
A MUCH-NEEDED Reform THAT FAILS THE TEST
“The NCHER bill is history in the making. It is going to completely reform higher education in India. It will be part of a new architecture for higher education that will remain relevant for the next 30-40 years...We need reforms to achieve the five principal goals of access, equity, quality, employability and affordability.”

— Dr. Narendra Jadhav
PREFACE

Observer Research Foundation Mumbai is pleased to present this report containing our comments and recommendations on the draft National Commission for Higher Education and Research (NCHER) Bill 2010 for wider public debate. Both the supporters and critics of this Bill agree that this is one of the most important pieces of legislation contemplated by the Union Government to change the system of higher education and research in India. Hence, it must be debated seriously not only by the academic community, but also by MLAs and MPs (education being a subject in the concurrent list in the Constitution), others in the political and policy-making establishment, and all those stakeholders in society who are concerned about the problems faced by the universities and institutions of research in India.

ORF Mumbai believes that the draft NCHER Bill is ill-conceived. If passed in its present form, its impact would be largely negative. The proposed Commission would have highly centralized powers, with very little accountability. At a time when deregulation of higher education is the need of the hour, NCHER has been conceptualized as a super-regulator that would enjoy unprecedented authority as well as autonomy from the Central and State governments without guaranteeing real autonomy where it is most needed: our universities, their affiliated colleges, and institutions of higher learning. It would also further undermine the role of States, which need to be encouraged and empowered to advance the agenda of educational reforms. After all, it is the States, and not the Centre, that are better placed to pursue the daunting goals of nearly trebling the GER in higher education over the next 10-15 years, vastly improving its quality, promoting excellence, enhancing inclusivity, and making higher education more relevant to the needs of society.

Rather than simply criticizing the draft Bill, this report makes a strong case for remandating NCHER as an apex-level body for strategic planning, coordination, guidance to promote higher education in all its diverse disciplines (including medical, legal and agricultural education, which have been excluded from the purview of the present Bill due to inter-ministerial turf battles), while retaining the existing regulatory bodies in a radically reformed form. In doing so, we have explained where the National Knowledge Commission and the Yashpal Committee were right – and also where they were wrong.

Our other important recommendations pertain to the need (a) to ensure genuine and effective autonomy, with clear accountability norms, to heads of academic institutions; (b) to end the *neta-babu* interference and also to take deterrent measures against rampant corruption in regulatory bodies; (c) to launch, on a war footing, a national mission for multiplying the number of good teachers, with incentives for those who perform better; (d) to policy-enable private and philanthropic investments on a massive scale since the government’s own resources are grossly inadequate for achieving India’s ambitious targets in higher education; (e) to recognise the need for diversity and competition in the governance and accreditation models in higher education; (f) to give freedom to colleges and institutions to determine fees, while simultaneously imposing inclusivity obligations on them; (g) to massively increase the number of scholarships and low-interest rate educational loans to benefit needy students; (h) to review the policy of reservations in faculty appointment and
promotion in higher education, while retaining it in admission of students; (i) to forge close links between higher education and development of employable skill sets; j) to use revolutionary power of ICT enabled innovations in education especially in open and distance learning; k) to Indianize the entire orientation of higher education and research to make it relevant to India’s needs.

The contents of this report are based mainly on the Roundtable that ORF Mumbai organised on March 27, 2010. ORF Mumbai was privileged to have it inaugurated by Dr. Narendra Jadhav, Member, Planning Commission, and one of the most distinguished personalities in India’s public life as proven by his earlier stints in Pune University and the Reserve Bank of India. He spoke at great length in defence of the draft NCHER Bill. The passion, candour, eloquence and deep social commitment that marked his address, as well as his replies in the Q&A session, are rarely seen among policy makers in the field of education. However, most of the participants in the Roundtable were highly critical of the Bill as well as the government’s overall approach to higher education. While agreeing with many of Dr.Jadhav’s comments and observations, ORF Mumbai’s own conclusions echo this critical view. This in no way diminishes our respect for him, and we remain grateful to him for having stimulated a meaningful debate.

Ms. Radha Viswanathan, a research fellow at ORF Mumbai, coordinated the Roundtable. She, along with Dr. Leena Chandran Wadia, a senior fellow, conducted the basic research and helped in preparing this report. Your comments on this report are most welcome. Please send them to radha.v@orfonline.org.

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Contents

Introduction: Why higher education in India needs reforms 1
ORF comments and recommendations on the draft NCHER Bill 2010 6
Proceedings of the Roundtable on NCHER Bill, 27 March 2010 24
Annexure: List of participants 37
Charts: GER a comparison 40
References 41
About ORF 42
Introduction

Why higher education in India needs reforms

The poor state of higher education in India has been a matter of deep concern for all those who value education and understand its crucial role in our country’s all-round development. None other than the Ministry of Human Resource Development has referred to higher education as a ‘sick child’. The National Knowledge Commission described the situation as ‘a quiet crisis that runs deep’. It is a widely accepted fact that the content and methodology of education in our existing universities and colleges are in urgent need of reform and also that the regulatory structure governing higher education is in need of a total overhaul.

Historic opportunity: At a time when the global economic and political order is undergoing a fundamental transformation and power is fast shifting from the West to Asia, India today has an unprecedented opportunity to emerge as a front-ranking nation playing its rightful role in shaping the destiny of the world in the 21st century. Our country has the world’s largest cohort of young people, 225 million, the highest ever in human history. High-quality higher education can indeed be the most reliable instrument of enrichment and empowerment of this human resource, and thus help India attain the twin goals of accelerated economic growth and inclusive development. The need for world-class educational and research institutions in India is self evident: if India is to be a producer rather than consumer of knowledge, innovator rather than imitator, if it is to retain the extraordinary talent it possesses, if academic life is to be harnessed to increase societal well being, India must nurture first-rate teaching and research universities.

Demographic ‘Dividend’ or ‘Nightmare’? However, this historic opportunity is stymied by the many quantitative and qualitative infirmities in India’s system of education, especially higher education. Our national effort in higher education has largely failed on the cardinal principles of access and equity. Even after 63 years of Independence, India’s Gross Enrolment Ratio (GER) in higher education is only 12.4% -- that is, 15 million students on rolls. This is far below the Asian average GER of 22% and that of the developed world average of 54%. India’s GER is also highly skewed. It does not fairly reflect the social diversity of our country. A shockingly high percentage of the Scheduled Castes, Scheduled Tribes and other deprived sections of society have remained outside the pale of higher education. High cost and low access have shut the doors of higher education for the poor from rural as well as urban areas. The ripple
effect of the Sarva Shiksha Abhiyan and the Madhyamik Shiksha Abhiyan will see higher education become aspirational for nearly 500 million young people in the 18-25 age group, by 2020. Unless quick and mega-scale transformational measures are undertaken to meet these aspirations of the youth, India’s potential ‘demographic dividend’ could well become a ‘demographic nightmare’.

**Rising cost of higher education:** The astronomically rising cost of higher education, especially professional education, has restricted access and undermined equity. Professional education in engineering, medicine and other emerging fields has almost become the monopoly of the rich. The failure to institutionalize large-scale provision of scholarships and student loans on easy terms has further aggravated the problem.

**Inattention to employability:** On the qualitative side, more than one study has revealed that less than a quarter of graduates from traditional and technical disciplines are employable. The content and methodology of higher education are largely divorced from the national imperative of enabling the youth to have sustainable livelihoods based on the needs of the economy and society. **It is a cruel paradox that our industrial and services sectors do not get the right kind of people at a time when large numbers of college and university graduates remain unemployed.**

Generation of productive employment and self-employment opportunities for the youth who do not or cannot enter the portals of higher education remains one of the biggest challenges before the country. The Government has identified that as many as 500 million non-graduate young people need to be empowered through the National Skill Development Mission by 2020. This is a massive task, from which the formal system of higher education cannot continue to remain disconnected. Innovative linkages will have to be formed between the higher education system and the various skill development and livelihood creation initiatives.

**Corruption in regulatory bodies:** The economics and governance of higher education have created many distortions, not the least of which is the growing corruption and malpractices in educational institutions and regulatory bodies such as the MCI, AICTE and UGC. **The nexus between unscrupulous politicians, who have entered the higher education “business” in a big way, and corrupt personnel in the regulatory bodies has almost strangulated the growth of good institutions that are truly committed to the ideals of education. This has yet again been proven by the recent arrest of the MCI chief on charges of taking a bribe of Rs. 2 crores from a medical college.**

**Paucity of competent faculty:** Another distortion is that the increase in the number of institutions of higher education has far outstripped the supply of competent faculty. The gravity of the problem of paucity of good faculty can be better understood by reminding ourselves that the number of institutions needs to increase even faster in the coming years. The Government is aiming at increasing the GER in higher education to 30 per cent by 2020 – which is nearly 2.5 times the current level. The National Knowledge Commission
recommended that India should have 1500 universities by 2015, up from the present number of 430. The number of colleges are sought to be increased from 20,600 to 35,000 over the next ten years. **India needs nothing short of a national mission for teacher training and retraining, implemented on a war-footing**, along with introduction of innovative flexibilities that can allow interested and competent non-teacher professionals, including retired faculty, to teach.

**Imbalance between Indian students abroad and foreign students in India:** This is yet another troubling distortion created by poor planning and excessive government control in higher education. Despite the proliferation of institutions of higher education, the percentages of those imparting quality education is low, and of those enjoying global reputation even lower. This systemic indifference to quality is persisting at a time when not only the rich but even middle-classes are now willing to spend huge amounts for securing “good education” for their children. Lack of opportunities, combined with the low ranking of Indian universities, is forcing as many as 150,000 Indian students to proceed abroad to pursue higher education. **About Rs. 40,000 crores worth of foreign exchange is spent on their education each year, which is much more than the annual spending on higher education by the Government of India!**

On the flipside, less than 15,000 foreign students study in India, compared with 150,000 foreign students in Singapore, 45,000 in Malaysia, 100,000 in Jordan, and nearly 100,000 in China!

Should - and can - India attract more foreign students? Yes, most certainly. The presence of foreign students (and faculty) imparts to our campuses an international character, which benefits our own students and faculty. Foreign students who study in our universities / institutions generally become India’s goodwill ambassadors when they return to their home countries. A secondary advantage is the financial benefit that accrues to the universities / institutions concerned, and to our country’s economy as a whole.

The current pathetically and embarrassingly low number of foreign students in India is entirely due to the irrationally restrictive practices adopted by our high-handed and unimaginative regulatory bodies. Even the best of our public or privately run educational institutions have no freedom to attract foreign students. Sadly, the draft NCHER bill is totally silent both on the need to attract more foreign students to India and also on the need to take appropriate steps to reduce the number of Indian students going abroad for lack of opportunities in our country.

