Imperatives of Reforms

All of us who have been concerned with the developments in higher education in India have come across a great deal of comments and criticisms about things that have gone wrong. Besides the diagnosis of the ills of our higher educations, many commissions, committees and individuals have also suggested possible approaches to deal with these ills. However in reality one gets the feeling that no one is really in charge of higher education. The casual views of those wielding political or administrative power tend to be taken as the guiding policy. In spite of having statutory bodies for higher education at the central and state levels one fails to obtain a coherent set of meaningful policy guidelines. Even such elementary information as the number of universities and colleges, the GER, the number and type of foreign programmes operating in India etc., are scare.

Almost everyone involved in higher education, except those engaged in ruthless profiteering, have articulated the core concerns of higher education. Ever since the nation recognized the value of higher education for promoting economic growth and social development, the pressure for reforms has been escalating. These are formally embodied in two eminent reports brought out in recent years, one by the National Knowledge Commission headed by Sam Pitroda and the other by the Committee on Renovation and Rejuvenation of Higher Education headed by Yashpal. Unlike the tendency in the past to take note of such reports and at best implement them piece-meal, the current efforts are to provide legislative basis for ushering in the reforms effectively. It is necessary to recognize the fact that disjointed reforms will not produce the necessary impact on the higher education system.

Reforms are inevitable in any vibrant system of higher education. Reforms are propelled by a variety of compulsions such as economic, social, cultural, political, strategic and so on. Technological developments induce several innovative reform measures. Initiatives for reforms are also launched at times to prevent deterioration of the higher education system and to enhance its prestige. Post-Independent India has witnessed many attempts to bring the higher education to be in consonance with the emerging necessities. In any case reforms have to be dynamic in character to address the changing needs. Higher education system in India has come into major scrutiny in recent years resulting in several reform initiatives, which are on the anvil. The major initiatives relate to expansion, inclusion, quality, autonomy and financing.

Our society has come to realize the need for securing a global respectability to the higher education system. If we reflect on the trajectory of the higher education system in India during the colonial period and compare it with the post-independence developments, the degree of transformation in the concept, objectives and achievements
of the system will be impressive. The nature of deficiencies and defects will also be substantial. While no perfect system can be conjured up instantly in a democracy, the need to articulate the critical issues for reform becomes important in order to keep searching for solutions constantly.

Historical Development

The reform process has been in vogue since ages. The ancient universities in India were leading centres of learning in the contemporary world and attracted scholars and students from other countries. So did some famous centres of Islamic learning in the mediaeval period. But unfortunately these traditions did not survive. The modern universities were established, more than a hundred years ago, as exotic institutions created in imitation of the London University as it then was. The earliest of these were the Universities of Bombay, Calcutta and Madras, all founded in 1857, and the University of Allahabad, founded in 1887. They all began as purely examining bodies and continued to be so till the beginning of the twentieth century when the Indian Universities Commission was appointed (1902) and the Indian Universities Act was passed (1904).

As Lord Curzon observed then: “Here the university has no corporate existence in the same sense of the term (i.e. as in Oxford or Cambridge); and it is not a collection of buildings, it is scarcely even a site. It is a body that controls courses of study and sets examination papers to the pupils of affiliated colleges. They are not part of it. They are frequently not in the same city, sometimes not in the same province”.

The Government Resolution on Educational Policy (1913) accepted the need for establishing more universities. It said: “The day is probably far distant when India will be able to dispense altogether with the affiliating universities. But it is necessary to restrict the area over which the affiliating universities have control by securing, in the first instance, a separate university for each of the leading provinces in India and secondly to create new local teaching and residential universities within each of the provinces in harmony with the best modern opinion as to the right road to educational efficiency.”

