

**One Member Commission for
Kerala State
Higher Education Council**

Report

Rajan Gurukkal



**Government of Kerala
Thiruvananthapuram, 13 January, 2017**

Preface

Ever since the expiry of the tenure of the Kerala State Higher Education Council in 2011, it was not reconstituted as prescribed in the Act concerned. Of the Tricameral Council, the Executive Council was constituted on 12-10-2011 and subsequently, the Governing Council, on 15-11-2014. While the tenure of the Executive Council expired on 11-04-2016, and that of the Governing Council's is doubtful, not over as yet, it so happened that the Advisory Council was never reconstituted. This involved violation of the Kerala State Higher Education Council (KSHEC) Act (22) 2007. Further the Rashtriya Uchchatar Shiksha Abhiyan (RUSA) Guidelines issued by Ministry of Human Resource Development, Government of India have necessitated certain modifications in the Act. Some changes are also required in the Act of the Council to accommodate emerging needs in the higher education sector.

Under the above circumstances a One man Commission has been appointed vide G.O. (Rt) No. 3233/2016/H.Edn dated, 25.11.2016 for comprehensively reviewing the KSHEC Act (22) 2007, making specific recommendations and preparing draft legislation for amending the Act. As per the above Government Order the KSHEC Act has certain deficiencies of contingent nature, which have to be rectified. Accordingly, the Commission consulted the representatives of the stakeholders such as academics, students, teachers, non-teaching staff of higher education institutions, officials of various directorates, Vice Chancellors, and the general public in fulfilment of the assigned task.

At the outset the patronage of Prof. C. Raveendranath, the hon'ble Minister for Education and Chairman, KSHEC is gratefully acknowledged. The guidance of Prof. K.N. Panikkar, the first Vice Chairman of KSHEC is acknowledged with immense gratitude. The advisory support extended by Mr. T.P. Sreenivasan IFS (Retd. Indian Ambassador) is acknowledged too. Similarly, the advice of Mr. B. Srinivas IAS, Principal Secretary, Higher Education, regarding the recent changes in MHRD draft Guidelines of RUSA and their current application in the state is gratefully acknowledged. Insights into the institutional, administrative and social dimensions provided by the Vice Chancellors, the general public, organisations of teachers, students, non-teaching staff, and other stakeholders are thankfully acknowledged. Indebtedness to Mr. Thomas Joseph, the first Member Secretary of KSHEC in understanding the Act and the working of the Council is deep. Academic inputs offered by Dr. P.K. Michael Tharakan, Dr. Joy Job Kulavelil, Dr. Rajan Varughese, and Prof. V. Karthikeyan Nair are great. The technical help provided by Mr. K.T. George in preparing the draft legislation of the amendments deserves special acknowledgement. The Commission got help from three Registrars of the Council, Subhash John Mathew who got transferred on the first day and Ms. L.Sindhu, after a month, and Mr. L.A. Gregorious, who is in chair now. Academic assistance rendered by Dr. M.A. Lal, Dr. C.H. Jayashree and Mr. Eldho Mathew is remembered here. Last but not the least, the data support and administrative assistance extended by the officials of KSHEC, especially Mr. Suresh Babu. A., Mr. Manoj. S., Mr. Harikrishnen. K., Dr. Chithra. L., Ms. Deepika Lakshman, Ms. Divya. A.S., and Ms. Anjali. P., are remarkable.

*Thiruvananthapuram
13 January, 2017.*

Rajan Gurukkal

Contents

Preface

Introduction

Chapter I. KSHEC Act 2007: A Comprehensive Review

Chapter II. KSHEC: An Appraisal

Chapter III. Proposed Amendments and the Rationale

Chapter IV. The Draft Legislation

Chapter V. Specific Recommendations

Appendices:

1. *KSHEC Act (22) 2007*
2. *MHRD Draft Guidelines of RUSA, 2013 (Extract)*
3. *UGC Guidelines for State Higher Education Councils*
4. *Details of the Meetings for Consultation and Hearing*
5. *List of Those Who Provided Written and Oral Representations*
6. *GO Constituting the Commission*

Introduction

National Policy on Education 1986 recognized the crucial role of higher education in national development and outlined a framework for large-scale expansion and qualitative improvement of this sector. It was also recognized that state-level planning and coordination would be required for implementation of national-level policies in higher education. Accordingly, it was suggested that State Councils of Higher Education should be set up in all states, for which the UGC had already constituted a committee to draft the Guidelines. It was viewed that in consultation with such Councils the UGC would be able to evolve a mechanism to monitor standards in higher education. This policy was further elaborated in the Programme of Action (1992) where it was reiterated that there was no effective machinery for planning and coordination at state-level as also coordination of state-level programmes with those of the UGC. With a view to filling up this gap, the Programme of Action envisaged setting up of State Councils of Higher Education. In 1988, the UGC Guidelines were prepared, following which State Higher Education Councils were set up in some states.

In Kerala a State Council of Higher Education was set up in 2000 through an executive order, but it had only a short life. Subsequently in 2003, a chapter on State Council of Higher Education was included in the Unified Universities Bill presented in the State Assembly, but that was never enacted. In 2005, the Government organized a one-day workshop involving Vice-Chancellors, academics and administrators. On the basis of the discussions held at the workshop, a draft Ordinance was prepared, and later turned into a draft Bill. However, this Bill was also not enacted. In 2006, a Higher Education Commission under the Chairmanship of Dr. K.N. Panikkar was appointed for making recommendations to the Government for constituting a Higher Education Council. On the basis of the recommendations submitted by the Commission, the Kerala State Higher Education Council was set up on 16th March 2007 through an Ordinance that became legislated as the Kerala State Higher Education Council Act 2007 (Act 22 of 2007).

Accordingly, the Kerala State Higher Education Council (KSHEC) came into being in 2007 and it functioned fruitfully throughout its tenure that ended in 2011. During the second term (2011-2016) the reconstitution of the Council met with certain procedural irregularities. On the expiry of the tenure of the Kerala State Higher Education Council on 15 March, 2011, a new Vice Chairman took over only on 13 October 2011. However, the Council was not reconstituted as prescribed in the Act. Of the Tricameral Council, the Executive Council was constituted on 12-10-2011 and subsequently, the Governing Council, on 15-11-2014. Eventually, the tenure of the Executive Council expired on 11-04-2016, while that of the Governing Council's is doubtful. As the five educationalists in the Executive Council are to be drawn from Governing Council as per the provisions of the Act, the Governing

Council may be deemed to have been constituted along with the Executive Council, in which case the term of the Governing Council would be coterminous with that of the Executive Council. On the other hand, it may also be argued that the term of the Governing Council would expire only four years after its actual date of constitution. It so happened that the Advisory Council was never reconstituted. All this involved violation of the Kerala State Higher Education Council (KSHEC) Act (22) 2007 and therefore explicit provisions have to be incorporated in the Act to prevent the occurrence of such violations in future. Further, the Draft Guidelines issued by the Ministry of Human Resource Development (MHRD), Government of India, for the *Rashtriya Uchchatar Shiksha Abhiyan* (RUSA) have necessitated certain modifications in the Act.

MHRD Draft Guidelines

TISS prepared RUSA Guidelines in July, 2011 for MHRD that got it approved by CABE on 8th November, 2012.¹ Soon the National Development Council (NDC) approved the RUSA mission mode as part of the 12th Plan. On 20 June 2013 the Cabinet approved it as the only CSS for the Department of Higher Education. It secured a special mention in the address of the President of India in the joint sitting of the Parliament on 21 February 2013. On 12 February 2013 the then Prime Minister also announced the Scheme in the Governors' conference. EFC cleared it on 11 September 2013 and on 23rd of the same month the Finance Minister signed it. Accordingly, CCEA approved the RUSA mission scheme on 3 October, 2013 and MHRD circulated the Draft Guidelines requiring the states to join the Scheme for being entitled to the funding benefits. MHRD still calls it as Draft Guidelines, presupposing that they have not been turned into Regulations notified in the Government Gazette. It is not known to the Commission whether the Central Government have issued any Orders so far.

RUSA is an umbrella scheme operated in mission mode subsuming other existing similar schemes in the higher education sector. It is for norm based and performance based funding on the precondition of commitment by States and institutions to certain academic, administrative and governance norms. It funds the institutions based on academic, administrative and governance performance bringing results in key areas viz., Access, Equity and Excellence. Funds would flow from the Ministry of Human Resource Development (MHRD) to universities and colleges, through the State governments. Funds for the institution will be decided on basis of the norms reflecting the achievement in the areas. Funding to the States would be made on the basis of critical appraisal of State Higher Education Plans (SHEPs) addressing each State's strategy to address issues of equity, access and excellence. An SHEP in the State is to be drawn up as spread over a period of ten years, which would

¹ *Rashtriya Uchchatar Shiksha Abhiyan*, National Higher Education Mission, Ministry of Human Resource, New Delhi, September, 2013

be reviewed after five years. It is required to be broken down into annual plans with detailed planning and budgeting exercise to fix the annual targets for the programme implementation and the required budget for them. Each institution has to prepare an Institutional Development Plan (IDP) for all the components listed under the Scheme.

The Draft Guidelines assign a key institutional role to the State Higher Education Councils (SHECs) in the channelization of resources from the RUSA as well as the State Budget. This role includes multiple functions such as preparation of the State Higher Education Plan (Perspective Plan, Annual Plan and Budget Plan), monitoring, evaluation, and implementation of State Higher Education Plan; providing state institutions inputs for creating their Plans and implementing them, coordinating between apex bodies, regulatory institutions and government; creating and maintaining the Management Information Systems, compiling and maintaining periodic statistics at state and Institutional level, and evaluating state institutions on the basis of norms and KPIs developed under RUSA. It is stated that the Council may, for its own use, develop additional norms as it sees fit. Guidelines say that the SHECs would be responsible for the planned and coordinated development of higher education in the State and to foster sharing of resources between universities, benefit from synergy across institutions, lead academic and governance reforms at the institution level, establish principles for funding institutions, maintain a databank on higher education and conduct research and evaluation studies.

Besides these funding related functions, Draft Guidelines envisage SHECs to form the primary block towards building a sound planning and funding mechanism for higher education at the state level. Main academic responsibilities are quality assurance in curriculum, teaching, learning, examinations, and research; protection of the autonomy of state institutions, providing approval to the setting up of new institutions/colleges, bringing in accreditation reforms, advising the state government on strategic investments in higher education, and advising universities on statute and ordinance formulation.

Kerala has joined the Scheme agreeing to the conditions stipulated in the Guidelines and secured the grant for the financial year, 2014. It operated well through the State Higher Education Council till 31 August, 2016 when the Department of Higher Education delinked the Scheme from the Higher Education Council on the basis of a couple of letters from MHRD, which vouch for the fact that the Guidelines are undergoing even fundamental changes on the basis of practical requirements emerged in the review meetings of the Scheme. Accordingly, the State Government have issued necessary Orders. In short, the operation of the Scheme hardly requires any major modifications the KSHEC Act (22) 2007. Nevertheless, compliance with MHRD's original Draft Guidelines of RUSA regarding the composition of the SHEC would require certain fundamental changes in the structure of Kerala State Higher Education Council.

SHEC of MHRD Guidelines

MHRD's Draft Guidelines for RUSA has prescribed the structure and composition of the State Higher Education Council. According to the prescription the Council should consist of fifteen to twenty-five members holding the office for a term of 6 years, but one-third of them should be retiring every two years. An eminent Academic/Public intellectual with proven leadership qualities should be made the Chairman of the Council. Its Vice Chairman must be an eminent academic administrator with proven record and in the rank of a Professor. An eminent academic in the rank of Professor should be the Member Secretary, the Chief Executive of the Council. A personage of the state government in the Council is the State Project Director, who should be the Secretary or Commissioner of the Department of Higher Education. Ten to fifteen members, individuals representing fields of arts, science and technology, culture, civil society and industry and vocational education and skill development; three Vice Chancellors of State Universities and two Principals of autonomous/affiliated colleges, and one nominee of the Government of India are other members the other members in the Council. It is stipulated that at any point in time, seven members of the Council should be from the state and three members must be individuals of national eminence from outside the state. Normally, the Council shall meet at least once every quarter and 1/3rd of the strength, including the Chairman and Member Secretary shall be the quorum. A five member Search Committee consisting of two eminent scientists/social scientists, one former Vice Chancellor of a State University, one former director of Institute of National repute within or outside the state, and one former Vice Chancellor of a Central University, is prescribed for the existing Council to find and nominate 3 new members every 2 years.

Questions

a) General

What is the role of the State Council of Higher Education in the Governance of higher education within the State? Does it occupy a position in between UGC/MHRD-RUSA/State Government and Universities? Does it have a role in co-ordinating higher education under various universities within the State? Should it have an advisory/assessment role over universities/individual institutions/individual teachers/students? Are there common services that can be provided by the State Higher Education Council? Should teacher quality enhancement be an integral part of the services undertaken by State Higher Education Council? Should the Higher Education Council directly address issues of access, equity and excellence by administering scholarships and fellowships? Should it take over the role of an accrediting agency at the State level? Should it perform an advisory/administrative role in the distribution of Central/State assistance among various universities/institutions in the State? How do we prioritise the different functions of the State Higher Education Council? Is it not appropriate to discuss the possible functions/priorities of the next State Council of Higher Education? Is it not necessary to

discuss a four year action plan of the next State Council of Higher Education in the order of preference?

b) Specific

Do we need to make any change in the existing Act to make the Higher Education Council a more flexible/effective instrument for the performance of the above functions? Does it have adequate powers/resources at its disposal? Are there too many bodies within the Council which makes its functioning cumbersome? Though the Act provides for three bodies within the Council –Executive Council, Governing Council and Advisory Council— the previous Government constituted the Governing Council only recently and the Advisory Council was not constituted at all. Was there any justification for the truncated constitution of the Council? Has it adversely affected the functioning of the Council?

Methodology

In the comprehensive review the Methodology followed is analytical and explanatory, resorting to social theoretical correlation between economic development and educational reforms. It is primarily a theme requiring quantitative assessment based on numerical indicators. What it requires is a reflexive exercise based on the archive available and the data generated through consultation with the stakeholders and the general public. Since reflexive exercise presupposes the use of theoretical framework, a statement about it is necessary.

What the review seeks to follow as its central framework of comprehension is critical political economy of Capitalism, supplemented by applied studies in global economy by theoreticians such as A. Feenberg (1991), M. Perelman (2004), Suarez-Villa (2009 & 2012).² What constitutes fundamental to the framework is the primacy of the economy's role in determining the nature of the content, context and conduct of the higher education sector. A few social theories also deepen the understanding of the correlation between the dominant economy and institutional features of higher education.

² See Feenberg, A., *Critical Theory of Technology*, Oxford University Press, New York, 1991; Michael Perelman, *Steal this Idea: Intellectual Property Rights and the Corporate Confiscation of Creativity*, Palgrave, Macmillan, 2004; Suarez-Villa, Louis., *Globalization and Techno-capitalism: The Political Economy of Corporate Power and Technological Domination*, Ashgate, 2009; Suarez-Villa, Louis., *Techno-capitalism: A Critical Perspective on Technological Innovation and Corporatism*, Temple University Press, 2012

Perspective

A comprehensive review like this has to situate it in the national context of access, equity and quality, in which the Country's commitment is a hope so entrenched that we almost hesitate to question it in spite of the theoretical contradiction explicit in the precedence of the national policy of privatisation and commercialisation over social welfare and the denigration of democratic aspirations and institutions that it implies. Commercialisation of the higher education sector has been part of the national development strategy ever since the signing of the World Trade Organisation's (WTO) General Agreements on Trade in Services (GATS). Globalisation of the sector has been a major goal during the last two plan periods and the country has been consistently striving at providing legislative and logistic support for realising it. Now the dominant global economy tends to decide how the sector has to be governed, which programmes are to be introduced and what competencies are to be the postulated outcomes. Quality of knowledge production and knowledge transmission, the primary functions of any University, has been degenerating over the years, and is all the more at stake today in the wake of rising commercialization of education and commoditization of knowledge. Equity is being totally neglected today in the deluge of market-driven processes of production and transmission of knowledge. There is a craze for acquiring 'world class quality' through 'competitive excellence' as defined by neo-liberal parameters, which is fast bringing unaided institutions to the fore and pushing the poorly funded state Universities to the margin. Structure of the state Universities is increasingly alienating and their environment uncongenial to the acquisition of their functional primacy. Universities hardly help students and teachers understand their social role, while each of them as an instituted system in its turn, transmits knowledge devoid of its social purpose. In the new global socio-economic system imbued with more powerful built-in mechanisms of containment, the transmission of higher knowledge is mechanically determined, turning the youth into apathetic beings. It is extremely urgent to try and reposition the University through ways and means that can realign the politics of knowledge with the core of its academic functions. Quality in knowledge production is ensured by the social utility of the new knowledge produced. Quality in transmission implies the student's utilization of the transmitted knowledge in the development of higher cognitive ability, sharper analytical faculty and better language power with a thorough knowledge about the fundamentals of the discipline concerned. Quality higher education is one that renders possible the effective transmission of socially useful knowledge enhancing students' criticality and enabling their decisive participation in public policy debates. Therefore, critical social understanding is the test of quality teaching and research, irrespective of areas of specialization.

Global Knowledge Economy, which is heavily dependent on marketable science-tech hybrid areas of research, requires competencies of a totally different nature. Studies are increasingly

theoretical and based on high power computing or other sophisticated electronic instrumentation. Higher education is constrained to provide science-tech knowledge base, mathematical skill, micro-engineering technology, and innovative faculty. It has to provide competency to handle sophisticated IT tools, ability to work in interdisciplinary environments, capability to develop research networks, familiarity with corporate research culture, entrepreneurial skill, and ability to assess research impact on the environment. Looking at what the corporate experimentalist establishments are doing, we can guess what the higher education of future is going to be. Corporate experimentalist establishments demand trained youth competent to do research in functional genomics with automated methods based on microarray technologies for analysing gene expressions, use of X-ray crystallography and robotic crystallisation procedures for determining gene structure in structural genomics, high field NMR Spectroscopy for determining protein structures, DNA bar-coding for species identification, layer-by-layer assembly of Nano-films, advanced bio-engineered molecular processors, nanotech sensors and transmitters, graphene engineering, synthetic bioengineering, bioinformatics, robotics, brain – computer interface devices, holographic interfaces, cloud computing and so on.

Higher education institutions in the state are characterised by insufficient funding, bad infrastructure, inadequate knowledge-base of teachers, out-dated content of the syllabi, lack of awareness about competencies to be built up, obsolete instructional strategies, absence of autonomy and flexibility. It does underscore the need to urgently remedy them with sufficient funding, good infrastructure, teaching faculty of adequate knowledge-base, updated academic programmes comprising courses of intellectually challenging content, clearly defined course outcomes and competencies, pre-planned instructional strategies, academic autonomy and flexibility capable engendering criticality and creativity. Even if we succeed in ensuring all this, we are likely to be nowhere near the global standards. Equipping the youth with competencies of global standards is going to be unaffordable too. As a result we may only export the brilliant minds for want of domestic demand for them.

It is extremely crucial to be realistic about the situation and propose an alternative policy of developing a national standard of higher education that accommodates the diverse local requirements of a vast country like India, without being obsessed with the global. It should emphasise teaching and research relevant to resolving crucial problems that we encounter at the national, regional and local levels. Resolution oriented, local level issue-based, interdisciplinary teaching and researches, facilitating convergence of sciences and technology can be a viable alternative for us. Issues of local relevance can act as objects of convergence-research leading to new knowledge in science and technology, which will be inevitably path-breaking and far reaching in its effects. This would require policy frameworks and institutional structures that are democratic, pluralistic and functionally relevant.

Demographic Situation

India is distinguished as a rare nation of great demographic advantage, for out of the country's total population of about 1.27 billion, almost 40% are in the age-group of 18-23. It is extremely important for the nation to judiciously design effective strategies for equipping the youth to be at their best with competencies of the 21st century in order to reap the benefits of this demographic distinction. The International Labour Organization (ILO) anticipates in India the availability of 116 million youth in the age group of 20-24 by 2020, a strength that exceeds the Chinese youth population by 22 million. With more than 60% of the aggregate population of the country in the age group of 15-59 and the average national age becoming 29 years by then as distinguished from those of developed countries like America (40 years), Japan (46 years), and Europe (47 years), the national dependency ratio shall be remarkably beneficial. About 140 million youth in India would be in the age group requiring to access higher education and one out of five graduates is expected to be from the country.

The demographic situation demands that the national policy of resource allocation for higher education should be unprecedentedly judicious and insightful to harmonise the theoretically incompatible categories viz., the state, markets, access, equity and quality. It is taken for granted that the state cannot afford to finance the expansion of higher education in the public sector. Since XI Plan onwards the policy has been incrementally that of privatisation and commercialisation under the excuse of the state's financial inability amidst its unavoidably huge revenue expenditure for national defence, industrial development and urban infra-structural expansion. A ponderous paradox is the extravagant indulgence of the nation in heavy urbanisation involving enormous cost while it laments about economic crunch. It is strange that the distinctly advantageous demographic conditions excite no seriousness in the minds of national planners about the urgency of treating higher education as a very crucial sector of investment, which they have been foolishly disregarding as a field of heavy expenditure.

Before being optimistic about the demographic advantage one should extrapolate the reality about what percentage of people would get the opportunity to take the dividend. What would be the economic plight of this huge population? It is extremely important that the nation takes the problem seriously. Similarly, the state has to give top priority to the issues like access disparity, lack of social preparation for improving the ERE among the poor, neglect of means to enhance the GER, and delay in resolving learning difficulties among the poor. The State Higher Education Council has to evolve strategies to attend to these seminal questions.

