

COMMENTS OF THE COUNCIL ON THE RECOMMENDATIONS OF YASHPAL COMMITTEE

Sl. No.	Topic	Sub topic	Recommendation of the Yashpal Committee	Comments of the Council
1.	2. Challenges of the higher education sector	2.1 Distances and disconnects 2.1.1 Invisible walls	To overcome this, it would be necessary that the universities adopt a curricular approach which treats knowledge in a holistic manner and creates exciting opportunities for different kinds of interfaces between the disciplines, which is unthinkable today in most of the universities and institutions of higher learning. It is important that universities relate to the world outside and the walls of disciplines are porous enough to let other voices be heard. It would also be necessary that the university education is seen in its totality and subject areas not be designed in isolation.	
2.		2.1.2 Divide between Research Bodies and Universities	It should be necessary for all research bodies to connect with universities in their vicinity and create teaching opportunities for their researchers and for all universities to be teaching and research universities.	
		2.1.3 Isolation of IITs and IIMs	Looking at the enormous potential they have, it has been felt that they must strive to be models of all-round excellence, like	

		<p>the famous Massachusetts Institute of Technology or CALTECH in the US. This requires rethinking to prevent isolation of the study of engineering and management from other knowledge areas. This realization is reflected in the initiatives of some of the IITs that aim to introduce humanities and other disciplines and expand their scope. These initiatives strengthen our argument that they need to broaden their curriculum framework and assume the functions of full-fledged universities without losing their unique character. We can then look forward to the day when IITs and IIMs would be producing scholars in literature, linguistics and politics along with engineering and management wizards who would have substantial motivation for engagement with the local community, and the opportunity to use and enhance learning by solving real-life problems in their immediate environment. While working towards this goal we need to understand that different IITs and IIMs would have different strategies to expand and diversify, and we must refrain from issuing a uniform diktat to all of them to move in a prescribed direction.</p>	
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3.		<p>2.2 Architecture of Learning</p> <p>2.2.1 Curriculum issues and syllabus-making</p>	<p>If the syllabi were to be designed with a view to inducting the student into a community of participant citizens, a new kind of institutional culture and ethos can be created in our general and professional colleges. For this to happen, all syllabi should require the teachers and students to apply what they have learnt in their courses, on studying a local situation, issue or problem. There should be sufficient room for the use of local data and resources to make the knowledge covered in the syllabus come alive as experience.</p>	<p>The Council has prescribed Regulations on Graduate Medical Education way back in 1997 wherein the participation of the students in the community affairs as well as orientation of the students towards community medicine has been envisaged. Regulation 2 of the Regulations pertaining to general considerations and teaching approach and Regulation 3 pertaining to objective of Medical Graduate Training Programme read as under:-</p> <p>“2. GENERAL CONSIDERATIONS AND TEACHING APPROACH</p> <p>(1) <i>Graduate medical curriculum is oriented towards training students to undertake the responsibilities of a physician of first contact who is capable of looking after the preventive, promotive, curative & rehabilitative aspect of medicine.</i></p> <p>(8) <i>The importance of social factors in relation to the problem of health and diseases should receive proper emphasis throughout the course and to achieve this purpose, the educational process should also be community</i></p>