**Neglect of high-quality and relevant research:** The failings of our higher education system manifest themselves in another crucial area – research in basic sciences and R&D in the application of knowledge. Very few Indian universities and institutes of higher learning are ranked among the best in the world in terms of their research capabilities. Within the country, there is a big gap between India’s major development needs and the research activities in our universities. There have been no sustained and serious efforts to forge industry-academia linkages or result-oriented linkages between the university system and other government-
funded research institutes and bodies such as the CSIR and DRDO. The symbiotic relationship between education and research must be restored by building bridges between universities and research institutes so that some of the country’s foremost researchers can be pressed into service for teaching and inspiring students at the undergraduate level, contributing to teacher training and helping in designing new courses at the frontiers of knowledge. The imperative to realign both higher education and research with the goals and priorities of national development and comprehensive national security can hardly be overstated.

**Faulty governance and politicisation:** India’s less-than-satisfactory success in meeting the enormous challenges in higher education and research is principally because of faulty governance, which itself is primarily a result of the lack of deep understanding and serious attention on the part of the political establishment. Since India has a multi-party democracy, the fate of higher education (or, for that matter, any other aspect of development) is impacted positively or negatively depending on the priority that the leadership of various political parties attaches to its holistic progress. Experience of the past six decades has shown that this impact has been largely negative.

It is not that politicians have remained aloof. With the sharp rise in the societal demand for higher education, and the potential for profiteering from it, many of them have set up colleges and institutes in their constituencies and states. Barring admirable exceptions ─ and there are many ─ these politicians are not noted for commitment to quality and professionalism in the functioning of their institutions. Abuse of power by MLAs, MPs and ministers is rampant. Sadly, there are no internal checks and balances within political parties to stop this malaise. For instance, when a former Chief Minister of Chhattisgarh allowed scores of private universities, most of them with dubious credentials, to be set up in his state, his party high-command did nothing to question or restrain him. Ultimately, the Supreme Court had to invalidate the legislation and order the closure of as many as 37 private universities at one go. There is not a single political party that has so far reprimanded any of its functionaries indulging in malpractices in the educational field. This is one of the main reasons why educational experts and those who deeply care for education are extremely skeptical of the ability of our State legislators and parliamentarians to enact thoroughgoing educational reforms that India really needs.

Seeing that their political masters are guided by vested interests, the regulatory bodies in various streams and the educational bureaucracy both at the Centre and in States have formed a corrupt nexus with politicians. The mutual relationship between the two is governed by the “you-protect-my-interests-and-I-protect-your-interests” principle. Two recent examples have highlighted this phenomenon tellingly: (a) the brazenness that marked the doling out of the “deemed university” status, at a hefty price, to dozens of undeserving institutions by the HRD ministry under UPA I, which forced the same ministry under UPA II to take punitive measures; and (b) the apparent invincibility of corrupt elements who have
managed to retain leadership positions in various regulatory bodies. Unless our country’s top political leadership engages in serious introspection and initiates strong corrective action, comprehensive educational reforms in India will remain a pipedream.

**Lack of attention to the higher ideals of education:** Last but not the least, higher education — as also the earlier stages of education — should build the student’s character; promote patriotism, national unity and integrity; create awareness about and pride in India’s priceless cultural heritage; strengthen social cohesion and communal harmony; nurture idealism among the youth and the spirit of voluntary social service and empathy for the underprivileged; help India rejuvenate its failing and under-performing institutions; and advance the ideals of international understanding, cooperation, peace and co-creation of knowledge in today’s globalised world. The present system of higher education has narrowed its vision by placing a one-sided emphasis on the career goals of individual students and largely overlooking the larger character-building and social transformative goals and potential of education.

This brief description of the current situation of higher education is intended to set the necessary context for understanding the comments and recommendations of the Observer Research Foundation Mumbai on the draft National Commission on Higher Education and Research Bill 2010.
ORF Mumbai Roundtable on the draft NCHER Bill 2010

The Context:

In February 2010, the HRD Ministry made public the draft bill on the creation of the National Commission for Higher Education and Research (NCHER) which will replace existing statutory bodies like University Grants Commission (UGC), All India Council of Technical Education (AICTE) and National Council of Teachers Education (NCTE). The Bill is touted as being critical to the reform process of higher education which is being rolled out by the government. A Task Force has been constituted to conduct consultative meetings all over the country to elicit views from all the stakeholders.

In response to the HRD Ministry’s call for a public debate on this important subject, ORF Mumbai organized a Roundtable on the draft NCHER Bill in Mumbai on 27 March 2010. Apart from some policy makers from Central and State governments, the participants represented a broad spectrum of civil society including distinguished and senior members from the IITs, TIFR, University of Mumbai, SNDT Women’s University, deemed universities, autonomous colleges, professional colleges, affiliated undergraduate colleges, premier engineering and research institutes, private colleges, philanthropic and non government organizations active in the field of education, journalists, faculty, former administrative heads of universities and corporate citizens. The list of participants is attached in the Annexure.

The Roundtable was inaugurated by Dr. Narendra Jadhav (Member, Planning Commission) who is also a member of the Task Force that is mandated to redraft the NCHER bill before the start of the cabinet and parliamentary approval process. The inaugural session was chaired by Shri J.S. Sahariya, Principal Secretary Higher & Technical Education, Govt. of Maharashtra. The Roundtable was moderated by Shri Sudheendra Kulkarni, Chairman, Observer Research Foundation Mumbai. A gist of the Roundtable discussion is included in this document.

The following comments and recommendations on the NCHER bill by ORF Mumbai are based on our research on the state of higher education in India, our study of the ongoing debate on higher education reforms, and the Roundtable consultation with experts. We would like to clarify that neither the comments nor the recommendations represent the consensus view of all the participants.
Comments and Recommendations

Crippling absence of a preamble:
The draft bill is grossly inadequate in its present form. Since it has no preamble, people discussing it have no way of knowing the vision and objectives of the formulators of the bill. Besides making it a highly unsatisfactory basis for a national debate, the absence of a preamble provokes legitimate doubts that what is not explicitly stated could well become the pretext for the proposed Commission, armed with highly centralized powers, to function without accountability. This is especially so since the bill spends an inordinate amount of space on the details of the composition of the NCHER and the autonomy that it is seeking from the Government and disproportionately less space on how the Commission will accomplish the enormous tasks in reforming higher education.

A flawed approach to regulation:
At a time when higher education in India is crying for deregulation, the bill proposes tighter and more expansive regulation through a highly centralized control-seeking body. It seeks to perpetuate the license-permit-quota raj in higher education, which has both stifled the expansion and curtailed excellence in this important area of nation-building. There was consensus at the ORF Roundtable that the bill is overly regulatory – one participant aptly described it as ‘UGC on steroids’. It seems to us that no lesson has been learnt from deregulation of the Indian economy through the thorough-going reforms in the post-1990s era, which ended the license-permit-quota Raj in industry and business and thus removed the shackles on the growth potential in the Indian economy. If the humongous challenges that beset higher education (as outlined in the Introduction) are to be effectively met, India needs liberative reforms of a similar kind and sweep.

Of course, there must be provisions in law and policy to control, and slap deterrent penalty on, unscrupulous elements who have introduced crass commercialization into higher education with no commitment to quality or professional norms. However, the test of any good policy or law is also whether it protects, promotes and facilitates the far more numerous committed and competent providers of educational services. The NCHER bill clearly fails this test.

Truncated view of higher education:
The proposed Commission fails another crucial test. It is meant to be the overarching body in higher education for recognition of universities / institutions and also for coordination and determination of standards. The shared idea in the reports of both the National Knowledge
Commission and the Yashpal Committee was, first and foremost, the scrapping of multiplicity of regulators. The draft NCHER bill has been prepared keeping this basic idea in mind. However, Medical and Agriculture education have been kept outside the purview of the NCHER — as if these streams do not qualify to be called parts of higher education! Thus, instead of overseeing higher education as a whole, the Commission will have limited jurisdiction over the UGC (general education), AICTE (engineering and technical education) and NCTE (teachers’ education). It seems to us that the Central Government has fallen prey to the usual ministerial turf wars and compartmental thinking in drafting the NCHER bill. Since the bill has been drafted and mooted by the HRD ministry, the ministries of Health and Agriculture have opted to remain outside its purview.

ORF Mumbai therefore recommends that the Prime Minister’s Office constitute an interministerial group to redraft the bill to bring all streams of higher education comprehensively under the NCHER. This can be achieved by changing the mandate of the proposed NCHER, as will be explained shortly.

**A single regulatory body is neither desirable nor feasible:**

We think that both the National Knowledge Commission and the Yashpal Committee were wrong in recommending that there should be a single national-level regulatory body for all streams of higher education. Given the rapid growth of many distinctive disciplines of knowledge and education, and the large and complex requirements of the economy and society, a multiplicity of regulators is both inevitable and desirable in higher education. It would be impossible for a single NCHER to centrally manage this monumental and dynamic function. Different streams of higher education indeed need different regulatory bodies. For example, it is a half-baked and ill-conceived proposal to have a single apex regulatory body for areas as diverse as engineering and economics, biotechnology and history, medicine and commerce, etc. It is difficult to imagine how the same body that regulates the Tamil University in Thanjavur can also regulate the Tata Institute of Fundamental Research in Mumbai. Not only does engineering education need a different approach for its development from what is required for liberal arts, but within engineering education itself the IIT system needs an even more autonomous system of development and governance. Although new knowledge is increasingly being created at the intersection of various disciplines, it is important to remember that these disciplines are not going to merge into a single undifferentiated whole. Knowledge is both unitary and variegated. Therefore, each discipline has to pursue knowledge in its own sphere, while keeping its doors and windows open to knowledge from other disciplines.
Make NCHER the apex body for Strategic Planning, Coordination, Guidance and Reforms:

Where both the National Knowledge Commission and the Yashpal Committee were right was in emphasizing that higher education should not be conducted in separate water-tight compartments. They rightly emphasized that institutions (and departments within a university) dedicated to specialised branches of knowledge should enrich themselves by dialoguing with one another and thus co-create new inter-disciplinary knowledge. ORF Mumbai believes that the laudable objective of breaking the academic silos in our higher education system can be best achieved by re-mandating NCHER as the apex-level body for Strategic Planning, Coordination, Guidance and Reforms for all streams of higher education, while retaining separate regulatory bodies for specific streams.

All the existing regulatory bodies, as well as new ones that may be set up in the future, should be suitably answerable to NCHER. The new NCHER can take on the formidable task of promoting the highest quality in all aspects of higher education by sharing best practices, both national and global, across institutions; setting benchmarks; suggesting high-impact policy initiatives based on research; independently monitoring standards and evaluating the progress made by various States and institutions; troubleshooting obstacles and problems faced by institutions through inter-ministerial and Centre-State coordination; etc. NCHER should be a guardian of universities and protect them from encroachments by States and Central government.

Today India does not have such a statutory advisory body. However, given the enormous challenges and opportunities for India in the 21st century, our country indeed needs an overarching body like the one we have proposed, which can identify India’s strategic needs and opportunities in a dynamically changing world; harmonize them with the long-range and holistic planning of higher education for the various Indian States; and also provide useful and well-coordinated guidance to the States as well as to institutions in all the branches of knowledge for implementation of the strategic reforms.