Chapter I

KSHEC Act 2007: A Comprehensive Review

The Kerala State Higher Education Council, set up on 16 March 2007, is the principal higher education policy input provider of the State, with the mandated task of providing advisory support to the Government and the higher education institutions like Universities in the State, for the improvement in the quality of education and for ensuring social justice. Towards these ends the Council has been undertaking several initiatives over the last eight years. These initiatives have generated a healthy debate among educationalists in the State and outside. KSHEC Act 2007, a nationally hailed legislation in the higher education sector, was prescribed by the UGC for other states in India. It has been striving to bring about equity and excellence in higher education sector through various ways and means by way of discharging the following major responsibilities:

- Render advice to the Government, Universities and other institutions of higher education in the State.
- Co-ordinate the role of Government, Universities and apex regulatory agencies in higher education within the State.
- Initiate new concepts and programmes in higher education.
- Provide common facilities in higher education without impinging upon the autonomy of the institutions of higher education.

Structure and Composition

The Governor of the State is the Patron and the Chief Minister is the Visitor of the Council. Its Chairman is the Minister for Education and the Chief Executive of the Council is its Vice-Chairman, appointed by the Government for a period of four years. Other following dignitaries adorn the positions at present. The Council has a three-tier structure consisting of an Advisory Council, a Governing Council and an Executive Council. The bodies of the Council are constituted by the Government for a four- year term and reconstituted every four years.

Advisory Council: This is a 32-member body consisting of the Chief Minister, Minister for Education, Minister for Health, Minister for Law, Minister for Agriculture, Leader of Opposition in the Assembly, representatives of the members of the Parliament from the State, members of the State Legislature (with reservation for SC/ST, and woman), members of three-tier Panchayaths, members of Municipalities, members of Corporations and eminent personalities from different walks of life. The Advisory Council is responsible for giving guidance to the Council on the formulation of policies and their proper implementation.

Governing Council: This is a high power body chaired by the Minister for Education, with all vice-chancellors of the State universities, nominated educationists (with reservation for SC/ST and woman), elected representatives of the Academic Councils of State universities, nominated representatives of student unions (with reservation for woman), higher officials of the State in the ranks of secretaries and directors of various departments, as members. This body is responsible for taking decisions on all policy matters on behalf of the Council.

Executive Council: This is a 9-member body chaired by the Vice-Chairman of the Council. Apart from the Vice-Chairman, this body includes a full-time Member Secretary, five part-time members, one Vice-Chancellor and the Secretary to Government, Higher Education. The Executive Council is responsible for the day-to-day functioning of the Council. The Executive Council nominates one of its members to the Syndicate of each University.

The National Context of the Act

The KSHEC Act has its global, Indian and Kerala contexts demanding attention to the glaring access disparity, perceptible neglect of equity and abysmally poor quality. Nationally speaking, in the beginning of the XI Plan the GER was 12.1% and the plan target as advised by UNESCO was a 3% increase. Nevertheless, estimates in the national survey reports of higher education show about 9% increase in the GER, which is 5% above the MHRD target. The All India Survey of Higher Education (AISHE), 2011-12 shows that the GER in the country's higher education calculated for 18-23 years of age group has increased to 20.4% with a break-up of 20.8% as the GER for males, 17.9% as the GER of females, 13.5% as the GER of the scheduled castes and 11.2% as the GER of the scheduled tribes (MHRD, 2013). Actually what the government had targeted in the XII Plan was 21% GER by the end of 2017. According to the AISHE, 2012-13 the GER in higher education as calculated for 18-23 years of age group had already become 21.1%, with a break-up of 22.3% as the GER of males, 19.8% as the GER of females, 15.1% as the GER of the scheduled castes and 11.0% as the GER of the scheduled tribes (MHRD, 2014). The Survey statistics shows that the total student population in the national higher education sector is a little above 29.6 million with 16.3 million males and 13.3 million females. However, it is a fact that the GER as well as ERE of the youth in the Country's Higher Education sector are still poor and their mutual difference, significantly big (51%) compared to the world averages of the GER (34%), ERE (64%) and the mutual difference (20%). In the developed world the GER is 68%, ERE, 79% and the mutual difference, 11%.

The widely and repeatedly aired cause of low GER is the insufficiency of the number of higher educational institutions. Academic backwardness is generally assigned to low standard and poor quality of education, ignoring the explicit issue of the convergence of economic backwardness and academic low quality. The main cause that the ministry of human resource development has approved is shortage in the number of higher educational institutions of standard and quality and the various national

educational reforms under way are postulated avowedly to address the issue. It is part of the rhetoric of trade-tricks for these institutions that are engaged in competitive commercialisation of knowledge with little or no resources for quality assurance. They have good infrastructure in most cases, but lack academic resources for quality assurance.

Social Composition of GER

Socio-Economic Category	Male	Female	Total
Scheduled Tribe	6.5	4.7	11.2
Scheduled Caste	7.2	5.3	12.5
Backward Castes	12.3	11.6	23.9
X'ian Sch. Tribe	10.3	12.1	22.4
Rich Others	14.6	15.4	30.0
Total	50.9	49.1	100.0

Computed on the basis of 70th and 71st NSSO data and adjusted for Census Population

There may be no social scientist in the country, who believes that the nation's poor GER is due to shortage of institutions and therefore, proliferation of unaided colleges and private universities is the solution. Nevertheless, our education reformers do believe it and their recommendations have led to the rise of a large number of private colleges and universities claiming 'world-class quality and excellence' as their distinct institutional attribute. The ministry's decision to open up as many new Colleges and Universities as possible was a direct response to the alleged shortage in the number of higher educational institutions. It is true that there exists a gross mismatch between eligibility rates and enrollment rates. But this is not an indication of the mismatch between the institutional intake capacity and the ERE. It is significant to note that many of the eligible candidates do not get enrolled, hardly due to the dearth of institutions in their region but due to their economic and social backwardness. It is essential to devise a set of effective measures of socio-economic preparation for enhancing the number of youth capable of accessing higher education.

It is extremely important to analyse the socio-economics of the low GER as well as the poor quality with a view to exposing the political economy of the legislative remedy in general. The main cause of low GER is not the insufficiency of the number of institutions and their low quality as often made out, although they are problems. The central cause of low GER and poor quality of higher education is socio-economic. What it requires is a set of legislative measures to combine economic growth with equity. Unfortunately the legislative cure administered by the MHRD in the form of a few Reform Bills has nothing to do with this social development objective. None of the proposed Bills addresses itself of basic socio-economic issues relating to educational development. Opening of more colleges and Universities, indigenous or foreign cannot as such help enhance the GER, for it can only intensify the socio-economic barriers that account for access disparity leading to national deficit of youth with academic capabilities. There is nothing accidental about these changes, for the decisive force behind them has been the dominant economy.

GER among the Economically Backward

Social Category	Higher Secondary		Graduation		Total
	Male	Female	Male	Female	
Scheduled Tribe	5.70	7.10	5.74	5.36	5.98
Scheduled Caste	16.54	14.36	12.61	11.66	13.79
Backward Castes	41.11	38.54	33.62	29.11	35.6
All others	36.65	40	48.03	53.87	44.63
Total	100	100	100	100	100

Computed on the basis of 70th and 71st NSSO data and adjusted for Census Population

India, a multilingual country with English as the official medium of instruction at the tertiary level, has a relatively poor GER of 21%, about 70% of the rural undergraduate students unable to understand English, about 40% of the postgraduate students unable to use English for higher cognition, about 60% of the youth between 22 and 35 with innovative faculty and creativity belong to the villages where education is imparted in the Indian language. Knowledge base of the Indian languages with respect to advanced sciences and areas of emerging importance is abysmally poor. About 80 % of the total population do not have any participation in the production of Knowledge because of historically and culturally contingent limitations such as class, gender and caste discrimination.

World Bank has pointed out India's key ingredients ideal to play an effective role in the knowledge economy.³ Foremost among them is the availability of an impressive mass of skilled, English-speaking knowledge-workers, especially in sciences. Other ideal ingredients are a well-functioning democracy, a huge national domestic market that is one of the largest in the world, and a large and impressive Diaspora, creating valuable knowledge linkages and networks. The list goes on by adding other features like macroeconomic stability, a dynamic private sector, institutions of a free market economy, a well-developed financial sector, and a broad and diversified science and technology infrastructure, a developed ICT sector, prospering IT, status of a global provider of software services etc. World Bank¹ informs that building on these strengths, India can harness the benefits of the knowledge revolution to improve its economic performance and boost the welfare of its people. Higher Education Committee Reports in India engendered the state under neoliberal reforms are by and large repeating the exhortations in the World Bank¹ documents.

³ See, 'India and the Knowledge Economy,' World Bank Report, Washington DC, 2001

Political Economy

Ever since the signing of GATS agreement by the nation, education has become legally a profiteering private enterprise. According to the provisions provided for in the agreement, an educational institution charging a fee, even if it is a meagre sum, shall be treated under the category of trade. As a result, knowledge is regarded as a commercial item licensed for exchange across the present day world. Education has ceased to be a public good of socio-cultural use-value, once knowledge began to be produced and transmitted as an object of exchange for accumulating profit. Commercialisation of education is a worldwide phenomenon today. In developing countries its consequences are more intense. It has created serious access disparity with respect to opportunities of knowledge acquisition in India.

Dominant economy of the contemporary world is Techno-capitalism, dependent on science and technology (A. Feinberg, 1991). An economy that turns new knowledge into multiple commodities, it is called knowledge economy too. Knowledge Economy, technically known as Techno-capitalism is fast rising as the dominant economy in India as well. New Knowledge is both commodity and capital in this phase of capitalism. Needless to mention that the role of research in the economy that counts GDP in terms of gross technology product (GTP) and gross science product (GSP) is decisive. It has opened up an era of intellectual assets often called intangible assets relating primarily to technology. Intangible or intellectual assets constitute both commodity and capital in the economy. This has put discovery science under intense pressure to inevitably open up or at least point to its transformation into innovation science. Due to the heavy dependence of the economy on technological innovation this phase of capitalism is called techno-capitalism that is spawning new forms of corporate power and organization of major implications for the twenty-first century higher education (L. Suarez-villa, 2000). Corporate houses have erected universally the system of intellectual property rights for confiscating creativity with profound impacts on the economy, science, technology and culture (M. Perelman, 2004; L. Suarez-villa, 2009). The range of exploitation of intellectual assets under techno-capitalism is far more extensive than what it had been about the exploitation of raw materials under industrial capitalism. Trading in the innovative knowledge and creativity well known today as intangible assets, it generates four-fifth of the total global returns today.

Knowledge Economy turns knowledge into a commodity that acquires multiple forms, each of which differently priced on the basis of its market demand. Let the beneficiary pay for acquiring knowledge is the neoliberal approach to education. Knowledge, as the philosophic means to a better life, is contrasted with knowledge as a commodity under capitalism. Commoditisation of knowledge is a process of transformation of knowledge into an explicit, standardized, codified, and priced object of exchange value. Techno-capitalist industrial enterprises the world over are being run by corporate establishments depending extensively on research and intellectual appropriation. They have given rise

to new experimentalist organizations deeply grounded in technological research, as opposed to manufacturing and services production of the past system. All developed countries have corporate establishments investing heavily in the sector of knowledge production. They are rich in Knowledge Based Capital (KBC) or Intangible Assets turned Capital. Investment and growth in OECD economies is increasingly driven by intangible or knowledge-based capital (KBC). In many OECD countries, firms now invest as much or more in KBC as they do in physical capital such as machinery, equipment and buildings. This shift reflects a variety of long-term implications of economic and institutional transformations in OECD economies as well as in the third world.

Under Techno-capitalism, 'New knowledge' and 'Creativity' become the most valuable resources, as much as what raw materials and factory labour used to be under industrial capitalism. This accounts for the global recognition of Patents and Intellectual Property Rights under International Laws (M. Perelman, 2004). It has been argued that the emergence of Techno-capitalism to the process of Globalisation and the growth of Techno-capitalist Corporations (L. Suarez-Villa, 2009). This has been identified as a new version of Capitalism that generates new forms of organisation designed to exploit 'Intangibles' such as 'New Knowledge' and 'Creativity (Suarez-Villa, 2012).' These new organizations, which he refers to as experimentalist organizations, are deeply grounded in technological research, as opposed to manufacturing and services production of the phase of Industrial Capitalism. They are heavily dependent on the corporate appropriation of research outcomes as Intellectual Property.

Techno-capitalism is a very advanced phase of commodity fetishism, which is rooted in technological innovation and corporate power. Intangibles, most of all knowledge and creativity, are the core of Techno-capitalism, equal to what tangible raw materials, factory labour and capital were to Industrial Capitalism. Intangibles already account for as much as four-fifths of the value of most products and services in existence. Conversely, the tangible resources that were most valuable for industrial capitalism are losing value relative to those intangibles in every product or service. Technological creativity is turned into both commodity and capital under new Techno-capitalist corporate regimes that are primarily oriented toward research and intellectual appropriation.

At the same time the nation is not able to set apart for higher education even 3% of the GDP for dearth of money although the Government expenditure went recklessly extravagant with little or no financial discipline. Higher Education sector was never looked upon as a site of investment for national development. Even the paltry sum available involved problems of cumbersome process, enormous delay and distributive imbalance. Naturally, production of new knowledge, which is highly sophisticated and enormously expensive, is extremely rare in any of the fields of modern sciences of Indian higher education institutions. Even in traditional Indian knowledge systems, which are new meadows but only for foreigners who take patents in them, Indian institutions lagged behind. Indians,

uninitiated in traditional knowledge language of their country, draw blank about its scientific dimensions. Corporate Houses are seeking to enhance monopolistic control through Patents and IPR over the country's traditional knowledge as a major source of production of new knowledge today.

All these multifaceted issues have been compelling the Country to give a boost to the higher education sector by improving the allocation of funds and their distributive efficiency. As in the case of World Bank suggestions in the case of other sectors, introduction of new measures, with a view to avoiding the development delay, got administrative priority in the higher education sector too. Quick distribution of funds required new institutional development and means of circulation other than UGC and other statutory bodies. It was the National Knowledge Commission (2005) that recommended the replacement of the UGC along with other regulatory national councils in the higher education sector by a single regulator has been a long standing plan under neoliberal reforms in the country, for the first time by an Independent Regulatory Authority for Higher Education (IRAHE) through an Act of Parliament in order to set standards and determine eligibility criteria for new institutions. It became a pressure on the UGC to evolve a pattern of devolution of responsibilities across the Country for accentuating qualitative development of higher education. State Higher Education Councils were proposed as an institutional alternative to centralised administration of development grants to the states. In 1988, the UGC prepared Guidelines and urged the states to constitute their Higher Education Councils. Though State Councils were set up in some states in the 1990s, Kerala responded only slowly, by constituting Kerala State Higher Education Council through State legislation in 2007.

Chapter II

KSHEC: An Appraisal

Since its constitution in 2007, the KSHEC functioned with two Vice Chairpersons – Prof. K.N. Panikkar, former Vice Chancellor of Sree Sankaracharya University of Sanskrit, Kalady during (2007-2011); and Mr. T.P. Sreenivasan, IFS (retired), former Ambassador, Government of India during 2011-2016). An appraisal of the Council's activities during the two tenures is made below with a note on the current state of affairs at the end.

Performance during 2007 – 2011

Prof. K.N. Panikkar, the first Vice Chairman in retrospect stated that the Kerala State Higher Education Council was mandated to provide inputs to the Government and to the Universities in the State for improving the quality of education and ensuring social justice. Towards these ends the Council undertook several initiatives during its tenure. These initiatives have generated healthy debate among educationalists within the State and outside.

With the objective of promoting of equity and excellence in higher education, the Council drew up a four-year action plan after holding wide-ranging discussions with representatives of organizations of teachers, students, managements and others. The agenda drawn up on the basis of the discussions included the formulation of a State policy on higher education, restructuring the undergraduate system under course-credit-semester pattern, clustering of colleges for enhancement of quality and enlargement of student choices, setting up a higher education scholarship fund for the promotion of social justice and encouraging the study of basic disciplines, making a review of the legal framework of the universities in the State with a view to making them effective instruments of change in higher education, setting up centres of curriculum development, examination reforms, capacity building, manpower planning and employment guidance under the aegis of the Council and mapping the facilities for higher education in the State for setting up a databank on higher education etc. Details are given below:

Restructuring Undergraduate Education

One of the first tasks the Higher Education Council was called upon to address was the restructuring of the undergraduate education in the State. Students who had been exposed to the new pedagogy at the school-level had entered the portals of universities in 2007. But no corresponding changes had been made at the college-level to address the pedagogic requirements of the plus-two pass outs. The

curriculum of the undergraduate education continued to be largely outdated and irrelevant to the needs of promoting academic quality or the employability of the graduates. A total revamping of the undergraduate system that would address the needs of quality and relevance had to be undertaken by updating the syllabi and inventing a skill-oriented, intellectually stimulating, socially relevant and student-centred curriculum and pedagogy. An open system which would incorporate choice-based credit and semester system and continuous and cumulative evaluation under grading pattern had to be put in place. The Council constituted a Curriculum Development Committee under the chairmanship of Dr. M. Vijayan of IISc Bangalore to make recommendations on the changes required at the undergraduate level.

With the objective of promoting of equity and excellence in higher education, the Council drew up a four-year action plan after holding wide-ranging discussions with representatives of organizations of teachers, students, managements and others. The agenda drawn up on the basis of the discussions included the formulation of a State policy on higher education, restructuring the undergraduate system under course-credit-semester pattern, clustering of colleges for enhancement of quality and enlargement of student choices, setting up a higher education scholarship fund for the promotion of social justice and encouraging the study of basic disciplines, making a review of the legal framework of the universities in the State with a view to making them effective instruments of change in higher education, setting up centres of curriculum development, examination reforms, capacity building, manpower planning and employment guidance under the aegis of the Council and mapping the facilities for higher education in the State for setting up a databank on higher education etc.

On the basis of the recommendations submitted by the Committee and additional guidelines and manuals prepared by the Council, the Universities in the State undertook a massive programme of restructuring undergraduate courses. The Choice-based Course-Credit-Semester-System (CBCCSS) and Grading were implemented in the colleges affiliated to Mahatma Gandhi, Sree Sankaracharya, Calicut & Kannur Universities from 2009-10. Kerala University implemented the new system in 2010-11.

Apart from developing the conceptual framework, the Council has been providing training to the teachers and extending financial assistance to colleges and universities for the implementation of the restructured curriculum. Teachers needed to be trained in the nuances of the new pedagogy. It was also necessary to introduce the teachers to the academic requirements of the new courses started as part of the restructured curriculum. There was also need for building up awareness among the students. Non-teaching staff of universities and colleges also required to be updated on the new tasks they would be performing while implementing the restructured curriculum. Several training programmes were

organised by the Council. Similarly, financial and academic support was extended to Universities and Colleges for holding training programmes. Seventeen State-level workshops were organized by the Council for concept development and training teacher trainers involving 854 teachers. One hundred and nineteen Boards of Studies in different universities organized five-day Workshops for framing the syllabi. Two hundred and eighty college-level orientation programmes on CBCCSS were also organized. The Academic Staff Colleges organized eight programmes. Training programmes on methodology courses were held in nineteen colleges. Five/three day Orientation in Informatics was given to 1998 teachers through centralized and decentralised programmes. One of the most innovative training programmes was the one on Designing Courses in accordance with ADDIE instructional design framework.

As a follow up of course-credit-semester system and grading, including continuous evaluation, already implemented at the undergraduate level, the Council appointed a committee to make further proposals on examination reforms, with Prof. Jacob Tharu as its Chairman. A summary of the recommendations of the committee is given below:

1. A suitable template with guidelines relating to the scope and structure of the syllabus statement of each separate course should be prepared and its use made mandatory by the university. The syllabus statement for each course (issued by the relevant Board) should include a detailed note on the recommended assessment scheme, especially the internal component.
 - The duties and responsibilities of Boards of Studies in each area should be amended to include a definite provision for syllabus preparation in keeping with the guidelines and regular reviews.
 - Administrative and financial provision should be made for workshop-type sessions for syllabus development, with the option of including qualified resource persons as special invitees. Manuals and library resources and secretarial assistance should be available at the workshop venues. Final committee-mode decision making (if needed) must be based on workshop output.
2. Members of Boards should be given orientation/training relating to curriculum design and educational technology. A permanent facility for this purpose should be set up by the university.
3. All teachers need to be given training in the areas of assessment and educational technology. A long-term strategy for training teachers in assessment with a special focus on the internal/in-term component should be developed and implemented using both face-to-face and distance modes. The specific needs of different subject areas should be recognized and addressed. The relevant boards should be associated with the overall planning of these programmes. The process needs to be envisioned as becoming self-supporting over time.

4. College departments should maintain an up-to-date reference file relating to assessment rules and guidelines. The approved schemes for Internal Assessment of various departments should be available to students in a clear form. The facility for dealing with difficulties/ grievances relating to IA should be accessible to students.
5. College libraries should have a collection of manuals and reference books, CDs on assessment, curriculum, and educational technology for the use of teachers. Subject-wise collections of question papers and IA tasks (along with notes, critical comments) should also be obtained, and made accessible to teachers.
6. Boards should undertake a review of models and recent question papers, giving priority to compulsory courses. Useful improvements can be made without waiting for the training workshops to achieve wide coverage. A plan to review all question papers over the next several months should be prepared by each department. Reports on this exercise should be required by the Academic Council.
7. Variations in the design and physical structure of questions papers (and answer booklets) should be tried out. These may include: separate sections for objective-type questions, short answer and essay questions, restricted response space to encourage precision, timed sections, and flip-reduced answer sheets.
8. Paper setting by teams through modularized setting and section-wise marking by markers in teams should be introduced in a phased manner.
9. Small-scale and experimental question banks should be set up in selected departments for selected courses. A task force to plan a centralized question bank (with a state level component and a separate components for individual universities) may be set up.
10. Measures to maintain the integrity of the system should be reviewed and extended at the CoE level. These may include: parallel versions of question papers; conducting examinations in-camera; video-recording of opening packets of question papers; and packing of answer books. Video recording of viva voce examinations should be considered and initiated in a phased manner.
11. Bar-coding of answer books and response sheets should be taken up. Delivery of question papers in electronic mode for printing at local centres on the day of the examination should be explored.
12. A clear policy for dealing with unfair practices relating to Internal Assessment should be evolved and put in place at the college level. Prevention through ensuring transparency in grading, attending to convenience aspects, and education regarding plagiarism should also be attended to.
13. Under the head of student welfare, a component specifically concerned with examination-related issues (especially stress and anxiety) should be established. Accessibility to students

should be a priority for counseling activities. Support from the community including student volunteers could be canvassed.

