ESTIMATES COMMITTEE

(2003-2004)

(THIRTEENTH LOK SABHA)

NINETEENTH REPORT

MINISTRY OF HUMAN RESOURCE DEVELOPMENT
(DEPARTMENT OF SECONDARY AND HIGHER EDUCATION)

ALL INDIA COUNCIL FOR TECHNICAL EDUCATION

Presented to Lok Sabha on 4.02.2004

LOK SABHA SECRETARIAT
NEW DELHI

February   , 2004/Magha   , 1925(S)

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<h1 style="text-align:center"><u>COMPOSITION OF</u> <u>COMMITTEE ON ESTIMATES</u>
(2003-2004)</h1>

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INTRODUCTION

I, the Chairman of the Estimates Committee, having been authorised by the Committee to submit the report on their behalf present this Nineteenth Report on the Ministry of Human Resource Development (Department of Secondary and Higher Education) – 'All India Council for Technical Education'.

2.   The subject, 'All India Council for Technical Education' was

selected for detailed examination by the Estimates Committee (2001-2002).   The Estimates Committee examined every aspect of the subject by calling for written information and   taking evidence of the representatives of the Ministry of Human Resource Development (Department of Secondary and Higher Education) on 10.10.2001, 28.12.2001, 30.7.2002, 28.8.2002, 11.9.2002 and 7.10.2002. During their study tours the Committee visited   5 technical institutes recognised by AICTE and interacted with the representatives of AICTE to get first hand information on the subject.   The Committee wish to express their thanks to the officers of the Ministry of Human Resource Development (Department of Secondary and Higher Education) for placing before them the detailed written notes on the subject and for furnishing information desired in connection with the examination of the subject.   The Committee also appreciate the frankness with which the officers shared their views, perceptions and constraints with the Committee.

3.   The Committee would also like to express their gratitude to the

Estimates Committee 2001-2002, 2002-2003 and 2003-2004 for the able guidance and right direction provided by them in obtaining information for indepth and comprehensive study of the subject.

4.   The Report was considered and adopted by the Committee at

their sitting held on 30th January, 2004.

5.   The Report consists of seven chapters.   The Committee have

inter-alia made the following important observations/ recommendations:-

(i)   To ensure better accountability and continuity in the functioning of AICTE, there should be a proportionate mix of deputationists and regular employees in the organisation. Although some of the senior positions like Advisers, Secretary, Chairman, etc. might be filled on deputation basis, there is need to have regular employees at the middle and lower levels in the Council. Proportion of regular employees in the organisation should be increased in a phased manner and those on deputation to be reduced to the minimum possible without affecting the functioning of the organisation.

(ii)   Regional Offices of the Council should be set up in all major States. Functions of AICTE need to be decentralised and Regional Offices should be delegated with more powers.

(iii)   AICTE Act should be suitably amended with provisions for setting up a permanent Appellate Authority vested with quasi-judicial powers with a view to act as an arbitrator in all the cases relating to granting of approval, recognition and accreditation and other related matters. The Appellate Authority should be headed by a retired judge and should have eminent educationists as Members.

(iv)   A procedure should be evolved for regular interaction between State Governments and AICTE on various issues, including obtaining of NOC for new courses and institutions so that no inconvenience is caused to the State Governments.

(v)   In order to maintain the quality of programmes, there should be reassessment of the grades after one year to see whether the quality of programmes run by the institutions meet the stipulated standards and quality in that particular grade. It should also be made mandatory for those institutions coming under the category of grade 'C' to come up to the level of grade 'B' within a time-frame.

(vi)   A High Powered Expert Committee should be constituted and entrusted with the responsibility of conducting surprise quality inspection of the institutions to assess the grades of the courses.

(vii)   Teacher-student ratio should be made a very important indicator in the accreditation process of programmes and compliance of prescribed teacher-student ratio should be ensured in all the institutions.

(viii) AICTE should constantly monitor the cases regarding violation of payment of salaries according to prescribed pay scales and should doggedly pursue the matter with concerned State Governments and also impose stringent penal measures against those institutions violating the norms. It should also be ensured that salaries to the teaching staff should be paid only by cheque and the Vigilance Cell during their inspection should cross-check from the Bank concerned whether payment was made in full as per the prescribed pay scales.

(ix)   Budgetary outlay for RID should be increased and more
        number of institutions should be encouraged to undertake research in technical education in the country.

(x)   A separate Vigilance Cell should be set up in AICTE to conduct

surprise checks and look exclusively into the complaints of charging donation/capitation fee and also charging in excess of the prescribed tuition fee, development fee, etc.

(xi)   Need to prepare a blue-print for balanced growth of technical institutions in the States keeping in view the demand-supply in the field of technical education.

(xii)   AICTE in coordination with State Governments should take criminal action against promoters of unauthorised private institutions who play with the future of students.

(xiii)   AICTE should be divested of the responsibility relating to grant of approval and recognition to management courses and the powers relating to grant of approval and recognition of management courses and programmes and their regulation should be entrusted to a separate body.

6.   For facility of reference, the observations/recommendations of the Committee have been printed in bold type in the body of the report and have also been reproduced in consolidated form in the Appendix.

New Delhi   **UMMAREDDY VENKATESWARLU,**
February 3, 2004   **Chairman,**
Magha 14, 1925(S)   **Committee on Estimates.**

Chapter I

1. Introduction

Introductory

Till late 19th century, India was an agrarian country and the slow industrial development witnessed till then in the country was essentially brought about by the British Government. After independence, there was a felt need to have more technical manpower to cater to the growing needs of the industry as well as economy as a whole. This necessitated setting up of more technical institutes/colleges and the consequent need for a regulatory body to promote and foster planned and coordinated development of technical education in the country.

Historical Background

The need for planning technical education on All India basis and to ensure uniform and speedy growth of technical education for bringing about the necessary industrial development was emphasised by the Central Advisory Board of Education. Accordingly, the All India Council for Technical Education (AICTE) was established in 1945 as an advisory body. The establishment of AICTE was also necessitated because the determination and coordination of standards of technical education has all along been the constitutional responsibility of the Central Government.

The policy shift during 80's encouraging greater involvement of private and voluntary organisations in setting up of technical and management institutions on self-financing basis, ushered in an era of unprecedented expansion of technical education systems, a trend which continued during Seventh and Eighth Five Year Plans. With the pace of development, it was felt that without effective co-

ordination and integration at the national level, technical education could not be effectively organised on provincial basis as that would lead to imbalances of supply and demand in the country as a whole. The National Working Group constituted then to review the role and functions of AICTE, in consonance with the responsibilities of the Central Government, recommended to give statutory powers to AICTE to increase its effectiveness in the new role and functions.

Further, recognising the urgent need to ensure coordinated and integrated development of technical and management education, the National Policy on Education, 1986 also stipulated that "the AICTE will be vested with statutory authority for planning, formulation and maintenance of norms and standards, accreditation, funding of priority areas, monitoring and evaluation, maintaining parity of certification and awards and ensuring coordinated and integrated development of technical and management education. Mandatory periodic evaluation will be carried out by a duly constituted Accreditation Board".

Thus, AICTE was given statutory powers by an Act of Parliament, namely The All India Council for Technical Education Act, 1987.

Under the Act, AICTE is vested with statutory powers with a view to ensure proper planning and coordinated development of Technical Education System throughout the country, promotion of qualitative improvement of such education in relation to planned quantitative growth and the regulation and proper maintenance of norms and standards in the technical education system and for matters connected therewith. "Technical Education" in this context includes

fields of Engineering and Technology, Architecture, Town Planning, Management, Hotel Management & Catering Technology, Pharmacy and Applied Arts & Crafts.

Objectives, Responsibilities and Functions

During pre-independence era and upto the enactment of the AICTE Act 1987, the role of AICTE was advisory in nature, with the major objectives of surveying the facilities for technical education in the country and to promote development in the field through a coordinated and integrated approach. However, on enactment of the AICTE Act, the role of AICTE became more of regulatory in nature.

The major objectives, responsibilities and functions of AICTE have been stated as under:-

Objectives

- Planning and coordinated development of Technical Education
- Promotion of qualitative improvement
- Regulations and maintenance of Norms and Standards
-
    To achieve the above objectives laid down under AICTE

Act, the following measures have been initiated by AICTE :-

I.   Introduction of various Faculty Development Programmes in the area of Technical Education like Quality Improvement Programmes (QIP), Early Faculty Induction Programme (EFIP), Continuing Education Programme (CEP), etc.

II.   Introduction of various Research & Development Programmes like Modernisation and Removal of Obsolescence (MODROB); Thrust Area

Programme in Technical Education (TAPTEC); Research & Development (R&D), etc.

III.   Introduction of Networking of Technical Institutions, Networking of Library for Technical Institutions etc.

Responsibilities

-    Implementing Policy Decisions of Government
-    Review Norms and Standards
-    Model Curriculum design
-    Liaison with:
    -    Council of Architecture
    -    Pharmacy Council of India
    -    Distance Education Council of IGNOU
    -    UGC & other National Agencies/Committees.

Besides above, responsibilities of AICTE also include regulation and monitoring of Undergraduate, Post-graduate Technical Education in Engineering & Technology and Management Education Programmes, which inter alia involves:-

-    Assessing and certifying the performance of technical institutions through the National Board of Accreditation.

-    Support for R&D Programmes and Industry – Institute Interaction in Engineering Institutions.

-    Entrepreneurship and Management Development Programme.

-    Career Development of Teachers in Technical Institutions."

Functions

The main functions of the AICTE as per the Act are to undertake survey in the various fields of technical education; coordinate the development of technical education in the country at all levels; promote innovations,

research and development; formulate schemes for promoting technical education for women, handicapped and weaker sections of the society; promote an effective link between technical education system and industry, research and development organisation, and the community; evolve suitable performance appraisal system for technical institutions incorporating norms and mechanisms for enforcing accountability; lay down norms and standards for courses, curricula, physical and instructional facilities, staff pattern, staff qualifications, quality instructions, assessment and examinations; fix norms and guidelines for charging tuition and other fees; grant approval for starting new technical institutions and for introduction of new courses or programmes; take all necessary steps to prevent commercialization of technical education; provide guidelines for admission of students to technical institutions; inspect or cause to inspect any technical institutions, etc.

Government's Policy on Technical Education

During the 8th Plan, the policy thrust of the Government was on consolidation and optimum utilisation of existing infrastructural facilities, their upgradation and modernisation, creation of infrastructure in newer areas of emerging technology, effective management of overall system and industry-institute linkages. The main thrust of technical education in the 9th Plan was on quality improvement; infrastructure development and innovations; promotion of excellence in diploma, degree and post-graduate technical education.

The Ministry have stated that during the next five years, emphasis will be laid on the following areas:-

I.   Promotion of qualitative improvement in the standards of technical education.
II.   Effective faculty development through innovative schemes and procedure.
III.   Promoting research and training in emerging areas of technology.
IV.   Promoting network of institutions and networking of libraries.
V.   Launching new schemes for training students and professional for increasing their employability.
VI.   Creating avenues and mechanism for innovative modes of delivery of educational processes, e.g. Web Based Education, Distance Education, etc.
VII.   Emphasis on creating manpower in IT and IT enabled services and other emerging areas of technology.
VIII. Creating facilities and infrastructure in technical institutions of repute and creating central facilities for collaborative research and training.
IX.   Giving incentives for greater academic autonomy by declaring technical institutions as autonomous or deemed university.
X.   Promoting avenues for greater acceptability of Indian technologists all across the globe.

AICTE Act 1987

The important provisions of the AICTE Act, 1987 relating to approval processes of educational institutions are given as under:-

(i)   Evolve suitable performance appraisal system for Technical Institutions and University imparting Technical Education, incorporating Norms and Mechanisms for enforcing accountability.   (1.4.1 CLAUSE 10(G))

(ii)   Lay down norms and standards for course, curriculum, physical and instructional facilities, staff pattern, staff qualification, quality instructions, assessment and examination.   (1.4.2 CLAUSE 10(I))

(iii) Grant of approval for starting new technical institutions and for introduction of new courses or programmes in consultation with the agencies concerned.
       (1.4.3 CLAUSE 10(K))

(iv)   Take all necessary steps to prevent commercialisation of Technical Education. (1.4.4 CLAUSE 10(N))

(v)   Inspect or cause to inspect any Technical Institution.
       (1.4.5 CLAUSE 10(P))"

<u>Suggestions for amending AICTE Act, 1987</u>

The Chief Minister of Haryana in his letter addressed to the Minister of Human Resource Development suggested the following amendments to the AICTE Act, 1987:-

(i)   Formulate schemes for promoting technical education for women, handicapped and weaker sections of the society in consultation with the concerned State Government.

(ii)   Evolve suitable performance appraisal systems for Technical Institutions and Universities imparting technical education, incorporating norms and mechanisms for enforcing accountability through State Government and the affiliating University.

(iii) Lay down norms and standards for courses, curricula, physical and instructional facilities, staff pattern, staff qualification, quality instruction, assessment and examination in consultation with State Government and the affiliating University.

(iv)   Fix norms and guidelines for charging tuition and other fees through State Government.

(v)   Grant approval for starting new technical institutions and for introduction of new courses with the agencies concerned on the recommendations of the State Government and the affiliating University.

(vi)   Take all necessary steps to prevent commercialisation of technical education and implement through State Government.

(vii) Inspect or cause to inspect Technical Institutions jointly with the State Government and the affiliating University.

(viii) Advise the Commission for declaring any institution imparting technical education as a Deemed University on the recommendations of the State Government.

To study the suggestions made by the Hon'ble Chief Minister of Haryana, an Expert Committee was constituted by AICTE comprising of the following members in terms of amendments to the AICTE Act for greater degree of involvement of the concerned State Governments and affiliating Universities:-

"1.   Dr. D.P.Agarwal   Chairman
         Director
         Indian Institute of Information Technology and
         Management, Gwalior

2.   Shri P.R. Mehta
         President, Council of Architecture,
         New Delhi

3.   Dr. M.S. Ananth
         Director,
         Indian Institute of Technology,
         Chennai

4.   Prof. I.K. Bhat   Convenor
         Advisor (Amn.),
         AICTE,
         New Delhi."

         The Committee has been asked to look into the mechanism to evolve

specific roles to State Government and affiliating University for regulating the

setting up of technical institutions, norms and standards, and other related matters.

The Committee has also been requested to frame necessary regulations in this

regard.

         The comments of the Ministry of Human Resource Development

(Department of Secondary and Higher Education) on the suggestions made by

Chief Minister of Haryana are as follows:-

(i)   The Performance of the Technical Institutions and
         Universities imparting technical education is appraised by the Council,
         after the completion of first and subsequent years, through visits and re-
         visits. These reports are placed before the Regional Committees, wherein
         the representatives of the State Governments as well as Universities are
         Members.

(ii)   Recently, the Norms, Standards and Procedures for
         approval of Institutions and Programmes have been thoroughly revised by
         the Ashoka Chandra Committee. The Committee conducted several

Workshops throughout the country, involving the participation of the State Government, the University, as well as the Academic Leaders and Experts. There was, thus, an opportunity for all the stakeholders to present their views to the Committee. The Ashoka Chandra Committee has now completed the Report, which has been discussed in the recent Executive Committee Meeting. It will also be further discussed in the relevant All India Boards. Thus, in the formulation of the Norms, Standards and Procedures, the involvement of the State Government and the Affiliating University is ensured.

