

THE KERALA STATE HIGHER EDUCATION COUNCIL
DRAFT REPORT OF THE COMMITTEE TO
REVIEW THE ACTS OF UNIVERSITIES IN KERALA

Background

The Kerala State Higher Education Council at its meeting held on 9.12.2009, constituted a Committee to review the Acts of universities in Kerala, with the following members:

1. **Dr. M.Anandkrishnan**, Chairman, IIT, Kanpur (Chairman)
2. **Dr. JAK Tareen**, Vice-Chancellor, Pondicherry university
3. **Dr. Debashish Chatterjee**, Director, IIM, Kozhikode
4. **Dr. N.K. Jayakumar**, Vice-Chancellor, NUALS
5. **Dr. R.V.G. Menon**, Retired Principal, Govt. Engineering College
6. **Dr. Joy Job Kulavelil**, Syndicate Member, CUSAT
7. **Dr. K.V. Kunjkrishnan**, Former Registrar, CUSAT
8. **Dr. A.R. Rajan**, Syndicate Member, university of Kerala
9. **Dr. M.P. Kannan**, Member, Kerala State Higher Education Council, (Convenor)

The Council also approved the following terms of reference of the Committee at the same meeting.

The Committee for the review of university Acts will make **specific recommendations for modification of the Acts of various universities** in the State with a view to revamping them taking into account the following general principles.

- (1) Promotion of quality and equity in higher education by injecting greater flexibility, efficiency, autonomy and accountability in the administration of institutions of higher education.
- (2) Participation of higher educational institutions in regional/national socio-economic development and in inculcating constitutional values of democracy, secularism, diversity and tolerance.
- (3) Incorporation of the above broad objectives into an educational programme by performing teaching-learning, research and extension activities.

- (4) Establishing linkages between the concepts of autonomy and accountability in the administration of higher educational institutions at different levels through a system of mandatory social and academic auditing.
- (5) Democratization of the administration of higher educational institutions at all levels through a system of participatory management in which teachers, students and representatives of the larger community have a major role.
- (6) Decentralization of educational administration by sharing responsibility for decision making and implementation of decisions at different levels by making provisions for appropriate delegation of academic, financial and administrative powers and provision for collective and democratic decision making at different levels.
- (7) Restructuring the affiliating system in such a way as to create smaller clusters of colleges under large universities, with sufficient academic, administrative and financial autonomy and accountability to promote diversification of courses and improvement of quality of education through creative collaboration among neighbouring institutions.
- (8) Broadening the linkages between the higher educational institutions and other economic and social institutions and centers for Planning, Research and Social Service.
- (9) Maintaining the linkages and differences between face-to-face and distance education streams with a view to keeping the distinctive features of each mode, while providing for convergence of modes within well defined limits.
- (10) Maintaining the distinct identities of Government, Aided and Unaided institutions and spelling out the norms for social control of each category of institutions and making provisions for enforcing them.
- (11) Making provisions for the financing of educational institutions, Government, Aided and Unaided in such a way as would ensure mobilization of adequate financial resources, without resorting to commercialization of education or compromising principles of quality and equity
- (12) Demarcating the roles of the Government, universities and affiliating institutions in such a way as to avoid conflict of powers and ensure complementarities in the roles of different agencies in higher education.

- (13) Enunciating of the rights and responsibilities of students, teachers and the non-teaching staff who constitute the bulk of the personnel operating in the higher education system
- (14) Providing provisions for periodic review of university laws

The committee held five meetings on 15 Jan. 2010, 16 Feb. 2010, 30 Mar. 2010, 21 May 2010 and 30-31st Aug, 2010 for discussing the issues relating to the above terms of reference. The Committee had the benefit of several earlier studies and reports, references to which are made at the end of this report. The committee also considered notes/reports on specific issues submitted by its members. The Committee was assisted by the Kerala State Higher Education Council (KSHEC) in organizing the meetings and recording the proceedings. Dr. K. N. Panikkar was invited to participate in the deliberations of the Committee. Prof. Thomas Joseph, Member Secretary, provided substantive support to the work of the Committee.

The terms of reference were considered in depth by the Committee in preparing the background papers and formulating draft recommendations which are given below.

The Task of the Committee

It is not the intention of the committee to draft a Model Act for all universities in the State. It would indeed be difficult to suggest a uniform pattern, which would be applicable to all universities. As a matter of fact, a certain degree of diversity among the legal instruments of various universities is not only inevitable, but desirable as well. Even so, the committee would not propose a set of comprehensive amendments to the Act of each University. Such an exercise is best undertaken by a drafting committee consisting of legal experts.

The task of the present committee is much less arduous and broader. Notwithstanding the requirement of variety, there are certain basic principles which should inform the Acts of all universities, which the committee would try to identify and set forth. The committee would also try to indicate areas where major differences would be required, as between different types of universities, such as large affiliating universities and small unitary universities. While the recommendations would generally be stated in terms of broad principles, specific recommendations would be made in areas where the committee thinks that a deviation from existing practices is highly desirable.

Broad Thrust of the Report

The committee has taken the following principles into account while formulating its recommendations:

* The broad goals of a university have been best summed up by Jawaharlal Nehru who said, *“a university stands for humanism, for tolerance, for reason, for the adventure of ideas and for the search for truth. It stands for the onward march of the human race toward even higher objectives. If the universities discharge their duties adequately, then it is well with the nation and the people”*.

