

**THE UNIVERSITY GRANTS COM-
MISSION (AMENDMENT) BILL, 1985**

THE MINISTER OF STATE IN THE
DEPARTMENTS TO EDUCATION
AND CULTURE (SHRIMATI SUSHILA
ROHATGI): Madam Deputy Chairman, I
beg to move:

"That the Bill further to amend the
University Grants Commission Act,
1956, be taken into consideration."

Madam, before the House takes up a
general discussion on the Bill, I would like
to share with the House the reasons for
bringing forward this amendment.

According to Section 5 of the UGC
Act, a person appointed as Chairman, un-
less he becomes disqualified for continuing
as Chairman under the Rules shall hold
office for a term of five years and a person
appointed as Vice-Chairman or other
member shall hold office for a term of
three years. This Section further provid-
es that office of the Chairman and Vice-
Chairman shall be whole time and salaried
and that the terms and conditions of
their service shall be prescribed by the
Rules. Rules have been notified under
these provisions specifying the disqualifi-
cations and also the terms and conditions
of service. As part of the terms and
conditions of service of Chairman, the
Rules provide that unless there is a contract
to the contrary, the Chairman shall re-
tire on attaining the age of 65 years.
However, in the case of Vice-Chairman
there is no provision in the Rules which
prescribes an age of retirement.

Doubts have been expressed that the
provision in the Rules relating to the age
of retirement goes beyond the scope of
the provision in the Act. Since the Act
mentions a 5 year tenure for the Chair-
man, a view has been expressed that
this tenure cannot be curtailed by the
Rules framed under the Act.

In order that the matter is placed be-
yond all doubts, we propose to make a
provision in the Act itself that the Chair-
man and the Vice-Chairman of the UGC
shall hold their respective offices for the
prescribed terms or until they attain the

age of 65 whichever is earlier. The Bill
before the House seeks to incorporate
this provision in the UGC Act.

The composition of the UGC provides
for the appointment of two members to
represent the Central Government from
among its officers. The Act also provid-
es that a person who has held office for
two terms in any capacity shall not be
eligible for any further appointment. In
practice, however, it may happen that the
officers of the Central Government who
are presently appointed by virtue of the
offices they hold, may serve the Com-
mission for short spells and become eli-
gible for reappointment. The restriction
of two terms may place a limitation on
these appointments. We thought it
desirable that this limitation is removed
which in any case does not seem necessary
because appointment of these two Mem-
bers are made by virtue of their offices.
The amendment, therefore, makes a pro-
vision to remove this restriction in the
case of the representatives of the Central
Government on the Commission.

Madam, the amendments are simple and
formal. We have also ensured that the
amended provisions will operate only in
the case of those persons appointed after
the amendment has come into effect. I
am sure this Bill will receive the support
from all the sections of the House.

With these words, Madam, I move that
the UGC (Amendment) Bill, 1985 be
taken into consideration.

The question was proposed.

SHRI MOSTAFA BIN QUASEM
(West Bengal): Hon. Deputy Chairman,
this amending Bill, as the hon. Education
Minister just now gave us to know, firstly
seeks to do away with the existing in-
consistency between the UGC Act and
the Rules made thereunder regarding the
provisions of retirement of the Chairman,
the Vice-Chairman, etc. of the University
Grants Commission. I do not find any
reason in objecting to this amendment to
the original Act. Secondly, as the hon.
Minister said just now, there is a two-
term restriction on the Members of the

University Grants Commission, and the second amendment seeks to exclude two of the Members of the UGC who are chosen from Government officers to represent the Central Government on the UGC. Here, again, I do not object to this amendment. But, Madam Deputy Chairman, a discussion on this Amending Bill definitely provides us with an opportunity to make an assessment on the working of the University Grants Commission itself. The Government has been very prompt to bring these two amendments, but the Government is not showing that much of promptness in bringing about certain other amendments necessary to the University Grants Commission Act, the amendments which the Democratic Teachers' Movement of our country has long been demanding. I would like to draw the attention of this august House, through you, Madam, to certain defects and deficiencies in the composition and functioning of the University Grants Commission.

Madam, I would like to reiterate what on an earlier occasion, while participating on an amendment to the University Grants Commission Act, I said, namely, that since its inception the UGC has remained and it continues to remain an undemocratic body. I say this because all the members of the UGC are nominated members and nominated obviously by the Central Government. Now, Madam, there has been a long-standing demand of the organised democratic teachers' movement of our country to have representation to the UGC from the teachers organisations of the country. I do not say that the UGC has no distinguished teacher as its member. I do not even say that the UGC lacks in academicians as its members. But to have a distinguished academician or a distinguished teacher as a nominated member in the UGC and to have representatives from the organised democratic teachers' movement, these are, you would agree, Madam entirely different things. Representation from the democratic teachers' movement of our country, having their direct day to day experience of the affairs of education in the country can definitely help the UGC in arriving at correct decisions, in pursu-

ing correct policies. I would like to emphasise that there is an all-India Teachers' Organisation in our country, and that is the All India Federation of University and College Teachers' organisation. Would the hon. Minister start thinking of having representation from this All India Teachers Organisation of the country into the University Grants Commission, and, if that is done, I think that the present UGC, so far as its composition is concerned, it may be made a bit more democratic. That is my humble submission to the hon. Minister, through you Madam.

Secondly, the composition of the UGC suffers from a serious inadequacy viewed from the context of the operation of a federal polity in our country. You know, Madam, that the UGC is charged with the responsibility of looking after the entire higher education of our country. But there is no distinct representation from the States. States, as States, have no representation in the University Grants Commission. This can be introduced by inducing a member by rotation, on a rotational basis, from the States. Some States, to begin with, can be given distinct representation in the body of the University Grants Commission. (Time bell ring). I would most humbly ask the hon. Minister what is her thinking on this line?