14. A scheme to support innovation and experimentation in the area of assessment at various levels, administratively and financially, should be formulated. Potential awardees should be reached through vigorous publicity. Support of an academic nature through accessible resource person/institution should also be provided. The presentation of reports at a suitable forum should be a requirement. The implications of findings from such experiments for improving assessment practice on a wider scale should be noted and acted upon.
15. Research on various aspects of examinations should be taken up at each university and at selected colleges, according to an overall plan developed through consultation to avoid duplication. The departments of Education should take the lead. Research scholars in the social sciences could be encouraged to participate by offering access to databases in examination branches.

State Policy on Higher Education

Higher education is at crossroads all over the world. With the advent of knowledge economy, higher education has come to play a decisive role in the production and consumption of goods and services and in determining the relations of power - social and political. Consequently, there is great demand for higher education that has immediate practical relevance. Popular demand for universalization and vocationalization of higher education is the direct outcome of this new development. While governments and educational institutions will have to address the aspirations of the people for inclusive education, it is equally important to strengthen the role of higher education in the production and dissemination of highly specialized knowledge in a wide variety of fields which may not have any immediate practical use, but which may have a long-term economic, social and civilizational value. The need for improving the quality of education, even while accommodating more and more numbers, is another challenge that has emerged in the new socio-economic environment. While the broad policy framework for the development of higher education has been laid down by the National Policy on Education and the decisions taken by the Central government and apex-level regulatory agencies are binding on the State governments and universities, the State could still have its own policy perspective, which would address the special needs and local concerns within the broad national framework. This should be formulated in such a way as would combine adequate levels of regulatory control and institutional freedom that would ensure autonomy and accountability in the functioning of higher education institutions. The Council appointed a committee under the chairmanship of Prof. U.R. Ananthamurthy to prepare a report on the State Policy on Higher Education. The committee prepared a draft which was discussed across the State during 2008-10. The final report was submitted to the

Council in November, 2010. A summary of action plan for the next five years recommended by the Committee is given below:

- Increase public spending on education to the tune of 6% of SGDP and 30% of the state budget, of which 1/3rd should be set apart for higher and technical education.
- Expand and diversify educational facilities to levels adequate enough to provide access to at least 30% of the relevant age group, covering diverse areas in higher and technical education.
- Give priority to the co-operative and Government controlled institutions in the self-financing sector.
- Public-Private-Partnership may be permitted in such a way as would make available private resources for public use.
- Fill up all existing vacancies of teachers on a priority basis and abolish the system of guest/contract faculty
- Establish Academic Staff Colleges (ASC) in all Universities
- Set up a College Service Commission for the recruitment of teachers.
- Institute a centralized system of admission of students through universities.
- Modernize infrastructure in existing institutions. Improve the use of ICT in all educational institutions.
- Separate Government, aided and unaided streams from one another, spatially and administratively.
- Continuously update curriculum and syllabi and review the system of Grading, Semester, Credit, Continuous Internal Evaluation and Student Feedback with a view to further consolidating and improving the reforms.
- Provide avenues for academic collaboration between higher education institutions in the state with those outside the state and the country.
- Implement Right to Information Act in all higher education institutions.
- Set up a comprehensive state-level Data Bank on Higher Education.
- Establish clusters of colleges across the state and incrementally empower them with greater and greater autonomy, with a view to gradually transforming them into full fledged universities.
- Establish an Open University and de-link distance/private learning/ continuing education from regular universities.
- Establish extensive scholarship and interest free loan schemes with a view to providing equitable access and improvement of quality in higher education.

- Revise Acts and Statutes of Universities to make the governance structures of universities and colleges more academically oriented and socially accountable
- Protect and strengthen the democratic and organizational rights of students, teachers and non-teaching staff.

The Council also commissioned studies on the various aspects of higher education with a view to using their insights for policy formulation in higher education. Most of the studies dealt with various aspects affecting quality and equity of higher education in the State especially in the context of globalization of higher education. Studies were undertaken on diverse issues related to higher education such as gender disparities in higher education, social implications of student loans, structural changes required for bringing about greater autonomy and accountability in the functioning of higher education institutions, special steps to be taken for the differently-abled students with a view to including the excluded in higher education, problems of the backward classes and communities in higher education, changing patterns of enrolment in relation to different subjects of study, issues relating to public-private-partnership in higher education, improving quality and accountability through IT enabled restructuring, etc.

Cluster of Colleges

UGC had mooted the concept of cluster of colleges as an arrangement for mutual sharing of resources, human and physical, among neighbouring colleges, with a view to optimum utilization of the available facilities for enhancing enrolment and quality of education. The State government had earmarked an amount of Rs. one crore in the 2007-08 budget for a pilot project. Maharaja's College, Ernakulam was identified as the nucleus for the experimental cluster. Though UGC had mooted the concept of college clusters, no guidelines had been framed. The non-availability of a ready-made model was a challenge and an opportunity at the same time. While the Council had to evolve a workable model on its own, it had sufficient freedom to design a model that suits local conditions and requirements. The Council could start with a tentative framework for the cluster initially and allow a more permanent framework to evolve itself through a process of trial and error. A committee of educational administrators and stakeholders was constituted under the Chairmanship of Dr. Babu Joseph, former Vice-Chancellor, CUSAT for the purpose. The committee came up with a scheme that would enable the partnering colleges in the cluster to progressively share existing infrastructure and manpower and create new common facilities. Accordingly, three Clusters have been established - at Thiruvananthapuram, Ernakulam and Kozhikkode. Rupees one crore has been given as grant-in-aid to each cluster for infrastructure development.

Review of University Acts

The legal framework of most of the universities in the State is patterned on the Kerala University Act of 1974. The innovations in the Acts of Universities established since 1980 confine mainly to the marginalization of the democratic component in the constitution of the authorities of the universities. There is a general complaint that some of these structures have become dysfunctional, which needs to be looked into and corrective steps taken with a view to improving the functional efficiency of the universities in designing and implementing their academic programmes. While all universities in the State may have to follow a national pattern in the broadest sense and should have a certain degree of uniformity in their basic structure, there should also be sufficient degree of divergence among the Acts of different universities to accommodate local needs and variable academic requirements. This means that the legal instruments of the universities will have to be examined together and separately to assess areas that require uniformity and divergence. The Council decided to undertake the task by constituting a panel of experts who could hold wide-ranging discussions and arrive at an understanding of the commonalities and divergences among the various University Acts and make recommendations to the Government accordingly for effecting appropriate changes in the respective Acts. The committee appointed by the Council under the chairmanship of Dr. M. Anandkrishnan, Chairman, IIT, Kanpur submitted its report in November, 2010. A summary of the recommendations is given below:

- Immediate incorporation of UGC Regulations, 2010 in full in the university Acts/ Statutes/Regulations.
- Incorporation in the Act of each University the following norms of autonomy/accountability, enabling/mandating it to perform the following:
 - 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; approve the staff pattern of teachers and non-teaching staff in Government, aided and unaided institutions, approve appointments of aided college teachers and non-teaching staff and monitor the qualifications of unaided college teachers in accordance with colleges/courses approved by the Government and workload norms mandated by UGC regulations, 2010; create administrative and other posts and to make appointments thereto
- Provided the concurrence of the State Government would be mandatory for implementing decisions which would require additional financial support from the State Government.
 - Setting up Social Accountability Cells (SAC) in all institutions for higher education, including universities and colleges, which would include 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.

- Institution of 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
- Fixation of fees that can be levied from students in Government/ aided/unaided institutions from time to time, with the concurrence of the Government and enforcing the fee structure thus determined.
- Institution of grievance redressal mechanism for students/teachers at the department /college/University level
- Setting up a system of monitoring the qualifications of staff, teaching and non-teaching, in unaided colleges by the university concerned and a mechanism to ensure proper scale of pay and service conditions to such teachers and non-teaching staff appointed in accordance with the staff pattern approved by the University.
- Ensuring adequate security of service for teaching and non-teaching staff in aided and unaided institutions by insulating them against arbitrary disciplinary proceedings, especially those involving major penalties.
- 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 and for taking follow-up actions on such reports in accordance with the norms of academic accountability laid down in UGC Regulations 2010.
- Submission of annual performance report of the university departments/constituent/ recognized/ affiliated colleges in a format provided by the university concerned and for posting such reports on the website of the department/institution.
- Setting up mandatory Internal Quality Assurance Cells (IQAC) on the model proposed by NAAC in all higher educational institutions, as mandated by UGC Regulations, 2010
- Assessment of the performance of affiliated colleges by the affiliating university once in five years and for taking ameliorative/ deterrent/punitive actions, wherever required.
- 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.
- Constitution of a State University Grants Committee every five years to review the financial position of universities on the lines recommended by the University Finances Review Committee may be incorporated in the Acts of all universities.

- Re-constitution of the Senate as an advisory body, with a maximum of 60 members, 1/3rd of whom would be elected internal members and 2/3rd nominated external members.
 - Re-constitution of the Syndicate as the chief executive and policy making body, with a maximum of 15 members 1/3rd of whom would be the ex-officio members, 1/3rd teacher members and the rest of the 1/3rd representatives of students, educational agency and experts in various fields.
 - Re-constitution of the Academic Council as the principal academic body responsible for broad level policy formulations and framing general directives for ensuring academic standards, with a maximum of 60 members, 2/3rd of whom would be ex-officio members and 1/3rd elected representatives of teachers and students.
 - Constitution of committee of Deans comprising of Deans of all Faculties.
 - Constitution of Faculty Councils and giving Deans of Faculty a major role in the academic administration of the university.
 - Constitution of separate Boards of Studies for University Departments, Cluster of Colleges and Affiliated Colleges.
 - Setting up clusters of neighbouring colleges, with a view to incrementally enhancing academic collaboration and autonomous functioning enabling them to develop into independent Universities in course of time.
 - Setting up Council of Affiliated Colleges (CAC) in every affiliating university to advise the university in all matters relating to affiliated colleges.
 - Making College Councils (CC) the decision making body, with the Principal acting as the head of the Council.
 - Extending Limited autonomy for affiliated colleges to run short term add-on certificate courses outside regular working hours with the permission of the university
- Detailed discussion in each University on special provisions that need to be incorporated in the Act of the University concerned in accordance with the general principles enunciated in the report, with a view to enabling the Government bring about comprehensive changes in the Act of each University.

Higher Education Scholarship Scheme

The increasing demand for higher education, especially for professional education, escalating cost of such education, progressive withdrawal of the State from funding, operation of the entrepreneur class with an eye on profiteering – all these have combined to make higher education a battlefield of conflicting interests, frustrating the prospects of a large number of bright young men and women for pursuing courses of their choice. The pangs of frustrated educational opportunities would be

comparatively more acute in Kerala because the State had an equitable system of education till very recently and also because a majority of the people in the State has come to look upon education as the most important avenue for economic and social mobility. While it is necessary to build up an inclusive system of higher education through appropriate changes in the legal framework of educational institutions, it is also necessary to set up a Higher Education Scholarship Fund with the objective of providing merit-cum-means scholarships. The Council evolved a Higher Education Scholarship Scheme for providing merit-cum-means scholarships and to promote the study of basic disciplines. It was decided to raise a Rs.100 crore fund for implementing the scheme through Public-Private-Partnership (PPP). The Council constituted an international advisory committee to give proper guidance to it on the administration of the scheme. His Excellency, the Governor of the State is the chief patron and Hon'ble Chief Minister is the patron of the Advisory Committee.

Dr. Manmohan Singh, Prime Minister of India, launched the Higher Education Scholarship Scheme and awarded the first batch of scholarships to six students at a function held at Thiruvananthapuram on 3rd January, 2010. The Council is awarding 1000 scholarships from 2010-11 onwards. The scholarships would be available for a period of five years, from First Degree to Post Graduate Degree. The amount of scholarships would progressively increase, from Rs 12,000/- in the first year to Rs 60,000/- in the fifth year. The Government has contributed an amount of Rs.3 crores for the corpus of the Higher Education Scholarship Fund. In addition to this Government has also given grant-in-aid of Rs.1.22 crores for the award of scholarships for the year 2010-11. The Council has so far received more than Rs. one crore as public contributions towards the corpus of the Scholarship Fund. In addition to this, Sri. Kris Gopalakrishnan, CEO, Infosys has entered into an MoU with the Council in 2011 on the basis of which he would be contributing Rs.50 lakh every year for the next 10 years for the award of scholarships for the study of Sciences, Social Sciences and Humanities, in accordance with the scheme formulated by the Council.

Under this scheme, 1000 fresh scholarships are given every academic year to meritorious students to pursue non-professional undergraduate courses (Science, Humanities, Business studies, and Social Sciences streams in Government/Aided Colleges and Departments under the Universities of Kerala). These scholarships of the awardees so selected would be renewed in the ensuing years till they complete their post-graduation. The total number of scholarships given in an academic year for undergraduate studies is 3000 (1000 fresh scholarships + 2000 renewed scholarships), whereas the total number of scholarships given for post graduate studies is 1200 (600 scholarships for first year PG and 600 scholarships for second year PG). From the total number of scholarships, 50% is for General category, 27% reserved for OBC, 10% for BPL, 10% for SC/ST and 3% for PH category.

The general feedback of the scheme received over the years from student community, parents and academic fraternity is encouraging. It is rated as one of the most popular scheme implemented in the higher education sector of our State during the last decade. On an average around 25,000 fresh undergraduate students apply for the Higher Education Scholarships of KSHEC every academic year. But, as the number fresh scholarships for each academic year is limited to 1000, only around 4% of the applicants get the scholarships. Though the popular demand is to double the number of scholarships, the Council has decided to put forward a proposal to increase the number of fresh scholarships (for first year undergraduate studies) to 1200 from 1000.

Data Bank on Higher Education

There is at present no reliable codified data on the facilities for higher education available in the State. The proliferation of courses/colleges over the last few years has not been properly tracked and recorded. This has made planning for development almost impossible. In the absence of reliable information about the character and quality of programmes being conducted in the organized and unorganized sectors, it is difficult to guide students and parents on making proper choices on courses and colleges. Unscrupulous educational entrepreneurs use this state of confusion to cheat gullible students and parents. A mapping of the facilities available in the State is therefore an urgent necessity. The Council decided to undertake the task in 2007. With the help of volunteers of the National Service Scheme, the Council collected educational statistics from 884 institutions in the State, including affiliated colleges, university departments and institutions recognized by various universities to conduct undergraduate/post-graduate courses etc. The collected data was digitized and made available in the Council's official website in a searchable format, for public viewing.

Meanwhile, the Ministry of Human Resources Development (MHRD) constituted a review committee to make recommendations for the preparation of a national database on education. The committee submitted a report on 12th December 2008 recommending setting up of a *National Focal Point – Central Bureau of Educational Statistics* under the wings of Ministry of Human Resources Development. This agency will be responsible for collecting data and setting up/maintenance of a computerized national level database of educational statistics. The committee also proposed a uniform format for collecting data from educational institutions, across the country on the basis of standards formulated by UNESCO for classification of data. The state governments were requested to collect the data in the format provided by MHRD. On the basis of the above, the Council decided to collect data from all higher education institutions in the State in the format developed by the MHRD. Steps are being taken to collect data online on various parameters, including the following:

- The strength of Teaching/Non Teaching Staff
- Educational background of teachers and their workload
- Courses offered by various institutions from UG level

- Enrolment in Higher Education
- Enrolment of NRI Students
- Details of student performance
- Other general details about the institution

In addition to this central repository, which will provide information on every higher education institution in the State in a standard uniform layout, it is also desirable for each institution to have its own website where additional information not available through the central repository may be provided. This could help develop the culture of transparency in the functioning of higher education institutions. The Council is providing financial and technical assistance to set up websites in all higher educational institutions which do not have them at present.

ERUDITE Scheme

Government of Kerala has initiated several steps to improve the quality of higher education and research in the universities in the State. As a part of this general endeavour, the Government introduced a 'Scholars in Residence Scheme' called ERUDITE to enable the academic community to interact with outstanding scholars and nominated the Council as the coordinating agency for the implementation of the scheme. The Council framed guidelines for the implementation of the scheme and administered it with a special fund of Rs 7.00 crores provided by the Government. 115 national /international scholars have taken part in the programmes organised at different universities in the State. Following is the list of Nobel Laureates who have taken part in the programme.

ERUDITE Scholars and Host Universities

Name of Scholar	Host University	Period of Visit
Prof. Zhores I. Alferov Nobel Laureate in Physics (2000)	CUSAT	3 rd to 16 th January 2010
Prof. Roger Y. Tsien Nobel Laureate in Chemistry (2008)	MG & CUSAT	4 th to 8 th January 2010
Prof. Harald Zur Hausen Nobel Laureate in Physiology/ Medicine (2008)	Kerala	2010-11
Prof. Martin Chalfie Nobel Laureate in Chemistry 2008	Kerala	2010-11
Prof. F. Murad Nobel Laureate in Medicine(1998)	MG	5 th to 9 th September 2010
Prof. Robert Huber Nobel Laureate in Chemistry (2005)	MG	18 th to 23 rd October 2010
Prof. Sir Anthony James Leggett Nobel Laureate in Physics 2003	MG & CUSAT	26 th January to 8 th February 2011
Prof. Harold Kroto	MG	3 rd to 8 th January

Nobel Laureate in Chemistry in 1996		2011
Prof. Martin Chalfie Nobel Laureate in Chemistry(2008)	CUSAT	14 th January 2011

Erudite is a flagship programme of the Government, introduced to improve the quality of education and research in the Universities of the State. It enables the academic community to interact with outstanding scholars around the world, including Nobel Laureates. The Kerala State Higher Education Council is acting as the coordinating agency for the implementation of the scheme through various Universities in the State. The Council is administering it with the funds provided by the Government, based on the guidelines framed by the Council since 2008-09. Govt and aided colleges are also included in this scheme by revising the guidelines in 2013-14. Around 250 national/international scholars, including Nobel Laureates have already taken part in the Erudite Programmes organized at different universities and colleges in the State.

Teacher Exchange Programme

In order to facilitate academic exchanges between the universities in the State and those outside, the Council decided to explore the possibilities of short-term teacher-exchange programmes between universities in the State with those of other States. On the basis of the discussions between the Higher Education Councils of Kerala and West Bengal held at Kolkata on 11th February 2009, it was decided to initiate a Teacher Exchange Programme between the universities in the State and that of West Bengal. The proposal was to exchange teachers for a period of 10-15 days to deliver lectures in the area of their specialization and to interact with students. Seven teachers from West Bengal and Kerala have taken part in the programme so far.

Restructuring B.Ed. Education

Though the curriculum at the school level has been revised in accordance with the constructivist paradigm, teacher education continues to be conducted in the traditional pattern. The disconnect between what the teacher trainees learn and what they are expected to perform as teachers have adversely impacted the quality of school education.

The Council decided to take steps to rectify the anomaly. Accordingly, it was decided to constitute a committee to review the curriculum and syllabi of teacher education in the State under the Chairmanship of Prof.M.S.Yadav. The report was not submitted during the tenure of the first Council.

Restructuring Postgraduate Education

The Council constituted an expert committee with Prof.T. Padmanabhan, IUCAA, Pune as the Chairman to restructure the postgraduate curriculum and make recommendations on the reforms required at the post graduate level. This was to revise the postgraduate curriculum with a view to making it complementary to the revised undergraduate curriculum. It was expected that the first batch of students under the restructured curriculum at the undergraduate level would join postgraduate courses in 2012-13. The report submitted by the Chairman was discussed at various levels, but it has not been implemented.

Documentary History of Higher Education

The Council decided to prepare a documentary history of higher education of the State, with a view to making available resources for research on the subject within the reach of a large number of scholars. Sri.V. Karthikeyan Nair, retired Professor, University College, Thiruvananthapuram was entrusted with the task. The first volume of the Documentary History has been published.

Publications

Reports & Studies published during 2007-11:

- Draft Report on State Policy in Higher Education. (English) (2008)
- Draft Report on State Policy in Higher Education (Malayalam) (2008)
- Report on the Scheme of Cluster of Colleges (2008)
- Report on Restructuring Undergraduate Education (2008)
- A Manual on Grading for Undergraduate Courses. (2009)
- Additional Guidelines on Restructuring Undergraduate Courses (2009)
- Annual Report 2007-08 (2009)
- Annual Report 2008-09 (2010)
- Guidelines for Higher Education Scholarship Scheme. (2010)
- The Global Academic Revolution: Implications for India (Foundation Day lecture) (2010)
- Annual Report 2009-10 (2011)
- Report on State Policy on Higher Education. (2011)
- Report on Examination Reforms. (2011)
- Report on Review of University Acts. (2011)
- A Study on Autonomy and Accountability of Universities and other Higher Education Institutions. (2011)
- Performance Report :2007-11. (2011)
- Reports of the Higher Education Council (Malayalam) (2011)

- Documentary History of Higher Education (Vol.I) (2011)

Books Published by Pearson Education for the Council during the report period:

- *Emerging Trends in Higher Education in India: Concepts and Practices* (2011)
- *Quality, Access and Social Justice in Higher Education* (2011)

Journal of Convergence Studies

The Council wanted to publish an inter-disciplinary Research Journal which would integrate diverse intellectual resources from various disciplines and provide a transdisciplinary view of knowledge creation and application. Following are the objectives of the journal:

4. To provide a platform for the publication of original studies at the interfaces of established disciplines.
5. To promote interactive academic co-existence amongst scholars of diverse specializations at instances of studies in themes of integrative potential, which facilitate convergence of disciplines and transactional mutuality of holistic scholarship.
6. To encourage critical reflexivity among researchers, which enable rethinking the nature of the knowledge that entrenches their specialization.

