



सत्यमेव जयते

REPORT
OF
THE UNIVERSITY REFORMS
COMMITTEE, BIHAR
1973

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MEMBER-SECRETARY.

Shri V. V. Nathen, Special Secretary to the Government of Bihar, Education Department, Patna. Member, Indian Administrative Service.

INTRODUCTION

In presenting this modest-sized report the members of the University Reforms Committee do not claim it to be treated as the last word on the vexed and complicated problem of reforms in university education, administration and governance. Our task was stupendous, and considerable effort was required of my colleagues and myself in reaching our conclusions. We had the advantage of discussing the issues involved with two Chancellors, members of the Government educationists, present and former Vice-Chancellors, former members of the administrative and academic bodies of different universities in Bihar, representatives of teaching and non-teaching employees of the university, representatives of youth and students' representatives and a cross section of individuals interested in higher education.

The recommendations contained in this report have to be viewed in the prevailing conditions of Bihar.

Education to-day has become a subject of wide interest. The newly emergent nations have rightly considered the fight against ignorance as the most effective instrument to catch up with the developed and industrialised nations and achieve technological equality with them.

Awareness is now growing that the academic models copied from western nations are not suited to their needs and conditions and is thus compelling these nations to bring about wide reforms.

The technological revolution, mass media and cybernetics have made it possible for the remotest corners to feel the impact of the fast changing conditions in the world.

The vigorous protest by youth is considered by some as a sign of dissatisfaction with the form and content of the present day (traditional) system. Limitations to adopt itself to the fast changing scientific developments make the academic models unsuited to the present day needs of society.

Education has to fulfil social needs and this can only be done if we are able to rescue it from its present day maladies of repetitive expressions, memorising rather than reasoning, and linkage with diploma-oriented employment.

Education in its content and form must be of such a nature that it is able to prepare the individual to face the challenges of a scientific world, to decide for himself the priorities and take full advantage of the new possibilities in thought and action brought about by the technological revolution. The student must have a scientific frame of mind. The artificial distinction between humanities and sciences has to go.

To achieve this object existing inequality in educational opportunities has to be eliminated. The content of education has to be recreated and restructured in order to be able to assimilate the impact of technological revolution and technical knowledge.

With this end in view we must plan pre-elementary, secondary and higher education. Our terms of reference preclude such a wide scope. However, we are making a passing reference to this aspect in order to draw the attention of Government and society for urgent action to explore ways and means to make science and technology form part of all educational activities, design for children, young men and adults.

We have suggested experimentation with the university idea of "open university", the adoption of correspondence courses, part time study courses and "multiple entry" system, the separation of undergraduate studies with a view to take care of the explosion in numbers in the ranks of students. The Government may get the ideas examined in greater detail.

Before concluding I consider it as my duty to thank all those who took special interest in helping the committee by coming over for discussion or sending their views in writing.

I am specially indebted to the members of this committee for devoting so much of their time and attention to this problem of university reform. Mr. S. Dutt, Vice-Chancellor, Patna University, did not miss a single meeting and his presence was always a source of inspiration to other members. Dr. B. R. Seth, Director, B. I. T., Mesra in spite of his very busy programme was kind enough at my request to give priority to this work. Prof. Devendra Nath Sharma, Vice-Chancellor, Shri Kameshwar Singh Darbhanga Sanskrit University was very helpful to me and to the committee. His long experience as a teacher was useful to us in our deliberation. Dr. B. Mukhopadhyaya despite his other pre-occupations and the serious illness of his wife, devoted undivided attention to matters before us. The members of this committee on some days continued their deliberation to late hours to find workable solution to the problems.

Shri V. V. Nathen, I.A.S., our Member-Secretary is a hardworking and an officer full of zeal and determination. In fact during the last few months his untiring efforts and his capacity of persuasion were mainly responsible for bringing out this report in a reasonable time.

With the departure of Shri Bhogendra Jha, Deputy Director (Higher Education) as Registrar, Mithila University, it was left to Mr. Nathen to work single handed when the work of the committee was at its peak.

The members of the committee desire me to give full expression to their praise for Shri Nathen and place on record the committee's commendation and high praise for the splendid work done by him.

Last, but not the least, I must express my thanks, to my Personal Assistant, Shri A. K. Mukherjee who in spite of being busy with the work of my office gladly attended to the very hard work of taking dictations and typing out the draft report.

I humbly present this report for the consideration of the Government.

ZAWAR HUSSAIN,
Chairman.

CHAPTER I

THE TASK AHEAD

The principal task

1.1. The University Reforms Committee was constituted under Government Resolution no. 665, dated 17th May 1972 with the objective of studying the existing structure of the universities of Bihar and in the light of the experience of their working and recent developments, to suggest a suitably reformed structure to ensure better working. A copy of the Resolution is at Appendix I.

Present University Acts and their historical development

1.2. The universities in Bihar are governed by Acts of the State Legislature. The universities of Bihar, Bhagalpur and Ranchi are governed by the Bihar State Universities (University of Bihar, Bhagalpur and Ranchi) Act, 1960. The Patna University and the Magadh University are governed by the Patna University Act, 1961 and the Magadh University Act, 1961 respectively. The Kameshwar Singh Darbhanga Sanskrit University Act, 1965 is the relevant Act for that university. The Mithila University which came into existence on the 5th August 1972, is governed by the Mithila University Ordinance, 1972.

The structure of all these universities is similar with a Chancellor at the head, the Vice-Chancellor as the Chief Academic and Executive Authority, the Senate as the supreme governing body, the Syndicate as the chief executive body and the Academic Council as the chief academic body. In financial matters, the Vice-Chancellor has the assistance of a Treasurer who is appointed by the Chancellor. The structure is thus broadly similar to that of other universities in the country and is basically the same structure which was given by the British to the universities set up by them.

1.3. The Patna University was the first university set up in 1919 as an affiliating university. In 1952, the Bihar University came into existence and the Patna University was converted into a teaching-cum-residential university with jurisdiction over the Patna Municipal Corporation area. The jurisdiction of the Bihar University extended to the rest of the State.

Later, in 1960 the Bihar University was split up into Bihar, Ranchi and Bhagalpur Universities, all teaching-cum-affiliating universities with jurisdiction extending to the Tirhut, Chotanagpur and Bhagalpur Divisions respectively. The Patna University was converted into a teaching-cum-affiliating university with jurisdiction extending to the Patna Division. In 1961 another teaching-cum-affiliating university called the Magadh University was created to serve the needs of the Patna Division and the Patna University was reconverted into a teaching-cum-residential university with no affiliated colleges. In 1972 the Mithila University which is also teaching-cum-affiliating university was set up by carving out portions of territory out of the Bihar and Bhagalpur Universities. In addition, there is a special type of university, viz., the Shri Kameshwar Singh Darbhanga Sanskrit Vishwa Vidyalaya catering to Sanskrit and its allied branches of learning. This university has jurisdiction in 'India and outside'.

Enquiries on universities

1.4. For the past decade and more, complaints about the working of the universities have been coming to notice. There have been many individual grievances in appeals, etc. to the Chancellor against decisions taken at the universities. In addition

the Chancellor has also been exercising his authority to quash decisions of the university bodies under the powers given to him under the Act. Further both the Chancellor and/or the State Government have ordered a number of probes into the universities on serious allegations of mismanagement, corruption, misuse of power, etc. The most important among them is the University Enquiry Commission set up in 1966, which after a very detailed enquiry submitted separate reports on each of the then universities in the State. There have been a number of probes on specific allegations against individual officers and bodies. To name some of them the Justice Banerji Report, Patankar Report, K. S. V. Raman Report, Report of the U. G. C. team under Prof. Wadhis—all on Bihar University. Shri Abraham had enquired into the affairs of the Magadh University and its constituent Gaya College

Observations of University Enquiry Commission on the state of universities

1.5. The University Enquiry Commission appointed in 1966 made detailed enquiries into the working of each of the universities. In addition to visits to universities, colleges, etc., it had also a team of auditors to check the University Accounts. So their observations are a valuable guide to the functioning of the university bodies and generally the universities in Bihar.

The following extracts from the Report of the University Enquiry Commission give a succinct appraisal of the general situation in the universities as that Commission found it :—

“The Syndicate has not been very circumspect and responsible in the discharge of its duties. It has squandered the finances available.”

“Decisions arrived at are not on considerations of justice and fair-play, not on considerations of academic rightness and propriety but on extra academic, i. e. political, caste or group considerations.”

“The Syndicate is usually divided into groups and these groups are not always the same. They keep on shifting and changing and new and ever new combinations are formed as a result of varying pulls and pressures.”

“We are again constrained to observe that the teachers set a very bad example to the students. They are unpunctual, they do not study, they quarrel among themselves over petty things, they spend their time in dancing attendance on politicians or men in power who can advance their cause. They indulge in casteism and groupism and favouritism and nepotism. They have their favourites among the students whom they push up and patronize and mostly these favourites are students belonging to their own caste.....”

1.6. The situation in the universities continued to deteriorate. Academic standards had generally gone down and the products of the universities found that they were sometimes not called even for interviews by the employers though otherwise qualified Examinations were sullied with adoption of unfair means and disorderliness on a large scale in many places. It was the general belief that a war of attrition was being fought out between the various sectors of the university with no holds barred. Even the optimists only considered it a slightly exaggerated picture. The State Government who have the responsibility for general well-being and development of the society and over-all, although not immediate responsibility, for the proper functioning of the universities stepped in. In April, 1972, the Governor of Bihar promulgated an Ordinance through which (i) the existing membership of the Senate, Syndicate, Academic

Council, the Finance Committee and also the tenure of their existing Vice-Chancellors were terminated; (ii) new Vice-Chancellors were appointed and powers of the superseded bodies were vested in the Vice-Chancellors.

1.7. Our Committee have had the benefit of not only looking into the enquiry reports in detail but also all the handling of recommendations at different stages. We have also had the benefit of discussing with the persons concerned about the situation in the universities.

Visits to universities

1.8. The Committee has visited all the universities in the State and met persons from all sectors of society concerned with the universities. We have had the privilege of discussions with senior and junior teachers, student representatives, representatives of the non-teaching staff and others interested in higher education. These discussions have been of immense value and given us a real insight into the problems facing the universities of Bihar today.

Goal of mass education and excellences

1.9. In making our recommendations we have had as our central objective as to how the universities could be turned into real centres of learning and knowledge and how the students of the present and future generation could be enabled to get the best out of the time they spend in the university.

For the fulfilment of this objective we have kept in view the claims of both quality and quantity, i. e. development of excellences as well as higher education for increasing numbers.

While we have to ensure that our system of higher education nurtures excellence for the higher levels it is also necessary that the average young men of our country are also developed into a good citizen and a good worker. Provided with the right atmosphere and teachers of calibre the academic attainments of our youth can be far higher than what they are today. By proper institutional arrangements we can provide not only for achievement of excellence as a way of life, which should be the goal of our top students, but also sound education for the general mass of students who will be the bed-rock of the nation. These goals need not be dreams and can be achieved by sustained joint efforts of our teachers and students.

1.10. Consequently, our more recommendations are on the following lines :—

- (1) The universities should be made real centres of learning by creating proper conditions for the teachers and the students.
- (2) The efforts of the universities should be concentrated on higher academic studies. Only post-graduate and (high level) special honours courses should be retained in the direct charge of the universities.
- (3) All under-graduate courses should be handled in colleges and should be controlled by separate boards of the universities under the chairmanship of the Rector.
- (4) The existing constituent colleges should be taken over by Government from the universities and run through an autonomous board.
- (5) Adequate arrangements should be made to provide for those who desire higher education but cannot be taken as regular students.

- (6) The choice of the Vice-Chancellor should be done with great deliberation and care.
- (7) The university bodies should be sufficiently homogenous with capacity for objective decisions and timely action based on representation limited to those interested in or involved with the university. The Chancellor may have reserve powers for corrective action whenever any university body or officer errs. Suggested reforms have to be such as to reduce groupism, etc., in the university.
- (8) The selection of teachers for the universities and colleges should be made for each university by the academicians themselves and not by State level recruiting bodies outside the universities.
- (9) To enable teachers to function with security and academic freedom, in the matter of appointments and discipline of teachers the Executive Councils of the Universities and the College managements should be bound by the recommendations of committees set up for the purpose.
- (10) To bring about close liaison and to provide a forum for regular dialogues between the students and the university authorities student councils should be set up in the universities and the colleges. Students should be represented in the courts (Senate) of the universities.
- (11) Close Teacher-Student relationship has to be established for which joint teacher-student councils in every university department and colleges should be organised in which all matters of common interest like programmes and progress of teaching, etc., should be discussed.
- (12) The courts should be deliberative bodies. Academic bodies for the courses conducted in the universities and for the courses in the colleges should be separate.
- (13) The colleges (now under governing bodies) should be managed under a two tier system. The individual colleges should have management committees to manage day-to-day problems. In addition, colleges should be grouped into 'clusters' at district levels with 'cluster councils' dealing with matters such as appointments and discipline of teachers, budget, etc.
- (14) These "cluster council" would enable academic mobility and transfer of personnel from one college to another in the same "cluster".

CHAPTER 2

TOWARDS EXCELLENCE

Aims of Higher Education

2.1. The aims and principles of higher education have been discussed in various learned treatises and reports. In this report we shall attempt to define the aims of higher education in the conditions existing today in our country.

Any assessment of university education will have to take into account the claims of both quantity and quality, independence and integration, academic freedom and national interests, research and teaching, specialisation and general education, concern for objectives and concern for orientation. No report can do full justice to all these claims but it can bring out the fact that if the universities do not re-orient themselves in the light of these claims they will be compelled to do so in a not too pleasant way by forces outside themselves.

In a democratic set up the objectives of higher education will be both mass education and excellence, the balance being determined by conditions existing in each university. Socialization stresses members, rapid progress demands excellence. The young man of today, educated in portals of higher education, will be looked upon by society to assume leadership and help society to meet the challenges of the times. In a vast under-developed country with prevalent mass illiteracy, this role is almost thrust upon the educated men and women irrespective of individual fitness for the role. In any economy of prevailing scarcity, a person who receives higher education uses up more than his due share of the society's available resources and having done so, cannot decline to fulfil the expectations of his less fortunate countrymen. How can leaders be produced? The question is not a new one and answers have been many and various. No simple formula and no answer in terms of any simple language will be of any satisfaction in a fast changing world. It may be found that some essential elements have been left out.

2.2. Right from the times of Confucius, most men have come to higher education only with the aim of securing higher pay and higher status than others. In the ancient Universities of India, learning may have been for the quest of knowledge and motivation of those who attended these ancient universities was said to be the pursuit of pure knowledge. Our own times are different. Most students pursue higher studies with the hope that it would be of significance to their future careers. So a good general education with provision for instruction in skills may be required to equip men and women to grapple with the challenges and problems of the times.

2.3. Producing cultivated men and women would always be an aim of higher education and so great stress will have to be laid on it. Another high aim would be that teaching should promote the general powers of the mind. Even where education is concerned with specialisation, it must be on a foundation of generalisation, to enable their application to the multitudes of problems and situations.

Pursuit of Truth

2.4. As has been often said and it will always be so, the search and pursuit of truth shall always remain an essential function of the institutions of higher education. It is only when the advancement of knowledge takes the nature of discovery that higher education would be significant.

2.5. India is a great country with a hoary tradition and culture. Its greatness lies in its capacity to assimilate the best in what is given to it from foreign sources and adapt it to its own traditions. Perhaps there can be no higher aim and a more fundamental objective than a transmission of a culture so synthesised and consciousness of a common citizenship of a great country. The greatness of this country never lay in its arms or physical might but always in the wealth of the mind. So an imperative function of education, whether it be in the schools or in the colleges or in any other institution, would be to instil into the minds of our young men and women the bonds of our integrated culture and common citizenship and the social habits required for a healthy and growing society. This function of education has great importance to a country like ours ideals of equality of opportunity and life are being translated into realities in a quasi-feudal background with cross-currents of anti-national feelings, divisive forces and a general social frustration of a stagnant society which has at last started growing. Therefore combating all these negative forces, containing them and subordinating them to a common consciousness of citizenship and building a structure within the precincts of our own culture would be an ever present task for some more years to come. In this we have a great advantage that a strong common thread runs through our customs and traditions, bringing together languages, races and religion.

2.6. The broad objectives and high ideals we have referred have to be woven into workable programmes.

Exchange of students and teachers

2.7. As a first step towards greater understanding, the universities may have student and teacher exchange programmes from Universities outside the State. Apart from developing a national consciousness, academically also such exchange of teachers and students may set up healthy trends by the cross-pollination of ideas and experiences. The State Government have already taken some steps by keeping some seats reserved in the Patna Medical College for students of Jammu and Kashmir and the students of Bihar have a quota of seats in the Medical College at Srinagar. Similarly, at the University level also such reservation of seats should be attempted. This will be in addition to the student-exchange and teacher-exchange programmes. Development of such connections with other Universities of the country would, we are sure, tone up the atmosphere and break up the tendency to stagnation an ever present danger in a situation like ours.

2.8. Any academic institution derives its strength from the diversity of experience of its members which is available only if there is a free movement of higher personnel from institution to institution and from University to University. Mobility among the teachers, a common phenomenon in other parts of the world, is yet to become a general feature in our Universities. It is still an odd event. The general pattern appears to be that a person moves vertically upwards, when an opportunity arises. Even the movements among the Universities of Bihar have been nominal. While this no doubt helps to develop loyalty to the institution, this is generally to the exclusion of other equally desirable features in the higher academic personnel.

Sharing of talented teachers and toning up of University departments

2.9. In the picture today the general belief is that among all our Universities, Patna University's academic staff are of better calibre and standing with odd exceptions. The talents' shortage in other Universities has come to the forefront and of

late the Vice-Chancellors have been asking for transfer of teachers among the six Universities of Bihar so that the available talents could be shared. This is no small tribute to the Patna University that despite the vicissitudes which it passed through they have been able to keep up the standards. It is also true that a good teacher is always attracted by a University or a college of high standing. A newly-started University to that extent may be at a disadvantage. So the established Universities with talents in any department should be able to spare good teachers for a period of 5 to 10 years to the new Universities so that the departments there may be built up. While this looks so simple to suggest, its operational difficulties are very many. Really good teachers are unwilling to go to new Universities mainly because the atmosphere and equipment for their nurturing is lacking. Secondly, the pick of the students of any year always gravitate towards the established Universities. In the absence of good students and good facilities the talented teachers may go unutilised or even be wasted.

2.10. So while talent sharing can be to a great extent beneficial, it should only be done in situations where potentialities for development exist at the receiving and also and is possible without undue harm to the lending University. A serious danger to be guarded against in our situation where good talent is already scarce, is that talent-sharing should not lead into inadequacy of talent everywhere to the common detriment of all.

2.11. On the other hand, there can be no gainsaying the fact that if there is good talented staff from the beginning, the academic performance and standing of the department blossom rapidly. So we would suggest that in the new Universities if direct recruitment cannot attract good talent there should be no hesitation on the part of the older Universities to spare their teaching personnel, specially at the middle level and helping a sister University to build up on a sound basis. The periodical meetings of Vice-Chancellors being suggested for inter-University consideration should regularly examine such issues and make suitable arrangements.

Multiple points of entry

2.12. Special arrangements have to be envisaged to take care of the large masses seeking higher education whose needs cannot be met by the existing normal pattern.

2.13. The courses of study on the present pattern envisage only a single point entry. When a person enters the institutions he must do so in the first year of the course. The present system has many advantages. The students should have a continuous spell in which to devote their whole time to studies. The mass consciousness about the values of education, the higher education giving openings of more pay, etc., and a general requirement for qualified persons make it necessary to reconsider the points of entry to the courses of higher education. There are persons who due to personal circumstances are unable to spend continuous years in an educational institution and they come mostly from economically and socially under privileged classes. To provide for such cases, we would suggest that provision may be made for multiple entry. In this system persons who are unable to prosecute their studies continuously due to economic and other reasons will be able to do so in convenient instalments. This would *inter alia* mean that admissions to the second and the third year classes should also be available to a person who produces a certificate from a recognised institution that he has completed the previous years' study in the prescribed manner.

2.14. In this connection the Universities may consider whether the degree course should be split up into parts, each part being a complete entity in itself and only after passing all the parts together will a person be declared to have graduated. This would enable a student to pursue the study and appear at the parts at his convenience.

Programme of continuing education

2.15. Another point requiring attention in this connection is the provision for students who are unable to attend regular classes but would like to prosecute further studies. Persons working in factories, workshops and offices are for various reasons unable to absent themselves from work to attend wholtime courses while they have some spare hours which they desire to devote to studies. For this type of students we would suggest part-time studies either in the morning or in the evening. Naturally, the duration of the courses for such students would be longer than others. Some colleges have come up in the industrial belts of this State popularly known as "Evening Colleges". Since these colleges would not be able to provide all the facilities available to a regular student, not only the duration of studies should be longer but the evening colleges may be permitted to hold courses where considerable self-study is possible and teaching can be minimised. A new pattern of courses completely vocation oriented can also be tried out in these institutions.

Correspondence course

2.16. Another pattern of studies which could usefully be encouraged is the correspondence course. Some Universities also where have already started such courses and the experience gained and the structure of courses may be usefully studied and adopted to suit conditions in our State. Since the correspondence courses would entail a large load of work we would not advice all Universities in Bihar to take this up. Only the two older universities, i.e., Patna and Bihar may organise such courses, to begin with. We would suggest that separate institutions may be set up to handle the correspondence courses in those Universities.

Practical orientation to correspondence courses to enable self-employment or part-time employment

2.17. In the correspondence course a number of new innovations could be tried in the courses of studies. In the first place, course may be given a practical bias. Secondly, some courses could be specially designed for women who are not able to continue their education after marriage and now have free time as the family has grown up. In Bihar the number of women with higher education is lower than many parts of the country. Many women would like to get higher education for the general development of their intellect and personality. Further the courses can be suitably tailored not only to enable those women to be more efficient housewives and mothers but also wherever necessary to take up part-time employment or self-employment to supplement their family earnings. The availability of such courses would take away the main sting against our system of higher education, that it is too much book oriented and too much of a general nature for immediate use. Further all the products of higher education need not be exclusively engaged in higher intellectual pursuits. In a developing country like ours, where opportunities for self-employment are increasing day by day such courses of study can lead to self-employment or to part-time employment which would be a productive venture both from the individual and the nation's point of view.

Open University

2.18. Another suggestion considered was the open University. The first open University in the World has been recently started in the United Kingdom. In January, 1971, the first batch of students of the open University in the United Kingdom started their courses of study. The idea behind the University, according to those who planned it, was to give to the people over 21 years of age the opportunity of continuing education for degrees by study in their own spare time. It is intended to provide post-graduate courses also later. The three innovations of the open University are: (i) there is no minimum qualification for admission, (ii) there is wide choice of subjects, many of which are different from traditional courses and (iii) examinations can be taken in a widely spread-out manner. The potentialities for such course in this country are tremendous and we have no doubt that such "Open" courses of studies would help to tap a large potential in this country which lies dormant due to lack of opportunities. The open University of the United Kingdom has a programme to sell and lease out the courses of study, including lessons, materials for radio and television broadcasts, new kind of text-books and other course materials. As this is a new experiment, we are not straightway recommending its adoption but would advise that the State Government should set up a high level academic committee which should examine in detail all the necessary issues and after consultation with the University Grants Commission and the Inter-University Board and consider starting this system in one University of the State.

Educational opportunity for the masses

2.19. We have suggested the multiple entry system in order to accommodate the weaker sections of the community who are unable to bear the strains, financial and otherwise of continuous courses of study but can attempt it in convenient stages, and working their way in between the courses. The part-time courses and the correspondence courses would be for people who are already employed and have the means to continue the education but due to locational and other difficulties are unable to pursue long-term courses of study. The open University is entirely a new experiment to help mass education. All these suggestions have been aimed with one purpose namely, that avenues of higher education should not be denied to any one fit for it on account of unfavourable local and economic circumstances for which the individual himself is not responsible. This would also ensure that the regular students are not adversely affected by the enrolment explosion and mass desire for higher education. With the limited resources at the State's disposal, the number of regular students who can be put through regular courses of study would always be limited and would be only a small proportion of those wanting higher education.

2.20. In the academic sphere all goals have to be attained by the efforts of teachers and students. Society can only make available the 'infrastructure' to assist their efforts. In a developing country, with all round inadequacy of resources, society's assistance may not be on the desired scale. Our teacher and students would have to reach their goals under this handicap. Achievements of human civilization have mostly flowed from adverse surroundings. Physical facilities have never been and can never be the limiting factors for devoted and dedicated men in their achievements. No society can provide what is not within its means. It would be worthwhile to remember that India's contribution to the human race never came out of abundance or sufficiency but always from hardship and suffering. Compared to the past our educational facilities are better placed but what is lacking is the spirit and

striving for achievement. This can be remedied by teachers and students by proper attitudes to the values of life especially to work. Efforts flowing from inner urges become a habit and have been productive of great attainments. Excellence is a dynamic concept with ever changing frontiers and ceaseless striving is called for and sense of achievement is the prize it offers. The words quoted below though uttered in the last century by a great saint, philosopher and dynamic thinker this country has produced, succinctly and aptly sum the needs of our country today :—

“Can anything be done unless everybody exerts himself to his utmost?