Thirdly, another defect from which the University Grants Commission suffers from the operational point of view is this. This is definitely a highly centralised body having its only seat of functioning situated at Delhi. The University Grants Commission is not merely an institution to dole out some money to different colleges and universities of our country but as we all know, the University Grants Commission is charged with the responsibility of looking after the betterment of educational atmosphere in our country, providing for research facilities, encouraging more research projects throughout the country via universities and colleges of our country. Having its only seat of functioning in New Delhi. I am at a loss to understand how can the University Grants Commission manage the entire affairs throughout the country. So my suggestion to the hon.

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Minister is that the Government should start thinking of opening some regional offices of the University Grants Commission. Policy matters may be kept at the highest level; but to manage other affairs, giving more incentives to the educational institutions, providing more opportunities for research work etc., the University Grants Commission, in order to manage its affairs in a better way, should start thinking of opening up more regional offices in at least some parts of the country. I would like to know the reaction of the hon. Minister to this point

There is one thing more to which I would like to draw the attention of this august House and also the hon. Minister in particular. Levying of capitation fee by any educational institution in any form, is considered to be a social evil. It has been a persistent demand; there has been this demand from many quarters and rightly so that there should be a total ban on the system of levying capitation fee by any educational institution in any form. And we made a demand in this august House for a comprehensive legislation, for a complete legislation to do away with this evil practice. But what the Government did was—I would like to remind the hon. Minister what her predecessor did was—to make a minor adjustment in the UGC Act itself in 1984. We are for a separate complete Act, for a comprehensive legislation to tackle this menace which our educational field is facing but certain minor adjustments were made and were attempted at by the other amending Bill which did not completely eradicate the capitation fee system but tried to regulate the capitation fee system. In spite of that dose of deterrent provided by that amending Act, it is our information and press reports are very much there that some colleges in some parts of the country are still taking capitation fees in different forms. The Government or the UGC has not been able to tackle this problem. So, I would request the hon. Minister to clarify and tell the House what steps have already been taken by the UGC and what the UGC is thinking of taking more stringent measures to do away with this evil practice.

With an eager expectation that the hon. Minister would kindly take the trouble of clarifying the points I have raised, I conclude. Thank you.

SHRI SANTOSH KUMAR SAHU (Orissa): I stand to support this Bill. As explained by the hon. Minister, this is a very inconsequential Bill which wants to remove certain difficulties in the enforcement of the rules. The main purpose as has been pointed out is that while the Chairman's retirement age at 65 has been prescribed the retirement age of Vice-Chairman has not been prescribed. So this has been incorporated now. Then, the restriction of two terms is sought to be relaxed wherein the Central Government nominees will not be liable to restriction of two terms that exists today.

It raises a very fundamental question. Though I support the Bill, I would suggest to the hon. Minister that in the sphere of education, research and training, it is essential that we must reorient our outlook. I am glad that this two-term restriction is being removed in respect of Govt. nominees. I think, this should not be there at all. Then only, proper guidance can be given to the scholars. Madam, the system of education in the present day is undergoing lot of change. The middle-age formula of scholastic attitude in class-rooms is no longer there. It is tending to be more dynamic, more relevant to the needs of the society and more vitally concerned with the developmental needs of the country. When we see the recent history of many countries in the world, we find that a revolutionary change has taken place in this field. For example, in the U.S.A., they could develop scientifically more because trained persons from Europe went over there. There has been a seething change of academic revolution, which has helped in the progress of the country. Now, in this context, Madam, we have to see how we can bring about reforms in our educational policy. The University Grants Commission is one of the premier institutions for the purpose of promoting higher education and guide the research activities in our country. No doubt, India has progressed considerably.

It is among the first five nations in the world, as far as scientific manpower is concerned. In the last Session, we passed the Indira Gandhi National Open University Bill which aims at a system of distant learning. It is modelled on the pattern of such universities in some other countries. In U.K., for example, there are open universities. In the U.S.A., there are, what are called, open wall universities. In India, there has been a tremendous growth in the number of higher educational institutions in the three decades of independence. The question is how much they are relevant to the present day needs of the society, how much they are research-oriented, how much they are development-oriented. The students in the universities should be motivated, the system should be re-oriented so that it is relevant to the social needs of the society. UGC can play a vital role in this regard. What is needed today is not some piecemeal prescriptions but there should be a new alternative strategy in regard to the educational policy. The Prime Minister has asked the people to prepare themselves for the Twenty-first Century. He has very rightly said, while he was at Santiniketan some days back, that students much develop the spirit of enquiry. It should not be that you give some bookish knowledge to the students in the universities with a view to passing the examination. What is needed is a system of education which helps in developing the genius among the students. Madam, India has a long and glorious tradition. I would like to refer to the beautiful sentence in the Kothari Commission's Report which says 'When civilisation dawned in the world, India was in the limelight'. But now, we are at the receiving end of the pipeline. We wait for Western ideas, thoughts and other things. The UGC has a very vital role in evolving a new and dynamic educational policy and in setting up research-oriented institutions. Though this is not the proper occasion, I would suggest one thing to the hon. Minister here. In every university, there should be specialised research in a particular field, which is necessary for the country. This should be financed by the UGC. Of course, this should be of relevance to the needs of the country. In

many countries of the World, a lot of money is being spent on research. Even private companies ask the universities to continue research in regard to commercial products so that the genius of the students is made use of and it is used for the benefit of the country.