As a result of this policy, six new universities came into existence between 1913 and 1921. A teaching, unitary and largely residential university was established at Lucknow (1920). Recognition was also given to the efforts made by eminent Indians to break new ground in creating teaching universities. For instance, the Banaras Hindu University, founded by Pandit Madan Mohan Malaviya, was incorporated in 1916 and the Aligarh Muslim University, founded by Sir Syed Ahmed Khan, was incorporated in 1920. In the meanwhile, two princely States also established universities for their areas, Mysore in 1916 and Osmania in 1918, the latter making history by the adoption of Urdu as the medium of education. Maharishi Annasaib Karve founded the S.N.D.T. Indian Women’s University in 1916 and it used Marathi and Gujarati as the media of education. It was, however, incorporated much later in 1949. After 1921, when education was transferred to Indian control, the development of universities was much faster and during the next 26 years, nine more universities were established. After the attainment of independence, there has been a much more rapid expansion in the field of higher
The number of university level institutions has increased from 19 to 480. But even this expansion has not fulfilled the needs of the country.

**Concept of Higher Education**

The definition of higher education includes a hierarchy of institutions and programmes. Many different kinds of university level institutions such as central universities, state universities, private universities, IITs, NITs, IIITs, IIMs, IISERs, occupy the upper end of the higher education spectrum. The various colleges offering general or specialized education, professional education, provide higher education to nearly eighty percent of students. Then, there are several other post secondary institutions such as community colleges and technical training institutions. In a sense the polytechnics and vocational institutions, which are not strictly post-secondary, are also considered as higher education.

In general our higher education system has divided these institutions and programmes into two broad categories: one for scholarly pursuits and achievements and the other for work-force requirements. It is now increasingly recognized that this dichotomy should be erased and shift away from undue emphasis on “manpower-oriented” planning (annual out-turn of graduates, growth rate, Gross Enrollment Ratio, employability etc) and adopt a more holistic approach to higher education at every level, not just at the university or college level only.

Pandit Jawaharlal Nehru, in his convocation address to the University of Allahabad in 1947, summed up the basic objectives of the university and its role in national life: “A university stands for humanism, for tolerance, for reason, for the adventure of ideas and for the search of truth. It stands for the onward march of the human race towards even higher objectives. If the universities discharge their duties adequately, then it is well with the nation and the people.”

In the rapidly changing contemporary world, higher education system is undergoing profound changes in their scope, functions and organization and is in a process of rapid evolution. Their tasks are no longer confined to the two traditional functions of teaching and advancement of knowledge. They are assuming new functions with increasing range, depth and complexity. In broad terms, the functions of the higher education system in the modern world may be said to be: to seek and cultivate new knowledge; to interpret old knowledge and beliefs in the light of new needs and discoveries; to provide the right kind of leadership in all walks of life; to include the youth from all sections of the society to develop their full potential; to help to cultivate right interests, attitudes and moral and intellectual values; and to strive to promote equality and social justice and to reduce social and cultural differences through diffusion of education.

Universities are essentially a community of teachers and students where, in some way, all learn from one another or, at any rate, strive to do so. Their principal objective is to deepen our understanding of their role in the society and to disseminate this
understanding throughout society and to apply it in the service of mankind. Yet another responsibility of the Indian universities in the present context is to strive to assist the schools in their attempts at qualitative self-improvement. For this purpose, universities should conduct experimental schools, run advanced courses for teachers in various school subjects, assume greater responsibility for the training of teachers at all levels, organize summer institutes for their in-service education, assist in the search for and development of talent, and develop new curricula, textbooks and teaching materials.

In addition, the need for skill-based education at the post-secondary level is becoming acute considering the fact that nearly 50 percent of India’s population consists of persons below 25 years old. It is recognized that we need programmes that impart knowledge intensive skills as well as basic vocational skills. It is yet to be resolved as to what proportions of higher education should these different varieties be made available. This issue also has financial implications in, as much as the high-end research oriented education for knowledge generation is many times more expensive than the vocational education at the other end. With the passage of time India will face much higher demand for skill based education than for the research based education, neither of which can be neglected and both have to be accommodated within the constraints of available resources.