FORWARD : We want infinite energy, infinite zeal, infinite courage, and infinite patience, then only will great things be achieved.”

CHAPTER 3

THE CHANCELLOR

Governor as Chancellor

3.1. In Bihar, right from the beginning when Patna University was first established, the Governor of Bihar has been the Chancellor of the University and this position has continued after the number of universities in the State has multiplied. In almost all the States of our country this is the position. The powers, functions and duties assigned to the Visitor in a Central University and to the Chancellor in Bihar are similar. The University Acts of Bihar very aptly describe the Chancellor as "Head of the University and President of the Senate".

Presiding Officer of the Senate

3.2. The Gajendragadkar Committee has recommended a separate Chancellor whose only duty would be the privilege of presiding of the convocations of the university but who would not be saddled with any administrative authority or responsibility. To quote from it, "In other words, the idea in making the recommendation is to associate some distinguished citizens in the State with the universities". The need for a separate Presiding Officer for the Senate was pressed before us, on the ground that the Chancellor seldom preside over a Senate meetings. It is invariably the Vice-Chancellor who chairs the Senate meetings. The Vice-Chancellor and his administration are subjects of interpellations, motions, etc., in the Senate. The Vice-Chancellor as the Presiding Officer has the right to conduct the proceedings according to his own judgment. Hence it was urged that the Presiding Officer should be different from the person directly associated with the university administration. We consider that the functions of university bodies should not be mixed up with the parliamentary forums where there are treasury benches and opposition benches with a neutral Speaker guiding the deliberations. Viewed in the perspective of an academic institution the argument for a separate Presiding Officer loses its force. Further, in the set up we have recommended, the court as we propose to call it, would only be a deliberative body. For these reasons, we are not suggesting any change in the existing system.

Power of visitation

3.3. An important power of the Chancellor is the power of "visitation", i.e., the power to order an enquiry into any aspect of university administration and teaching. There has been unanimity of views that the power should be continued to be exercised by the Chancellor. There have been number of enquiries of general and specific nature about the state of affairs in the universities of Bihar. Unfortunately, the follow-up action on the recommendations of these reports has been very tardy. Once the procedure of giving an opportunity to the university bodies to give their views on the report has been gone through and the Chancellor takes a decision, there should be no further delay in implementing the directions based on the recommendations as finalised by the Chancellor. We would suggest that suitable provisions may be made in the Act that it would be the responsibility of the Vice-Chancellor to carry out the directions of the Chancellor after any "visitation" of a general or specific nature. No university body would have any jurisdiction to take action contrary to the directions given or which in any way has the effect of impeding its implementation.

Power in cases where general interest of the university is involved

3.4. The Chancellor's present powers to interfere in the universities are limited to matters involving violations of the Act, the Statutes, the Ordinances, the Regulations and the Rules. In no other cases will be able to exercise any authority. Our recommendation would be that on a reference to the Vice-Chancellor the Chancellor may exercise his judgment in all cases where a decision of any university authority, officer or body is not in the interest of the university as a whole, even though the decision may not have violated the Acts, the Statutes, the Ordinance, etc., except those relating to service matters of university employees including teachers.

3.5. It has come to our notice that large number of appeals to the Chancellor have been filed which relate to service matters of teaching and non-teaching staff of the university in which ground taken is some violation of Act or some service statutes. This imposes a very heavy work load on the Chancellor's Secretariat. This also places a high dignitary like the Chancellor in a position of having to consider detailed issue which can be more conveniently handled by some other agency. Many teachers' representatives who appeared before us also complained of delays in disposal of service appeals. Keeping in view the above facts, we recommend that the system of submission of appeals in service matters to the Chancellor may be discontinued and provision may be made for disposal of such cases by arbitration, the details of which may be provided in the relevant statutes of the university.

3.6. An issue was posed to us whether the Chancellor should not consult the State Government in all important matters. There is no gainsaying the fact that close co-ordination should exist between them. While not involving ourselves in the niceties of the constitutional position, we would suggest that the arrangement similar to the one followed by the visitor for Central Universities may be followed here also. Since this arrangement has not been considered to be any diminution of the autonomy of the Central Universities, no fear on that ground need exist.

3.7. Except for the modifications we have suggested, the existing powers, duties and functions of the Chancellor may be retained.

CHAPTER 4

THE VICE-CHANCELLOR

Role of a Vice-Chancellor

4.1. The Vice-Chancellor is the key appointment in any university. Lord Robbins Committee on Higher Education have summed up his role in the following terms :—

“His is a role which probably unfortunately, is seldom precisely spelt out in written constitutions. Yet, it would be difficult to averstate its importance particularly in a period of expansion, which calls for imagination and continuous initiative. There is a grave danger that the needs of expansion and the increasingly complex relations between institutions of higher education and Government will impose upon the heads of universities a quite insupportable burden. He must be at the centre of all discussions involving broad questions of internal policy or relations with the outside world. He must represent his institution in all formal or informal meetings and he must be aware, in general, of developments in the various branches of learning. No other enterprise would impose on its Chairman the variety and burden of work that the modern university requires of its Vice-Chancellor.”

4.2. Adding to the above, the Model Act Committee have described his functions in the following terms :—

“The Vice-Chancellor is by far the most important functionary in a university, not only on the administrative side but also for securing the right atmosphere for the teachers and the students to do their work effectively and in the right spirit.”

Special problems of Bihar

4.3. The burden of the Vice-Chancellors in the universities of Bihar has added complexities due to the local problems of this State. Thanks to the development plans, there has been a rapid expansion in higher education and this expansion has been done at a “forced” pace with the result that the institutions of higher learning in the State of Bihar have had no time to develop on their own. It is analogous to further growth being forced upon an animate body while the earlier growth had not been fully assimilated by the system or is in the process of absorption. This expansion has also come at a time when there has been a socio-economic flux in the country. A stagnant colonial society suddenly became politically free and while trying to shake off its shackles also tried to catch up with the developed countries of the world. As is inevitable in such a process, form and substance got mixed up in the minds of common people, leading to frustration and unrest. This is more so in the case of students, who are young and impressionable. So the management problems of a university demand qualities of leadership of a high order in diverse fields. The decisions of the university and the Vice-Chancellor’s actions have their effects on different sectors of society in different ways. In an underdeveloped and stagnated society struggling with the problems of growth also, such decisions are

generally viewed in the individual's limited perspective. Thus, we often see imputations of caste and sectional favouritism being hurled on decision makers by those to whom such decisions are not palatable. Further, the nature of the duties is such that the Vice-Chancellor has to tackle them from his lonely heights. Thus the difficulties under which a Vice-Chancellor would be functioning in a university of the State call for qualities of leadership, initiative, public spirit and academic commitment of a more demanding variety than perhaps in universities in other parts of the world who have the good fortune of operating in happier conditions.

4.4. Having said this, we would like to add that it is our belief that the problems is not beyond retrieval. We have sufficient number of men of high calibre possessing qualities of leadership who can be reasonably depended upon to turn out a good job if due support is available from the State Government, the academic world and the student community. It is from this point of view that we have looked into the procedure for the appointment and other service conditions of the Vice-Chancellor.

Present appointment of Vice-Chancellor

4.5. So far in Bihar, the Chancellor makes the appointment of the Vice-Chancellor and determines his conditions of service. The Acts do not specify any procedure to be followed by the Chancellor in making the selection of the Vice-Chancellor. It has been sometimes argued that the Governor of Bihar is the Chancellor of the universities in his capacity as Governor. Under the Constitution, the Governor has to perform his duties as Chancellor also with the "aid and advice" of the Council of Ministers. Even if he does not consult them on routine matters coming up before him as Chancellor, the Governor is bound to consult his Council of Ministers at least in important matters relating to the universities, and one of such important matters would be the appointment of a Vice-Chancellor.

4.6. Our attempts to find out how a Chancellor appoints a Vice-Chancellor have led us to the conclusion that there appears to be no settled procedure in this matter. Even if consultations have taken place, it does not appear to have been of a formal nature. In quite a few cases, specially in the recent past, it is not clear if appointments of Vice-Chancellors had not been made on the individual judgment of the Chancellor. So far no convention appears to have been built up in Bihar regarding the procedure of appointment of Vice-Chancellor.

4.7. There has been almost unanimity of views amongst the persons with whom we have had discussions that the appointment of the Vice-Chancellor should continue to be made by the Chancellor, but he should have some advice in the matter.

Suggestion for election of the Vice-Chancellor

4.8. A suggestion was also made that the Vice-Chancellor should be elected by the university bodies preferably by the Senate (or Court). This is the system which prevails in a few universities of this country and outside. The Bihar Education Reorganisation Committee (1940) had recommended this mode of election but this was not accepted. Any system of election would bring into play the entire package of practices of an election. The possibility of unhealthy overtones of an election vitiating the academic atmosphere cannot be ruled out. The risks are greater where the electorate is small and divisions are sharp. This has to be avoided, if the

academic activities of the university are to be run smoothly. Further, in elections the candidates considered are from a closed group. For competent and really suitable men it would be necessary to cast the net wide. Wherever a competent man is spotted he has to be persuaded to take up this onerous task. A Vice-Chancellor selected on the basis of election may find himself in an unhappy situation. His decisions and actions may be imputed with motive of factional and group favouritism. With objectivity of his decisions questioned, implementation becomes difficult and the Vice-Chancellor may find himself checkmated in every action. Some Vice-Chancellors may take the easy way of aligning themselves with the powerful group to get support for their decisions. This will taint all the actions of the Vice-Chancellor. So for these reasons we do not support the method of election of Vice-Chancellors.

Proposed mode of selection of Vice-Chancellor

4.9. At the request of the State Government, the Committee had submitted an interim report on the mode of selection and other conditions of service of the Vice-Chancellor. We had recommended that the Vice-Chancellor should be appointed by the Chancellor out of a panel of three names arranged in alphabetical order, suggested by a Selection Committee composed as follows: (i) the Chief Justice of the State High Court—Chairman, (ii) a nominee of the State Government and (iii) a nominee of the Executive Council—this nominee of the Executive Council should not be a member of any university body nor he should be an employee of the university or any college, constituent or affiliated thereto.

Need for Chief Justice as Chairman

4.10. The Chief Justice of the State is a very high personage next only to the Governor and is conversant with eminent men in all walks of life in the State. He is a person who both by training and because of the high office he holds, can be expected to be objective in his decisions. He commands high respect in the State. In the universities of the neighbouring State of Uttar Pradesh, a nominee of the Chief Justice heads the Committee. We, however, feel that the position of a Vice-Chancellor has to be kept very high especially after the events in the last few years culminating in the State Government suspending the university bodies and replacing the Vice-Chancellors in April-May, 1972. We know that we will be placing some burden on the Chief Justice by this recommendation. We are aware of the various calls on his time and that his pre-occupations are very heavy. But still we feel compelled to do so in the interests of higher education in the State. To secure the appointment of Vice-Chancellors of very high calibre and to ensure that a high prestige attaches to the appointment, the selection should be by a very high power committee headed by no less a person than the Chief Justice of the State High Court.

Need for State Government representative

4.11. Next we have suggested that a nominee of the State Government should be a member of this Selection Committee. In the patterns suggested by the Gajendra-gadkar Committee, a nominee of the Visitors/Chancellor is a member of the Committee. We considered this in every detail. The Chancellor would be making the final appointment from the panel suggested by the Selection Committee. If a nominee of the Chancellor is himself associated with the panel, then there may be a feeling of Chancellor's involvement. The views expressed by the nominee of the

Chancellor during the discussions can often be misconstrued as those of the Chancellor himself or at least representing his wishes or as an indication of his line of thinking. We would like that no ground should exist for suspicion or inferences of a pre-commitment of the Chancellor to any name in the panel. Hence, we are not in favour of a nominee of the Chancellor being a member of this Committee.

4.12. The State Government are deeply involved with the functioning of the universities. The State Government provides almost all the funds required by the universities and has the general responsibility to help the university authorities to enable their normal functioning. In cases of student unrest, etc., the Vice-Chancellor looks to the State Government to provide him with adequate support in his action as also to safeguard life and property in the university. Unrest in a university often develops into threats of violence to person and property. In almost all such cases, the head of the institution, be he the Vice-Chancellor or the Principal, has to call in the law and order authorities for assistance. Even the conduct of examinations sometimes requires large-scale police arrangements in order to prevent any harm to invigilators checking use of unfair means in examinations and also to curb interference by outsiders. We find that strict instructions exist to the law and order authorities that they should not enter the campus of universities or educational institutions unless asked to do so by the head of the institution, except in cases where crimes not associated with student unrest are committed. Adequate assistance from the law and order authorities has helped the recently appointed Vice-Chancellors considerably to restore normalcy in the institutions and ensure the conduct of examinations in an orderly manner. The autonomy in the universities, we are happy to find, had not been in any way infringed because of this close co-ordination between the State Government authorities and the Vice-Chancellor.

4.13. The universities are ultimately to serve the community at large. The State Government which has the overall charge of the general well-being and the progress of the community should be directly associated in the selection of the Vice-Chancellor of the University. We do not wish to restrict this nomination by the State Government to any class or category of individuals or to persons holding certain offices. We would expect that the State Government would send as their nominee a person who is known for his high integrity, acquaintance with the academic world and close acquaintance with the worth and work of the leading men in various walks of life.

Need for nominee of the Executive Council

4.14. The third member of the Selection Committee would be a nominee of the Executive Council. We have made this provision so that the university is involved in the selection of its principal executive. The Vice-Chancellor would have to work closely with the Executive Council in the performance of his duties. So it would considerably assist the Vice-Chancellor in the performance of his duties if the Executive Council has been associated in his selection.

Selection Panel

4.15. The Selection Committee should send to the Chancellor a panel of three names and the names may be arranged in the alphabetical order so as not to indicate any preference or merit. Thus the Chancellor would be free to make his choice from amongst the names in the panel.

Term of office

4.16. The present term of office of a Vice-Chancellor has been fixed at three years though the Vice-Chancellors appointed under the Ordinance have not been given any term since the validity of the Ordinance itself is limited under the Constitution and is being periodically renewed. The term of three years, in our view, is inadequate for a Vice-Chancellor to put through his scheme of development or to shape the university according to his vision. This is borne out by past experiences also. Almost all the committees that have gone into the question have recommended a term of five years with eligibility for reappointment for another term only. This, we would recommend, can be usefully adopted here also. A term of five years would give sufficient time for a Vice-Chancellor to fulfil his task in regard to the university. Normally, in all high offices, the tenure is kept for five years for similar reasons.

Age

4.17. Regarding the age, there is no restriction in the present Acts. The Gajendragadkar Committee have recommended that the Vice-Chancellor should retire on completing the age of 65 years. The newly enacted Aligarh University Act also contains a similar provision. We had recommended in the interim report that a person should not have crossed the age of 62 on his appointment or reappointment so that he would have completed 66 years after a 5 years' tenure. The Vice-Chancellor is a wholtime salaried official and has to perform arduous duties in the context of the prevailing conditions of the State. We find that maximum age-limit of 62 on first appointment or reappointment may rule out appointment of senior professors, who generally retire at 62 years. So we would recommend that ordinarily the Vice-Chancellor should retire at the age of 65 years.

Salary of Vice-Chancellor

4.18. The present salary of the Vice-Chancellor at Rs. 2,000 per month, was fixed in the year 1951. The living costs have since considerably gone up. There have been pay revisions for Government servants and other similar categories. In 1966, the University Grants Commission recommended higher scales of pay for the posts of Readers and Professors of the University. The senior professors of the university are now in the scale of Rs. 1,600—1,800, in addition to some allowance admissible to their categories. Further, they have additional earnings from examinership, etc. Thus, the fixed pay of Rs. 2,000 has proved a disincentive for senior professors accepting the appointment. People from other walks of life also do not find the pay attractive. The Gajendragadkar Committee have recommended a pay of Rs. 3,000 per month for the Vice-Chancellor which is followed in Central Universities. To attract persons of suitable calibre to this difficult post, we recommend that the pay of the Vice-Chancellor should be fixed at Rs. 3,000 per month.

4.19. Regarding other perquisites, the present Act provides for an unfurnished house to be provided free of rent. The Vice-Chancellors appointed under the Ordinance have been given a further facility of a furnished residence at a monthly rent of Rs. 100 and a car with chauffeur free of cost for official use. The Vice-Chancellor is expected to pay for use of this car for private purposes at the rates prescribed for State Government staff cars. These facilities may be continued for the Vice-Chancellors appointed under the new Acts.

4.20. Since the Vice-Chancellors are appointed on a tenure basis and are not entitled to any pension, they may be given the facility of contributory provident fund. The university's contribution may be given as for Professors of the University. Travelling allowance, provision of personal staff and other facilities may be given as for a Cabinet Minister of the State.

Powers of the Vice-Chancellor

4.21. The powers of the Vice-Chancellors have been enumerated in detail in the present Acts. We have studied in depth the workings and events of the universities in the past few years and have had discussions with the present and former Vice-Chancellors and others intimately connected with university administration. The Vice-Chancellor's position is not altogether a happy one in the sense that he has to carry out the decisions of the university bodies irrespective of whether he feels that the decisions are in the interest of the university or not. Under the present Act, he is empowered to refer to the Chancellor only those decisions which are, in his opinion, inconsistent with the Acts, the Rules, the Statutes, the Ordinances and the Regulations. Even here, he has only a power of making a reference. He does not have the power to stay the implementation of any decision. This appears to be a lacuna. Further, there have been, in the past, quite a few decisions of the university bodies which though not in violation of the Act, the Rules, the Statutes, the Ordinances and the Regulations have not been in the interest of the universities themselves or of the community in general. The Chancellor and the Vice-Chancellor have been finding themselves helpless in such situations. It is these decisions that have brought the universities in disrepute in the eyes of the public and sufficient safeguard will be necessary to prevent their recurrence. So, we recommend that the Vice-Chancellor may be empowered to stay the implementations of any decision which, in his opinion, is not in conformity with the Acts, the Rules, the Statutes, the Regulations and the Ordinances or is not in the interest of the university or community in general.

4.22. Under the present University Acts, when a university body is not in session, the Vice-Chancellor has been authorised to exercise the powers of that body. Under the present procedure, such decisions of the Vice-Chancellor are placed before the body concerned for ratification. It is only very rarely that such decisions of the Vice-Chancellor have been set aside by the university body. However, there is always a lurking possibility that the confirmation may be withheld or decision countermanded. It has been represented to us that the possibility of disapproval of the action of the Vice-Chancellor and embarrassing situation, even though a remote one according to some, must be avoided. Hence, it is recommended that such decisions of the Vice-Chancellors may be reported to the university body concerned at its next meeting. If the university body concerned is not satisfied, it may refer the matter to the Chancellor with reasons, whose decisions would be final. This arrangement would not only provide a way of avoiding a conflict but also give time to the university body to study the matter in all its aspects. It is also generally expected that a Vice-Chancellor would not take a decision which is not generally in consonance with the policy and line of action followed hitherto in the university.

4.23. It is our earnest hope and prayer that the universities of our State would have the good fortune of having as Vice-Chancellors, men of vision, dynamism, and high integrity and they would guide the universities towards higher and higher academic excellence.

CHAPTER 5

THE RECTOR AND OTHER OFFICERS OF THE UNIVERSITY

5.1. In the earlier paragraph, we have dealt with the responsibilities of the office of the Vice-Chancellor. In Universities in Bihar, the Vice-Chancellor is assisted on the administrative side by the Registrar and other officers and on the academic side by the Deans and Heads of teaching departments. There is also a provision for a Treasurer to be in charge of financial management. The post of Treasurer has been, except in a few cases, held part-time by a leading non-official. Our considered view is that the existing level of wholtime assistance for the Vice-Chancellor has been inadequate.

Need for Rector

5.2. The Vice-Chancellor's task has become so onerous that it is almost impossible for a single person to manage. He requires high level assistance not only to reduce the load on him but also that he may have some spare time for the various developmental aspects of the university and do long range planning. In many universities of the country, a Rector or a Pro-Vice-Chancellor has been provided to assist the Vice-Chancellor. We would prefer the designation of Rector instead of Pro-Vice-Chancellor so that there may not be any confusion regarding the status of this officer in relation to the Vice-Chancellor. This system will have the added advantage that many of the problems coming up before the Vice-Chancellor would have been to a great extent processed earlier by the Rector and the Vice-Chancellor would have the advantage of high level assistance in his task. Our examination of the structure of the university has also brought to light this weakness in the administrative set up. So we would recommend that every university should have a Rector who will also have the specific responsibility of handling the work relating to under-graduate studies and colleges.

Mode of appointment of the Rector and his service conditions

5.3. The Rector has to function as a delegatee of the Vice-Chancellor. As such he should be a person in whom the Vice-Chancellor has full confidence. So, we would recommend that the Rector should be appointed on the advice of the Vice-Chancellor by the Chancellor, for a term of two years, with eligibility for reappointment for one more term. However, we would like that the Rector should also cease to hold office on a new Vice-Chancellor entering his office.

5.4. The Rector should be a person of high academic standing and/or high administrative ability. He may be given a special pay of Rs. 250 per month in addition to his own pay, if in service, with a free unfurnished residence. If he is a retired hand, his pay will be fixed under the relevant Rules*.

5.5. The duties of the Rector should be prescribed by the Vice-Chancellor. This would be in addition to the duties entrusted to him under the Act.

*No one may continue as Rector beyond the age of 65 years.

5.6. The Financial Adviser would occupy an important position and we would suggest that he should be appointed by the Chancellor on the advice of the State Government in consultation with the Vice-Chancellor. He should be a person who has considerable administrative experience, and may be of a rank and status equivalent to a Senior Deputy Accountant-General (if a member of the Indian Audit and Accounts Service) or Deputy Commissioner of Commercial Taxes or a person who held a post not below the rank of Deputy Secretary to the State Government with experience of working in the Finance Department. The officer may have a term of three years and may be continued for a further period of two years. With the appointment of the Financial Adviser there will not be any necessity for the post of Treasurer.

Registrar to be tenure appointment

5.7. The Registrar of the University has been so far holding the key position as the head of the University office. The Registrar is appointed on the recommendation of the Public Service Commission and continues for years together till he superannuates. On the ground that it leads to the growth of vested interests, there has been a persistent demand for the past few years that no person should be allowed to hold the post of Registrar for years together as it happens at present. The Registrars themselves feel that a change periodically would be beneficial to them also in their functioning.

Alternative methods for filling up the post were considered, viz., (i) by direct recruitment, (ii) pool maintained for this post, (iii) by deputation from the State Government, (iv) selection from teachers and others in the universities. We would recommend that the Registrar should be appointed for a tenure of five years and generally should not be reappointed. Under these terms direct recruitment is unlikely to attract suitable persons. The second suggestion about a pool of officers for this post is unlikely to give satisfaction as there would be only six persons for the six universities. Thus both these alternatives may not provide a solution. If suitable teachers or others who answer the prescribed qualifications then they should be considered for appointment for a tenure. Generally speaking the post of Registrar may have to be filled by State Government servants on deputation. Government should not hesitate to send their best officers for such deputation.

Suggestion for I.A.S. Officers as Registrar

5.8. In this connection persons with knowledge of both the functioning of Government and the University have suggested that the Registrars of the University could be drawn from the Indian Administrative Service, having general administration background and standing in the State, would considerably help the University as also to provide the close liaison with the civil administration. While we would not like that the post be kept earmarked for the I.A.S., but if the local conditions so dictate and the Vice-Chancellors so desire, Government should readily send the officers on deputation.

5.9. For other posts in the university, selection committees may be set up by the Vice-Chancellors and the provision for these committees and their procedure may be made in the Statutes.

CHAPTER 6

THE COURT (SENATE)

Present Senate

6.1. In the Universities of Bihar the Senate has been described as the "Supreme Governing Body of the University". The powers and functions of the Senate have also accordingly been enumerated. Its membership also represents various sections of University community as also outside interests. The membership of the Senate varies from 108 to 120. The Senate only meets once in six months and the very size of the body precludes its handling management matters. It could with the best of will discuss only broad policies and programmes and can never take care of details which a supreme Governing Body should do. Unfortunately, due to its heterogeneous composition and size, the Senate was subjected to various pulls and pressures which were not in the interest of the university. The University Enquiry Commission, Bihar, in its reports had recommended abolition of the Senate after making critical comments about its functioning which to a great extent reflects the opinion commonly held on the working of Senates of the Universities.