Now, I do not understand why this two-term restriction has been put. In any case, there would be no restriction in the case of Central Government nominees. This will ensure some continuity in the UGC, in the thinking process. The other important thing is, though there has been a mushroom growth of universities and higher educational institutions, many of these institutions have no proper buildings, no proper apparatus and there is no proper atmosphere in these institutions. So, it is high time that our education budget went up and up. We should see that these institutions develop properly because they are the temples where depends the future of our educationists, scientists and the country as a whole. If there is no proper manpower, if there is no proper motivation, however we may plan or spend, ultimately the result or the end product will not be so beautiful. So, in the international sphere development of educational perspective is very important and the UGC has to play a vital role. Already the UGC has played a role in this field but not to the extent to which it is expected. The other day I was going through the material in connection with the educational institutions. We have set up the Indira Gandhi open university. It is a novel idea. The Bill is passed and the Vice-Chancellor has also been appointed. I was going through the syllabus developed by a U.K. university. They took two to three years to prepare the syllabus, but the syllabus so prepared was better and that is why more and more people were attracted. Many of our students cannot continue with their education. So, if distant education, formal education is abolished and informal education is there, talent of many a people can be exposed. Everybody in this country has not the same opportunity. In the history of the world we see that many of the scientists did not have formal education and still they had the mind of questioning

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and so they came out with some new discoveries. In India also we had lots of talent earlier. Even as back as 4000 years we could create *Vedas* and *Upanishadas*, we could conceive of *Grahas* and *Upagrahas* or the planets. All this study was done probably without the availability of telescopes or modern machinery. So, we should encourage our youngmen and make them available through informal education. I hope the hon. Education Minister will look into it and see that the UGC is made a more resourceful body so that it can organise universities into centres of modern research and real temples for preparation of the future generation of the country. Our education should have more of a social content and should be such as to take this country into the Twenty-first century.

Coming to motivation, it is necessary to inculcate nationalism. We have neglected this aspect so long. We do not have many chapters in our education for the development of our country as one nation. That is why the country is now facing the fissiparous tendencies and the tendencies of destabilisation. Our new generation is born after the freedom struggle. Projection of new thoughts must be there into the syllabus of the University curriculum. A new sense of nationalism, a new sense of devotion to the country and its upliftment should be created.

Coming to the Bill, it is a consequential Bill, but the hon. Education Minister should come up in future with these new projections, new thoughts and see that the budget for education is more than establishing an industry or other infrastructure. This is because education actually creates 'man'. The man runs the industry, and it distributes the benefit to the society, without which probably this whole education structure will break down at some point of time. So, it is high time that we prepared man through the UGC. Therefore, we should see that the UGC plays a better role in improving the educational quality in our universities. The UGC should make universities the real places of modern research centres.

SHRI VALAMPURI JOHN (Tamil Nadu): Madam Deputy Chairman, the University Grants Commission (Amendment) Bill, 1985, as is introduced, seems to be too small a Bill and too technical in nature. It seeks only to remove, eliminate certain discrepancies between the rules as well as provisions made in the University Grants Commission Act, 1956.

So, it is too technical in nature and as such warranted one to be objective. But as my hon. friend, Shri Mostafa has been saying, it definitely provides an opportunity to think of education and to say something positively about the University Grants Commission itself.

At the very outset I would like to say that the UGC, though it has been armed with a lot of powers from its very inception, has been lethargic for quite some time, at least for quarter of a century, and now, when it has come away from slumber, there is a growing ambition in the UGC and this kind of ambition has become a potent challenge, a kind of potential danger to the autonomy of university education. While the UGC sermonises very often that there should be so much autonomy for the universities as well as colleges affiliated to the universities, I am painfully surprised to see that after a very lethargic posture after a kind of slumber for quarter of a century, now the University Grants Commission makes an unceremonious inroad into the autonomy of the colleges. So I am painfully surprised that while the UGC Chairman, Vice-Chairman and most of the members make continuous platitudes on all platforms that they are for autonomy, on the other hand they make an inroad into the autonomy, I cite one example. Recently they have appointed a committee to go into the norms to be prescribed for the Selection Committees for the various universities. Now the practice is to select various Heads of Department and teachers of different colleges of different universities. Suppose there is a university. There is a Chancellor, Pro-Vice-Chancellor, Vice-Chancellor as well as the nominee of the Visitor, and there are three experts. Among the three experts, two are outside experts and

definitely the Head of Department of the particular university finds a place, because among the three experts two are drafted from outside and there is another expert who belongs to the particular institution from which he comes. Definitely he is answerable, accountable to the student community. What happens here is, there is a recommendation and only the Minister has to explain it to us—and there is a serious consideration on the part of the University Grants Commission to change the entire format now. What the University Grants Commission intends to do is, to make an inroad into the kind of selection, kind of appointment of these experts and what they propose to do now is, what we understand is, to have the Vice-Chancellor and the Pro-Vice Chancellor as well as nominee of the Visitor and instead of three experts, there should be one nominee of the Chairman of the UGC and there should be two outside experts. What happens is that there is total elimination, total blockade, of an expert from the very particular institution itself. Suppose there are three experts from outside the precincts of the college, automatically they are not accountable. Tomorrow suppose a wrong impression is created because of wrong appointment, they are not answerable. Unless and until the Minister assures that the University Grants Commission will not affect adversely the autonomy of the universities while selecting those teachers from there itself. I don't think it can satisfy the Members. All along they have been saying that they are protecting the autonomy of the universities as well as colleges. They now try to remove a particular Professor, or Head of Department, of the university itself from this kind of a panel. This is a very serious challenge to the autonomy that the universities are now enjoying. I would like to say that for the last quarter of a century they had some powers. Why has the University Grants Commission not used any of those powers? It has not used most of those powers. The UGC has appointed a Committee recently which went into the working of the Central universities. It has suggested that the composition of the selection committee should be changed. In case these mem-

bers are from the same university, they would have been held responsible since they are part and parcel of the university. The Central Review Committee has also now said that if a university cannot be made free to formulate the rules and procedure to conduct itself, it should be closed down. Because what happens is that if the Universities Grants Commissions cannot make reliance upon professors of a particular university or college, there is no meaning in having those colleges.

