.*

Keywords— *Democratization, Globalization, Governance, Higher education, Recommendations.*

I. INTRODUCTION

Twenty-first centuries witnessed unprecedented demand for higher education in India resulting neglect in quality assurance and time bound smooth services i.e. administrative aspects. It has one of the largest higher education systems in the world with a three-tier structure comprising the university, college and course. We are of the opinion that higher education should be equally accessible to all on the basis of merit, in keeping with Article 26.1 of the Universal Declaration of Human Rights (1987). As a consequence, no discrimination can be accepted in granting access to higher education on grounds of race, gender, language, religion or economic, cultural or social distinctions, or physical disabilities. A university cannot attained autonomy in true sense unless and until it go well only with democracy, not with bureaucracy or government intervention. The goal of democratization of human welfare through democratization of higher knowledge cannot be realized without democratizing the governance structures of educational establishments which is only possible by means of transparent and effective governance mechanism.

As there is no universal definition of governance, still every definition that we have in public domain did nothing but underpins a governance having openness, participation, accountability, effectiveness and coherence. One of the most contemporary definitions has been given by the World Bank as "Good governance is epitomized by predictable, open and enlightened policymaking, a bureaucracy imbued with professional ethos acting in furtherance of the public good, the rule of law, transparent processes, and a strong civil society participating in public affairs."

Governance refers to "all processes of governing, whether undertaken by a government, market or network, whether over a family, tribe, formal or informal organization or territory and whether through laws, norms, power or language."[1] It relates to "the processes of interaction and decision-making among the actors involved in a collective problem that lead to the creation, reinforcement, or reproduction of social norms and institutions."[2]

We know that 'Governance' begins from the policy decisions of the Governing Body i.e, the Management Council (or Executive Council), to finally ensuring smooth services and intended benefits to reach all the stake-holders. What is important is the composition and expertise of members of this highest governing body of the system.

II. NECESSITY OF GOOD GOVERNANCE

Higher education is the only versatile instrument available to a nation to mobilize its productive resources from all sorts of sources making the nation globally competitive by means of generating excellence in capacity building. The most challenging obstacle of excellence is the quality assurance in teaching-learning processes and continuous improvement therein in a majority of Indian Universities which undoubtedly depends on governance of the institutions regarding academic, administrative, research and other internal and external activities connected to it. It is a hard fact to deny that higher education in India is suffering from quality deficits except a handful institutions providing high quality of education with international benchmarks. Subsequent to the Constitutional Amendment of 1976, the Central Government had the greater responsibility of not only providing access and equity in higher education but also ensuring quality and relevance of higher education. Globalization and demand for cross border education are emerging trends in 21st Century and the Union Government has to necessarily face these challenges. In order to ensure all these, a dynamic governance system needs to play active role in every university through which the policies and programmes framed by various authorities of the University can be implemented.

III. OBJECTIVES

The basic objective of this study is to present an insight of the democratic structure of governance in the universities in India in the light of the recommendations from Indian Education Commission (1902) to the recommendations of Yashpal Committee Report (2009).

IV. METHODOLOGY

This paper is basically descriptive in nature and based on the information collected from various secondary sources including journals, articles, newspapers, books and various research based websites.

V. OVERALL SCENARIO OF GOVERNANCE IN INDIAN UNIVERSITIES

"A university stands for humanism, for tolerance, for reason, for the adventure of ideas and for the search of truth. It stands for onward march of the human race towards ever higher objectives. If the universities discharge their duties adequately, then it is well with the Nation and the People."
(First Prime Minister of Independent India on the occasion of the diamond jubilee of Allahabad University on 13 December, 1947)

The words of Jawahar Lal Nehru reflect the relevance of pre requisite of dynamic governance for a ideal university for discharging their duties adequately for the social and economic development of a nation. The machinery of governance of an Indian University is confined to Central or State Act of legislature supplemented by Statues and Ordinances with government approval.