With Dr.K.N. Panikkar as Chief Editor, an International Advisory Committee was constituted for the Journal. Steps were initiated to publish the journal in collaboration with SAGE Publications India Ltd.

Anti-Ragging Campaign

The menace of ragging is being reported year after year. The measures taken to curb the barbaric practice have not been successful so far. There is a growing recognition of the need to address the issue in a concerted manner by striking at the roots of the problem. The Supreme Court of India considered the question in detail and directed the state governments to take both short-term and long-term measures to curb ragging in the campus. The Council constituted a committee under the chairmanship of Dr.N.K.Jayakumar, Vice-Chancellor, NUALS, Kochi to make a study on the root causes of ragging and suggest remedial action on the advice of the Government and in compliance with the judgment of the Hon'ble Supreme Court of India in Civil Appeal No.887 of 2009.

The Council has set up a sub-domain in its website (www.antiragging.kshec.kerala.gov.in). The Council has also been organising State-wide campaign against ragging by holding awareness meetings and distributing relevant literature through educational institutions every year at the time of admission.

Advice to Government

As an advisory body, the Council has been shouldering the responsibility of giving academic input to the Government on issues relating to policy and administration of higher education. The Council has given its views on educational reports such as National Knowledge Commission Report, Prof. Yash Pal Committee Recommendations on Renovation and Rejuvenation of Higher Education etc. It has also sent to the state and central governments its considered opinion on impending legislations such as National Commission for Higher Education and Research Bill, Prohibition of Unfair Practices in Technical and Medical Educational Institutions Bill, Foreign Educational Institutions Bill, Accreditation of Higher Education Institutions Bill, Educational Tribunals Bill etc. The Council organised a special study on Public-Private-Partnership and the views emerging from the discussions were sent to the Government. The Council also tendered its advice to the Government on specific issues, including the implementation of the UGC scheme, referred to it for advice.

Seminars, Lectures and Consultations

During the reporting period the Council organized the following seminars, lectures and consultations:

- National Seminar on Quality, Access and Social Justice (February 1-2, 2008)
- International Seminar on Democratic & Secular Education (December 4-6, 2008 - in collaboration with Government of Kerala).
- Consultation on Prof Yash Pal Committee Report (May 14, 2009 - in collaboration with MHRD)
- Consultation on NCHER (Feb 16, 2010 - in collaboration with MHRD)
- Foundation Day Lecture and National Seminar on New Initiatives in Higher Education (July 12-13, 2010). The first Foundation Day lecture was delivered by Dr. Philip G. Altbach-- world-renowned expert on higher education and the J. Donald Monan University Professor at Lynch School of Education, Boston College, United States.

Library

One of the objectives of the Council is to undertake research in higher education. Library facilities available in the State are inadequate for the purpose. The Council, therefore, decided to set up a special library for higher education studies. The Council has been buying books and digitizing articles/write-ups for reference purposes in the following areas:

- History of higher education
- Educational planning and administration
- Curriculum development
- General issues in higher education

Website

The website of the Council www.kshec.kerala.gov.in was set up with the help of CDIT. The mail id of the council is heckerala@gmail.com. The website is maintained well and updated regularly. All reports of the Council can be downloaded from the website. Over the years, the Council's website has evolved into an effective medium for interaction between the Council and the academic community.

Activities of the Council fall under its three main Centres viz: 1) Centre for Research on Policies in Higher Education, 2) Centre for Curriculum Development and Examination, and 3) Centre for Human Resources Development and Capacity Building. Each Centre's activities are summarised below:

Centre for Research on Policies in Higher Education

The Kerala State Higher Education Council provides advice on policy matters to the Government in general and on specific issues referred to the Council by the Government. In accordance to the issues, committees are constituted for making policy recommendations to the Government. The Council takes independent studies also. Financial assistance is provided to conduct Seminars/Workshops/Trainings etc. at various levels for the above purposes. Consultations on policy issues, conduct of periodic/annual public lectures on higher education, organization of International/ National/ State level Workshops/ Seminars/ Conferences on higher education etc. are some of the programmes initiated by the Council.

Centre for Curriculum Development and Examination

The Kerala State Higher Education Council suggests improvements in curriculum and syllabi of under graduate and post graduate courses in the State, in accordance with the evolving social and academic changes and challenges. The Council also facilitates the development and publication of appropriate teaching materials including textbooks, educational software and e-learning facilities etc. in order to improve the quality of education. In order to fulfil these objectives, necessary committees are formed to study the situation and revamp curriculum/ syllabi. Besides, seminars/workshops on curriculum development, curriculum revision, examination reforms etc. are conducted at various levels, orientation/training programmes for teachers are also held.

Centre for Human Resources Development and Capacity Building

This Centre of the Council is responsible for enhancing the quality of higher education in a sustainable manner. Human Resources Development and Capacity Building are integral to all quality enhancement efforts and endeavours. Ingenious programmes are formulated and implemented to tap the creative potential of teachers, students and even the non-teaching staff of colleges and universities with an aim to enhance the overall quality of higher education. The Council provides financial assistance to various

Colleges and University Departments for conducting seminars/workshops/training programmes aimed at human resource development.

Performance during 2011- 2016

The second Council could build upon the foundations laid down by the first Council. It continued to implement the ongoing programmes, with modifications in some cases. The Council undertook further studies and evolved new reports with a view to expanding the scope its engagement with the state's higher education system .It could implement some of the reports and organize various programmes for the benefit of students, teachers, non-teaching staff and other educational administrators. Details are given below:

Committees and Reports

The Council appointed the following Committees under the under mentioned Chairpersons for the purposes as specified below:

- A Committee under the Chairmanship of Professor Dr. Babu Joseph was constituted with a view to preparing a Report on the establishment of The Kerala State Faculty Training Academy for the creation of appropriate training facilities for the new and existing faculty. This was considered to be essential for improving the quality of higher education in Kerala. Accordingly, the Report was prepared and submitted to Government .The Government approved the Report and accorded administrative sanction for setting up the Faculty Training Academy.
- A Committee was constituted under the Chairmanship of Prof. B. Hridayakumari renowned educationalist and former Principal, Government Women's College, Thiruvananthapuram to revise the Choice Based Credit and Semester System to rectify the issues thereof. The Report was submitted to the Government and the Government approved it .Accordingly, measures were taken to implement the recommendations in the Report in the Universities in Kerala. Recommendations were fully implemented in Kannur University and partially in other Universities.
- A Committee was constituted under the Chairmanship of Prof. A. Gnanam, former Chairman, NAAC to study the feasibility of the establishment of a Kerala State Assessment and Accreditation Council (KSAAC) as a measure to ensure quality in higher education in Kerala. Report has been submitted and approved by the Government and a Director has been appointed by the Government for KSAAC for one year.

- A Committee was appointed to study the possibility of collaboration between the industry and academic institutions under the Chairmanship of Prof. Rajeev Sreenivasan, Director of the Asian Business School. The Report has been submitted to the Government .
- A Committee was appointed to review the Higher Education Policy of Kerala and to recommend the necessary measures to make the system more effective, efficient and purposeful, under the Chairmanship of Prof. J.A.K. Thareen. Report has been submitted to Government and some of the recommendations in the Report have been approved by the Government and implemented.
- A Committee was appointed under the chairmanship of Prof. K. Raveendranath, Pro- Vice Chancellor, University of Calicut to study the issues faced by the Non – Teaching Staff in Aided Colleges, Govt. Colleges and Universities in Kerala. Accordingly the Committee submitted the Report with recommendations covering all aspects of their roles and functions in the higher education sector. The Report has been submitted to Govt. and certain recommendations have been approved and implemented.
- A Committee was appointed under the Chairmanship of Prof. (Dr). N.R. Madhava Menon to prepare a Draft Bill for the Establishment of National University for Police Sciences and Security Studies (NUPSAS). The Report has been submitted to Govt and approved by the Govt. A special officer has been appointed by the Govt to study the matter in detail.
- A Committee was appointed with Prof. (Dr.) N.R. Madhava Menon as Chairman, to recommend criteria for selection and steps for operationalisation of ‘Autonomous Colleges’ in Kerala. Report has been submitted to the Govt. and it has been approved and implemented by the Govt. Now there are 19 Autonomous Colleges in Kerala in the Govt. and Aided sector.
- A Committee has been appointed under the Chairmanship of Dr. P. Anvar, Member Secretary, KSHEC to study the various issues related to the Oriental Colleges and for the promotion of Learning and Teaching of Arabic at Higher Education Level in Kerala, and to establish an International Arabic University. Report has been submitted to the Govt. and certain recommendations have been approved and implemented.
- A Committee has been appointed with Prof. Cyriac Thomas, former Vice Chancellor, M.G University, Kottayam as the Chairman, to study the feasibility of Establishing Private Universities in Kerala.
- A Committee has been appointed with Sri. K. Mohandas, IAS, Former Secretary to Govt. of India as Chairman to recommend the amendments to Regulations on International Travel by University and College Teachers. The Report has been submitted to Govt.

- A Committee, to Review the University Acts in Kerala and to frame a model enactment for all the Universities in Kerala along with a draft bill, under the Chairmanship of Dr. Chandrasekharan Pillai, Director, National Judicial Academy, Bhopal. Report has been submitted to Govt.
- A Committee, on Gender Justice on Campuses in response to the widespread demand to study gender based discrimination, sexual harassment and violence on Campuses, under the Chairmanship of Prof. Meenakshi Gopinath, Former Principal, Lady Shri Ram College for Women, Delhi University. A Report named 'Samaagati' has been prepared and submitted to Govt.
- A Committee, to recommend incentives for teachers in Universities and Colleges for their efforts and accomplishments to perform better by acquiring pedagogic skills, using technology while preparing their lesson etc, with Dr. Paulose Jacob, PVC, CUSAT as the Chairman. A Report has been submitted to Govt. and approved by the Govt.
- A Committee on IT @ Colleges with Amb. (Rtd.) T. P. Sreenivasan as chairperson of the committee to study the availability of IT facilities in the Colleges of the State. Report was submitted to the Govt.
- A Committee to draft regulations for the Autonomous Colleges in Kerala. Report was submitted to the Govt.
- A Committee on International Relations Group (IRG) was appointed. The aim of this group set up by the Department of Higher Education is to find solutions to the various challenges faced by the Universities in foreign collaboration with respect to transfer of credit, schedule of examinations, capacity issues, fee sharing, student Visa, entry examination equivalency, faculty shortage, modern courses, selection criteria and administrative delay. The role of the KSHEC to co-ordinate the activities of the Group. IRG has also representatives each from University of Kerala, MG University, University of Calicut, Kannur University and CUSAT. Financial Assistance for implementing projects for enhancing international relations has been released by the Council to University of Kerala, MG University, University of Calicut and Kannur University. Except Calicut University, all other the universities prepared an international brochure and submitted to Govt. Proposals for financial assistance for construction of hostel with special facilities for international students, were submitted by various universities and forwarded to Department of Higher Education for further necessary action.
- A Committee, to make a comprehensive study of research in the Universities of Kerala, under the Chairmanship of Dr. Gangan Prathap, Eminent Scientist and former Vice Chancellor, CUSAT. Report was submitted to KSHEC on March 2016.

- A Committee to study the establishment of a National Justice University in Kerala with Dr.G.Mohan Gopal, former Director, National Judicial Academy as the Chairman. Report was submitted to the Council in March 2016.

Other Programmes/Activities

Journal of Higher Education for the Future

The Journal was brought out during the second term of the Council in collaboration with SAGE Publications, New Delhi., with Mr. T.P Sreenivasan IFS (retired) as the Chief Editor of the Journal. The journal is meant to be a platform for the academic community to share their innovative practices in the field of higher education. The journal has been accepted at the international level with contributions from different countries. Approximately 35 articles have been published so far with contributions from United States (4), Bangladesh (2), Costa Rica (1) Malaysia (1), Iran (1), Pakistan (1), Spain (1) Ethiopia (1), Portugal (1). There are eight articles from Kerala and 14 articles from rest of India. The journal is indexed in J-Gate which makes the online version of the journal accessible to the higher education institutions subscribing to e-Shodh Sindhu of Information and Library Network Centre (INFLIBNET).

Clusters of Colleges

The clusters of colleges at Thiruvananthapuram, Ernakulam and Kozhikode have taken up a wide array of activities and programmes including e-class system, add on courses, residential camps, ICT aided Regional Historical Research Centre and Heritage Museum, purchase of highly sophisticated instruments and equipment for laboratories and Research Centres established under each Cluster, International Conferences, starting of online peer reviewed multidisciplinary journals, Sports Training Centres, Placement cells, Literary Fest and workshops, hosting and updating of website etc with the assistance of the Council.

IRG Initiatives

The Kerala State Higher Education Council has taken up the initiative of coordinating the activities of International Relations Group set up by the Department of Higher Education, Kerala. The future programmes are preparation of a database, International Masters Programme, short term courses, academic tourism, collaboration of projects in India, Twinning and Exchange programmes for teachers and students with as many universities as possible and India Study Programme.

Financing of Research Projects

As part of the schemes of KSHEC to energize the higher education system of the State, the Council has taken steps to promote research in education. Researchers are encouraged and financially supported to take up projects having direct bearing on various aspects of higher education. The Council uses the valuable information provided by such studies for its policy formation endeavours. The Council gives financial assistance of Rs.1 lakh for short term projects (one year) and Rs.2 Lakhs for long term projects (two year). During the initial stage of the projects 50% of the financial assistance is released and the remaining assistance is released subsequently on submission of interim and final report of the projects.

Seminars, Workshops and Training Programmes for Teaching and Non-Teaching Staff

Another important initiative taken is to enhance quality and excellence in higher education through the proper training and orientation of teachers and non-teaching staff. For this, the Council organizes trainings/orientation programmes, lectures, seminars, workshops etc. on various themes and topics, including the emerging trends, opportunities and challenges. Details are given below:

Principals' Conferences

Two one day conferences for Principals of Govt and Aided Colleges in Kerala were held to enable them to interact with each other and with other experts on the current issues of importance in Higher Education in Kerala. The Principals from various Colleges (both aided and Govt.) got awareness about "Implications of RUSA, Good Governance and Management in Higher Education Emerging Trends in Higher Education, Directives of Educational Planning" etc.

Training Programmes for Non-Teaching Staff

Nine State Level training programmes for the non teaching staff of various aided and Govt. Colleges all over Kerala were held to provide awareness about various administrative changes that need to be introduced in the colleges following the introduction of credit & semester system, computerization of examination system, online admission of students, online submission of salary bills, scholarships etc. Around 360 participants from various colleges attended classes on "awareness on SPARK, on UGC funding and utilization, manual of office procedures & Kerala service Rule, Choice Based Credit and Semester System, stress management and time management, Leadership motivation and effective Administration, Advanced Techniques in computer Application, Higher Education Scholarship Scheme, E- grants" etc.

Faculty Training Programmes

Three Faculty Training Programmes for the disciplines Social Science, English and Education have been organized by KSHEC for young college teachers to motivate them on how to use available technology in the classroom to enhance the teaching and learning. Around 120 teachers from various discipline got benefit from the classes on, “applying soft skills in Teaching, Method, Post Method and Methodology, making of a Good Teacher, Pedagogy of Teaching, ICT, MOOCs (Massive online open courses), Translation and Teaching at the Tertiary Level, Creativity in class room, Empowering teaching, E – content development, Open Educational Resources, Dynamics of Teacher Education in emerging Indian Society, Research Methodology, Sensitizing Higher Education Teachers on Inclusive Quality Education, Transforming the Teacher to a facilitator of Learning” etc, taken by various Nationally reputed Experts.

Workshop on Creative and Developmental Dramatics

A Workshop, on Creative and Developmental Dramatics as a medium to nurture and develop 21st century skills, was organised for the Principals and Faculty members of various colleges in Kerala. The Faculty members and Principals got awareness about an innovative medium of instruction to develop various skills among their students. As a follow up various colleges conducted the same workshops for their students also.

Round Table on Higher Education

A round table was held on the role of Non-Resident Keralite (NRK) Academics and Researchers in promoting Quality in Higher Education in Kerala to find ways to cooperate with the Govt. of Kerala in enhancing excellence in Higher Education. The report, prepared on the basis of the discussion of the Round Table Conference, has been submitted to Govt.

Students’ Seminar

A series of seminars for students in various districts in the state has been organized by the KSHEC for giving orientation to the student community, regarding the initiatives taken by the Council functioning of the Council and its role, policies and activities in connection with the Higher Education in Kerala. The students got awareness about the Role and activities of the Council in the Higher Education Sector.

International Students Meet

Participants in this Meet were students from foreign Countries sponsored by ICCR and students studying in self financing Colleges and Universities in Kerala. The students shared their experience in Kerala. The Chief Minister promised the students that necessary action would be taken from the part of

the Govt. to solve the issues faced by them. A report based on the meeting was submitted to Govt. for necessary action.

Workshop on Resource Building for Gender Sensitisation in Higher Education

As an initial step in strengthening Women's studies Centres/ Women's Empowerment Cells in Govt./ Aided Colleges in the state, the KSHEC organised a two day workshop on Resource Building for Gender Sensitisation in Higher Education for the co-ordinators in Colleges, at Thiruvananthapuram. Based on the feedback given by the participants in the workshop, a committee has been set up by KSHEC to study the gender issues in Universities and Colleges.

Awards and Incentives to College/University Teachers

Currently we do not have a definite system in our State for providing awards and incentives to recognize the talent, efforts, performance and achievements of teachers. The continued absence of proper recognition of performance might lead to complacency and de-motivation of the performing individual. Hence the Council has framed a novel scheme to incentivize teachers based on their performance. The teachers will be assessed based on their performance in the three categories viz. Teaching/Learning, Co-curricular & Extension Activities and Research and publications. A screening Committee will select the Awardees.

Workshop on Higher Education Scholarship Scheme

Four one day workshops were conducted by KSHEC for the Nodal Officers and the section clerk dealing with the higher education scholarship, from Govt. and aided Colleges under University of Kerala, Kannur University, University of Calicut and MG University, to sort out the issues in connection with the distribution of HE Scholarships

National Seminar - 'Higher Education 2.0 – Illuminate the Future'

The theme of the Seminar was the need for a new generation of higher education to meet the challenges of the 21st century in the rapid changes that have brought India on to the centre stage. High level academicians like Vice Chancellors, Directors and Secretaries of Departments under Ministry of Education, Principals and representatives of teaching staff and students from various colleges were the delegates.

Round Table Meet of Higher Education Councils

The first Round Table meet of the Higher Education Councils was organised by KSHEC. Chairperson from Tamil Nadu Higher Education Council, Member Secretaries from Karnataka Higher Education

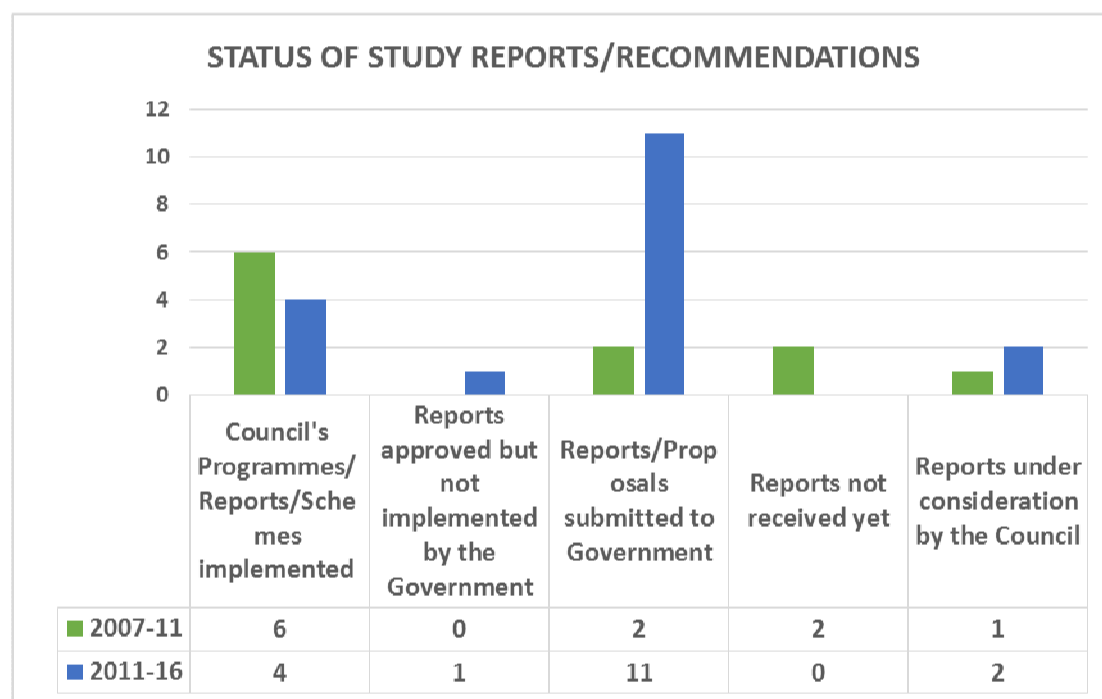
Council and West Bengal Higher Education Council were the representatives of the Councils from other state along with the Vice Chairman, Member Secretary and Executive Council Members of KSHEC. The representatives from various Councils got an idea about the activities of their counterparts in the other state and decided what can be adopted from others.

International Meet on Transnational Education

The meet was conducted in 12 separate sessions, over three days, including plenary sessions to panel discussions. The participants got awareness about MOOCs (Massive online open courses), Open Education, Role of Private Sector in Transnational Education, how to maintain standard of our institutions in a globalising world etc. The meet issued Thiruvananthapuram Declaration as a consolidated outcome of the International meet and it was printed as a document and submitted to Govt.