1.00 P.M.

Because, the University Grants Commission should have faith in them, faith in their disposition, faith in their behaviour and character. Otherwise, how are the universities going to approve, how are the universities going to accept someone who is being thrust upon them by an outside expert?

In the month of September the University Grants Commission has framed certain regulations under section 26 of the UGC Act. Madam, one of the regulations was that no student would be eligible for admission to university unless he had completed 12 years of schooling. He may be able to get a pass course degree in two years but in order to secure a place in the honours degree course, necessarily he has to complete three years at college after 12 years of school. This particular regulation has, however, been withdrawn under pressure from the State Governments. Here is an opportunity for the University Grants Commission, but here I would like to insist that this is no challenge to the autonomy of the university, because this is something that has to be seriously looked into. Here, because of pressure from the State Governments the University Grants Commission has withdrawn the very regulation itself. Now the UGC has set up a committee to go into the whole question again.

Though the number of working days has been fixed at 180 by the UGC circular in 1958 itself, in practice the directive has seldom been complied with.

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It has been specifically laid down that it would not be possible to conduct examinations unless 75 per cent of the course work laid down by the university has been actually conducted. There are instances where not even 10 to 20 per cent of the course work has been completed and yet the examinations are held.

Some of the teachers have registered their protest against these regulations. I am painfully surprised why teachers, of all people, register their protest against this kind of a welcome step, positive step. Teachers who are protesting against the laying down of these regulations by the UGC should explain why it has become necessary for the UGC to do so. Those teachers owe an explanation to the community as such because it is because of their absence and absence of their initiative that the UGC has stepped in now, and it is wrong for the teachers to question the UGC. Why did not the UGC move earlier in this matter? These powers have been listed in the UGC for almost three decades now. The UGC owes an explanation to the country.

How is the UGC going to ensure that the regulations now issued will be fully and faithfully implemented? The UGC has circulated a form which each university is required to fill and return to the UGC within sixty days of the close of the academic year. But there is no monitoring mechanism. Even earlier, we find that for the last quarter of a century even after the inception of the UGC, there was no performance register maintained in the UGC, and educational experts say that of all the bodies, the University Grants Commission of India is the only body wherein you do not find even a performance register. So, when there is no monitoring agency, I would say that even the regulatory and advisory position of the UGC is of no use.

As my friend, Mr. Mostafa Bin Quasem has said, the UGC is definitely an undemocratic body. It is a great challenge to the federal polity and it is a highly centralized body. Recently, even the Conference of Educational Ministers of the

South have insisted and emphatically said that this kind of a centralized body should be dissolved and we should, in a way, enter into a period of wake-up, evolution, democratization and decentralization and unless and until in the South, in places like Madras, Hyderabad, Bangalore and Trivandrum they have regional centres, nothing could be done. Because, you know for certain that from colleges in the South like in Hyderabad, Madras, Trivandrum and Bangalore and all other places, people have to come all the way to Delhi—a very centralized place. So, this scheme should be a great challenge to the federal structure now.

Teachers' education should be getting topmost priority now. When I talk of teachers' education, if they make a complaint that the UGC, even by way of a recommendation, should not insist upon the 75 percentage it should not be entertained because we know it for certain that there is no kind of decorum among the teachers. Ultimately what happens is, teachers are not accountable to anybody. Unless and until the UGC makes them accountable to the society, to the community as a whole, education will not make any kind of a fast stride in this country.

With these words, Madam, I thank you for this opportunity.

श्री रामचन्द्र भारद्वाज (बिहार) :

महोदया, यह जो संशोधन विधेयक आया है वह संशोधन विधेयक होने की वजह से ही महत्वपूर्ण हो, ऐसी बात नहीं है, बात यह है कि जिन शिक्षा के आचार्यों ने विश्वविद्यालय अनुदान आयोग की स्थापना की कल्पना की थी उनके सामने कुछ महान उद्देश्य थे। इसका मुख्य उद्देश्य यह था कि उच्च शिक्षा के क्षेत्र में स्तरीकरण और निर्धारण की समस्या का समाधान हो। जब 1954 में यह विधेयक लाया गया तो महान शिक्षाविद मौलाना आजाद ने कहा था :

"The Constitution of India vests Parliament with exclusive authority in regard to coordination and determination of standards in the institutions of higher education and research and scientific and technical institutions. It is obvious, neither coordination nor determination of

standards is possible unless the Central Government has some voice in the determination of the standards of teaching and examination in universities, both old and new. It is also necessary to ensure that the available resources are utilised to be best possible effect."

और इन सारी बातों को ध्यान में रखकर इस आयोग की स्थापना हुई है। 1954 में जब यह विधेयक आया था तो इसे ज्वाइंट कमेटी के हवाले कर दिया गया और वह ज्वाइंट कमेटी इतनी महत्वपूर्ण था कि उसके सदस्य स्वयं मौलाना अबुल कलाम आजाद, इन्द्र विद्यारिच, वाचस्पति, डा. रघुवीर आदि थे। इस प्रकार के बड़े बड़े विद्वानों की यह ज्वाइंट कमेटी थी। नतीजा यह हुआ कि फिर एक विधेयक आया 1956 में जिसने कानून का रूप लिया।