* The Act of a university should be such as would provide an appropriate and adequate academic, administrative and governance structure that would enable it to achieve the above goals by performing a variety of functions connected with teaching-learning, research and extension.

* Though the dimensions of teaching, research and extension were all recognized by the Kothari Commission and largely implemented in universities, the tendency to marginalize the dimension of extension has become characteristic of post-globalization reforms. The notion of higher education as a non-merit good is being promoted today with a view to sanitizing universities from their societal responsibilities. It is necessary to re-establish the links of university education with societal development, not only by way of long term contributions through creation and dissemination of knowledge but also through direct intervention of the academics in an organized manner in tackling immediate problems confronting society.

* The national goals of enhancing access, quality and equity should inform all attempts to revamp the legal framework of the universities with a view to maximizing human potential for economic and social development of the State.

* The Acts should help strengthen autonomy and accountability of all higher educational institutions, teachers and students, within a framework that would ensure decentralisation and democratisation of educational administration in such a way as to ensure collective and democratic decision making and effective delegation of academic, financial and administrative powers at appropriate levels.

* There should be provisions in the Acts of all universities to ensure that all educational institutions would be obliged to comply with minimum benchmarks in all matters relating to infrastructure – both physical and human—and ensure standards of teaching and learning laid down by the University.

* The roles of the State in the formulation of general policies and of the Government in setting goals in accordance with such policies, fixing targets for specified periods for the realization of such goals and monitoring their implementation by the universities should be recognized while making the legal framework for the institutionalisation of autonomy and accountability of universities and other higher educational institutions.

* The Acts should provide a legal basis for seamless curricular reforms to promote academic flexibility and cross- and inter- disciplinary academic explorations by enabling mobility of students and teachers across disciplines and institutions.

* The legal framework should be such as would enable all higher educational institutions in the State perform the functions of teaching, research and extension in an atmosphere of collaboration rather than competition, with a view to enhancing the intensity of academic engagement on the part of the teachers and students and of sharing the benefits of academic processes with the rest of the society.

* The Acts should provide for a radical departure from the affiliating system in such a way as to create smaller clusters of colleges under large universities, with sufficient academic, administrative and financial autonomy and accountability, which will promote diversification of courses and improvement of quality of education through creative collaboration among neighbouring institutions

* The Acts should provide adequate provisions for broadening the linkages between higher educational institutions and other economic and social institutions, centres of Planning, Research and Social Service.

* Even as it is necessary to recognize the distinct identities of Government, aided and unaided streams, with a view to strengthening public-funded institutions in higher education, there should be provisions to enable close collaboration among all higher educational institutions in the State .

* The Acts should have provisions committing the State Government to providing necessary public facilities and finances to the State universities, benchmarked with the best universities in the country, as investments in universities carry spin-off benefits and yield social dividends through enhanced quality of life, reduction in poverty, improved health, better education, empowerment of women and weaker sections of society and the pursuit of happiness.

In pursuance of the above objectives, the acts of various universities in the State should be suitably modified incorporating the following specific recommendations.

Vision and Mission

* The Acts of each university should incorporate a preamble defining the vision and mission of the university concerned. The vision statement would typically state the broad philosophy and aspirations of the university within the overall framework of the national and State policies and programmes in higher education. The mission statement would be more

specific and spell out the direction of the activities that the university would undertake for the realization of its vision.

Based on these considerations, the statement of objects in each university Act shall include the following commitments

- to stand for humanism, for tolerance, for secularism, equity and excellence;
- to seek to understand and appreciate nature and its laws for the well-being and happiness of present and future generations;
- to seek and cultivate new knowledge, to engage vigorously and fearlessly in the pursuit of truth, and to interpret old knowledge and beliefs in the light of new needs and discoveries;
- to seek to provide society with competent men and women to meet knowledge needs of the State and the Nation, by training professionals, specialists, scientists and researchers for the purpose, who will also be cultivated individuals, imbued with a sense of social purpose for performing service to the nation and to humanity by cultivating the right moral and intellectual values;
- to develop competent and capable youth with the social and environmental orientation to provide leadership for the future;
- to strive to promote equality and social justice and to reduce social and cultural differences through diffusion of education;
- to provide an ambience of learning comparable to the best universities within and outside the country and to enable the fruits of research to be disseminated in society through promotion of robust linkages with economy and civil society.

Autonomy and Accountability

The Act of each university in Kerala may include specific provisions enabling the university to exercise **autonomy** in the following matters:

- to provide for instruction in such branches of learning consistent with its objects as such university may, from time to time, determine and to make provisions for research and for the advancement and dissemination of knowledge and to award academic distinctions;
- to institute teaching, research or other academic positions, required by such university with such designations as it may deem fit, and to appoint persons on tenure, term or otherwise to such positions;
- to approve posts of teachers in Government and aided colleges and approve appointments of individual teachers, whether of Government, aided or unaided colleges, provided that such approval is made within the parameters of the colleges/courses /workload of individual teachers approved by the Government.
- to organize, promote and conduct research in the university or in collaboration or association with any other University, institution of research or body corporate;