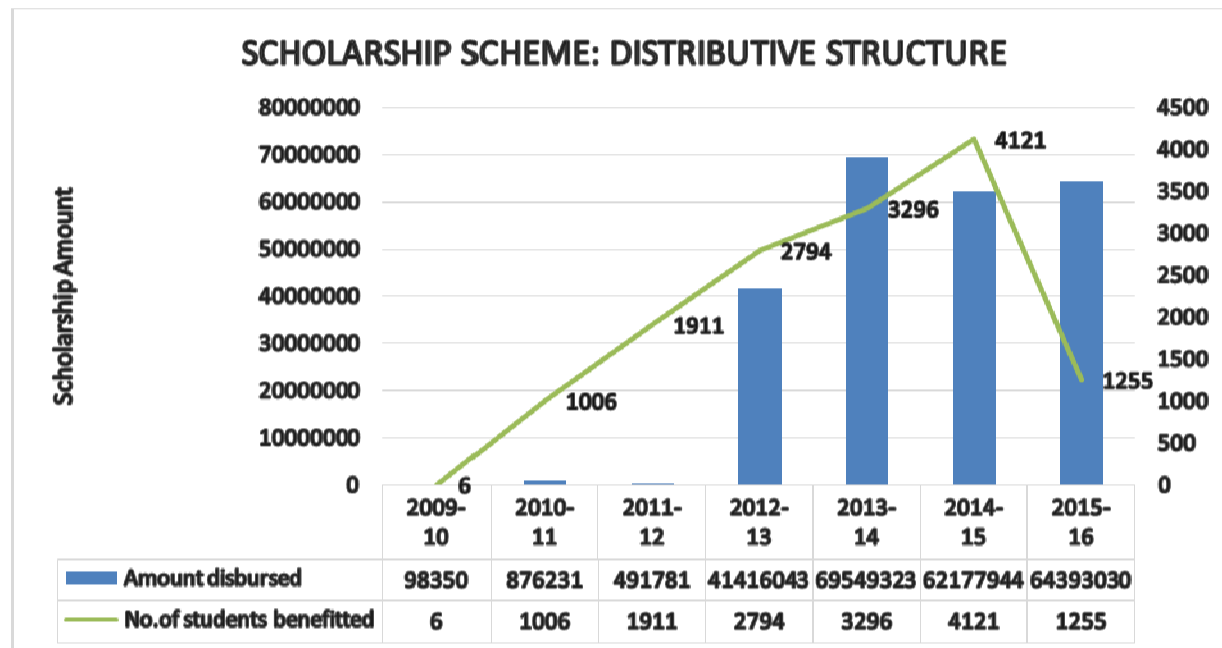
The Global Education Meet 2016

As a prelude to the setting up of the International Higher Academic Zones and Academic City to Project Kerala as a preferred International destination for education in India, KSHEC in association with Higher Education Department and Federation of Indian Chambers of Commerce and Industry organised the Global Education Meet - 2016 at Kovalam. Delegates from countries like USA, UK, Germany, Geneva, Malaysia, California, Canada, New Zealand and Oman participated in the meet along with 48 delegates from India. Proceedings of the meet and the Kovalam Declaration were prepared and submitted to Govt.



Higher Education Scholarship Scheme

Higher Education Scholarship Scheme, which is being implemented by the Kerala State Higher Education Council, with the financial support of the State Government is one of the most acclaimed and popular initiatives in higher education sector. It is an imaginative scheme formulated in line with the declared motto of the Higher Education Council; that is to promote equity, access and excellence in higher education. The main objective of the Scheme is to attract and retain talented students in non-professional academic schemes like sciences, humanities, social sciences etc. 3000 scholarship are given every academic year to pursue non-professional undergraduate courses and 1200 scholarships are given for PG studies. Physically handicapped students are given 25% additional amount. Scholarships amounting nearly Rupees 26 Crores were distributed among 14389 students during 2009 to 2016.



Meeting of the Pro Vice Chancellors/Controller of Examinations

A Meeting of the Pro Vice Chancellors/Controller of Examinations of all the Universities in Kerala was held to formulate a Uniform Academic Calendar for unifying all the academic activities such as admission, examination, publication of results etc in all the Universities in Kerala. Report was submitted to the Govt.

Project Financing

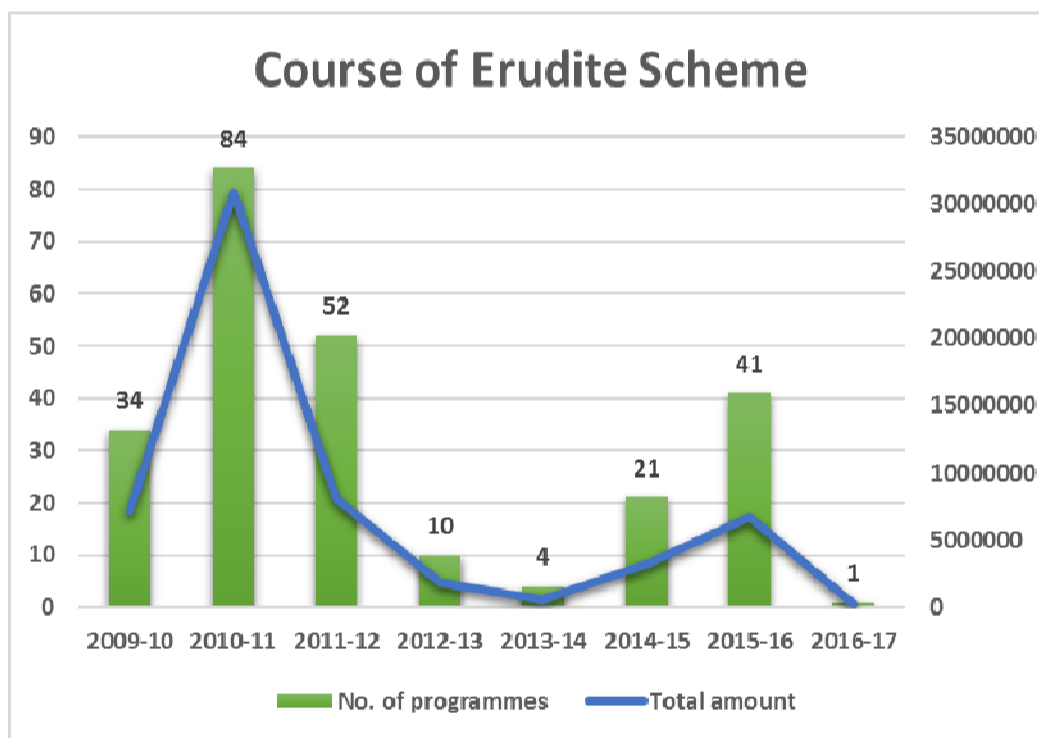
During the period 2012-13 to 2015-16, the Kerala State Higher Education Council had funded 33 research projects including 22 short term and 11 long term projects to the teachers/experts working in

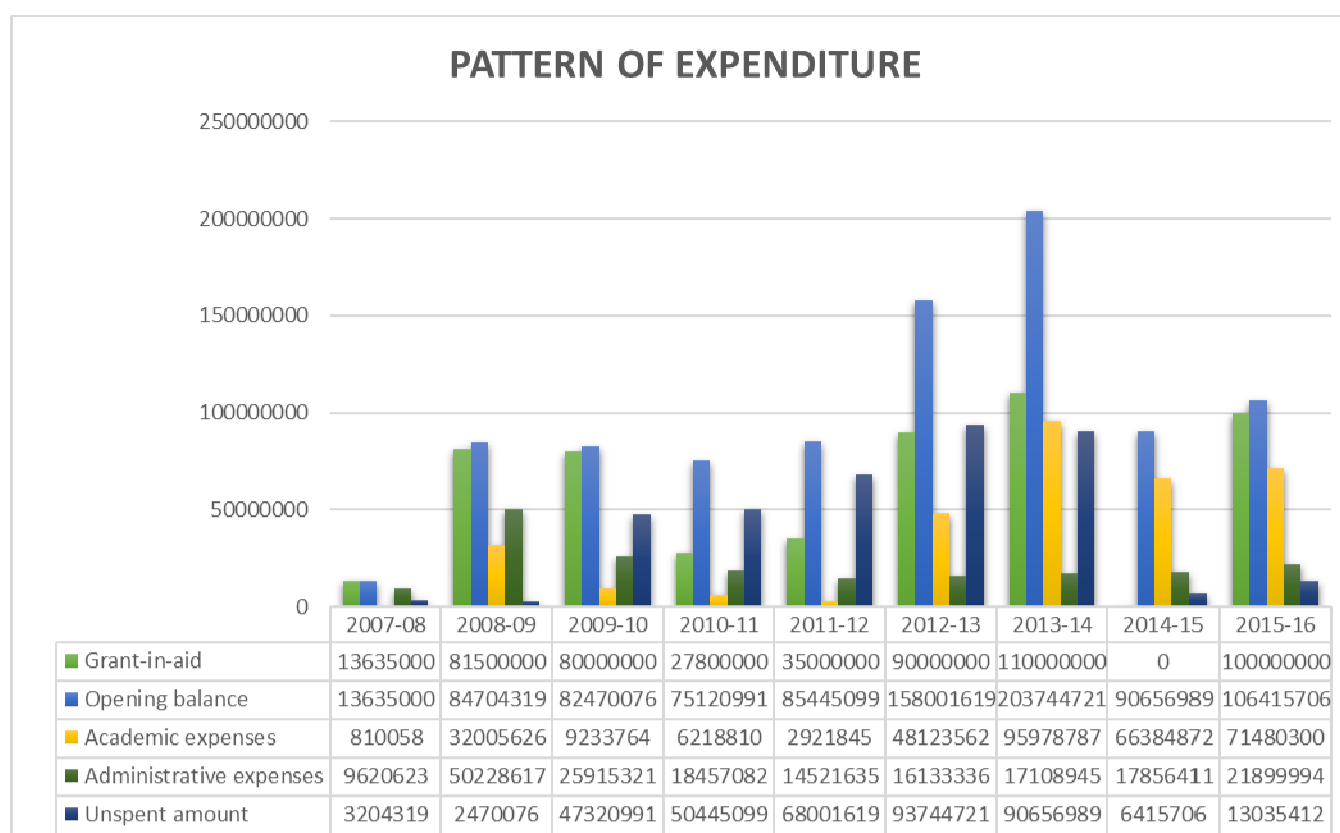
colleges and universities in the State for empirical, theoretical and feasibility studies on various aspects of higher education that have strong relevance in policy making. In 2015 the Council funded another research project of Rajiv Gandhi Institute of Development Studies, Thiruvananthapuram.

- The objectives of these research projects are relevant for the overall development of a country like India. 25 principal investigators submitted their research projects (18 short term of one year and 7 long-term of two years for the year 2013-14) in 2015.
- Rajiv Gandhi Institute of Development Studies submitted the final report of the research project in 2016.
- There are 8 ongoing research projects including 4 short term and 4 long term projects which were funded by the council during 2015-16.

Erudite Scheme

An ongoing project, of the Kerala State Higher Education Council from 2009 onwards, which was introduced to improve the quality of higher education and research in the Universities of Kerala by enabling the academic community to interact with outstanding scholars from India and abroad. Further it has been extended to Govt. and aided colleges also. Under this scheme proper financial assistance was given by KSHEC to Universities and Colleges to conduct programmes by involving eminent scholars. Around 75 Erudite programmes were organised by various Universities, Colleges and even by KSHEC itself under Erudite Scheme during 2012-2016.





Implementation of RUSA (*Rashtriya Uchchathar Shiksha Abhiyan*)

The Preparatory Grants for RUSA project was received at the fag end of the financial year 2014-15. Due to paucity of time, the Council could not plan and implement many programmes, except organising some interactive meetings of the academicians and Technical Support Group. After some time the State Project Directorate started to function independently in the rented area at the University Stadium.

Public Lectures

Ten Public Lectures were organised by KSHEC to provide the public an opportunity to listen the Lectures of eminent Academicians from different disciplines and interact with them. Lectures were held on topics such as “Enabled learning for enhancing knowledge and skills, Hard facts about soft skills, challenges and opportunities in Higher Education, Malayalam University - A Dream in the making, Winning our rightful place in Higher Education, Vision and strategy for Higher Education in India, How modern is Social Science teaching in Higher Education in India, Changing educational scenario and the status of the Humanities, Role of Judiciary in politics” etc.

Current State of Affairs & Prospects for the Future

On the completion of their tenures, the Vice Chairman, Mr. T.P Sreenivasan IFS (Rtd. Ambassador of India) and Member Secretary Dr. P Anvar vacated their respective offices on 11th April, 2016. The

tenure of the Executive Council also expired on the same day. Since then, the activities of the Council have virtually come to a standstill, though the Council continues to function nominally with a skeleton staff. In the absence of decision making officers/authorities, programmes such as the Cluster of Colleges, Erudite, Training Programmes for teachers/students/administrators etc. have all been discontinued, crippling equitable and qualitative development of higher education in the State. Immediate reconstitution of the Council, therefore, should be on the top priority of the Government. The reconstitution of the Council is contingent upon the revision of the legal instrument under which it is constituted on account of the following:

- (1) The piecemeal and truncated constitution of the previous Council by the previous Government has generated speculations about the technical continuance of the Governing Council even after the expiry of the tenure of the Executive Council, which needs to be laid at rest through legislative intervention.
- (2) Qualitative collaboration with the State Government in the implementation of RUSA schemes would require specific provisions for such intervention in the Council's Act
- (3) On the basis of the experience of the working of the Council during the last eight years redundant provisions, if any, will have to be removed/modified and new provisions incorporated in the Act to meet emerging needs.

The above will have to be undertaken without compromising the democratic structures of the Council or its primary objectives of promoting equity and quality of higher education. Another imperative is to strengthen the reciprocal relationship between the Council and other higher education institutions in the State, with a view to ensuring the autonomous functioning of each institution, even as they come together for the fulfilment of certain common objectives and share certain common facilities. All these at once imply that reworking the legal instrument of the Council cannot be undertaken mechanically, by verbatim incorporation of the guidelines suggested by UGC/RUSA for the constitution of the State Higher Education Councils. At the same time, adequate provisions have to be made in the Act for the implementation of UGC/RUSA schemes in the State. We have to carefully rework the Act, balancing the claims of national level apex bodies and State level institutions in higher education, which could become role models for the entire country in future. Specific recommendations for the revision of the KSHEC Act undertaken with the above objectives are detailed in the ensuing chapters.

Chapter III
Proposed Amendments and the Rationale

Clause	Existing Provision of the Act	Amended Provision	Rationale for the Amendment
<i>Preamble</i>	WHEREAS, it is expedient to establish a State Higher Education Council as a collective of the Government, Universities, academics, experts and people's representatives in order to forge a synergic relationship	<i>Preamble.-</i> WHEREAS, it is expedient to establish a State Higher Education Council as a collective of the Government, Universities, academics, experts, students, and people's representatives in order to forge a synergic relationship	It is important to include students, for they constitute the primary clientele of the Higher Education Council.
(1) (a), g and h and elsewhere	Advisory Council, Executive Council, Governing Council	Advisory Body, Executive Body and Governing Body respectively. Throughout the principal Act, for the words Advisory Council, Executive Council and Governing Council, wherever they occur, the words Advisory Body, Executive Body and Governing Body shall respectively be substituted.	To edit is required to avoid the confusion between the parts and the whole.
2.(sa)	NIL	RUSA means the Rashtriya Uchchar Shiksha Abhiyan, the Centrally Sponsored Scheme for Higher Education.	This definition is necessitated by the induction of RUSA, a new category.
4 (1) a.	to render advice to the Government, Universities and other institutions of higher education in the State;	To render advice to the Government, Universities, Colleges and other institutions of higher education in the State in matters of access, equity and academic quality.	It is necessary to specify the object and objective of the advisory function
4.2 (z)	NIL	Conduct longitudinal study to understand the impact of student learning.	There is no provision in the Act at the moment to track the impact of teaching-learning process
4.2.(za)	NIL	Promote and integrate relevant indigenous knowledge systems in the state higher education system.	To provide for working closely with national-level bodies like National Innovation Foundation
4.2.(zb)	NIL	Evolve programmes to improve access of differently-abled students to higher education	To incorporate specific provision in the Act to take up issues relating to students differently abled.
4.2.(zc)	NIL	Collaborate with the State Government in the implementation of RUSA and similar centrally sponsored and other central schemes within the state.	To specifically empower the Council to collaborate in the implementation of RUSA schemes
4.2. (zd)	NIL	Evolve common academic guidelines for Universities in the state for mutual recognition/ approval/equalization of academic programmes/areas of studies and nomenclature thereof.	Existing conditions badly demand this.

Clause	Existing Provision of the Act	Amended Provision	Rationale for the Amendment
4.2. (ze)	NIL	Evolve common academic guidelines for Universities in the state for recognition/approval/equalization of academic programmes/areas of studies and nomenclature thereof of various programmes conducted by universities/higher education institutions outside the State and outside the Country	Existing conditions demand this.
4.2.(zf)	Responsibilities and functions of the Council	Facilitate the dissemination of knowledge on higher education to target audience through electronic and print media;	To incorporate a specific clause in the Act to facilitate wide dissemination of knowledge.
5 (4)	NIL	The Patron may refer any matter relating to higher education and higher educational institutions, he deems fit, for the expert opinion of the Council.	This can help the Patron dispose of issues fast.
6 (4)	NIL	The Visitor may refer any matter relating to higher education and higher educational institutions, he deems fit, for the expert opinion of the Council.	This can help the Visitor dispose of issues fast.
9.(3)	The Member Secretary shall exercise such other powers and perform such other functions as may be prescribed.	The Member Secretary shall exercise such other powers and perform such other functions as may be prescribed or delegated from time to time by the Vice Chairman.	To ensure the smooth functioning of the Council in the absence of the Vice Chairman.
10 (4)	The Registrar shall exercise such other powers and perform such other functions as may be prescribed.	The Registrar shall exercise such other powers and perform such other functions as may be prescribed or delegated from time to time by the Vice Chairman.	To ensure the smooth functioning of the Council in the absence of the Vice Chairman.
11 (2)	The bodies of the Council shall be constituted every four years from the date of their constitution provided that in the event of delay in the constitution of the bodies, they shall continue to hold office for a further period of six months or their reconstitution, whichever is earlier	The bodies of the Council shall be constituted simultaneously every four years from the date of their constitution: provided that in the event of delay in the reconstitution of the bodies, they shall continue to hold office till their reconstitution	To ensure(1) the simultaneous constitution of all bodies of the Council and (2) continuous functioning of the Council, without any break in the end of the term of one Council and the reconstitution of the next Council
12(k)	One Vice-Chancellor of a University outside the State, nominated by the Government.	One Vice Chancellor of a State University outside Kerala, nominated by the Government;”	This amendment has become necessary under the RUSA Guidelines.

Clause	Existing Provision of the Act	Amended Provision	Rationale for the Amendment
12.ac	NIL	One Chairman or Vice-Chairman of State Higher Education Council other than that of the Kerala, nominated by the Government.	This is to strengthen the synergy of relations among SHECs.
12.ad	NIL	One Vice Chancellor of a Central University outside the State, nominated by the Government.	This amendment has become necessary under the RUSA Guidelines.
14.t	NIL	State Project Director, RUSA	This amendment has become necessary under the RUSA Guidelines.
14.u	NIL	One Principal of affiliated college, nominated by the Government.	In order to ensure the representation of the category of Principals.
14.v	NIL	One non-teaching staff, member of University or College, nominated by the Government.	This category had no representation
15 (f)	it shall with prior approval of the Government to frame regulations in accordance with this Act and the rules made there under;	it shall frame regulations in accordance with this Act and obtain their approval by the Government for making them applicable;	The clause is grammatically incorrect and logically inappropriate.
15 (k)	it shall meet, as often as may be necessary, at such time and place and observe such rules of procedure as may be provided in the regulations provided that it shall meet at least twice a year;	it shall meet at least twice a year, and as often as may be necessary, at such time and place and observe such rules of procedure as provided for in the regulations;	These edits are necessary to cure the grammatical error and ensure clarity of expression
17 (c)	It shall nominate one of its members to the Syndicate/Executive Committee of each university	It shall nominate one of its members to the Academic Council of each university	(1)This is to ensure the Council's representation in the Universities through their academically more relevant body; (2)As limited number of Executive Committee members have to represent HEC in several universities, attending Syndicate meetings several times a year in different universities may not be feasible.