Expansion, Access and Inclusion

In the present Indian context there is a great deal of emphasis on these three aspects (besides Quality discussed later). These three issues are highly interconnected and encompass a variety of social, economic, political and cultural dimensions. For instance expansion of higher educational institutions and programmes undertaken in a random fashion does not automatically ensure access to those eligible aspiring students. Even assuming that accessibility is not a major constraint, inclusion of marginalized sections of society (Poor, First Generation Learners, Socially Backward Communities etc.,) may not be ensured. If inclusive measures and affirmative actions are enforced through legislation and persuasion, we find there is a large body of Indian opinion offering severe resistance.

Another issue that gets sidelined in the expansion process is the severe disciplinary distortions. One of the important features of educational development in the post-independence period has been the rapid expansion of professional education in engineering, medicine and agriculture and of science courses for the first and second degrees. By and large, this expansion has outstripped the facilities available and has had an adverse effect on standards. At the same time, there has also been a rapid expansion in arts and commerce courses at the first-degree level; and this has been dictated, not so much by the enrolment capacity of the institutions concerned or the employment opportunities available, but by the pressures of public demands for higher education which have increased immensely.

However in the past two decades we have all witnessed the extra-ordinary emphasis on expansion of technical education system, which is reaching a phenomenal intake capacity close to a million per year, though there are some attempts to put a cap on
Within the disciplines of the technical education there is a sharp skew in favour of a few branches such as Information Technology, Electronics, Biotechnology and so on which are considered as offering relatively better job prospects. One of the major causes for such distortions among disciplines is the absence of organized counseling and guidance programmes and intelligent mentoring of the learners.

Assessment of Quality

There are debates across continents as to who sets the standards for quality. It is reported that recently the United States of America “is preparing to flip the switch from mostly local control of education to nationally aligned Common Core State Standards. This evidence based, internationally benchmarked guidelines have the potential to transform teaching and learning across the United States, allowing students access to higher education and economic success. It’s a momentous change that could mark the beginning of the end of a long battle over who decides what is taught in the nation’s classrooms, and the start of broad public support for the rigorous, unified approach needed to move the nation’s education system forward.” (Karen Theroux in Carnegie Reporter, v. 5 no.3 Fall 2009 pp. 30-38.

The accreditation system prevailing in various countries provides a measure of the educational quality. Through the accreditation process, an agency or its designated representative evaluates the quality of a higher education institution as a whole or of a specific educational programme in order to formally recognize it as having met certain predetermined minimal criteria or standards. The result of this process is usually the awarding of a status of recognition, and sometimes of a license to conduct educational programmes within a time-limited validity. The process can imply initial and periodic self-study and evaluation by external peers. The accreditation process generally involves three steps with specific activities: (i) a self-evaluation process conducted by the faculty, the administrators, and the staff of the institution or academic programme, resulting in a report that takes as its reference the set of standards and criteria of the accrediting body; (ii) a study visit, conducted by a team of peers, selected by the accrediting organization, which reviews the evidence, visits the premises, and interviews the academic and administrative staff, resulting in an assessment report, including a recommendation to the accrediting body; and (iii) examination of the evidence and recommendation on the basis of the given set of criteria concerning quality and resulting in a final judgment and the communication of the formal decision to the institution and other constituencies, if appropriate.

Perhaps the most onerous responsibility which the Indian higher education system faces now is to shake off the heavy load of their early tradition which gives a dominant place to examinations, and to improve standards all-round, including a symbiotic development of teaching and research, and to create a system of quality assessment which would be comparable to those in any other part of the world. Ideally adherence to educational quality should be based on institutional conviction for voluntary compliance to Norms and Standards that are evolved by the agencies mandated to monitor the academic quality. Since this seldom happens, it becomes necessary to prescribe methods
by which assessment of quality can be undertaken objectively through such processes as academic audit and accreditation. It is not the same as the ranking exercises of popular journals.

Quality measurement should be based not merely on institutional assets (Input factors) but also should include the process factors (teaching/learning innovations, transparent governance, academic autonomy, leadership etc.) as well as the outcome factors (alumni reputation, social appreciation, etc.). There is a great deal of discussion in the country about the various approaches to quality measurement, especially in the context of unprecedented expansion of higher education institutions and programmes, introduction of newer disciplines, entry and operation of foreign institutions in a variety of forms, and desire for global recognition through internal accords (WTO/ Mutual Recognition, Washington Accord and Other National Protocols).