NCHER with this new and focused mandate should report to the Prime Minister, just as the Planning Commission reports to the Prime Minister. In fact, the NCHER requires no less attention from the PM than the Skill Development Mission, which he chairs. With both bodies reporting to the Prime Minister, it will be possible to build bridges between the NCHER and the National Council on Skill Development. ORF strongly believes that NCHER should not report to the President, as is wrongly envisaged in the draft bill. (The reasons for this are explained on page 12.)
Advantages of modifying the mandate of NCHER:

There are at least four major advantages in giving this modified mandate to NCHER. Firstly, since it does not seek to replace or subsume the various regulatory bodies, it will obviate inter-ministerial turf battles, thus enabling all disciplines of higher education (science, arts, commerce, engineering, management, medicine, law, agriculture, architecture, and others) to be brought within its purview. Secondly, since there is no threat of shutting down or subsuming the existing regulatory bodies, they will see, indeed welcome, NCHER as playing a higher strategic role that they today are unable to play. Thirdly, since NCHER will not have direct hands-on responsibility in grant-making, regulation and appointments, it can concentrate on its strategic leadership role more effectively. Fourthly, States will not feel that their powers are being infringed upon by NCHER. Instead, they will see its usefulness to their own promotional efforts in higher education.

States should not be bypassed in higher education reforms:

We would like to dwell a little more on the last point. The NCHER bill, in its current form, is being opposed by many State Governments. Education is on the Concurrent List in the Constitution. Also, as many as 80 per cent of the universities in India are State universities established by acts passed by the respective state legislatures. Therefore, States legitimately feel that the Centre should not usurp all the regulatory powers in higher education. Many educational experts who have commented on the draft NCHER bill in the media have also faulted the Centre on this score. ORF Mumbai believes that India's strategic goals in higher education cannot be reached by bypassing the States or downgrading their role in managing its expansion and improvement. At the same time State governments should show a greater sense of responsibility, competence and commitment to promote higher education on healthy lines.

Issues of State universities ignored:

The draft NCHER bill largely ignores the issues of quality and expansion of State universities, even though they are the backbone of higher education in India. They have a lion's share in India's current GER in higher education. Most of the future increase in GER is also going to depend on State universities. Moreover, the critical national goal of “social inclusion” is also met mainly by State universities, because of their infrastructure of affiliated colleges that have enhanced the geographical reach of higher education and accessibility to students from disadvantaged sections of society.

Yet, paradoxically, State universities have become the weakest link or the Achilles’ heel of India’s higher education system. They are grossly under-funded. The funding of higher education in India shows discrimination against State universities vis-à-vis Central
Speaking at the ORF Roundtable, Dr. Narendra Jadhav himself emphatically disapproved of this by calling it a “kind of caste system, in which State universities receive only 20% of the funding from UGC although they account for 80 per cent of the enrollment, whereas Central and deemed universities, accounting for only 20% of the students, get 80% of UGC’s funds.” Most State universities, including those that have the status of “University with Potential for Excellence” (example: Mumbai University) have an abysmally low ratio of faculty members per department. Moreover, a large part of the funds that State universities receive are spent on salaries and establishment, and very little on pursuit of academic excellence. The academic focus of State universities is further diluted by the fact that most of them have become examination-conducting centres.

State universities are in dire need of autonomy both from the UGC and also from the political/bureaucratic “bosses” in the respective State Governments. **ORF strongly recommends that the legislatures of various States should radically amend the acts under which State universities are set up, in order to ensure that these institutions enjoy effective autonomy and are immune from the interference of the neta-babu nexus.** State universities should get higher Central and State government funding, they should be allowed to expand their faculty and provided with an enabling technology infrastructure to promote quality. They should also be encouraged to evolve better self-governance structures, move to a tenure system for staff, and design new and transparent performance metrics that reflect the social needs they fulfill. For example, many students in State universities hail from disadvantaged sections of society and are, therefore, first-generation would-be graduates and post-graduates. They need a lot of careful and sustained mentoring by college and university teachers. Hence, the performance criteria of the faculty should give greater weightage to this important task.

State universities and research institutes are best placed to collaborate with their respective State governments to provide indigenous solutions to unique local issues. At present States spend a substantive portion of their scarce resources in employing external ‘consultants’ to solve local issues. A shining example of how this can be changed is the collaboration between the Government of Gujarat and the CEPT University in Ahmedabad (one of the best State universities in the country) for solving complex and highly challenging issues in urban planning, transport, environment protection, etc.

**Radically reform existing regulatory bodies:**

While stating that NCHER should not replace UGC, AICTE and other regulatory bodies, we would also like to strongly emphasize that radical reforms are needed in all the existing regulatory bodies. Their functioning must be made transparent, accountable and efficient. **The “inspector Raj” mentality that is still prevalent in these bodies, especially in the Medical Council of India (MCI) and AICTE, must be uprooted.** Sadly, the draft NCHER bill neither acknowledges this ubiquitous malaise of corruption and bribe-seeking in higher education nor has provided the Commission the teeth to tackle it.
In his introductory remarks at the ORF Roundtable, Dr. Jadhav showed praiseworthy candour to acknowledge the spread of corruption (which he termed as “packet culture”) in regulatory bodies. He commented that “the credibility of UGC and AICTE has been at an all-time low.” Although he did not specifically mention MCI, those familiar with its functioning know that the rot runs even deeper in that institution.

A good way to start would be to define the ambit of the word ‘Regulation’ in some detail as part of the NCHER document, instead of leaving it to interpretation leading to confusion and overlapping jurisdiction among the many players. Typically regulation is thought to cover the following 5 functions: 1) Entry – the authority to grant degrees 2) Accreditation – quality and benchmarking 3) Disbursement of public funds 4) Access – fees or affirmative action and 5) Licence to practice profession. The draft bill combines all of the regulatory, funding and promotional roles in the proposed Commission. This overlap of objectives has been one of the reasons for the failure of AICTE and UGC. It is feared that the promotional function may be compromised to meet the funding or regulatory objectives. Therefore funding, as with accreditation as a function should be hived off to a body under the oversight of the Commission.

**Excessive autonomy for NCHER is detrimental:**

According to the draft bill, the Commission will be a 7-member body with a Chairman at its helm, with 4 whole time members, including the Chairman. The Chairman will be appointed by the President, based on a committee comprising the Prime Minister, Speaker of the Lok Sabha, Chairman of the Rajya Sabha, and Leaders of the Opposition in the two Houses of Parliament. The bill has patterned the Commission after the Election Commission, with the Chairman having the rank and status of the Chief Election Commissioner and the members having the rank and status of Election Commissioners. Like the CEC, the Chairman would report to the President, whose decision will be final in any dispute between the Commission and the Government.

This provision has the potential to produce many detrimental consequences.

- This will be tantamount to making the Ministry of Human Resource Development almost redundant in its policy-setting functions for higher education.
- It will constitute a questionable step towards the Presidential system of governance by enlarging the powers of the President and reducing those of the Government.
- Since the Ministry of Human Resource Development is not even involved in the Chairman’s appointment process, the Commission could work independently of the Ministry or even challenge the Ministry’s role in higher education.
- Since the NCHER Chairman is not answerable to Parliament (just as the CEC is not answerable to Parliament) and since the Commission does not report to the Ministry,
the Minister cannot reply to the debate in Parliament on the functioning of NCHER. This will downgrade the role of Parliament itself as far as higher education is concerned, and reduce the role of the HRD Ministry to that of a mere messenger between parliamentarians and NCHER.

- State Governments at present have very little say in the functioning of regulatory bodies like the UGC, AICTE, MCI and ICAR (Indian Council of Agricultural Research), although the Constitution has placed higher education in the Concurrent List. Since the proposed NCHER will reduce the role of the Central Government itself, it will very likely pay even less importance to the views and concerns of State Governments.

In short, an NCHER empowered like the Election Commission could effectively become a supra-government body. It is one thing to insist that there should be an “arms length” relationship between the regulator and the government. This is indeed desirable and necessary. However, it is quite another thing to create an all-powerful and almost-independent Commission which no arm of the Government can touch. Whereas the bill goes at great length in defining the degree of autonomy NCHER would enjoy vis-à-vis the Government, it provides very little comfort and confidence with regard to the autonomy that individual universities and institutions would enjoy vis-à-vis the Commission itself. Therefore, it seems to us that the bill has been designed to safeguard the Commission’s autonomy from the Government rather than to protect the autonomy of the institutions which the Commission intends to oversee. This is not desirable and may lead to arrogation of such excessive powers by the Commission as would further debilitate India’s university system. What India’s higher education system needs most is genuine autonomy at the college/institution/university level. How this is ensured by a suitable relationship between the Government and the regulatory bodies is of secondary importance.

There is another likely consequence of giving NCHER a status akin to that of the Election Commission. Once the proposed NCHER, without jurisdiction over medical, legal and agriculture education, comes into existence, by what logic can the Government deny the CEC status to the heads of MCI, Bar Council of India, and ICAR? Since they too are disciplines of higher education, they could well demand parity with NCHER. Among other things, this could greatly increase the demand for large bungalows in Lutyen’s Delhi for the heads and members of these various regulatory bodies on par with the bungalows currently occupied by members of the EC!

**Composition of the collegium:**

The concept of a collegium to aid and advise the Commission is basically sound. In the modified mandate for the NCHER that we have suggested above, the collegium should be formed both for the apex-level strategic advisory body and also for each of the domain-specific regulatory bodies. Members of the collegium should be eminent personalities with proven
expertise and a track record of service in higher education and research. The categories suggested in the draft bill are restrictive and not broad based. The average age of the Commission’s members would be 60-65 years. For the collegium to become a more forward looking body with a futuristic orientation, it should include a younger generation of achievers and thinkers representing academia, industry, civil society organisations, etc. A small number of foreign nationals with strong academic credentials and known for their broad international outlook should also be included in the collegium.

**National Registry for the selection of VCs:**

The draft bill stipulates that the Commission shall maintain a National Registry of persons eligible and qualified for appointment as Vice Chancellor (VC) or head of institution of national importance, prepared by the collegium from time to time. The States can recommend names to be included in the Registry to the collegium. Furthermore, the draft bill states that no chief of any institution of higher education, including institutes of national importance and private universities, would be appointed unless that person’s name figures in the Registry and in the list of five persons from the National Registry that the Commission would forward to the respective selection committees.

The Commission claims that this new procedure is aimed at ensuring the autonomy of the universities and helping them maintain an arm’s length relationship vis-à-vis the Central and State governments.