- to appoint persons working in any other university or academic institution or involved in research of significance in any industry as adjunct, guest or visiting teachers of the university on such terms and for such duration as the university may decide;
 - to create administrative and other posts and to make appointments thereto;
 - to make provision for dissemination of knowledge emerging from research and for that purpose to enter into such arrangements with other institutions, industry, civil society or other organizations, as such university may deem necessary;
 - to determine and receive payment of fees and other charges, as such university may deem fit for instruction and other services provided by such University;
 - to establish chairs of studies through benefactions, donations and collaborations for seminal research;
 - to establish study centres within/outside the country in accordance with any law of State/Central legislature and any law of the host State/country applicable to establishment and operation of such study centres and in accordance with the provisions of the Act of the respective University.
 - to receive benefactions, donations and gifts and to acquire, hold, invest and manage, and to dispose off any movable property for the purposes of the University;
 - to do all such other Acts and things as may be necessary, incidental or conducive to the attainment of all or any of its objectives;
- provided that the concurrence of the State Government would be mandatory for implementing decisions which would require additional financial support from the State Government.

The Act of each university should commit every higher education personnel/ institution to the following norms of **accountability**.

- All institutions for higher education, including universities and colleges should set up Social Accountability Cells (SAC). Publication by each University/ higher education institution of details of infrastructure, teachers, their qualifications, courses run, fees collected, examination conducted, marks awarded, research activities, extension undertaken etc on the website of the university /institution should be mandatory.
- Single Window System (SWS) in the admission to all seats in public institutions and to merit/reservation /community quota seats of all courses in affiliated colleges, both aided and unaided
- A provision for fixation of maximum fees that can be levied from students in Government/ aided/unaided institutions and to revise such fee at periodic intervals with the concurrence of the Government. There should be adequate provision for enforcing the fee structure thus determined by the University
- Mandatory grievance redressal mechanism for students/teachers at the department /college/University level

- Provision for the incorporation of UGC Regulations on Minimum Qualifications for Appointment of Teachers and Other Academic Staff in universities and Colleges and for the Maintenance of Standards in Higher Education 2010.
- A system of approval of all staff, teaching and non-teaching, in all colleges including unaided colleges by the university concerned and a mechanism to ensure proper scale of pay and service conditions to such approved teachers and non-teaching staff.
- Change of nomenclature of private colleges to aided colleges, as it would reflect the character of such colleges better, in contradistinction with Government and unaided colleges
- Submission of annual performance appraisal report by each individual teacher showing his/her contributions to teaching, research and extension along with student feedback to the Departmental Council and for the submission of the annual performance report of each Departmental Council to the College Council/ University.
- Provision for mandatory submission of annual performance report of the university departments/constituent and affiliated colleges in a format provided by the university concerned and for posting such reports on the website of the department/institution.
- There should be provision for setting up mandatory Internal Quality Assurance Cells (IQAC) on the model proposed by NAAC in all higher educational institutions.
- Provision for mandatory and periodic assessment of the performance of affiliated colleges by the affiliating university and for taking ameliorative/ deterrent/punitive actions, wherever required.
- Provision for mandatory submission of annual performance report by each university showing details of achievements made in teaching, research and extension work to the Visitor, Chancellor, Pro-Chancellor, State Legislature and the State Higher Education Council.

Participatory Governance

There are three management agencies that come under the purview of university Acts. They are: (1) State and Government (2) universities (3) Educational agencies of affiliated colleges, both aided and unaided. These three agencies are now viewed hierarchically. However this should not be so. They have their distinct and mutually complementary roles which should enable them to operate autonomously in their respective spaces and to work in collaboration with one another for the promotion of access, equity and excellence in higher education. The roles of the State/Government, universities and affiliated colleges may be clearly defined in the respective Acts of universities, in accordance with the following principles.

State Government

The macro- level management of education is the responsibility of the State. This responsibility involves formulation of policies in higher education, setting of over-all goals

and targets for specified periods, deciding on priorities, making available finances, general co-ordination of activities undertaken by various universities etc. As Amartya Sen says, the question is not whether 'less State or more State' but 'more State where it is needed more and less State where it is needed less'. There should not be any interference of the Government in the day-to-day administration of universities and colleges.

One of the major responsibilities of the State towards higher education is to make available adequate finances for its development. The quantum of financial support for education as a percentage of budgetary allocation has been steadily declining for the last 20 years partly due to financial crunch and partly due to ideological considerations. The following observations of Prabhat Patnaik Commission are extremely relevant in this context.

A view is commonly held, even among distinguished and progressive thinkers that in an underdeveloped country Higher Education constitutes a white elephant that such a country can ill afford to spend much on Higher Education. This view is often sought to be buttressed by asserting that the meagre resources at the disposal of such an economy are better spent on primary and secondary education rather than on Higher Education. This view however is erroneous. Presenting a choice between Higher Education and School Education, as if spending more on the former can only be accommodated at the expense of the latter (or of some other part of the education budget such as eradication of illiteracy) is wholly illegitimate, since underdeveloped countries habitually spent vast amounts of their resources for purposes which have much lower priority than either form of education. As regards the argument that Higher Education itself is a low priority item per se, is based on a misconception. No country if it wishes to become independent, and hence, capable of preserving democracy and addressing its own pressing social and economic problems, can afford to let others do the thinking for it. And a necessary condition for generating independent thought within the country itself is the development of Higher Education. In short, developing Higher Education is an essential prerequisite for preventing the atrophy of thought, for promoting independence of thought, for avoiding foreign intellectual, and hence economic and political domination and hence for preserving democracy.

