



# INSTITUTE OF OBJECTIVE STUDIES

NGO in consultative status (Roster) with the  
Economic and Social Council of the United Nations

*July 19, 2018*

Mr. Prakash Javadekar Ji,  
Hon'ble Minister for HRD,  
Govt. of India,  
New Delhi

Subject: Comments and suggestions submitted by the Institute of Objective Studies (IOS) and Indian Association of Muslim Social Scientists (IAMSS), New Delhi to Ministry of Human Resource Development, Government of India on draft Act for setting up of "Higher Education Commission of India by repealing UGC Act".

Respected Sir,

Kindly find herewith our comments and suggestions on draft Act for setting up of Higher Education Commission of India by repealing UGC Act, based on the deliberations in a meeting organised by the Institute of Objective Studies and Indian Association of Muslim Social Scientists at New Delhi attended by educationist, academics and other concerned quarters. It also contains suggestions forwarded to us by many other sources.

Hope these inputs would be given due consideration while finalising the draft Act.

With sincere regards,  
Yours truly,

*M. Manzoor Alam*  
*M. Manzoor Alam*

(Dr. M. Manzoor Alam)  
*Chairman, Institute of Objective Studies, &*  
*President, Indian Association of Muslim Social Scientists*

Encl.: As Above

## **Comments and Suggestions on draft Act for setting up of “Higher Education Commission of India by repealing UGC Act”**

The following points in the draft Act need clarification and may kindly be looked into:

1. Representations of underprivileged sections of the society and minorities in the decision making bodies of the proposed Commission should be ensured.
2. The bill is not clear about the principles and procedures of academic auditing.
3. The proposed bill shows a tendency for privatisation of higher Education and appears detrimental for the safeguard/growth of public funded higher education institutions.
4. There seems to be a centralising tendency in the bill, which may be detrimental for democratic functioning of the institutions of higher education and may erode element of autonomy in higher education.
5. The bill does not clearly state, how the interests of SCs, STs, OBCs, minorities of the society are proposed to be safeguarded.

In order to ensure the above at the stage of subordinate legislature, following points may be taken into account:

1. Heterogeneity and plurality are the hallmark of India and is instrumental in generation of new ideas and economic development. It becomes paramount that subordinate legislation process looks into and ensures that it is preserved by making suitable provisions for decentralisation of powers.
2. In order to safeguard the constitutional rights and welfare of SC, ST, Regional Linguistic, religious minorities and other deprived sections of

the society. Their representation at the stage of subordinate legislation may be ensured.

3. In view of the role played by public funded institutions and their contribution in the field of higher education, the process of subordinate legislation may include provisions for retention/strengthening /expansion of public funded higher education system and for discouraging blatant privatisation of Higher Education.
4. Autonomy for public institutions being the essence of democratic culture, the process of subordinate legislation may include steps for preserving/strengthening the autonomy of institutions of higher education and these institutions should properly be represented in proposed commission.
5. As per the proposed draft, grant is to be linked with the performance, a fool proof criteria needs to be evolved for assessing the performance of an institution of higher education, and the process of subordinate legislation may include clear cut guidelines for the implementation of above noted criteria. It may also be noted that considering the prevalent heterogeneity of the higher education system (which needs to be preserved), different sets of criteria and guidelines for implementation need to be evolved through a rigorous process.