आज तक मैं समझता हूँ, जहाँ तक मुझे स्मरण है 5 संशोधन आ चुके हैं। 1966 में आया, 1972 में आया, 1984 में आया, और यह संभवतः पांचवा है नहीं तो चौथा तो है ही। मुझे आश्चर्य होता है जब मैं देखता हूँ कि 1964 में एक नीति हुई थी और उसके आधार पर डा. पी. एन. राय की अध्यक्षता में एक कमेटी बनी थी संसद सदस्यों की और उस कमेटी ने कुछ अनुशंसाएँ की, तदनुसार 1966 में श्री छागला साहब उपस्थित हुए इसमें संशोधन लेकर, फिर हमने देखा कि किस तरह से 1972 में भी जब उसमें आवश्यक परिवर्तन की आवश्यकता महसूस हुई तो नुरुल हसन साहब एक नया संशोधन लेकर आये। मुझे आश्चर्य इस बात पर होता है कि प्रायः इन सभी संशोधनों में सदस्य कहाँ कहाँ के होंगे, फारमेशन आफ कमीशन क्या होगा और 9 सदस्य होंगे या 11 अथवा 12 होंगे, किसका टर्म कितने दिन का होगा, किसको कैसे हटा दिया जायेगा, किसको कैसे जोड़ दिया जायेगा इसी पर संशोधन लगातार आते चले जा रहे हैं जो कि मैं समझता हूँ बिल्कुल औपचारिक और संबंधी बात है और एक बार उस पर विचार कर लेना चाहिये कि हमें क्या करना है जिससे हमारा यह इतना बड़ा संगठन, इतनी बड़ी संस्था,

हमारा इतना बड़ा जो यह आयोग है यह ठीक ठीक चल सके। यह आर्डिनरी रूटीन वर्क की बात होनी चाहिये और मेम्बरो को लेकर इतना बावला नहीं होना चाहिये।

इस बीच में एक संशोधन ऐसा आया श्रीमता शीला कौल जी उसे 1984 में लेकर आयीं जिससे वैसे तो मई में कुलपतियों के दो दिन के अधिवेशन के उद्घाटन के अवसर पर उन्होंने अपने भाषण में यह कहा था कि उच्च शिक्षा के क्षेत्र में बहुत बड़े विस्तार के साथ वे कुछ करने वाली हैं और कोई नई नीति घोषित हो रही है मगर उसके बाद जो संशोधन आया यूनिवर्सिटीज ग्रांट कमीशन के लिये तो उसमें केपिटेशन फी को लेकर उसे सीमित कर दिया गया। केपिटेशन फी हमारी समझ से हमारी शिक्षा के उद्देश्यों से, उसके महान आदर्श और उसकी उपलब्धियों से बहुत कुछ जुड़ा हुआ नहीं है, वह अर्थ से जुड़ी हुई बात थी। और उसमें एक नियम बनाकर रख दिया जा सकता था कि कोई भी जो कालेज या जो विश्वविद्यालय केपिटेशन-फीस लेगा, उसको हम अनुदान नहीं देंगे, बात खत्म हो जाती। मगर आज फिर जब हमारे सामने यह संशोधन आया है, तो मुझे आश्चर्य होता है कि फिर वही बात है, मुझे लगता है कि इस आयोग को लेफ्ट और राइट से बचाना चाहिए, इस आयोग को किसी झुकाव से बचाना चाहिए। हमारे यहाँ जिस प्रकार के शिक्षा मंत्री होते हैं, उस प्रकार से उसकी व्यवस्था में, उसके अधिकारियों की व्यवस्था में, उसके निर्वाचन में एक नया झुकाव लेकर आते हैं और हम उसे मानते हैं। चूँकि हमें मालूम है कि उन्हें यह विभाग चलाना है, इसलिये उन्हें यह सहूलियत मिलनी चाहिए ताकि काम ठीक से हो सके, उस पर वह ठीक से निगरानी रख सकें। इसलिये मैं हृदय से इस संशोधन का स्वागत करता हूँ।

महोदया, मैं इस संशोधन के संबंध में अभी दो-चार शब्द निवेदन करना चाहता हूँ

[श्री रामचन्द्र भारद्वाज]

कि माननीय मंत्री जी से कि विधायिका आयु की सीमा से मुक्त होती है, न्याय-पालिका में आयु-सीमा 65 वर्ष तक मानी गयी है और कार्य-पालिका तथा स्व-शासी संस्थाओं में 65 वर्ष तक का प्रावधान रखा जाता है। विश्वविद्यालय अनुदान आयोग की महता के अनुरूप अध्यक्ष की आयु-सीमा 65 वर्ष की होनी चाहिये, इसमें मुझे कोई संदेह नहीं है और मैं इसका स्वागत करता हूँ। लेकिन मेरा सुझाव इसमें यह है कि स्वास्थ्य के आधार पर सेवा-विस्तार का प्रावधान होना चाहिये, क्योंकि शिक्षा-विद् जितनी उम्र-दराज होते जाते हैं, हम यह मानकर चलते हैं कि उतने अच्छे पंडित होते जाते हैं, वे उतने विद्वान होते जाते हैं, वे उतने अधिक विशेषज्ञ होते जाते हैं, इसलिये उनकी सेवाओं का लाभ लेना चाहिये। इसलिये अगर मैडीकली-फिट हैं, और उनका स्वास्थ्य ठीक है और काम करने की स्थिति में हैं, तो उन्हें और भी सेवा का समय दिया जाना चाहिये, हालांकि 70 वर्ष से अधिक आयु में बढ़ाना ठीक नहीं होगा।

THE DEPUTY CHAIRMAN: Age is a quality of mind.