The university Finances Review Committee 2009, appointed by the State Government, has made a detailed study of the chronic financial problems faced by universities and has recommended that the following steps be taken to resolve the issue on a permanent basis.

The Committee noted that, over the years, the Plan funds allocation to the universities has been grossly inadequate. For example, during the year 2009-10, from the total Plan outlay of Rs.9, 000 crore, the share of universities (Rs.70 crore) was only a meagre 0.77 per cent. Just as 40 percent of the total Plan funds are earmarked for development schemes of the Local Self-Government institutions, there is a case for earmarking a definite percentage of the Plan funds for the universities. The Committee recommends that the Government may consider fixing this at five per cent, considering the overriding importance of university education as an investment in human capital.

*The Committee would like to conclude by recommending that the Government may constitute every five years a **State university Grants Commission** with an eminent economist as chairman, a*

former Vice-Chancellor and a senior Government official as members to assess inter alia the financial problems of the universities and suggest remedial measures.

A provision for constitution of a State university Grants Commission every five years to review the financial position of universities as recommended by the university Finances Review Committee may be incorporated in the Acts of all universities.

In regard to affiliated colleges, the Government should retain the power to sanction new colleges/ courses and prescribe the workload of teachers, in accordance with UGC regulations. At the same time the universities should have the authority to approve posts of teachers and approve appointments of individual teachers, whether of Government, aided or unaided colleges, provided that such approval is made within the parameters of the sanctioned colleges/ courses /workload of individual teachers.

Universities

As recommended by the Kerala Education Commission, de-centralisation, de-bureaucratisation and autonomy are to be the guiding principles of educational management within the broad parameters of societal determination of goals and priorities.

- The following recommendations of the UGC Committee on Educational Management, 1990 should be fully incorporated in the university Acts.
 1. *The Government should normally perform the role of a partner in the promotion of higher education and not that of an authority exercising control.*
 2. *The universities should have complete autonomy in academic and administrative matters. They should also have financial autonomy as per guidelines formulated by the UGC/ State Council for Higher Education and agreed upon by the universities and the Government.*
 3. *The statute making powers should rest with the universities. However the statutes would need the assent of the Chancellor on the advice of the State Council for higher education, if any of their provision is at variance with the Act and Statutes or if they involve sizable recurring additional financial commitments not acceptable to the funding agency.*
 4. *The powers of affiliation/disaffiliation of colleges should rest with the University. The Governments approval for grant purposes to follow affiliation given by the university and not vice-versa. The university should however seek the opinion of the Government before granting affiliation.*
 5. *The provisions of university legislations, which inhibit the universities in the exercise of their academic judgment on matters like affiliation, appointment of key functionaries like Registrar, Finance Officer etc should be withdrawn.*
 6. *The appointment of all executive officers like Registrar, Finance Officer, Controller of Examinations etc should vest with the university and not with the Chancellor / State Government*

- Debureaucratization of academic administration cannot be achieved by replacing administrative bureaucracy with academic bureaucracy. It cannot also be achieved by implementing corporate management practices in educational institutions. The praxis of academic administration would require structures for decentralized decision making and devolution of the responsibility for implementation of such decisions at various levels.
- The members of various university authorities other than ex-officio members could be chosen through a process of nomination/ rotation/ election. While experts and societal representatives could be nominated by the Chancellor or the Government or university as the case may be, the teacher representatives may be chosen through rotation wherever the numbers are manageable, through a system of indirect election by constituting electoral colleges, where large numbers are involved.
- While there should be provisions for institutionalizing external expert advice and periodic review, the responsibility for decision making should vest largely with authorities in which internal components will have a decisive role. The responsibility for implementation of decisions should be entrusted with Officers / Secretaries of authorities/other functionaries who are part of the university system, including its constituent and affiliated colleges.
- While authorities like the Syndicate, Academic Council, Deans' Council, and Senate etc should collectively take decisions in their respective spheres, implementation of the decisions should be entrusted with officers/secretaries of authorities at various levels including the Vice-Chancellor, Pro-Vice-Chancellor, Deans of Faculties, Heads of Departments, Secretaries of Academic Councils and Boards of Studies. The Acts should also expressly provide that the officers and chairpersons of various authorities exercise their powers only in consultation with and subject to the concurrence of the respective bodies/ authorities.

The Visitor, Chancellor, Pro-Chancellor, Vice Chairman of State Council

The concept of autonomy of universities does not exclude the broad supervisory function of the State/Government on the administration of the University. The Governor representing the State and the Minister for Education representing the Government should therefore have a legitimate role to play in the formulation of general policies and in monitoring their implementation to ensure that the universities function in accordance with the National /State policies and programmes in higher education. However, it is equally important to ensure that neither the Governor nor the Minister for Education

interferes with the day-to-day functioning of the universities. Instead of leaving it to the discretion of the incumbent Governor/Minister-in-charge of Education it would be appropriate to create statutory structures that would distance the Governor/Minister for Education from the day-to-day administration of the universities. The Governor may exercise his powers through a Chancellor, who could be an academic of national repute nominated by His/Her Excellency. The Minister in charge of Education, who is also Chairman of the State Council for Higher Education, could communicate the views of the State Government to the universities through the Vice-Chairman of the State Council. The existing provision that the Minister-in-charge of Education shall exercise all the powers and perform all the functions of the Chancellor in the absence of the Chancellor or during his inability is redundant. Moreover, the Chancellor has to play the role of an umpire in matters of dispute connected with universities and it may not be appropriate to entrust the same responsibilities with the Minister in charge of Education. The role of the Minister is to communicate to the universities the concerns of the Government in higher education and to make state-level coordination of the activities in higher education undertaken by different universities. The roles of the Governor and the Minister in charge of Education are different and not interchangeable. Therefore the provision enabling the Minister in charge of Education to act on behalf of the Chancellor in his absence /inability may be deleted.