We fear that this could concentrate excess power and clout in a highly centralised body like NCHER leading to lobbying and arbitrary functioning by the Commission. Also, how can a single body manage a registry of thousands of names spanning diverse academic disciplines? **A much better alternative is to supplement the search process with an advertisement for every vacancy that comes up for a VC/Dean/Director position.** People who are genuinely interested in the job can also apply. There is no reason why a competent and well-qualified CEO from industry cannot apply. Candidates can be asked to provide a ‘Statement of Purpose’ or Vision document describing how they intend to contribute to the university. Selection committees can be set up appropriately to include representatives from the Central or State governments in a transparent process. The vision document of the selected candidate can then be made public. The key issue with the selection of a VC/Dean/Director is to ensure that he/she is keen on the job, has the right qualifications, has leadership qualities and is a visionary. Candidates who do not have the requisite administrative experience can be asked to take specially designed courses for them at ASCI or IIMs or another institution of repute before they start on the job. The need of the hour is to have a transparent process designed to throw up the best candidates. Equally important is to have a process that includes periodic reviews to find and replace non-performing VCs/Deans/Directors quickly instead of waiting out their entire term.
Encourage diversity of governance regimes:

The draft bill gives the impression that the proposed NCHER would adopt a ‘one size fits all’ approach towards all institutions in higher education. For example, the National Registry would apply even in the selection of chiefs for institutions of national importance such as IITs, IIMs, AIIMS, IISc or privately managed institutes, etc. We are of the view that bringing all institutions under one kind of governance umbrella is not desirable. Among other things, the mandatory National Registry provision would deter private players from setting up higher education institutions. As one participant in the ORF Roundtable remarked, “This is like mandating all the registered public limited companies in India to appoint their CEOs from a single national register created and maintained by the Department of Company Affairs!”

Our policy-makers and regulators should shed the belief that all universities / institutions deserve to be treated and regulated uniformly, with no distinction between the best and the average, and with no incentives for the average to improve. Universities should not be forced to be alike – standardisation does not work here. In fact, they should be allowed to – or even be forced to – compete with each other, and permitted to experiment. Academic and research excellence best thrives in an atmosphere of freedom and bureaucratic non-interference. Many of our globally reputed institutions — such as IITs, IIMs and even some good state universities — have amassed so much experience in matters of administration, financial management, faculty development and constant academic refinement over the years that it is best to leave them alone. In return for complete autonomy in the form of self-regulation, they should be subjected to higher standards of accountability and mandated to join the ranks of the best in the world.

There are 15-20 top-class institutions in India that have made a distinctive mark globally, for various reasons — cutting edge research, high quality undergraduate teaching, energetic leadership, well established sources of funds, established best practices. These have the potential to do much better. There is no rationale for bringing all these institutions under the jurisdiction of NCHER in its present form. Rather, India should aim at replicating such success stories. These institutions should be allowed to mentor other institutions in the same domain to achieve quality enhancement. The Roundtable highlighted one such successful example of “twinning” and “mentoring” between IIT Bombay and College of Engineering Pune (COEP), which has helped the latter to become a centre of excellence in a short time of five years. These innovative practices can be encouraged only if there is diversity in the governance regimes in higher education. Diversity will stimulate competition, which in turn will promote quality and excellence. Institutions must have the autonomy to experiment and come up with their own best practices which can then be shared across the country.
Define autonomy explicitly:

There is no clear definition of “autonomy” in the draft bill. For autonomy to be meaningful, our universities and institutions of higher learning should enjoy **academic autonomy, financial autonomy and administrative autonomy**. Individual institutes should be able to take initiative and show leadership. They should have the flexibility in formulating their academic programs, determining fees and designing their examination and credit systems. They should have the freedom to offer innovative courses through ICT-enabled open and distance education method schools, which is so necessary to help India break out of the scarcity mode. Within the university system, affiliated colleges (especially those that have shown a commitment to quality) should have freedom and flexibility in academic, financial and administrative matters.

One of the major problems faced by Indian universities, especially State universities, is the enormous delay and red-tape in the disbursal of funds, including funds on sanctioned projects. Even when funds are received, the bureaucracy in States imposes irrational restrictions on spending the money approved for different projects. A **participant in the ORF Roundtable narrated the example of how Mumbai University was unable to spend the Rs. 10 crore grant from the UGC for ‘University with a Potential for Excellence (UPE)’, because outside members of a committee appointed by the State Government never met to approve the expenditure!** Often the spending norms are rigid and unsuitable to local needs, but the university has no freedom to change the norms. As a result, institutions often have to return unutilised funds. It is therefore necessary to make block grants to universities with freedom given to its chiefs to spend the money on felt needs by fulfilling the norms of transparency and accountability. At the same time, steps should be taken to enhance the absorptive capacity of institutions.

Financial autonomy must include the freedom for institutions to actively raise funds for their activities, through endowments, raising fees based on the ability of students to pay, providing consultancy services and so on. So far, institutions that were able to raise funds have been punished rather than rewarded, with UGC proportionately reducing their grants the following year. As a result the incentive to raise funds has been completely suppressed and this is very detrimental, both for providing quality infrastructure and new programs at institutions and also to bridge the acute shortage in government funding that is provided to institutions currently.

Self-regulation for centres of excellence:

It is neither possible nor desirable for any government to run over five hundred universities with equal generosity. Such an agenda is bound to cause either a fiscal breakdown or doom the university system to mediocrity. It follows from this that we have to accept, as a matter of principle, the differential treatment of institutions and universities. This has to be based on a
transparent system of objective evaluation, so that every university has the same opportunity to rise to the next level of excellence. But to expect the outcome to be the same across universities is to court failure.

It is therefore disconcerting to note that while the NCHER seeks to encourage universities to become self-regulatory, it dedicates several clauses that give to the Commission the power to frame rules in every aspect of the functioning of the universities, from specifying eligibility conditions for the appointment of Vice Chancellors, developing a curriculum framework, to specifying norms for financing universities and other higher educational institutions. Provisions on specifying norms and principles for allocation of grants for research in any field of knowledge clearly undermine the role being played by institutions such as CSIR, DST, ICHR, ICSSR etc. The existence of separate funding agencies promotes a greater degree of autonomy in research institutions and universities and the draft NCHER Bill does not take cognizance of this fact.

Recognise “fair profit” principle and encourage competition:

A major failing of the bill is that there is nothing in it that recognizes the stark fact that the resources of the Central and State governments are woefully inadequate to meet the ambitious targets in higher education and that investment of massive non-governmental resources need to be enabled. (See pie chart on funding higher education on page 23)

In particular, the bill is silent on the need to enshrine the “fair profit” principle for attracting non-governmental investment in higher education. ORF champions the “fair profit” principle, which is different from the “for profit” principle. Non-governmental entities desirous of investing in educational infrastructure / services should be able to generate legitimate surpluses without compromising either on quality or on their social obligation to promote access and inclusion. ‘Fair profit’ institutions should be allowed to open colleges and institutions, just as private sector healthcare providers have been allowed to fill a void in the healthcare sector.

We are witnessing a strange paradox in the higher education landscape today. On the one hand, the absence of a policy and law that explicitly legitimises and enables non-governmental investment has deterred good players from entering higher education or expanding their activities. On the other hand, it has in no way stopped bad players from setting up educational shops and collecting huge capitation fees and other non-transparent fees (almost all in cash), since they know how to “manage” the regulatory authorities and the educational bureaucracy. Indeed, many of the bad players are politicians themselves, or those with strong political patronage. It is high time political parties placed the “fair profit” principle in higher education on a transparent and accountable legal footing, rather than practising the hypocrisy of rejecting it in pro-poor rhetoric and allowing it in practice.
While recommending institutionalisation of the “fair-profit” principle, we also urge that profiteering by the so-called not-for-profit institutions in the private sector needs to be curbed. Many private colleges levy charges midway through the course of study by when the student has no choice but to pay up. Today there are certain private management institutions that spend tens of crores of rupees on advertisements in the mass media to showcase achievements which are patently false. They promise to offer courses without any intention to actually do so. Those guilty of such malpractices need to be severely punished. This can be done by introducing stringent transparency norms and creating a mechanism (using ICT) whereby stakeholders such as students, parents, employers and civil society are aware of these norms, can exercise vigilance and report discrepancies. The latter can then be taken up for prompt action.

**Encourage PPP to bridge demand-supply gap:**

The main hurdle in India’s progress in achieving the key goals of higher education — access and equity, quality and excellence — is that higher education has become a sellers’ market today. It should become a buyers’ market with a strong supply response. The supply has remained limited, both in quantity and quality, because of excessive government control combined with the fact that the Government simply does not have adequate resources to fulfill the ambitious targets that it has set for 2020. The ORF Roundtable highlighted an example of the appalling distortions created by the gap between demand and supply. One of the participants pointed out that whereas the total government spending on all the 15 IITs is about Rs. 1,000 crores, coaching classes catering to IIT aspirants collect over Rs. 5,000 crores each year!

The demand-supply gap can be bridged only if the Government follows the obvious course of policy-enabling supply augmentation through private philanthropic and “fair profit” investments. Huge incentives should be provided for philanthropic organisations to expand their activities in higher education. Different models of public-private partnership should also be allowed by policy, so that the vast physical infrastructure created by the Central and State governments can be put to better use by involving accredited philanthropic / private educational bodies.

**Allow world-class private universities:**

Similarly, the law to set up world-class private universities by private philanthropic bodies or entrepreneurs should be enacted in all the States without any further delay, with liberal relaxations from government control, combined with high accountability standards. The law should also support a key higher education reform by allowing private and public entities to compete among themselves and attract students on the basis of their reputation determined by a combination of student review, peer review and review by independent accreditation.
bodies. A properly designed accreditation system (in which non-governmental credit-rating agencies should also be allowed) could help in making higher education institutions more accountable to their various stakeholders. Quality assurance mechanisms have to be in harmony with global trends so that there is international acceptance of the degrees / diplomas awarded in the Indian higher education system.

There is a lot of political hypocrisy and grandstanding on display today in the opposition to private universities. The critics should realise that almost all of the IT education benefiting millions of students across the country in the past 10-15 years was provided by private institutes. Similarly, they are also the main providers of most of the new job-oriented courses for which demand has been created by India’s rapidly changing economy – from specialised skills in the booming construction and hospitality industry to pilots and technicians in the growing civil aviation sector; from opportunities in the retail business to new openings in the financial services sector. The Government alone could hardly have created this large supply of trained human resource.

**Foreign universities in India:**

ORF Mumbai favours the entry of reputed foreign universities in India, preferably in partnership with reputed Indian institutions. This will help raise standards in education as well as research, especially in technical and other professional fields. However, it must be recognised that the main responsibility of raising the overall standards of higher education in India rests on the shoulders of our own universities. Reputed foreign universities can at best play a limited catalytic role.

The policy and law in regard to foreign universities should check the entry of institutions that only sport a foreign label but have dubious credentials in their home countries. We also believe that the Government should actively encourage the best among Indian universities and institutes to set up campuses abroad.

**Freedom to raise student fees:**

Universities, colleges and other institutions should have the freedom to determine course fees, and revise them from time to time, in order to become as financially self-sufficient as possible. Fee should be deregulated to cover much of the operating expense of universities. At present they do not cover even 10% of the expenses. Government can do this without increasing its own subsidy burden by allowing differential fees backed by scholarships and loans. The additional income generated from charging higher fees can cross subsidise the education of weaker sections of society, can be used to reward faculty for exceptional service or can be ploughed into upgrading infrastructure. The Government should launch a scheme for providing to all needy students with educational loans on low interest rates and easy
repayment schedules. The extremely low levels of fees in force presently have created far too many distortions in higher education and contributed to keeping the quality of education low.