श्री रामचन्द्र भारद्वाज : तो यह मेरी राय है, मेरा सुझाव है, मंत्री महोदया के लिये। अभी मैं समझता हूँ कि यह नहीं हो सकेगा, मगर मैं अपना सुझाव तो दे सकता हूँ।

महोदया, मेरा सुझाव और है और वह यह है कि यह पूरा एक परिवार है और परिवार के सभी सदस्य हैं, उनमें कोई अध्यक्ष होता है, कोई उपाध्यक्ष होता है, कोई सदस्य होता है, कोई सेक्रेटरी होता है, उसके लिये मेरा सुझाव है कि उसमें समानता होनी चाहिये, इस नियम में अगर 65 वर्ष की आयु-सीमा रखते हैं और अगर उपयोगिता और स्वास्थ्य के आधार पर समय-सीमा बढ़ा देते हैं, तो यह सभी के लिए बढ़ायें, सभी के लिये एक नियम

बनायें और अलग-अलग लोग अपने-अपने कटघरे में बन्द न हों। यह मेरा एक निवेदन है कि माननीय मंत्री महोदया से।

इसके बाद अन्त में मैं एक विशेष निवेदन करना चाहता हूँ। संभव है, माननीय मंत्री जी यह मानने को तैयार न हों कि यह कोई संशोधन विधेयक का हिस्सा है, मगर शिक्षा का हिस्सा है। जो कुछ हम बात कर रहे हैं विश्व-विद्यालय अनुदान आयोग पर, इस लिए बात कर रहे हैं कि हम शिक्षा को प्राथमिकता देते हैं। हमारे प्रधान मंत्री श्री राजीव गांधी जी इक्कीसवीं सदी में शिक्षा के क्षेत्र में प्रवेश चाहते हैं, जो उनका मनसूबा है। जिस तरह देश को आगे ले चलना चाहते हैं उस गति में चलने की क्षमता को हमको अपने में पैदा करनी पड़ेगी, चाहे वह कानून से पैदा हो, चाहे मेरी सेवा से पैदा हो। इसलिए मैं ह्यूमेन रिसोर्सेज पर कुछ कहूंगा। ह्यूमेन रिसोर्सेज की जो यह मिनिस्ट्री बनी है, तो आप स्वयं वहाँ उपस्थित थीं, मैंने कॉमन वेलथ कॉन्फ्रेंस में अभी कनाडा में कहा था, भाषण किया था, एजुकेशनल मोबिलिटी इन कॉमन वेलथ कंट्रीज में मैंने इसका जिक्र किया था और कहा था कि आज किस तरह से हमारे देश में, हमारे देश के युवा प्रधान मंत्री देश की युवा शक्ति को आह्वान कर रहे हैं। इस युवा शक्ति को भी रिसोर्सेज मान रहे हैं और पापुलेशन का भार नहीं मान रहे हैं और यह दुनियां को बता देने को तैयार हैं कि वे हमारे लिए जैसे और रिसोर्सेज हैं, वैसे ही ह्यूमेन रिसोर्सेज और और यह भी हमारे लिए उपयोगी हैं, आवश्यक है और अनिवार्य है, इसका उपयोग करेंगे। इससे हमारा देश आगे बढ़ेगा।

उसी प्रसंग में मैं कहना चाहता हूँ कि यह जरूरी है कि देश स्वास्थ्य

ठीक रहे और मैडिकल कालेजों को जो अनुदान मिलता है, उसमें अनुदान आयोग की ओर से कोई असमानता न बरती जाये, सरकार की ओर से अधिक अनुदान मिले। यह मैं इसलिये कह रहा हूँ क्योंकि आल इंडिया इन्स्टीट्यूट आफ मैडिकल साइंसेज को अधिक अनुदान मिलता है। और भी बड़े-बड़े मैडिकल कालेज हैं। अकेले इन्स्टीट्यूट के डाक्टर ही सारे देश की सेवा नहीं कर सकते, वे ही ह्यूमन रिसोर्स नहीं हैं। जो देश में फैले हुए मैडिकल कालेज हैं, उनकी ओर भी सरकार का, शिक्षा मंत्रालय का विशेष ध्यान जाना चाहिये और अनुदान के मामले में उनको अन्य-संस्थानों के समान स्तर पर ले जाना चाहिये। इन्हीं शब्दों के साथ मैं हृदय से इस संशोधन का स्वागत और समर्थन करता हूँ।

SHRI SANKAR PRASAD MITRA (West Bengal): Madam Deputy Chairman, the amendments sought by this Bill appear to be inconsequential and almost, all the Members, who have spoken before me have supported them by and large but in giving their support to the Bill, Hon'ble Members have raised a few points with regard to the functioning of the U.G.C. I do not know whether those points are strictly relevant to the subject matter of the bill but since they have been raised, I want to express my humble views on some of these points. It has been said that the University Grants Commission is an undemocratic body, in the sense that all its Members are nominated by the Central Government. Of course, it is not the contention that the Members, so nominated, are unfit to hold their posts or they lack sufficient academic qualifications for the posts that they are holding. The complaints seem to be that there have been demands from an All India Teachers Organization for election and the demand has not been conceded. Personally speaking, I would have been happy if an element of election could be introduced into the formation of the University Grants Commission but the danger is that once you introduce this element of election, which may be highly desirable otherwise,

there is the possibility, a big chance of the University Grants Commission itself being politicalised and that possibility of politicalisation has to be avoided in the larger interests of education in this country. I believe, in fact, I have no doubt that there is substance in the contention that since the U.G.C. is operating as a federal organization, it should have some representations from the States on the principle of rotation in choosing representatives from the States. It appears to be a sound principle which should be considered by the Hon'ble Minister. It is true that as regards capitation fees, the policy of the UGC has not yet been satisfactory. Capitation fee seems to be a social evil which we should try to eliminate altogether rather than sanctioning it even to some extent.