Vice-Chancellor and Pro-Vice-Chancellor

UGC Regulations on minimum qualifications for appointment of teachers and other academic staff in universities and colleges, 2010 prescribe the following qualification and mode of appointment of Vice-Chancellor and Pro-Vice-Chancellor.

7.0.0. SELECTION OF PRO-VICE-CHANCELLOR/VICE-CHANCELLOR OF universities:

7.1.0. PRO-VICE-CHANCELLOR:

The Pro-Vice-Chancellor may be a whole time Professor of the university and shall be appointed by the Executive Council on the recommendation of Vice-Chancellor.

7.2.0. The Pro-Vice-Chancellor shall hold office for a period which is co-terminus with that of Vice-Chancellor. However, it shall be the prerogative of the Vice-Chancellor to recommend a new Pro-Vice-Chancellor to the Executive Council, during his tenure. These Regulations, for selection of Pro-Vice-Chancellor shall be adopted by the concerned university through amendment of their Act/Statute.

7.3.0. VICE-CHANCELLOR:

- i. Persons of the highest level of competence, integrity, morals and institutional commitment are to be appointed as Vice-Chancellors. The Vice-Chancellor to be appointed should be a distinguished academician, with a minimum of ten years of experience as Professor in a*

university system or ten years of experience in an equivalent position in a reputed research and /or academic administrative organization.

- ii. *The selection of Vice-Chancellor should be through proper identification of a Panel of 3-5 names by a Search Committee through a public notification or nomination or a talent search process or in combination. The members of the above Search Committee shall be persons of eminence in the sphere of higher education and shall not be connected in any manner with the university concerned or its colleges. While preparing the panel, the Search Committee must give proper weightage to academic excellence, exposure to the higher education system in the country and abroad, and adequate experience in academic and administrative governance to be given in writing along with the panel to be submitted to the Visitor/Chancellor. In respect of State and Central universities, the following shall be the constitution of the Search Committee.*
 - a. *a nominee of the Visitor/Chancellor, who should be the Chairperson of the Committee*
 - b. *a nominee of the Chairman, university Grants Commission.*
 - c. *a nominee of the Syndicate/Executive Council/ Board of management of the University.*
- iii. *The Visitor/Chancellor shall appoint the Vice-Chancellor out of the Panel of names recommended by the Search Committee.*
- iv. *The conditions of service of the Vice-Chancellor shall be prescribed in the Statutes of the universities concerned in conformity with these Regulations.*
- v. *The term of office of the Vice-Chancellor shall form part of the service period of the incumbent concerned making him/her eligible for all service related benefits.*

7.4.0. The universities/State Governments shall modify or amend the relevant Act/Statutes of the universities concerned within 6 months of adoption of these Regulations.

The above regulations may be incorporated in the Acts of various universities. The possibility of replacing the nominee of the UGC by a nominee of the State Council for Higher Education in the search committee may be explored, as the State Council would be more competent than the UGC to nominate an expert who has sufficient understanding of the local requirements.

Senate /Advisory Council

The Senate /Advisory Council should be a forum where a cross-section of academic community and representatives of different sections of the general community could meet together periodically and discuss broad policies and programmes of the University, to suggest measures for its improvement and development and to express its views on the

annual report and annual accounts. The Senate should be a deliberative and advisory body for reflecting societal aspirations about the university and conducting social audit on the functioning of the University. While the representatives of teachers and students and non-teaching staff could be elected by an electoral college consisting of college level (in the case of affiliated colleges) /department level (in the case of university departments) elected representatives, the societal representation could consist of members nominated by the Chancellor on the advice of the Visitor. It would be ideal if the number of members could be restricted to a maximum of 50 of which 1/3rd should be internal component and 2/3rd external component.

Syndicate /Executive Council

The Syndicate /Executive Council, while being the chief executive and policy making body of the university, should not be regarded as the apex body within a hierarchical power structure. The Syndicate may have a maximum of 15 members, 1/3rd of whom may represent the ex-officio component, 1/3rd teacher component and the rest of the 1/3rd may consists of representatives of students, educational agency and experts in various fields. The Vice-Chancellor, Pro-Vice-Chancellor, two representatives of the Government not below the rank of Joint Secretary and a representative of the Higher Education Council could constitute the ex-officio component. The teacher component would constitute of two teachers drawn from university departments (selected from among the Deans following the principle of rotation) and three teachers representing Government, aided and unaided institutions (elected). Apart from a representative of the university Student's Union and a representative of the educational agencies running affiliated colleges (in respect of affiliating universities) three experts from diverse fields may also be nominated by the Chancellor in consultation with the Visitor. Of the nominated members, at least one shall be a woman and one a member of the Scheduled caste /Scheduled tribe.