**Paucity and quality of faculty:**

There is too much of emphasis in the draft bill on institutions and too little on core human resources — students and faculty. The respect paid by society to the academic profession is central to addressing many challenges in higher education. Deregulation is needed in this area too, to attract and retain good faculty to improve the standards of undergraduate, postgraduate and doctoral education in the country. There is an urgent need to re-look at the salary structure and career opportunities of faculty. The shortage of teaching faculty is aggravated by the stringent requirements on qualifications of teachers set by the UGC. Innovative solutions, such as relaxing requirements in the short term with the proviso that the faculty member concerned will acquire the qualification within a pre-agreed time frame, will help bridge the gap in the short term. To deal with faculty shortage in the longer term, colleges should train more teaching faculty and use ICT extensively. Institutions should be free to reward better teachers. At present, seniority and promotion are not linked to teaching ability. This must change. Faculty must be trained as leaders with a vision and the ability to inspire. *One of the participants at the Roundtable suggested that universities promote the motto of "Teacher as a Leader and Leader as a Teacher"*. An arrangement of global as well as local sharing between institutions can enrich the quality of faculty. Universities should have the freedom to offer flexible appointments to competent industry professionals and other educationists in civil society in order to bridge the gap.

**Review quota policy in faculty selection and promotion:**

There are severe restrictions on appointment of new faculty even in government-aided colleges. Since the imposition of quota on faculty appointments, large numbers of sanctioned posts have remained unfilled for many years. As a result, even good colleges whose managements are committed to promotion of quality education are forced to appoint teaching faculty on short contract basis. Since fees are low, they are also forced to pay abysmally low salaries to contract faculty. The huge disparity in salary levels between permanent faculty and temporary contract teachers combined with the job insecurity that the latter face, inevitably vitiates the academic atmosphere and lowers the quality of education.

*ORF Mumbai believes that the policy of reservations in faculty selection and, especially, in promotions is detrimental to quality and excellence. Reservations in admission for students from disadvantaged sections of society are necessary to achieve the national ideals of social justice, equity and inclusion. However, even these students, as also the non-quota students, would suffer if merit is not the overriding*
criterion for faculty selection and promotion. One participant in the Roundtable, the Principal of one of the best colleges in Mumbai, bemoaned the fact that, although nearly 30% of the sanctioned teacher posts in the reserved category have remained unfilled in his college for the past four years, the Government’s policy bars the college from appointing competent candidates from the general category. “As a result,” he said, “we have reluctantly appointed available teachers from the non-quota category on a contract basis. We pay them low salaries because the Government does not allow us to raise fees, even though many students from my own college pay tens of thousands of rupees on coaching classes in the neighbourhood. To make our situation worse, minority colleges in the city have no obligation to follow the reservation policy in faculty appointment.”

ORF Mumbai believes that a free, frank and depoliticised debate is necessary on this important subject.

Build bridges between higher education, research and skill development:

Research and education (at the undergraduate level) have been separate in India for historical reasons. The time has come however, to break down walls and build bridges to create a flexible education system of high quality. Faculty who are also researchers are better able to convey a sense of excitement about the expanding frontiers of knowledge to their students and generate interest. However, faculty at educational institutions have to cope with excessive teaching loads due to the poor faculty-student ratios and have no time for research. Paradoxically, researchers at some of best research institutes in the country have, as yet, no access to undergraduate students and hence no opportunity to interact with and to inspire them.

If these barriers are broken, several hundred good scientists working at research institutes can become part of nation-building activities: they can teach courses to students as well as to faculty (as part of teacher training programs), help design exciting new courses at the interfaces of various subjects for higher education and for skill development, build bridges between academia and industry, participate actively in quality improvement activities at all levels and contribute to policy matters relating to education and research. Presently, too few of them are being used constructively to help improve quality, especially in undergraduate education.

Relevance of higher education:

Any effort to reform higher education in India must squarely address the question of relevance of the content of under-graduate and post-graduate courses and also of the subjects of
research in our universities and institutes of higher learning. Relevance in both teaching and research should be based primarily on the pressing nation-building needs of India. Therefore, India’s national goals of national integration; security; inclusive development; social justice; communal harmony; women’s empowerment; food security; energy security; protection of environment; good governance; clean politics; and revival of pride in, and awareness about, India’s rich social, cultural, intellectual and spiritual heritage — all these must get primary importance in higher education. This calls for a stupendous exercise in producing new text books by Indian Authors using Indian sources of knowledge, evolving new teaching and research methodologies, and forging organic linkages between our higher infrastructure and the society at large. In short, even while keeping its doors and windows open to the fresh winds of knowledge from all over the world, India’s system of higher education must have an Indian mind, Indian heart and an Indian soul, free from the influences of both colonial and post-colonial foreign domination.

Emphasise ‘Value-Based’ higher education:

Lastly, the draft NCHER bill suffers from a grave omission. The 11th Plan document of the Planning Commission states that higher education in India should pursue six strategic ideals: Access, Equity, Quality, Excellence, Relevance and Value-Based Education. The last point about Value-Based Education has been strongly emphasized in all the previous reports on education such as those presented by the Dr. Radhakrishnan Commission and Kothari Commission. The draft NCHER bill makes no mention of Value-Based Education. It also makes no mention of the need to develop higher education in our country on the foundations of India’s rich knowledge traditions.

Conclusion:

ORF Mumbai would like to humbly submit that the need of the hour is to have a much more visionary body, than the one proposed by the draft NCHER bill, to prepare India for the challenges of the 21st century. There is a need to separate the strategic vision and goal-setting responsibilities of the existing regulatory bodies from their purely administrative functions. NCHER must be of the former kind. What the higher education establishment in our country would really like to see is a complete shift in the approach to the creation of the NCHER, with the focus being on less regulation and more policy-enablement to address the crippling demand-supply gap and the formidable resource gap. Institutions require genuine academic, financial and operational autonomy. Heads of institutions must be given the freedom and flexibility to innovate to suit the needs of the students and faculty, including in matters of fees as well as the salary of faculty beyond a specified minimum. The issue of equity, inclusion and
access can be addressed by adequate number of scholarships and low interest / zero-interest loans. Governments should also consider giving out aid in the form of coupons directly to needy students who can then choose based on mandatory information put out by institutions. The fear of malpractices can be tackled by setting stringent transparency, reporting and penalty norms assisted by the use of technology.

Education is a fundamental right and is required for livelihood, creating intellectual wealth of a nation and building social cohesion. It must be relevant to India’s needs and aligned to India’s development. The window of opportunity to bring a sea change into higher education will not last very long. The choice between demographic dividend and demographic disaster may be obvious, but do we as a nation have the courage and the unity of purpose to make the right choice?

Funding higher education

Of the Rs 81,000 crore allotted to higher education in the Eleventh Five Year Plan (2007-2012), Rs 30,682 crore, about 38% are allotted to higher technical education. According to the Planning Commission, the estimated required funding for higher technical education alone is Rs 2,52,260 crore. The public funding is only 32% of the overall requirement for higher education as per Planning Commission’s estimates. The requirement is likely to be higher.

Where will the remaining 68% of funding come from, except from private and philanthropic sources?

Proceedings of the Roundtable

The Observer Research Foundation Mumbai organized a Roundtable on the draft NCHER bill on 27th March 2010. It was inaugurated by Dr. Narendra Jadhav, Member (Education), Planning Commission, and chaired by Dr. J.S. Sahariya, Principal Secretary (Higher and Technical Education), Government of Maharashtra. Shri Sudheendra Kulkarni, Chairman, Observer Research Foundation Mumbai, moderated the Roundtable.

The following report summarises the proceedings of the Roundtable.

Sudheendra Kulkarni, Chairman, Observer Research Foundation Mumbai:

The Ministry of Human Resources Development has taken a laudable initiative to seek feedback from the public on the draft NCHER Bill. Initiatives like these if adopted in respect of all on all government policies, programmes and their implementation, can strengthen participative democracy. India’s progress in higher as well as in earlier stages of education should be evaluated, first and foremost, in the light Swami Vivekananda’s timeless definition of education as that activity which leads to man-making, nation-building and the all-round development of mankind. The necessity and outcome of higher education should be judged not in narrow economic terms, but on the criteria of its relevance to India’s needs and whether it enables our society to become more cohesive, more caring and more cultured. Similarly, the nation has high expectations from its system of research. Our universities and research institutions need to produce top-class researchers and innovators who can help address our country’s pressing challenges in food, water, energy and livelihood security and thereby improve the quality of life of every Indian.

The idea of organizing this Roundtable on the draft NCHER bill arose out of ORF Mumbai’s deep commitment to the agenda of thorough-going reforms in education, higher education in particular. This commitment stems from our motto: “Ideas and Action for A Better India”. We do realise that the discussion will not be limited to the specific clauses of the draft bill, but will comprehensively cover the many salient aspects of higher education and research in India. We hope that the recommendations and comments contained in ORF Mumbai’s final report would make a meaningful contribution to the national debate on this vital subject.
The NCHER bill is history in the making. It is going to completely reform higher education in India. It will be part of a “new architecture” for higher education that will remain relevant for the next 30-40 years. India today has the largest population of young people in the world. Hence, we have an important edge over other countries. But having a large youthful population will not automatically propel us to 10% GDP growth. Demographic dividend may well turn out to be a demographic nightmare if reforms are not on the right track. We need reforms to achieve the five principal goals of access, equity, quality, employability and affordability. In 1999, both India and China had a GER in higher education of about 6%. Today we have reached a GER of 12.4%, whereas China has crossed 22%. Even within a GER of 12%, there is a worrisome imbalance. For example, in the population of poor, rural, scheduled caste women, the GER is only 1.8%, which is shameful. The exorbitant costs of higher education are keeping out the masses.

The quality of higher education leaves much to be desired. 80% of the graduates in non-professional streams like humanities and sciences and one-third of engineering graduates in India are unemployable, implying a schism between education and the changing needs of the economy. Accreditation by NAAC is voluntary and only 417 institutions have been accredited in the last 16 years. Very few of them are in the ‘A’ category. About 50% of the teachers still teach from their notes and guide books prepared many years ago. They do not have the “foggiest idea” of the recent advances in their disciplines. Changes in curricula and pedagogy, switchover to the semester system, promotion of research, faculty development are our priorities in educational reforms.