From governance point of view, the Indian Universities are structurally different which can broadly be divided into three types of Universities. They are, a) Central Universities established by an Act of Parliament, b) State Universities established by an Act of State Legislature and c) Deemed to be Universities declared so under Clause 3 of UGC Act, 1956. While the basic governance mechanism in these three types of universities is by and large same

Governance of University in India generally composed of a Chancellor or a Visitor (nominal head of the University), a Vice-chancellor (administrative head of the University) and Chief Presiding officers, a number of statutory authorities and a Registrar. The Syndicate or executive council with the highest authority and responsibility is responsible for executive functions of the university. In addition to the Senate and Syndicate or Court and Executive Council, an Academic Council is formed which look into all academic matters such as determination of courses of studies, identifying and making proposal for new subjects of study or research and making rules and regulating with regard to the conduct of teaching, research and examination in the university. The financial management of the institutions are looked after by Finance Committee Due to existence of the Acts, Statutes and Ordinances, rules and regulations laid down for administration works of university, there is little scope for the University for Flexibility not only in administrative pattern but also in its academic freedom.

According to Prof. N Irabanta, Governance of higher education in India includes management and direction of

the Physical plant (grounds, buildings, equipments, Library, laboratories, etc. oversight and regulations of the works and activity of the teachers, assisting staff and other workers; the securing of adequate finances and careful utilization of such finances ensuring that policies of appointments of staff selection and admission of students and the organization of their work and play are carried out efficiently, fairly and equitably; and also public relations, which means relationship with the state authorities and with the general public. The governance of an Indian University is laid in Central or State Act of legislature. The law establishing each university provides the machinery of governance. The Act is supplemented by Statues and Ordinances which the university itself may make but which also require the direct or indirect approval of the Government.

VI. PROPOSED REFORMS IN HIGHER EDUCATION

The Indian Universities Commission (1902) advocated that instead of recognizing the universities, the Senate and Syndicate should be recognized. The members of the senate should be reduced and their terms should be five years. The number of members of the syndicate should be between nine and fifteen. There should be a proper representation of the teachers and the scholars of the affiliated colleges in the University Senate. A Managing committee should be there for every college which, besides managing the college concerned, should also appoint competent teachers and pay attention towards the discipline of the students and the construction of buildings and hostels, etc.

Before enactment of the Indian Universities Act (1904) the number of the seats in the Senate of the universities was not fixed and the Government used to make life-long nominations. This Act fixed the number. The minimum number was fifty and the maximum number was hundred. Their term was determined for five years. According to this act, the members of the Senate got the right to elect members. Such elected members, were not to be more than twenty for the universities of Calcutta, Bombay and Madras and fifteen for other universities. Legal status was given to the syndicates of the universities and in these syndicates proper representation of professors was made compulsory. The Government secured the right to make amendments and reforms and give approval to the rules framed by the Senates of the University. The Government also had the right to make laws in this regard by themselves.

Calcutta University Commission (1917) recommended for the internal administration of the university, a representative court in place of Senate and a small Executive Council in place of the syndicate should be set up. The Commission also recommended that an Academic Council and Board of Studies be set up to settle academic questions pertaining to courses of study, examinations, degrees and research work, etc.

The main objective of the Sadler Commission was to reform university education in India and accordingly it gave importance to improving the quality of university education. The commission's recommendations can be divided into two parts— academic and administrative. We shall discuss the recommendations regarding administrative reform.

- The commission recommended that the Government control over the universities should be less and flexible.
- University teachers should be appointed by Selection Committees constituted especially for the purpose.
- In place of Senate and Syndicate, there should be University Court and Executive Council for the management of the university.
- Professors of Colleges should be represented in large numbers in the administration of the universities.
- For the conduct of examinations, appointment of teachers and curriculum construction, a powerful Academic Council with faculties of different subjects and Board of Studies should be formed.
- A full-time and paid Vice-Chancellor should be appointed.