Clause	Existing Provision of the Act	Amended Provision	Rationale for the Amendment
20(1)	Provided that they shall continue to hold office of the Vice chairman, Member Secretary and Members respectively for a further period of six months or till further appointment or nomination or election is made to the respective offices, whichever is earlier	Provided that they shall continue to hold office of Vice chairman, Member Secretary and Members respectively till further appointment or nomination or election is made to the respective offices.	To ensure continuous functioning of the Higher Education Council, without any break in the end of the term of one Council and the reconstitution of the next Council.
25 (1)	The funds of the Council shall include all sums which may, from time to time, be paid to it by the Government and all other receipts including any sum from the Central Government, any State Government, the University Grants Commission or any other authority, institutions or person.	The funds of the Council shall include all sums which may, from time to time, be paid to it by the Government and all other receipts including any sum from the Central Government, any State Government, the University Grants Commission, RUSA or any other authority, institutions or person.	This edit is necessary to incorporate RUSA, a new category.
32 A	NIL	Notwithstanding anything contained in the principal Act, on and from the date of commencement of the Kerala State Higher Education Council (Amendment) Act, 2017, the Governing Council and the Executive Council, if any, shall stand dissolved and all the members of the said Councils shall be deemed to have vacated their offices as such on such dissolution.	To get over the difficulty created by technical continuance of the Governing Council of the previous Higher Education Council, which was constituted at a later period after the constitution of its Executive Council

Chapter IV
THE KERALA STATE HIGHER EDUCATION COUNCIL (AMENDMENT) BILL 2017
A
BILL
Further to amend the Kerala State Higher Education Council Act, 2007

Preamble.- Whereas, it is expedient further to amend the Kerala State Higher Education Council Act, 2007 for the purposes herein after appearing;

BE it enacted in the Sixty-Seventh Year of the Republic of India as follows:-

1. *Short title and commencement.*- (1) This Act may be called the Kerala State Higher Education Council (Amendment) Act, 2017.
(2) It shall come into force at once.
2. *Amendment of the preamble.*- In the Kerala State Higher Education Council Act, 2007 (22 of 2007) (herein after referred to as the Principal Act), in the preamble, in the first paragraph after the word “experts”, the word “students” shall be inserted.
3. *Substitution of references to certain expressions by certain other expressions.*- Throughout the principal Act, for the words “Advisory Council”, “Executive Council” and “Governing Council”, wherever they occur, the words “Advisory Body”, “Executive Body” and “Governing Body” shall respectively be substituted.
4. *Amendment of Section 2.*- In section 2 of the Principal Act, after clause (s), the following clause shall be inserted, namely:-
“(sa) “RUSA” means the Rashtriya Uchchar Shiksha Abhiyan, a Centrally Sponsored Scheme for Higher Education.”
5. *Amendment of section 4.*- In section (4) of the Principal Act,
 - (i) in sub-section (1), for clause (a), the following clause shall be substituted, namely:-
“(a) To render advice to the Government, Universities, Colleges and other institutions of higher education in the State in matters of access, equity and academic quality”.
 - (ii) in sub-section (2) after clause (y), the following clauses shall be inserted, namely:-
 - (z) conduct longitudinal studies to understand the impact of student learning;
 - (za) promote and integrate relevant indigenous knowledge systems in the state higher education system;
 - (zb) evolve programmes to improve access of differently-abled students to higher education;
 - (zc) collaborate with the State Government in the implementation of RUSA and similar centrally sponsored schemes and other central sector schemes within the state;
 - (zd) evolve common academic guidelines for Universities in the state for mutual recognition/approval/equalization of academic programmes/areas of studies and nomenclature thereof;
 - (ze) evolve common academic guidelines for Universities in the state for recognition/approval/equalization of academic programmes/areas of studies and nomenclature thereof of various programmes conducted by universities/higher education institutions outside the State and outside the Country
 - (zf) facilitate the dissemination of knowledge on higher education to target audience through electronic and print media.”
6. *Amendment of section 5.*- In section 5 of the Principal Act, after sub-section (3), the following sub-section shall be inserted, namely:-
“(4) The Patron may refer any matter relating to higher education and higher educational institutions, he deems fit, for the expert opinion of the Council”.

7. *Amendment of section 6.*- In section 6 of the Principal Act, after sub-section (3), the following sub-section shall be inserted, namely:-
“(4) The Visitor may refer any matter relating to higher education and higher educational institutions, he deems fit, for the expert opinion of the Council”.
8. *Amendment of section 9.*- In section 9 of the Principal Act, for sub-section(3), the following sub-section shall be substituted, namely:-
“(3) The Member Secretary shall exercise such other powers and perform such other functions as may be prescribed or delegated from time to time by the Vice Chairman.”
9. *Amendment of section 10.*- In section 10 of the Principal Act, for sub-section(4), the following sub-section shall be substituted, namely:-
“(4) The Registrar shall exercise such other powers and perform such other functions as may be prescribed or delegated from time to time by the Vice Chairman.”
10. *Amendment of section 11.*- In section 11 of the Principal Act, for sub-section(2), the following sub-section shall be substituted, namely:-
“(2) The Bodies of the Council shall be constituted simultaneously every four years from the date of their constitution:
Provided that in the event of delay in the reconstitution of the bodies, they shall continue to hold office till their reconstitution.”
11. *Amendment of section 12.*- In section 12 of the Principal Act-
(i) for category (k), the following category shall be substituted, namely:-
“(k) One Vice Chancellor of a State University outside Kerala, nominated by the Government;”
(ii) after category (ab), the following categories shall be inserted, namely:-
“(ac) One Chairman or Vice-Chairman of State Higher Education Council other than that of Kerala, nominated by the Government;
(ad) One Vice Chancellor of a Central University outside the State, nominated by the Government.”
12. *Amendment of section 14.*- In section 14 of the Principal Act- after category (r), the following categories shall be inserted, namely:-
“(s) One nominee of MHRD, Government of India, not below the Rank of Joint Secretary;
(t) State Project Director, RUSA;
(u) One Principal of affiliated college, nominated by the Government;
(v) One non-teaching staff-member of University or College, nominated by the Government.”
13. *Amendment of section 15.*- In section 15 of the Principal Act- (i) for clause (f), the following clause shall be substituted, namely:-
“(f) it shall frame regulations in accordance with this Act and obtain their approval by the Government for making them applicable.”
(ii) for clause (k), the following clause shall be inserted, namely:-
“(k) it shall meet at least twice a year, and as often as may be necessary, at such time and place and observe such rules of procedure as provided for in the regulations.”
14. *Amendment of section 17.*- In section 17 of the Principal Act, for clause (c), the following clause shall be substituted, namely:-
“(c) It shall nominate one of its members to the Academic Council of each University.”
15. *Amendment of section 20.*- In section 20 of the Principal Act, for the first proviso, the following proviso shall be substituted, namely:-

“Provided that they shall continue to hold office of Vice Chairman, Member Secretary and Members respectively till further appointment or nomination or election is made to the respective offices.”

16. *Amendment of section 25.*- In section 25 of the Principal Act, in sub-section (1), after the words “the University Grants Commission”, the word “RUSA” shall be inserted.

17. *Insertion of new section 32A.*- After section 32 of the Principal Act, the following section shall be inserted, namely:-

“(32A) *Special Provision regarding dissolution.*- Notwithstanding anything contained in the Principal Act, on and from the date of commencement of the Kerala State Higher Education Council (Amendment) Act, 2017, the Governing Council and the Executive Council, if any, shall stand dissolved and all the members of the said Councils shall be deemed to have vacated their offices as such on such dissolution.”

Chapter V

Specific Recommendations

Recommendations are diffused all along the chapters on the review of the KHEC Act and the performance appraisal of the Council. Some of them, relatively crucial, are enlisted along with certain fresh suggestions of priority hereunder:

1. At the outset the first recommendation is that the KSHEC Act 2007 needs only minor amendments for resolving the present predicament of violation of the Act and accommodating the MHRD Draft Guidelines of RUSA.
2. It is the considered opinion of the Commission that the KSHEC Act 2007, a nationally acclaimed model HEC Act with enough room for democratic representation need not be subjected to serious amendment following the stipulations of the MHRD Draft Guidelines that keep changing every now and then, even fundamentally.
3. The Reports of the KSHEC may be considered and acted upon by the Government/ Higher Education Institutions within a reasonable time frame.
4. Since the expiry of the tenure of the last Council on 11th April 2016, the activities of the Council have virtually come to a standstill, though the Council continues to function nominally with a skeleton staff. In the absence of decision making officers/authorities, programmes such as Cluster of Colleges, Erudite Scheme, Training Programmes for teachers/students/administrators etc., have all been discontinued, crippling equitable and qualitative development of higher education in the State. Therefore, immediate reconstitution of the Council should be a top priority of the Government.
5. An Act envisaging varied functions such as rendering advice to the Government, Universities, and other institutions of higher education in the State; co-ordinating the roles of the Government, Universities & apex regulatory agencies in higher education within the State; initiating new concepts and programmes in higher education; and providing common facilities in higher education without impinging upon the autonomy of other institutions of higher education, presupposes their prioritisation, for it cannot facilitate all functions simultaneously. Therefore, it is important that there should be certain measures and criteria for the State Council of Higher Education to prioritise its functions.
6. It is necessary to discuss the possible functions/priorities well in advance by the newly constituted State Council of Higher Education in matters such a) Innovative functions, b) Planning & Co-

ordination, c) Advisory functions, d) Rendering Common Services to teachers and Students, and e) Assessment and Accrediting functions, on the basis of their relevance and urgency.

7. It is not enough that the State Higher Education Council constitute expert committees to suggest new ideas/programmes. It is equally important that the Council provide a platform for wide-ranging discussions on the recommendations submitted by such committees and possibly arrive at a set of actionable proposals which could be submitted to the Government/ Universities/ other stakeholders for their consideration.
8. It is quite possible that the Council would thus be able to generate new ideas for which there is considerable space in higher education. It may be noted that generation of new ideas would be justification enough for the existence of the Council, even if such ideas are not immediately acted upon. Ideas are seeds that need favourable climate and take time to germinate and take roots and grow into fruit bearing trees.
9. The State Council has to evolve a perspective plan for the development of higher education in the State during its tenure and submit it for the consideration of the Government/Universities. In fact, the advisory function is an offshoot of the planning function.
10. The Council should render advice to Government/Universities on specific academic issues *suo motu* or on the basis requests for such advice from Government/ Universities.
11. There is at present little coordination between the central level apex bodies such as UGC/RUSA and universities in the State as also among the universities within the State. While each university should have its distinct identity, there are a few core areas where co-ordination would become necessary, with a view to promoting complementarity/comprehensiveness in the services provided by different universities and practical issues necessitating comparability of programmes offered by various universities in the State. In fact, the identification of areas requiring co-ordination could be a contentious issue. While overarching coordination can cause identity crisis among universities, absence of co-ordination can have adverse consequences on the comprehensiveness of the combined services provided by all universities put together. Therefore the areas needing coordination have to be identified after much deliberation.
12. One of the important services undertaken by the first Council was to give training to teachers in areas such as teaching and preparation of syllabi and text books. This is an important area to be taken up on a large scale as at present teachers get no formal pedagogic training prior to their appointment or during their tenure. The existing short duration orientation /refresher courses without any proper syllabi or direction are grossly inadequate and serve no useful purpose. The

Higher Education Council has been diligently pursuing this goal of imparting proper training to teachers ever since its inception and needs to be beefed up in future.

13. The first Council had undertaken the task of providing merit cum means scholarships to needy students. The second Council continued the scheme, but the implementation has become tardy of late, depriving many deserving students of what is their due, adversely impacting the pursuit of equity and quality in higher education. The scholarship scheme needs to be enlarged and administered more efficiently to effectively address the issues of equity and excellence in higher education. The new Council should think of organizing a Mission-Mode Fund Raising Programme in collaboration with the Government for raising sufficient corpus to make the Higher Education Scholarship Scheme self-sustaining within the next two years.
14. Though the Act provides for the establishment of a State mechanism for accreditation of universities and colleges, the first Council did not undertake the task as there was not sufficient consensus among the stake holders for launching such a programme. The second Council has not been able to get into action though it has identified this as one of its priority areas and taken initial steps for the constitution of an assessment and accrediting agency. The next Council could take forward the mission to its logical conclusion.
15. Keeping in view the convenience and possibility of avoiding delay, the role of SHEC in the devolution of RUSA funds, may be minimised as the latest correspondence from MHRD envisages. It is enough that the SHEC undertakes only the responsibility of whetting academic projects submitted by the beneficiary institutions/persons. To the best of the Commission's knowledge the Scheme is functioning efficiently with incremental benefits guaranteed to the stakeholders in the state.
16. A policy recommendation of top priority is social preparation, primarily through the economic empowerment of the poor for improving the number of youth eligible to higher education and ensuring their enrolment. Measures of economic empowerment under the state initiative should involve, other than various scholarships and free-ships, hands-on type support enabling the economically backward to earn by learning, which can guarantee a steady acquisition of competencies in the case of the socio-economically encumbered youth. Opportunities for vertical growth through lifelong learning through regular/distance education channels should also be made available. The State Higher Education Council may prepare viable schemes in this regard for the consideration of the Government and Universities.
17. There should be efforts to enhance the standard and quality of education both as construed by the dominant economy and as its critique – the former to ensure job security and the latter to guarantee a good citizenry capable of critical participation in public policy debates. Since the present academic standard can be remarkably improved through suitable pedagogic strategies and institutional quality-assurance, it is crucial to revitalise the regulatory institutions and bodies like

the UGC and other statutory councils. They should be urged to provide comprehensive guidelines for quality assurance and insist upon the higher education institutions' adherence to them for being sure that the latter have well-updated learner-centric courses and curricula with stated learning outcomes, the habit of using appropriate learning experiences, giving learning specific assignments, providing scholarly instructional support, and practising the system of concurrent evaluation. All regulatory measures should be strictly enforced in order to ensure academic quality through sustained institutional demand for practical self-learning. The project of promoting good citizenship should be undertaken by promoting, among other things, active student participation in extension activities. The possibility of integrating extension activities with the curriculum as a compulsory component should be seriously thought of by the Council and the Government.

18. It is important that the state turns serious about checking the unbridled promotion of commercialisation and privatisation of higher education, which intensifies access disparity and accelerates quality impairment further. The state has to distinguish well studied recommendations from those of the empirically and theoretically impoverished vision documents and reports propagating privatisation as the path towards academic excellence through access, equity and quality. Legislative/Executive /Judicial steps may be taken to check the menace of commercialization of higher education. The Council should be able to coordinate the efforts of the Government and Universities in this regard.
19. Keeping in view of the demographic phenomenon of the youth becoming dominant at least 6% of GDP, 10% of Central Budget and 30 % of the State Budget should be set apart for what it calls human resource development suitable to the 21st century global requirement, with the distinct understanding that it is an eminent investment rather than expenditure.
20. Let the democratic councils, bodies and institutions with academic specialisation in emerging areas of importance debate and decide upon which courses should be taught, where, how and for what competencies.
21. The Council should strive to strengthen the reciprocal relationship among higher education institutions in the State, including universities and colleges, with a view to ensuring the autonomous functioning of each institution, even as they come together for the fulfilment of certain common objectives and share certain common facilities
22. It may be good to put the State Higher Education Council at the service of the Visitor as well as the Patron in order to mobilise technical inputs, if they deem necessary, for resolving disputes in/among higher education institutions and to frame academic parameters and guidelines for higher education institutions in the state, if they deem necessary, for redressing the grievances of the clientele.
23. The Council should be able to evolve proper guidelines for the distribution of Central/State assistance to universities in the State.

Extraordinary Gazette Dated 15..10..2007

GOVERNMENT OF KERALA
Law (Legislation-Unification) Department

NOTIFICATION

No. 19536/Leg.Uni.3/2007/Law.Dated, Thiruvananthapuram, 15th October, 2007

The following Act of the Kerala State Legislature is hereby published for general information. The Bill as passed by the Legislative Assembly received the assent of the Governor on the 13th day of October, 2007.

By order of the Governor,
C. SREEDHARAN PILLAI
Special Secretary (Law)

ACT 22 OF 2007

THE KERALA STATE HIGHER EDUCATION COUNCIL ACT, 2007

An act to provide for the setting up of the Kerala State Higher Education Council.

Preamble.- WHEREAS, it is expedient to establish a State Higher Education Council as a collective of the Government, Universities, academics, experts and people's representatives in order to forge a synergic relationship among them by occupying an operational space in between the Government and Universities and between Universities and apex level regulatory bodies, with the objects of (i) ensuring the autonomy and accountability of all institutions of higher education in the State, (ii) promoting academic excellence and social justice by providing academic input to the State Government for policy formulation and perspective planning, and (iii) guiding the growth of higher education in accordance with the socio-economic requirements of the State;

AND WHEREAS it is necessary to achieve the above said objectives, to empower this Council to (i) review and coordinate the implementation of policies in all higher education institutions in the State including Universities, research institutions and colleges, (ii) network various programmes in higher education undertaken and promoted by the Central and State Governments and by national level regulatory bodies including the University Grants Commission, All India Council for Technical Education, National Council for Teacher Education, Medical Council of India, Bar Council of India and other similar statutory bodies, (iii) undertake independent work for the generation and dissemination of new ideas in higher education, (iv) provide common facilities for all Universities, research institutions, colleges and other centres of higher education (v) provide for the generation and optimum utilization of funds for the expansion and development of higher education and (vi) undertake such other programmes for promoting the objectives of social justice and excellence in education ;

BE it enacted in the Fifty-eighth Year of the Republic of India, as follows:

1. *Short title, Extent and Commencement.* –

This Act may be called the Kerala State Higher Education Council Act, 2007.

(2) It extends to the whole of the State of Kerala.

(3) It shall be deemed to have come into force on 25th January, 2007.

2. *Definitions.*-- In this Act, unless the context otherwise requires,-

- (a) “Advisory Council” means the Advisory Council of the Council;
- (b) “All India Council for Technical Education” means the Council constituted under the All India Council for Technical Education Act, 1987 (Central Act 52 of 1987);
- (c) “Bar Council of India” means the Bar Council constituted under the Advocates Act, 1961 (Central Act 25 of 1961);
- (d) “Chairman” means the Chairman of the Council;
- (e) “college” means any Higher Education Institution affiliated to a University;
- (f) "Council" means the Kerala State Higher Education Council constituted under section 3;
- (g) “Executive Council” means the Executive Council of the Council;
- (h) “Governing Council” means the Governing Council of the Council;
- (i) "Government" means the Government of Kerala;
- (j) “higher education” means the education and research studies leading to the award of a degree or diploma or certificate by a University or institution approved by the University;
- (k) "institution" means an academic institution of higher education and research, not being a college, associated with and admitted to privileges of a University or maintained by a University ;
- (l) “Medical Council of India” means the Council constituted under the Indian Medical Council Act, 1956 (Central Act 102 of 1956);
- (m) “member” means a member of the Advisory Council, the Governing Council or the Executive Council, as the case may be;
- (n) “National Council for Teacher Education” means the Council constituted under the National Council for Teacher Education Act, 1993 (Central Act 73 of 1993);
- (o) “Notification” means the notification published in the official Gazette;
- (p) “Patron” means the Patron of the Council;
- (q) "prescribed" means prescribed by rules made under this Act;
- (r) “regular student” means a regular student of a university or a college affiliated to a

university;

- (s) "regulations" means the regulations made by the Governing Council under this Act;
- (t) "State" means the State of Kerala;
- (u) "Statutes", "Ordinances" and "Regulations" of a University mean respectively, the Statutes, the Ordinances and the Regulations issued under the respective Acts of a University;
- (v) "teacher" means any regular teacher working in a University, Government College or Government aided College or institution whose appointment has been made by a University or Government or approved by a University;
- (w) "University" means any University in the State established by an Act of the State Legislature;
- (x) "University Grants Commission" means the Commission established under the University Grants Commission Act, 1956 (Central Act 3 of 1956);
- (y) "Vice-Chairman" means the Vice-Chairman of the Council;
- (z) "Visitor" means the Visitor of the Council

3. *Constitution of the Council.*—

- (1) The Government may by notification, constitute, with effect from such date as may be specified therein, a Council to be called the Kerala State Higher Education Council.
- (2) The Council shall be a body corporate by the name aforesaid, having perpetual succession and a common seal and shall by the said name sue and be sued.
- (3) The headquarters of the Council shall be at Thiruvananthapuram

4. *Responsibilities and functions of the Council.*-

- (1) The Council shall have the following general responsibilities and functions, namely:-
 - (a) to render advice to the Government, Universities and other institutions of higher education in the State;
 - (b) to co-ordinate the roles of the Government, Universities and apex regulatory agencies in higher education within the State;
 - (c) to evolve new concepts and programmes in higher education;
 - (d) to provide common facilities in higher education without impinging upon the autonomy of other institutions of higher education.
- (2) For the furtherance of the above responsibilities and functions, the Council shall specifically undertake the following, namely:-
 - (a) provide academic input to the Government and to the Universities, research institutions

and other centers of higher education in the State for the formulation and implementation of the policies on higher education and evolve a perspective plan for the development of higher education, *suo moto* or on the suggestion from Government or requests from Universities or other institutions;

- (b) undertake independent research for the generation of new ideas for the promotion of social justice and academic excellence in higher education, hold awareness programmes for the academia and initiate or propose or pilot projects on an experimental basis in selected higher education institutions for implementation of the new ideas;
- (c) undertake human resources development planning for the State and plan the growth and development of higher education in accordance with such planning;
- (d) evolve guidelines for linkages of an academic nature among higher education institutions in the State and institutions within and outside the country;
- (e) evolve programmes in order to promote the relevance of higher education for the economic, social and cultural development of the State;
- (f) review existing guidelines and furnish recommendations for regulating admissions to various courses and for appointments to the posts of teachers and teacher-administrators in Universities, colleges and other institutions of higher education;
- (g) suggest improvements in curriculum and syllabi in accordance with the changing societal and academic requirements and facilitate the development and publication of appropriate teaching material, including textbooks, educational soft ware's and e-learning facilities in order to improve the quality of education;
- (h) organise short term courses to train and update the knowledge and skills of higher education teaching personnel, educational administrators and other similarly situated;
- (i) advise the Government on the starting of new courses, colleges, and other higher education institutions in the State;
- (j) make proposals for the generation and utilisation of funds in accordance with the objectives of this Act;
- (k) evolve general guidelines for the release of grants by the Government to Universities and other institutions of higher education and advise the Government about the release of such grants to Universities and other institutions of higher education;
- (l) evolve schemes for providing equitable opportunities for higher education and scholarships and freeships and financial assistance to the needy students and co-ordinate implementation of Scheduled Castes and Scheduled Tribes and other eligible backward

classes welfare programmes of the Central and the State Governments and other Central and State Level Funding Agencies;

- (m) review periodically the Statutes, Ordinances and Regulations of the Universities in the State and suggest appropriate improvements for the realisation of the objectives of social justice and academic excellence in education and suggest the framework for new Statutes, Ordinances, or Regulations for existing Universities or other institutions of higher education or new Universities or other institutions of higher education;
- (n) provide common facilities for the entire State by establishing centres, namely:-
 - (i) Centre for Research on Policies in Higher Education;
 - (ii) Curriculum Development Centre;
 - (iii) Centre for Capacity Building in respect of faculty and educational administrators;
 - (iv) State Council for Assessment of Higher Education Institutions;
 - (v) Examination Reforms Cell;
 - (vi) Human Resources Development, Employment and Global Skills Development Cell;
- (o) hold discussions, conduct workshops and seminars with the objective of facilitating the widest possible consultations with experts and stakeholders including organizations of students and teachers for formulating the policies on higher education and facilitating their proper implementation;
- (p) facilitate the development of a synergic relationship among different agencies such as the State Government, Universities, colleges and other institutions of higher education in the State and the Central Government and regulatory bodies at the national level;
- (q) co-ordinate various programmes being promoted and undertaken by Central and State Governments and national level bodies like University Grants Commission, All India Council for Technical Education, National Council for Teacher Education, Medical Council of India, Bar Council of India and other similar statutory bodies and State level institutions like Universities, research institutions, colleges and other institutions of higher education in the territory of India;
- (r) provide a forum for the interaction among the academy, industries, agriculture and service sectors;
- (s) facilitate the conduct of workshops and seminars on questions of importance in higher education in different parts of the State;
- (t) undertake necessary steps for establishing inter-linkages between research and learning

processes;

- (u) promote extension activities in colleges, institutions and Universities and encourage their integration into the curriculum so that the students and teachers become sensitive to social issues;
- (v) promote sports and cultural activities in the colleges, other institutions and Universities and integrate them with the co-curricular activities;
- (w) perform such other functions for the realisation of the twin objectives of social justice and excellence in higher education;
- (x) suggest steps for promoting democratisation and academic autonomy of Universities and other institutions of higher education;
- (y) evolve schemes to sensitise the students to environmental and gender issues.