NCHER is one of the several reform-oriented legislations proposed by the Central government. The Bill for a new Educational Tribunal at the Centre and in States will provide the mechanism for adjudication of complaints and disputes that need to be addressed with speed and efficiency. The government is deliberating on the Accreditation Regulatory Authority Bill, which will bring transparency and accountability to accreditation. Accreditation will become compulsory. The central body will head the accreditation process and will regulate these agencies. As part of the accountability and transparency drive, there will be publication of accreditation. With clear guidelines to the accreditors, the system cannot remain opaque and rent-seeking. The bill on Prevention of Unfair Practices in Technical and Medical Education will deal with the culture of corruption and other malpractices surrounding inspection of colleges etc. It is unfortunate that the UGC is not even aware of how many unauthorized institutes and fly-by-night operators there are. The bill on foreign educational institutions (and Indian educational institutions abroad) is yet another legislative initiative, whereby reputed foreign institutions can set up their own campuses or collaborate with local institutions.

The NCHER Bill is the Queen of the Reform Process. It is an outcome of the recommendations of the Yashpal Committee and the National Knowledge Commission, both of which urged the
scraping of multiplicity of regulators. Higher education in India today is overregulated and under governed. There are bureaucratic hurdles in academic regulation and too many regulatory bodies and myriad controls. Synergy or harmony between regulators is zero. Each one guards its own turf jealously. The draft NCHER bill provides for UGC, AICTE etc to be replaced by NCHER. The consultative process is on. The bill will be discussed by the Union Cabinet in April and is expected to come up for discussion in Parliament by November 2010.

The aims of NCHER are: Promoting autonomy of university for free pursuit of knowledge and research; promoting accountability through an eminent peer group; promoting transparent, participative governance; mechanisms for identification of leaders for higher education institutions; and one single regulatory body with the duty to authorize degree or diploma institutions to commence operations. The credibility of the regulatory bodies has never been lower than what it is today. Some people say, “Why don’t you amend the UGC Act?” This might have worked 15 years ago. In the present circumstances, we need a complete overhaul and not a tinkering. The present UGC inspection is a scam. What is prevalent is “Packet Culture”. The NCHER will follow disclosure-based verification with no inspection. Information will be placed in the public domain. Punitive action will be taken against defaulters through the Tribunal. Autonomy will be given to vice chancellors and department heads. The new norm would be: “Don’t run to bureaucrats. Just run your universities.”

The mainstay of higher education is the State universities, where 87% of the students get enrolled. Only 13-14% enrolments take place in central and deemed universities. However, disproportionately less money is given to the state universities. For example, even ‘B’ grade central universities get Rs. 270 crore from the UGC, whereas state universities get only Rs. 17 crore. NCHER will follow a normative funding model, which will put an end to the ‘caste system’ among universities and institutions.

Appointment of VCs by nomination to the National Registry has been criticized by the States as being anti-federal. This criticism is misplaced. On the one hand, selection of VCs from among the names in the National Registry seeks to keep out governments in appointing VCs. On the other hand, by conferring to states the power of nomination to the Registry, the new bill gives representation to them in an area which had hitherto been the sole preserve of UGC. The State-level search committees will continue to exist, but the selection will be made through the names in the Registry. Thus selected, VCs will have more autonomy and so will universities.

The membership to the collegium is by self selection; categories such as Nobel Scientists, Field Medallists, National Research Scholars, have been identified. Each State can also nominate members to the collegium. Such a collegium of luminaries will aid and advise NCHER. Here again the attempt has been to include nominations from States to the collegium. A separate General Council may be added in the second draft.
J.S. Sahariya (IAS), Principal Secretary, Higher & Technical Education, Government of Maharashtra:

The Government of Maharashtra is preparing its comments on the NCHER Bill. Technology and globalization have increased the demand for higher education. Higher education has been in a crisis situation for more than 30 years and the good intentions of the various commissions and reports have not really brought much qualitative change. There is inequity in the distribution of funds between Central and State universities. Regulatory bodies have not enforced regulation in the higher education system. The existing acts do not have enough power. Proper implementation will be the key issue for all the legislations proposed by the Central government.

It is not right to say that the non-performance of universities is due to lack of autonomy. Universities in Maharashtra have 95% autonomy and intervention by the State government is minimal. Universities look to the government for money. Universities have not sought accreditation because it is optional. The state has set eligibility criteria for VCs, for the Search Committee and elected members of various councils. Keeping in mind the students’ needs and the need for quality in academic institutions, we have recommended a performance review of VCs. Sadly, Maharashtra government’s path-breaking amendments have been resisted by vested interests in the academic world.

Dr. Nalinaksh Vyas, Professor and Head, Dept of Mechanical Engineering, IIT Kanpur:

The bill is obsessed with the problems of conventional universities. Its framers do not seem to realize that there are different types of institutions of higher learning, each with its own unique requirements and problems. Bringing all of them under a single regulatory umbrella is unreasonable and undesirable. It dilutes the crucial importance of engineering education and the IIT system in particular, for tackling India's complex development challenges. Moreover, all this is being done in a very hurried manner. More debate amongst all the stakeholders is required. Sadly, there was not much debate even on the Yashpal Committee Report, which recommended establishment of the NCHER.

Dr. Suhas Pednekar, Principal, Ruia College, Mumbai:

It is lamentable that there is very little debate in policy-making circles on the problems faced by affiliated colleges, which cater to the largest number of students in higher education. Segregation of colleges into minority and non-minority colleges has led to several distortions, the former enjoying many advantages that the latter don’t have. These are particularly glaring if the colleges are in the same neighbourhood. Paradoxically, non-minority colleges in Mumbai are soon going to be in a minority! There is complete disparity in the appointment of teachers in the two categories. Many of the obligations and restrictions that non-minority colleges face,
such as the quota policy, are not applicable to minority colleges. Ours is a non-minority college. We have not been able to fill 30% of the sanctioned government-aided faculty posts in the reserved categories because we have received no response to our advertisements for the past 3-4 years. The government prevents us from filling these posts with deserving candidates from the general category. As a result, we are forced to make appointments of teachers on a contract and ad-hoc basis. We are also forced pay them much less than the permanent teachers (whose salaries are paid by the government) because the government bars us from collecting higher fees from students. The government-determined tuition fee charged from the students is often as low as Rs 2000-3000, even though many students from our own college pay more than ten times that amount on coaching classes. Contract teachers have low motivation because they are meagerly paid and have temporary appointment. This affects the standard of education and the morale of college managements. Therefore, even though we have good infrastructure, academic quality is being affected by all these restrictions.

The other major shortcoming in the present system is that there is no incentive for good and committed teachers. The government forces us to treat all teachers, good or bad, uniformly. Therefore, rewards should be given to capable and efficient teachers and not just on the basis of seniority of service. Affiliated colleges also face many problems with respect to aided courses and self-financing courses. There is more demand from students for self-financing courses than for aided courses. However, the fee structure for self-financing courses is determined by the university. This leads to big disparity in the salaries of teachers in the two categories. In short, even those college principals and managements who are firmly committed to the values and quality standards of education have very little freedom to improve college education in the existing system.

**Jitendra Shah, former Professor at Victoria Jubilee Technical Institute (VJTI), Mumbai:**

Information and Communication Technology (ICT) will change the game of higher education regardless of regulation. Growth will take place outside the regulatory process. Open schools and open universities will break the monopoly or cartel of education providers. The monopolistic power of the government to give recognition to higher education must go. Flexibility and credit system should be introduced. Inter-university ICT connectivity is very important. ICT can also improve the current low quality of education in the open and distance mode of education.

**Dr. Aloke Thakore, Director, Journalism Mentor (a private institute that provides training in journalism), Mumbai:**

The NCHER bill completely lacks a broad vision of education. It reeks of paternalism. It is about time we took back education from government control. After all, it is government control that has led to the present mess in higher education. Ours is a small journalism school. We do
not have any affiliation or government recognition, nor do we want it. We have deliberately chosen to remain independent. Because we remain committed to the highest standards of education, we are confident of attracting students to our school.

**Dr. Uday Salunkhe, Group Director, Welingkar Institute of Management Development & Research, Mumbai:**

What higher education in India needs is the right ecosystem, in which leaders must display a sense of ownership in improving the quality of their institutions. After all, it is individual institutions and their leaders who have the primary responsibility to set high standards and create an enabling atmosphere for actualising them. The motto we should promote is: Teacher as a Leader, and Leader as a Teacher. Both should have the vision and the ability to execute and inspire. Good institutions should be encouraged to mentor other institutions. Accreditation should not be government-controlled; it should be left to professionally qualified private bodies. We need a blend of ‘Lakshmi and Saraswati’ in dealing with the challenge of expansion with quality. Instead of arbitrary restrictions on fees, we should have adequate number of scholarships and student loans to underprivileged students.

The biggest problem in higher education today is the severe shortage of good teachers. What India needs is nothing short of a national movement for teacher development. Each state, each city and each institution must take responsibility in this movement. Until we have produced sufficient number of PhDs, we should not insist on PhD as the qualification for appointments.

**Dr. Mathew TJ, Professor, Jankidevi Bajaj Institute of Management Studies, SNDT Women’s University, Mumbai:**

In trying to reform higher education, we are paying attention only to the fruits, and neglecting the roots. There should be greater focus on employability. For this, bringing together skill development initiatives and higher education reforms is very important.

**Dr. Vasundhara Padmanabhan, Principal, KJ Somaiya College of Education Training and Research, Mumbai:**

The entire system of higher education has become so distorted that college classrooms are empty but coaching classes are overcrowded. This is especially true about junior colleges. Students come to college only to seek admission and to appear in examinations. They are only interested in getting a degree. Student absenteeism is also on account of the poor quality of teachers. The method of teaching and learning is so highly exam-oriented that both
students and teachers show a distinct lack of interest in research and project work. There is also complete neglect of teaching of soft skills and problem-solving abilities.

**Dr. Abhay Pethe, Director, Department of Economics, Mumbai University:**

Governance is the key to transformation of higher education in India. Centralization and bureaucratization have been the bane of our university system. Take the case of Mumbai University. It is 150 years old, but its processes of governance are archaic. Real and effective autonomy, both for universities and for the departments within universities, is necessary for their better functioning. We need autonomy from both Central and State Governments. Departments' functioning is crippled by a severe lack of teaching staff. The average faculty strength in many university departments in India is 1 or 1.5! In Mumbai University itself, as many as 80 positions of professors and 58 positions of readers have not been filled. But is anybody in the government accountable for this? No. There has been no non-salary grant for the last five years. Education budget accounts for only 1.5-2% of the State's plan expenditure, and only 55-60% of this is absorbed! Here is an instance of the apathy and needless interference by the State Government. Our university received Rs. 10 crore from the UGC under the "University with Potential for Excellence" scheme. However, the amount could not be utilised since a committee appointed by the State Government, with external members in it, never met to approve the expenditure! We need small but crucial changes to the law that give real functional autonomy to universities and help create an enabling environment for high-quality education.

**Dr. Vibhuti Patel, Head of Dept of Economics, SNDT Women’s University, Mumbai:**

Higher education needs a lot of innovation. Therefore, the concept of setting up Innovation Universities is most welcome. There should be greater inter-disciplinary approach. There is too much emphasis on professional courses, the study of Social Sciences is neglected and relegated to the background. Faculty exchanges and visiting faculties from India and abroad should be encouraged. Greater flexibility in pay-scales is also necessary. Procedures for disbursing sanctioned funds have to be made simpler and quicker.