Indian Higher Education is a large system with nearly four hundred and eighty university level institutions and over twenty thousand colleges. The growth in professional institutions has also been manifold. With significant expansion of higher educational institutions, both publicly and privately funded, a mandatory accreditation system that could provide a common frame of reference for students and other stakeholders to obtain credible information on academic quality across institutions is required. Accreditation is the principal means of quality assurance in higher education the world over and reflects the fact that in achieving recognition, the institution or programme of study is committed to external review to meet certain minimum specified standards and also to continuously seek ways in which to enhance the quality of education.

The Eleventh Plan approved by the National Development Council (NDC) provides a three point agenda in regard to accreditation, namely; introduction of a mandatory accreditation system for all higher educational institutions; creation of multiple rating agencies with a body to rate these rating agencies; department-wise ratings in addition to institutional rating.

Presently, accreditation is not mandatory and there is no law to govern the process of accreditation. There are two Central bodies involved in accreditation of institutions; the National Accreditation Assessment Council (NAAC) and the National Board of Accreditation Board (NBA). The NAAC was set up in 1994 by the University Grants Commission (UGC) to make quality an essential element through a combination of internal and external quality assessment and accreditation. The NBA was constituted by the All India Council for Technical Education (AICTE), as an autonomous Body, under section 10(u) of the AICTE Act, 1987.

Given the vastness and diversity of higher education in the country, it would not be possible for the two bodies at present i.e. NAAC and NBA to undertake accreditation (and re-accreditation) of all higher educational institutions and programmes of study, especially if accreditation is proposed to be made mandatory. Consequently, an institutional structure to ensure mandatory accreditation needs a legal basis for it to have the force of law. Since the volume and range of demand far exceed the capacity of these
two bodies there have been suggestions to empower other organizations to undertake this responsibility. It is expected that with the passage of the legislation to provide for accreditation of higher educational institutions and to create a regulatory authority for the purpose many of these issues will be resolved at least for some time to come.

**Autonomy Issues**

The expansion of the higher education system has brought to the fore several critical issues relating to governance of the higher educational institutions. Historically the educational institutions in India enjoyed considerable degree of autonomy vested in the heads of the institutions and the academic community guided by enlightened peers. This advantage has now been eroded substantially in the government funded as well as the private institutions.

In case of centrally funded government institutions such as IITs, IIMs, Central Universities, IISERs, NITs etc., it is reasonably certain that the interference and control of the government is minimal. Usually the governing boards and the heads of these institutions have the freedom to evolve their academic policies and strategies except in areas where it concerns the fundamental national policies (for example reservations; pay commission norms etc.). The governing boards of these institutions include just one or two officials of the Central Government. At the same time there are also several central institutions with high proportion of government official in their governing bodies where the interference effect is high and troublesome. This is particularly worrisome in the case of state-funded institutions.

With the rapid growth of privately funded institutions the nature of their governance system has become an area of major concern. The extent to which the members of the trust or society consisting of close family members or their relatives engage in micro-managing all aspects of the institutions including appointment of the heads of the institution and the faculty, their remuneration, investment in academic facilities, the admission policies, fee collection and so on, has caused considerable damage to the credibility of the higher education system in India.

Everyone agrees that the expansion of the higher education to cope up with the escalating demand is possible only if substantial participation of the private sector is encouraged. In such a case the private investor has the right and responsibility to ensure that the investment is properly managed. However the degree of control sought to be exercised, in most cases, is degenerating towards securing positions of power and prestige for the family members (howsoever they be unqualified) and more regrettably engaging in profiteering through all sorts of unacceptable financial manipulations. There seem to be a high degree of national consensus that such systems of governance will not be acceptable as legitimate practices when exposed to global assessment of quality.