The Syndicate shall have power to formulate broad policies, prepare a perspective plan for the development of the University, enact statutes in accordance with the Act (the approval of the Chancellor would be required only if the Statutes seeks to override the provisions of the Act), approve annual plan and budget, sanction departments, constituent colleges, affiliated colleges and courses, sanction posts of academic and administrative staff and approve such appointments made, make arrangements for annual academic and financial audit, decide the qualification and mode of appointment of such officers as the Registrar, Controller of Examinations and Finance Officer, prepare annual reports and approve audited Statement of accounts and submit them for the consideration of the Visitor/ Chancellor /Pro-Chancellor /Senate /State Legislature /State

Council for Higher Education. The Syndicate shall also enjoy all residual powers relating to policy formulation and general administration not vested with any other authority /officer of the University.

Academic Council

The Academic Council should be the principal academic body responsible for making broad level policy formulations and for framing general directives for ensuring academic standards of the University. It shall also take up matters of general academic interest and issue binding directions. It shall prepare a panel of names of Professors in university departments/ constituent colleges/ affiliated colleges for nomination as Deans of Faculties. In all academic matters the decision of the Academic Council will be final and these could be reported to the Syndicate/ Executive Council. However, the Academic Council shall not be saddled with responsibilities relating to day-to-day academic administration of the University.

The Academic Council shall be constituted by the Syndicate. The membership shall not exceed 60. 1/3rd of the members should be ex-officio, including the Vice-Chancellor, Pro-Vice-Chancellor, Deans of Faculties and Heads of university departments (represented by rotation). 1/3rd of the members could be representatives of teachers, elected by an electoral college consisting of representatives of teachers in university departments /affiliated colleges. 1/3rd of the members should be senior academics, preferably outside experts representing diverse fields, nominated by the Syndicate of the University. The Syndicate shall designate such officer (preferably a Dean), as it may deem fit, to act as the secretary to the Academic Council.

Council of Deans

The Council of Deans shall comprise of all Deans of Faculty. The Vice-Chancellor shall be the Chairperson of the Deans' Council and the Pro-Vice-Chancellor, Vice-Chairperson.

The Council of Deans shall have powers to make recommendations to the Academic Council on all matters on which the Academic Council has powers to take decisions. It shall also have powers to make recommendations the Syndicate/Executive Council on all matters relating to academic planning and administration on which the Syndicate / Executive Council has powers to take decisions. The Academic Council and the Syndicate may also refer academic issues requiring expert opinion to the Deans' Council for its advice.

Faculty Councils

It is necessary to give faculties comprising of related or cognate departments and subjects a large amount of responsibility, autonomy and accountability, more so in the context of the need to promote inter-disciplinarity in learning. The faculty may comprise of the Dean of Faculty, Heads of Department Councils, Chairpersons of the Boards of Studies included in the particular Faculty and a few eminent academics, both internal and external, nominated by the Vice-Chancellor from among a panel of names given by the Deans' Council. Subject to the control of the Academic Council the Faculty Councils shall be in charge of the administration of teaching and the courses of study and research in subjects pertaining to that particular Faculty.

Deans of Faculties should be appointed from among the Senior Professors of the university /affiliated /constituent colleges by the Vice-Chancellor from among a panel of names approved by the Academic Council. The term of office of the Dean of Faculties shall be three years. The Dean should perform academic and administrative duties in addition to his normal duties as a Professor. He should preside over the meeting of the Faculty and should assist the Vice-Chancellor in the performance of his administrative duties. He should be assisted by a Secretariat.

Department Councils in universities

The Department Councils should be statutory bodies. All teachers would be members of the concerned Department Council which would be chaired over by the Department Head. There should be provision for rotation of headship once in every three years.

Boards of Studies for Programmes of university Departments /Clusters of Colleges /Affiliated Colleges

The physical and intellectual resources available and the scope for innovations in teaching, research and extension activities in university departments, clusters of colleges and individual affiliated colleges are so vastly different that it may not be advisable to impose the same programme or even the same courses across these institutions. There could be, for example, greater orientation towards research in university Departments, greater flexibility in the courses offered in Clusters of Colleges and greater incorporation of the component of extension in the curriculum of Affiliated Colleges. Hence it is advisable to have different programmes and different Boards of Studies for these three institutions. Such an arrangement would also make the Boards of Studies more inclusive and participatory. At the same time all Boards should be constituted in such a way as would facilitate communication and collaboration among the different categories of

Boards. It would be advisable to have a representative of the Department Board and Cluster Board in the Board of Affiliated Colleges and vice-versa.

While it would be possible for the Boards of Studies of university Departments to accommodate all teachers in the Boards, the Boards of Cluster Colleges and Affiliated Colleges cannot be equally inclusive. Hence it should be mandatory for such boards to frame their syllabi organizing workshops by including at least one representative from each constituent department of the cluster colleges/ affiliated colleges. While constituting the Boards care should be taken to give representation to teachers at the level of Assistant Professors, Associate Professors and Professors, so that there would be a fair mix of experience and enthusiasm in the working of the Boards.

The Boards of Studies should play a vital role in bringing about an element of dynamism in teaching and learning. Apart from prescribing textbook and syllabi and preparing model question papers the Boards should also be involved in monitoring the implementation of the syllabi at various levels. It should be the statutory responsibility of the Board to review the syllabi every year and to comprehensively revise it once in three years. In view of the additional responsibilities contemplated for the Boards the existing pattern of separate Boards for U.G. and P.G. may continue, provided that there would be proper mechanism for communication between the two Boards by making provisions for mutual representation and joint meetings whenever necessary.