**Dr. Atanu Dey, Chief Economist, Netcore Solutions, Mumbai:**

NCHER is going to further bureaucratisate what is already a bureaucratic system. The bill seeks an administrative solution to problems outside the administrative realm. This legislative exercise is like flogging a dying horse. It is not the outcome of a serious and sincere reflection on what is wrong with the system and how to remedy it. What is the guarantee that the
mistakes of the past will not be repeated by NCHER? One of the main problems in higher education is that the available resources are controlled by the government and, what is worse, ill spent. It is necessary to treat all tertiary education as a private good. Tertiary education has aspects of a merit and public good but ultimately the benefit is personal. Therefore, the beneficiary should bear the full cost. The Government should stop subsidizing higher education. Loans should be provided to every student that needs it, repayable upon employment. The terms of education loans should be commensurate with the level of employment. We should get rid of the superficial nature of NAAC accreditation, and replace it with private, professionally managed and mutually competing accreditation agencies. The time has come for India to show faith in the abilities and efficiencies of market-based and incentive-driven solutions in education.

Dr. Kavi Arya, Associate Professor, Dept of Computer Science & Engg., IIT Bombay:

NCHER is not likely to be substantively different since it will mostly have the very same people who worked in bodies like the AICTE, UGC, and NCTE. The government's regulatory mechanism cannot keep pace with changes in the content and delivery of education globally. We need the government only to provide an enabling environment, not to create more hurdles in the name of regulation. India's software industry has performed well only because the government did not regulate it. Unshackle the creative potential of private initiatives in the education sector, and we will see equally spectacular results. We need lots of innovation not just in engineering, but also in new economic and social models to discover new pathways for travelling down a Gandhian high-technology trajectory -- one in which we don't just look at GDP growth in abstract terms since we know that the amount of money we make is not an indication of happiness and prosperity. Rather, we should align education to a new paradigm of human development.

Dr. B.Venkatesh Kumar, Professor, School of Management and Labour Studies, Tata Institute of Social Sciences, Mumbai:

To know what the draft NCHER bill entails, it is important to remember that “the devil is in the details”. The composition of the collegium is important because unless the collegium commands universal academic credibility, its decisions will not have the desired legitimacy. The criteria for selection of its members leave a lot of room for speculation. A number of other merit-driven recognitions have been excluded, such as Sahitya Akademi and Padma awardees, Indian Council of Social Science Research (ICSSR) national fellows, Bhatnagar awardees, etc. One should note that the number of national research professors is limited to 12 at any time, and they are typically well over 70 years. How many Nobel Laureates and Field Medal winners do we have, who, as per the bill, can be members of the collegium? The group of Jnanpith awardees is similarly small and they are all literary figures who are not necessarily
academics. There is likelihood of politicization in the selection of members of the collegium. The category of "a member of an Academy of International Standing" is vague and mischievous. The vagueness of this term implies that it would need the interpretation of the same government which the collegium seeks to keep at an arm’s length. Further, the Bill also provides for co-opted members, who are to be selected by the core members from amongst panels recommended by the States and Union Territories. This is a matter of concern since, in the recent past, States have appointed people with corruption and criminal charges as vice chancellors.

The requirement that members and the chairman, after their term gets over, shall be ineligible for a period of five years for any further employment in Higher Education institutions—central, state or private—creates peculiar problems. Note further that the definition of such institutions includes all research establishments in India. The implication of this must be seen by the fact that academics remain active well after civil service ages of retirement. To cite a few examples, most National Professors and similar eminent academics continue to be active involved in research and other academic pursuits. Secondly, it appears that they will be also ineligible to become national research professors! Under these circumstances it is likely that serious researchers may decline membership of these bodies further increasing the possibility of their being filled by mediocre persons. We should note that the rent seeking noticed in AICTE and other regulatory bodies will not be excluded by such a clause.

Dr. Anil Sahasrabuddhe, Director, College of Engineering Pune:

We cannot wish away NCHER. It is unprecedented that opinions from stakeholders are being sought democratically, albeit with no guarantee that such suggestions will be accepted. The bill should have had a preamble, giving the vision, mission and goals of NCHER. All members of the Commission should be full time members. It should be bigger and more representative. Some members should retire after every two years to ensure continuity with change. The collegium is very elitist in its composition. With retirement age of 70 years and eligibility criteria restricting selection to senior citizens, it is not oriented towards encouraging young achievers. The eligibility criteria for entry in the National Registry for vice chancellors should be clearly specified. Curricular autonomy is important and must remain with universities and institutions. It should focus particularly on aiding the employability of students. Towards this end, close linkages between academic institutions and industry should be forged.

Autonomy without financial autonomy is meaningless. Fee restrictions should be removed, the financial Burden should be on the beneficiary and not on the government. RBI or banks should offer loans to students, payable within a reasonable number of years of the students taking up employment. With the additional fee-based income generated by institutions, infrastructure should be developed and modernised on an ongoing basis. Policy and regulation should
encourage a cluster of colleges and institutions to share their infrastructure of equipment, faculty and other academic resources. Faculty reforms are very important. There should be faculty exchange programs with good universities abroad. Individual institutes must take initiative and show leadership.

Dr. Urjit Patel, Chief Economist, Reliance Industries Ltd:

The NCHER Bill is “UGC plus steroids”. The draft bill is not much different from the UGC Act of 1956. Higher education urgently needs delicensing. The Government’s regulatory framework and control mindset have denied this to the consumers. The Yashpal Committee Report was actually a game-changer. Sadly, many of the drivers in that report are missing in the proposed NCHER. The autonomy proposed in the Yashpal Committee report has been usurped by a new centralised body. The education sector should be a buyers’ market, and not a sellers' market as it is today. This is possible only if the policy encourages greater supply with greater choice to students. The NCHER Bill cannot solve the problem in higher education in three years, as Dr. Jadhav has optimistically claimed. The only way we can address the real issues is by unshackling institutions of higher education and unleashing the innovative abilities of good people in this country, rather than by impeding them with new restrictive legislation. Autonomy should be explicitly defined as operational, administrative and financial autonomy. Deregulation in other sectors has shown that Indians are capable of achieving world-class standards.

Dr. Kannan Moudgalya, Professor, Dept of Chemical Engg., IIT Bombay:

The problem of higher education is one of a big gap between demand and supply, as far as high-quality institutions are concerned. Nearly 4 lakh students appeared last year for the IIT Joint Entrance Exam, although the number of seats on offer is only about 10,000. A very large number of those who fail to enter IITs are nevertheless very bright and deserve good opportunities. The demand is so high that coaching classes for the IIT entrance exam rake in more than Rs. 5,000 crore each year, whereas the total government assistance to all the 15 IITs annually is only Rs. 1000 crore. The booming coaching industry is only a symptom of the problem. We need 400,000 professors in higher education, whereas we have only 130,000 at present. Deregulation and delicensing, along with maximum encouragement to private initiatives, alone can create abundance and remove all these anomalies.

Teachers in government-aided universities and institutions are not paid adequately. Also, in the present system, many teachers stop performing once they become permanent. Good institutions should take up the responsibility of producing more good teachers. IITs, which in the past 50 years have successfully built a model of excellence in technology education, should be given the mandate to improve engineering colleges -- by training teachers,
improving curricula and guiding research. IITs should not become universities, since they would lose their focus on high-quality technology education. In fact, they should deal exclusively with MTech and PhD programmes, and not offer undergraduate studies. India does not have adequate number of good MTech professionals, let alone PhDs in engineering subjects. Until we have a good number of PhDs, we should not insist on PhD as a qualification for faculty appointment. We should have two kinds of payment for teachers: less pay for permanent teachers and more pay for non-permanent teachers. Universities and other higher education institutions should not be accredited by government agencies. We need CRISIL-like private but reputed accreditation agencies.

Higher education in India is increasingly becoming the monopoly of the rich. A study has shown that the probability of students with parental income of more than Rs. 3 lakhs getting into IIT is five times more than those with a lesser parental income. We are providing subsidized education to the richer sections of society. Education is expensive because of lack of supply. We need deregulation and an enabling ecosystem to address all these issues effectively.

Dr. Spenta Wadia, distinguished Professor, TIFR Mumbai, and Director, International Centre for Theoretical Sciences, Bangalore:

India should learn from China about how to rapidly expand higher education and simultaneously improve quality. How has China achieved such impressive progress in postgraduate education and research while India has lagged behind? The concept of a collegium in the proposed NCHER is good. But why is there no provision for representation of international experts in the Commission? This will help us adopt best practices from reputed universities and research universities in foreign countries.

Vinay Bansal, retired IAS officer, Mumbai:

There is a huge gap between the resources required for meeting India’s ambitious targets in higher education and the resources available with the government. The National Knowledge Commission estimated that, for a GER comparable with other developing countries, we will have to have 1500 universities, up from the current 480. The gap would naturally have to be filled with private sector resources. Fortunately, there is a significant and growing interest in the private sector in setting up World Class Universities (WCUs). We need a central legislation enabling India’s private entrepreneurs to build WCUs, with a high degree of freedom and flexibility. The NCHER should have separate provisions and norms for such ventures. It can be stipulated that anyone society/trust/company or Section 25 entity is eligible to set up a WCU if it has demonstrated significant interest in higher education, has a capacity to implement mega projects, provides 300 or 500 acres of land free to the University Project and creates an
endowment fund of Rs. 50 crore, within an year of a Letter of Intent (LOI) being granted by the government. Operational autonomy to be given to such institutions will have to be different from that envisaged under the UGC guidelines. The academic design would have to allow inter-disciplinary learning. Faculty hiring would have to be flexible. Admissions of students, criteria of admission, profile of students, the fee structure would have to be left to the universities so long as equity is taken care of. For funding of such ventures endowments will need to be encouraged. Accreditation will be vital to private WCUs. Since these universities will be established by legislation, what would happen if such a university chooses not to go for accreditation? Since it will not draw funds from the government, withholding of grants will not be feasible. So non-accreditation should have clear and significant consequences.

Anil Dhar, Head Administration, Reliance Industries Ltd:
NCHER is a huge bureaucracy in the making. We need to insist on accountability and transparency in higher education with all information placed in the public domain, so that the public can evaluate universities and make their own informed choices.

Anjali Raina, Executive Director, Harvard Business School, India Research Centre, Mumbai:
India needs indigenous models of public private partnerships in higher education to create abundance and thus liberate us from the scarcity mindset. Choice should be given to parents and students through a voucher system. Students should be able to earn credits across traditional disciplinary divides. Sharing of resources across institutions must happen.

V.P. Joy, former Joint Secretary, Ministry of Power
The intentions of the draft bill are laudable but implementation is the key to success of the NCHER. So far, our regulatory bodies have functioned on the concept of "more auditing and less enabling". It should be the other way round. Our system of higher education should make full use of ICT-based management of institutions for achieving higher efficiency and quality.