(iii)   State Level Fee Committees have been constituted for
fixing Norms and Guidelines for charging tuition and other fees. The inputs from these Committees will be provided to the National Fee Committee, which will coordinate and consolidate the different recommendations.

(iv)   For granting approval for starting new Technical
Institutions and for introduction of new courses, this year No- Objection Certificate (NOC) from the concerned State Government and Affiliating University are insisted upon.
Commercialisation of Technical Education is to be eliminated through the Norms and Guidelines provided for tuition and other fees, which will be available to the State
Governments for enforcement.

(v)   In Section 11 of the AICTE Act, it is provided for the
Council to associate the Technical Institution or the University in the inspection of the Technical Institution. The Expert Committee constituted to examine the suggestions made by the Hon'ble Chief Minister of Haryana will be requested to provide guidelines in this regard.

(vi)   In the matter of declaring an Institution imparting
Technical Education as a "Deemed University", the Ministry of Human Resource Development seeks the recommendations of the University Grants Commission as well as the All India Council for Technical Education for coming up with the final decision."

Elaborating on the involvement of State Government in the decision

making process, the Secretary, Ministry of Human Resource Development

(Department of Secondary and Higher Education) during evidence stated as

under:-

"Basically , I would like to say that we have taken a policy

decision to increasingly involve the State Governments in the functioning of the AICTE. The major point is regarding approval. As per the mandate of the AICTE Act, consultations with the State Governments is necessary. Now, what we have done is, we fix a time limit by which the State Governments should give its recommendation. There have been no cases in which the State Government has not recommended and we have taken a different view. But there are many cases in which the State Government has remained silent. And that is where the problem has arisen. Now, as per the Supreme Court judgement, consultation with the State Government is necessary and concurrence is not necessary. Therefore, in many cases, the AICTE has taken a view that if there is no response from the State Government, they will take a decision on merits.

The entire process of decentralisation to State level Committees has taken place and the recommendations of the State level Committee are final. On that basis, the regional officer issues or otherwise the decision of the State level Committee. These are the two main areas in which the involvement of the State Government has been taken in to account. As regards amendment of the Act is concerned, there is a Committee which has been formed which is looking into it. The Committee has been requested to consider apart from these amendments, other amendments also in the light of some other judgement of the Supreme Court. It is looking into the whole gamut of the problems in a holistic way. The Committee has already held two sessions. The third session would be probably held in the next week. As soon as the Report of that Committee is received, we will take a view on that."

Asked about the reasons for delay in the constitution of the Committee

to examine the suggestions given by the Chief Minister of Haryana and also

delay in submission of its Report, the Chairman, AICTE stated as under:-

"In view of the other amendments that are required, there is a separate Committee for doing that. We are going to integrate the two because as of now the Committee is in agreement with some of the States."

The witness further added as under:

"We could have taken a final decision except for the fact that are other issues which need to be looked at."

The Committee came to know that there is another Committee namely – Ashok Chandra Committee. On being enquired whether the Expert Committee for examining suggestions given by Chief Minster of Haryana was constituted prior to Ashok Chandra Committee, the Secretary, Human Resource Development (Department of Secondary and Higher Education) during evidence stated that the Government Committee is in relation to the Bharathidasan case and other suggestions related to provisions of the AICTE Act.

The Chairman, AICTE during evidence added as under:-

"This Committee 's deliberations must be matched with the deliberations of the Ashok Chandra Committee, which is now the Indiresan Committee, because there are many issues which are tied up with each other."

Asked about the time limit fixed for presentation of Report by Indiresan Committee, the Chairman, AICTE stated as under:-

"We will do it extremely quick. The next meeting of the Indresan Committee is going to be held next week. They have already made draft recommendations and they will also be considering this."

CHAPTER-II

Organisational Structure

The All India Council for Technical Education comprises of the Executive Committee (EC), Ten All India Boards of Studies(AIBOS) on various disciplines, five Advisory Boards, seven statutory Regional Committees (RCs) and the National Board of Accreditation (NBA).

The Council of AICTE is headed by the Chairman, who is assisted by the Vice-Chairman, Member-Secretary and advisers supported by Director & Staff at the Headquarters . The Regional Offices are manned by Regional Officers, Asstt. Regional Officers and supporting staff.

There are seven regional committees spread across the country namely Eastern Region-Kolkata, Northern Region-Kanpur, North-Western Region-Chandigarh, Central Region-Bhopal, Southern Region- Chennai, South Western Region-Bangalore and Western Region-Mumbai. At the Headquarters, the following seven Bureaus have been set up for enabling coordination and planning of technical education system all over the country:-

1)   Administration & Finance (Admn. & Fin) Bureau
2)   Planning and Coordination (PC) Bureau
3)   Engineering and Technology (ET) Bureau
4)   Management, Architecture & Pharmacy Bureau
5)   Faculty Development (FD) Bureau
6)   Research & Institutional Development (RID)
7)   Quality Assurance(QA) Bureau

Budgetary Allocation

The details regarding budgetary allocation and actual utilization thereof in respect of AICTE during Eighth and Ninth Five Year Plans are as given below:

Budgetary Provision/Allocation vis-à-vis Actual Utilisation in the Eighth and the Ninth Five Year Plans

Year	Plan		Non-Plan	
	Budgetary provision/allocation	**Actual utilisation**	**Budgetary provision/allocation**	**Actual utilisation (Rs. in lakhs)**
8th Plan				
1992-93	278.00	125.00	--	--
1993-94	293.00	195.56	26.00	26.00
1994-95	5935.00	6185.27*	1922.00	1927.96*
1995-96	7136.00	7228.77*	1822.00	1825.24*
1996-97	5343.46	5352.96*	1165.70	1171.18*
Total	**18985.46**	**19087.56**	**4935.70**	**4950.38**
9th Plan				
1997-98	6446.00	4663.54	895.94	839.24
1998-99	6600.00	6824.19*	1550.00	1615.47*
1999-00	5136.00	5635.23*	1226.25	1226.36*
2000-01	7049.00	7384.41*	1550.00	1559.50*
2001-02	10842.00	**	1700.00	**
Total	**36073.00**	**24507.37**	**6922.19**	**5240.57**

* Amount shown under the 'Actual utilization' includes the yearly expenditure incurred out of yearly Grants-in-Aid received from MHRD plus unspent balance of the preceding year plus the miscellaneous income of the Council (if any) for that year.

** Actual expenditure for the terminal year of the 9th Plan i.e. 2001-02 is still in progress.

Enquired whether allocation made during the last five years was adequate to meet the needs of the Council, the Ministry of Human Resource Development (Department of Secondary and Higher Education) in a written reply stated that allocations to the AICTE are made through budgetary provisions by the Ministry after assessment of actual requirement vis-à-vis its internal income.

Manpower

The manpower in AICTE consists of personnel on deputation, contract and on regular basis. A statement giving details of manpower strength of AICTE as at the end of each of the last five years indicating the number of employees on deputation, contract and regular basis is given below:-

Category *	1996-97			1997-98			1998-99			1999-2000			2000-01			1.4.2001 to 31.12.2001		
	DEP	REG	CON	DEP	REG	CON	DEP	REG	CON	DEP	REG	CON	DEP	REG	CON	DEP	REG	CON
Group A	14	2	12	23	2	19	31	2	23	20	2	20	25	2	23	21	2	15
Group B	7	1	1	11	1	1	11	1	1	13	-	1	16	-	1	16	1	1
Group C	1	22	7	8	22	7	8	22	7	6	21	7	6	21	7	6	21	7
Total	22	35	10	42	42	10	50	46	10	39	41	10	47	44	10	43	37	10
Grand Total		67			94			106			90			101			90	

* DEP : Deputation   CON: Contract   REG : Regular

Jobs such as Data Entry, Reception, House keeping, Project works, Security, etc. are being handled by persons engaged through staff agency as per requirement.

The Committee observed that majority of staff of AICTE were appointed on deputation or contract basis and not regular staff. On being pointed out by the Committee about lack of regular staff either at AICTE head office or at the regional offices, the Ministry of Human Resource Development (Department of Secondary and Higher Education) in a written reply stated that the Recruitment Rules for the Technical staff were notified in 1995. However, consequent upon the expansion of technical

institutions across the country, a preliminary study of manpower requirement in the AICTE has been conducted by the Management Development Institute, Gurgaon. The staff requirement of the AICTE is being formally taken up by the Staff Inspection Unit (SIU) of the Ministry of Finance. As soon as the report of the SIU is available and decisions taken about the modification that would be required in the new staff structure, Recruitment Rules (RR) will be framed and notified.

During evidence a representative of the Ministry of Human Resource Development (Department of Secondary and Higher Education) stated as follows:-

> "When AICTE was first made into an independent body in 1994, the then Chairman and the then Government in their wisdom decided that there shall not be any permanent staff in AICTE. Again, this question is also being looked into and a special unit of the Ministry has been asked to look into this aspect. This issue has been deliberated in the Executive Committee of the AICTE also. This question is very well alive in our minds and the Ministry is going to take some decision on this issue also."

The Ministry of Human Resource Development (Department of Secondary and Higher Education) in a subsequent written reply stated that staff inspection for assessing the requirement of staff is taken up by Staff Inspection Unit (SIU) of Ministry of Finance, for providing regular staff structure to the AICTE both at the Headquarters and Regional Offices.

<u>Regional Offices</u>

AICTE has seven statutory Regional Committees with headquarters at Kolkata, Kanpur, Chandigarh, Bhopal, Chennai, Bangalore and Mumbai. The functions of Regional Committees as indicated in Section 114(3) of the AICTE Act are as follows:-

a)   Appointment of Expert Committees to visit the different
        institutions for extension of approval/increase in intake/additional courses.
b)   All original documents which are required for approval of any new
        technical institution are required to be verified by the Regional Officers.
c)   Regional Officer is the convenor of concerned Regional Committees and
        is also required to interact with concerned State Governments, Universities
        regarding all matters of approval and academic matters.
d)   The Regional Officer is Ex-officio member of the BOGs of all self
        financing technical institutions in the concerned Region.
e)   Council has already decentralised the processing of diploma programme
        and the concerned Regional Officer is a member of the State Level
        Committee and is responsible for final approval/extension of approval and
        all other matters relating to diploma programmes.

The role of the Regional Committees are to advise and

assist the Council in all aspects of planning, promoting and regulating technical education

in that region. Most of the work related to the approvals and inspection of degree

level programmes is performed by the Seven Regional Offices of AICTE. The

functions and duties of the Regional Offices involve the following:-

- Approval process:
  *   Receipt of application for establishment of new institution,
         introduction of additional programmes, variation in intake.
  *   Verification of all original documents such as :
         * Trust/Society Registration documents
         * Registered land document(s)
         * Land Use Certificate
         * Approved Building Plan
         * Photograph as proof of completion of 75% of building
         * Proof of funds in the form of FDR and bank balance
  *   Conduct of Hearing Committee Meetings.
  *   Conduct of Regional Committee Meetings.
- Visits :
- Co-ordinating visits to institutions for establishment of new institutions,
  variation in intake, extension of approval.

- Monitoring of Institutions:
  *   The Regional Office is responsible to monitor compliance with the
      norms and standards and conditions stipulated by the Council and for
      keeping the concerned Regional Committee and the AICTE informed
      of the same.

- Approval/Extension of Approval for Diploma level Institutions:
    * The Council has since delegated these responsibilities to the State Government. Regional Offices are expected to coordinate with the State Governments.

- Interaction with:
    * State Board of Technical Education
    * State Industrial Liaison Board
    * Governing Bodies of Technical Institutions
    * Regional Engineering Colleges
    * Community Polytechnics
    * Board of Apprenticeship Training
    * Committees of States and other educational organisations
    * Liaison with the State Government/DTE/Professional Bodies/industrial Organisations
    * Public Relations; Contact with public, students & teachers
- Any other work assigned by the Council

Enquired about the additional responsibilities given to the Regional Offices, the

Chairman, AICTE during evidence stated as follows:-

"At the diploma level, it is completely given over to the States. For the Experts Committee visits, the co-ordination is done by them."

He further added :-

"One thing that we want to do from this year, which we are going to discuss in the Executive Committee day after tomorrow, is the decision on the sanction for additional courses and so on. We will leave it to the Sub Committee of the Regional Committee. There, it is not really the Regional Officer but the Regional Committee with a number of experts and the State Government officials. We would like to give to them the responsibility for decision making and the Regional Officer will provide the secretarial assistance."

On being asked whether powers and responsibilities delegated to the Regional

Offices were sufficient, Chairman, AICTE stated as under:-

"The list gives the different activities of the regional offices. As far as strengthening of regional offices is concerned, for the last couple of years the responsibility for diploma level approval has been delegated to the State Government. On the other hand, in other types of work, such as accreditation work, which we are taking up in a big way, the regional offices come into the picture. So, there has been a variation in the type of

work that the regional offices are expected to do.   In place where we require more officers, we have deputed more. For example in Bangalore, we have not only the regional office but also continuing education centre. Therefore, we have got two officers there."

On being pointed out by the Committee that the general impression about

the Regional Offices is that of a post office with no power or authority delegated

to them, Chairman, AICTE clarified as under:-

"We are giving a great deal of responsibility to the Regional Committees which are headed by reputed academicians and also it has in its Committee the State Government representatives and other academicians.   We are giving them the responsibility.   The Regional Officer helps them to take the decisions because all the Expert Committee Reports are reviewed by the Regional Committee.   We make use of them.   In the Appellate Committee also the Chairmen of all the Regional Committees are members.   It is a body of these members.   Therefore, we take the help of these people.   It is a decentralised process.   To the extent that you are asking for decentralisation we have done it in regard to diploma to the State Governments now and we want to involve from the next year the degree level admissions also."

Enquired as to whether in view of increasing work load on AICTE, it is proposed

to increase the number of Regional Offices depending upon the number of regions

in a State, Chairman, AICTE during evidence stated as follows:-

"We do not have anything at the moment.   We have looked at the load of each of these regions. We believe that the existing number should be able to manage it."

In their post-evidence reply the Ministry have stated that

at present opening up of new regional offices is not under

consideration.

CHAPTER-III

Grant of Approval

As per the Regulations notified by AICTE, under AICTE Act, it is mandatory for all technical institutes in the country including the private institutions to take approval of the AICTE to start any programme/courses from diploma level and above in the field of technical education/management.

The parameters which are considered by AICTE for the approval of programmes in technical education and establishment of new institutions include the following:-

1.   Registration of Applicant's Society/Trust under Society/Trust Act
2.   NOC from State Government and Affiliating University
3.   Availability of land in the name of Trust/Society
4.   Land Use Certificate
5.   Approved building plan from the competent authority
6.   Building with requisite built-up area on the above land
7.   Funds as per AICTE norms
8.   Academic infrastructure, library, computers, etc.
9.   Teaching and supporting facilities including Faculty, Staff, etc.
10.   Number of books and journals in library as per requirements
11.   Teaching aids like overhead projector, light projector with monitoring accessories
12.   Computer Center
13.   Admission procedure
14.   Examination norms
15.   Advisory body, Campus
16.   Other supporting staff

As regards time-frame laid down for disposing of applications and granting of approval, the Ministry have stated that grant of approval to technical courses/institutions by AICTE is a detailed process involving careful coordination

and consultations with various agencies such as State Governments, Universities, UGC, concerned Regional Committee, etc. Normally, it takes about nine to ten months from the date of submission of application to AICTE to the date of communication of approval/rejections. Approximate time taken by various agencies involved is as follows :-

a)   Concerned State/University   : 2.5 months

b)   Concerned Regional Committee   : 1.5 months

c)   Various Committees at AICTE HQ   : 3.5 months

d)   Concerned Trust/Society to submit
        Documents & prepare for visit   : 1.5 months

It has also been stated that the process is delayed sometimes, as the concerned agencies are not able to complete their processing within the stipulated time-frame due to various constraints. Since AICTE has the responsibility of coordinating technical education throughout the country, it becomes almost impossible to process cases individually for different states, as it ensures regional balance in the development of technical education. Thus, AICTE has to wait for the recommendations of all states and all universities for a holistic approach for development of technical education in the country.