The Deans' secretariat should provide adequate administrative support for the Chairman of the Board of Studies to communicate directly with the departments at the university /college levels.

Clusters of Colleges

It would be ideal if individual colleges could be given a large extent of autonomy in academic and administrative matters as such a step would be required to maximise the possibilities of innovation and diversification in higher education. However it may not be feasible to move towards this ideal all on a sudden. It is necessary to ensure academic competence, social accountability and the culture of collaborative functioning of individual teachers /institutions before conferring autonomy to individual affiliated institutions. The expertise and experience needed for designing courses in a world of information explosion and rapid changes in educational technology may not be available in individual departments of affiliated colleges. It may be necessary to accommodate both local needs and global trends while designing courses and programmes. Such a task may be beyond the capacity of most of the individual departments in affiliated colleges. It might also be difficult for the managements to withstand the temptations of immediate monetary gains in place of long-term academic goals of education in the prevailing atmosphere of competitive commercialisation of education. The possibility of vast

duplication of courses under a variety of market friendly names with only a marginal difference in course content cannot be ruled out in such a scenario. This could have negative implications on sustainable development of the State. Hence steps will have to be taken to inculcate greater competence and commitment among individual teachers /institutions by creating structures that would promote collaborative teaching-learning, research and extension in an atmosphere of cooperation and dedication to a sustainable agenda for development. The concept of Clusters of Colleges needs to be experimented within this context.

The idea of establishing clusters of advanced centres was mooted by the Kothari Commission as one of the possible means for extension of excellence from the centre to the periphery. The UGC has been pursuing the project of clustering higher educational institutions with the objective of optimum utilization of the existing facilities for the expansion of higher education. The National Knowledge Commission (NKC) has recommended that autonomous status be given to some clusters of colleges, as a part of restructuring undergraduate education. The clusters of colleges have come up in Western systems, bringing together the advantages of bigness and smallness, that of independence and interdependence. Different models have emerged in the process. Clusters have been set up around administrative structures, which would co-ordinate the functioning of the units. Individual institutions have also grouped together on their own to share the benefits of mutual cooperation. There are also clusters with one dominant member supporting smaller units. Clusters have been formed for specific purposes, like sharing Information Communication Technologies (ICT) in teaching-learning, civic engagement by institutions of higher education etc. Apart from sharing resources, the Clusters have provided opportunities for teachers to develop and offer new courses. Students have gained by exposure to experts in different institutions. The possibilities of opening up new areas of knowledge have emerged in the process. Obviously clusters have developed in response to the infrastructure and academic needs. The College Clusters proposed to be set up in affiliating universities in the State may draw upon the above concepts and practices. The Acts of universities should incorporate enabling provisions to establish clusters of colleges. Physical proximity and prospects of academic collaboration could be the guiding principles for the identification of clusters. Each cluster may have a minimum of ten and a maximum of thirty member colleges. Initially it may not be possible to include all colleges within the cluster system. But the objective should be to bring all colleges within one cluster or the other and to incrementally grant more and more autonomy to the clusters with a view to enabling them to emerge as independent universities in course of time.

The governance structures of clusters should be such as would ensure equal and adequate representation of partnering institutions, democratic decision making, and effective implementation of academic programmes, functional autonomy and social accountability. The following structures may be common to all clusters:

(1) **Governing Body:** The Governing Body will be responsible for taking policy decisions on behalf of the cluster and for approving the annual budget and audited Statement of expenditure and for initiating all new schemes. It shall consist of the following members:

- (a) Principal of each partnering college
- (b) Representative of the managements of each partnering college
- (c) Elected representative of the teachers of each college
- (d) Elected representative of the college union of each college
- (e) Representative of the District Panchayat
- (f) One educationist nominated by the Syndicate of the affiliating university
- (g) One educationist nominated by the Government

The Principal of a partnering college shall be the chairperson of the Governing Body. The term of the Chairperson will be limited to two years. Vacancies will be filled up on the basis of rotation among partnering colleges. While every effort should be made to fill up the post of the Chairperson through consensus, the principle of seniority among incumbent Principals may be followed, if there is no consensus. The Chairperson-in-waiting shall be the Member Secretary and shall be selected through the same process as that of the Chairperson. The Governing Body shall meet at least three times a year. It shall be competent to decide the procedure for its meeting and implementation of the decisions taken by it. The quorum for the meetings of the Governing Body shall be one third of the total membership and decision shall be taken by two third majority of those present and voting.

(2) **Executive Body:** The Executive Body shall be responsible for carrying out the decisions of the Governing Body and for preparing the budget and annual Statement of expenditure for the approval of the Governing Body. It shall consist of all the Principals of the partnering colleges. The chairperson of the Governing Body shall preside over the meetings of the Executive Body and the Member Secretary of the Governing Body shall be the Member Secretary of the Executive Body as well. The Executive Body shall meet at least once in two months. The administration of the college cluster shall be vested in the Executive Body. The day to day administration shall be carried on by the Member Secretary in consultation with the Chairman. The administration of the funds shall also be

vested in the Executive Body. Over head expenditure for the administration shall be budgeted and shared by the partnering colleges. There would be no need for a Central Secretariat, at least initially. As the cluster network grows in complexity, a permanent administrative set up may be established. The Executive Body will be responsible to the Governing Body.