The following extracts from the report are relevant in this connection:—

"The Senate is no longer a decorative body and it seems to have changed its character altogether in which dignity and decorum have been the first casualty. The business of the Senate is no longer carried on in a calm and dispassionate manner. It has become a scene of unseemly wrangling, at times resembling a fish market with members shouting at the Vice-Chancellor and at each other at the top of their voice and levelling all sorts of wild charges which they cannot substantiate. The Senators are seldom interested in the propriety of a Statute or Regulation or Ordinance, the discussions are seldom characterised by a concern for academic propriety or carried on in an atmosphere generally associated with the supreme Governing Body of the University. The wrangling and the bitterness that are there are the result of the general malady which seems to have afflicted our society. The Senators are motivated by narrow political, group or caste considerations rather than by considerations of academic rightness. Motions or resolutions or statutes or caste privileges and rights evoke lengthy, wordy, acrimonious and abusive discussion taking the bulk of the time of the Senate whereas important pieces of legislation (Statutes, Regulations and Ordinances, as the case may be) which affect the academic life of the University are passed even before the mover has had time to read out the motion and when there is any discussion it is so bewildering and unending.

The Senate is unwieldy and unmanageable, composed of heterogeneous elements and naturally, therefore, there is such an alarming diversity of views that the discussion becomes a veritable labyrinth through which it is all but impossible to find one's way. Moreover, a great many of the Senators do not seem to be familiar with the problems of higher education, do not possess even the minimum awareness and knowledge of academic matters, and therefore, the light that they threw on the problems of the University is not light but only darkness, unrelieved darkness."

6.2. On the basis of above observation, this Commission suggested as follows :—

“We must, therefore, face the fact that the Senate has outlived its utility. Like the prehistoric brontosaurus, it sprawls over the campus of the university lazily and is generally quiescent and harmless but once roused it thrashes about in blind fury doing more harm than good. It is time that it were given a decent burial. We, therefore, recommend that the Senate no longer be one of the University authorities.”

Necessity for a Senate

6.3. For any impartial observer there can be no gainsaying the fact that the Senate has long ceased to serve its original purpose. However, we do require a forum in the university where the interests from the outside world and also sectional interests of the university can be brought in contact with university administration. Further a forum with various interests represented would be the best place to discuss general policies and review programmes.

Court to replace Senate

6.4. We would recommend that the name of the Senate may be changed to “Court” which is more appropriate to its functions.

Court to be deliberative body

6.5. We would like that the Court should be a deliberative and consultative body and its function should be to discuss the annual report and the budget of the university and send comments thereon to the Executive Council.

Constitution of the Court

6.6. In the Constitution of the Court, we propose to do away with many of the old representations that have ceased to have any relevance to its functioning and are only relics of its historic past. We propose membership to those sectors of society who are really interested in the university and also add some representatives to make the Court fully representative of all interests concerned with the University.

The membership of the Court may be as follows :—

Ex-Officio.

- (1) The Chancellor.
- (2) The Vice-Chancellor.
- (3) The Rector.
- (4) The Financial Adviser.
- (5) The Education Secretary or his nominee not below the rank of the Deputy Secretary.
- (6) The Director of Higher Education.
- (7) The Director of Health Services, Bihar.
- (8) The Director of Technical Education.

- (9) Deans of Faculties.
- (10) Not more than a half of the number of Heads of University Departments who are not Deans, by rotation, for a term of two years.
- (11) Two Principals of Colleges under the University managed by the Autonomous Board, for a term of two years.
- (12) Ten Principals of other colleges to be nominated by the Chancellor from amongst the Principals of not less than five years' standing as Principals of such colleges who had sent every year for the last three years at least 100 regular candidates for the first degree examination of the University :

Provided that for the colleges in the Chota Nagpur Division and the district of Santal Parganas the number of such students may be fifty. The term will be two years.

Life Member (s)

- (13) Every person who after the commencement of the new Act, has donated to the satisfaction of the Chancellor, one lakh or more in one or more instalments in one calendar year in cash or in property of equivalent value to the University. In case of property, the donation would be valid only after the entire donated property has come into the possession, ownership and control of the University.

Representative Members

- (14) Two Readers and six Lecturers to be nominated by the Chancellor on the recommendation of the Vice-Chancellor, the nominees would be ineligible for reappointment.
- (15) Five persons to be elected by single transferable vote by the members of the cluster councils who are not employees or students of the University or a college. The persons so elected shall not be employees or students of the University or a college.
- (16) 10 persons who are graduates other than teachers to be nominated by the Chancellor on the recommendation of the Vice-Chancellor, of whom five shall be former students of the University.
- (17) Six members of the Bihar Legislative Assembly to be elected by the Assembly.
- (18) Two members of the Bihar Legislative Council to be elected by the Council.
- (19) One representative of the Indian Medical Council.
- (20) One representative of the Bihar State Bar Council.
- (21) One representative of the Bihar Hindi Sahitya Sammelan.

- (22) One representative of the Institute of Engineers (India), Bihar Centre.
- (23) One representative each of the linguistic minorities, viz., Urdu, Bengali and Oriya of the State to be nominated by the Chancellor, keeping in view the number of such minorities resident in the jurisdiction of the University.
- (24) President of the Students' Union of the University.
- (25) Two representatives of the Students' Council of the University.
- (26) One representative each from each cluster of the Students' Council in colleges of the cluster.
- (27) Two meritorious students to be nominated by the Vice-Chancellor for their academic distinction.
- (28) Two students who have distinguished themselves in Sports and other extra-curricular activities to be nominated by the Vice-Chancellor.
- (29) Two representatives of the non-teaching staff to be nominated by the Vice-Chancellor, from among the non-teaching staff of the University.
- (30) One representative of the non-teaching staff of the colleges of the autonomous board to be nominated by the Vice-Chancellor from among the non-teaching staff of the colleges.
- (31) Two representatives of the non-teaching staff of colleges (other than those managed by autonomous colleges) to be nominated by the Vice-Chancellor from among the non-teaching staff of those colleges.

6.7. The term of office of representative members will be two years with effect from the date of their respective election or nomination as the case may be.

6.8. Our attempt has been to provide a Court which is functionally representative. We have omitted the hereditary membership in this body which seems an anachronism in a fast changing world. This is more so in an academic body like the University which usually heralds multifarious changes in society.

CHAPTER 7

THE EXECUTIVE COUNCIL (SYNDICATE)

Present Syndicate

7.1 So far, the Syndicate has been the chief executive body in all the universities. In the present composition of the Syndicate, there are four official members (Vice-Chancellor, Treasurer, Education Secretary and the Director of Public Instruction) five (six in Patna University) Principals and Heads of University Departments (*ex-officio* by rotation), five non-teachers elected from the Senate and two teachers nominated by the Chancellor and two teachers co-opted by the Syndicate. In affiliating universities, one representative of the governing bodies is nominated by the Chancellor. The strength of the Syndicate in all cases is 19.

Change of name to Executive Council

7.2 The Syndicate is also known by the name of the "Executive Council" in many universities. Perhaps the latter name denotes its duties, power and responsibilities more aptly. So, we would recommend that the name Executive Council may be adopted henceforth in our universities also.

7.3 The Executive Council being an executive body its size will have to be compact. The Gajendragadkar Committee suggests an Executive Council of about 20 persons. The Mohan Singh Mehta Committee of Rajasthan considers membership of 13 to 15 as suitable. Dr. Samuel Mathai has suggested for the Bangalore University an Executive Council of 15 to 20 members.

Disadvantages of a large body

7.4. We had discussions on this point with a large cross-section of academic and other interested persons and they are all in favour of a compact body which can act as a homogeneous decision making body. Experience has shown that too large a body gives scope for formation of cliques and groups. Heterogenous composition may prove attractive from the point of view of representative but cross-pulls of various interests in actual working have to be avoided or the smooth working of the universities. In the past it was found that only a few members show sustained interest in their work and the rest are only interested in particular proposals coming up which affect them or their group. The Report of the University Enquiry Commission has also brought out how the interplay of cliques and groups brought the universities to ridicule. On the basis of the evidence before us and the experience so far, we would, therefore recommend a compact body of about 15 members.

Methods of representation

7.5. The known methods of representation on such a body are *ex-officio* membership, rotation, nomination, co-option and election. Of all these methods, election has come in for much adverse criticism. The University Enquiry Commission reports and witnesses before us with experience of working in the university bodies have expressed the opinion that the elected university representatives, more often than not introduced all kinds of extraneous considerations and elements in the decision making process. Further in many cases, the executive body of the university had been made a playground for conflicting groups. While not condemning the

method of election as such, although the process of election in the universities has left behind unhappy trails which have affected adversely the reputation and the well-being of the university, we would advise adoption of other methods of selection to the maximum extent possible for the members of the Executive Council.

Proposed constitution

7.6. We suggest the constitution of the Executive Council on the following lines :—

- (i) Vice-Chancellor—*Chairman*—1.
- (ii) Rector—*Vice-Chairman*—1.
- (iii) Education Commissioner or his nominee, not below the rank of a Deputy Secretary—1.
- (iv) Four Heads of Departments by rotation as prescribed in the statutes.—4.
- (v) One Reader, who is not a Head of a Department and two lecturers to be nominated by the Vice-Chancellor. The lecturers should have at least five years' experience as Lecturer. The Lecturer and Reader should be from different faculties. The term shall be one year and they would be ineligible for renomination—3.
- (vi) One person, other than an employee or student of a university in the State or a college affiliated to a University to be nominated by the Chancellor. The term of the member shall be one year and he will be ineligible for renomination—1.
- (vii) Two members other than employees of the University or a College to be elected by means of single transferable vote from the Court by members of the Court other than students or employees of a university or a college. The term shall be one year and members elected will not be eligible for re-election.

Demand for representation from students, non-teaching staff

7.7. Students and the non-teaching staff desire representation in the Executive Council, as they want their voice to be heard in the principal decision-making body of the university. The non-teaching staff want to press their demands in the Executive Council as they feel that in the absence of representation, their cases may suffer by default. The nature of the demands of the non-teaching staff would come under the category of employee-employer relationship. Joint staff councils in the university and colleges would be a better forum to serve the needs of the non-teaching staff.

7.8. Regarding the demand for students, it is no doubt true that the main purpose of the universities is the all round development of students. However, the nature, powers and duties of the Executive Council are such that, only a few items coming up before this council would be of interest to the students. We have recommended the constitution of students' councils, which, we feel, will be more effective and more appropriate forum for dialogue between the universities and the student community. It is also being suggested that the Executive Council should consult the Student's Council on matters pertaining to students before a decision is taken. The Vice-Chancellor being on both the bodies, would also provide an effective link between the two.

Relationship of the Executive Council with teachers

7.9. It is expected that the Executive Council constituted according to our recommendations would prove to be a well-knit action-conscious body. However, on the basis of the past experience of the working of the Syndicates we would like certain specific provisions to govern the Executive Council's dealing with teachers. It is on the calibre, morale and sense of devotion to duty of teachers that the very reputation of the university and the development of the students depends. The past actions of the Syndicates have not always been such as to encourage good sense and high morals and proper discipline among teachers. The experience has been that in quite a few cases teachers got involved in group alignments to seek favours from the Syndicate. This, we would like to avoid, and with this end in view, we are suggesting that in the matter of appointment and discipline of teachers, the Executive Council should exercise its powers with necessary safeguard.

Reference to Chancellor or differences with selection committee

7.10. Under the present Acts, appointments to posts of teachers and officers of the university are made on the advice of the Public Service Commission. We are suggesting the replacement of the Public Service Commission by Selection Committee of the University which shall be consulted in all cases of appointment of teachers and officers. To ensure that the best among the candidates available is appointed, we would recommend that in cases where the Executive Council does not accept the first nominee of the Selection Committee the Executive Council should record its reasons for differing with the Selection Committee's recommendation and refer the matter to the Chancellor for orders. The Chancellor's decision would be final.

Special safeguard for financial matters

7.11. We would recommend that it should be mandatory for the Executive Council to have the advice of the Finance Committee on all matters, having financial implications. For this purpose the Statutes may provide that in all non-financial decisions the Executive Council should append a certificate that the decision has no financial implication. In other cases, a certificate shall be appended that the proposal has been considered by the Finance Committee and its advice was available to the Executive Council.

Powers of Vice-Chancellor to make reference to Chancellor in certain cases

7.12. If the Vice-Chancellor considers that any decision of the Executive Council, is not in the general interest of the university or is in violation of the Acts, Statutes, Ordinances and Regulations, he may stay implementation of the decision and refer such a decision to the Chancellor for orders. The decision of the Chancellor will be final.

Power to make Statutes

7.13. The Court being a deliberative body, the power of making statutes will now vest in the Executive Council. However, it is proposed to provide that the Statutes shall be sponsored only by the Vice-Chancellor or at his instance by the Rector and by no other source.

7.14. The Executive Council should also build up healthy conventions in its working so that the matters coming up are those requiring high level decisions and decisions are of a sound nature. We would also suggest that the Executive Council should make adequate delegations of powers to the Vice-Chancellor, Rector, Heads of Departments, etc., so that routine and minor matters do not occupy the time of the Executive Council.

7.15. We would suggest that the Executive Council should have only one objective in view, namely, efficient functioning of the University. Given adequate support by the officers, teachers and students, we are sure that the Executive Council would be able to fulfil that objective.

CHAPTER 8

FINANCIAL MANAGEMENT IN THE UNIVERSITIES

The Financial Adviser

8.1. Financial management has been, so to say, the "Achilles heel" of all our universities. The lack of management or rather mismanagement has brought our universities to the verge of bankruptcy. Most of the universities have been borrowing from the banks and there has also been large-scale unjustified diversion of funds. Funds set apart for capital works have often been the main source from which recurring deficits have been partly met, often the provident fund deposits of teachers and other employees have been similarly used. The University Enquiry Commission Reports have mentioned in detail about the financial irregularities occurring in the universities and we do not propose to go over the same ground again. On the basis of these reports and also from what we have been able to gather, we are suggesting in the following paragraphs measures which, we hope, will remedy the situation.

Appointment and duties of the Financial Adviser

8.2. We have recommended earlier that a Financial Adviser may replace the Treasurer who should be appointed by the Chancellor on the advice of the State Government in consultation with the Vice-Chancellor.

8.3. The powers and duties of the Financial Adviser may be as follows :—

- (i) To exercise general supervision over the funds of the university and advise in regard to its financial policy;
- (ii) to be responsible for presenting the annual estimate and statement of accounts to the authorities prescribed;
- (iii) to be responsible for ensuring that all moneys are expended on the purpose for which they are granted or allotted;
- (iv) to ensure that no expenditure not provided in the budget is incurred in the university unless covered by permissible reappropriation and to disallow such expenditure, if any;
- (v) to disallow any proposed expenditure or expenditure incurred which has not been approved by the competent authority and is not covered by any income or grant; and
- (vi) to perform any other duties that are allotted to him by the Chancellor, the Vice-Chancellor, the Rector, the Statutes and the Ordinances.

The Finance Committee

8.4. The Finance Committee may be constituted as follows :—

- (i) The Vice-Chancellor—*Chairman*.
- (ii) The Rector.
- (iii) The Registrar.
- (iv) An officer of the State Government not below the rank of Deputy Secretary to Government.

(v) One representative each from the Executive Council, the Academic Councils and the Board of Under-graduate Studies to be nominated by the Chancellor from a panel of three names for each category sent by the Vice-Chancellor. The term of office of these members would be one year.

(vi) The Financial Adviser—*Member-Secretary*.

All matters relating to the finances of the university shall be placed before the Finance Committee and no matter having financial implications shall be placed before any authority of the university without the recommendations of the Finance Committee.

Block grants for maintenance

8.5. The main sources of finance for the universities are grants from the State Government and this position is likely to continue in the foreseeable future. The Gajendragadkar Committee who have examined this problem have suggested fixation of block grants for each university to cover their annual expenditure which should be automatically released in regular instalments. In Bihar the Acts provide for statutory grants (to cover maintenance expenditure) the amount of which is revised once in five year. The statutory grant should hereafter be revised every three years and the grant should also have a 'cushion' to provide for annual additions to the expenditure due to increments in salaries, increases in the case of contingency items and any unforeseen expenditure. A Committee presided over by the Vice-Chancellor and representatives of the Education and Finance Departments of the State Government not below the rank of Deputy Secretaries as members should be constituted at regular intervals to make recommendations regarding the quantum of the block grant.

Providing for development

8.6. For the development of the universities, grants from the University Grants Commission with matching grants from the State Government are being provided. The universities should prepare Five-Year Plans for their development and the plans should be included in the 5-year Plan of the State Government so that there is no difficulty in the provision of funds for the university's development schemes.

Internal Financial Control

8.7. Lastly, we would like to deal with the question of internal financial control in the university. In the first place we have recommended that the Financial Advisers should be appointed on the advice of the State Government to ensure that these officers have independence of action. Secondly, in the case of any new expenditure which has not been provided for in the budget for the year and cannot be covered by permissible reappropriation, the approval of the Chancellor should be necessary. This is recommended so as to ensure that no new expenditure is incurred without funds being available. Thirdly, we may suggest that there should be separate account maintained of the funds allotted for capital works and there should be no diversion or drawal from this fund to meet the expenditure not connected with the project for which funds have been allotted, nor for any expenditure of non-capital nature. Fourthly, there should be no expenditure of recurring nature like creation of posts,

etc., unless the State Government or the University Grants Commission have given prior concurrence for provision of adequate funds or the university has a surplus budget. Fifthly, definite rules should be laid down in regard to matters of pay fixation and this should be very strictly followed. There have been quite a few cases where the university may require immediate decision on its request for additional funds. Such requests should be handled by a high-level committee consisting of Minister (Finance), Minister (Education) and the Vice-Chancellor. The meeting may be called at the request of the Vice-Chancellor. This would ensure that no expenditure is incurred which is not provided for.

Timely auditing

8.8. The State Government should make arrangements for timely auditing of university accounts so that audit reports are available within the first four months of the succeeding financial year.

Surcharge provision

8.9. There is provision for surcharge in the local bodies and universities other than Patna. Such a provision is expected to act as deterrent against misuse of funds. The question whether such a provision should be made applicable to Patna University also may be considered.

8.10. A suggestion has been made that the budget and all expenditure should be approved by the State Government as they meet the major portion of the expenditure of the universities. This has many advantages but the votaries of "autonomy" may feel aggrieved.

CHAPTER 9

ACADEMIC BODIES

9.1. At present the Academic Councils of the universities have been termed as "Chief Academic Body of the University" and entrusted with powers and duties on that basis.

Present position

9.2. There have been a number of developments since the concept of the Chief Academic Body was provided in the Act. Of these developments we will consider as significant only three. In the first place, there has been multifold increase in the number of students in the institutions of higher education with consequent mushroom growth of such institutions. Secondly, the record of the Academic Councils in examination matters has not always been above reproach. Thirdly, the recent decision of the Bihar Government to adopt the national pattern of education, namely, 10 + 2 + 3 raises certain fresh issues which have to be handled.

9.3. Due to manifold increase in the enrolment of students, the management of all levels of post-secondary studies by the same academic body is no longer possible, except at the cost of considerable deterioration at higher levels where standards of excellence must be maintained.

Separation of Intermediate

In the circumstances we are recommending that the academic body for higher levels, i.e., post-graduate and special honours should be separate body with some inter-linking to provide for useful exchange of ideas and the necessary academic linkage. Secondly, even if the new pattern of 10 + 2 + 3 is not implemented immediately, we would recommend separation of Intermediate studies from the university.

Delinking supervision of Examination Board

9.4. In view of the need to limiting the handling of examination matters to as small in number of persons as possible, we are recommending that the Academic Councils should be delinked with the work of the supervision of the Examination Board and they will perform function relating to courses of studies, pattern of teaching and other similar academic matters.

9.5. Keeping in view academic considerations as well as management problems, we recommend that the post-graduate studies in all faculties and special honours courses in the faculties of arts, science and commerce should be directly managed by the university as university departments. For purpose of academic bodies, the courses relating to first degrees in Medicine, Engineering, Law and Education should be treated on the same pattern as post-graduate studies in other faculties, because of their duration and admission requirements. The under-graduate degree courses would be exclusively with the colleges. We have also suggested that the existing constituent colleges be taken over by Government to be run by an autonomous board.

Two Academic Councils

9.6. Consequent upon the reorganisation suggested above, the academic bodies would require to be reorganised. For Post-Graduate, Medical, Engineering, Law and Education and Special Honours, we suggest that a separate academic council to be known as Council of Higher Academic Studies may be set up. The constitution of the council may be as follows :—

Council of Higher Academic Studies.

- (i) Vice-Chancellor—*Chairman*.
- (ii) Deans of Faculties.
- (iii) Half of the number of Heads of Departments who are not Deans, by rotation as prescribed in the Statutes.
- (iv) Three Readers and four lecturers to be co-opted by the Council. The lecturers should be of at least five years standing.
- (v) Director of Higher Education, Bihar.
- (vi) Two experts not in the service of the university or the colleges to be co-opted by the Council. The Head of the University Department concerned if he is not a member should be invited to attend whenever a subject concerning his department is taken up for discussion.

Power

9.7. The term of office of members, other than *ex-officio* members, shall be 3 years from the date of their nomination/co-option. The powers and duties of this Council shall be as follows :—

- (a) Subject to the powers conferred on the Vice-Chancellor and the Executive Council, to determine and regulate all academic matters concerning Post-Graduate, Special Honours, Law, Medical, Engineering and Education Courses in the University;
- (b) to have the power of superintendence and control over, and be responsible for maintenance of standard of instruction and education, in Special Honours and Post-Graduate teaching and research work in the university as well as in respect of Law, Medicine, Engineering and Education;
- (c) to exercise supervision and control over the conduct of special teaching in courses in its charge in such a manner as may be prescribed;
- (d) to consider proposals for expansion and development of special teaching and research in the courses in its charge;
- (e) to give necessary instructions to the Boards of Studies regarding the courses of study, syllabi, etc., relating to the courses in its charge; and
- (f) to exercise such other powers and perform such other duties as may be conferred or imposed upon it by the Statutes.

9.8. On a similar basis we would suggest that there should be a Council of Under-Graduate Courses for the same purpose. The constitution may be as follows :—

Council for Under-Graduate Courses.

- (i) Rector—*Chairman*.
- (ii) Director of Education, (Higher Education).
- (iii) Four University Professors by rotation as prescribed in the Statutes.
- (iv) One Principal of a College run by Autonomous Board by rotation.
- (v) Five Principals of Colleges other than those run by the Autonomous Board by rotation.
- (vi) Four Lecturers, two from the colleges of the autonomous board and two from other colleges of at least seven years' experience as a teacher. It should be ensured that the lecturers are from different colleges and are teachers of different subjects.

Examination Board

9.9. In the reorganised scheme, there will be no need for an Examination Board of the present pattern. Instead, separate Examination Boards for different examinations be constituted as follows :—

Vice-Chancellor—*Chairman*.

Dean of Faculty concerned.

Head of the Department or where the Head of Department is himself the Dean the next seniormost teacher of the Department.

In the case of Law, Engineering, Medical and Education, one Principal nominated by the Vice-Chancellor shall also be a Member.

9.10. On behalf of the professional institutions, suggestions have been made that there should be separate provision for academic supervision. This has been dealt in the next chapter.

Moderation Board

9.11. Provision for moderation of question papers and examination results by boards of moderators exists in most of the universities. Views have been expressed before us both for and against the system. The main argument against the system is that the risks of leakage of question papers are increased by it. On the other hand we have come across genuine instances of questions being out of syllabus or of an unusual nature resulting in disturbances in examination halls and walk-outs by the students. On a balance of consideration, we feel that the system of moderation is necessary and desirable from the academic point of view and in the interest of students. Safeguards against the risks of leakage should be provided by suitable composition of the boards to be prescribed.

9.12. Separate boards of studies for each subject already exist. There may be separate boards for each subject for higher studies and under-graduate studies.

CHAPTER 10

SPECIAL PROVISIONS FOR MEDICAL AND ENGINEERING COURSES OF STUDY.

Need for special provisions

10. 1. The professional courses of studies in the universities requiring special attention generally relate to Medicine and Engineering. The Faculties of Medicine and Engineering feel that the technical nature of the courses and their orientation towards the relevant professions have not received proper appreciation from the university bodies and that the working of Medical and Engineering Colleges has suffered considerably on account of this.

10.2. Professional education, rigid standards will have to be followed and their orientation will have to be towards the requirements of the professions which the students would join after completion of their courses of study. The Indian Medical Council lays down very strict standards in regard to Medical Education and ensures its compliance, which has, to a great extent, helped in maintaining the standards. The All-India Council of Technical Education is yet to develop on these lines in regard to Engineering Education. As regards Legal Education, the Bar Council of India and the State Bar Council also have started taking interest in the matter.