The final decision regarding approval and all other allied matters is taken by the Executive Committee of the Council, on behalf of the Council. The Executive Committee has empowered a sub-committee of the EC for the necessary grant of approval to an institution/programme, on its behalf. The

Chairman of the Council is also the Chairman of the Executive Committee, and of the empowered EC sub-committee.

Elaborating the procedure for granting approval for setting up technical institutions, Chairman, AICTE, informed the Committee during evidence as follows:-

"……….At different points of time, we examine whether the specific conditions are fulfilled. We also indicate in a brochure, for instance, the documents they have to produce in respect of the registration of the Society/Trust, about the lands, etc. as prescribed by the norms; the fund positions etc. while making an application.   Then, the scrutiny takes place.   In the Hearing Committee, the documents are verified."

A representative from the Ministry added:-

"After hearing, we issue the Letter of Intent.   After that, the College or the Applicant has to come with a number of documents including the Fixed Deposit of Rs. 50 lakh which is the security amount which they deposit with the AICTE.   After depositing the security amount, we give the approval.   It is not that if the approval is given, it is over."

Grievance Redressal Committee

An independent Grievance Redressal Committee is constituted by AICTE for each academic year to look into appeals of institutions.   Based on the recommendations of the Grievance Redressal Committee, AICTE takes further action including reconsideration of its decision taken earlier.

For the academic session 2002-2003, the Council had also set up an Appellate Committee, consisting of eight members, including the Chairmen of the Seven Regional Committees, and a Member of the Executive Committee, to consider the appeals, if any, from applicants for whom letter of intent is not issued for setting up new institutions.

Asked whether minimum norms and standards fixed by AICTE with regard to teaching/instructional facilities, computer facilities, etc. are being scrupulously followed by AICTE, before granting recognition and whether any institute was de-recognised as a consequence of existence of inadequate teaching/instructional facilities etc., the Ministry in their written reply have stated that AICTE while granting approval ensures compliance of Norms and Standards with respect to teaching/instructional facilities, computer facilities, library etc. Council also conducts periodical visits of its experts to various technical institutions from time to time in order to verify the quality and standards being followed by them. Based on the report of the Expert team and regional Committee, AICTE initiates penal action like Reduced intake, No Admission, withdrawal of approval, etc. in respect of institutes that violate norms.

During on-the-spot study visit by the Committee to Hyderabad and in Delhi it was found that J.B. institute of Engineering & Technology and Sant Samarat Engineering College in Hyderabad and Aditya Institute of Technology, Vasant Kunj, New Delhi did not have the requisite infrastructure stipulated under the guidelines of AICTE.

Asked whether there were any provisions for exempting institutions from complying with the norms while granting recognition, the Ministry in a written reply stated that there is no provision for exemption of stipulated norms and standards while granting approval by the Council.

The facts furnished by the Ministry about these institutions are as follows:-

J.B. Institute of Engineering & Technology, Hyderabad :

The J.B. Institute of Engineering & Technology was established In the year 1998-99. Based on the recommendations of the Expert Committee intake of 240 was accorded for the year 1998-99. During the year 1999-2000 approval was accorded for 280 seats again on the recommendations of the Expert Committee. The Committee had pointed out some specific conditions which were communicated to the college for compliance. During the year 2000-2001, based on the recommendations of the Expert Committee intake of 360 was accorded. During the year 2001-2002 the approval was granted for 390 sets with the specific conditions to be complied within 3 months. In the month of October, 2001 reminder was sent to the institution to submit the compliance of specific conditions and next year's Extension of Approval could be considered only after verification of compliance.

Sant Samarat Engineering College, Hyderabad :

The Expert Committee Report was processed by the AICTE. It was seen that the Institution had land, built up area, class rooms, library, computers laboratories, equipments, identification of faculty and funds. The AICTE had approved intake of 150 seats against the normal intake of 180.

Aditya Institute of Technology, New Delhi :

The Institution was established in the year 1995 when no Polytechnic in the Self Financing sector existed in the state of Delhi. During that time, the Council allowed the Institution to be started in Temporary/Rented premises. Even after 4 years, when it was felt that the Institution was not making any efforts to substantially improve the facilities, punitive measures such as reduction in intake capacity from 240 seats to 90 seats and withdrawal of approval for one course were taken.

Asked about the considerations under which approvals were initially given and 'in take' capacity was approved/enhanced for the above institutions, the Ministry in their written reply have stated that the High Power Expert Committee under the chairmanship of Prof. Balveera Reddy, Vice Chancellor, VTU inspected the first 2 institutes mentioned above in order to verify the compliance of the

deficiencies pointed out by earlier Committee. As regards third institution i.e., Aditya Institute of Technology, it was stated that it is a Polytechnic Institute and necessary inspection was conducted by State Government.

<u>Madina Educational Society, Repalle, Andhra Pradesh</u>

The Committee asked the Ministry to furnish the Reports of Experts Committee which visited Madina Educational Society, Repalle, Andhra Pradesh alongwith composition of the Expert Committee. In their written reply the Ministry while furnishing the Reports, have stated that on two occasions the Expert Committee had visited the above mentioned institution.

In the first occasion an Expert Committee comprising of (i) Prof. K.S. Balan, Anna University (ii) Dr.K.P. Ramakrishna, Anna University, (iii) Shri Pritam G.Shah, Asstt. Director, SRO, AICTE visited and inspected the technical institution on 22.8.2001 and recommended as under:-

> "Recommended for according AICTE approval for academic year 2001-2002 since all the facilities for starting first year classes are available at permanent site in a suitable building of permanent nature and the courses and annual intake suggested by the Expert Committee, if AICTE decide to accord approval was only for MCA course with total intake of 30 students."
> The suggested improvements were also indicated by the Expert

Committee which were to be carried out within one year after issue of AICTE's approval (point-wise), should AICTE decide to accord its approval.

The second visit by the Expert Committee comprising of (i) Prof. K.S.V.R.Prasad, Osmania University, Hyderabad (ii) Prof. T.A. Janardhan Reddy,

Osmania University, Hyderabad was held on 26.9.2001. The Expert Committee in their Report recommended as under:-

"Recommended for according AICTE approval for academic year 2001-2002 since all the facilities for starting first year classes are available at permanent site in a suitable building or permanent nature and they recommended only for 30 seats for the course in Master in Computer Application (MCA).

The Expert Committee also suggested improvement, which ought to be carried within one year after issue of AICTE's approval (point-wise), if AICTE decides to accord its approval."

Al-Falah Institute of Engineering & Technology

A report in the Hindustan Times dated 11th November, 2002 inter alia stated that Al-Falah Institute of Engineering & Technology situated in village Dauj, Faridabad did not have adequate facilities and the students were suffering on account of this. The Committee enquired about the action being taken to rectify the deficiencies mentioned in the Report. In a written reply, it has been stated that ACITE constituted a hearing Committee under the Chairmanship of Prof. N.R. Shetty, member of the Executive Committee of the AICTE. The Committee recommended that the institute may be given time upto the end of May, 2003 to set right the deficiencies and report to the AICTE regarding compliance of the deficiencies, and that the Institute may be kept under "NO ADMISSION CATEGORY" for the academic year 2003-04. Recommendations of the Hearing Committee has been approved by the competent authority in the AICTE and has been communicated to the institution.

The Expert Committee which visited the School pointed out amongst others the following deficiencies in the Institute :-

(i) General layout of the lab is not proper and adequate.
(ii) The furniture in the lab is insufficient and sub-
   standard.
(iii) No networking facilities are available in any of the computer
   labs.
(iv)Internet facilities are not available and any dial up
    connection for email are available.
(v) Obsolete softwares are available.

Attention of the Committee was drawn to a press clipping titled 'AICTE defends decision on engineering courses' seats' which appeared in 'Hindustan Times' dated 11th July, 2000 regarding reduced intake category in some Institutes. In the press clipping it has <u>inter</u> <u>alia</u> been stated that AICTE had initially directed Amity School of Engineering and Technology, Guru Teg Bahadur Institute of Technology and Maharaja Agrasen Institute of Technology to reduce admissions but subsequently restored the intake strength of Amity School of Engineering and Technology to its original value.

Enquired about the factual position with regard to the above mentioned press clipping and the constraints under which such last minute instructions were issued and   revoking the decision subsequently,   the Ministry in their post evidence reply clarified as under:-

"AICTE has signed MoU with the Council of Architecture (CoA) for conducting the expert committee visits to the architecture institutions. The recommendation of CoA are then being examined by the E.C. – Sub-Committee. CoA had submitted the recommendations of 2 institutions under reference in the month of June. All such cases for the country were discussed in detail by the sub-committee of E.C. before communicating the decision regarding extension of approval, no admission category and reduced intake.   The decision to put these two institutions under no admission category was taken on 05.07.02 and decision was expeditiously communicated on next working day i.e., 08.07.02.
In the State of Delhi there are only 2 institutions affiliated to GGSIP University running Architecture programme. These institutions were put

under no-admission category based on recommendations of the Expert Committee.

The counselling to these institutions had started on 7th July and University had admitted students under SC/ST/Kashmiri Migrants Quota on 7th of July when the intimation reached the Counselling Centre. Thus, the parents and students were disturbed because of the fact that the students had not applied for admission to any other institution.

The Vice-Chancellor of GGSIP University raised the seriousness of the problem with the AICTE and sought a special dispensation since some students had already been admitted. The AICTE placed the matter before its Grievance Committee and in the interest of the students, the Institutes were allowed to admit students as a special case only for the academic year 2002-2003."

Discrepancies in granting of recognition to the institutions

AICTE had laid certain parameters for accepting or rejecting the recommendations of Expert Committee. The Expert Committees follows certain laid down parameters.   The Committee scrutinised a number of instances where approvals were either granted or denied. A number of discrepancies were noticed where AICTE has awarded approval or denied approval contrary to the recommendations of the Expert Committees. The Committee enquired as to what were the substantial reasons for rejection of grant of approval to an institution even if it fulfills all the requirements. On the contrary permission was granted to other institutions where there were categorical recommendations by Expert Committees not   to grant permission. In response the Secretary, Ministry of Human Resource Development (Department of Secondary and Higher Education) during evidence stated as under:-

"If I may submit, Sir, I am not going into the merits of the present two cases which you brought to our notice.   But generally speaking, as you would know, in all academic institutions and academics, there are procedures for moderation.   Take for example, paper setting.   As you know, paper setting is done by a number of examiners.   Then, there are

moderators and supervising examiners, who then see whether the papers have been set according to similar standards."

The witness further stated:

"......I was only giving an example that there are opportunities or possibilities of there being variations in human affairs and there being mechanisms for uniformulaisation and moderation on views taken by individual committees.   It is already there in the other spheres of academic activities.   I do not, for a moment, want to say that it is exactly the same as setting of papers.   But there are some broad similarities.

So, what we are really saying is that whether sufficient circumstances existed in these two cases or in any similar cases either to reject an approval recommendation or to disapprove on disapproval recommendation, this is what is to be gone into. This can only be done by a case to case study. If you permit, I will go into these two cases. I will have them examined.   We will call for the records and see the reasons. We can even send another group of people from the Ministry or some other independent agency in both the cases."

The Committee enquired as to what course of action AICTE would take in cases where the recommendations of two Expert Committees are diametrically opposite to each other and which are not consistent with the AICTE guidelines.

In response, the Secretary, Ministry of Human Resource Development, (Department of Secondary and Higher Education) during evidence stated as under:-

"If we doubt the integrity of a person, we blacklist him. If we do not doubt his integrity and we find that his is an honest judgement, we do not do that."

Enquired about the action taken in these cases where there were some doubts about the integrity of the member of an Expert Committee, Secretary, Ministry of Human Resource Development (Department of Secondary and Higher Education) stated as under:-

"Sir, there have been some cases in which there was some doubt about the credential or the integrity of the persons concerned, and they have been blacklisted."

<u>Rectification of Deficiencies</u>

On the basis of recommendations of the Expert Committee and the Regional Committee, AICTE communicates the deficiencies, if any, to the Institution concerned for submitting a compliance report. In case of establishment of new institutions, the deficiencies are communicated to the institution for fulfilling the same within a period of six to nine months. However, depending on the nature of deficiency, the institution as and when communicates the compliance, the Council considers the case for revisit.

In the case of existing institutions, the nature of deficiencies is communicated and the institutions are advised to comply within a stipulated time-frame, depending upon the nature of the deficiency. Such reports are then verified by Expert Committee before commencement of the next academic year.

The Secretary, Ministry of Human Resource Development (Department of Secondary and Higher Education) during evidence supplemented as under:-

"That this time they have specified a time schedule for reconsideration. For example, appeal for reconsideration of an issue of LoI is given about 21 days; for letter of approval, it is approximately 15 days. If the defects are of a major nature and would take a lot of time to rectify, of course, they go to the next year for consideration."

Asked whether the deficiencies noticed in the institutions are conveyed to the State Governments, a representative of AICTE stated during evidence as follows:

"Yes, in fact, this year Chairman had gone one step further and had written personal D.O. letters and sent the bunch of deficiencies to the State

Governments……….. saying that for this year, for these States, whether they are 20 or 100 colleges, and the deficiencies of all the colleges have been communicated. So one hundred sheets have been sent along with his personal D.O. letters requesting that the State Government should also kindly monitor it. Normally, with the extension of approval letter also, we send list of deficiencies to the Director, Technical Education, but this year, he had specifically sent one more list of deficiencies to the State Government."

The Committee noticed that in several cases though

AICTE had pointed out deficiencies and asked the institutions

to rectify them, no time frame, depending upon the nature of deficiency has been

fixed thereby ensuring timely compliance. Further differential treatment has been

meted out to different institutions leading to disparity.

Asked whether it was not necessary to categorise various

deficiencies and give different time-schedules for different

category of deficiencies for their rectification and also give conditional

permission till such time the deficiencies are rectified, Chairman, AICTE during

evidence stated as follows:-

"What the hon. Secretary has said is that we are giving clear-cut indications of what are the pre-requisites before an institution comes to us with an application. This time, we have also included a 'No Objection Certificate' as a pre-requisite. There is sometimes a feeling among institutions that they do have everything but the Expert Committee comes up saying, 'a few books are missing' and so on. That is the reason for which we have created an Appeal Mechanism so that it is possible to examine these deficiencies more closely. Therefore, this year, we have a system whereby enough opportunity is given to the institution to put forward its case and for us to examine them."