The issue of internal governance of the institution in terms of the processes connected with admissions, registration, examinations, evaluations, scheduling and a host of other functions are also matters that need closer attention in ensuring quality.
**Legislative Reforms**

After independence the education sector (like agriculture) was in the State List of our Constitution, till the Higher Education was changed to Concurrent List through 42nd Amendment during the mid-seventies. Since then there has been continuing arguments about the implications and consequences of this change. Those who look at the positive side of the situation point out to the increased quantum of funds available to higher education in centrally funded institutions without the same degree of interference from the political or power centres as happening in the State Funded institutions (especially in the matter of appointment of Vice-Chancellors and other senior faculty members and administrators). The level of funding available to the State Institutions is considerably less. The private model of higher education has not worked well in India. The concept of Public-private partnership model has not been sufficiently evolved for operational purposes. The present initiatives of the Government of India to resolve many of the critical issues consist of creating a series of legal instruments.

**NCHER Bill**

An important measure awaiting political clearance of the Cabinet for introduction in the Parliament is the Bill for the Creation of the National Commission on Higher Education and Research (NCHER) (conforming to the recommendations of the Yashpal Committee Report on Renovation and Rejuvenation of Higher Education In India). This Bill addresses certain fundamental concerns in the reports of National Knowledge Commission and Yashpal Committee. These two reports draw critical attention to the fundamental academic weaknesses such as compartmentalization and fragmentation of knowledge systems, absence of innovation in learning methods, disconnect with the society and too much emphasis on multiplicity of harmful entrance and qualifying tests. They reflect concerns on the growing trend in loss of university autonomy damaging the prospect of healthy growth of spirits of enquiry, creativity, and innovation.

The NCHER is not a regulating or controlling or licensing or inspecting body. Its primary task is to evolve norms and standards for various aspects of higher education including assessment and accreditation, while abolishing several of the regulating bodies dealing with the academic norms for higher education. It restores to the universities the autonomy and responsibility to implement these norms and standards. It mandates the NCHER to consult with all States, Union Territories and other statutory regulating bodies in evolving new policies, procedures, norms and standards. Among the various other unique functions of the NCHER, one relates to identification of academic administrators of national standing eligible and qualified to be appointed as Vice Chancellors of universities or heads of central educational institutions. Considering the high degree of dissatisfaction in selecting the heads of institutions, this function assumes special importance. The regulatory functions of the Commission include specifying requirements for the award of degrees and diplomas in any field of knowledge and to specify norms of academic quality for accreditation and benchmarking of higher educational institutions.

The analytical state of review of higher education system diagnosing major trends is a key function of NCHER. A major task assigned to the Commission is to prepare once...
in every five years a report on the state of higher education and research in the various states and submit to the Governor. Similarly, the Commission would present to the President of India, a report on the vision of the higher education and research in the forthcoming decade.

The status of Member of the NCHER is proposed to be such as to be free of control by any one Ministry and made responsible only to parliament. The selection of the Members of this Commission will be by a committee of the Prime Minister, Leader of the Opposition and Speaker of the Lok Sabha, from a panel of names proposed by a collegiums of eminent persons.

An important feature of the NCHER Bill is a provision to review by a committee on eminent persons the performance of the Commission itself about the extent of fulfillment of its goals and objectives and recommend suitable actions. This is somewhat exceptional in the sense that the institutions or organizations created by acts and statues seldom get reviewed and this is one of the major reasons for their deterioration. Hopefully, the various consultative processes that are envisaged between now and its enactment will further enhance the distinctive role assigned to the commission for renovation and rejuvenation of higher education in India.

Four other bills approved by the Cabinet and undergoing the legislative scrutiny relate to Entry and Operation of the Foreign Institutions in India; Establishment of a National Accreditation Authority; Prevention of Malpractices; and Establishment of Educational Tribunals.