Academic Council vis-a-vis Faculties

10.3. A common academic council to cover all the branches of professional studies would not be a practical proposition since there is hardly any common area between them. A separate academic council for each professional course of study would also not be acceptable because there are only one or two institutions in every university in each and there would be largely departmental council without any external check. This weakness would continue if the faculties are vested with the powers of the academic councils. Further it is very necessary that the professional courses of study are not completely divorced from the general education side of the university. Apart from the advantages of a common disciplinary approach to problems, the university has certain policies and procedures which will equally apply to the courses of study in the professional colleges also. So after careful consideration of the issues involved, we suggest that the relationship between the Faculty dealing with the professional courses and the academic body concerned should be slightly different from the relationship between the academic body concerned and other faculties. The faculty in the professional side may be slightly bigger to provide for inter-institutional co-ordination, i.e., between institution in the sister universities providing similar type of courses. Secondly, it may be prescribed that when the academic body concerned does not agree with the professional faculty, the matter will be referred back to the professional faculty with reasons for reconsideration. A convention may be built up that the views of the professional faculty should be given due weight and consideration by the academic body when the matter returns to it after reference. If disagreement persists the academic body should take the advice of the State Level Council being set up for these professional courses and their advice should be binding.

Co-ordination at State Level

10.4. For these professional courses of study, State Level Co-ordination Body may be set up which may co-ordinate courses of studies in the various institutions ensuring uniformity of standard and syllabus, equipment, etc. and avoiding duplication of courses of study in regard to the higher courses thus ensuring optimum utilisation of the available resources. The State Level Bodies may be constituted on the lines indicated below.

Engineering Course

B. I. T. to continue as autonomous college

10. 5. The Birla Institute of Technology, Mesra is the only private Engineering College in the State. The institution has been declared to be an autonomous institution under the Ranchi University and this position may be continued. Other Engineering Colleges are managed by Government, the University or Government-sponsored bodies. So we are not making any recommendation regarding their governance. To fill the need for co-ordinating standards of syllabi, etc., we would suggest the following council :—

Co-ordination for Engineering Studies

10.6. State Council for Engineering Courses—

- (1) Vice-Chancellors of the Universities. One of the Vice-Chancellors would be Chairman by rotation for a period of one academic session—*Chairman*.
- (2) Chief Engineer (Roads and Buildings), Public Works Department, Bihar. Patna.
- (3) Chief Engineer, Irrigation, Government of Bihar.
- (4) Chief Engineer, Bihar State Electricity Board.
- (5) A representative of the Institution of Engineers (India), Bihar Centre.
- (6) Director of Employment and Training, Government of Bihar.
- (7) Chief Town Planner, Government of Bihar.
- (8) Principals of all Engineering Colleges.
- (9) Director of the Birla Institute of Technology, Mesra, Ranchi.
- (10) Three representatives from Industries employing Engineering and Technological Graduates to be nominated by the State Government.
- (11) One Dean of Faculty of Science by rotation among universities in Bihar.
- (12) Director of Technical Education—Convenor.

10.7. The powers and duties of the State Council of Engineering and Technology would be as follows :—

- (1) To review the working of the Engineering and Technological Institutions in the State than that of the first degree of a university;
- (2) to make suggestions regarding improvements and development of the institutions;

- (3) to review the existing syllabi of the courses and recommend changes therein from time to time;
- (4) to prescribe with the concurrence of the university concerned, standards of education, instruction, etc.;
- (5) to advise any university bodies on any matter referred to it; and
- (6) to inspect the colleges and examinations on behalf of the university.

Medical Education

10.8. At present four Government Medical Colleges and five non-Government Medical Colleges have been affiliated to the different universities of the State Medical Education guided by the regulations of the Indian Medical Council. This Council prescribes standard of syllabus, equipment, teaching staff, etc. Compliance with the regulations is necessary for recognition of a college by the Indian Medical Council and to enable a Medical Graduate to be registered as a doctor.

Co-ordination for Medical Education

10.9. We propose a State Council of Medical Education which would be a common body for all the universities in the State and act as a supervisory body for the medical educational institutions for academic purposes on behalf of the university concerned. The powers and duties of the body may be as follows :—

- (i) To assist in implementing of the regulations of the Indian Medical Council;
- (ii) to inspect the Medical Colleges and their examinations on behalf of the university;
- (iii) to supervise and regulate standards in teaching, training, research and examination on behalf of the universities;
- (iv) to act as academic advisers to the university in all matters relating to Medical Education;
- (v) to constitute committees and sub-committees for specific work; and
- (vi) to exercise such other powers and perform such other duties as may be given to it by the universities.

10.10. The composition of the Council may be as follows :—

- (1) Vice-Chancellors of universities and one of them by rotation to be the Chairman for one academic session.
- (2) One representative of the Bihar State Branch of the Indian Medical Association.
- (3) One representative of the Indian Medical Council.
- (4) One representative of the Indian Medical Council for Medical Research.
- (5) One representative of the Association for the advancement of Medical Education in India.
- (6) Principals of all Medical Colleges.
- (7) Five Professors by rotation, not more than one from any Medical College at a time.
- (8) Director of Health Services.
- (9) One Dean of the Faculty of Science of a university by rotation.

Private Medical Colleges in the State

10.11. The State Government have requested the Committee to give their recommendation regarding the governance of non-Government Medical Colleges.

Present position

10.12. So far, the Pataliputra Medical College, Patna, Nalanda Medical College, Patna, the Magadh Medical College, Gaya and Shri Krishna Medical College, Muzaffarpur have been allowed affiliation by their respective universities on a temporary basis. The Mahatma Gandhi Memorial College at Jamshedpur has already been affiliated temporarily to the Ranchi University and its degree is recognised by I. M. C.

10.13. The Indian Medical Council has laid down standards to be followed in the Medical Colleges, but the enforcement of the supervisory authority of the Indian Medical Council is at the time of recognition of the degrees. There can be no two opinions on the point that the standards prescribed by the Indian Medical Council have to be rigorously enforced keeping in view the need for high quality doctors to serve the public.

Need for more Medical Colleges in the State

10.14. The Medical Education Committee on private Medical Colleges set up by the State Government has estimated that there are about 10,000 doctors in Bihar, including those in Government service and that there will be a shortage of 3,500 doctors by the end of the Fifth Plan. So Medical Colleges will have to be provided for additional requirement of 3,500 doctors. The three Government Medical Colleges and the M. G. M. College at Jamshedpur admit 575 students every year. Assuming that 400 students complete their Medical Degree Course successfully and 100 more would be coming out of the newly-started Medical College at Bhagalpur during the Fifth Plan period, the total number of Medical Graduates that would become available by the end of Fifth Five-Year Plan would be 2,100 only. So the shortage, according to the Medical Education Committee, would have to be met by the private Medical College.

Development of Private Medical Colleges

The first private Medical College in Bihar was started in the year 1961 at Jamshedpur with an annual intake of 50 students, gradually increased over the years to an admission rate of 125 students per year. From 1970 onwards, sudden spate of opening of private Medical Colleges started with the Nalanda Medical College followed in quick succession by Shri Krishna Medical College, Muzaffarpur, Magadh Medical College, Gaya and Patliputra Medical College, Patna City. Each of these newly-opened private Medical Colleges started with an annual admission of 150 students per year, unrelated to available facilities for teaching and training. These were capitation fee colleges with virtually no other source of income. This was followed by opening of a number of other private medical colleges as also a private medical university by the name of Gautam Budha Medical University. Serious financial irregularities connected with the Pataliputra Medical College led to the transfer of the college to a Government appointed Board of Control through the promulgation of an Ordinance.

Capitation fee

10.15. The opening of a large number of capitation fee colleges without any consideration of the minimum requirements for medical education as laid down by the Indian Medical Council resulted in the Government adopting regulatory steps and in May, 1972, an Ordinance was promulgated, i.e., The Bihar Medical Education Institution (Regulation and Control) Ordinance, 1972. Since the promulgation of the Ordinance, three of the private Medical Colleges—(i) Gautam Budha Medical College; (ii) Netajee Subhash Medical College, and (iii) very recently Guru Govind Singh Medical College have been ordered to be closed down as none of them fulfil the minimum requirements.

Problems

10.16. The problems posed by the private Medical Colleges are the following :—

- (1) How to ensure that the minimum requirement compatible with student intake (as prescribed by the Indian Medical Council) is fulfilled, both in respect of the college and the associated teaching hospital. According to the Indian Medical Council, the minimum of five in-patient beds must be provided for each admission in the first phase but this has to be increased to seven beds per admission before the college can be recognised by the Council.
- (2) The hospital must provide all the departments prescribed by the Indian Medical Council.
- (3) The staffing of such colleges with teachers of different categories as prescribed by the Indian Medical Council.
- (4) Provision of both capital and revenue expenditure—recurring and non-recurring both for the college as well as the associated teaching hospital.
- (5) Need to obviate the risk of misuse of funds by the organisers of such colleges.

10.17. Government have taken a decision that private Medical Colleges shall not be allowed to charge capitation fee for more than five years from the date of starting the college and must prescribe a reasonable fee for students admitted to the college. Government have also prescribed that such colleges must admit Scheduled Caste and Scheduled Tribe candidates as prescribed under the present reservation provision.

10.18. Admission to the private Medical Colleges being on the basis of capitation fees, there is very little scope for merit being the primary criterion for admission. Majority of students admitted to such college are said to be of poor merit.

10.19. The Indian Medical Council has estimated that for 100 admissions, besides capital expenditure, a recurring expenditure of Rs. 18 to 20 lakhs per year is essential for the colleges alone. For the hospital, a recurring minimum expenditure of Rs. 60 lakhs besides capital expenditure of about Rs. six crores is essential. This excludes the cost of replacement and the expenditure involved in research, expansion, modernisation, specialisation and increasing sophistication which are essential requirements of a teaching institution. The Committee has recommended as follows :—

“In response to a request from the Union Minister of Health and Family Planning for an assessment report of the performance of the capitation fee Medical Colleges in the country, a committee appointed by the

President of the Medical Council visited eight such institutions and made a detailed study of the financial resources, rules and procedures of admissions, facilities available and the standard of training obtaining at these institutions. The Committee is of the opinion that apart from the fact that the existence of such institutions imparting medical education on capitation fee, is an anathema in a welfare State, the intrinsic features of these institutions are such that they are not able to maintain proper standards of training. It is therefore recommended that the State Government concerned should take over these colleges and if the take over is not immediately feasible, they should be given adequate subsidy by Government so as to obviate the need for charging capitation fees and to unify the tuition fees on a par with these in Government colleges. It appears only logical that in doing so Government should exercise adequate control on the governance of such institutions and merge the admission of the colleges with those of the Government colleges in the States."

10.20. It is clear that private Medical Colleges run by capitation fees are economically not viable. If they are to exist, Government must assist them by providing all the necessary hospital facilities. Even so, there will be very little scope for research and proper development of specialisation. Government's revenue will, therefore, be inevitably spent in training students who are of poor quality and merit, perhaps wrongly motivated towards medical education while the claims of better students will be ignored. A situation like this is indefensible in a country with socialistic and egalitarian objectives.

10.21. Till such time that Government take over the colleges, Government must take adequate precaution to prevent misuse and misappropriation of funds collected for the college through so called donations, capitation fee and college funds, etc. This can only be to an extent achieved if the Managing Committee is constituted as suggested below. Government may further stipulate that all moneys and other assets collected in the name of the colleges or the society shall be vested with the college and all financial transaction will be made only through the committee.

Managing Committee for Private Medical Colleges

10.22. The constitution of the Managing Committee for the private Medical Colleges be as follows :—

- (i) Life members being those who have given a donation of Rs. 5,00,000 or above in one or more instalment within one calendar year in cash or in property of equivalent value. The property should have come into the possession, control and ownership of the college completely.
- (ii) One person, by rotation among those who have given a donation of less than Rs. 5,00,000 but more than Rs. 1,00,000. The donation should have been given within one calendar year in cash or in property of equivalent value. In case of property, it should have come into the possession, control and ownership of the college completely. The rotation would be according to the chronological order in which the donation was received. The term of the member should be for one academic session.
- (iii) Two representatives of the Bihar State Branch of the Indian Medical Association.

- (iv) Superintendent of the Hospital attached to the Medical College.
- (v) Two representatives of the State Government, of whom one must be an officer of the Health Department.
- (vi) A nominee of the university to which the Medical College is affiliated.
- (vii) Two Heads of Clinical Departments by rotation.
- (viii) One Head of non-Clinical Departments by rotation.
- (ix) Principal of the Medical College.
- (x) In case where the Medical College has been sponsored and promoted by a registered society, a representative of the society.
- (xi) A representative of the Students' Council.
- (xii) A representative of the Guardians to be co-opted by the Managing Committee.

10.23. The Chairman of the Managing Committee may be nominated by the Vice-Chancellor from among the members of the Committee. The Principal should be the *ex officio* Secretary of the Committee.

10.24. While there will be no term for *ex officio* members, the nominees of the Students' Council and the representatives of the Heads of Departments of Clinical and non-Clinical Departments would be members for only one academic session. The representatives of the State Government would be nominated for a period of three years and the nominee of the University should also be for a period of three years.

10.25. Powers of the Managing Committee of the Medical College shall be prescribed by the Statutes of the University in consultation with the proposed State Council for Medical Education.

CHAPTER 11

THE UNDER-GRADUATE BOARD AND OTHER BODIES

11.1. In the context of the proposed reorganisation of courses we have considered the desirability of providing a separate machinery in the university to deal with under-graduate education. We have recommended the provision for a Rector to assist the Vice-Chancellor. We feel that the Vice-Chancellor would be well advised to leave the under-graduate work solely in charge of the Rector, who may refer very important and high policy matters alone to the Vice-Chancellor for decision.

Constitution of Under-Graduate Board

11.2. We would also suggest the constitution of a Board of Under-Graduate Education in each university. This Board would deal with all aspects of under-graduate education, viz., affiliation of college, examinations, academic standards and inspection of the affiliated colleges. In short, this Board would be exercising broadly the present powers and functions of the Syndicate and the Examination Board in regard to under-graduate education. The constitution of the Board may be as follows :—

- (1) The Rector—*Chairman*.

Members

- (2) Director of Higher Education, Bihar.
- (3) The Financial Adviser.
- (4) One nominee of the Council for Higher Academic studies.
- (5) One nominee of the Executive Council.
- (6) Two (one in the case of Mithila) Principals of a College maintained by the Autonomous Board by rotation to be provided for the Statutes.
- (7) One Principal from each cluster of colleges, by rotation as provided in the Statutes.
- (8) Two Lecturers from colleges to be nominated by the Rector. The Lecturers should have at least seven years' experience as Lecturers.
It should be ensured that the Lecturers are from the colleges other than those from which the Principal is a member.
- (9) One Lecturer of a college, maintained by the Autonomous Board to be nominated by the Rector. The Lecturer should have at least seven years' experience as teacher and should be from a college whose Principal is not a member.
- (10) One nominee of the Vice-Chancellor who should be a person who is not in service of the university or the colleges.
- (11) Two persons who are not employees or students of the university or colleges to be elected by the members of the Court who are not employees or students of the university or colleges.

- (12) Two members who are not employees or students to be elected by the members of the Cluster Councils who are not employees or students of the university or colleges :

Provided that the Principals and the Lecturers shall be selected from among the colleges who have sent up not less than 100 regular candidates every year for the past three years to the first degree examination of the university. In case of colleges in the Chotanagpur Division and the district of Santhal Parganas, the number of such candidates shall be not less than 50.

All appeals against the decision of the Board shall lie to the Vice-Chancellor.

11.3. We hope that the Under-graduate Board would be able to give relief to the higher academic personnel of the universities and the Vice-Chancellors, as the responsibility for academic supervision and holding of examinations would be the exclusive responsibility of the Board.

11.4. The functions of the Examination Board for the under-graduate courses in affiliated colleges would be discharged by this Board. The selection of examiners and moderators would be made by separate committees. Selection of examiners for the examinations may be by a committee consisting of the Rector as the Chairman, Head of the University Department concerned, a Principal of an affiliated college nominated by the Board of Under-Graduate Studies, two Lecturers to be nominated by the Vice-Chancellor—one from colleges maintained by the Autonomous Board and one from other colleges. For moderation of questions the Board may consist of Head of the University Department concerned as Chairman and three experts in the subject nominated by the Rector, one of whom shall be an expert not in the service of the university or college.

CHAPTER 12

REORGANISATION OF THE COURSES OF STUDY

New pattern and objectives of reorganisation

12.1. Consequent on the Bihar Government's acceptance of the national pattern of education, the universities would shortly introduce 3-year degree courses leading to the first degree in Arts, Science and Commerce in the non-professional courses of study. Since intermediate courses would be outside the purview of the universities, first year degree classes would be the first point of entry for a student into university life. We would advise that the State Government and the universities take this opportunity to reorganise the courses of study with certain broad objectives in view. The first objective should be that of providing and maintaining academic excellence in higher education. Secondly, arrangements should be made for imparting instructions to the large number of students who come up for degrees. These arrangements should be such that excellence is not in any way affected by the large mass passing through the degree stage. The third objective should be that by suitable decentralisation of educational facilities, some institutional arrangements are available to provide for good standard type of education so that even an average student may obtain all-round development in his personality in the three years he spends as an under-graduate.

12.2. We have considered the various possibilities of securing those objectives through optimum utilisation of available resources. We are also keenly aware that due to competing demands, the resources available for development of higher education may not be adequate to satisfy a substantial portion of the demands for resources from the universities and colleges.

Post-Graduate Departments

12.3. Post-graduate education in our universities has been able to maintain certain academic standards in spite of the heavy pressures on it. The teachers handling the post-graduate classes are usually of higher calibre and this has, to a large extent, helped in maintaining the standards. However, we are aware that the standards could be much higher if only carefully selected students with proven capacity to profit by higher education alone are admitted to post-graduate studies. This would also involve upgrading the facilities and ensuring good teaching in the feeder institutions.

New reorganised courses of studies

12.4. At present we have in under-graduate general education—2-year degree courses—one degree pass course, another pass degree with honours course. In the latter course, the students offer some more papers in a chosen subject at the final examination in addition to what a degree pass student offers. We would like that the opportunity now presented should be utilised to reorganise the non-professional courses of study at the under-graduate level. In United Kingdom and other countries, there are the following three types of under-graduate courses :—

- (i) Honours course;
- (ii) General pass with honours course; and
- (iii) General pass course.

12.5. In the honours course, the student does intensive study of one subject with allied subjects as subsidiaries; this is a high level course specialising in the subject studied. We would recommend that a similar honours course should also be introduced in our universities with entry after passing the Intermediate Examination. Admission should be on a very highly selective basis and only those best suited to receive this high level intensive study should be enrolled by the university. This special honours course should be conducted by the university (present post-graduate department).

Courses in Colleges

12.6. Under the Under-graduate Board in the Colleges there could be two types of courses—(1) Honours course and (2) ordinary pass degree. Both now exist as a two-year degree course and they may be converted into three-year degree courses. The students in the honours course will offer some additional papers in the chosen subject.

Provision for students in P.G. studies

12.7. University Ordinances may provide for the admission to the post-graduate classes of the university for meritorious students from the honours and pass courses.

12.8. With the new special honours courses and the P. G. courses being conducted in the university departments, most of the existing constituent colleges where pass degree courses are conducted would lose much of their present *raison-d-etre* for being maintained by the university. For these and other reasons, we have recommended that the constituent colleges should cease to be managed by the university and should be taken over by Government and managed through an autonomous board. If this recommendation is implemented then the universities would be left with university department only and the only courses of study would be confined to post-graduate and special honours courses.

CHAPTER 13

AUTONOMOUS BOARD FOR PRESENT CONSTITUENT COLLEGES

Growth of constituent colleges

13.1. Till 1952, there were only affiliated colleges in the State; some of them managed by Government and some managed by private bodies. Some colleges were also in receipt of grant-in-aid from the Government. In 1952, the State Government transferred the Government colleges to the management of the university; such colleges became "constituent colleges". Later, colleges in a few district headquarters towns which were still then privately managed were made "constituent colleges" of the university at the instance of the State Government. It was expected that colleges directly managed by universities would benefit by the contact with high level academic personnel of the universities.

Impact on university administration and bodies

13.2. We have very critically reviewed the working of the universities from many points of view. The University Enquiry Commission Reports have highlighted problems of the constituent colleges that besiege the university administration. The personnel management spread over large numbers gave scope for play of favouritism, groupism, etc. Instead of striving for betterment of the universities and for high academic excellence the university bodies got embroiled in problems of group politics.

13.3. Having been convinced that the colleges have not served the objectives but on the other hand, were choking the very springs of academic life in universities, the Government stopped adding to their number from 1970 but did not attempt any other correctives.

Present position

13.4. Ever since independence with more and more schools being opened the number of school leavers seeking places in higher educational institutions have gone up multifold. This "enrolment explosion" has not spared even the constituent colleges who have been forced by pressure of events to enrol students, especially in the intermediate and in degree classes more than the number for whom the facilities exist. The resources of the universities being inelastic, the physical facilities have not increased adequately and there has been a great strain on the existing facilities. Despite this, because of the sound basic structure, they still continue to be the few well-equipped colleges in which admission is much sought after.

Provision for centres of excellence

13.5. We have explored the various avenues to keep the universities as "Centres of Excellence" amidst the seething mass of students—a few good but generally average and indifferent students. The future of any nation would directly depend upon the "excellence" maintained in the persons who have been developed adequately to assume leadership in various walks of life. This is a continuous task imposed on educational institutions. For these students, the universities will have to maintain a few high level institutions with excellence as their sole creed. For this end, we recommend that the institutions be so reorganised that research, post-graduate studies and special

honours teaching alone are the direct responsibility of the universities, the rest of under-graduate education being placed in affiliated institutions whose management will not be the direct responsibility of the university.

Standard colleges for average students

13.6. A large number of good colleges are required in the State to provide instructions leading to the first degree. Reasonably good standard requires adequate financial support so that the colleges are in a position to attract and retain good staff, and for provision of physical facilities, like library, laboratory, etc., in adequate measure. Except for a few managed by missionary societies, facilities in rest of the institutions under private management are not quite up to the standard and are inadequate. In the total picture some benefits have accrued to the constituent colleges from contacts with the high level academicians of universities, but due to the difficulties of good management by the university, factors like general indiscipline, the enrolment explosion and other baneful influences have thwarted the attempts towards attainment of excellence.

13.7. The proposed pattern of the new set-up for the constituent colleges in the State was considered in this background. We recommend that the constituent colleges in the State should be taken over by Government and run by an autonomous board. We are aware of the initial difficulties in separating the post-graduate classes from these colleges, but these would have to be tackled in the larger interests of maintaining 'excellence' in higher education. We have the following suggestions to make in regard to the present constituent colleges :—

- (i) *Patna University*.—(a) The Science College and Patna College should be retained by the Patna University for special honours and P. G. studies as a part of the university.
- (b) The Magadh Mahila College, B. N. College, Law College, Patna, and Women's Training College and Patna Training College and Bihar College of Engineering may be taken over from the university and run as affiliated colleges.
- (c) Patna Women's College was previously run by Christian missionaries. The Principal of Patna Women's College has mentioned to the committee that they would very much like to be under the missionary management, provided the grants to them are protected. Either the college may go back to the missionary management or else taken over by the autonomous board and in either case run as an affiliated college. We would suggest that the option may be left to the college authorities.
- (ii) *Bihar University*.—(a) Langat Singh College, Muzaffarpur may be retained as Honours-cum-P. G. Department of the University.
- (b) P. G. courses at Rajendra College, Chapra and Munshi Singh College, Motihari may be separated and run as university centres for P. G. study of the Bihar University at Chapra and Motihari respectively.
- (c) M. D. D. M. College Muzaffarpur, R. D. S. College, Muzaffarpur, Rajendra College, Chapra and Munshi Singh College, Motihari may be taken over from the university.
- (iii) *Mithila University*.—(a) Mithila University has been recently organised and a policy decision has been taken to separate P. G. courses from C. M. College. Special honours course may be added to them.

- (b) C. M. College, Darbhanga, may be taken over and run as an affiliated college.
- (iv) *Ranchi University*.—(a) The University departments of post-graduate are separate.
- (b) The four constituent colleges, viz., Ranchi College, Ranchi, Ranchi Women's College, Ranchi, Tata College, Chaibassa and St. Colombus College, Hazaribagh may be taken over by Government from the university and run as affiliated colleges.
- (c) P. G. classes at Chaibassa and Hazaribagh may be run as University Centres for P. G. study at those places.
- (v) *Bhagalpur University*.—(a) The University Post-Graduate Department is already separate.
- (b) The existing five constituent colleges, namely, T. N. J. College, Bhagalpur, Sunderwati Mahila College, Bhagalpur, Marwari College, Bhagalpur, R. D. & D. J. College, Monghyr and G. D. College, Begusarai may be taken over by Government and run as affiliated colleges.
- (vi) *Magadh University*.—(a) The university has already established post-graduate departments separately in the campus at Bodh Gaya.
- (b) All the three constituent colleges, namely, the Gaya College, Gaya, H. D. Jain College, Arrah and Nalanda College, Biharsharif may be taken over by Government from the university and run as affiliated colleges.
- (c) P. G. courses of study at Arrah may be separated and run as a university centre for P. G. study at Arrah.