Enquired about the reasons for conditional approval being granted to

certain institutions, Chairman, AICTE, during evidence stated as under:-

"There is no conditional approval. The deficiencies are pointed out and then if they want to make an appeal that they have fulfilled them, then they will come back to us."

A representative of AICTE added as under:-

"These are not conditional approvals. This is only specific condition which they have to fulfill within three to six months."

Reduced Intake and No Admission

According to AICTE regulations, if the existing institutions do not rectify their deficiencies within the stipulated time period, they are put under the Reduced Intake or even No-Admission category during the next year after the Expert Committee Visit.

During evidence, one of the representatives of AICTE had stated that in the year 2002 for the first time 25 institutions were placed under 'No Admission' category and 193 institutions under 'Reduced Intake' category.

Asked whether the penalised institutions were informed of the AICTE's decision and if so how many of them have complied with the directive, the Ministry in a written reply have stated that while according extension of approval, institutions were informed about the decision that they have been under reduced intake/No Admission category as the case may be. All such decisions were intimated before end of June 2002 as per National calendar. Institutions were given time upto 15th July to appeal for reconsideration before Grievance Committee. They were informed about the specific deficiencies/difference due to which these institutions were put under reduced intake/No Admission category.

It has further been stated that some institutions appealed to Grievance Committee for reconsideration of the decisions and accordingly Grievance

Committee decided to conduct revisits to all such institutions in order to verify whether the institutions have rectified the specific deficiencies indicated earlier. The reports of revisits will be again considered by Grievance Committee and decisions of Grievance Committee for all the cases were given.

Role of State Government in grant of approval to technical institutes

Under the AICTE Act and regulations made thereunder "No Objection Certificate" from the concerned State Government is required before granting approval to establish new institutions.

The guidelines for granting 'No Objection Certificate' for establishment of new technical institution are as follows:-

1. Proposal shall be in consonance with the policies/perspective plan for development of technical education of the State Government.
2. Credibility of applicant shall be judged by requisite experience in running or managing higher educational or technical institutions.
3. Courses shall be as per assessed technical manpower demands of the State Government, capacity utilization and employment position.
4. The financial position of the applicant shall be sound for investment in providing related infrastructural and instructional facilities (land, institutional building equipments, library, computers, staff residences, hostels, special facilities, etc.) as per Norms and Standards laid down by the Council from time to time and for meeting the annual recurring expenditure.
5. State Government/University while recommending specialized courses, shall look into the availability of faculty and necessary infrastructure in form of Laboratories, etc. for running such a course.
6. Capability of the applicant to complete the required infrastructure on the permanent site as per AICTE norms and schedule.
7. The courses recommended shall have affiliation to the concerned University.
8. The proposal shall be considered keeping in view the number of existing institutions, intake and manpower requirement in the State.
9. The applicant should not have violated any norms prescribed by University or State Government at any stage.
10. Any other relevant parameters which the State Government/University may deem necessary to be considered.

Asked whether it is mandatory for AICTE to consult State

Government concerned and receive 'No Objection Certificate' before granting recognition/approval to an institution/course, the Ministry of Human Resource Development in a written note stated that initially the Council used to invite NOCs from the State Government, prior to issuing any approval and rejected applications in the absence of NOCs from the State Government. Various applicants approached Courts for interpretation of the provisions in the Act and the Regulations regarding "consultation". It was interpreted by various Courts that "consultation" does not mean "concurrence". It was also held by the Courts that, it was the responsibility of the Council to take a final decision without considering NOCs as binding on the Council. As per the judgement of the Hon'ble Supreme Court in the Jaya Gokul Educational Trust Vs Commissioner & Secretary to the Government of Kerala case, though the consultation is to be ensured, no proposal could be rejected merely on grounds that the State or University did not give NOC to a particular institution.

Further, specifying the role of the State Government in processing the application for approval of an institution, the Ministry of Human Resource Development in a written reply have stated that once a proposal is submitted to the AICTE and a copy is sent to the State Government and the University concerned, both the agencies may forward their recommendations to the AICTE. Further, the individual proposals are discussed in the Regional Committee meetings where State Government representatives are also present.

The Committee pointed out that in Tamil Nadu, 30 institutions in 1999-2000 and 67 institutions in 2001-2002 were recognised without NOC from State

Government. Responding to this, Chairman, AICTE, during evidence stated as

follows:-

> "The procedure is that the AICTE, the State Government and the
> University have specific roles.   The State Government determines the
> need, the geographical location, the distribution etc.   In view of the fact
> that local infrastructure has to be supported by the State Government, they
> look at these factors and according to the State policy, they give the NOC.
> The university looks at the curriculum and syllabi and then it gives
> affiliation, the permission to hold examination and awarding of degrees.
> As far as NOC is concerned, originally all the three were being insisted
> upon, including the university affiliation and the State Government NOC.
> But then in view of the court judgement in Kerala, Jaya Gokul judgement,
> we are constrained to give to the State Governments a certain amount of
> time during which they are asked to give the NOC. A number of things
> have been regularised for the admission of 2001-2002.   We have a
> national calendar, it is announced in the newspaper and given in the
> website, where it is indicated what the deadlines are by which letter of
> viability should be obtained, by what date the approval will be given, by
> what date the NOC will be received and so on.   By 31st December we will
> be receiving the NOCs from all the State Governments. We would like to
> work in partnership with the State Governments and then seek their
> cooperation in developing technical education.   That we would like to do.
> But essentially, the legal opinion or court verdict is that the State
> Government NOC is not binding on the AICTE. If anybody goes to the
> court, the court will order us to go for inspection and then give the
> approval.   That is the reason why this confusion arises."

Secretary, Ministry of Human Resource Development (Department of

Secondary and Higher Education) during evidence supplemented as under:-

> "Basically, I would like to say that we have taken a policy decision to
> increasingly involve the State Governments in the functioning of the
> AICTE.   The major point is regarding approval. As per the mandate of
> the AICTE Act, consultations with the State Governments is necessary.
> Now, what we have done is, we fix a time limit by which the State
> Governments should give its recommendation.   There have been no cases
> in which the State Government has not recommended and we have taken a
> different view.   But there are many cases in which the State Government
> has remained silent.   And that is where the problem has arisen. Now, as
> per the Supreme Court judgement, consultation with the State Government
> is necessary and concurrence is not necessary. Therefore, in many cases,
> the AICTE has taken a view that if there is no response from the State
> Government, they will take a decision on merits."

Giving details of the shift in the approach of AICTE towards NOC issued by the State Governments, a representative of AICTE during evidence stated as under:-

> "I may be allowed to clarify.   We have called for four copies of the application – copy is submitted to the State Government, one was submitted to the University, one to the regional office and one to head office.   In that application it was written that 'you kindly submit the No objection certificate'.   The experience from the last so many years has been that sometimes State Governments stay silent, some states send a positive NOC and sometimes they send a negative NOC.   This year Council decided we must involve the State Governments totally.   That is why we issued a letter giving them time of three months to please ensure that they send the NOC within three months and if they do not send the NOC by 15.12.02 then we will presume that they have no objection to the proposal. I give the example of not only Tamil Nadu but the Punjab Government also said that we should not consider any case without their NOC.   We stick to that."

Enquired whether AICTE treats non issue of NOC by State Government as no concurrence at all, Secretary, Ministry of Human Resource Department deposed as follows:-

> " I have understood the sentiments of the Committee
> here. We will take this matter up in the Government and we will take a view.   We will decide what view we should take in case they remain silent.   We will take a decision in this regard and let this august Committee know."

The Committee further enquired whether State Government representatives are associated with the Expert Committee during their visits to the institutions.   In response, Chairman, AICTE, during evidence replied as under:-

> "The Expert Committee is one of the mechanisms for examining the preparedness of institutions for starting the courses.   The State Government representatives are very much there in our regional committees.   The State Secretary, the Director of Technical Education,

not only of the State in which the meeting is held, but also of the neighbouring State, their involvement is very much there."

In regard to delegation of responsibility of approval of Diploma-level institutions to the State Governments, Secretary, Ministry of Human Resource Development during evidence informed the Committee as under:-

"The other delegation which has been affected in a major way this year has been with regard to diploma level institutions. The entire process of decentralisation to State level Committees has taken place and the recommendations of the State level Committees are final. On that basis, the Regional Officer issues or otherwise the decision of the State Level Committee. These are the two main areas in which the involvement of the State Government has been taken into account. As regards amendment to the Act is concerned, there is a Committee which has been formed which is looking into it. The Committee has been requested to consider, apart from these amendments, other amendments to consider in the light of some other judgement of the Supreme Court. It is looking into the whole gamut of the problems in a holistic way. That Committee has already held two sessions. The third session would be probably held in the next week. As soon as the Report of that Committee is received, we will take a view of that".

In Jaya Gokul Educational Trust Vs. Commissioner & Secretary to the Government of Kerala case, the Supreme Court had ruled that though consultation with State Government concerned is to be assured, no proposal could be rejected merely on grounds that the State or University did not give NOC to a particular institution.

Dewelling upon the Supreme Court's judgement , Chairman, AICTE stated during evidence as follows:-

"As of now, the AICTE has delegated this responsibility for approval of Diploma level-institutions completely to the State Governments. We do not come into the picture except in coordinating the effort through our regional offices. At a meeting of the recent State Government Secretaries, which our former Education Secretary addressed, it has been made clear that we would like to increase the decentralisation of our

activities and involve the State Governments in a much more active manner. So, we are going to make some more proposals about the degree-level institutions also in view of the fact that the Supreme Court has said that the university institutions do not have to come to AICTE for the approval. We are waiting for the legal opinion, after which the amount of decentralisation, involvement of the State Governments will increase."

Enquired about the implications of the Jai Gokul

Educational Trust case with regard to consultation with the State Government's

'NOC', the Secretary, Ministry of Human Resource Development (Department of

Secondary and Higher Education) stated during evidence as under:-

"In the case relating to Jai Gokul Educational Trust Vs Commissioner and Secretary, Higher Education Department, Kerala State, the main issue here was that the appellant had sought permission to establish a self-financing engineering college. Based on the report of the Special Committee the AICTE had granted conditional approval. The appellant was under the permission that the State Government was to grant permission, he applied and it was refused. So, in view of the judgement of the High Court, it was not necessary to insist on the provision of the AICTE Act and obtain further approval of the State Government.

This was the pointed issue. The Higher Court held that there was no need. Although there was a State Government legislation saying that their permission was required for setting up of technical institutions in the Kerala State, it held that this was void because it was repugnant to the provisions of the AICTE. AICTE is the only authority under the law of the land that is competent to grant such approvals. So, even if the State Government had passed such a legislation, it was not valid. It was not mandatory. What they held was that the approval had to be granted by the AICTE only and there was no scope for any further objection or approval by the State.

If State wanted to file some objections with the AICTE, that was within its jurisdiction. They could file such objections and the AICTE would take those objections into consideration before taking a final decision. The judgement does not say that you are prevented or you are hereby directed not to consult the State Government. It does not say so. So, we are continuing the process of consultation. I think, taking into view the observations of the hon. Members, we should continue to consult the State Government."

Asked whether AICTE had gone in appeal against the judgement, the witness stated as follows:-

"No Sir. We have no quarrel with this judgement. It was the Government of Kerala that had a quarrel with this judgement because they were wanting not to give permission to new engineering colleges within that State. That was the State Government's policy at that time. They have changed it because now we are getting NOCs, as the Chairman has just now said. Eighty-six NOCs have been received from them for 86 colleges."

Grant of Approval to Institutions beyond cut-off date

The Committee received a letter from the Principal Secretary, Higher Education Department, Andhra Pradesh regarding granting of approval of AICTE to new institutions beyond the cut-off date for the academic year 2001-02.

In the letter it was inter alia stated that the Advisor, AICTE vide his letter dt. 29.6.2001 had informed that AICTE will finalise and send the approved list of new Institutions in Engineering & Technology by 13.7.2001. The Chief Minister had also addressed a letter dated 27.2.2001 to the Ministry of Human Resource Development requesting that the approvals may be given at the earliest, but not later than June, 2001. The AICTE in its letter dt. 19.7.2001 had communicated its approval for 50 new Engineering Colleges. Soon after the information was received from AICTE, the State Convenor, EAMCET-2001 had announced the conselling schedule from 30th July, 2001. Normally 10-15 days is required after receipt of the approvals from the Council to complete all the required preparatory work for admissions i.e., according permission by the

Government, preparation of seat matrix by the Commissioner of Technical Education and allocation of seats for various reservation categories, etc.

It was further stated that the Council had again on 27.7.2001 communicated approvals for seven more Engineering Colleges. A D.O. Letter addressed by the Commissioner of Technical Education to the AICTE was sent on the same day requesting not to accord any further approvals for any new Technical Institutions for the academic year 2001-2002. If council considers to grant any approval, it was requested to mention categorically that such approval shall be for the academic year 2002-2003. But, the Council accorded approval to 10 more colleges vide its letter dated −9-2001. Further again on 2.11.2001, 21.12.2001 and 24.12.2001, the Council accorded approval to 4 more societies for starting colleges for the academic year 2001-2002 despite the correspondence by the Commissioner of Technical Education to AICTE not to accord approvals as the cut-off date for allotment of candidates by the Convenor was over. In view of the approvals given by the AICTE late in November and December, 2001, the societies have filed cases in the Court against the State Government and others for not according permission to their institutions.

Enquired as to why AICTE continued according approvals up to the month of December, 2001 inspite of specific request from the Chief Minister of Andhra Pradesh not to accord approval beyond the cut-off date, Chairman, AICTE, during evidence stated as follows:-

"Sir, I would like to present that this year we have avoided this problem."

The witness further added:-

"Last year since it caused inconvenience to the State Government, that is why this year, we have made a correction. We have learnt from the mistake."

The Ministry furnished a copy of the note sent by P.S. to Hon'ble Minister of Human Resource Development to Chairman, AICTE, on 9.8.2001 which is reproduced below:-

"As there are many institutions who have made all preparations to start new institutions/courses, the Hon'ble Human Resource Development Minister has directed me to request you to extend the date of issuance of the validity letters/ approval up to the 31st August, 2001."

Asked to state the reasons for granting of approvals in the months of November and December beyond the cut-off date, the witness deposed as follows:-

"The cases in the month of November and December were on the direction by Court. People were not satisfied with the deficiency we had pointed out. They went to the Courts. The cases in the month of November and December were purely on the basis of court direction."

Secretary, Ministry of Human Resource Development (Department of Secondary and Higher Education) during evidence elaborated on the subject as follows:-

"One of the points which was raised was that last date for approvals was fixed as 31st August and that we should examine the circumstances in which approvals were given after that date. As I mentioned in the last meeting that we will set up a Committee to investigate into the cases, we issued orders on 6th September constituting a Committee to examine the circumstances in which the approvals were granted after 31st August. So, that Committee will look into the approvals which were given. I understand that cursory examination has been already done by AICTE. There are about seventeen cases in which approvals were given and

Chairman will be able to give the details of these cases, if the Committee so want."

The witness further clarified as under:

"On the basis of the AICTE records, we have got a Report on all the cases. What we wanted to examine was the circumstances in which they have been granted approval. If you want, we will read out all these things. I am sorry to say that the number is not 17 but it is 16. It may stand corrected. The Chairman has brought the details of each case. He can give the details of any case you want as per the AICTE records. What we have done in the Committee is this. We have set up a High-level Committee at the Government level to examine what they have said. If you want that examination to be done, it is all right. If you want the status of each case, it is available. The Chairman, AICTE, will give it."