My hon. friend, Mr. Sahu, thinks that imposition of length of tenure on the members of the Commission is not desirable. I respectfully disagree with him. The present amendment seeks to confine the tenure to not more than two terms. This, I believe, is a sound principle because, after all, education itself is a dynamic subject. It is an evolutionary science and new approaches do appear from time to time. Therefore, persons with new ideas, with new thinking horizons should be given chances to serve on this Commission as and when required. But I would respectfully point out to the hon. Minister that the UGC under the parent Act has got a fundamental responsibility and that responsibility is of coordination and determination of standards of universities. I hope she will agree that in recent times, quality and standards have been progressively going down, and universities unfortunately are being created in our country like mushrooms the standards of some of which appear to be very poor indeed. Newspapers have reported cases where a thesis rejected by one university has been accepted by another university for a Ph. D. degree. This is a regrettable state of affairs which the University Grants Commission must try to correct.

Secondly, if we have to go by newspaper reports, we find that very little of Fundamental Research is taking place in universities. Fundamental Research is taking place

(Shri Sankar Prasad Mitra)

only in institutes of higher learning in our country. Universities are meant for research and more attention should be paid to research. To this the UGC's attention should be specially drawn. With these words, I give my support to this Bill.

SHRIMATI KRISHNA KAUL (Uttar Pradesh): Madam Deputy Chairman, with your permission, I rise to speak on, and support, the University Grants Commission (Amendment) Bill, 1985, as proposed by our hon. Minister for Education, Mrs. Rohatgi. This Bill which is short and non-controversial, provides for two matters regarding which it was necessary to clarify position. As we know, rules cannot be enacted or adopted if they conflict with the provisions of the Act or if they go beyond its purview. The Act is the basic statute and rules are made under the provisions of the Act. Here, the first amendment concerns itself with the term and age of retirement of the Chairman of the UGC. In the present case, the retirement age of the Chairman of the UGC under the rules is not consistent with the provisions of the Act. And if the retirement age is to be prescribed provisions for that purpose has to be made in the Act itself. The 1956 UGC Act specifies that the Chairman will hold office for a period of five years and under the Act, the Central Government has framed certain rules. Under these rules, provision has been made, among others, that unless there is a contract to the contrary, the Chairman shall retire on completing 65 years of age. As the honourable Minister of State has explained, doubts have been expressed regarding these rules relating to this age of retirement of the chairman and that it goes beyond the scope of the provisions in the Act. It stands to reason that the tenure of five years given to the Chairman may not be curtailed by the rules framed under the Act and it may be a plausible view. And without going into the legal subtleties in this regard it is in the fitness of things to put the matter beyond any dispute. The UGC Amendment Bill, 1985, therefore, lays down that the chairman shall hold his or her office for the prescribed term of five years or until he or she attains the age of 65, whichever is earlier. Likewise, in

the case of vice-chairman there is no provision in the rules prescribing any age of retirement although it is mentioned, that the vice-chairman shall hold office for a period of three years. Here too it has been felt necessary to place the matter beyond all doubt. Hence the proposed amendment lays down that the vice-chairman shall hold his or her office for a term of three years or until he or she attains the age of 65, whichever is earlier. I think this clarity or clarification is both necessary and important and there should not be any possible objection to its being accepted.

Another matter with which the Bill intends to deal with is regarding two of the members of the Commission who are chosen from among officers as representatives of the Central Government on the UGC. According to the UGC Act every member has a term of three years and he cannot be appointed for more than two terms. In the case of officers very often they are transferred to other Ministries before completing their three years' term. After some time they may again become eligible for re-appointment and then they may again go back to some other Ministry before completing their term of three years. Thus even though they may not have completed full two terms they cannot be appointed for the third merely because, technically speaking, they have held membership of the UGC for two terms. This restriction to two terms in the Act imposes limitations on their appointment and, therefore, a further amendment in the UGC Act 1956 is desirable and necessary to remove this restriction.

Now a word about the UGC may not be out of place. Madam Deputy Chairman, may I take this opportunity to urge the Government that it should come forward sooner rather than later with a more comprehensive Bill on the UGC? We have come along way since 1957. With the rapid expansion of education at all levels including the higher education, the UGC has obviously enlarged itself in its size, responsibilities and activities since the time when it was first set up in 1956. There are about 140 universities and over 5000 colleges in the country. It is well-nigh impossible for the UGC to look after such a large number of institutions

with its limited number of members. Apart from the Chairman and the Vice-chairman who are full-time salaried members, all the other ten members of the UGC are honorary and are otherwise fully occupied with their own responsibilities either as vice-chancellors, teachers or as officers. And, according to my information, the UGC meets once every month, has a very heavy agenda, with the result that members have hardly any time to go deep into matters in need of deep attention and consideration in the three or four or five hours at their disposal in these meetings. There is hardly any time to examine the working of the universities or colleges thoroughly let alone studying its problems, its needs, its developmental aspirations or failures in real detail. In other words, if I may be permitted to say so, it is impossible to expect from the deliberations of the UGC any sustained and detailed consideration on specific issues pertaining to these portals of higher learning in the country. It is true that the UGC appoints committees and sub-committees for examining certain issues and it is also true that the reports of such committees are submitted to the monthly UGC meetings. But, perhaps due to paucity of time at their disposal and the agenda being heavy, these reports rarely get the attention and consideration that they rightly deserve. It is rather an unhappy situation. May I request the honourable Minister to consider having more full-time members on the UGC and also determining the distribution of work among them on specific and rational lines? The main task of the UGC is to determine and maintain the standard of higher education. The machinery evolved by the UGC for this purpose is to have panels of experts in every discipline of higher education. But, I am afraid the outcome of their contribution may not be heartening, if we inquire into their working. It has been reported that the panel on philosophy met only once in a period of two or three years and one is rather prone to conclude that this may be equally true of other disciplines as well. May I suggest to the honourable Minister that this situation needs to be looked into?