Separation of non-teaching staff

13.8. The teachers and non-teaching staff in the colleges would be taken over from the university and they would hereafter be servants of the autonomous board. They should be given protection in regard to their emoluments and service conditions. They are likely to be problems of staff transfers in all categories. The non-teaching staff should be retained in the institutions in which they are serving on the day of transfer unless they are able to arrange their shift on mutual transfer basis or a long-term vacancy is available for them in the place of their choice. If either of these two facilities does not exist, they should continue in the existing institutions.

Apportionment of teachers

13.9. In regard to the teachers, the position appears to be slightly more difficult, since the universities have been in a few cases transferring teachers from one college to another or to and from the university departments. The apportionment of teachers will have to be done speedily so that the new set up settles down to work as quickly as possible, and that a sense of belonging to the institution is developed right from the beginning. If these problems are allowed to be kept pending then they create considerable uncertainty and indiscipline. So, as a rough and ready rule, we suggest that normally a person should be transferred along with the institution in which he is serving. A committee consisting of the Vice-Chancellor of the University, a representative of the State Government, not below the rank of Additional Secretary and a teacher nominated by the Chancellor should settle all disputes and their decisions should be made final and binding. Suitable provision may be made in the Act for this Committee.

B. E. S. Officers

13.10. Officers of the Bihar Educational Service and Subordinate Educational Service holding cadre posts of their service should be taken over with the colleges. Those holding university posts should be deemed to have opted for university service unless they intimate to the contrary to the Vice-Chancellor (by registered post) with a copy to the Director of Administration-cum-Deputy Secretary, Education Department (by registered post) that they desire to be taken over with the college on the posts on which they have their lien. The option once exercised would be final.

Alternative management institution

13.11. Kothari Commission have suggested the following three alternatives for management of the under-graduate colleges of Government :—

- (i) A separate Directorate of Collegiate Education running the Government colleges under a Director who should be an educationist of standing. Such defects as frequent transfers of staff should be avoided.
- (ii) An autonomous organisation to manage all Government colleges in the State with a single governing board and a whole-time Secretary. The Vice-Chancellors of the Universities, representatives of Government, non-official educationists and university teachers should be members of the Board.
- (iii) The Delhi-pattern, where each college has been placed under an autonomous board of governors. This has the advantage of localising the staff and enabling them to develop loyalty to their institutions.

Preference for autonomous boards

13.12. Departmentally run colleges function mostly as stereotyped institutions with little initiative or original vigour. There is also the usual dislocation of staff by transfers which, if not done with care and attention, would be injurious to academic life. Then there are a number of irksome restrictions in a departmental institution which affects its efficiency. So we are not in favour of Government directly managing colleges and would suggest their being run by an autonomous board to be called College Board.

Constitution of the Board

13.13. The Board may consist of—

- (i) the Education Commissioner—*Chairman*;
- (ii) one nominee of each of the under-graduate boards of the universities;
- (iii) Director of Education (Higher Education);
- (iv) Finance Commissioner or his nominee.
- (v) three Principals of Colleges under the Board by rotation, according to seniority as Principal;
- (vi) two teachers of the colleges—one to represent teachers above 10 years' seniority and the other to represent teachers between 3 to 10 years' seniority nominated by the Director of Higher education; and

- (vii) Secretary to the Board who shall be a whole-time officer appointed by the State Government not below the rank of a Deputy Secretary or a Principal of a college with not less than five years' experience.

13.14. The Board being autonomous would be able to make its own recruitment subject to the conditions laid down by the concerned university statutes and lay down its own policies, etc., subject to academic control of the university concerned and the general policy guidance and financial assistance for these colleges shall be appointed from the panels maintained in the universities for lecturers of colleges. In all other respects, the Board will enjoy full authority.

Promotion avenues for lecturers

13.15. A point urged before us was that the Lecturers in constituent colleges may plead that by their transfer to the Board, their prospects of promotion as Readers will suffer. For this we recommend that all posts of Readers and above in the universities should be filled only by advertisement and recruitment should also be open to all qualified college teachers also and there should be no discrimination against them.

College Advisory Committee

13.16. In every college, there should be an Advisory Committee on the lines recommended for non-Government colleges, with this difference that the seats in the Committee for donors may be filled by Government servants nominated by Government.

13.17. We expect that there would be adequate delegation to the individual colleges from the autonomous board so that they function with vigour and flexibility.

CHAPTER 14

GOVERNANCE OF THE OTHER COLLEGES

14.1. The State Government have asked for the Committee's recommendations regarding the future set up for the governance of the affiliated colleges. In December, 1972, the teachers of the affiliated colleges had placed a demand before the State Government that the existing governing bodies of colleges be scrapped and their administration taken over by the university and all the affiliated colleges to be made constituent or University colleges. The State Government had informed the teachers of a affiliated colleges that they would like to take a decision in the matter in the light of the Committee's recommendations. We have had the benefit of discussions with the representatives of the federations of affiliated college teachers as also others connected with the Universities and the affiliated colleges.

14.2. We have recommended that the constituent colleges (except those retained for post-graduate and special honours teaching) may be taken over from the university and run as affiliated colleges. We have advanced weighty reasons for this recommendation. In the light of this recommendation, when the system of constituent college is being terminated the question of any college now being constituent should not arise. The demand for abolition of the governing bodies of the affiliated colleges and their direct administration by the university appears to arise from the dissatisfaction with their governing bodies. This dissatisfaction with the performance of those bodies is shared by others also. From the other side a plea is put forward that the universities have been interfering with the management of the colleges too frequently and at many points and in such a manner that the governing bodies are reduced to non-entities, which nullifies their authority. This is largely responsible for their tardy performance and has sapped all local initiative to establish and run colleges, which is telling upon their finance and administration. In appointments and disciplinary matters the acceptance of the recommendations of the University Service Commission has been made mandatory. In such a situation, the affiliated college is unable to enforce discipline among the teaching staff and teaching of the students has suffered considerably on this account. So the votaries of this stand advocate that if any improvement in the performance of governing bodies is required, except for academic supervision to ensure maintenance of standards, there should be no interference in the working of the governing bodies by the universities.

14.3. The governing bodies of the affiliated colleges are at present constituted under the Statutes of the Universities which also prescribe the method of selection of the members of the governing bodies and provide for nominations by the university. In addition the universities have the power to dissolve the governing bodies under certain circumstances. Whenever difficulties in functioning arose, the universities have been superseding the governing bodies and setting up *ad hoc* bodies in their place. There are no definite detailed guide-lines indicating the situations in which the governing bodies should be dissolved and *ad hoc* bodies set up. Hence the Vice-Chancellor's decisions are often questioned. Either due to advertance or due to inability to grapple effectively with the inherent tangles of the local situation, those *ad hoc* bodies have been continued for years together.

14.4. As in any human situation, there is some truth in the pictures painted by both the sides. There are quite a few cases of teachers being treated in an unfair manner or funds being misused by the governing bodies. There are also equally

large number of instances where the governing bodies despite all their good intention have not been allowed to function and enforce discipline among the teachers. The general complaint that some of the decisions on the constitution and dissolution of the governing bodies have been the result of pulls and pressures is not always. Any attempt to unravel the situation and offer a solution would involve striking a balance between the aspirations of the local community, the interests of the teachers and students and their studies.

14.5. The governing bodies of the affiliated colleges are no doubt creatures of the Statutes of the universities. Their functioning except in very rare cases have left much to be desired. The affiliated colleges are charged with development of the personality of the bulk of our young men. The way in which these students are educated and nurtured in these institutions would, to a great extent, determine the attitudes, etc., of our future citizens. It is from this angle that we feel that the governance of the affiliated colleges requires to be toned up and recast in such a manner that the institution may be able to function better. Many of the ills of these institutions spring from bad management, and, in a few cases, these colleges have become tools in the hands of unscrupulous persons. On the other hand, it has to be appreciated that these institutions have come up through the efforts of the local community and of charitable persons. This patronage would continue to be needed not only for the normal and efficient functioning of the colleges but also for their future growth.

14.6. In this connection we may refer to the demands of the affiliated college teachers regarding uniformity in all matters with the constituent college teachers. Parity in pay has already been established. In our recommendations, there will be no constituent college. All colleges will be affiliated colleges preparing students for the first degree. The appointment of teachers for the affiliated colleges would be from the same source, viz., a panel maintained by the university. In disciplinary matters, the appellate court would be the university. Thus uniformity in a very large measure and in all vital matters has been provided.

Yet another demand of the affiliated college principals and teachers is that their posts should be made transferable. This demand has arisen because in case of strong difference of opinion between a teacher and his principal or between a teacher and the governing body, the teacher feels that he will be sooner or later victimised on this account. Further, there may be other grounds also which may make a teacher desire transfer to another college. A transfer from one institution to another would *ipso-facto* imply common management.

14.7. One issue considered was whether it was possible for Government to manage these colleges either directly or through autonomous boards. An argument that has been often cited in favour of direct management by the Government is that the Government already provides bulk of the amounts required towards the salary of teachers and (through the University Grants Commission and other agencies) for development. So in view of this large financial commitment would it not be advisable, it is argued, for Government to have direct management?

Mere provision of a large grant cannot be an argument for direct Government management. Further the affiliated colleges of the State numbering over 225 are spread all over the State. Their stages of administration, finance, buildings, equipment and development vary widely. In such a situation, it is not possible to attempt at a uniform administration. Unless it has a huge field staff, Government would find it very difficult to manage such a large number of colleges with such diversity of

problems. The local and individual needs of colleges would prove too strong a force and disrupt any attempt at uniform management from a distant centre. On the other hand, we realise that the future of our young men is linked with the proper teaching and management of these colleges. So the need is for a pattern which while it gives an effective management to the colleges and its teachers has, at the same time, adequate local knowledge and flexibility in approach to suit the varying conditions of individual colleges. The best answer to the issues posed in the present situation would be common management for a few colleges grouped together for certain purposes so as to give the advantage we seek. In that case the over-crowding in the colleges can be, to a great extent, prevented. Being under the same management, it may be possible to distribute the applicant students wherever vacancies exist. Secondly, this ensures optimum utilisation of the available facilities in different colleges, by developing the points of strength in every college to the benefit of society. Lastly, common management may be able to transfer teachers from one college to another whenever a need arises.

14.8. In order to provide an agency which while being in close touch with the local conditions has also the advantages of a group management, we would suggest that the colleges may be grouped into "clusters" of about 10 affiliated colleges (up to a maximum of about 13 colleges in a cluster) to be formed at the district level. If in any district the number of affiliated colleges exceeds 13 then they may be grouped into more than one "cluster". The grouping may be done by the universities taking into consideration the local conditions. The body may be called "Cluster College Council" whose powers would be as follows :—

- (i) Subject to the conditions prescribed by the university, to lay down the policy to be followed in all academic, administrative and financial matters of the colleges in the "cluster".
- (ii) to make appointments of teachers, take disciplinary measures and perform other duties of an appointing authority for the teachers of the colleges in the cluster.
- (iii) to exercise general supervision and control over running of the colleges and issue directions to the management committees in this regard from time to time.
- (iv) On the proposal sent by the management committees to sanction the budget and the financial estimates of the colleges in the "cluster", and to approve their accounts with or without modifications.
- (v) to provide for the custody and proper utilisation of moveable and immovable property, including cash of the colleges.
- (vi) to prescribe rules for the administration and maintenance of accounts of the colleges and to ensure their compliance.
- (vii) to ensure timely payment of salaries to the academic and non-academic staff of the colleges.
- (viii) to ensure proper and timely utilisation of the money received from Government and other sources for the colleges.
- (ix) to transfer members of teaching and non-teaching staff from college to college within the "cluster" whenever considered necessary.
- (x) Cause inspections of the colleges and review their functioning at least once in a year and whenever considered necessary issue such directions on the basis of such inspections and reviews and ensure their compliance.

- (xi) Annual or modify, to the extent considered necessary, any decision of the management committee of a college in the "cluster" wherever the council deems necessary.
- (xii) To exercise such other powers and perform other such duties as may be entrusted to it by the university.

Powers for the Rector

14.9. The Rector if he is satisfied that any decision of the "Cluster Council" is not in the interest of the colleges or in violation of the Act, Statutes, Regulations or Ordinances, may suspend operation of the decision of the Council and place it before the next meeting of the Board of Under-graduate Studies with his recommendation. The decision of the Board of Under-graduate Studies would be final.

14.10. The Cluster Council may have the following composition :—

- (1) Collector and District Magistrate—*Chairman*.
- (2) Nominee of the Under-graduate Board not below the rank of a Reader—*Member*.
- (3) One representative of the Zila Parishad. If there is no Zila Parishad the District Development Officer.
- (4) One teacher nominated by the University who is not in the service of any college in the cluster.
- (5) One nominee of the Director of Higher Education, who shall not be lower in rank to a class I officer of the State Government.
- (6) Three Principals of the colleges in the cluster of which at least two shall be from the colleges having 300 students or more on its rolls by rotation.
- (7) Two teachers from the colleges in the cluster to be nominated by the Rector. They should not be from the colleges from which the Principal is a member and both the teachers should not belong to the same college.
- (8) One nominee of the State Government, person deeply interested in education residing in the area of the cluster and who is not in the service of any affiliated college or university in the State.
- (9) Two representatives of the Managing Committees who is not an employee or student of the college to be nominated by the Rector.

Managing committee in colleges

14.11. There would be management committee in every affiliated college to function under the guidance of the Cluster Council. The committee shall be responsible to the Cluster Council and through it to the University.

14.12. The management committee may consist of as follows :—

- (i) Life-time membership for every doner who has given a donation of Rs. 1 lac and above either in cash or in property in one or more instalments within one calendar year. In the case of property, the donation shall be deemed to be effective only after the entire donated property has come into the complete control, possession and ownership of the college. Such membership shall not be hereditary.

- (ii) One member from those who have given a donation not below Rs. 25,000 but not exceeding Rs. 1,00,000 in cash or in property of equivalent value in not more than three instalments within one calendar year. In the case of property, the donation would be deemed to be effective only after the entire donated property has come into the complete control, possession and ownership of the college. The membership would be by rotation according to the chronological order of the date of receipt of donation by the college. The term of the member shall be two academic sessions only.
 - (iii) One nominee of the State Government, a gazetted Government servant, not below the rank of a Subdivisional Officer. The term shall be two academic sessions.
 - (iv) Two teachers co-opted by the committee from among the lecturers of the college. The term of the teacher shall be for one academic session only and they shall be ineligible for renomination.
 - (v) Two members to be co-opted by the committee from the benefactors and founder of the college and leaders of public life, resident in the subdivision in which the college is situated. Their term of office shall be for one academic session only.
 - (vi) One representative of the guardians to be co-opted by the committee. The ward should have been on the rolls of the college for at least one academic session previous to the guardian's co-option. The term of office shall be for one academic year.
- In the case of a women's college, at least one co-opted member should be a women.
- (vii) Two representatives of the Students' Council of a College to be chosen in a manner determined by the Students' Council. Their term of office should be one academic session only and they shall be ineligible for a second term.
 - (viii) The Principal of the College who should also be Treasurer of the College.

The Chairman and the Secretary of the Committee may be nominated by the Rector. Their term may be for two academic sessions. They may be ineligible for renomination.

14.13. The functions of the management committee shall be the following :—

Subject to the direction, control and supervision by the Cluster College Council—

- (i) Forward on or before the date fixed, the annual accounts, financial estimates and the budget of the college placed before it by the Treasurer.
- (ii) Function as appointing authority for non-teaching staff of the college except that of the inferior staff, which shall be made by the Principal.
- (iii) Grant all kinds of leave, except casual and quarantine leave which may be granted by the Principal, provided that the total period of absence does not exceed 30 working days of the college and no substitute is required.
- (iv) Recommend to the Cluster Council proposals for improvement and development of the college.

- (v) Exercise general supervision over all financial, academic and administrative matters relating to the college under the direction of the Cluster Council.
- (vi) Hold and manage the moveable and immovable property of the college.

Powers of the university relating to the Management Committee and Cluster Council

14.14. The university will not have any powers to suspend or dissolve the Cluster Council or the Management Committee. If, however, the Vice-Chancellor is satisfied on the basis of his own information or on the basis of reports received by him from the Chairman of the Cluster Council that any member, other than the *ex-officio* member, either in the Cluster Council or in the Management Committee is not fit to be a member, then the Vice-Chancellor may order the cessation of his membership and direct the vacancy to be filled up in a manner prescribed for that vacancy.

Benefits from Cluster Manager

14.15. By this method, we have secured for the affiliated colleges the same benefit that accrues to them under Government management, namely, the decision making authority is at least one step removed from the area of operations. Secondly, horizontal mobility for movement of teachers from one institution to another either at their own request or in the public interest has been made possible. The disciplinary powers would be exercised by the Cluster Council on the advice of the Discipline Committee. The Cluster Councils have also been given a duty to insure proper utilisation of the Government grants, a large part of which goes for the payment of salaries of teachers. The Cluster Council and the Management Committee in the College level may be provided in the Act itself to secure uniformity.

14.16. We have attempted to provide a self-regulating mechanism for the governance of affiliated colleges. The two-tier system proposed would, we believe, provide the necessary conditions for the affiliated colleges to grow and develop into good academic institutions.

JURISDICTION OF UNIVERSITIES

15.1. At present the universities in Bihar, except the Patna University and the Kameshwar Singh Darbhanga Sanskrit University, have limited territorial jurisdiction. The Patna University is a teaching-cum-residential university. In fact it is hardly able to offer residential accommodation to about 20 per cent of its students. Further, residential universities are usually located in a secluded place in a compact campus. Patna University is located in the busiest thoroughfare of the capital and has hardly any room for expansion. Five out of nine colleges of this university are outside the main campus. Further in the new pattern, we have suggested the universities will have under their direct charge only the high level honours courses and post-graduate teaching. The alternative before us was to keep the Patna University as a teaching-cum-residential university for the high level courses alone but this would become a very expensive proposition and would necessitate another university in Patna to take care of under-graduate education in the area now in the Patna University's jurisdiction, or alternatively to allow Patna University to affiliate colleges to its Under-graduate Board while retaining its present jurisdiction. The general feeling of the academicians and those who take keen interest in higher education, is that an institution doing high level courses exclusively never thrives. The Under-graduate courses are very necessary, if the university is to have a good standing. We agree with this view and recommend that Patna University like all other universities may affiliate under-graduate colleges in the area given to it now. We recommend that the jurisdiction of the Patna University may be defined in the following terms :—

South—The main railway line of the Eastern Railway.

North—River Ganges.

East—A line drawn through the eastern end of the Patna Law College compound to the main railway line.

West—The western compound wall of the Patna Women's College and a line parallel to the Boring Canal Road connecting the north-western end of the compound of the college with the river Ganges in the north, and the line connecting the western compound wall of the college with the main railway line.

15.2. The Patna University may affiliate under-graduate colleges in this jurisdiction.

15.3. The jurisdiction of other universities may remain as at present except that Begusarai District may be attached either to Bihar University or to the Mithila University from the view of public convenience. We are dealing with Kameshwar Singh Darbhanga Sanskrit University separately.

OTHER SUGGESTIONS CONCERNING UNIVERSITIES**Co-ordination among universities**

16.1. After the abolition of the University Commission, the State Government have been holding periodical conferences with the Vice-Chancellors under the chairmanship of the Chief Minister who is also the Education Minister. We understand that in the neighbouring State of Uttar Pradesh, the Chancellor holds regular meetings of the Vice-Chancellors. The recommendations of this meeting are printed and circulated to the Vice-Chancellors by the Chancellor's office and that invariably the recommendations are implemented by the universities. There is a necessity of two kinds of co-ordination, namely, co-ordination with Government and the co-ordination among the universities themselves. For the purpose of co-ordination with the Government, the six-monthly meetings with the Education Minister in the chair may be continued. This would be useful in having a continuous dialogue between the Government and the universities.

16.2. In the matter of co-ordination among the universities themselves, there are many matters which would not require the presence of the Chancellor and which could be arranged among the universities themselves. However, the provision for a secretarial assistance for such a Committee of Vice-Chancellors may prove a difficulty. So we will suggest that the Chancellor may hold this meeting once in a year where the common problems of the universities may be discussed and settled. This meeting with the Chancellor should be succeeded by a meeting with the Education Minister so that the recommendations of the Chancellor's meetings wherever necessary should be further discussed with Government to enable early implementation.

16.3. The teachers of the universities and colleges have placed before us various suggestions regarding filling up of the post of Head of Department. At present the Head of Department is the seniormost Professor or Reader of the Department. A person so appointed continues in office for years together possibly till he superannuates. A view was often and strongly expressed before us by the teachers that any person holding an office for long period may set in motion certain trends which can be classified as vested interests. Alternative suggestion was that headship should rotate among the teachers of the departments. This would be workable if there are more than one University Professor in the Department. When there is only one Professor, then the rotation would give place to juniors also. Apart from the lack of maturity, etc., other factors would make this arrangement unworkable. The proposal to make it a tenure post is not feasible because in that case the post will not attract talent. For these reasons, we are unable to conceive of a good arrangement which can satisfactorily replace the present one. However, we do feel there are certain aspects of the functions of the department which could be usefully discussed among the Lecturers and Readers of the department and settled. Different points of view could then be examined and reconciled. All concerned would have a feeling of participation in the matters decided. A departmental council may be constituted for this purpose as follows:—

- (i) All University Professors, all Readers of the Department.
- (ii) 50 per cent of the Lecturers in the Department by rotation.

The council should meet at least once in every quarter and review the programme of teaching, research and other allied matters. Disbursement of the funds available for the Department, proposals for the development, disbursement of research grant, etc., should be placed before the council and decisions taken.

University Security Force

16.4. In the olden days the universities had only a small campus and the number of students, servants and buildings was also small. The general state of discipline was such that hardly any disturbance took place in the universities. Things have changed considerably since. Multifold increase in the number of students with varying altitudes in the universities which in turn has led to the increase in the number of buildings, equipment, etc. Perhaps the assets worth few crores are within the university campus. The general tenor of violence sometimes has its influence in the university also. Sporadic attempts of damaging the university library and laboratory, etc., had been quite a few. This is in addition to damages the universities suffer during general students' disturbance. In the absence of regular watch and ward pilferage, etc., take place.

State Police in campus

16.5. It is the settled policy of the Government in this country that the police will not enter the campus except at the request of the head of the institution. This also means that the normal police preventive measures like general patrolling, etc., are not to be done within the university campus. Further there are many instances of students collecting into a crowd. In the absence of a disciplined force for crowd control, these crowds though peaceful initially, damage property.

16.6. Further the libraries and laboratories of the universities have been damaged by mischievous elements of society or by those who want to disrupt and destroy the existing order. Arson in Patna Science College which occurred a couple of years ago is attributed to this type of persons, as they had no other motive except to damage the laboratory.

Establishment of watch and ward staff: State Police Officers to be sent on deputation for the initial period

16.7. All this will point to the need for the university has to have a sizeable watch and ward staff. This is a no new innovation. Almost all the factories have such staff. The principal duty of the staff would be policing the campus. Such a force would be used also for crowd control purposes and general security duties and intelligence collection also. Suitable uniform should be worn by the force. It may not be possible to clothe them with police powers but the security force may be manned by the State police men and officers sent on deputation to the university. In course of time, the universities may be able to build up their own force but till then it would be useful to send police men and officers on deputation. Since this force would require close liaison with the local police, perhaps the head of the security

force should always be a police officer like the Deputy Superintendent of Police. The State Government should immediately provide adequate funds for this purpose and depute to each university in consultation with the Vice-Chancellor & Deputy Superintendent of Police and other officers and men with good record of service who could be depended upon for their patience, commonsense, tact and active habits. The strength of the force to be required would vary from university to university depending upon the nature of local situations. This may be settled by the State Government in consultation with the Vice-Chancellors.

CHAPTER 17

INTERMEDIATE EDUCATION

Intermediate course in the new pattern

17.1. Bihar's decision to fall in line with the rest of the country and adopt the national pattern of education, viz., 10+2+3 would *inter alia* mean that there would be a two-year intermediate course and a three-year degree course. The State Government representatives who met the committee have mentioned that the thinking in the Government is to separate intermediate course of studies from the university and place it under an Intermediate Board. Selected high schools would be assisted to add intermediate classes which would be in addition to such courses in colleges. Since this raises a few vital questions for the university, we have deliberated on this problem and wish to make our recommendations.