Explaining the reasons for accordance of approval beyond 31st August,

2001, Chairman, AICTE, during evidence stated as under:-

"The number of cases considered on the directions of the hon. Court is 7. In the other cases, the approval of the competent authority for conducting the visits was taken on or before 31st August, 2001. However, some visits were delayed because the experts were not available and that was the only reason why the decision came beyond 31st of August. In one case, the approval of the competent authority for conducting the visit was taken after 31st August because the applicant was a Government institution and it has changed the proposal from a PGDBM Programme to an MBA Progamme. In seven cases, the courts have given directions. I have got the details. I will just give one example. In the case of St. Mary's Education Society and also that of Saint Francis PG College of MCA in Andhra Pradesh, the Andhra Pradesh High Court in a Writ Petition No. 23498 of 2001, passed the following order on 18th December, 2001:

"Having regard to the facts and circumstances of
the case and in view of the fact that approval was granted to the similarly-placed institutions, it would be sufficient if a direction is issued to the Respondent, that is, AICTE, to consider the representation of the Petitioner Society dated 9.11.2001 for grant of approval for the academic year 2001-02 for conducting the MCA Course to the Petitioner Society's institution within a period of four weeks from the date of receipt of a copy of this order."

Accordingly, the Council had considered the case and an
Expert Committee visit was conducted. Based on the recommendations of
the Expert Committee's Report, as per the provisions of the AICTE's acts

and regulations, the Council accorded approval for MCA course with an intake of 40 for the academic year 2001-02. Similarly, there are other seven cases where the court directions have made us go for the visits and accord approval beyond 31st August. It was done with the permission of the court. Seven cases are court cases. In eight cases, visits took place after 31st August, 2001 because the experts were not available."

Asked whether there were other cases pending apart from already mentioned 16 cases , the Chairman AICTE during evidence stated as follows:-

"There were only 16 cases. Seven cases went for the court in 9 cases because the Experts Committee visits took place beyond 31st August. In one case, they wanted a change in the name of the programme – from PGDBM to MBA Programme. These are the only 16 cases."

The Committee also enquired whether there were similar cases in 2002-2003. In reply, Chairman, AICTE stated as under-:

"No, This year, we have completed all the mainstream
cases by 31st of May for new institutions and by 30th June for increase in intake and additional courses. Subsequently, appeals were received and they had been taken to the Grievances Committee, to the Emergency Executive Committee on 5th of September. The cases have been disposed of."

The Committee further pointed out that for the academic year 2002-03 also AICTE had granted as many as 1400 seats in different colleges in Andhra Pradesh beyond the cut-off date and that too without consulting the State Government of Andhra Pradesh. In response, Chairman, AICTE, during evidence stated as follows:-

"It has been made very clear with the concurrence of the State Government that this will be only for the next academic session."

A representative of AICTE, elaborated the issue as follows:-

"For all orders which have been issued in the second phase it is very specifically written that if the State Government will not be able to fulfil for this year, it will be for the next year only. This has been discussed with all the State Governments. They agreed and said, 'yes', this language you write. It is virtually with the Andhra Government and virtually with the Secretary. Before finalising the language of this, we discussed the language with them. They said, 'you write this thing that whatever increased intake you will give, this will be applicable only for the next year'."

CHAPTER IV

Accreditation of AICTE approved institutions and Quality Improvement Programme

With the increase of number of institutions and intake, there is an imperative need to maintain quality in the technical education. The qualitative improvement in the technical education is one of the major responsibilities of AICTE. One of the main objectives of giving statutory power to AICTE through AICTE Act in 1987 was to ensure qualitative improvement and proper maintenance of norms and standards in technical education in the country. AICTE had brought about qualitative improvement of technical education through a process of accreditation of various programmes and other schemes. Various steps taken by the AICTE to ensure quality of the technical education are as follows:-

- Accreditation of the academic programs.
- Launching schemes for career development of teachers.
- Initiating in service training of teachers.
- Promoting research and development in technical institutions.
- Emphasis on Post graduate programmes.
- Launching schemes for networking of institutions.
- Linking various funding schemes with accreditation.
- Updating courses and curricula etc.

Besides above, AICTE have taken the following initiatives for

furtherance of its mandate i.e., qualitative improvement and proper

maintenance of norms and standards in technical education:-

a) Laying down norms and standards for courses, curricula, physical and instructional facilities, staff pattern, staff qualifications, quality instructions, etc.

b)   Fixing norms and guidelines for admissions and charging tuition fee and other fee.

c)   Regulations for starting of new technical institutions, new courses etc.

d)   Laying down guidelines for granting autonomy.

e)   Laying down guidelines for recommending an institution for grant of Deemed-to-be University status.

f)   Initiating various staff development schemes such as Quality Improvement Programme, Early Faculty Induction Programme, Continuing Education and Training Programmes, Career Award, Emeritus Fellowship, Travel Grants, Seminar Grants, Visiting Professorship, National Professor Scheme etc.

g)   Initiating various schemes for non-formal education such as Centre for National Academic Network for Continuing Education (CHANCE).

h)   Funding of various schemes for Research and Development such as Modernisation and Removal of Obsolescence (MODROB), Thrust Area Programme in Technical Education (TAPTEC), Research and Development Programmes (R&D).

i)   Funding various schemes under linkages with industry and for institutional development such as Industry Institute Partnership Cell (IIPC), Entrepreneurship Management Development Programme (EMD), Sponsored Postgraduate Development Courses (SPDC), etc.

j)   Funding schemes for Survey of the Manpower requirement and employment opportunities etc. such as National Technical Manpower Information System (NTMIS).

k)   Setting up a National Board of Accreditation for periodic evaluation of technical education in the country and for making recommendations for recognition/de-recognition of the institution or the programme.

Accreditation

Accreditation has a well defined and laid out procedure to gauge all aspects of quality in a technical institution such as vision, infrastructure, finances, management, faculty & staff, research and development, students,

curriculum and innovations, placement and usefulness to the society etc. All these parameters are evaluated by Experts who are first trained to carry out such kind of assessment. Based on the quality parameters and it's assessment, grades are awarded by the National Board of Accreditation. These grades signify the quality standard of the institution and the various courses that are taught. The NBA also provides a detailed list of strengths and weaknesses for every program that is evaluated. It helps the institutions to make up the deficiencies reported by the NBA.

AICTE has made a plan to accredit all technical institutions at undergraduate and post-graduate degree level by March, 2006. In July, 2000 it was announced by AICTE that it will be mandatory for all technical institutions, from which two batches of students have graduated, to seek accreditation of programmes. As per the announcement, in the first phase, all institutions established prior to 1987 were to apply for accreditation. In the second phase, institutions established between 1987 and 1994 were to apply for accreditation and in the third phase, all institutions established between 1994-2000 were to seek accreditation. The Council could accredit only 232 programs during September 1994 to July 2000. After the announcement in July 2000, AICTE had accredited more than 500 programs and is in the process of accrediting about 250 programs till March, 2002.

National Board of Accreditation (NBA)

National Board of Accreditation (NBA) was set up in 1994. NBA has come up with a Vision 2006 Document wherein all the programmes conducted in

the technical institutions that are approved by AICTE need to get accredited. The periodicity of such assessment is six years. NBA has prepared an action plan to evaluate all programmes conducted in technical institutions in a phased manner and monitor them on yearly basis. This mechanism is expected to assure quality of the technical programmes being conducted in the country. AICTE has prescribed accreditation for all technical institutions wherefrom two batches of students have graduated.

NBA has devised a rigorous process of accreditation, which seeks to assess almost all aspects of institutional performance and the basic strengths and weaknesses of individual programmes. This exercise is designed to evaluate objectively several inputs such as quality of teaching, level of research, faculty expertise, evaluation of teaching-learning process, standard of infrastructure employability of graduates, interaction with user industry and the facilities available in the campus such as hostel, library, computer facility, medical facility etc. It has been roughly estimated that about 15,000 approved programmes comprising distinctly of undergraduate, postgraduate and diploma level are likely to be eligible for accreditation by the year 2006. Vision 2006, aims to accredit all these programmes in a time bound manner. Institutions have started applying to get accredited. NBA has written to all State Governments to ask the institutions in their states to apply for accreditation expeditiously. NBA is also taking it up through awareness work shop & prompt completion of visits to complete accreditation programme as per vision 2006.

NBA had accredited 719 programmes and 125 institutions approximately.

The details of grades awarded are:-

'A' Grade Programmes	225	Pharmacy	27
'B' Grade Programmes	376	Management	33
'C' Grade Programmes	108	Architecture	4
'NA' Grade Programmes	10	Dip.(E&T)	8
Total No. of Programmes	719	HMCT	646

		Total	719

The NBA had come up with parameters and criteria to evaluate the academic and other processes which provide a transparent indication of the strengths and weaknesses of the programmes. These are classified into Indices that measure the quality of different aspects of the Programmes. The broad indices and criteria for measurement of performance included thereunder are given below:

ORGANISATION/INFRASTRUCTURE PERFORMANCE INDICES:

Criterion I. Mission, Goals and Organisation

a. Management : Mission and Goals, Commitment, Attitude, Planning and Monitoring, Incentives, Effectiveness.
b. Organisation and Governance : Leadership, Motivation, Transparency, Decentralisation and Delegation, Involvement of Faculty, Efficiency.

Criterion II. Financial & Physical Resources and their utilization

a. Capital resources, Operational budget, Maintenance budget, Developmental resources and budget.
b. Land, Buildings, Hostels, Support services (water, electricity, communication, etc.), Office Equipment, Canteen, Transport, Medical facilities.

ACADEMIC PERFORMANCE INDICES:

Criterion III. Human Resources – Faculty & Staff

    a.   Faculty : Numbers, Qualifications, Recruitment Procedures, Workload (Teaching, Research Consultancy, Administration), Attitudes and Commitment, Faculty Development (QIP, conferences, Continuing Education, Professional Societies, Industrial Exposure, Sabbatical leave, etc.), performance Appraisal by students/others.

    b.   Supporting Staff (Technical/Administrative) : Numbers, Qualifications/Skills, Recruitment Procedures, Attitudes and Involvement, Skill Upgradation, Performance Appraisal.

Criterion IV. Human Resources – Students

    a.   Admission : Central or institutional Criteria (minimum criteria for different categories) Admission policy for lateral entry, if any.

    b.   Academic Results : Performance in competitive examinations, Admission to postgraduate courses, Employment of graduating students during the past year, Feedback from employers, Intake of GATE-qualified candidates, Drop-outs during the past three years.

Criterion V. Teaching – Learning Processes

    a.   Syllabus (contents, frequency of revision), Academic calendar, Registration announcement, Number of instructional days,

Contact hours per week, Evaluation procedures and involvement of external examiners, System of feedback, Laboratories, Workshops and Equipment (facilities, maintenance and utilisation), Library, ET facilities, Instructional Materials, Budget for consumables, Instructional Programme implementation (Lectures, tutorials, assessment and grading of student performance), Maintenance of course files, Workshops, Laboratory Classes, Colloquia, Projects, Teaching aids, Removal of obsolete experiments and introduction of contemporary experiments, System of academic records, Answer books, Project reports.

Criterion VI. Supplementary Processes

    a.   Extra co-curricular activities, Study counselling and guidance, Professional Society activities, Entrepreneurship development, Alumni information, Campus recruitment, Training and Placement activities.

Criterion VII. Industry-Institution Interaction

a. Industry participation in curriculum planning, Continuing education and industrial internship for faculty, Consultancy, Industrial visits and Training, Project work, Extension lectures, Placement.

Criterion VIII. Research and Development

a. Institutional budget for Research and Development, Academic/Sponsored/Industrial Research and Development, Publications and Patents.

b. Recognition as Centre of Excellence/Special
Assistance/Department Support programme,
Fellowships/ Assistantships, Joint guidance with industry/R&D Labs/other institutions for Ph.D. Theses/M.Tech. Projects, Criteria for Evaluation of Ph.D. Theses/M.Tech. Projects.

Asked whether any comprehensive survey has been carried out to assess

the extent to which quality improvement has been brought about in technical

education, Chairman, AICTE, during evidence stated as under:-

"What we mean by quality improvement is this. At the moment all the institutions have not been accredited. Essentially AICTE, unlike UGC, accredits progammes and not institutions. About five hundred programmes have been accredited. Still a large number has to be done. By 2005 we are planning to accredit all the programmes particularly since we have made it mandatory. As for the accreditation process itself, it looks at the inputs, the processes and the outputs. All the criteria have been mentioned here. We have a National Board of Accreditation (NBA) to whom the job has been entrusted. That again is done on the basis of the expert committee's visits. There are detailed visits. The strengths and weaknesses of the institutions are also pointed out to these institutions at this stage. I am happy to inform you that almost 75 per cent of the institutions have received B Grade and A Grade. We give them A,B and C grades which basically means out of 500 programmes that we have accredited, three quarters of them are of good quality. But the institutions which have just been set up have to be given time to acquire quality."

Asked about the weightage given to the quality of education vis-à-vis

other matters of infrastructure at the time of inspection. Chairman, AICTE during

evidence stated as under:-

"Teaching-learning process is given 350 points out of a total of 1000 points. So, 35 per cent is given for teaching-learning process which includes curriculum, tutorials, labs, computers and other things. It is a major component."

The Committee enquired as to what action ACITE takes to improve grades of those institutions who does not improve their grade or stagnates at a lower grade for more than four to five years.

In reply, Chairman, AICTE, during evidence stated as under:-

"As of now these grades are given for a period of five years. If, in the important areas of teaching-learning processes and human resources in terms of faculty, an institution secures above 550 points, it is awarded 'C' grade. If in these two aspects they are less than 55 per cent, then they are given accreditation only for three years. No institution wants to remain with a lower grade or have a bad image in the public perception and in the perception of parents and students. It matters a lot to them particularly these days all the institutions have to compete for students. No institution would like to sit back with a 'C' grade. Normally they come back to us at the end of six months, asking us to visit them and see whether their quality has improved and whether they can get a higher grade."

Enquired about the procedure followed for accreditation of those institutions/programmes which are below 'B' level, the Ministry in their written reply have stated that programmes which are graded below 'B' level are entitled to approach NBA seeking enhancement of the Grades awarded by making a fresh application after a minimum period of six months, from the date of notification of the accreditation grade. Strengths and weaknesses of the programme accredited by NBA are communicated to the institutions and they are required to improve upon the weakness and other deficiencies pointed out by NBA. After sufficient improvement has been carried out in the training programmes, the institution is required to apply afresh after a period of six months from the date of communication of the deficiency.

The Chairman, AICTE supplemented during evidence as follows:-

"The number of 'C' grade is quite small and then they are eligible to apply for improvement after six months. As you have pointed out, we will also promote quality by approaching them and by giving them suggestions. In fact, we are thinking of having Quality Ambassadors and particularly the retired people from good institutions will go and tell them what Quality means and what criteria should be fulfilled. At the moment, we have no proivison for that because we believe it takes a minimum of six months to fulfill those conditions. Otherwise, we would have given them 'B' grade but to advise them on what they should do, we provide advice."