5. The Patron.-

- (1) The Governor of Kerala, by virtue of his office shall be the Patron of the Council.
- (2) The Patron shall have the right to call for report on any matter pertaining to the affairs of the Council and offer suggestions for the improvement of the functioning of the Council.
- (3) The Patron shall have the right to address any meeting of the Council, if he so desires.

6. The Visitor.-

- (1) The Chief Minister of Kerala shall, by virtue of his office, be the Visitor of the Council.
- (2) The Visitor shall have the right to call for report on any matter pertaining to the affairs of the Council and offer suggestions for the improvement of the functioning of the Council.
- (3) The Visitor, shall preside over the meeting of the Advisory Council.

7. The Chairman.-

- (1) The Minister in charge of Higher Education of the State shall, by virtue of his office, be the Chairman of the Council.
- (2) The Chairman shall have the right to call for report on any matter pertaining to the affairs of the Council and offer suggestions for the improvement of the functioning of the Council.
- (3) The Chairman, shall preside over the meeting of the Governing Council and shall preside over the meeting of the Advisory Council in the absence of the Visitor.

8. *The Vice-Chairman.-*

- (1) An eminent educationalist, preferably a former Vice-Chancellor, shall be appointed by the Government as the Vice-Chairman of the Council.
- (2) The Vice-Chairman shall be the executive head of the Council.
- (3) The Vice-Chairman shall preside over the meetings of the Executive Council and shall preside over the meetings of the Advisory Council and the Governing Council in the absence of the Visitor and the Chairman, as the case may be.
- (4) The Vice-Chairman, shall exercise such other powers and perform such other functions as may be prescribed.

9. *The Member-Secretary.-*

- (1) An academician, preferably with administrative experience, shall be appointed by the Government as Member-Secretary of the Council.
- (2) The Member-Secretary shall be responsible for the co-ordination of the academic functions of the Council.
- (3) The Member Secretary shall exercise such other powers and perform such other functions as may be prescribed.

10. *The Registrar.-*

- (1) An officer not below the rank of a Joint Secretary to Government shall be appointed by the Government as Registrar of the Council, on deputation.
- (2) The Registrar shall be responsible for the administration of the office of the Council.
- (3) The Registrar shall represent the Council in all suits and other legal proceedings for and against the Council.
- (4) The Registrar shall exercise such other powers and perform such other functions as may be prescribed.
- (5) The terms and conditions of service of the Registrar shall be such as may be prescribed.

11. *Composition of the Council.—*

- (1) The Council shall comprise of the following bodies, namely:-
 - (a) the Advisory Council;
 - (b) the Governing Council;
 - (c) the Executive Council.

(2)The Bodies of the Council shall be reconstituted every four years from the date of their constitution:

Provided that in the event of delay in the constitution of the Bodies, they shall continue to be in office for a further period of six months or their reconstitution, whichever is earlier.

12. The *Advisory Council*.- The Advisory Council shall consist of the following members, namely:-

- (a) the Visitor;
- (b) the Chairman;
- (c) the Leader of Opposition in the Assembly;
- (d) the Minister for Health and Family Welfare;
- (e) the Minister for Agriculture;
- (f) the Minister for Law;
- (g) the Vice-Chairman;
- (h) the Member-Secretary;
- (i) two members of the Parliament from the State, one from the Lok Sabha and the other from the Rajya Sabha, nominated by the Government;
- (j) five members of the Legislative Assembly of Kerala, of whom one shall be a member of the Scheduled Caste or Scheduled Tribe and one shall be a woman, nominated by the Speaker;
- (k) one Vice-Chancellor of a University outside the State, nominated by the Government;
- (l) the Vice-Chairman, State Planning Board;
- (m) the Chairperson, Women's Commission;
- (n) the Chief Secretary to Government;
- (o) a prominent industrialist or business man, nominated by the Government;
- (p) an eminent person from the field of arts or literature, nominated by the Government;
- (q) an eminent social scientist, nominated by the Government;
- (r) an eminent person from, print or visual media, nominated by the Government;
- (s) an eminent member from the medical profession, nominated by the Government;
- (t) an eminent sports person, nominated by the Government;
- (u) an eminent scientist or technologist, nominated by the Government;
- (v) an eminent agriculturist, nominated by the Government;
- (w) an eminent jurist, nominated by the Government;

- (x) one Grama Panchayat President, nominated by the Government;
- (y) one Block Panchayat President, nominated by the Government;
- (z) one District Panchayat President, nominated by the Government;
- (aa) one Municipal Chairperson, nominated by the Government;
- (ab) one Mayor, nominated by the Government.

13. *Powers and Functions of the Advisory Council.*-

The Advisory Council shall meet at least once a year and shall deliberate on the general policies in higher education with particular reference to the functioning of the Council.

14. *The Governing Council.*-

The Governing Council shall consist of the following members, namely:-

- (a) the Chairman;
- (b) the Vice-Chairman;
- (c) the Member-Secretary;
- (d) five educationalists of repute from different Academic disciplines of whom one shall be a woman and one belonging to Scheduled Caste or Scheduled Tribe, nominated by the Government;
- (e) the Vice-Chancellors of all Universities;
- (f) A teacher member of the Academic Council of each University elected by the respective Academic Council of the University;
- (g) two student representatives of the University Unions or two regular students, of whom one shall be a woman, nominated by the Government;
- (h) a person who has distinguished himself in extension activities, nominated by the Government;
- (i) the Director of a Research Institution, nominated by the Government;
- (j) the member of the State Planning Board in charge of education;
- (k) a nominee of the University Grants Commission not below the rank of Joint Secretary, *Ex-officio*;
- (l) the Secretary to Government, Higher Education Department, *Ex-officio*;
- (m) the Secretary to Government, Finance Department, *Ex-officio*;
- (n) the Director of Technical Education, *Ex-officio*;
- (o) the Director of Medical Education, *Ex-officio*;

- (p) the Executive Vice-President, Kerala State Council for Science, Technology and Environment, *Ex-officio*;
- (q) the Director of Collegiate Education, *Ex-officio*;
- (r) the Agricultural Production Commissioner, *Ex-officio*.

15. *Powers and functions of the Governing Council.--*

The Governing Council shall have the following powers and functions, namely:-

- (a) it shall take all policy decisions on behalf of the Council;
- (b) it shall chalk out a perspective plan for the implementation of the policies, evolve various programmes to be implemented and determine the priorities of such programmes for implementation;
- (c) it shall approve the annual budget and the audited statement of expenditure in such manner as may be prescribed;
- (d) it shall make a self-appraisal of its performance and prepare an annual report showing details of its academic performance;
- (e) it shall give such directions to the Executive Council as may be necessary for the effective functioning of the Council in accordance with its objectives;
- (f) it shall with prior approval of the Government to frame regulations in accordance with this Act and the rules made there under;
- (g) it shall propose general guidelines for the release of grants by the Government to Universities and other institutions of higher education and advise the Government about the release of such grants to each University and other institutions of higher education;
- (h) it shall suggest measures for the academic and financial accountability of the Universities and other Institutions of higher education in the State;
- (i) it shall advise the Government and Universities and other institutions of higher education regarding the procedure of implementation of its decisions in all institutions of higher education including Universities, colleges and other institutions of higher education in the State;
- (j) it shall have such other powers as may be prescribed for the effective implementation of the programmes for the furtherance of the objectives of this Act;
- (k) it shall meet, as often as may be necessary, at such time and place and observe such rules of procedure as may be provided in the regulations provided that it shall meet at least twice a year;

(l) it shall have power to act, notwithstanding any vacancy in the membership or any defect in the constitution thereof, and the proceedings of the Governing Council shall be valid notwithstanding that some person, who was not entitled to be a member, had attended, or otherwise had taken part in the proceedings of the Governing Council.

16. *The Executive Council.-*

There shall be an Executive Council for the Council consisting of the following members of the Governing Council, namely:-

- (a) the Vice-Chairman;
- (b) the Member-Secretary;
- (c) one of the Vice-Chancellors, nominated by rotation by the Government for a period of one year;
- (d) five educationalists nominated under clause (d) of section 14;
- (e) the Secretary to Government, Higher Education Department, *Ex-officio*.

17. *Powers and duties of the Executive Council.-*

The Executive Council shall have the following powers and duties, namely:-

- (a) it shall be competent to take decisions on behalf of the Council, subject to the concurrence of the Governing Council in all matters with policy implications:
Provided that in urgent circumstances instead of concurrence, subsequent ratification of the Governing Council shall be sufficient;
- (b) it shall incur such expenses as are necessary to fulfil the objectives set out in this Act and carry out all decisions taken by the Governing Council;
- (c) it shall nominate one of its members to the Syndicate/Executive Committee of each University and such member shall ensure effective communication of the views of the Council and co-ordinate the implementation of programmes common to all universities;
- (d) it shall present before the Advisory Council the annual academic and financial audit reports of the Council for its perusal;
- (e) it shall present before the Governing Council the annual academic and financial audit reports of the Council for its approval;
- (f) it shall have such other powers, functions and duties as may be prescribed.

18. *Special Invitees.*-

(1) The Vice-Chairman of the Council may for the purpose of carrying out the objectives of this Act, invite in writing any person who is not a member of the Council to take part in the deliberations of particular meetings of the Advisory Council, Governing Council, Executive Council and any other Body constituted by the Council for specific purposes as special invitees and such invitees shall have no right to vote in the meetings.

(2) The special invitees shall be paid from and out of the funds of the Council such sums as may be approved by the Vice-Chairman.

19. *Meetings.*-

(1) The meetings of the Advisory Council, the Governing Council and the Executive Council shall be convened by the Member-Secretary on the advice of the Vice-Chairman.

(2) The quorum for the meetings of the Governing Council and the Executive Council shall be one third of filled up membership in each body and decisions may be taken in the meetings by simple majority of those present and voting. There shall be no quorum for the meetings of the Advisory Council and decisions may be taken in the meetings by simple majority of those present and voting.

20. *Terms and Conditions of Service of the Vice Chairman, Member Secretary and Members.*-

(1) The Vice Chairman, Member Secretary and Members other than the Member of the Executive Council nominated under clause (c) of Section 16, unless removed from the office in accordance with the provisions of this Act, shall hold office for the entire term of the Body of Council to which they are appointed or nominated or elected as the case may be :

Provided that they shall continue to hold office of Vice Chairman, Member Secretary and Members respectively for a further period of six months or till further appointment or nomination or election is made to the respective offices, whichever is earlier:

Provided further that Vice Chairman, Member Secretary, and the members shall be eligible for re-appointment or re-nomination or re-election for a further term of four years, as the case may be.

(2) The Vice-Chairman, Member-Secretary or Members, may in writing under his signature, addressed to the Chairman, resign his membership from the Council:

Provided that he shall continue to hold such office until his resignation is accepted and communicated in writing.

(3) The salaries, allowances and other perquisites payable to the Vice-Chairman shall be the same

as that of Vice - Chancellor of a University and that payable to the Member Secretary shall be the same as that of a Pro-Vice- Chancellor of a University.

(4) Subject to the provisions of this section, the other terms and conditions of service of the Vice-Chairman, Member Secretary and Members shall be such as may be prescribed.

21. *Removal from Membership of the Council.-*

If, at any time, it appears to the Government that an appointed or nominated or elected Member has proved himself to be unfit to hold such office or has been guilty of misconduct or neglect which in the opinion of the Government renders his removal from the membership of the Council, as expedient, the Government may, after giving such member, a reasonable opportunity of showing cause as to why he shall not be removed from the Council and after examining the same decide whether to continue or remove such member, as the case may be, from his membership and in case of such removal from the membership of the Council it shall be made by notification.

22. *Filling up of casual vacancy.-*

If a casual vacancy arises in the office of a nominated or appointed Member, either by reason of his death, resignation, removal or otherwise, such vacancy shall be filled up by the Government by nomination or appointment and such Member shall hold office only for the remainder of the term of the Member in whose place he was nominated or appointed, as the case may be.

23. *Protection of acts done in good faith.-*

No suit, prosecution or other legal proceeding shall lie against the Council or any member or officer or employee of the Council for anything which is done or intended to be done in good faith in pursuance of the provisions of this Act or any rules or regulations made there under.

24. *Staff of the Council.-*

The Council shall, with prior approval of the Government appoint such officers and staff, as it deems necessary for the discharge of its functions under this Act. The terms and conditions of service of the officers and staff of the Council shall be such as may be specified in the regulations to be framed by the Council.

25. *Funds of the Council.-*

(1) The funds of the Council shall include all sums which may, from time to time, be paid to it by the Government and all other receipts including any sum from the Central Government, any State Government, the University Grants Commission or any other authority, institutions or person.

(2) The Government may pay to the Council every financial year such sums as may be considered necessary for the functioning of the Council and for the discharge of its responsibilities and

duties.

- (3) All expenditure incurred by the Council under or for the purposes of this Act shall be defrayed from out of the Fund and any surplus remaining, after such expenditure has been met, shall be invested in such manner as may be prescribed.

26. Annual Accounts and Audit.-

- (1) The accounts of the Council shall be maintained in such manner and in such form as may be prescribed.
- (2) The Council shall prepare an annual statement of accounts in such form and in such manner as may be prescribed.
- (3) The accounts of the Council shall be audited once in a year by such auditor as the Government may appoint in this behalf.
- (4) The auditor appointed under sub-section (3) shall, for the purposes of audit, have such rights, privileges and authority as may be prescribed.
- (5) The Member-Secretary to the Council shall cause the annual audit report to be printed and forward a printed copy thereof to each member and shall place such report before the Governing Council for consideration at its next meeting.
- (6) The Governing Council shall take appropriate action forthwith to remedy any defect or irregularity that may be pointed out in the audit report.
- (7) The accounts of the Council as certified by the auditor together with the audit report along with the remarks of the Governing Council thereon shall be forwarded to the Government within such time as may be prescribed.
- (8) The Government shall, as soon as may be after the receipt of the annual accounts together with the audit report under sub-section (7) cause the same to be laid before the Legislative Assembly.

27 Annual Report.-

- (1) The Council shall prepare for every year a report on its activities under this Act during that year and submit the report to the Government in such form as may be prescribed.
- (2) The Government shall, as soon as may be after the receipt of a report under sub-section (1), cause the same to be laid before the Legislative Assembly.

28. Members and Staff of the Council to be public servants.-

The Chairman, Vice-Chairman, Members, Officers and Staff of the Council shall be deemed, when acting or purporting to act in pursuance of any of the provisions of this Act or any rule or regulation or order or direction made or issued under this Act shall be deemed to be public

servants within the meaning of section 21 of the Indian Penal Code (Central Act 45 of 1860).

29. Overriding effect of the Act.-

The provisions of this Act or any rule made there under shall have effect notwithstanding anything inconsistent therewith contained in any law, other than this Act or in any instrument having effect by virtue of any law other than this Act or in any decree or order of any court or other authority.

30. Power to make regulations.-

(1) The Governing Council may with prior approval of the Government frame regulations in accordance with this Act and Rules made there under for carrying out all or any of the purposes of this Act.

31. Power to make rules.-

(1) The Government may by notification make rules either prospectively or retrospectively, for carrying out all or any of the purposes of this Act.

(2) Every rule made under this Act shall be laid, as soon as may be after it is made, before the Legislative Assembly, while it is in session for a total period of fourteen days which may be comprised in one session or in two successive sessions, and if, before the expiry of the session in which it is so laid or the session immediately following, the Legislative Assembly makes any amendment in the rule or decides that the rule should not be made, the rule shall, thereafter, have effect only in such form as amended or be of no effect, as the case may be; so, however, that any such amendment or annulment shall be without prejudice to the validity of anything previously done under that rule.

32. Power to remove difficulties.-

(1) If any difficulty arises in giving effect to the provisions of this Act, the Government may, by order, as occasion may require, do anything not inconsistent with the provisions of this Act which appears to them to be necessary or expedient for the purpose of removing the difficulty.

(2) Every order issued under sub-section (1) shall, as soon as may be after it is made be laid before the Legislative Assembly.

33. Repeal and Saving.-

(1) The Kerala State Higher Education Council Ordinance, 2007 (49 of 2007) is hereby repealed.

(2) Notwithstanding such repeal, anything done or deemed to have been done or any action taken or deemed to have been taken under the said Ordinance, shall be deemed to have been done or taken under this Act.

5.2 State Level Project Implementation Arrangements

The project would be steered in each states/UTs through an institutional mechanism called State Higher Education Council. The SHECs would be supported in turn by the Project Directorate (created by the State Government) and State TSGs. They would report to the SHECs and will be directly responsible for management, coordination, implementation and monitoring of the project at the state/UT levels.

5.2.1 State Higher Education Council

The formation of SHEC forms the primary block towards building a sound planning and funding mechanism for higher education at state level. Given the number of state universities and the large number of students they cater to, it only makes sense to have state as the unit of planning for higher education. State universities, numerous as they are, cannot be monitored through a central system. Also, Center only has a partial role in funding these institutions while States provide the rest of the funding. The lack of coordination between States and Center produces an information gap that leads to faulty resource planning and allocation. The states have often expressed their need to stay informed regarding central allocations to state institutions. Thus, it is necessary to create SHEC as a body that is at an arm's length from the state as well as center, synergizes their resources and fulfills these functions of planning, monitoring, quality control and co-ordination at the state level.

The SHECs would be responsible for planned and coordinated development of higher education in the State and to foster sharing of resources between universities, benefit from synergy across institutions, lead academic and governance reforms at the institution level, establish principles for funding institutions, maintain a databank on higher education and conduct research and evaluation studies.

(i) Composition

The composition of State Councils should reflect the needs and diversity of States for planning and requirement in the higher education sector. Given below is the description of the broad contours of the recommended institutional architecture of State Councils of Higher Education. The State Higher Education Council should consist of fifteen to twenty five members; each with a term of 6 years, of whom one-third will retire every two years. The composition may be as follows: -

1. Chairman, preferably an eminent Academic/Public intellectual with proven leadership qualities
 2. Vice Chairman must be an eminent academic administrator with proven record (rank of a Professor) – In case the chair is a non-academic person. In other cases it could be a professional from industry etc., with sufficient experience in the sector.
 3. Member Secretary, an eminent academic of the rank of Professor-Chief Executive.
 4. State Project Director
 5. Ten to fifteen members, individuals representing fields of arts, science and technology, culture, civil society and industry and vocational education and skill development
 6. Three Vice Chancellors of State Universities and two Principals of autonomous/affiliated colleges
 7. One nominee of the Government of India
- At any point in time, seven members of the Council should be from the state and three members must be individuals of national eminence (outside the state). Each member will have a term of 6 years; 1/3rd of the members will retire every 2 years. The existing council will nominate 3 new members every 2 years.
 - The Council must meet at least once every quarter. The Quorum for the Council meetings shall be 1/3rd of the strength, including the Chairman and Member Secretary.

(ii) Search cum Selection Process

- Chairman will be selected by a committee consisting of Chief Minister of the State, Speaker of the Legislative Assembly, Leader of the Opposition on the basis of a recommendation of shortlisted candidates made by a search cum selection committee.
- The Search cum selection committee will be three member committee of very eminent academic/public intellectual with proven record and integrity. The State Council will nominate two members while the state will nominate one and the state nominee will be the chair.
- The Chairman will have one non-extendable term of five years. The removal of the Chief Executive will be through a vote of non-confidence expressed by at least 2/3rd numbers present and voting with a quorum of 3/4th members.

- **Vice Chairman :**

A search committee of three members will appoint the Vice Chairman. The committee will consist of the Chairman of the council (as a chair) and two other members one nominated by the State council and one by the government. The Vice Chairman will have one non-extendable term of five years. The Vice-Chairman may be removed by the Chairman on the recommendation of the Council.

- **Member Secretary**

A search committee of three members will appoint the Member Secretary. The committee will consist of the Chairman of the council (as a chair) and two other members one nominated by the State council and one by the government. The Member Secretary will have one non-extendable term of five years. Member Secretary may be removed the Chairman on the recommendation of the Council.

Members of the Council

At any point in time, seven members of the Council should be from the state and three members must be individuals of national eminence (outside the state). Each member will have a term of 6 years; 1/3rd of the members will retire every 2 years. The existing council will nominate 3 new members every 2 years.

Secretariat and Administrative Staff

The council must have its own Secretariat and Administrative Staff. The staff will not be permanent to the Council but brought on deputation from other institutions and state government (for a maximum period of 5 years). Suitable talent maybe be drawn from the system or the industry and compensated adequately.

Formation of State Higher Education Councils under RUSA - states with existing Councils

State will appoint a five-member selection committee to select 7 new members and members from existing Council. Selection committee must consist of:

- 2 eminent scientists/social scientists
- 1 former VC of a state university
- 1 former director of Institute of National repute within or outside the state
- 1 former VC of a central university

When the Council is constituted, initially, one-third of the Council members (i.e. three members) should be given one non-renewable term of six-years. Another one-third should be given a four-year term and the remaining one-third should be drawn from existing members, who would be given a term of two years.