Separation of intermediate a welcome step

17.2. From the point of view of preventing overcrowding in the colleges and universities and allowing them to concentrate on real higher education, the separation of the intermediate from the university course should be a welcome step. The income of the universities may register a fall and their deficits may increase. However, since it is an accepted State policy to provide adequate grants to the universities, we are not taking this aspect into account.

Board to be an academic body

17.3. When an Intermediate Board is set up some operational difficulties *vis-a-vis* the colleges and the universities may arise. The Intermediate Board should be in our view, a Board for academic supervision and also be an examining body. In fine, we do not want the Intermediate Board to be an organisation similar to the Bihar School Examination Board which is only an examining body. The difficulties encountered by the School Examination Board in its working would provide more than adequate grounds to support our view that academic supervision, grants and examination, should be combined in one authority if all these functions are to be carried out effectively.

Would University continue Intermediate?

17.4. A question was posed to us whether in addition to the examinations conducted by the Board, would not the universities also continue to hold intermediate examinations? The intermediate colleges would then have the option of affiliating themselves either to the Board or to a university. It was also mentioned to us that some universities in India still conduct the Matriculation Examination alongside with the State Governments' Secondary School Examinations. From the individual student's point of view, he has the advantage of either appearing in the Intermediate examination of the University or of the Board. Firstly, there can be no objection to different academic bodies holding the same level examination. There will be an added attraction to the universities of the income from intermediate examinations. On the one hand there would be practical difficulties in guaranteeing uniformity of standards between these universities and the board. Secondly, the past experience in Bihar has been that when the Higher Secondary in the schools and pre-university course in the universities were available as alternative course of study to the students, the students

showed a marked preference for pre-university course. Reasons on which they made their choice were many. This is also likely to be the case if there are intermediate examinations held by the universities also alongside the Board's examinations. The delinking of intermediate from the university may enable the universities to devote their energies and resources to better standards in the degree and post-graduate courses. Considering all aspects of the matter, we are not in favour of the universities also running intermediate examinations.

Functions and constitution of the Board

17.5. The proposed Intermediate Board should have all powers and functions relating to the intermediate examinations, including the principal functions of affiliation, prescribing academic standards, syllabi, conduct of examinations, etc. It should be an autonomous body, preferably under an Act of the State Legislature.

17.6. We would like the Intermediate Board to have close links with the universities. It would be mutually beneficial for co-ordination and in keeping up the academic standards if line of communication exists between them.

Regarding constitution of the Board our recommendations are as follows :—

- (i) Chairman to be nominated by the State Government. He should be a high level person with administrative experience, preferably in the educational sphere. If drawn from the universities he should be a person who is qualified to be appointed as university professor.
- (ii) Three nominees from the universities of Bihar by rotation to be prescribed in the rules.
- (iii) Two teachers to be nominated by the Director of Higher Education. One from amongst the principals of intermediate colleges and one from the teachers of intermediate colleges, provided that the principal and the teacher shall not be from the same institution.
- (iv) Chairman of the Secondary School Board.
- (v) Financial Adviser to Intermediate Board who should be an officer not below the rank of Deputy Secretary to Government.
- (vi) Education Secretary or his nominee.
- (vii) Two persons nominated by the State Government for their deep interest in education.

The Registrar of the Intermediate Board would function as *ex-officio* Secretary of the Board.

Surplus funds of Board to be used for development

17.7. We would also recommend that the income of the Intermediate Board from the examinations should be kept in a separate account. After deducting the expenses of conducting the examinations, 50 per cent of the surplus should be earmarked for development of intermediate colleges, the rest of the surplus should be distributed amongst the universities of Bihar. The ratio for distribution would be the ratio of the number of intermediate students who appear at the intermediate examinations of these universities held in 1973.

17.8. The State Government may frame rules for the functioning of the Board generally, especially for construction of Committees of the Board to help the Board in the tasks before them.

Problem of colleges catering both to degrees and intermediate

17.9. In this connection we would like to dwell on some operational problems that would likely arise in the colleges. We are recommending separately that only special honours and post-graduate courses of study should be retained in the universities. Almost all the rest of constituent colleges according to our recommendations would be taken over by Government from the university and managed by an autonomous body and run as affiliates of the universities concerned. This would lead us to one of the main issues, viz. whether the affiliated colleges could be affiliated to two institutions, i.e., to Intermediate Board for intermediate courses and to universities for degree courses. The separation of intermediate from the degree colleges would be a difficult task, specially since these colleges have been staffed and equipped with library, laboratory, building, etc. to cater to the needs of intermediate and degree students lumped together as one unit.

University set-up in colleges to be followed in combined institutions

17.10. If the colleges are allowed to be affiliated to two different bodies there may be difficulties in management. The Board and the universities may not be following identical rules, regulations, policies, etc., in the management of their affiliates. Who will decide on the type of governance of the colleges. Will the governing body of the college be constituted by the university or the Board? These problems cannot be tackled except over a course of few years during which period there could be gradual separation of intermediate from the degree classes. In the meanwhile, in an institution which is affiliated both to the Board and to the University, the university regulations, which are likely to be of a higher standard, should prevail. In such institutions the governing bodies of the institutions should also be constituted with provision for adequate representation for intermediate side.

Problems of pay, etc., of teachers

17.11. Pay-scales and other conditions of service for intermediate college teachers are yet to be determined. Many difficulties would arise if they are different from those of affiliated degree college teachers. Since there would be intermediate classes attached to selected high schools of the State, this is likely to lead to a number of difficulties in determining the pay, allowances, etc., of intermediate college teachers. Demand for parity in pay, etc., would arise. Degree college teachers in the affiliated colleges teaching intermediate may have pay-scale different from those teaching in intermediate classes in high schools and junior colleges. Further the financial burden likely to be imposed has also to be carefully considered. So, Government, as a policy, should lay down that for the next five years the intermediate colleges should get separated from the degree colleges with distinct entities. In the interim period, it may be stipulated that all new appointments in the affiliated colleges, unless it is

to fill an existing vacancy required exclusively for degree classes, should only be as intermediate class teachers. Government should straightway decide on the general principles of separation of the intermediate classes from the degree colleges. Wherever a high school has been upgraded, it may be examined whether intermediate students in the colleges could not be suitably shifted to the upgraded schools. In places where new exclusive intermediate colleges have come up, no fresh admission should be made for the intermediate classes retained in the degree colleges.

17.12. Before we close, we like to emphasise once again the need for a close link and mutual consultation between the Board and the universities on academic matters as the intermediate colleges would act as feeders to the degree colleges.

CHAPTER 18

TEACHERS

Teacher-pupil relationship

18.1. In any academic institution teachers play the crucial role in building up the institution. The reputation of the institution revolves on the attainments of the teachers and the quality of teaching done. So academic excellence in a university or college has direct relevance to the calibre and the quality of the teachers and how they have been able to teach and guide their students. Any study of the academic aspect of our universities and colleges lays bare the fact that standards have been rapidly falling and the quality and regularity of teaching work has been a casualty in the prevalent conditions of colleges and universities. While blame cannot be completely apportioned to the teachers alone, considering the impact they have on the various facets of the university life, it cannot but be a matter of great regret that the teachers have generally not risen adequately to the challenges of the times.

18.2. In our country from times immemorial the "Guru Shishya Parampara" has been the corner stone of all our ancient learning. Even in the later years, after the introduction of the modern type of education, informal close relationship existed between the teacher and the taught. In all universities of the world, the formal relationship has only a little role to play. It is the informal close relationship that has developed between the students and the teachers or lecturer or tutor or guide that plays a great part in developing the youngster's personality. In any student unrest, the deeply laid cause would be teacher-student relationship. Of late the informal close relationship which the students look forward to for their development in addition to the class room teaching has been conspicuously absent. For the past decade or more, due to various reasons class room teaching has been grossly inadequate in guiding the youngster in his attempts at the acquisition of knowledge. We are deeply pained to observe the growing feeling that the teachers are ceasing to provide, either in the social intercourse of the university or in the academic life, any guidance to the students which they can emulate. Unless the teachers are able to regain the lost position, the academic set-up in the universities would cease to have their deeper meaning and worth. It is true that in a fast changing world, where old values have been falling and material interests are fast becoming the guiding factors, it would be impossible to re-establish the "Guru Shishya Parampara" of even an adapted modern type. Just the same we are convinced that the leadership of the teacher in the student world could be easily regained. This can be done only by the teachers themselves by their high conduct and deep attachment to scholarly pursuits. The teachers should, on a planned basis, take dynamic steps to re-establish their contact on informal basis with their students. It is not a difficult task and students, as far as we can see, would only be too happy to respond and develop this relationship.

18.3. Regarding other ills that ail the teaching community, we shall not dwell further. To bring back the teacher to the high pedestal he used to occupy, and, in our opinion, should occupy, we are suggesting separately a code of conduct for the teachers. We suggest that apart from any regulatory enforcement by the authorities concerned, the teachers themselves should, as a matter of convention, accept and faithfully observe the code of conduct.

Self-discipline to improve teaching

18.4. That there should be adequate teaching done in classes cannot be a point of dispute but what effective steps should be taken to ensure this is oft debated. The academic community themselves should adopt measures (i) to see that the classes are not dropped, (ii) the teaching is done in a worthwhile and relevant manner, (iii) the teacher develops good relationship with the students. Heads of departments in university and colleges should have a great role to play in putting the teaching back on its proper rails.

Upgrading the teaching capacity: Training course for college teachers

18.5. In this connection a person who had intimate connection with the university life has drawn our attention to the fact that the lecturers today do not give impression of being mature persons who have assimilated their knowledge. The majority of them still continue to live and behave as if it is an extension of their student life. It has been suggested that there should be a minimum period of break after a person completes his studies and before he becomes a teacher. It has also been suggested that the teachers should be trained in methodology so that they may be able to put across successfully the subject content. The Kothari Education Commission had also drawn attention to this need in the college teachers. A bright young man who has chosen to be a teacher, while he may be a highly competent person in the subject concerned, may not have adequate knowledge of the teaching methods. No doubt the teaching methods may have more importance in the schools but even in the colleges and in the university departments the advantage of adopting good teaching methods cannot be underestimated. Incidentally, this training period could be a part of the break which can be utilised to transform a bright student to a good lecturer. The faculties of education in the universities should be able to devise suitable courses for this purpose on the lines of the diploma in higher education in the Bombay University. The possession of this diploma is one of the prerequisites for a college teacher under Bombay University.

Joint Teacher-Student Council

18.6. We recommend the establishment of a Joint Teacher-Student Council in every college and university department so that there may be a formal point of contact between the teacher and the taught and the position regarding teaching and other allied matters may be reviewed periodically. The details of the composition and functions of the council may be provided for in the statutes to ensure necessary flexibility.

Selection of teachers

18.7. Now we would go on to the method of selection of teachers. At present teachers for universities and constituent colleges are selected on the recommendation of the Public Service Commission of the State. The Acts envisage that in making appointments to posts of teachers of the university the Public Service Commission would have the same role which it has in matters of appointments to services of the State. In regard to the affiliated colleges, the University Service Commission makes recommendations. The procedure followed is similar with only differences in detail. The Inter-University Board for India and Ceylon have been repeatedly

pointing out that the selection of teachers for a university by an outside body is considered as a diminution of its autonomy while selection by a Public Service Commission has many points to commend, for posts in the universities which require persons of high level specialised academic standing we are doubtful whether the Public Service Commission is a suitable agency to make the assessment of merit and suitability. Selection of teachers for the affiliated colleges by the University Service Commission suffers from, more or less, the same drawback. With the coming in of the national pattern of education and consequent reorganisation of the courses of studies the recruitment of teachers would now have to be done for three categories of institutions :—

- (1) for University Post-Graduate Special Honours Departments.
- (2) for Colleges.
- (3) for Intermediate Colleges.

The last category, viz., the intermediate college teachers' recruitment may be arranged for by the Intermediate Board.

18.8. We are firmly of the view that the selection of teachers for the affiliated colleges and the universities should be in the hands of experts. Centralised selection for the entire State both by the Public Service Commission and the University Service Commission has a number of drawbacks which more than outweighs advantages of a high level outside selection body. So we would suggest the following selection Committees to replace the selection by Public Service Commission and the University Service Commission :—

Professors.

- (1) Vice-Chancellor—*Chairman.*
- (2) Three experts not in the service of the university or of any colleges under it to be nominated by the Chancellor out of a panel of five names sent by the Vice-Chancellor.
- (3) Seniorsmost University Professor of the Department.

Readers.

- (1) Vice-Chancellor—*Chairman.*
- (2) Dean of the Faculty concerned.
- (3) Seniorsmost university professor in the department; if there is no university professor in the department then the seniorsmost professor nominated by the Vice-Chancellor.
- (4) Two experts not in the service of the university or college affiliated thereto to be nominated by the Chancellor out of a panel of three names sent by the Vice-Chancellor.

Principals of Affiliated Colleges.

- (1) Vice-Chancellor—*Chairman.*
- (2) Rector.
- (3) A representative of the Cluster Council in whose jurisdiction the college is situated.
- (4) Two experts not in the service of the university, or of a college affiliated thereto nominated by the Vice-Chancellor.

Lecturers.

- (1) Vice-Chancellor—*Chairman*.
- (2) Dean of the Faculty concerned.
- (3) Head of the University Department.
- (4) Two experts not in the service of university or any affiliated colleges thereto to be nominated by the Chancellor on the recommendation of the Vice-Chancellor.

18.9 These selection boards would draw panels of names which should be used by the Vice-Chancellor also to fill any short-term vacancies which may arise during the year. Since a panel is readily available the question of emergency appointments by the Vice-Chancellor or by the affiliated colleges would not arise.

18.10 The above committee will also draw panels of names of candidates who are willing to work as lecturer in the affiliated colleges. Whenever a vacancy is notified from the college, the Vice-Chancellor shall send the panel to the appointing authority and they may make appointment of any person from the names in the panel.

18.11 We have recommended the above arrangement with a view to avoiding the evils of centralisation and eliminating any element of patronage or favouritism by placing the selection in the hands of high level bodies. Since the bodies consist of experts the academic aspect of the candidate's attainment can be carefully gone into and the best among them chosen.

Discipline for teachers

18.12 Under the present University Acts, the Syndicate is the appointing authority of all officer staff other than the Vice-Chancellor and the Treasurer. In that capacity, the Syndicate also exercises disciplinary powers over these officers. It is the general impression that one of the principal causes of the present state of indiscipline in the universities and the constituent colleges is the fact that decision on disciplinary matter is left to the Syndicate. Favourable alignment with the dominant pressure groups in the Syndicate, could be depended upon to minimise the punishment inflicted to almost a ridicule. The Syndicate is said to be functioning in "groups and cliques" in universities. In these universities, the maintenance of discipline among the teaching and other staff has become difficult problem. Some teachers have been dropping classes without any sense of fear or responsibility. Some also indulge in group politics of the university. Their work as examiners, paper-setters, moderators or even tabulators has been often subjected to serious criticism. It is often said that no effective action has been taken on such complaints possibly because delinquents were thriving under the umbrella of patronage of some pressure group or other of the Syndicate.

18.13 In any organisation disciplinary matters are best handled by a single person or at best by a very small body.

18.14 Indiscipline among teachers has had a general all-pervading effect in the university and doubtless leads to student unrest as the progress of the student community is adversely affected. If teaching is not done properly and adequately, not only the resources invested in the institution are unutilised but also the young man who goes through the course becomes ill-educated and a drag on the community. For these reasons, we feel that for the next few years maintenance of strict discipline will

have to play a large part in the academic and administrative working of the universities. Till such time as conduct of teaching is placed back firmly on the rails, strict vigilance would be necessary, discipline cases will have to be handled firmly and punishment inflicted should act as a deterrent to other delinquents.

18.15. In order to provide unadequate machinery in this respect, we should suggest that the head of the department may call for explanation from any teacher on any point and forward the papers along with the explanation received and with his comments thereon to the Vice-Chancellor. The Vice-Chancellor may, if he feels any enquiry is necessary, order such an enquiry. The report of the head of the department and the enquiry report if any would be sent to the Discipline Committee. Discipline Committee consisting of the following should be set up :—

- (1) Rector—Chairman.
- (2) One person nominated by the Vice-Chancellor.
- (3) One person nominated by the Executive Council.

18.16 The Discipline Committee may decide its own procedure and come to a finding and if it finds that the charges are proved may suggest a suitable punishment and forward it to the Executive Council who will accept the findings and recommendation. In case where it does to accept the recommendation, it should record its reason and forward it to the Chancellor, whose decision would be final.

18.17 Any appeal against a decision of the Executive Council will be with a committee of arbitration to be prescribed in the statutes.

18.18. While on the subject of discipline, we like to endorse the recommendations of the committee on Higher Education (Shri K.S.V. Raman Committee) which had recommended a code of conduct for the teachers. We would suggest that the code of conduct may be made a part of the service rules of the university.

Code of conduct for teachers

18.19 The code of conduct should be on the following lines :—

- (i) Every teacher shall devote his whole time to the services of the College/University.
- (ii) No teacher shall without prior permission of the University concerned—
 - (a) engage directly or indirectly in any other trade, profession, business or occupation,
 - (b) except in case of accident or emergency or sickness certified by competent medical authorities absent himself from his duties without getting due leave sanctioned by the competent officer or authority in accordance with the leave rules of the institution; and
 - (c) apply for or accept any other post or service outside the prescribed duties with or without remuneration, or enrol himself for higher studies in any educational institution without the previous permission of the Vice-Chancellor, nor shall he undertake any private tuition of candidate for gain either directly or indirectly.
- (iii) (a) He shall attend regularly and punctually the institution to which he is posted or assigned according to the timings fixed for the duties and, during the hours fixed for his duties, he shall devote himself diligently to his work and give full co-operation in all work.

- (b) He shall not without previous permission from the concerned authority accept an examinership at any examination outside the university or accept membership, honorary or otherwise, on any outside committees or bodies.
- (c) He shall diligently and faithfully carry out any duties relating to any examination entrusted to him and shall discharge them without fear or favour.
- (d) He shall not apply for or obtain or cause or permit any other person to apply for and obtain a patent for an invention made or publish the results of any research involving patentable material done by him or under his guidance in the Department, save with the permission of the authority concerned and in accordance with condition as the authority may impose from time to time. The decision of the authority should be final and binding.
- (e) In no case shall a teacher utilise his colleagues or students for political purposes.
- (f) No teacher shall directly or indirectly publish or circulate for gain or otherwise any questions and answers, guess papers or notes.
- (g) Every teacher shall discourage parochial or sectional outlook or organisation on religious, caste, personal or group lines and in no circumstances participate or organise such activity.
- (h) in case a teacher intends to stand for election to legislature or is nominated for the same he shall obtain previous sanction of the authority for this purpose.

Teachers-legislators

18.20 Item (h) above refers to teachers offering themselves as a candidate in elections to legislatures, etc. The problem of the teacher-legislator is a vexed one. Right from the time a teacher decides to stand for election, his attention naturally gets diverted to matters relating to this election. If he contests an election, then electioneering will keep him completely engaged up to the date of his poll. After success in the polls he would be engaged in attending meetings of the legislature when in session. In the case of State Legislatures or Parliament, the sessions are continuous for about six weeks and there are about three to four sessions a year. Further, the legislatures have a number of committees and the teacher-member is likely to be a drafted to some of them. The committee meetings are held throughout the year. In addition, there is the work of the constituents and 'attending' to the constituency which would take up most of his spare hours. All these calls on his time would make it well-nigh impossible for a teacher-legislator to devote to his duties as a teacher that attention and care as is normally expected of a good teacher.

18.21 The present practice generally that such persons avail themselves of leave only during the session of the legislature, Parliament is not altogether a happy one. The teaching work is badly disturbed and the period of leave being short, substitutes cannot be appointed. The students are also deprived of approaching the teacher for guidance whenever required.

18.22 The Kothari Commission's Report suggests that the teacher should go on leave when he is engaged in electioneering. The Inter-University Board of India and Ceylon have considered this question in the same detail and have recommended as follows (in their 43rd Annual Meeting held on the 10th, 11th February 1968) :—

“Resolved to recommend to the universities that while teachers may contest for various public offices and given appropriate leave of absence for that purpose, it should be understood that once teachers have been elected, they either resign their job or proceed on long leave. This, in the opinion of the Committee, was necessary to enable the elected teachers to play their full role in the deliberations of the bodies of which they happen to be members and would also in fair to the institutions to which they belong. Since both teaching public life make heavy demands upon the time and energy of those engaged in them, an attempt to combine the two is not likely to produce happy results and the Committee was not in favour of it.”

Teacher-Legislator to go on leave

18.23 We strongly recommended that teachers who are members of the State Legislature or Parliament should proceed on leave for the entire period of the membership of the legislature. This has many advantages both to the member and to the institution. The teacher-member would be able to concentrate his time on the work of that body and that of his constituency. The institution would be able to make alternative arrangements for teaching. We would suggest that his suggestion of the Inter-University Board may be followed and may also be incorporated in the code of conduct, statutes and the Act, if necessary.

Service conditions of Affiliated College Teachers

18.24 The State Government (vide letter no. 134, dated the 17th February 1973) have informed that according to the agreement signed between them and the affiliated college teachers on 15th December 1972, they would request the Committee to give the recommendation on how to meet the demand of the federation of affiliated college teachers that their system of administration, service conditions and promotion opportunities should be on a par with that of teachers of the universities and constituent colleges. After their strike the teachers in affiliated colleges have been given the same scales, by December, 1970 Agreement, as the teachers of constituent colleges. By December, 1972 Agreement it has been further agreed that methods of pay fixation in their cases would also to be the same as for constituent college teachers. Thus, in regard to pay, parity has been brought about between the constituent and affiliated college teachers.

Pay parity with constituent colleges

18.25. In regard to allowances, some differences exist. In December, 1970 Agreement, the affiliated college teachers were in addition allowed to draw dearness allowance at the same rates as they were being paid by their governing bodies in lieu of special allowance and other facilities made available to the university and constituent college teachers. The rate of dearness allowance in affiliated colleges varies from college to college as the statutes of the universities only prescribe the minimum dearness allowance. In the institutions where dearness allowance is high, the teachers start drawing higher total emoluments than their counterparts with equal length of

service in the universities and constituent colleges. This, we expect, would be evened out when the State Government take up the question of "pay protection" for the affiliated college teachers.

Salary payment

18.26 The State Government have also agreed to provide sufficient funds in a phased manner to the affiliated colleges so that the pay of the staff may be fully met and for this purpose they proposed to start with a sum of Rs. 60 lacs in the year 1973-74. According to the agreement, dated the 15th December 1972, the principles and method of distribution of this Rs. 60 lakhs and the manner in which amounts in subsequent years are to be distributed, would be discussed with the Federation. So in view of this clause in the agreement, we are not making any recommendation regarding the parity on the emoluments side.

Common agency for recruitment and model service rules

18.27 The method of recruitment of the teachers of the affiliated colleges is being discussed separately. The same agency would recruit lecturers for affiliated colleges and the university. Regarding other service conditions for the affiliated college teachers, we would suggest that the universities frame model service conditions based on service conditions for their own teachers and make it a part of the statutes to be followed by the affiliated colleges. Permanent appointments in affiliated colleges should be made strictly on the basis of length of satisfactory service in that college as lecturer. "Pick and Choose" methods in making teachers permanent may have same advantages but they smack of patronage and should be avoided. The model service conditions may streamline the procedure for disciplinary action with a disciplinary committee at the Cluster Council level with provision for appeal against the decision of the committee to the University Disciplinary Appeals Committee for affiliated colleges. On the basis of the report received from the Principal, the Chairman of the Cluster Council shall constitute a Disciplinary Committee with a representative of the Cluster Council as Chairman, other members being a representative of the Management Committee and the senior teacher of a college of the Cluster Council nominated by the Chairman which will submit a report to the Cluster Council for a decision. An appeal would lie to the university where it will be heard by a Committee consisting of the Rector, nominee of the Cluster Council and one University Professor nominated by the Vice-Chancellor. No suit should lie to a Civil Court against the decision of these bodies.

Opportunity for teaching P. G. Classes and Research

18.28 It would be in the interest of building up the quality of teaching in the affiliated colleges, if senior teachers of the affiliated colleges are given suitable opportunities to teach in post-graduate classes. In many universities post-graduate teaching opportunities are available to the affiliated college teachers of good standing in the subjects of their specialisation. Both in the university departments and in advanced centres certain teaching periods may be made available to affiliated college teachers if they have acquired specialisation in any of the subjects of study.

18.29 The affiliated college teachers should also be given adequate opportunities for doing research. For purposes of library facilities they may be treated on par with the lecturers of the university. Senior professors may make it a point to take on at least two lecturers of affiliated college for guiding research.