(3) **Academic Committee:** The Academic Committee shall be constituted as decided by the Governing Body, observing the principle of equal representation to all partnering colleges and rotation of headship. The functions and responsibilities of the Academic Committee would be as decided by the Governing Body. Sub-committees of the Academic Committee may also be constituted by the Governing Body for the performance of various academic functions, as and when required.

(4) **Boards of Studies:** The Governing Council shall constitute discipline-wise Boards of Studies giving representation to all constituent departments and in accordance with the principles for the constitution of Boards of Studies in the University Act/Statutes.

Each Cluster of Colleges shall progressively undertake the following activities for the promotion of teaching-learning, research and extension

- (a) Sharing of resources such as laboratory, library, auditorium, seminar hall, playground etc.
- (b) Faculty exchange programmes.
- (c) Common facilities for research
- (d) Introduction of five year integrated programmes
- (e) Introduction of innovative credit courses at UG/PG level
- (f) Organizing training programmes for teachers and office staff.
- (g) Introduction of e-learning and network connectivity
- (h) Digitization and networking of libraries
- (i) Introduction of add-on / certificate / diploma courses
- (j) Clustering among departments in the member colleges
- (k) Institution of scholarships and measures to promote merit and equity
- (l) Introduction of common examinations and evaluation systems
- (m) Conduct of common sports Activities /competitions
- (n) Conduct of common cultural Activities /competitions
- (o) Organizing common programmes for NCC/ NSS volunteers
- (p) Adoption of a village
- (q) Introduction of other extension programmes
- (r) Common research publications and news letters
- (s) Publication of books for popularization of higher knowledge
- (t) Institution of chairs
- (u) Conduct of extension lectures
- (v) Common hostel accommodation

- (w) Implementing common programmes for entrepreneurship, career counselling and employment
- (x) Development of special infrastructure programmes for differently-abled students
- (y) Introduction of any other programme for the promotion of teaching-learning, research, extension
- (z) Introduction of any other programme for the promotion of access, equity & quality of higher education

Funds

The funds of the college cluster shall include all funds received from the Government, UGC and similar funding agencies as also funds collected by the Cluster and donations /endowments received.

Affiliated Colleges

The bulk of teaching and learning in affiliating universities take place in affiliated colleges. Therefore the Acts of affiliating universities should incorporate adequate provisions for the representation of affiliated institutions and teachers in such institutions in decision making bodies of the university and for democratic governance of the affiliated institutions. Apart from recommendations already made in this regard, the following further recommendations are also made.

- There should be a Council of Affiliated Colleges (CAC) in every affiliating university to advise the university in all matters relating to affiliated colleges. Various categories of affiliated colleges such as Government, Aided and Unaided and Professional and Non-professional colleges should be represented in the Council. The members of the CAC may be nominated by the Vice-Chancellor in consultation with the Syndicate / Executive Council. The Vice-Chancellor shall be the Chairman of the Council and the Pro-Vice-Chancellor, Vice-Chairman. The existing College Development Councils (CDC) should be integrated with the CAC.
- There should be Local Governing Bodies (LGB) for all colleges, including Government colleges and colleges under corporate managements, responsible for taking decisions on the day-to-day running of the colleges. The LGBs should have adequate representation for universities, teachers, students, non-teaching staff and PTA.
- Make College Councils (CC) the decision making body, with the Principal acting as the head of the Council. It should be mandatory for the Principal to execute decisions taken by the College Council in accordance with provisions of Acts/Statutes. The constitution of the Council should be made more inclusive by including one representative each of the non-teaching staff and students. The Council can take decisions on the basis of recommendations emanating from college level statutory Departmental Councils (DC),

Academic Councils (AC) and administrative and finance committees for the constitution of which provision should be made in the acts.

- **Shared Responsibilities:** There should be provision for rotation of Principals/heads of departments once in three years. Only teachers with a minimum of three years remaining service should be appointed as Principals. There should not be any transfer of principals during his/her tenure. While Principal-ship could be rotated among teachers eligible for the post as per UGC norms, headship could be rotated among professors/ associate professors within the same department.
- **Limited autonomy for affiliated colleges:-** Provision should be made enabling affiliated colleges to run short term add-on certificate courses outside regular working hours with the permission of the university with the proviso that no Government/Aided college would run fulltime unaided courses. Affiliated colleges should have autonomy in matters relating to internal evaluation within the broad parameters prescribed by the University. The affiliated colleges should also have the freedom to make proposals for new courses/ modification of courses to the BOS. The BOS could permit changes with the concurrence of the Deans' Council, provided the changes do not require modification in the staff pattern of aided colleges and impose excessive burden on the University for the conduct of examinations.

SPECIAL PROVISIONS

Residual matters:- - In respect of matters not referred to above, each university Act may incorporate provisions unique to itself, taking into account the academic and societal needs specific to the university concerned.

Further Steps

The Committee recommends that the KSHEC may convene a conference of VCs, Teachers' representatives, Student Body representatives, and other educationists to discuss the Draft Report. This may also be placed in the Council's website and invite comments.

After considering the comments and suggestions, the Council may revise the draft suitably and submit it to the Government for consideration and take appropriate steps for legislation.

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