Madam, the UGC has been reduced or has reduced itself to a mere grant-giving body and it is no wonder. It has hardly

made any appreciable contribution towards the restructuring or recasting of the courses of study or in providing an academic lead to university education. May I suggest that the UGC may be reconstituted so that it may have as one of its wings a council of academicians, charged with the responsibility of framing model syllabi, bringing out publications of high standard of learning materials and thus providing standard guidelines to writers of textbooks and reference books? The Harvard University has published 56 volumes called the "Harvard Classics" which contain the treasures of knowledge of the Occident. It is high time that the UGC took upon itself the task of bringing out equally important publications which would unravel, and present to our students and teachers the rich treasures of knowledge of the Orient, acquaint them with the grandeur of our age-old wisdom, our gems of knowledge and learning and also acquaint them with the beauty of our philosophy of synthesis, the sublime symphony created by our divergent ethnic cultures, the rich mosaic of unity in diversity, that is India.

SHRIMATI SUSHILA ROHATGI:
Very beautiful!

SHRIMATI KRISHNA KAUL: The UGC has been pleading for the restructuring of the courses. May I know from the honourable Minister whether the UGC has brought out any book or publication corresponding to or in accordance with their ideas about this restructuring of the courses as yet? Personally, I confess my ignorance in this regard. I am afraid the mere restructuring of the courses will not make much headway unless the UGC provides guidelines by way of model books, etc. May I urge upon the Government to see that the UGC is so reconstituted that it may be able to discharge this all-important basic responsibility?

Coming to examination reforms, about which we have been talking and writing since I do not remember how many years, the UGC has certainly given some guidelines. May I ask again as to how many Universities have followed and implemented those guidelines? The time has come, Madam, when we must ask as to what is wrong with the UGC. The New educational policy is on the anvil and na-

[Shrimati Krishna Kaul]

tion-wide debates are going on concerning it. I am confident that the Ministry of Human Resources Development will give its valuable attention of reorganising and restructuring the UGC so that it is able to play a meaningful role towards improving and enriching higher education and thereby attain its rightful place in the scheme of higher education and a prestigious position in our new education policy. Before concluding, I would like to put in a word about the dependency on and the relationship of UGC with school and primary education. The importance of early education can never be ever-emphasised. To quote the proverb 'just as the twig is bent the tree is inclined', school education provides the foundation on which the entire edifice of education is built. Standards of higher education are the unfolding and development of the standards of school education. It may be worthwhile considering the need of having one national body charged with the statutory obligation of determining and maintaining standards of school education and along with it a machinery set up to coordinate the working of this new national body and the UGC.

With these few suggestions which, I do hope, will receive the attention of the hon. Minister of Education, I support the UGC (Amendment) Bill, 1985, which has been brought to further amend the UGC Act of 1956.

Thank you, Madam.

THE DEPUTY CHAIRMAN: The House stand adjourned till 2.30 for lunch.

The House adjourned for lunch at thirty-six minutes past one of the clock.

The House reassembled after lunch at thirty-three minutes past two of the clock.

The Vice-Chairman (Shrimati Kanak Mukherjee) in the Chair.

THE VICE-CHAIRMAN (SHRIMATI KANAK MUKHERJEE): The hon. Minister, Mr. Scindia, will lay on the Table a statement showing the Supplementary Demands for Grants (Railways) for the year 1985-86.

SUPPLEMENTARY DEMANDS FOR GRANTS (RAILWAYS) FOR 1985-86

THE MINISTER OF STATE IN THE DEPARTMENT OF RAILWAYS (SHRI MADHAVRAO SCINDIA): Madam, I beg to lay on the Table a statement (in English and Hindi) showing the Supplementary Demands for Grants (Railways) for the year 1985-86. [Placed in Library. See No. LT-1570/85.]

THE VICE-CHAIRMAN (SHRIMATI KANAK MUKHERJEE): Now, we take up further discussion on the University Grants Commission (Amendment) Bill, 1985. Shri Babul Reddy—not here. Shri Vaghela.

THE UNIVERSITY GRANTS COMMISSION (AMENDMENT) BILL, 1985— Contd.

श्री शंकर सिंह वाघेला (गुजरात) :
उपाध्यक्ष महोदया यूनीवर्सिटी ग्रांट्स कमिशन के बारे में हमारे कई माननीय सदस्यों ने आज कहा कि शिक्षा के साथ उसके चेयरमैन और अच्छे वाइसचेयरमैन की नियुक्ति होनी चाहिये। आज चेयरमैन और वाइसचेयरमैन की जो नियुक्ति होती है वह पोलिटिकल होती है। इसके बारे में जो इसकी उम्र के साथ तीन साल और पांच साल जोड़ा जा रहा है। वह अच्छा है लेकिन जो भी चेयरमैन और दूसरे डाइरेक्टर्स की इसमें नियुक्ति होती है वह शिक्षाविद् होना चाहिये। शिक्षा के बारे में उनका कंट्रीब्यूशन होना चाहिये वह कंट्रीब्यूशन आम तौर पर जितना होना चाहिये वह होता नहीं है बल्कि पोलिटिकल होने के हिसाब से सरकार उनको नियुक्त करती है। इनके आदेश से ही सब चलता है इसलिये शिक्षा में जो शिक्षा आनी चाहिये वह रह जाती है और पोलिटिक्स इसमें ज्यादा आता है। मंडम वाइस चेयरमैन, आज हमारे प्रधान मंत्री जी सबको 21वीं सदी में ले जाने के लिए कह रहे हैं। अभी इंदिरा गांधी ओपेन यूनिवर्सिटी की बात भी आई थी। लेकिन आज का युवक जो है वह आज की हमारी शिक्षा से असंतुष्ट है। दिन ब दिन जितने हमारे कालेजज चलते हैं और उनमें से जो नवयुवक,