Sanjay Radhakrishnan, VP Human Resources, ICICI Prudential, Mumbai:
Faculty development holds the key to success in achieving a higher GER in higher education.
Shreyas Rao, Advocate, Mumbai:

Although legal education is not included in the proposed NCHER, we should recognise that it too is a part of higher education. The issues in legal education are not being debated at all. For example, the Bar Council of India has acted in a highhanded manner by setting an entry age limit of 30 years for distance education in law and 20 years for the 5-year course in law. This is in contravention of the Fundamental Rights.

Dr. R.K. Bhatia, Director, MIT School of Management, Pune:

It is doubtful whether the proposed NCHER will be able to function autonomously. Even the CBI has not been functioning independently. Therefore, are we merely changing labels by replacing UGC and AICTE with NCHER? Administration and reporting procedures in our higher education institutions are very laborious and time consuming. As a result, pursuit of quality and excellence in academics takes the back seat.

Dr. Kumud Bansal, retired IAS officer and former Secretary to Government of India in the Department of Elementary Education & Literacy, Ministry of HRD:

In China, the central government does not fund each and every institution. This is left to the provinces and local governments. The institutions are free to have their own enterprise and generate their resources indigenously. The income generated is used to determine teacher salaries, spending on infrastructure and so on. This NCHER bill is not going to solve the problems of higher education if it is going to centralise control. This is the time when India should actually be moving in the direction of deregulation. Institutions should be free to select curriculum and faculty, determine pay scales and fee structure. All relevant information about them should be in the public domain, so that students and their parents can choose for themselves. Transparency and autonomy are required. Institutions flourish when initiative is left in the hands of people who head them.

We need to evolve strategies that have demonstrated strength and success in the Indian situation. This Roundtable should strongly recommend deregulation. Highly centralized power is being assumed by the NCHER. The government’s role is to ensure every young Indian’s need for higher education is met. Its role is not to meet the need only through government-funded or government-controlled institutions. If the private sector is better placed to meet the need, it deserves policy and regulatory support. Institutions should have the freedom to raise resources. Considering that a majority of the college-going youth belong to poorer sections of society in urban and rural areas, the government needs to provide loans to each student according to the requirement.
ANNEXURE

List of participants

1. Dr. Anil Rajvanshi, Director and Hon. Secretary Nimbkar Agricultural Research Institute, NARI, Phaltan, Maharashtra
2. Dr. Abhay Pethe, Professor and Head of Dept of Economics, University of Mumbai
3. Dr. Alok Thakore, Director, Journalism Mentor
4. Dr. Anil Dhar, Head Administration, Reliance Industries Ltd
5. Dr. Anil Sahasrabudhe, Director, College of Engineering Pune
6. Dr. Anjali Raina, Executive Director, Harvard Business School
7. Dr. Atanu Dey, Economist, Netcore Solutions Pvt. Ltd, Pune
8. Dr. B B Ahuja, Deputy Director, College of Engineering Pune
9. Dr. B Venkatesh Kumar, Professor, Tata Institute of Social Sciences, School of Management & Labour Studies, Mumbai
10. Dr. CS Deshpande, Executive Director, Maharashtra Economic Development Council (MEDC), Mumbai
11. Dr. D Manjunath, Professor, IIT Bombay
12. Dr. Kannan Moudgalya, Professor, Dept of Chemical Engg, IIT Bombay
13. Dr. Kavi Arya, Associate Professor, Computer Science & Engg Dept., IIT Bombay
14. Dr. Kumud Bansal, Retd IAS Officer, former Education Secretary, Government of India
15. Dr. Lalitha Vaidiyanathan, Special Correspondent, PTI
16. Dr. M.S. Raste, Vice Chancellor, Symbiosis International University
17. Dr. Mathew T J, Professor, Jankidevi Bajaj Insitute of Management Studies, SNDT Women’s University, Mumbai
18. Dr. Nalinaksh S Vyas, Professor & Head, Department of Mechanical Engg, IIT Kanpur
19. Dr. Narendra Jadhav, Member Planning Commission, Government of India
20. Dr. Neeraj Hatekar, Dept of Economics, University of Mumbai
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<th>No.</th>
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<td>21</td>
<td>Dr. R Rama Kumar</td>
<td>Centre for Developmental Studies, Tata Institute of</td>
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<td>Social Sciences, Mumbai</td>
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<td>22</td>
<td>Mr. Ranjeev Manrao</td>
<td>Proprietor, RM123 Business Consultants</td>
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<td>Dr. R.K.Bhatia</td>
<td>Director, MIT School of Management, Pune</td>
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<td>Dr. Sudhir Agashe</td>
<td>Dean, Academic Affairs, College of Engineering Pune</td>
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<td>Dr. Suhas Pedenekar</td>
<td>Principal, R Ruia College, Mumbai</td>
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<td>26</td>
<td>Dr. U R Patel</td>
<td>Chief Economist, Reliance Industries Ltd, Mumbai</td>
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<td>Group Director, Welingkar School of Management Development and Research, Mumbai</td>
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<td>former Joint Secretary, Ministry of Power</td>
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<td>Principal, KJ Somaiya Comprehensive College of Education, Training &amp; Research, Mumbai</td>
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<td>Dr. Spenta Wadia</td>
<td>Professor, Tata Institute of Fundamental Research- Dept of Theoretical Physics, Mumbai</td>
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<td>Dr. Vibhuti Patel</td>
<td>Professor, Dept of Economics, SNDT University</td>
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<td>Dr. Vijay Khole</td>
<td>Former Vice Chancellor, University of Mumbai</td>
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<td>Dr. Vinay Bansal</td>
<td>Retired IAS Officer, Mumbai</td>
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<td>34</td>
<td>Mr. Jageshwar S Saharia</td>
<td>Principal Secretary, Higher and Technical Education, Government of Maharashtra, Mumbai</td>
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<td>35</td>
<td>Mr. Jitendra Shah</td>
<td>Senior Lecturer(Retd), Victoria Jubilee Technical Institute, Mumbai</td>
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<td>Mr. Dibyajyoti Chatterjee</td>
<td>Principal Correspondent, Economic Times, Mumbai</td>
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<td>Mr. Krishan Khanna</td>
<td>Chairman and Founder, Education First, Mumbai</td>
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<td>Mr. Sanjay Radhakrishnan</td>
<td>Vice President Human Resources, ICICI Prudential, Mumbai</td>
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<td>39</td>
<td>Mr. Shishir Joshi</td>
<td>Director, Journalism Mentor, Mumbai</td>
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<td>Mr. Shreyas Rao</td>
<td>Advocate, Mumbai</td>
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<td>41</td>
<td>Ms. Jaya Goyal</td>
<td>Asst Professor, Tata Institute of Social Sciences, Mumbai</td>
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<td>42</td>
<td>Ms. Kirti Gupte</td>
<td>Dhirubhai Ambani Foundation, Mumbai</td>
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<td>43</td>
<td>Ms. Priyanka Bagaria</td>
<td>Trainer &amp; Practitioner</td>
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<td>44</td>
<td>Ms. Stuti Shukla</td>
<td>Journalist</td>
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<td>Ms. Priya Naganath</td>
<td>Consultant</td>
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<td>Ms. Upasana Saijpal</td>
<td>Practitioner</td>
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<td>Mr. Vaijanta</td>
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<td>Ms. Kalpana Pathak</td>
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<td>Ms. Hemali Chhapia</td>
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<td>Mr. Kunal Purohit</td>
<td>Journalist</td>
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**ORF Participants:**

- Mr. Sudheendra Kulkarni, Chairman, ORF Mumbai
- Dr. Leena Wadia
- Ms. Radha Viswanathan
- Mr. Rishi Aggarwal
- Mr. Dhaval Desai
- Ms. Varsha Raj
- Mr. Maulik Mavani
- Mr. Anay Joglekar
- Mr. Pratik Rumde
GER - A Global Comparison

India: 10%
World average: 23.2%
Developed countries: 54.6%
Developing countries: 36.5%

Source: Higher education in the world 2006, the financing of University, 2006, Palgrave Macmillan.

GER India and China

In 1992, both India and China had a GER of 6%. In 2009 India’s GER is 11% while that of China is 22%. By 2017, India is targeting a GER of 21% while China is looking at a GER closer to 40%.

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Andre Beteille. THE UNIVERSITY GRANTS COMMISSION ACT, 1956 (As modified up to the 20th December, 1985) University in the 21st Century, The Third Foundation Day Lecture of the NUEPA


UGC Act 1956 http://www.ugc.ac.in/policy/ugcact1956.html
Observer Research Foundation (ORF) is a leading non-partisan Indian Think Tank that seeks to influence public policy formulation. It was established in New Delhi in 1990 by the late R.K. Mishra, a widely respected public figure, who envisaged it as a broad-based intellectual platform pulsating with ideas needed for India’s nation-building. In its journey of twenty years, ORF has brought together leading Indian policymakers, academics, public figures, social activists and business leaders to discuss various issues of national importance. ORF scholars have made significant contributions toward improving government policies. ORF has so far produced a large body of critically acclaimed publications. Until recently, ORF’s activities were based mainly in New Delhi.

Beginning in 2010, ORF Mumbai has been established to pursue the Foundation’s vision in India’s business and financial capital. It has started research and advocacy in six broad areas: Education, Public Health, Inclusive Development, Urban Renewal, Youth Development, and Protection and Promotion of India’s Priceless Artistic and Cultural Heritage. ORF Mumbai’s mission statement is: Ideas and Action for a Better India. ORF champions the cause of balanced socio-economic development and a better quality of life for all Indians. It will also work towards strengthening India’s democratic institutions to become more responsible, responsive and sensitive to the needs and concerns of the common people, especially those of the most vulnerable sections of society.

Some of the activities of ORF Mumbai so far:

- A Roundtable on ‘The Water Crisis in Mumbai’
- A Roundtable on ‘Promotion of Public-Private Partnerships in Indian Railways’
- A study of ‘Mental Illnesses as a Public Health Challenge in Urban India, with a special focus on Suicide Prevention’
- Advocacy for a ‘Bus Rapid Transport System’ (BRTS) for Mumbai
- Advocacy for More Open Spaces and Green Spaces in Indian Cities, in support of the WHO’s 2010 theme ‘Open Spaces to Create Healthier Cities’
- A Roundtable on ‘Promotion of ICT in Marathi and Other Indian Languages’
- A Roundtable on the NCHER Bill (2010) and Higher Education Reforms
- Conducting a series of lectures by eminent scientists on the broad theme: "Scientific Research for a Better India, Better World". The first lecture was delivered by Nobel Laureate scientist Dr. Jean Marie Lehn
- Opening of the ORF Centre for the Study of Indian Knowledge Traditions
“Governance is the key to transformation of higher education in India. Centralisation and bureaucratisation have been the bane of our university system...Real and effective autonomy, both for universities and for the departments within universities, is necessary for their better functioning. We need autonomy from both Central and State Governments.”
Ideas and Action for a Better India

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