**Foreign Institutions Bill**

The Foreign Institutions Bill appear to have created most controversies. Unfortunately the criticisms about the Foreign Institutions Bill are based on uninformed misapprehensions. Most of the critics tend to ignore the present ground reality of more than two hundred foreign programmes offered in India in various modes. Undoubtedly majority of these are of substandard quality and value. The regrettable fact is no agency in India has an account of the number of foreign programmes, their mode of operation, nature of partnership, quality of instruction, fee structure, protection of students interest and so on. Many of them indulge in glossy and misleading advertisements enticing gullible students with false promises. Available information on them is based on tertiary sources of reports compiled by voluntary organizations.

The basic premise of the Foreign Institution Bill is that every foreign educational service provider engaged in offering programmes leading to degrees and diplomas, whether already operating in India or intending to do so in future, either on their own or in collaboration with an Indian partner, must register with a designated authority giving all necessary information about their competence and credibility. The Bill attempts to prevent worthless institutions coming in. The apprehension that the Bill will open the floodgate to all kinds of foreign educational institutions is totally unfounded. On the contrary, the provision in the bill that no surplus can be repatriated, will effectively prevent the entry of commercially motivated institutions.
The requirement that these institutions must have at least twenty years of track record in offering recognized and accredited degree programmes in their home country will weed out fly-by-night operators. They have to comply with all the relevant laws of the land. They should deposit a sum of Rs.50 Crores to meet any liability to the students, faculty and others in case they quit or their registration is withdrawn. On the whole, the need for the Bill is never more acute and should help to prevent the growing chaos in foreign programmes in India.

**The Accreditation Bill**

The concern for quality assurance of higher education programme has been acutely felt partly because of unprecedented growth of institutions and more so because of the need to meet the ever-changing norms and standards of accreditation so that mutual recognition of programme among institutions in India or abroad is streamlined. Within a relatively short period of less than two decades, the accreditation system in India has been struggling to demonstrate their viability. It is expected that in future every educational programmes would be subjected to mandatory accreditations, unlike the voluntary process at present. In such an event, the total number of institutions and programmes that will need accreditation in a vast range of disciplines is mind-boggling. The “National Accreditation Regulatory Authority for Higher Educational Institutions Bill, 2009”, provides for mandatory accreditation of all higher educational institutions through Accreditation Agencies registered under the legislation. The proposal applies to all higher educational institutions including, universities, institutions deemed to be universities, colleges, institutes, institutions of national importance established by an Act of Parliament, and their constituents, imparting higher education beyond 12 years of schooling leading to the award of a degree or a diploma, and whether through the conventional or distance education systems.

The National Accreditation Regulatory Authority for Higher Educational Institutions is empowered to register agencies that would undertake accreditation of institutions in accordance with regulations governing academic quality i.e. the quality of outcomes associated with teaching, learning and research besides quality in admissions, physical infrastructure, human resource infrastructure, research and research infrastructure, course curricula, assessment procedures, placement and governance structures. Existing higher educational institutions and programmes therein would be allowed a period of three years to obtain accreditation, if not already obtained. The accreditation of any higher educational institution or any programme shall be in accordance with the regulations prescribed by the UGC or the appropriate Statutory Body for different fields of knowledge.

The Authority would be entrusted with the duty to promote the process of accreditation of higher educational institutions and to monitor and audit the functioning of the Accreditation Agencies. Besides the Authority would also register and regulate the working of Accreditation Agencies; prescribe, audit and monitor a Code of Ethics, including but not limited to a policies on obviating conflict of interest, disclosure of information, evolving transparency in processes and procedures of accreditation for Accreditation Agencies. It also would require higher educational institutions to routinely
provide reliable information to the public on their performance, student achievement, faculty availability and qualifications and research publications and so on.

Only registered Accreditation Agencies have been authorized to undertake accreditation of higher educational institutions. Where the Accreditation Agency breaks any of the terms or conditions of its certificate of registration the breach of which is expressly declared by such certificate of registration to render it liable to revocation. The approach suggested in this Bill is to license competent professional organizations to undertake the accreditation responsibilities, in accordance with norms and standards prescribed by a competent agency. There are sufficient provisions in this Bill to ensure accreditation is transparent and reliable with no scope for malpractices. The accreditation rating in future will determine the fate of institutions or programmes as to whether they should be allowed to continue at all, after reasonable opportunities for correcting. Any information about undesirable or deliberate malpractices not only in academic matters but also in administration and governance process will contribute to adverse rating.