The Committee wanted to know if the system of accreditation requires

further improvement. The Chairman, AICTE in his reply stated as under :-

"At the moment, the accreditation system is working well. Academicians who advise us on quality issues are satisfied about it. Both the Boards of undergraduate studies as well as postgraduates studies have a look at it and they are quite happy about it."

Quality Improvement Programme (QIP)

The QIP Scheme which was initiated in 1972 has the following

three principal objectives:

- Provide opportunity for serving teachers to improve their qualifications, in particular, to acquire Ph.D and M. Tech. Degree.
- Short-term courses for the benefit of the Teachers for updating their knowledge and to provide pedagogical inputs.
- Curriculum development for enabling the technical institutions to keep their course content up-to-date.

The Ministry have stated that QIP Scheme had worked

extremely well over the past 30 years. A couple of reviews have also been made

to re-orient the objectives of the scheme as required. Recently, the scope of

QIP has been enlarged by increasing the number of fellowships, and

enlarging the scope to include non-engineering disciplines, such as, Architecture,

Pharmacy, Management and Computer Applications.

Asked whether any comprehensive survey has been carried out by the Ministry to assess the extent to which quality improvement has been brought about in technical education, the Ministry replied in the negative.

On being further asked about the desirability of getting a comprehensive survey done by an outside agency, the Ministry have stated that in the area of post-graduate education, a review has been done under the Chairmanship of Prof. P. Rama Rao and the recommendations of the Committee are being implemented from 2002-2003. Performance appraisal system for technical institutions as well as faculty is being designed in order to assess the quality of technical education. The All India Board for UG Education is now engaged in the process of assessing Technical Education at UG level.

The Ministry have also stated that a Committee is already in place to review the various norms and standards and approval procedure and that the Ministry is also considering appointment of an Expert Committee to review the entire functioning of AICTE and to suggest measures for further improvements required for fulfilling all its mandates.

Chapter V

Teaching Faculty

The quality of the education ostensibly depends upon the teacher-student ratio being maintained in the various technical institutions all over the country.

Student Teacher ratio:

According to AICTE, the student teacher ratio in a class will depend upon:

(i)   Teacher's time required for formal institution and contact hours
(ii)   Student's time devoted to formal learning requiring teacher's contact and class size and type or instructions.
(iii)   The desirable student to teacher ratio for engineering degree program for the model curriculum will be 10:1. However, it should not be allowed to rise beyond 15:1.

Some of the prescribed Student Teacher ratio in various technical disciplines as per Norms & Standards of AICTE, 1999 are as follows:-

Students teachers ratio

Theory lecture class	60:1	
Tutorial		15-20 :1
Lab. Practical/Workshop	15:1	
Drawing		
Project Work	09:1	

Pharmacy Education

Theory lecture class	60:1
Lab Practical	20:1

Management Education

For theory lecture class	60:1
For Tutorials/Syndicate	15:1

For Architecture the student teacher ratio has been prescribed as 1:10

On being enquired by the Committee whether teacher-student ratio is given more weightage vis-à-vis other parameters at the time of recognition of Institution, Chairman, AICTE stated during evidence as under:-

"What we are doing now is to divide the total number of requisites into two parts. One is 'essential and the other is 'desirable'. Under the 'essential', we will bring in the teacher-student ratio."

Asked whether the institutions have been strictly following the prescribed teacher-student ratio, the Ministry in their written reply have stated that shortage of faculty is a common problem. Many institutions could not fulfill the exact requirement of teacher student ratio. While awarding approval, fulfillment of exact teacher student ratio as per the AICTE norms cannot be strictly insisted upon as appointment of teachers is a post approval activity.

Enquired whether the minimum educational requirements laid down for teaching faculty are being strictly verified before awarding recognition to an institute, the AICTE in their written reply have stated that prior to inspecting an institution for granting approval, the Council issues a letter of viability which inter alia includes identification of at least 70% of the required faculty before the institution is visited by the Expert Committee. At the time of the expert committee visit, the following are verified:

1. Advertisement for the post of Principal/Director and faculty members, on the basis of qualification and experience, prescribed by AICTE.
2. Identification of at least 70% of the teaching staff.
3. Issue of appointment letters and consent of the faculty members therefor.

Supplementing the written information, the Chairman, AICTE, stated during evidence as under:-

"Essentially, the recommendation of the new Norms and Standards Committee is, in the first year when they start, essentially they have only physics, chemistry and mathematics, plus workshop and drawing. Therefore, the composition of the faculty that we are looking for is different from what we will be looking for at the beginning of the fourth year when the specialisation subject as well as the electives will have to be taught. Therefore, they have been given both qualitative as well as quantitative measures for what is required in the institution. We are studying it and we will impose it."

Enquired whether teacher's qualifications are strictly taken into consideration at the time of approval of a particular institution, Secretary, Ministry of Human Resource Development (Department of Secondary and Higher Education) during evidence stated as under:-

"………regarding teachers' qualification, I would submit that that is one thing about which we are very concerned. The reason for our giving this brief reply is that there is, today, in the country a very massive shortage of teachers. We are discussing it yesterday. This is a great shortage particularly of trained teachers, people who can impart training in these new disciplines which are coming up."

On being pointed out about the shortage of teaching faculty in the technical institutions, the Secretary, Ministry of Human Resource Development (Department of Secondary and Higher Education) deposed as under:-

" What we are saying is that initially, the Council has not been that strict in respect of these norms, but as far as the requirements are concerned, the Council must have a look at it. Unfortunately, their post-monitoring mechanism is not very good. But we do not intend to plan and see that if there is not an adequate number of teachers, then certainly, this is not a happy situation and action must be taken against such institutions. When we go over to these stronger monitoring functions, we would have this input more built up into this. At the moment, I must confess that they are not doing a very nice job of it."

Asked about the details of institutions which reverted to inexperienced/unqualified faculty after recognition was granted and action taken by the AICTE against such institutions, the Ministry in their written reply have

stated that during successive inspections, the expert committees examine not only the adequacy of the requisite number of faculty in the different disciplines, but also assess their experience and qualifications. Whenever any deficiency is noticed, the institutions are informed and instructed to remedy these deficiencies, in a stipulated time-frame. Persistent non-compliance by any institution invites punitive measures, such as reduction in intake/no admission in subsequent years.

The Committee desired to know whether AICTE had conducted any evaluation of teaching faculty in AICTE recognized technical institutions in the country and their level of expertise in their respective areas. In a written reply, the Ministry have stated that specific appraisal of teaching faculty has not been carried out by AICTE so far. AICTE Expert Committees, during their visits, and during the process of Accreditation, make quantitative and qualitative assessment of teaching faculty, as part of their exercise for overall assessment of the institution.

Recognizing the importance of upgradation of qualifications of the teaching faculty in technical institutions, a Quality Improvement Programme (QIP) was initiated in 1972 which encourages the teaching faculty to acquire higher qualifications (Ph.D and Master's Degrees) for which Fellowships are offered. Besides this, under this scheme, about 200 refresher courses are being offered each year for enhancing and updating the knowledge of the faculty Members of technical institutions.   Over the past 5 years, over 1000 teachers have availed the QIP scheme. The last assessment of the impact of QIP was

undertaken in 1999 and based on the recommendations, the Council has increased the budgetary allocations and the number of Fellowships under this Scheme.

During evidence, Chairman AICTE supplemented as under:-

"With the new performance appraisal system that we will be bringing in, we will exercise more control over all aspects pertaining to faculty."

As regards improvement of the quality of teaching faculty, the Ministry have stated that to address the issue the AICTE had taken various initiatives by way of launching new schemes and strengthening the existing schemes. It has launched Early Faculty Induction Programme(EEIP) to attract bright students who can take up teaching as their career and strengthened the Quality Improvement Programme (QIP) by increasing number of scholarships both in engineering and non-engineering disciplines. Recently, AICTE has initiated the schemes of QIP in Polytechnics as well. AICTE also operates a number of schemes for career development of teachers such as Continuing Education Programme (CEP), Career Award for young Teachers, Travel/Seminar Grants, etc. The Government has taken decision on revision of pay scales along with better service conditions for technical teachers.

The Chairman, AICTE during evidence supplemented as under:-

"We have distinguished visiting professorships. Then we have career development schemes for teachers. This is handled by F.D. bureau. We have early faculty induction programme. We look after quality improvement programme, schemes of career award for your teachers, scheme of emeritus professorship, scheme of seminar grants, scheme of travel grants, scheme of visiting professorship, scheme of staff development programmes etc. These are being looked after by this particular bureau………under the quality improvement programme ……….various QIP centres have been established throughout the country – about 28 of them are there as of today – short-term training programmes

are being provided for better teaching. Pedagogy and curriculum development are the things being taken up in these particular cases. Various QIP centres have been identified in other areas besides engineering. In pharmacy, there are identified QIP centres. In MCA, we have some of the QIP centres which are identified. In hotel management and catering technology, centres have been identified and in architecture and town planning applied arts, centres have been identified. Management centers have also been identified."

On being enquired whether any institutes were de-recognised in the last five years on account of inadequacy of teaching faculty, AICTE in their written reply have stated that no approval has been withdrawn from any institution solely on the basis of shortage of faculty. Whenever shortage of faculty is observed during the Expert Committee visit, the Council instructs the institution to take necessary measures to recruit more faculty, and the same is verified during subsequent inspections.

Pay Scales and Salaries

The Committee desired to know whether AICTE ensures that the private institutions which have been granted recognition pay salaries to their faculty members and other employees in accordance with the norms and pay scales.

In their written reply the Ministry have stated that AICTE had already published and notified the revised pay scales and service conditions for all technical institutions in the country. The said notification also stipulates that the concerned State Governments may have a different pay scale from the notified pay scales of AICTE, with the approval of the Central Government. In the case of private self-financing institutions, the visiting expert committees examine the pay scales and the salaries given to the staff members, through the salary record registers. Any cases of non compliance are brought to the attention of the State

Government and the institution, for initiating remedial measures. Any complaints received in this regard are referred to the State Governments for necessary action.

Asked whether any cases of violation of norms in payment of pay scales have come to the notice of AICTE, the Ministry in a written reply have stated that the Council had so far not maintained any database for such violations. However, as and when complaints from staff members are received in the Council, the concerned Regional Office of AICTE, State Government and University, are informed accordingly.

The Chairman, AICTE during evidence added as under:-

"Essentially, how it is detected is through complaints, and these complaints are examined by the Malpractices Cell, in consultation with the State Governments. As of now, we leave it to the State Government to persuade these institutions to give the AICTE pay-scales."

Asked whether it was not advisable to make mandatory payment of pay scales approved by Government by all institutions who conduct courses approved by AICTE, the Ministry in their written reply have stated that it is desirable that approved pay scales are given to the faculty members and as such it is incorporated in the approval letters.

Chapter VI

Research and Institutional Development (RID)

AICTE operates three major schemes of Research & Institutional Development (RID) namely Modernisation and Removal of Obsolescence (MODROB), Thrust Area Programme in Technical Education (TAPTEC) and Research and Development (R&D) aiming to enhance capability of faculty to impart latest development in science and technology, by working on projects in emerging areas of various disciplines and conducting experiments at laboratory with latest equipments, etc.

The details of the major schemes of RID are as follows:-

Modernisation and Removal of Obsolescence (MODROBS):

The main objective of this scheme is to equip technical

Institutions with modern equipment/infrastructural facilities for improvement in the quality of the ongoing instructional programmes and also introduction of new technologies in the existing laboratories. The support provided under the scheme is generally limited to Rs. 15 lakh.

Thrust Area Programme in Technical Education (TAPTEC):

This scheme is mainly to ensure promotion of excellence and need based research in identified Thrust Area for national development in the field of Engineering & Technology. The Thrust Areas are revised periodically. Under this scheme, support generally not exceeding Rs. 20 lakh is given with a view that the outcome

of the project shall lead to bigger project to be submitted to other agencies such as DST, etc.

Research and Development (R&D)

This programme aims at promotion of general research capabilities among the faculty members under various disciplines of Engineering and Technology and other related areas of national interest. The proposal should include a specific R&D project and give details of equipments and other infrastructure facilities proposed to be acquired through support under this scheme. The R&D field need not necessarily be a thrust area. Funding in this scheme is limited to Rs. 10 lakh.

The number of projects and amount of grants released, scheme-wise, under RID during 1998-99, 1999-00 and 2000-01 are as given below:-

Year	MODROBS		TAPTEC		R&D		TOTAL	
	No. of proj.	Amount (Rs. in lakh)	No. of Proj.	Amount (Rs. in lakh)	No. of proj.	Amount (Rs. in lakh)	No. of Proj.	Amount (Rs. in lakh)
1998-99	493	2291.00	155	1270.87	151	962.07	799	5715.44
1999-2000	128	1290.70	133	1232.39	132	885.79	392	3508.88
2000-01	126	1037.68	53	407.02	94	639.16	273	2085.86

Details of grants released, discipline-wise, during the years 1998-99 to 2000-01

for Research and Institutional Development (RID) Schemes are given below:-

(Rupees in lakh)

S. No.	Discipline	1998-99		1999-2000		2000-01	
		No. of Projects	Amount sanctioned	No. of Projects	Amount sanctioned	No. of Projects	Amount sanctioned
1	Architecture	1	12.00	19	181.95	16	166.90
2	Bio-Tech.	17	156.50	2	13.90	14	82.95
3	Chemical	76	601.80	31	203.57	20	148.02
4	Civil	103	688.90	65	628.17	20	204.85
5	Computer	108	792.90	46	474.35	44	256.80
6	E&C	112	709.47	59	481.29	52	349.85
7	Electrical	65	477.50	38	390.57	9	82.00
8	Management	30	192.50	10	61.90	23	130.67
9	Material	39	272.30	34	325.92	12	94.13
10	Mechanical	186	1345.72	61	438.30	35	331.50
11	Misc.	4	30.50	0	0	0	0
12	Pharmacy	58	435.40	27	309.01	28	238.19
	Total	**799**	**5715.44**	**392**	**3508.88**	**273**	**2085.86**

Break up of assistance from RID Bureau to the States, scheme-wise in 2000-2001is given below:-

	A	B	C	D	E
	STATE	AMT. SANCTIONED LKH Rs.	MODROBS	R&D	TAPTEC
1	ANDHRA PRADESH	184.3	95.05	67	22.25
2	ASSAM	50.02	30.2	14.82	5
3	BIHAR	38.35	15	23.35	
4	CHANDIGARH	6.2		6.2	
5	DELHI	70.25	35	28.25	7
6	GOA	21			21
7	GUJARAT	107.55	72.5	28.55	6.5
8	HARYANA	33	12		21
9	JHARKHAND	14.25	10.25		4
10	KARNATAKA	194.7	140.8	29.9	24
11	KERALA	76.5	28	16	92.5
12	MADHYRA PRADESH	49.32		36.07	13.25
13	MAHARASHTRA	273.14	111.2	118.52	43.42
14	MANIPUR	13	10	3	
15	ORISSA	7	7		
16	PONDICHERRY	39.63	22.63	17	
17	PUNJAB	80.6	33	39.1	8.5
18	RAJASTHAN	48.75	37.75		11
19	TAMIL NADU	374.77	208.5	73.52	92.75
20	UTTAR PRADESH	202.93	80.3	61.53	61.1
21	WEST BENGAL	200.6	88.5	80.85	31.25
	TOTAL	**2085.88**	**1037.68**	**643.66**	**404.52**

The Committee observed that there had been a steep decline in allocation of funds by AICTE for RID activities. Asked about the reasons for the decline in funds and steps taken by AICTE to ensure that RID is given due share in allocations, the Ministry in their written reply have stated that decrease in the disbursement of funds may be attributed to the exclusion of non-accredited self

financing technical institutions from 1999-2000 onwards. Decrease in funding is also due to the fact that Centrally funded institutions like IITs, RECs etc. are not covered under the funding pool of AICTE. Another point to note is that a successful project investigator of a project from a particular technical institution can be considered for another project only after first project is completed which takes about 2 to 3 years, due to which number of projects decrease for subsequent years. However, it may be mentioned that in the year 2001-02, Council had sanctioned 640 projects amounting to Rs. 5016 lakh.