Recruitment for university posts

18.30 With the under-graduate departments of the constituent colleges being separated, all the under-graduate teachers, both of the former constituent colleges and the affiliated colleges would be on an equal footing. We would suggest that separate recruitments may be made for post-graduate departments whenever vacancy arises and this recruitment should be open to all qualified teachers of both constituent and affiliated colleges, and qualifications so fixed that the affiliated teachers are not discriminated against only on the ground that they have had no post-graduate teaching experience. Where sufficiently high level person is available from the affiliated colleges, the mere fact that he had not taken post-graduate classes should not be held as a bar to his being considered for a Reader's post. Really speaking, even in the existing statutes of the university, only 25 per cent of the total posts are to be higher posts of Reader and above. So, with the structure so fashioned, selection for Reader's posts and to higher posts would naturally be a highly competitive one where rigorous merit alone would entitle oneself to selection. This has to be so, if the post-graduate teaching and research work are to be retained as centres of excellence.

18.31 While making our recommendations, we would like to caution the State Government against watering down of the standards required of teachers for post-graduate teaching and research cadre under the influence of pressure groups, however, vocal or influential they may be. There are certain fields of activity where merit alone should count and mass pressures should have no place. Universities should be such places, especially in their post-graduate and research departments.

18.32 Complete equalisation is a distant dream in any sphere. This is mere so where individual calibre is a crucial factor. This has to be recognised that only broad facilities can be provided by Government and that it is for the teachers themselves by the dint of their own effort to come up in the academic world.

18.33 Before we close we would like to refer to another complaint often voiced by the student community that the teachers have been keeping themselves busy in the work of examinations for universities other than their own, with the result that they are fully occupied and have no time for teaching or for their students. In this connection provisions in the Uttar Pradesh State Universities Bill, 1972 have been brought to our notice, which are as follows :—

“34 (1) No teacher of the university or of an affiliated or associated college shall draw in any calendar year, a total remuneration exceeding the average of two months' salary, in the particular calendar year for any duties performed in connection with any examination conducted by any Indian University or any Public Service Commission.

34(2) No teacher of the university or of an affiliated or associated college shall at any time, hold more than one remunerative office carrying duties other than teaching or duties connected with any examination.

Explanation.—The words “remunerative offices” include the offices of Warden or Superintendent of a Hall or Hostel, Proctor and any office in the National Cadet Corps.”

We recommend that a provision in similar lines may be made in our Act also.

CHAPTER 19

STUDENTS

19.1. Students have the user interest of our universities as the institutions of higher education like universities are maintained to develop the young men of today who may blossom into leaders of thought and action in the various walks of life. So in any scheme of a university interests of students should occupy the foremost place. This is more so in the world of today where the student community has become very vocal and does not hesitate to adopt any means to make its views accepted.

19.2. Despite repeated condemnations students continue to be used by the various political parties in their agitational programmes. Only a clear understanding among all the political parties can prevent this. Perhaps, we may have to wait for maturity in political atmosphere to develop in this country before this can be fully achieved. In the meanwhile, the Chief Minister may try to evolve a working code among all parties to prevent misuse of students for political ends. The use of students for normal political activities like elections, political canvassing, political meetings, speech making, etc. cannot be considered undesirable. On the other hand this may be a useful experience for a young man so long as there is no over-commitment to any political ideology or party to the detriment of society.

Social Background

19.3. It is expected of students entering the portals of higher education that they will be of a sufficiently high calibre and so keenly interested in their studies that the other basic problems like discipline would not arise. But this happy situation which used to prevail in many of our universities is fast receding into dim memories of the past. The social and economic difficulties and resulting frustration have their due role to play in this situation. In such a complex situation there cannot be any ready remedy for the problems of students' unrest in the colleges and universities, nor can one be hoped for within the foreseeable future.

Disguised Unemployment

19.4. In the prevailing conditions of our country bulk of the students come for higher education as they consider degrees as a "passport" to jobs and possibly for white-collar jobs. Secondly, with prospect of immediate employment bleak, they enter the college with the vague general expectation that higher education would better their chances in securing suitable employment. Thus these institutions to a large extent act as the repository of "disguised unemployed" youths. No wonder many of the students in our colleges and universities are not fit for receiving higher education and only very few students come for higher education with a quest for learning.

19.5. A normal student today faces a complex situational mix; on one side vast mass of fellow students uninterested in studies; political parties varying with each other to stir up trouble and involve the students; poor facilities in his educational institution; broken down student-teacher relationship; and the adult world with which he has to establish a relationship and which is yet to earn his respect. Higher education would prove fruitful only when society in general and academic world in particular build bridges of understanding with their youth and give adequate guidance and convince them of progress in the right direction.

Better facilities in colleges

19.6. In the last few years, concern is being voiced regarding the standards of attainment of our young men. This has been focussed in the reports of many recruiting bodies and is also self-evident to any one who has had to work with young men. Bright, assiduous and keen young men there are and will always be, but fear is often expressed that such men are becoming exceptions rather than the rule. The causes for the poor academic attainments of our young men are very many. Young men of Bihar have been prosecuting their studies under great handicaps. To a large number of students, the academic atmosphere is lacking in their homes and often he is the 'lone crusader' trying to throw out the shackles of educational backwardness of his family. Already inadequate physical facilities for imparting instruction in the colleges have been overstretched. The teacher-taught relationship which forms the corner-stone in any temple of learning is being fast eroded. Thus any attempt of improvement of academic attainments would require effective measures to overcome the shortcomings that a student faces.

Enrolment explosion

19.7. The enrolment explosion, i. e., the sudden increase in numbers of people coming to higher educational institutions has thrown a huge burden on the universities and colleges. The successful tackling of the large number of students enrolled would, we believe, provide the key to restore excellence in our universities. This will also help us to tackle the teacher-student relationship which alone will provide the firm basis for a good superstructure.

19.8. For the very bright students, to develop them rapidly, it is proposed that a high level honours course be attached to the university departments and admission to the course be on a selective basis.

Facilities in colleges

19.9. In the affiliated colleges also, there may be a strict review of the standards maintained. Only colleges which conform to specification should be allowed to continue as affiliated colleges. Substandard colleges should be weeded out. In all courses of study in a college the number of seats should be clearly specified and students admitted only up to that level subject to the facilities prescribed by the university being available. Educationists say that no college can effectively handle more than 1,000 students. This enrolment standard may be enforced.

19.10. Every college should provide in the first year hostel accommodation for at least 10% of the total strength which should be increased within the next five years. Adequate recreational facilities should be available and this should be a part of the obligatory conditions to be fulfilled before affiliation is agreed to.

Welfare measures

19.11. We would like to refer some very urgent steps required to take care of the welfare of the students. The student-teacher relationship has to be reset so that the teacher takes interest in welfare of the student. A machinery is required to redress the individual complaints, which are mostly of minor nature, of the students. By providing an outlet for minor grievances they can be prevented from snow-balling into agitation. It would also ease the students' mind and enable him to devote his time to academic pursuits. We suggest that there should be Student Welfare Officer in every college and university.

19.12. Another of the problems that trouble the students relates to their health. There should be provision for medical attention in every college during the working hours. A doctor may be available for fixed hours at the institution and also in emergencies on call.

Special facilities for girl students

19.13. In colleges where co-education exists the college authorities should employ at least one lady lecturer for every 50 girls. These lady teachers should look after the welfare of the girl students also. There should be a separate common room with adequate toilet and other facilities for women students. We have to draw attention to this routine matter since many of the colleges and educational institutions do not provide adequate facilities to the women students which deter women students from entering co-educational institutions. It may not be possible in the foreseeable future to provide separate women's college in all towns. So co-education in higher educational institutions should become a common feature in all the institutions and in order to see that women students are not put to undue hardship, these minimum measures should be taken immediately.

Students and university bodies

19.14. An important issue for consideration before us relates to students' representation in university administration. We have had the benefit of discussion with students' representatives during our visits to the universities of Bihar. The main basis urged by them was that all activities of universities are directed towards one objective, namely, the benefit of students. In such a situation students should be given opportunity to state their views on the various issues concerning them. In the prevailing atmosphere of participatory democracy there is a strong case for regular consultations with the students by the university authorities. To achieve adequate measure of participation in the decision making, the students desire that they should be represented in the Senate, Syndicate and Academic Council. According to our recommendations the Syndicate (to be designated as Executive Council) would be a compact high level body for the matters retained in the direct charge of the universities. It being the principal Executive Body many matters would come up, wherein the students will have little contribution to make. Further in a body of thirteen or fifteen only one or two student-representatives members may not serve their purpose. We recommend that the students' representatives should be placed in the Senate (to be known as Court) which is a bigger body with representatives of various interests connected with the university, as also outside elements.

Representation in the Court

19.15. After consideration of various alternatives we suggest that the representation of the students in the Senate (Court) may be on the following lines :—

- (i) President of the University Students' Union.
- (ii) Representatives of the Students' Councils—one representative of the University Students' Council and one representative for every ten Students' Councils in colleges grouped according to the procedure to be laid down in the statutes of the university.
- (iii) Two meritorious students nominated by the Vice-Chancellor.
- (iv) Two students who have distinguished themselves in sports, athletics, extra-and-co-curricular activities, to be nominated by the Vice-Chancellor.

The term for the representatives should be for one year and they should be ineligible for renomination.

Students' Council

19.16. In addition to the representation given to the students in the Court and the Joint Teacher-Students' Council we also propose that there shall be a Students' Council in every university and every affiliated college. The details of the Students' Council constitution, function and such other matters may be provided for by the statutes of the universities.

The functions of the Council at the University level shall *inter alia* be as follows :—

- (1) To make recommendations to the Executive Council and to other university authorities about matters affecting the academic interests of students, such as structure of courses, patterns of instruction, etc., and about co-curricular and extra-curricular activities in the university.
- (2) To communicate its views to the Executive Council or the Academic Council of the university on all rules concerning students' discipline, residence, health centres, N.S.S., N.C.C., etc., in respect of which the university bodies concerned shall ordinarily consult the council.
- (3) The council shall have the right to communicate its views, observations and recommendations to the Vice-Chancellor and/or any authority of the university in respect of any matters which concern the students. The Chairman of the Students' Council will be the authority to decide whether a matter does or does not concern the students.

19.17. The meetings of the Students' Council shall be held at least three times every year and not more than six months should elapse between two meetings. Extraordinary meetings may be held either at the instance of the Chairman or on the request of not less than half of the members of the Council. Ten members of the Council would form the quorum for a meeting of the Students' Council.

19.18. The composition of the University Students' Council may be as follows :—

- (i) The Vice-Chancellor or a University Professor nominated by him—*Chairman*.
- (ii) President, Vice-President and General Secretary of the University Students' Union.
- (iii) One student representative each from Joint Teacher-Student Council in each department.
- (iv) One representative from each Students' Advisory Committee in recognised hostels.
- (v) Five students nominated by the Vice-Chancellor as follows :—
 - (a) One meritorious student.
 - (b) Two students who have distinguished themselves in sports, athletics, etc.
 - (c) Two other students for their distinction in fields of student activities :

Provided that students who have passed the intermediate examination more than five years earlier or have taken more than one year in excess of the period prescribed for the courses for which they are students, shall be ineligible to become members of the Students' Council :

Provided further that no student shall be eligible to become a member of the council unless he has been on the rolls of the university at least one year before he becomes a member.

19.19. The Secretary of the Students' Council shall be elected from among the members by single transferable vote.

19.20. Students' Councils may be constituted in the colleges on similar lines. This may be provided for in the statutes.

Students' Advisory Committee in Hostels

19.21. In all recognised hostels, Students' Advisory Committee should be set up to assist the management in maintenance of discipline, hostel management and organisation of extra-curricular activities. The Constitution which may be kept flexible since local conditions vary and may be decided by the university ordinances. Generally speaking there should be one representative for every 20 students.

19.22. A mandatory provision may also be made that before considering matters in the purview of the Students' Council, the Executive Council and other authorities of the University Executive Council and other authorities of the University shall obtain the views of the Students' Council.

Joint Teacher-Student Council

19.23. In order to bring about close relationship between the teacher and the student and also to give a sense of participation both to the teacher and the student in the activities of a college or teaching department, it is proposed that a Joint Teacher-Student Council may be set up in every university department under statutes of the university. The main function of the council would be to discuss academic matters relating to teaching programmes and arrangements and other matters of interest for the students in the departments and provide a forum to students to give their views on the teaching, laboratory working, library facilities, etc., and also any other matter relating to the working of the department which affects them.

19.24. The constitution of the council which may be provided by statutes may be on the following model :—

- (1) Head of the Department—*Chairman*.
- (2) All Professors and Readers of the Department.
- (3) 20% of the lecturers by rotation according to seniority as lecturers.
- (4) Representation for Research Scholars 20% of them by rotation.
- (5) Representatives of students to be elected by the students of the department, the numbers being equal to the number of members under items (2), (3) and (4).

The Secretary of the Council may be elected by the members from among themselves.

19.25. The statutes may provide for any more representation on the council as may be suited to local condition. A council on similar line may be provided for the colleges in the statutes.

19.26. We would now deal with the problem arising out of the existence of students who do not complete their courses in time and continue to be in the campus almost indefinitely. Such students often provide the leadership in all destructive

activities on the universities/colleges. Dr. Samuel Mathai, a leading educationist and a former Chairman of the University Grants Commission has considered this question and has recommended that every student should be allowed only a certain fixed duration from the time of admission to complete his courses of studies in any educational institution. After that period the student would be given a certificate of completion of courses by the institution. This would mean that the student will have the right to be sent up to the university examination from that institution only once. After the prescribed period of study in the institution the student severs his link with the institution for good and he may appear at the university examinations only as an external or non-collegiate student. Thus if the period of stay of a student in an educational institution is limited it would act as a check on neglect of studies with a view to continue to be a member of the student community.

19.27. We would also suggest that the universities and other examining bodies should, as far as possible, hold separate examinations for regular students, and those for non-collegiate students, so that the level of the former is not pulled down by the latter.

CHAPTER 20

RECOMMENDATIONS FOR SHRI KAMESHWAR SINGH DARBHANGA SANSKRIT UNIVERSITY.

Present position and suggestions for action

20.1. The Kameshwar Singh Darbhanga Sanskrit University came into existence on 20th January 1961. The Anand Bag Palace, where the University office is now situated, along with a portion of the manuscripts and Sanskrit books in the library of the Maharajadhiraj of Darbhanga was donated by him to the University. Expected further donation to the University from the Darbhanga Raj has not materialised so far. The building is about a hundred years old and, in the absence of regular adequate maintenance, is not in proper condition and needs extensive repairs as some portions have already given way. Estimates prepared for its repairs is said to run into lacs. The plot of land on which the Anand Bag Palace stands offers little scope for further extension of new constructions and may stand in the way of development of the University. The State Government may like to have the position reviewed by a high level committee of academicians and experts and decide on the proper building for the University keeping in view its need for development.

Present academic position

20.2. This University was established to preserve and promote knowledge and learning in Sanskrit, Pali and Prakrit. None of the important functions have been fulfilled even partially as during the last twelve years, not a single University department has been established nor posts created for teaching and research. The University has remained as examining body carrying on part of the work of the erstwhile Bihar Sanskrit Association. It is said that Research work is yet to come up in quality and quantity. The teaching in various subjects is imparted by Tols and Sanskrit Colleges have not been supervised by the University due to lack of funds and staff.

State of affiliated institutions

20.3. The traditional type of Sanskrit learning as imparted in Sanskrit Tols is a unique feature in the system of Sanskrit education, coming on for the last several centuries. A Pandit who has acquired learning in the traditional manner trains students right from the primary class up to the highest class; learning here forms one organic entity. The students study a number of subjects and they pass on from one stage to another when the Pandit is satisfied that the pupil has mastered what has been taught to him. The Tols, which have more than one Pandit and prepare students up to Acharya standard are known as Prachin Padhati Sanskrit Colleges.

20.4 There are four Government Sanskrit Colleges and a number of private Sanskrit Colleges affiliated to the University. In these colleges, the traditional Sanskrit subjects, along with some modern subjects are taught. The courses of study are generally fashioned on modern lines. These institutions are known as Navin Padhati Colleges.

20.5 On the academic side the following needs of the University appear to require special attention :—

- (1) Organisation of departments for teaching and research work.

- (2) Very few people, indeed, are familiar that the vast treasures of Sanskrit literature in subjects like Philosophy, Tantra, Astronomy, Grammar, etc., are in extremely abstruse, highly technical and compact language. Only the older generation of scholars who have mastered them through life-long study and devotion, can understand and interpret the texts. It appears advisable that the texts are made understandable through translations supplemented by exegesis in Hindi. For this creation of a cell for translation and interpretation benefiting from the services of scholars trained in the traditional way, may be necessary.
- (3) Provisions may be considered for training teachers of Sanskrit in modern teaching methodology.
- (4) The areas of operation of the Sanskrit Board should be demarcated: Duplication and overlapping to be avoided and co-ordination ensured.

20.6 In this background, the set-up for the Sanskrit University was considered. The Sanskrit Viswavidyalaya is an affiliating University and hence structures suited for an affiliating University may be followed here also. The composition of the various bodies may be as follows :—

(a) *Executive Council*

(i) The Vice-Chancellor—*Chairman*

Members

- (ii) The Director of Higher Education.
- (iii) One of the Directors of the three Institutes, namely, M. S. Research Institute, Darbhanga, Prakrit Research Institute, Vaisali and Nalanda, Pali Research Intsitude, Nalanda by rotataion.
- (iv) Two Principals of Government Sanskrit Colleges in the State by rotation.
- (v) One Principal of non-Government Sanskrit Colleges by rotation.
- (vi) One Principal of the Tols where instruction upto Acharya standard is imparted by rotation.
- (vii) One member to be elected by the Court by its members who are not servants or students of the University or the colleges and the members so elected should not be a servant or student of the University.
- (viii) Three persons nominated by the Chancellor on the recommendation of the Vice-Chancellor for their deep interest in Sanskrit, Pali or Prakrit learning.

(b) *Court*

ex officio members

- (1) The Chancellor.
- (2) The Vice-Chancellor.
- (3) The Education Commissioner to the Government of Bihar or his nominee not below the rank of Deputy Secretary to Government.

- (4) The Director of Higher Education, Bihar.
- (5) The Deans of Faculties.
- (6) All Principals of Colleges maintained by the University and Government.
- (7) One-third of the Principals of non-Government Colleges by rotation in the manner prescribed by the statutes to hold office for one year.
- (8) Two Heads of the University Departments of Sanskrit of the Universities of Bihar by rotation for one year.

Life Members

- (9) Every person who has donated in cash or in property to the satisfaction of the Chancellor a sum of not less than Rs. 50,000 (Rupees fifty thousand) to the University. In case of property the entire property should come into the control, possession and ownership of the University. The membership shall not be hereditary.

Representative Members

- (10) Eight teachers of Government and Navin Padhati non-Government colleges having five years, teaching experience to be nominated by the Chancellor on the recommendation of the Vice-Chancellor.
- (11) Three members of the Bihar Legislative Assembly to be elected by the Assembly.
- (12) Two members of the Bihar Legislative Council to be elected by the Council.
- (13) Three representatives of the teachers of Sanskrit High Schools to be nominated by the Chancellor.
- (14) Three representatives of the teachers of Sanskrit Tols of Vidyalaya level to be nominated by the Chancellor.
- (15) Five representatives of students to be nominated by the Chancellor.

Nominated Members

- (16) Not more than three persons to be nominated by the Chancellor on the ground that they have made significant contribution to Sanskrit, Pali or Prakrit learning.

The Academic Council

- (1) The Vice-Chancellor.
- (2) The Deans of Faculties.
- (3) The Director of Higher Education, Bihar.
- (4) The Director of Institutes.
- (5) The Principals of Colleges maintained by the University or the State Government.

- (6) Heads of the University Departments.
- (7) Five Principals of non-Government Colleges by rotation each for one year in the manner to be prescribed by the Statutes.
- (8) Six teachers other than Deans, Principals and Heads of University Departments to be nominated by the Vice-Chancellor so as to ensure representation of each Faculty.
- (9) Not more than five experts, preferably not in the service of the University to be co-opted by the Academic Council, as and when necessary.

Jurisdiction

20.7 The jurisdiction of the Kameshwar Singh Darbhanga Sanskrit University has been kept as "India and outside". This has led to irregularities as the University was not able to supervise institutions within such a wide area. We would, therefore, suggest that the jurisdiction of the University may be ordinarily limited to those institutions situated in the State of Bihar alone.

20.8. It may also be provided in the Act that the State Government may, by special order issued with the concurrence of the Chancellor and the Court of the University, order affiliation of any institutions outside the State of Bihar to ~~this~~ University provided that the local Government in whose jurisdiction the institute is situated recommends the same.

SUMMARY OF RECOMMENDATIONS.

1. In making our recommendations we have had as our central objective as to how the universities could be turned into real centres of learning and knowledge and how the students of the present and future generations could be enabled to get the best out of the time they spend in the university.

For the fulfilment of this objective we have kept in view the claims of both quality and quantity, i.e., development of excellence as well as higher education.

(Para. 1.9)

2. The aims and principles of higher education in a developing country like India would be to serve the social needs, develop men and women to be leaders in their walks of life and help the society to meet the challenges of the times..... In a democratic set-up objectives of higher education will be both mass education and excellence..... Socialisation stresses numbers; rapid progress demands excellence.

(Para. 2.1)

3. India is a great country with a hoary tradition and culture. Perhaps there can be no higher aim and a more fundamental objective than transmission of a common culture and consciousness of a common citizenship of a great country and instil into the minds of our youth the common bonds and the social habits required for a healthy and growing society.

(Para. 2.5)

4. Universities of Bihar may arrange for exchange of teachers and students with the universities of the rest of the country. Apart from developing a national consciousness, academically it will set-up healthy trends by the cross-pollination of ideas and experience. Development of such connections would tone up the academic atmosphere and break up the tendency towards stagnation.

(Para. 2.7)

5. The talented teachers in universities may be shared with others by deputation, etc., where such sharing is likely to benefit the borrowing University.

(Paras. 2.9 to 2.11)

6. Special arrangements are necessary for the large masses seeking higher education and whose needs cannot be met by the existing patterns. To provide such educational opportunities for the masses, we have suggested the multiple entry system in order to accommodate the weaker section of the community who are unable to bear the strains, financial and otherwise of continuous courses of study but can attempt it in convenient stages, and working their way in between the courses. The part-time courses and the correspondence courses would be for people who are already employed and have the means to continue the education but due to locational and other difficulties are unable to pursue long-term courses of study. The open university is entirely a new experiment to help mass education. All these suggestions have been aimed with one purpose, namely, that avenues of higher education should not be denied to any one fit for it on account of unfavourable local and economic circumstances for which the individual himself is not responsible.

(Paras. 2.12 to 2.19)

7. The Governor of Bihar should continue as Chancellor of the University and the Presiding Officer of the Senate. He should enjoy the powers of visitation.

(Para. 3.1)

8. After a visitation, the Chancellor's direction should be implemented without delay and this should be the responsibility of the Vice-Chancellor.

(Para. 3.3.)

9. On a reference by the Vice-Chancellor the Chancellor may consider and set aside the decisions of the university authorities or officers which he considers are not in the interest of the university as a whole. This would be expansion of the present powers for interference in decisions which are in violation of the Act, the Statutes, the Ordinances, the Regulations and the Rules.

(Para. 3.3)

10. Appeals relating to service matters from the university employees, which now go to Chancellor, may be hereafter be disposed of by arbitration.

(Para. 3.3)

11. The relationship between the State Government and the Chancellor should be on the same lines as between the Visitor (President of India) and the Ministry of Education.

(Para. 3.6)

12. The Vice-Chancellor should be appointed by the Chancellor from among a panel of names forwarded by Selection Committee. The Chief Justice of the Patna High Court should be the Chairman of the Selection Committee with a nominee of the State Government and a nominee of the Executive Council as members. The names should be arranged in alphabetical order without indicating any preference.

(Paras. 4.9 and 4.15)

13. The term of the Vice-Chancellor should be five years as against three years at present. The Vice-Chancellor should retire from office on attaining 65 years of age. The salary of the Vice-Chancellor should be Rs. 3,000 per month and he should be provided with rent-free unfurnished house or an ordinarily furnished house on payment of a monthly rent of Rs. 100 and a car with chauffer free of cost for university use. The Vice-Chancellor should pay for the use of the car for private purposes at Government staff car rates. The Vice-Chancellor should be given the benefit of contributory provident fund on the same basis as the Professors of the university.

(Paras. 4.16 to 4.19)

14. In addition to his present power, the Vice-Chancellor should also be empowered to suspend the operation of a decision of any university authority if, in his opinion, such a decision is in violation of the Acts, the Rules, the Statutes, the Ordinances, the Regulations or is not in the interest of the university or community in general and refer it to the Chancellor.

(Para. 4.20)

15. When a university authority is not in session the Vice-Chancellor has been authorised to exercise the powers of that body. In future, such decision of the Vice-Chancellor would only be placed before the body at its next meeting. If the university body is not satisfied with the decision of the Vice-Chancellor, it may record its reasons and refer the matter to the Chancellor, whose decision shall be final.