The University Education Commission (1948) recommended that University education be placed on the concurrent List. It is the responsibility of the university to create a consciousness in students for protecting the Directive Principles as to be laid down in the Constitution. The university has to make the foundation of democracy strong and it has to develop the spirit in students for ensuring equality, fraternity and social justice to all while maintaining the integrity of the nation. There should be no university of the purely affiliating type.

- The governing bodies of the colleges should be properly constituted.

- The aim of an affiliated college should be to develop into a unitary university and later into a federative one.

We know that, Kothari Commission (1966) had recommended the constitution of democratic governance structures for higher education institutions. Following the recommendations of Kothari Commission the acts and Statutes of most of the universities provided for democratic structures of governance. It also emphasized that to some extent principles of governance are common to all good organizations but at the same time the nature of work and specific purpose of the organization should be considered while framing the governance structure of such organizational.

"Report of the Governance of Universities and Colleges" (UGC, 1971) recommended the enlargement of the democratic functioning of the universities by including student representatives in the governing bodies of higher education institutions.

Gnanam Committee Report "Towards Educational Management" (1990) recommended de-politicization of the campus.

India's National Policy on Education, 1986 emphasized the need for decentralization, autonomy of educational institutions and the principle of accountability in managing educational institutions

Ambani –Birla Report (2000) advocated the de-democratization of the governance system of higher education institutions. We know that The Prime Minister's Council on Trade and Industry appointed a Committee headed by Mr. Mukesh Ambani and Mr. Kumarmangalam Birla to suggest reforms in the Educational sector. The Committee, which submitted its report in the year 2001, highlighted the important role of the State in the development of Education. Some of the suggestions in the report include: (i) The Government should confine itself to Primary Education and the higher education should be provided by the Private sector. (ii) Passage of the Private University Bill.

The Birla- Ambani Report further recommended that the Government must encourage business houses to establish Educational Institutions.

The Concept Paper of UGC for "A Model Act for Universities of the Twentieth Century in India" (2003) set out the agenda for replacing democratically elected bodies with nominated bodies.

The CABE Committee Report on the "Autonomy of Higher Education Institutions" (2005) has tried to link up autonomy with accountability by insisting on enlarging and strengthening democratic structures in institutional governance. It also suggests mechanism for transparency at the level of decision making and implementation.

National Knowledge Commission (March, 2009) in his report to the Government of India drew attention toward the acute need for reform in the structures of governance in universities and reported that autonomy only remains in name. The autonomy of universities is eroded by interventions from governments and intrusions from political processes. There is not enough transparency and accountability in universities which needs to be fostered.

The commission report also expressed that The governance structure of a university should be revamped so as to make them more democratic and efficient in their functioning. The academic decisions need to be freed from excessive bureaucratic controls both within as well as outside the university. Creating consultative bodies on the lines of Parliamentary Consultative Committees can also ensure participation of people's representatives at different levels.

The Yashpal Committee Report (June, 2009) argued in favour of autonomy of the higher education institutions. The Committee suggests that there is an urgent need to improve governance by developing expertise in 'educational management' and burdening good academics with administrative chores.

VII. Conclusion and Suggestion

It is a matter of deep concern that no central government could effectively implement all recommendations of committees appointed by government even once since independence. An immediate revision and structural modernization of the University Acts constantly responding to the changing needs of the modern world must be matter of priority for the government. The administration must be full-fledged with modern values, intellectual & technological skill and advanced infrastructure with teams of qualified and trained human resources in all tiers of administration to cope up with challenges ahead of higher education institutions.

If the universities have to perform their functions properly, it is imperative that the governance structure of the

university should be framed in the light of recommendations made by government appointed committees from time to time because those recommendations are meant for implementation and not for formal paper work. It is our concluding opinion that the Governing Body of any university should be constituted democratically because a proper democratic set up can help an organization to reach its goal smoothly. Otherwise governance issues can hold our country back.

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