Formation of Councils under RUSA - states without existing State Higher Education Councils

The first Council will be appointed by a five-member selection committee to be appointed by the State, whose the members must be:

- 2 eminent scientists/social scientists
- 1 former VC of a state university
- 1 former director of Institute of National repute within or outside the state
- 1 former VC of a central university

When the Council is constituted for the first time, initially, one-third of the Board members (i.e. six members) should be given one non-renewable term of six-years. Another one-third should be given a four-year term and the remaining one-third would be given a term of two years

(iii) Basic roles and responsibilities

The uniform functioning of RUSA across all states would require for the SHEC to have the following responsibilities and powers. Under the guidance of this broad framework, the state may modify their individual Councils as required and grant them additional powers.

Table 4 Powers and functions of State Higher Education Council

Regulatory Function
Strategy and Planning
<ol style="list-style-type: none"> 1. Preparing the State Higher Education Plan (Perspective Plan, Annual Plan and Budget Plan) 2. Providing state institutions inputs for creating their Plans and implementing them 3. Coordination between apex bodies, regulatory institutions and government
Monitoring & evaluation
<ol style="list-style-type: none"> 4. Monitoring the implementation of State Higher Education Plan 5. Creating and maintaining the Management Information Systems 6. Compiling and maintaining periodic statistics at state and Institutional level 7. Evaluating state institutions on the basis of norms and KPIs developed under RUSA (the Council may, for its own use, develop additional norms as it sees fit)
Quality assurance & academic functions
<ol style="list-style-type: none"> 8. Faculty quality enhancement initiatives 9. Quality of examinations 10. Maintaining quality of Curriculum 11. Promoting innovation in research 12. Protecting the autonomy of state institutions 13. Providing approval to setting up new institutions/colleges 14. Accreditation reforms
Advisory functions
<ol style="list-style-type: none"> 15. Advising state government on strategic investments in higher education 16. Advising universities on statute and ordinance formulation
Funding Function
<ol style="list-style-type: none"> 17. Funds managed by the SHEC will include funds from RUSA as well as the state share, both of which will flow through the state government 18. Determine the methodology for timely transfer of State's share funds to institutions 19. Disburse funds to state universities and colleges on the basis of the State Higher Education Plan and transparent norms

5.2.2 State Project Directorate (SPD)

(i) Composition

The SPD will consist of State Project Director and such adequate support staff as may be required for the effective functioning of the State Project Directorate. The State Project Director must be senior officer of the rank of Commissioner/ Secretary to State Government.

(ii) Functions

The SPD will perform the following functions:

- Overseeing project implementation at the state level
- Maintain statistical data and MIS reports
- Engage project auditors as required

5.2.3 Technical Support Group (State)

(i) Composition

The State council may appoint and decide the composition of TSG (State)

(ii) Functions

The following functions will be performed by the TSG:

- Monitor flow of funds and information,
- Generate MIS reports as required,
- Provide all operational support to the SHEC

5.3 Institution Level Project Implementation Arrangements

The project at the Institutional level will be managed by two bodies; the Board of Governors (BoG) and a Project Monitoring Unit.

5.3.1 Board of Governors

(i) Composition:

Each Institution will necessarily have its own BoG as per the State Universities Act or as per the guidelines issued by regulatory bodies as the case may be, to be either appointed by the sponsoring Government or by itself through due procedure.

- Take all policy decisions with regard to smooth, cost effective and timely implementation of the Institutional project,
- Form, supervise and guide various Committees required for project implementation and internal project monitoring,



University Grants Commission

REPORT OF THE COMMITTEE ON SETTING UP STATE COUNCIL OF HIGHER EDUCATION

This report on State Council of Higher Education has been approved by the commission on January 21, 1988. The recommendations have been forwarded to the Government of India for further action. (Modified January 1988)

UNIVERSITY GRANTS COMMISSION
NEW DELHI 1988

1, BACKGROUND

National Education Policy 1986, inter-alia recommended that:

"State level planning and coordination of higher education will be done through Councils of Higher Education. The UGC and these Councils will develop coordinative methods to keep a watch on standards"

The above mentioned policy was further elaborated in the programme of Action as under:

"There is at present no effective machinery for planning and coordination of Higher Education at the State level and the coordination of State level programme with those of the UGC. In order to fill the gap. It is proposed:

(a) To set up State Councils of Higher Education as statutory bodies. (b)
To have for the guidance of State Government, model provision framed by the UGC setting out the composition and powers of the State Councils.

(c) The Major function of the Council will include: (1)

Preparation of consolidation programmes of higher education in each State;

(2)

Initial scrutiny-of the development programmes of Universities and colleges;

(3)

Assistance and advance to UGC in respect of maintenance of standards:

(4)

Assistance to State Governments in determining the block maintenance grants:

(5)

Encouragement of the programmes of autonomous colleges;

(6)

Monitoring the progress of implementation of programmes and assessment of performance of institution;

(7)

Advising the State Governments in setting up new institutions.

II COMMITTEE

The University Grants Commissions, in view of the above directives of NEP and POA, has constituted a committee. The list of the members of the committee is given in annexure-1.

III TERMS OF REFERENCE

To make the recommendations regarding setting up the State Council of Higher Education as per National Policy on Education, 1986 and the programme of Action in this Regard.

IV SUB-COMMITTEE

The committee desired that a sub-committee consisting of the following may be constituted to formulate draft guidelines.

1. Prof. Satish Chandra Chairman
2. Shri. S. C Gupta
- 3 Shri. J. D. Gupta
4. Prof. K.P Rao
5. Shri. R. PGangurde Member –secretary
6. Shri. K. Gunasekaran

The guidelines formulated by the Sub-committee were accepted by the committee with some modifications. The report of the Committee was also approved by the Commission in July,1987. Meanwhile, the Supreme Court had struck down the Andhra Pradesh Commissionerate of Higher Education Act,1986. In the light of the above judgment the department of Education, Government of India requested the Commissioner to review the guidelines. Accordingly, the guidelines were reviewed with the help of the law panel of the Commission. Annexure-II gives the revised guidelines as approved by the Commissioner in January,1988.

ANNEXURE-1 List of the members of the Committee

- | | |
|---|--|
| 1, Professor. Satish Chandra
Department of History,
Jawaharlal Nehru University,
New Delhi. | 2, Shri J. Veera raghavan
Special Secretary,
Ministry of Human Resource
Development
New Delhi |
| 3, Shri Kireet Joshi
Special secretary,
Ministry of Human Resource Development,
New Delhi | 4, Professor. Moonis Raza,
Vice-Chancellor,
Delhi University
Delhi |
| 5, Professor. G. Ram Reddy
Vice-Chancellor,
Indira Gandhi National Open University
New Delhi | 6, Professor. R. P. Bambah
Vice- Chancellor,
Panjab University
Chandigarh |
| 7, Professor. K. R. Rao,
Vice-Chancellor
Andhra University
Visakhapattanam(AP) | 8, Dr. Jagdish Narain,
Secretary,
Association of Indian Universities,
Kotla Road, New Delhi. |
| 9, Shri. M.R. Kolhatkar
Secretary,
(Education and employment Department)
Central Administration Department,
Government of Maharashtra,
Bombay. | 10, Shri. Parmand Mishra
Special Secretary,
Education Department,
Government of Uttar Pradesh,
Lucknow. |
| 11, Shri. T. D. Sundar Raj
Commissioner & Secretary,
(Education Department)
Government of Tamil Nadu,
Fort St. George,
Madras. | 12, Shri. A. Chatteerjee
Secretary,
(Education Department)
Government of West Bengal,
Writer's Building,
Calcutta. |
| 13, Shri. S.C. Guptha,
Principal Secretary
Government of Madhya Pradesh,
Department of Higher Education,
Bhopal | 14, Dr.J.N. Kaul,
D/121, Saket,
New Delhi. |
| 15, Shri. R.P. Gangurde, Member-secretary
Joint secretary,
University Grants Commission,
New Delhi. | 16, Shri. J. D. Gupta
Joint Secretary
Ministry of Human Resource Development,
Department of Education,
Government of India,
New Delhi |
| 17, Shri. V. S. Patha
Deputy Secretary,
Department of Education, | 18, Shri. C. R. Pillai
Deputy Secretary,
Department of Education, |

ANNEXURE-II

Guidelines for setting up of State Council of Higher Education (Modified in January 1988)

1.0 Objectives

Higher Education aims at educating young men and women for fulfilling national objectives, and plays crucial role in for fostering national integration on the basis of the principle of the unity in diversity there is a felt made for councils for Higher Education at state level in order to enable the UGC to fulfill its statutory responsibility for the promotion and co-ordination of University Education and for the determination and maintains of standers of teaching, examination and research in Universities. Co-ordination at the local and regional level would enable expensive facilities to be shared and research projects of an inter-disciplinary basis to be undertaken in keeping with the needs of regional developments. The monitoring of the performance of the colleges which are more than 5000 in number could also be carried out more easily at the regional level it denies that there is an urgent need to strengthen planning and coordination of education program in Higher Education. Planning is essential so as to (a) foresee the needs of feature development in the country as a whole, (b) to control Socio-economic needs and academic requirements

The state council for Higher Education would act as a link between the universities and colleges and the State Governments and to work closely with the UGC in view of its statutory responsibility for the maintenance and co-ordination of standards of higher education at the all Indian level.

2.0 Setting up of the council

In order to achieve the objectives set out above the Central Government may advice state governments for enacting legislation for setting up of state councils of Higher Education in the state. In an Indian state where the numbers of Universities are too few, an advisory body may be set up to fulfill the above objectives.

3.0 Composition A state Council of Higher Education may consist of 10-13 members as follows: - (i) A Chairman (ii)

Not less than two and not more than four members drawn on all-India basis from the following who have (a) obtained high academic distinction in teaching, engineering, medicine, agricultural sciences or law; (b) who are industrialists or educationists of high repute. (iii) Not more than 2 from among the vice-chancellors of the Universities in the area including vice-chancellors of Central Universities, if any. (iv) Not more than two from among the teachers of universities/colleges in the state. (v) Secretary, UGC or an officer of the UGC not below the rank of Joint Secretary nominated by the Chairman, UGC. (vi) Secretary, Education (Ex-officio) (vii) Secretary, Finance (Ex-officio) (viii) I any State so desires, it may include the director of Higher Education as an ex-officio member.

4.0 Terms and conditions of service of chairman and members (i)

The Chairman shall hold office for a term of five years and other members shall hold office for a term of three years.

(ii)

The office of the Chairman .. be a whole time and salaried one and subject thereto. The terms and conditions of service shall be as prescribed.

(iii)

The salary of the Chairman shall not be less than that of a Vice-chancellor of a University.

(iv)

A person who has not attained the age of 65 days shall be eligible for appointment as a Chairman.

5.0 staff of the council

The council shall appoint a secretary and such other employees as it may think necessary for the efficient performance of its functions. The secretary shall be a whole time one. The terms and conditions of service of the employees shall be determined by the council.

6.0 Temporary Association of a Person with State Council of Higher Education for particular purpose

The council may associate with itself in such a manner and for such a purpose, any person whose assistance of advice it may desire in carrying out its work. A person associate with council for any purpose shall have a right to take part in the discussions relevant to that purpose but shall not have a right to vote at a meeting of the council and shall not be a member for any other purpose. The council may associate with it member of Medical, Engineering, and Agricultural Universities with a view of developing coordination amongst Universities.

7.0 Meeting of the Council

The Council shall meet at such times and place and shall observe such rules of procedures in regard to the truncation of business at its meetings as may be provided by regulations.

8.0 Powers and Functions of the Council

The council shall function for coordination and determination of standards in institutions for Higher Education or research and scientific and technical institution in accordance with the guidelines issued by the UGC from time to time.

8.1 Planning and coordination (i) To prepare consolidated programs in the sphere of higher education in the state in accordance with the guidelines that may be issued by the UGC from time to time, and to assist in their implementation. (ii) To forward the development programs of universities and colleges in the State to UGC along with its comments and recommendations. (iii) To assist UGC in respect of determination and maintenance of standards and suggest remedial action wherever necessary, in accordance with the guidelines. (iv) To evolve perspective plans for development of higher education in the State. (v) To monitor the progress of implementation of such development programmers. **8.2**

Academic functions (i) To encourage and promote innovation in curricular development, restricting of course and updating of syllabi in the universities/colleges (ii) To promote and coordinate the programs of autonomous colleges and to monitor its implementation. (iii)

To devise steps to improve the standards of examinations conducted by the universities and suggest necessary reforms. (iv) To facilitate training of teachers in colleges/universities. (v) To promote publication of quality text book, monographs and reference books. (vi)

To develop programs for greater academic co-operation and inter-action between university teachers and college teachers and to facilitate mobility of students and teachers with in and outside the State.

(vii)

To regulate admission on the basis of physical facilities and to develop entrance examination for admission to institution of higher education.

(viii)

To encourage sports, games, physical education and cultural activities in universities and colleges.

(ix)

To encourage extension activities and promote inter-action with agencies concerned with regional planning and development.

(x)

To prepare an overview report on the working of the universities in the State A copy of the report should be sent to the UGC.

8.2 Advisory functions (i)

To advice State Government in determining the block maintenance grants and to lay down the basis for such grants.

(ii)

To set up a state Research Board so as to link educational institutions research with that of the research agencies and also with research needs of the State.

(iii)

To examine the students and ordinances in various universities in the State (excluding Central Universities) and to suggest modifications wherever required.

(iv)

To advice State Government regarding the statutes proposed by the universities in a State.

(v) To perform any other functions necessary for furtherance of higher education in a State. **8.3 Administrative**

Functions.

To administer and release grant-in-aid from State Government to universities and colleges in the State. For this purpose, the State Government should place the grants meant for the universities and colleges at the disposal of the council.

9.0 Payment of the Council

The State Government may after due appropriation made by the Legislative Assembly by law in this behalf, pay to the council in each financial year such sums as may be considered necessary for the functioning of the Council.

10.0 Budget

The Council shall prepare, in such form and at such time each year as may be prescribed, a budget in respect of the financial year next ensuing showing the estimated receipts and expenditure, and copies thereof shall be forwarded to the State Governments.

11.0 Annual Report

The Council shall prepare an annual Report giving an account of its activities during the previous year and copies thereof shall be forwarded to the State Government and the Government shall cause the same to be laid before the Legislative Assembly. A copy of the Annual Report should be sent to University Grants Commission.



Appendix IV : Details of the Meetings for Consultation and Hearing

CONSULTATIONS AND HEARINGS HELD BY THE ONE MEMBER COMMISSION

Sl no.	Particulars	Date
1	Consultation with Dr.K.N.Panikkar, the first Vice Chairman of KSHEC.	29/11/2016
2	First round sitting with the Expert Panel held at KSHEC, Thiruvananthapuram	13/12/2016
3	Consultation meeting with the representatives of Teachers' Organisations held at KSHEC, Thiruvananthapuram	14/12/2016
4	Consultation meeting with the representatives of Non- Teaching Staff Organisations held at KSHEC, Thiruvananthapuram	15/12/2016
5	Consultation meeting with the representatives of Students' Organisations held at KSHEC, Thiruvananthapuram	15/12/2016
6	Public Hearing held at St.Teresa's college, Ernakulam	16/12/2016
7	Public Hearing held at Govt.College, Madapally	17/12/2016
8	Public Hearing held at Madayi, Payyannur	18/12/2016
9	Public Hearing held at KSHEC, Thiruvananthapuram	22/12/2016
10	Sitting with the Vice Chancellors held at KSHEC, Thiruvananthapuram	27/12/2016
11	Sitting with Sri. B.Srinivas I.AS, the Principal Secretary to Government, Higher Education Department and state level functionaries of RUSA.	27/12/2016
12	Consultation with Retd. Amb.T.P.Sreenivasan, former Vice Chairman, KSHEC	03/01/2017
13	Second round Sitting with the Expert Panel held at KSHEC, Thiruvananthapuram	04/01/2017

Appendix V : List of Those Who Provided Written and Oral Representations

List of Organizations and Individuals who appeared for hearing/preferred suggestions, proposals demands etc. before the One-member Commission

1. Confederation of University Employees Organization.
2. Kerala Aided College Ministerial Staff Association (KACMSA)
3. Federation of all Kerala Non Teaching Association
4. MG University Employees Sangh
5. Kerala Non Teaching Employees Organization (KNTEO)
6. Democratic College Staff Association (DCSA)
7. UFUS
8. All India Democratic Students Organization (AIDSO)
9. Students' Federation of India (SFI)
10. Democratic Research Scholars Organization, University of Kerala (DRSO)
11. Muslim Students' Federation (MSF)
12. Akhil Bharatiya Vidyarthi Parishad (ABVP)
13. Students Islamic Organization of India (SIO)
14. Federation of University Teacher Association (FUTA)
15. All Kerala Govt. College Teacher Association (AKGCTA)
16. All Kerala Private College Teacher Association (AKPCTA)
17. Kerala Private College Teacher Association (KPCTA)
18. Kerala University Teachers Association
19. MG University Teachers Association
20. Calicut University Teachers Association
21. Unnatha Vidhyabhasa Adyapaka Sangh
22. Cochin University Teacher's Association
23. Confederation of Kerala College Teachers (CKCT)
24. Government College Teacher Organization (GCTO)
25. Malayalam University Teachers Association
26. Sree Sankara University Teacher Association
27. All Kerala Govt. College Teachers Association (AKGCTA)
28. Federation Of University Teachers Association (FUTA)
29. Parallel College Association, Kerala
30. Kerala University Environmental Science Students
31. Rajiv Gandhi Institute of Development Studies, Thiruvananthapuram

32. Forum for Public Administration
33. Kerala Private College Ministerial Staff Federation (KPCMSF)
34. Kerala College Librarians' Association
35. Group of Principals of Applied Science Colleges under IHRD
36. Self financing College Teachers and Staff Association (SFCTSA)

In addition to this, the following individuals have also submitted suggestions before the Commission.

1. Dr. N. Narayanan Nair, Director, Kerala Law Academy, Tvpm
2. Jacob Itoop, Joint Registrar (Rtd)
3. Chinchu.C, Psychologist, Trainer and Research Consultant, Association for Social Change, Evolution and Transformation, Kozhikode
4. P. Sanal Mohan, Associate Professor, School of Social Sciences, MG University
5. Dr. J. Prasad, Director, State Council of Educational Research and Training (SCERT)
6. Prof. (Dr.) Jameela Beegum. A, former Head, Institute of English, University of Kerala
7. Prof. (Dr.) Jayaprakash. R, Former Executive Council Member, KSHEC
8. Prof. G. Jayakumar, formerly founder Principal, Govt. Engineering College, Barton Hill, Tvpm.
9. Dr. A.R.Rajan, Director, State Encyclopaedic Publications.



GOVERNMENT OF KERALA

Abstract

Higher Education Department- Kerala State Higher Education Council-Prof. (Dr.)Rajan Gurukkal, Visiting Professor, Centre for Contemporary Studies, Indian Institute of Science (Former Vice Chancellor, M.G. University, Kottayam, Kerala)-Full time One-Member Commission for Kerala State Higher Education Council-Appointed - Orders issued.

HIGHER EDUCATION (C) DEPARTMENT

G.O. (Rt)No. 3233/2016/H.Edn

Dated,Thiruvananthapuram, 25.11.2016

Read: 1.G.O.(P) No: 264/2011/H.Edn dated 12.10.2011
2.Minutes of the meeting held by the Hon'ble Minister for Education on 20.09.2016
3.Letter No. KSHEC/1460/Recnst. Of KSHEC/2016/17 dated 05.10.2016.

ORDER

The tenure of the Executive Council of Kerala State Higher Education Council (KSHEC) constituted as per Government Order read above expired on 11.04.2016.

As per the decisions of the meeting held by the Hon'ble Minister for Education on 20.09.2016, it was decided to amend the Kerala State Higher Education Council Act 2007 to cure it of the current deficiencies as well as to make certain amendments in the lines of the suggestions made by Ministry of Human Resource Development, Government of India, and also to amend the composition of each of the bodies of the KSHEC. The Registrar, KSHEC, as per letter read above, has proposed to constitute a Two-Member Commission to propose amendments to be incorporated in the Higher Education Council Act 2007 as proposed above, and in accordance with the Rashtriya Uchcharat Shiksha Abhiyan (RUSA) Guidelines.

In the circumstances, Government have examined the matter in detail and are pleased to appoint Prof. (Dr.)Rajan Gurukkal, Visiting Professor, Centre for Contemporary Studies, Indian Institute of Science, (Former Vice Chancellor, M.G. University, Kottayam, Kerala) as the full time One-Member Commission for Kerala State Higher Education Council with the following functions, duties and other terms and conditions.

- To review the Kerala State Higher Education Council Act 2007 in a comprehensive manner and to submit specific recommendations and draft legislation for amending the Act within a period of 45 days from the date of assumption of charge.
- The Commission shall have the right to consult the representatives of the stakeholders, academics at the helm of State Universities and such other educational institutions, officials of various directorates functioning in the sector in connection with the discharging of the assigned responsibilities.
- He shall have the right to use the facilities available in the office of the KSHEC including staff, vehicles etc.

A1/AE

26/11/16
RJ

- He will be eligible for remuneration on par with the pay and allowances and other perks of the Vice-Chancellors of the State Universities. The expenditure on account of this will be met from the grant-in-aid of the KSHEC.

(By order of the Governor)

B.SRINIVAS
Principal Secretary

To

Prof. (Dr.) Rajan Gurukkal, Visiting Professor, Centre for Contemporary Studies, Indian
Institute of Science, Sir.C.V Raman Avenue, Bangalore-560012.
The Registrar, Kerala Higher Education Council, Thiruvananthapuram
The Director of Collegiate Education, Thiruvananthapuram
The Principal Accountant General (Audit), (A&E), Kerala, Thiruvananthapuram
Web & New Media (I&PRD)-For publishing in Government Website.
Stock File/Office copy.

Forwarded/By Order



Section Officer