During evidence, Chairman, AICTE further explained the reasons behind the decline in allocations of funds for RID activities as under:-

"The apparent decrease in the R&ID funds under three
schemes, MODROBS, TAPTEC and R&D, was because in the initial stages, we made it available to all institutions, but subsequently, only to Government institutions and accredited self-financing institutions. This number was a smaller number because the Board of Research also pointed out that it is not really the input in terms of funds, but the output in terms of R&D. Some of these institutions have not developed a capacity to do R&D. We wanted to make sure that we got the best returns out of the R&D."

The witness further stated:-

"As far as our R&D is concerned, again, it is a slow process. An institution must develop the R&D expertise before it can handle R&D funds. The impact of all the projects that have been completed till now is being examined. We are giving a project to the National Institute of Science and Technology and Development Studies (NISTADS), this is a CSIR Lab, who will study the R&D themes as well as the final reports and then give us an indication of what impact this funding has produced. We will use that as the basis for further plans."

The witness further added:-

"Originally, we were giving money to all types of institutions. Now, we have restricted them to a smaller range of institutions. That is why it has come down. The reason why it was done was they were not able to make

use of the R&D funds. R&D is of a very special nature. If they do not have enough Ph.Ds in their faculty, not much R&D can be done. That is the reason why it has come down."

Enquired whether AICTE had identified institutions which were resourceful in generating new innovations/ technology through R&D activities, the Chairman, AICTE stated during evidence as under:-

"What we do is that we advertise in the newspapers and also we send out brochures on what kind of funding is available. Just as CSIR and DST, we invite applications. We request them to come and make presentations. We have high-level expert teams who evaluate them. This is the standard procedure used by CSIR, DST and MHRD for the Centrally funded institutions."

The witness further added:-

"On the basis of the research projects that we have funded for them, we know in what institutions good results have come out of the funds that have been given to them. So, this is the impact we are trying to establish now."

Enquired about the benefits accrued through R&D effort in technical education over the years, the Chairman, AICTE   during evidence stated as follows:-

"As far as the benefits which have accrued are concerned, in modernisation and removal of obsolescence, the objective is to be able to upgrade the infrastructure in these institutions. Many institutions have got, in their areas of expertise and in their areas of interest, equipment which are essentially required for conducting research. Thrust areas are the emerging technologies where the country needs engineers and research scholars in different areas. We have come up with a list of these emerging areas. Then, using that list, we give projects."

Asked whether the funds allocated to AICTE for R&D by the Ministry of Human Resource Development (Department of Secondary & Higher

Education) were sufficient to fulfill the requirement, Chairman, AICTE

stated during evidence as under:-

"Yes, we have been projecting the demands of funds to the Ministry each
year looking at the demand. At the moment for R&D, we have sufficient
funds. For faculty development, also at the moment, we have sufficient
funds."

Chapter VII

Miscellaneous

Commercialisation of Technical Education

Education in general and technical education in particular in the country had become commercialised over the years. It is public knowledge that several private technical institutes/colleges and self financing institutes are charging hefty fee for various courses. Profit making had become the main criterion for setting up technical institutes rather than imparting quality education at affordable prices. As per norms and guidelines fixed by AICTE for admission of students to professional colleges, 50% of the seats in every professional college is earmarked as 'Free seats' and the remaining 50% as 'Payment seats'. The State Level Fee Committees constituted under AICTE regulation (No. GSR. 476(E) dt. 20.5.1994) and the Ministry of Human Resource Development (Department of Secondary and Higher Education) Resolution of March, 1997, determine the tuition and other fees for various courses in their respective States. As per the regulations, no professional college is entitled to receive from the students any other payment or amount under whatever name it may be called, in addition to the fee fixed by the Committee for a Free seat or Payment seat. 'Free seat' means the Seats on which fees payable is same as prescribed by the Government Institutes in the concerned States.

Further, under regulations framed by AICTE and Policy Resolution of the Government of India, the Fee Structure comprises two components namely "Development Fee" and "Tuition Fee" (including other fees).

AICTE had constituted State Level Fee Fixation Committees for determining Tuition Fee (including other fees). All Self Financing Technical Institutions are required to charge the Tuition Fee (including other fees) as fixed by the State Level Fee Fixation Committee of the concerned State. However, fixation of Development Fee is the responsibility of the AICTE. Based on the recommendations of the National Fee Committee, AICTE had announced the following Development Fee for Degree Level Technical Institutions:-

Discipline	Fee Seat (Rs.)	Payment Seat (Rs.)	NRI Seat ($)
Engineering Degree	4000	9000	1000
Degree Arch/Town Planning	4000	9000	1000
MBA Level Programme	4000	9000	1000
MCA Level Programme	4000	9000	1000
HMCT Degree	4000	9000	1000
Pharmacy Degree	4000	12000	1000

The above Development Fee will be valid till further orders w.e.f. Academic Year 2002-2003 and may be collected from the students every year in the beginning of each academic year. For Diploma Level Self Financing Technical Institutions, the Development Fee will be decided by the concerned State Government/UT Administration. The Ministry in a written reply have further stated that State Level Fee Committees will provide inputs to the National Fee Committee, which will coordinate and consolidate different recommendations.

The Committee have noticed that many self-financing/private institutes or colleges recognised and unrecognised often give false, exaggerated and misleading advertisements in newspapers and magazines for engineering, MCA, MBA and other technical/management courses. Further, many of the institutes/colleges claim to have got approval for their courses from one or the other authority, which are misleading the students about their exact status.

Asked whether any strict action has been taken including de-recognition of the institutes which furnish exaggerated and false or misleading advertisement, jeopardizing the students career, the Ministry in their written reply have stated that AICTE had set up a Malpractice Cell to monitor misleading advertisements in print media. The Cell functions under the Chairmanship of an Advisor and it takes necessary action against the erring institutions, which include filing of cases under the Indian Penal Code. The Cell works in coordination with other similar cells in existence in the Ministry of Human Resource Development, UGC etc. Further, AICTE also issues advertisements in the national dailies from time to time, so that students taking admissions in any technical institutions can check the credentials and the approval status of the concerned institutions and programmes before taking admissions. AICTE has also created a website; www. aicte.org on which current information regarding approval status of courses are put up for information of general public.

Court Cases against AICTE

A large number of cases have been filed in various courts in the country against AICTE. During the year 2000, a total of 264 cases were filed against

AICTE. The number of court cases increased to 307 in the year 2001. The number of cases filed against AICTE, State-wise, is given below:-

Sl. No.	Name of State	No. of Cases in the year 2002	No. of Cases in the year 2001
1.	Assam	00	01
2.	Andhra Pradesh	40	53
3.	Andaman & Nicobar	00	00
4.	Arunachal Pradesh	00	00
5.	Bihar	05	04
6.	Chandigarh	04	04
7.	Delhi	28	35
8.	Dadar & Nagar	00	00
9.	Gujarat	05	16
10.	Goa, Daman & Diu	00	00
11.	Haryana	09	20
12.	Himachal Pradesh	01	06
13.	Jammu & Kashmir	01	02
14.	Karnataka	17	33
15.	Kerala	10	04
16.	Madhya Pradesh	05	02
17.	Maharashtra	52	30
18.	Mizoram	00	00
19.	Nagaland	00	00
20.	Orissa	11	16
21.	Punjab	01	13
22.	Pondicherry	01	02
23.	Rajasthan	07	05
24.	Sikkim	00	00
25.	Tamil Nadu	58	53
26.	Tripura	01	00
27.	Uttar Pradesh	08	05
28.	West Bengal	00	03
	Total	**264**	**307**

It has been stated by AICTE that the court cases pertain to implementation of the provisions of AICTE Act, which include approvals, implementation of pay scales, service conditions of teachers/staff, challenging of the decision of

withdrawal of approval, reduction in intake capacity, admission grievances, etc. and also those against State Government /University for not allowing affiliation, etc.

Asked to explain the reasons for the increase in the number of court cases, Chairman, AICTE stated during evidence as follows:-

"The court cases pending during the period 1997-1999 were as follows. The figure was 300 in 1997, 210 in 1998 and 342 in 1999. The question was asked why there has been an increase in the number of litigation cases from 264 in 2000 to 307 in 2001. The reason is that there has been a transfer, carry over of cases. 105 cases out of 307 court cases were carried over to the next year. Therefore, if we subtract 105 from 307, we find that the number of cases for that year was only 202. Most of these cases are regarding fees, admissions and so on and except in a few cases where the court has directed us to do a particular action in terms of a re-visit, in almost all the other cases, it has upheld the authority of AICTE for what it has done."

Relationship between Universities and AICTE

Till recently, under the regulations notified by AICTE, Universities were also required to obtain approval of AICTE to run technical courses. However, the Supreme Court in its judgement dated 29.9.2001 in the case of "Bharatidasan University Vs. AICTE" has ruled that Universities have the freedom to offer courses in technical education and prior approval of AICTE is not necessary.

Asked about the implications of the Bharatidasan University case on AICTE, Chairman, AICTE during evidence stated as follows:-

"The Bharatidasan University went to the court against the AICTE and won the case. There are some implications of this judgement which were discussed at a Committee set up by the Ministry under the Chairmanship of Prof. P.V. Indiresan, which has submitted its report. The report is with the Ministry."

A representative of the Ministry of Human Resource Development (Department of Secondary and Higher Education) added:-

> "Basically, this Court judgement said that universities do not fall within the purview of AICTE. A Committee was constituted by the Ministry to look into all the aspects of this Court judgement. The Committee considered the whole issue and came to the conclusion that as per the present position in the Act, the judgement has no problem and so we have to accept that. The Committee was also of the considered view that for overall maintenance of the standard of technical education in the country, we need to have some provision which gives AICTE the authority to not only look into the courses being run by the self-financing institutions, but also those which are in the university sector. Those recommendations are being finalised and will be looked into by the Ministry."

Regional Imbalance in setting up of Technical Institutions

The Committee noticed that a large number of technical institutions in the private sector were established mainly in States of Tamil Nadu, Karnataka, Andhra Pradesh, and Maharashtra and there has been higher concentration of technical institutions in these States as compared to other regions particularly the North and the North-Eastern Regions.

In a written reply furnished to the Committee, the Ministry of Human Resource Development have stated that AICTE had requested the State Governments to prepare a perspective plan for the next five to ten years so that development of technical education in the country as a whole can be taken into consideration by AICTE. Asked about the response of State Governments in this regard, the Ministry in a written reply have stated that response of State Governments to AICTE's proposal has not been encouraging. Only State Government of Andhra Pradesh had submitted its perspective plan.

Commenting on the regional imbalance in setting up of technical institutions, Chairman, AICTE stated during evidence as follows:-

"As far as the quantitative growth of technical education is concerned, we have collected a lot of statistics. We have also written to different State Governments requesting them to formulate a perspective plan so that there can be balanced growth of technical education in the country which is what really the AICTE is all about. In this context we have a background paper that we are developing with the help of an expert group which will give a historical growth of technical institutions in numbers as well as increase in intake in different disciplines; compare that with the demand in each of the States taking into consideration some other factors such as the rate of industrial growth in the State, the number of school leavers in that State etc. Because that is the input to the technical education system from the school education system. So, all these factors will be included in order to provide a model by which the future quantitative growth of technical education can be planned."

A representative of AICTE during evidence also stated as follows:-

"We had invited the Chief Secretaries of various States to get advice on national level. We had placed this matter before them. However, the problem is that from where the proposals originate? Moreover, it is also not known as to how many proposals are received and how many of them are approved by their Government? There are several historical reasons for that. One of the reasons is that this process had begun in South India long back. Thereafter, this process began in North India but now, they are in large number in North India although they are less in number comparatively. However, they have been received in large number in Rajasthan, Haryana, Punjab, Madhya Pradesh and Uttar Pradesh. But nothing has come up from Bihar so far and it is difficult to say about the reasons but a few proposals are being received from there. We have talked to the Hon'ble Minister as well as the people in this regard and we have said to them that if they can sent the pro-active policy from the State, it will be helpful for us. However, it is right that whatever standards have been fixed by us, are uniform and for the whole country. This process is going on in North India for the last three years and technical institutions have been set up especially in Rajasthan, Haryana, Madhya Pradesh, Punjab and Uttar Pradesh in large number and are running well. But it is unfortunate that the engineering colleges which have been established in Uttar Pradesh, still have vacant seats comparatively because of less number of students. However, we have noticed that the people are still taking admission in engineering colleges situated in South India but if any proposal comes from Rajasthan in North India, we accept the same."

Undue harassment of women employees in AICTE

The Committee received a letter from the Lady Officers of AICTE, alleging sexual/mental harassment by some senior officers in AICTE. Disapproving of the actions/advances, the lady officers have complained to the National Commission for Women(NCW). The NCW had advised the Member-Secretary/Chairman to form an internal complaints Committee to look into the matter. It is noticed that the Committee had been formed by the same person against whom the complaint was lodged. Reportedly, he had placed his own subordinates in the Committee. Ignoring the advice of National Commission for Women, AICTE issued termination orders to three of the lady officers who raised the issue.

OBSERVATIONS/RECOMMENDATIONS

8.1   In the present era of globalisation and inter-dependence of nations and their economies, technical education plays an important role in economic growth and development of the country.   There is an imperative need for promoting technical education throughout the country, maintaining high standards and constantly updating course curricula in consonance with rapid developments in the fields of science and technology and the teaching standards. Owing to major shift in policy of the Government in 1980s allowing   participation of private and non-government organisations for setting up technical and management institutions in the country, there has been a rapid growth, albeit mushrooming of technical institutions in the country even with poor and inadequate infrastructure as well as teaching faculty. This has placed an onerous responsibility on All India Council for Technical Education (AICTE) to regulate and maintain quality standards in these institutions.

Having gone into the functioning of AICTE in great depth, the Committee are unhappy with the poor functioning of the Council, particularly with reference to grant of approval, recognition of technical institutions and accreditation of various programmes. The Committee recommend that in keeping pace with the changed economic scenario on account of liberalisation of economy, AICTE must revamp its procedures, norms and guidelines with a view to ensure more effective and efficient

working of the organisation and for promoting better quality technical education, infrastructure and promotion of excellence in technical education in the country.

8.2	The Committee note that pursuant to the letter addressed by the Chief Minister of Haryana to the Minister of Human Resource Development, AICTE had constituted an Expert Committee under the chairmanship of Dr. D.P. Agarwal. The Committee note that the Chief Minister of Haryana had made some pertinent suggestions and proposed some amendments to the AICTE Act to bring about a greater degree of involvement of State Governments and Universities in the grant of approval, charging of tuition fee, prevention of commercialisation of technical education, etc. The Committee expect that the Expert Committee will look into all the suggestions made by the Chief Minister of Haryana with all sincerity and recommend ways and means to involve the State Governments in the decision making process as far as technical education in their respective States is concerned.