**The Malpractices Bill**

The malpractices occur on a large enough scale in the Indian higher education to cause major worry about its cumulative effect on the society. Many of these are wanton disregard of the existing regulations and guidelines, which have large enough loopholes. Unfortunately in quite a few instances those who are supposed to watch their proper implementation abet the irregularities. The existing set of regulations and guidelines are totally devoid of any meaningful penalties to those who flout them. They were designed some decade ago, perhaps with the assumption that those involved in educational endeavours will not resort to willful malpractices, not anticipating the entry of new class of educational entrepreneurs whose greed exceed limits of decency and propriety as seen in several of the deemed-to-be-universities, which came into existence with the connivance of power centres that are equally greedy.

The need for the malpractices bill should be viewed in this context. It lists all those (mal) practices that will attract the penalty of hefty fines and jail terms. The Bill requires prior announcement and publication of institutional facilities, faculty, procedures for admissions and examination, fee structure and so on. Any willful deviation will attract the penalty. For instance collection of any kind of fees without giving any official receipt will be treated as a major malpractice. Manipulated entrance tests, collection of unaccounted fees, false information about faculty strength, qualification, infrastructure etc., are some of other malpractices covered in this bill.

**The Tribunals Bill**

As it happens so frequently, any attempt to correct the educational anomalies ends up in the court. Literally thousands of cases relating to higher educational matters are pending in the courts, some for ages, thereby frustrating corrective efforts and paralyzing the reform process. The proposed bill to establish the educational tribunals at the central and state levels can have the benefit of speedy disposal of such disputes.
Resistance Phenomenon

The process to initiate major reforms requires wide-ranging consultations in order to gain acceptance among the stakeholders. Any ad-hoc or piecemeal reform tends to invoke suspicion, skepticism and resistance. The opposition to reform measures is sometimes out of well meaning concerns. At times it is articulated by vested interests. Some of it can be politically motivated.

For instance, the introduction of semester system, credit based evaluation, and internal assessment widely prevalent in premier institutions in India or abroad is resisted by the faculty in many large universities mainly due to unwillingness to shoulder extra responsibilities. The idea of autonomous colleges to overcome the deficiencies of the affiliation system, recommended by the Kothari Commission some forty years ago has still not taken firm roots in India.

The new regulations for the Deemed universities to plug the large loopholes in the current guidelines and to regulate, in an orderly manner, the process of declaration of institutions as deemed to be universities and prevent institutions of dubious quality from being so declared and, to maintain quality of higher education imparted by them consistent with the ideals of the concept of a university, is opposed by the family owned Deemed Universities. The Malpractices Bill is facing resistance from the institutions that are engaged in collection of capitation fees and making false claims. The institutions running substandard programmes are criticizing the Accreditation Bill. The NCHER Bill is facing opposition from those concerned with the State autonomy and unfounded apprehensions of a single central authority. The opposition to the Foreign Education Bill is partly based on political and ideological consideration and partly by the institutions currently running bogus foreign programmes.

Conclusion

The four bills that have been introduced in the Parliament in the middle of April and the NCHER Bill on the anvil, if enacted with whatever changes the Parliament deems fit, can provide a strong foundation to overcome the present aberrations and elevate the credibility of Indian higher educational qualifications among the community of nations. Hopefully, if the proposed legal instruments emerge through the legislative process, and perhaps go through the judicial scrutiny, and if implemented in their true letter and spirit, there will be some light at the end of the tunnel. In the meantime those who are concerned about the future of higher education in India should seek to understand the basic rationale behind these measures and help to address them in their own domains of involvement in whatever way possible. Since the nation’s economic future and global stature are intricately associated with the credibility of higher education system, one can only hope that there is sufficient wisdom in the society not to let the present state of entropy to persist.