(Para. 4.21)

16. There should be a Rector in every university to provide high level assistance to the Vice-Chancellor. The designation 'Rector' is preferable to the designation of 'Pro-Vice-Chancellor' since it is desired that the Rector should only be a delegate of the Vice-Chancellor and to make clear his relationship to the Vice-Chancellor. Rector should be appointed on the advice of the Vice-Chancellor for a term of two years with eligibility for reappointment for one more term. The Rector should be a person of high academic standing and of high administrative ability.

(Paras. 5.2 to 5.4)

17. The Financial Adviser should be appointed by the Chancellor on the advice of the State Government in consultation with the Vice-Chancellor. He should be a person of considerable experience. He should have a term of three years with eligibility for reappointment for a period of two years.

(Para. 5.5)

18. The present system of Registrar continuing in office till he superannuates has led to growth of vested interest. The Registrar's post should be a tenure post for a period of five years only. He should either be a teacher or a Government servant on deputation term.

(Para. 5.6)

19. The university may set-up Selection Committee for selection of officers and other posts.

(Para. 5.8)

20. While the Committee agrees with the view that the Senates have largely lost their importance for various reasons, it is felt that the form in which various sectors of the university and outside interest are represented is necessary and this should be the best place to discuss general policy and review programme of the university.

(Para. 6.3)

21. The name of the Senate may be changed into Court as it is more appropriate to its functions. The Court should only be a deliberative body. The representation in the Court is to be modernised and streamlined to make such representation not only to cover all the interests concerned but also to be purposive, viz., 15 categories of *ex officio* members, donors who have given to the university Rs. 1,00,000 or above in cash or in property as life members and 15 categories of representative members—Readers and Lecturers. Management of the affiliated colleges; non-teachers, M.L.As., M.L.Cs., I.M.C., Bihar State Bar Council, Bihar Hindi Sahitya Sammelan;

Institute of Engineers (India), Bihar Centre, representatives of the linguistic minorities, the President of the Students' Union of University, representatives of the Students' Councils in the University and College Students nominated for their distinction in studies, sports, and representatives of the non-teaching staff of the university and colleges.

(Paras. 6.4 to 6.6)

22. The Syndicate may be redesignated as Executive Council. This would denote its powers, duties and responsibilities more aptly.

(Para. 7.2)

23. The Executive Council should be a compact homogeneous decision making body of 13 persons with three *ex officio* members, four Heads of Departments by rotation, one Reader, two Lecturers, one nominee of the Chancellor and two persons elected by the Court.

(Paras. 7.3 and 7.6)

24. The Executive Council shall refer such cases to the Chancellor where it differs from the recommendation of the Selection Committees in cases of teachers. This has been provided for so that teachers may have adequate safeguards in regard to their appointment and disciplinary matters.

(Para. 7.10)

25. All financial matters should go to the Executive Council through the Finance Committee only.

(Para. 7.11)

26. The Executive Council would have power to make Statutes.

(Para. 7.13)

27. There should be a Finance Committee in every university to exercise general supervision over the finances of the university and advise on policies. No authority of the university would consider proposals having financial implications except those scrutinised by the Finance Committee.

(Para. 8.4)

28. The statutory grants to the universities should be revised every three years by the State Government. The amount of statutory grant should not only provide for the maintenance expenditure at a graded level, but should also provide for increase due to increments, contingency items, etc. This should be fixed by a committee consisting of the Vice-Chancellor and representatives of the Education and Finance Departments.

(Paras. 8.5 and 8.7)

29. There should be very strict internal financial control in the university. In case of expenditure not already included in the budget, this should be fully supported by identified source to finance this additional expenditure and Chancellor's prior approval should be obtained for such expenditure.

(Para. 8.7)

30. The State Government should make arrangements for timely auditing of university accounts. Provision for surcharge for misusing university funds may be considered.

(Paras. 8.8 and 8.9)

31. There shall be two academic councils, one for the courses run by the university departments and for the first degree in Medicine, Engineering, Law and Education to be called "Council of Higher Academic Studies" and a separate academic council for the under-graduate courses in the college to be known as "Council for Under-Graduate Courses".

(Paras. 9.6 to 9.8)

32. Instead of an Examination Board of the present pattern separate Examination Boards for different examinations be constituted as follows :—

Vice-Chancellor—*Chairman*.

Dean of Faculty concerned.

Head of the Department.

Principal of the College in the case of Law, Engineering, Medical Education, to be nominated by the Vice-Chancellor.

(Para. 9.9)

33. There is need for Moderation Boards both for Higher Academic Studies and for Under-Graduate Courses.

(Para. 9.11)

34. Separate boards of study for each subject, one for university and the other for affiliated colleges may be set up.

(Para. 9.12)

35. The Medical Education and Engineering Courses would require special provisions because of their professional orientation. Their faculties may include persons from other universities to provide for inter-institutional co-ordination. The recommendation made by these faculties should be given special weighty consideration. The academic council should take the advice of the State Level Council for the professional courses on all academic matters.

(Para. 10.3)

36. The Birla Institute of Technology, Mesra, may continue as an autonomous institution under the Ranchi University.

(Para. 10.4)

37. A State Council of Engineering Course may be set up to co-ordinate students, syllabi, etc., in the Engineering Education in the State.

(Paras. 10.5, 10.6 and 10.7)

38. A State Council of Medical Education may be set up to co-ordinate standards, syllabi, etc., and to act as supervisory body on behalf of the universities for the Medical Education Institutions for academic purposes.

(Paras. 10.8, 10.9 and 10.10)

39. Private medical colleges run by capitation fees cannot normally be economically viable. Admission of students on payment of capitation fees leads to wrong motivations and is inadvisable in a country with socialistic and egalitarian objectives. There should be a Management Committee for each private medical college and sufficient safeguards should be provided to prevent any misuse or misappropriation of funds collected for private medical colleges.

(Paras. 10.20 to 10.21)

40. There should be an Under-graduate Board in every university to deal with all aspects of Under-graduate Education, including affiliation, examination, academic supervision and inspections. The Rector would be the Chairman of the Board and would be incharge of the undergraduate work as a delegate of the Vice-Chancellor. All appeals against the decisions of the Board would be to the Vice-Chancellor.

(Paras. 11.1 to 11.3)

41. With the adoption of the new national pattern of education in Bihar, intermediate courses would be taken away from the university. Now the universities would provide three years' courses leading to the first degree and post-graduate courses. This would enable the universities to concentrate on high level teaching. The courses at the university level may be reorganised as follows :—

- (i) Post-graduate and 3 years' (high level) special honours courses to be conducted in the university departments.
- (ii) The following 3-year under-graduate courses in the colleges, by conversion of the existing 2-year course :—
 - (a) Honours Course, and
 - (b) Ordinary Pass Degree.
- (iii) Constituent colleges to be taken over from the universities (except Science College and Patna College in Patna University and L. S. College in Bihar University) and run as affiliated colleges by autonomous board set up by Government.
- (iv) University Ordinances should provide for the admission to the post-graduate courses for meritorious students or honours and pass degree courses.

(Paras. 12.3 to 12.8 and 13.5 to 13.7)

42. The universities should develop into centres of academic excellence by concentration of their activities on the high level special honours courses, post-graduate courses and research. The admissions may be on a very selective basis by means of admission examinations. The rest of the under-graduate courses may be in colleges whose management would not be the direct responsibility of the university.

(Para. 13.5)

43. The constituent colleges in the State should be taken over by Government.

(Para. 13.7)

44. Based on the recommendations of the Kothari Education Commission, the State Government should set up an autonomous board for the management of colleges taken over from the university. These colleges should be developed not only as colleges of standard education but also as pace-setters.

(Paras. 13.6, 13.7, 13.11 to 13.13)

45. In addition to the autonomous board, centrally managing all the colleges, there should be an advisory committee in each college on the lines of the management committees suggested for private colleges. There should be adequate delegation to individual colleges from the autonomous board so that they may function with vigour and flexibility.

(Paras. 13.16 and 13.17)

46. Affiliated colleges (now under the private management of governing bodies) should have a two-tier management on the following lines:—

- (i) About 10 colleges in a district (maximum of about 13) to be grouped into a 'cluster'. If the number of colleges are more than 13, there could be more than one cluster in the district.
- (ii) Appointment and discipline of teachers, budget and overall supervision relating to finance, administrative and academic matters would be the main functions of the cluster council.
- (iii) Cluster council would, whenever academic mobility is considered necessary, transfer teachers and also other staff from one college to another within the cluster.
- (iv) There would be a managing committee in each college for local management affairs of the college under the direction and supervision of the cluster council.

(Paras. 14.5, 14.13 and 14.15)

47. The Rector may suspend the operation of any decision of the cluster council in certain cases and place it before the Under-graduate Board for a decision. The Vice-Chancellor may, if he is satisfied that any person who is a member of the cluster council or a managing committee is not fit to be such, he may direct that the person ceases to be a member and the vacancy filled up in the manner prescribed for that representation.

(Paras. 14.9 and 14.14)

48. All universities in Bihar including Patna University may become teaching-cum-affiliating universities and their territorial jurisdiction may remain the same. Begusarai district which is now under Bhagalpur University may be attached to Mithila or Bihar University. Patna University may affiliate colleges within its territorial jurisdiction, viz., between Patna Law College to Patna Women's College and between river Ganges and the main railway line.

(Paras. 15.1 to 15.3)

49. To provide for co-ordination between the universities and the Government there should be six-monthly meetings of the Vice-Chancellors under the chairmanship of the Education Minister. Further there should be at least one meeting between the Vice-Chancellors under the chairmanship of the Chancellor.

(Paras. 16.1 to 16.2)

50. There should be a departmental council in every university department consisting of all the professors and readers and half of the lecturers of the department. The council should discuss matters of the department like the distribution of the grants made available to the department, etc.

(Para. 16.3)

51. University Security Force should be constituted for every university who would perform patrolling and other watch and ward duties. Police officers and men on deputation would initially constitute the force. Initially the University Security Force should have distinct uniform.

(Paras. 16.4 to 16.7)

52. An Intermediate Board may be set up by an Act of the Legislature which would deal with academic matters including affiliation and supervision of standards, disbursement of grants and all matters relating to examinations.....there should be close co-ordination between the universities and the Board.

(Paras. 17.5 to 17.8)

53. A code of conduct should be provided for teachers in the university training in methodology of teaching to be provided for college teachers, as in Bombay University.

(Paras. 18.5 and 18.19)

54. Joint teacher-student council in every college and in every university department would provide a forum for contact between the teacher and the taught.

(Para. 18.6)

55. Selection of teachers for the university departments and colleges should be done by Selection Committees of the University. This should replace the present method of selection through the Public Service Commission and University Service Commission.

(Para. 18.8)

56. Discipline Committee in universities in each cluster would make recommendation. Appeals against decisions in the case of university would be to the Chancellor and of the cluster to a University Appeals Committee.

(Para. 18.12)

57. As recommended by the Inter-University Board, teachers who are members of the State Legislature or Parliament, should proceed on leave from the time they decide to contest the election and for the entire period of the membership of the State Legislature or Parliament.

(Paras. 18.20 to 18.23)

58. There should be monetary limits placed upon the income which a teacher of a university or college could get from the work of examinership, etc. No teacher should draw more than two months' salary as teacher's remuneration in any calendar year.

(Para. 18.33)

59. The facilities in affiliated colleges should be upgraded so that minimum facilities are available in all affiliated colleges within one year. No college should have more than 1,000 students approximately on its rolls. Every college should provide at least 10 per cent of the students with standard hostel accommodation and this should be increased in the next five years.

(Paras. 19.6 to 19.10)

60. It would not be possible to provide separate Women's Colleges in all towns in the near future. So co-education in higher educational institutions should become a common feature in the colleges of Bihar. At least one lady lecturer should be employed for every 50 girl students who would also act as their Welfare Adviser. Separate facilities of common-room, etc. should be provided for girl students in all colleges.

(Para. 19.12)

61. There should be representation for students in the Court of the University. In addition, there should be Students' Councils in every college and in every university. This should provide the necessary forum for contact between the students and the universities and their common problems could be discussed and settled. There should be Students' Advisory Committee in every hostel.

(Paras. 19.13 to 19.20)

62. It should be laid down that every student who completes the period fixed for the courses of study, should be given a certificate that he has completed his course and severed his connection with the institution. The student would be sent by the institution only once for the university examination. After that he may only appear at the examination as an external student. The university should keep the examinations for the regular students and the external students separate.

(Paras. 19.25 to 19.26)

63. Suggestions for the development of the Shri Kameshwar Singh Darbhanga Sanskrit University as follows :—

- (a) The position of the buildings and campus requires to be reviewed keeping in view the developmental needs.
- (b) Organisation of departments for teaching and research work may be considered.
- (c) Valuable treatises on various subjects have to be read and interpreted and translated into Hindi by Pandits of the traditional learning. A separate call may be organised for this purpose.
- (d) The university authorities to be recast as homogenous bodies on the lines suggested.
- (e) The jurisdiction of the university should be generally limited to Bihar. Institutions outside the State to be affiliated under special orders of Government issued in consultation with the court and the Chancellor.

(Paras. 20.7 and 20.8)

CONCLUSION

At the end of our labours, it would be a pleasant thought to visualise the future generally as we hope from our recommendations. The salients of our vision are :

We the built-in-flexibility recommended institutional structures, prove responsive and relevant to fast changing situations.

New situations are faced with new confidence rather than with old fears and suspicious. Youth especially is enabled to see in the future possibilities that abound.

Opportunities for higher education being available to whoever is fit and desires it new types of courses introduced would make this possible despite handicaps of personal and social circumstances. Socialisation stresses numbers and rapid progress demands excellence. In our recommendations the university caters to excellence and colleges provide sound standard education.

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V. V. NATHEN,

Member-Secretary.

ZAWAR HUSSAIN,

Chairman.

Members—

S. DUTT

B. R. SETH

B. MUKHOPADHYAYA

D. N. SHARMA

APPENDIX 1

बिहार सरकार

शिक्षा विभाग

संकल्प

१७ मई १९७२

विषय—बिहार के विश्वविद्यालयों के कार्य-कलापों की समीक्षा करने एवं उसमें सुधार हेतु अनुशंसा करने तथा नीति पर अनुशंसा के लिये समिति का गठन।

बिहार के विश्वविद्यालयों के कार्य-कलापों की समीक्षा और अधिनियमों तथा नीति में आवश्यक सुधार लाने के लिये सरकार ने निम्नलिखित व्यक्तियों की एक समिति का गठन किया है :—

- (१) श्री जम्बार हुसैन, भूतपूर्व शिक्षा मंत्री—अध्यक्ष।
- (२) श्री सचिन दत्त, उप-कुलपति, पटना विश्वविद्यालय, पटना—उपाध्यक्ष।

सदस्यगण।

- (३) डा० बी० आर० सेठ, निदेशक, बिरला इंस्टीच्यूट ऑफ टेकनोलौजी, मेसरा, रांची।
- (४) डा० बी० मुखोपाध्याय, निदेशक, स्वास्थ्य-सेवा, बिहार, पटना।
- (५) डा० देवेन्द्र नाथ शर्मा, पटना विश्वविद्यालय के हिन्दी विभाग के प्राध्यापक एवं विभागाध्यक्ष।
- (६) विश्वविद्यालय अनुदान आयोग, नयी दिल्ली के एक प्रतिनिधि।
- (७) शिक्षा विभाग के एक पदाधिकारी।

२। समिति का कार्यक्षेत्र निम्नांकित होगा :—

- (क) बिहार के विश्वविद्यालयों के कार्यकलाप की समीक्षा तथा वित्तीय, प्रशासनिक एवं शैक्षणिक अनियमितताओं का सामान्य रूप से अध्ययन कर विश्वविद्यालयों को सुचारू रूप से चलाने के लिये व्यवस्था की अनुशंसा।
- (ख) गजेन्द्रगदकर समिति, के० एस० भी० रमण उच्चतर शिक्षा समिति तथा यू० जी० सी० के मोडेल ऐक्ट तथा विश्वविद्यालय शिक्षा से संबंधित अन्य आयोगों तथा समितियों की अनुशंसा को ध्यान में रखते हुए बिहार के विश्वविद्यालयों के लिये एक नया अधिनियम की रूपरेखा तैयार करना।
- (ग) बिहार में कई महाविद्यालयों को विश्वविद्यालयों से अंगीभूत किया गया है। इस व्यवस्था का अध्ययन कर सुझाव देना कि अंगीभूत महाविद्यालयों की क्या रूपरेखा रखी जाए और यदि उन्हें विश्वविद्यालय के प्रशासन से अलग करना हो तो इस पर अनुशंसा देना कि इसके संबंध में कौन-सी वैकल्पिक व्यवस्था अपनाई जाय।
- (घ) अन्य कोई विषय जिसके बारे में समिति अपनी अनुशंसा देना चाहे।

३। समिति का मुख्यालय पटना में रखा जायेगा और आवश्यकता पड़ने पर इसकी बैठक बिहार के किसी भाग में बुलाई जा सकती है। राज्य से बाहर जाने में राज्य सरकार की पूर्व अनुमति रानी होगी।

४। समिति अपना कार्य शीघ्र ही प्रारम्भ करेगी तथा अपना प्रतिवेदन ६ महीने के अन्दर देगी।

आदेश—इस संकल्प को “बिहार राजपत्र” में प्रकाशित किया जाय।

बिहार-राज्यपाल के आदेश से,
बि० बि० नाथन,
सरकार के अपर सचिव।

ज्ञाप सं० ६६५।

दिनांक १७ मई १९७२।

प्रतिलिपि समिति के अध्यक्ष तथा सभी सदस्य/कुल सचिव, पटना विश्वविद्यालय/बिहार विश्वविद्यालय, मुजफ्फरपुर/भागलपुर विश्वविद्यालय, भागलपुर/रांची विश्वविद्यालय/मगध विश्वविद्यालय/आयुक्त, पटना, मुजफ्फरपुर, भागलपुर तथा रांची/राज्यपाल के सचिव, राजभवन, पटना महालेखापाल, बिहार को सूचनार्थ अग्नसारित।

बि० बि० नाथन,
सरकार के अपर सचिव।

APPENDIX II

The University Reforms Committee has been requested by Government to send an interim report on the appointment, etc., of the Vice-Chancellor.

Our interim report is as follows :—

1. Mode of Selection.—(a) The Chancellor shall appoint a Vice-Chancellor out of a panel of three names suggested by a Selection Committee constituted as follows :—

(1) The Chief Justice of the State High Court.

(2) A nominee of the State Government.

(3) A nominee of the Syndicate who shall not be an employee of the university, or member of the Senate, Syndicate or Academic Council.

(b) The panel shall be prepared in the alphabetical order and will not indicate any order of preference.

2. *Qualifications and terms.*—(a) A person of high standing in academic, administrative or public life. Should not be more than 62 years at the time of appointment or reappointment.

(b) Vice-Chancellor shall be a whole-time officer.

(c) A term of five years.

3. *Salary and other perquisites.*—(1) A salary of Rs. 3,000 per month.

(2) A free furnished house or a fully furnished home at Rs. 100 per month.

(3) A car for official use. For private use the Vice-Chancellor shall pay at State Government Staff car rates.

(Sd.) ZAWAR HUSSAIN,

(Sd.) S. DUTT,

(Sd.) D. N. SHARMA

Chairman.

(Sd.) B. MUKHOPADHYAYA,

(Sd.) V. V. NATHAN,

Member-Secretary.

APPENDIX III.

LIST OF INDIVIDUALS AND REPRESENTATIVES WHO MET THE UNIVERSITY REFORMS COMMITTEE.

1. Shri Dev Kant Barooah, Governor of Bihar and Chancellor of Universities of Bihar.
2. Shri R. D. Bhandare, Governor of Bihar and Chancellor of Universities of Bihar.
3. Shri Kedar Pandey, Chief Minister (Minister-in-charge of Education), Bihar.
4. Shri L. P. Shahi, Minister (Community Development and Panchayati Raj).
5. Shri Chandra Shekhar Singh, Minister (Revenue).
6. Dr. Jagannath Mishra, Minister (Irrigation and Power).
7. Shri D. N. Jha, Editor, *Indian Nation*, Patna.
8. Shri S. K. Rao, Editor, *Searchlight*, Patna.
9. Shri Ram Singh Bharatia, Editor, *Pradeep*, Patna.
10. Shri S. K. Mishra, Editor, *Aryavart*, Patna.
11. Shri S. K. Ghosh, of the Press Trust of India, Patna.
12. Dr. S. M. Ghoshal and others, Representatives of the Linguistic Minority Association.
13. Dr. Bala Krishna Rao, Vice-Chancellor, Agra University.
14. Dr. Amrik Singh, Secretary, Inter-University Board for India and Ceylon.
15. Dr. K. K. Dutta, Former Vice-Chancellor of Magadh and Patna Universities.
16. Shri B. N. Rohtagi, Former Vice-Chancellor, Ranchi University.
17. Dr. T. B. Mukherjee, Former Vice-Chancellor, Bihar University.
18. Shri K. Abraham, Vice-Chancellor, Ranchi University.
19. Shri S. Prasad, Vice-Chancellor, Magadh University.
20. Shri S. C. Mishra, Vice-Chancellor, Kameshwar Singh Darbhanga Sanskrit University.
21. Dr. Madaneshwar Mishra, Vice-Chancellor, Mithila University.
22. Shri C. R. Vaidyanathan, Vice-Chancellor, Bhagalpur University.

23. Shri K. K. Mandal, Chairman, University Service Commission.
24. Shri S. R. Ahmed, Member, University Service Commission.
25. Prof. P. C. Horo, Member, University Service Commission.
26. Dr. B. P. Gyani, Director, Higher Education, Bihar.
27. Smt. Ramola Nandi, Director, Higher Education, Bihar.
28. Shri A. P. Shrivastava, Director, Secondary Education, Bihar.
29. Dr. J. N. Chowdhary, Director, Technical Education, Bihar.
30. Dr. Y. K. Sinha, Joint Director of Health Services (Medical Education), Bihar.
31. Shri N. D. J. Rao, Education Commissioner, Bihar, and later as Administrative Reforms Commissioner, Bihar.
32. Shri R. Singh, Education Commissioner, Bihar.
33. Deans of Faculties and Heads of University Departments of the Universities of Bihar.
34. Principals of Constituent Colleges of Universities in Bihar.
35. Representatives of the Bihar Rajya Vishwavidyalaya and Mahavidyalaya Karamchari Sangh.
36. The Student Representatives of Universities in Bihar.
37. Registrars and other officers of the Universities in Bihar.
38. Representatives of the Federation of the University (Service) Teachers' Association.
39. Representatives of the Principals of affiliated colleges in Bihar.
40. Representatives of the Bihar State University Teachers' Association.
41. Representatives of Teaching Staff of the Birla Institute of Technology, Mesra, Ranchi.
42. Representatives of Bihar Citizens' Committee on Education.

APPENDIX IV

MEETINGS OF THE UNIVERSITY REFORMS COMMITTEE.

Serial no.	Date.	Place where meetings were held.
1	27th May 1972	Patna.
2	6th June 1972	Do.
3	14th June 1972	Do.
4	20th June 1972	Do.
5	1st July 1972	Do.
6	15th July 1972 and 17th July 1972	B. I. T., Mesera.
7	29th July 1972	Patna.
8	10th August 1972	Do.
9	21st August 1972	Do.
10	29th August 1972	Do.
11	4th September 1972	Do.
12	11th September 1972	Do.
13	26th September 1972	Do.
14	3rd October 1972	Do.
15	11th October 1972	Do.
16	6th November 1972	Do.
17	7th November 1972	Do.
18	11th November 1972	Do.
19	8th December 1972	Do.
20	14th December 1972	Do.
21	20th December 1972	Do.
22	9th January 1973	Do.
23	10th January 1973	Bihar University, Muzaffarpur.
24	11th January 1973	Mithila University, Darbhanga.
25	13th January 1973 and 14th January 1973.	Magadh University, Bodh-Gaya.
26	17th January 1973 and 18th January 1973.	Bhagalpur University, Bhagalpur.
27	21st January 1973	Patna University, Patna.
28	31st January 1973 and 1st February 1973.	Patna.

Serial no.	Date.	Place where meetings were held.
29	21st February 1973 and 22nd February 1973.	Patna.
30	7th March 1973 and 8th March 1973.	Do.
31	18th March 1973	Do.
32	20th March 1973	Do.
33	22nd March 1973	Do.
34	23rd March 1973	Do.
35	4th April 1973	Do.
36	5th April 1973	Do.
37	12th April 1973	Do.
38	13th April 1973	Do.
39	14th April 1973	Do.
40	26th April 1973	Do.
41	27th April 1973	Do.

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Date.....