8.3	The Committee have observed that despite manifold increase in the volume of workload in AICTE over the years, there was no commensurate increase in manpower in the Council. The Committee also note that since majority of personnel in AICTE are on deputation or contract basis and keep reverting to their parent organisations, there is no continuity in the organisation. It is difficult to fix any responsibility and make them accountable for their actions as they serve the Council only for a short tenure. The Committee, therefore, recommend that for ensuring better accountability and continuity in the functioning of AICTE, there should be a proportionate mix of deputationists and regular employees. Although some of the senior positions like Advisers, Secretary, Chairman, etc. might be filled on deputation basis, there is need to have regular employees at the middle and lower levels of employees in the Council. The Committee also suggest that AICTE should gradually increase the proportion of regular employees in the organisation in a phased manner and reduce those on deputation to the minimum possible without affecting the functioning of the organisation. The Committee note that staff requirement in AICTE has been taken up for a detailed study by Staff Inspection Unit (SIU) of the Ministry of Finance. The Committee expect the Ministry of Finance to complete the work regarding assessing the requirement of manpower in AICTE both at the Headquarters and the Regional Offices expeditiously. The Government should take necessary follow-up action to equip AICTE with adequate manpower.

8.4	The Committee note that with the manifold increase in the number of institutions imparting technical education and the introduction of a number of new programmes/courses, there is severe pressure on the existing Regional Offices of the AICTE. In keeping with the rapid growth of technical institutions, new programmes and seat intake, there is an urgent need for commensurate increase in the number of Regional Offices of the Council. Further, due to uneven growth of technical institutions in different regions of the country, there is an imperative need to set up technical institutions in

those parts of the country where there is need. The Committee, therefore, recommend that Regional Offices of the Council should be set up in all the major States. There is also need to decentralise the functions of AICTE and delegate more powers to the Regional Offices.

8.5   The Committee note that presently a Grievance Committee is constituted for each academic year for redressal of complaints regarding granting of approval to various courses. It has also been stated that for the year 2002-03 an independent Appellate Authority was constituted to consider the appeals, if any, from applicants for whom Letter of Intent (LoI) was not issued for setting up new institutions. The Committee recommend that powers of the Appellate Committee should be broad-based and it should be vested with quasi-judicial powers with a view to act as an arbitrator in all the cases relating to granting of approval, recognition and accreditation and other related matters. The Appellate Authority should be headed by a retired judge and should have eminent educationists as Members. Such an independent Appellate Body would not only enhance the prestige of AICTE, but also instil confidence in the minds of the promoters of institutions that there is justice and fair play in the process of approval. The Committee also recommend that the AICTE Act should be suitably amended with provisions for setting up a permanent Appellate Authority.

8.6   The Committee express their serious displeasure over the instances of granting permission by AICTE to set up new institutes and subsequently cancelling the Letter of Intent thereby causing a lot of confusion and inconvenience both to the institutions and the students. The Committee feel that after the deficiencies are noticed, a time-frame should be set for the institutions to rectify the deficiencies before withdrawing approval or cancelling the Letter of Intent so that the career of students would not be adversely affected. Since deficiencies could be of various degrees ranging from shortage of books in the library to building of infrastructure, it would be desirable to fix different time-frame to allow the institutions to rectify the deficiencies and till such time the deficiencies are rectified only conditional permission should be granted.

8.7   The Committee note with concern that as per the procedure followed by AICTE, obtaining of "No Objection Certificate" from the State Governments is not mandatory for grant of approval to a new institution. Approvals given to institutions in a State have much to do with the State Government as it has to grant social welfare scholarships to a prescribed percentage of students within the State and as such need to make budgetary provisions for the same. The onus of deciding even distribution of institutions within the districts of the State equitably should also vest with the State Government. The Committee, therefore, recommend that while granting approval to new technical institutions, AICTE should take into confidence the respective State Governments by obtaining "No Objection Certificate".

In Jaya Gokul Trust <u>vs</u>. State Government of Kerala, the Supreme Court has ruled that consultation with State Government has to be ensured but no proposal could be rejected merely on grounds that State or

University did not furnish NOC. As per judgement of the Supreme Court, it is incumbent upon AICTE to hold consultations with the State Government concerned before granting approval to any institution. The Committee note that in the light of the judgement, AICTE had taken a policy decision to increasingly involve State Governments in the matter. They recommend that a procedure should be evolved for regular interaction between State Governments and AICTE on various issues, including obtaining of NOC so that no inconvenience is caused to State Governments.

8.8   The Committee express their displeasure over granting of approval to technical institutions beyond the cut-off date in the academic year 2001-02 despite reservations expressed by the State Government. The Principal Secretary, Higher Education, Department of Andhra Pradesh stated in a letter that despite repeated requests from the State Government of Andhra Pradesh and inspite of a letter written by the Chief Minister of Andhra Pradesh that approvals may be given not later than June, 2001, AICTE went on granting approvals to several new institutions much to the chagrin of the State Government. The Committee note that on 19.7.2001 AICTE communicated to the State Government its approval for 50 new engineering colleges. Again on 27.7.2001, the Council granted approval for 7 engineering colleges and in September 2001 10 more colleges were accorded permission. Thereafter, <u>vide</u> their letters dated 2.11.2001, 21.12.2001 and 24.12.2001, AICTE conveyed its approval to 4 more institutions. The Committee also noticed that even for the academic year 2002-03, AICTE had granted as many as 1400 seats in different colleges in Andhra Pradesh beyond the cut-off date without consulting the State Government. The Committee while deploring the utter disregard shown by AICTE to the views and difficulties of the State Government, hope that in future such unsavoury situations would not be allowed to recur. The Committee recommend that AICTE should take into consideration the views of the respective State Governments in the matter of approval of courses, increase in off take, withdrawal of approval, etc.

8.9   The Committee are of the view that there should be minimal interference to the extent possible by the Government in the functioning of AICTE for enabling the Council in fulfilling its mandate and thereby preserving its autonomy and independence. At the same time, AICTE should exercise its functions in a judicious and transparent manner for healthy promotion, expansion and qualitative improvement of technical education in the country.

8.10   The Committee note that based on certain parameters all the programmes are accredited under three grades viz. 'A', 'B' and 'C', and these grades are given for a period of five years. The Committee feel that there is no guarantee that an institution which has obtained 'A' or 'B' grade would remain in the same grade for the entire period for which the grade has been given.   There is every possibility that institutions may become complacent and in the next round of accreditation they may slip to a lower

grade. The Committee are of the opinion that in order to maintain the quality of programmes, there should be reassessment of the grades after one year to see whether the quality of programmes run by the institutions meet the stipulated standards and quality in that particular grade. It should also be made mandatory for those institutions coming under the category of grade 'C' to come up to the level of grade 'B' within a time-frame.

8.11 The Committee were apprised that as per Vision 2006 document prepared by National Board of Accreditation (NBA), 15,000 approved programmes comprising under-graduate, post-graduate and diploma level are likely to become eligible for accreditation by the year 2006. The Committee expect that all the progammes run by AICTE recognised institutions should be invariably be accredited by the year 2006.

8.12 The Committee also note that barring a few well established colleges, quality of programmes run by the institutions in general and that of newly established institutions in particular is coming down. The Committee, therefore, recommend that accreditation process should be made more stringent so as to maintain high quality in the level of technical education imparted in the country. The Committee recommend that a High Powered Expert Committee be constituted to be entrusted with the responsibility of conducting surprise quality inspection of the institutions to assess the grades of the courses.

8.13 The Committee note that AICTE has already set up a Committee to review various norms and standards and approval procedures. The Committee expect that the Report of the Internal Committee would be expeditiously presented to AICTE and proper follow-up of the recommendations would help to improve the quality of technical education in the country.

8.14 The Committee also note that the Ministry of Human Resource Development (Department of Secondary and Higher Education) have been contemplating to appoint an Expert Committee to review the entire functioning of AICTE and to suggest measures for fulfilling its mandate more effectively. The Committee desire that the proposed Expert Committee should have a re-look into the entire gamut of functioning of AICTE with special reference to procedures regarding approval, recognition and accreditation and also to bring in more transparency in the working of AICTE.

8.15 The Committee are deeply concerned about the lack of adequate and qualified teaching staff in private and self-financing technical institutions due to which the quality of education is being adversely affected. Lack of proper qualified and trained staff has been attributed to severe shortage of persons holding Ph.D in the respective disciplines. The Committee, therefore, express their concern that despite Quality Improvement Programme (QIP) initiated by AICTE, whereunder teachers were given training and also financial assistance for upgrading their qualifications and skills, there is severe shortage of qualified teachers. The Committee recommend that AICTE

should urgently undertake a fast-track programme for upgradation of qualifications of teaching staff within a time-bound period.

16.   The Committee note that in several institutions, particularly the newly established technical and management institutions, the prescribed teacher-student ratio is not being maintained. The Committee are not satisfied with the Ministry's evasive reply that shortage of faculty is a common problem and that fulfillment of exact teacher-student ratio cannot be strictly insisted upon as appointment of teachers is a post approval activity. The Committee, therefore, insist that teacher-student ratio should be made a very important indicator in the accreditation process of programmes and compliance of prescribed teacher-student ratio should be ensured in all the institutions.

8.17   It has come to the notice of the Committee that in places where a number of institutions are located, faculties of those institutions have the same staff. This is done mainly to satisfy the requirement of the AICTE Act, which stipulates that there should be required number of qualified teachers. There is a general tendency amongst the newly set up colleges not to engage qualified and experienced staff to minimise expenditure. To reduce expenditure they engage part-time teachers, thereby seriously compromising on the quality of teaching standards. The Committee also expect that AICTE would evolve a suitable mechanism to avert such malpractices with respect to teaching faculty. The Committee, therefore, recommend that AICTE should take all necessary steps to ensure prescribed teacher-student ratio in all the technical institutions in their purview.

8.18   The Committee express their concern over the flouting of norms and guidelines with respect to payment of salaries as per prescribed pay scales to the teaching staff by the private run technical and management institutions. This is despite the fact that AICTE had notified revised pay scales for all technical institutions in the country. The Committee are told that in case of private self-financing institutions the visiting Expert Committee examines pay scales and salaries given to staff members by checking salary record registers and cases of non-compliance are brought to the notice of the State Government and the institution concerned for initiating remedial measures. According to the AICTE there is a "Malpractice Cell" in the Council which looks into complaints regarding non-payment of pay scales and salaries in consultation with respective State Governments. The Committee note with concern that despite well laid down guidelines and norms regulating payment of salaries to teaching staff, these norms are being flouted by a number of institutions. The Committee, therefore, recommend that AICTE should constantly monitor the cases regarding violation of payment of salaries according to prescribed pay scales and should doggedly pursue the matter with concerned State Governments and also impose stringent penal measures against those institutions violating the norms.: The Council should also ensure that salaries to the teaching staff should be paid only by cheque and the Vigilance Cell during their inspection should cross-check from the Bank account whether the payments have been debited in full as per the prescribed pay scales.

8.19   The C0mmittee are unhappy with the slow pace of Research & Development in the field of technical education in the country. There is a gradual decline in RID funds allocated for various research schemes. The decline in RID funds was attributed to the fact that unlike in the initial stages when all technical institutions were given funds for RID activities, AICTE presently gives funds only to Government and accredited technical institutions. It has also been stated that since R&D is a specialised activity, only small range of institutions possessing necessary infrastructure are given funds. The Committee are of the view that R&D in the field of technical education has gained paramount importance with rapid growth of new technologies in the field of Telecom and Information Technology. Therefore budgetary outlay for RID should be increased and more number of institutions should be encouraged to undertake research in technical education in the country.

8.20   The Committee find that only Rs.15 to 20 lakh is given for any project under three major RID Schemes, namely, MODROBS, TAPTEC & R&D. With such meagre allocation, no institution may come forward to undertake R&D projects. The Committee suggest that the allocation for R&D activities should be suitably stepped up in order to attract the best available research talent in the country.

8.21   The Committee express their serious concern over the increasing commercialisation of technical education in the country. Despite AICTE regulation stipulating that professional colleges should not take any other payment from the students other than the fee fixed by the State Level Fee Committee, it is a matter of common knowledge that many of the institutions take donations from students under some guise or the other. What surprises the Committee is that such gross violations of regulations issued by AICTE largely go unnoticed. The Committee recommend that a separate Vigilance Cell should be set up in the AICTE to conduct surprise checks and look exclusively into the complaints of charging donation/capitation fee and also charging in excess of the prescribed tuition fee, development fee, etc.

8.22   The Committee express their serious concern over the regional imbalances in the growth of technical institutions in the country. Whereas States like Tamil Nadu, Karnataka and Andhra Pradesh and Maharashtra have large concentration of technical institutions, States in the North and North-Eastern Regions have comparatively lesser number of technical institutions. It is understood that AICTE have asked the State Governments to prepare a Perspective Plan indicating the number of colleges/seats required in their States over a time period. Surprisingly, barring Andhra Pradesh, no other State Government has prepared the Perspective Plan for technical education in the State. The Committee urge the Government to pursue the matter with the State Governments and have a blue-print prepared for balanced growth of technical institutions in the States keeping in view the demand-supply in the field of technical education.

8.23   The Committee are distressed to learn that some lady officers working in AICTE were subjected to sexual and mental harassment by certain senior

officer in AICTE. Though an Internal Complaints Committee was constituted by AICTE at the direction of the National Commission for Women (NCW), it is learnt that the Committee was ineffective and unresponsive as it was not impartial. The Committee recommend that the Ministry of Human Resource Development should constitute an Enquiry Committee comprising of lady members to look into the entire episode and initiate disciplinary action against the person concerned, if found guilty. The Committee are of the view that such instances will have an unholy effect on the institution and also denigrate the prestige of the institution.

8.24   The Committee have noticed that several unauthorised private institutions/colleges which were not approved by AICTE are giving false and misleading advertisements in the Press claiming that they have been approved or recognised by one or the other organisation thereby misleading the students. Many students have fallen victims of such false claims by joining such institutes. The Committee recommend that strict vigilance should be kept by AICTE on mushrooming of unauthorised institutions. AICTE in coordination with State Governments should resort to criminal action against promoters of such institutions who play with the future of students.   Further, AICTE should direct all its Regional Offices to notify periodically in all major newspapers including vernacular newspapers and TV channels a list of institutions with courses/programmes approved by AICTE for the information of the public.

8.25   According to the AICTE Act, the main objectives and functions of AICTE are to ensure planned and coordinated development of technical education, promotion of qualitative improvement and regulation and proper maintenance of norms and standards in the area of technical education. Since management education is entirely different from technical education and also given the fact that AICTE is over-burdened with the work relating to granting of approval, recognition, accreditation of programmes of technical education, etc. the Committee are of the considered view that AICTE should be divested the responsibility relating to grant of approval and recognition to management courses. The powers relating to grant of approval and recognition of management courses and programmes and their regulation should, therefore, be entrusted to a separate body.

NEW DELHI   UMMAREDDY VENKATESWARLU,
February 3 , 2004   Chairman,
Magha   14 , 1925(S)   Committee on Estimates.