				<p><i>based than only hospital based. The importance of population control and family welfare planning should be emphasized throughout the period of training with the importance of health and development duly emphasized.</i></p> <p><i>(9) Adequate emphasis is to be placed on cultivating logical and scientific habits of thought, clarity of expression and independence of judgment, ability to collect and analyse information and to correlate them.</i></p> <p>3. OBJECTIVE OF MEDICAL GRADUATE TRAINING PROGRAMME:</p> <p><i>(1) NATIONAL GOALS : At the end of undergraduate program, the medical student should be able to :</i></p> <p><i>(a) recognize 'health for all' as a national goal and health right of all citizens and by undergoing training for medical profession fulfill his/her social obligations towards realization of this goal.</i></p> <p><i>(b) learn every aspect of National policies on health and devote himself/herself to its practical implementation.</i></p>
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			<p>analyse how well they have understood, and are as a result capable of applying themselves to work and be problem-solving in these situations.</p>	<p>outcomes of these workshops, the Executive Committee had approved the Amendments to Graduate Medical Education Regulations, 1997, Post Graduate Medical Education Regulations, 2000 and Minimum Qualifications for Teachers in Medical Institutions Regulations, 1998 which were approved by the General Body of the Council in 2004. In accordance with the requirements of Section 33 of the IMC Act, 1956, these Amendments were sent to the Central Government for approval way back in 2004. However, the approval was received from the Central Government only in 2008 and 2009. Upon receipt of this approval, the Council has amended these Regulations in 2008 and 2009. It is reiterated that the Council is alert and conscious of the continuous changes required in medical curriculum and is taking effective steps for dealing with the same.</p> <p>The Council has established 72 speciality boards comprising of eminent teachers in the respective subjects for the purpose of evaluating the existing curriculum and to suggest changes in tune with the</p>
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4.		<p>2.2.2 Learning across disciplines</p>	<p>Integrating a given subject to which the student devotes a majority of her/his time with other relevant subjects is therefore essential to improve the current undergraduate education structure.</p> <p>One way of improving the quality of teaching of these additional disciplines and stimulating students' interest is to allow students for whom a subject is additional to study along with those for whom the same subject is primary. For instance, a mathematics student should study and undergo evaluation in philosophy as an optional subject along with students for whom philosophy constitutes the primary subject.</p>	<p>This is not feasible as medical education stream is entirely different in terms of both content and coverage from the subjects of general & technical higher education.</p>

			In sum, there is a need to expose students, especially at the undergraduate level, to various disciplines like humanities, social sciences, aesthetics etc., in an integrated manner. This should be irrespective of the discipline they would like to specialize in subsequently.	
5.		2.2.4 Rehabilitating professional education in the university	<p>In order to provide the graduates of these specialized institutions with a holistic curriculum including other relevant branches of knowledge , it would be necessary that their curriculum framework is so designed that they could work in partnership with other institutions in their vicinity. Instead of making any prescription in this regard the committee proposes that these institutions should evolve creative ways of engaging with diverse range of knowledge areas.</p> <p>In order to build strong epistemic bridges between different fields of professional education and the different disciplines of science, social sciences, and humanities, it is necessary that professional institutions are returned to universities in a complete administrative and academic sense by the abolition of intermediary bodies set up to issue licenses to professional</p>	<p>This is not feasible as medical education stream is entirely different in terms of both content and coverage from the subjects of general & technical higher education. The basic fact should not be lost sight of that amongst all streams of professional education, it is the only discipline which directly deals with human life and to that extent is unique.</p>

			<p>colleges alone, and to inspect them. Such a measure will open the possibility of new kinds of course-designing for professional learning in all fields from management and architecture to medicine and engineering, along the lines indicated in other sections of this report.</p> <p>Alienation of this sector can be overcome by bringing it under the purview of universities and by providing necessary accreditation to the courses available in polytechnics, industrial training institutions, and so on.</p> <p>Laboratories can offer degree level programs of a holistic nature in association with other institutions and can be recognized as universities. However, the organizations or departments themselves should not be treated as universities.</p> <p>This kind of stigmatization of vocational education, as a last resort and essentially for the poorer sections of society, needs to be overcome for speedy development of the skills necessary in the present phase of India's economic development. The setting up of a</p>	
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6.		2.2.5 Undermining undergraduate education	<p>It should be mandatory for all universities to have a rich undergraduate programme and undergraduate students must get opportunities to interact with the best faculty. While appointing teachers to the universities their affiliation to a particular college should also be specified to emphasize the need for their exposure to undergraduate students.</p>	
7.		2.2.6 Performance Criteria	<p>Therefore, in the first parameter we suggest the application of criteria, which derive their value from the categories in terms of which the inequality and social injustice prevailing in Indian society are commonly understood and expressed.</p> <p>Caste and economic class are two other categories on the basis of which a university's</p>	

		<p>performance can be assessed by asking what steps it has taken to reduce gender, caste and class asymmetries, the modality of such steps, and their outcomes.</p> <p>It is necessary that all kinds of documents generated by the university, including its syllabi, the papers and books published by its faculty, the assignments submitted by its students and other products such as audio and video material, be treated as its knowledge products which need to be sampled for independent assessment on the basis of intrinsic merits as well as relevance for the study of problems which are manifest in the university's immediate social and natural milieu.</p> <p>Therefore, we feel that an important set of criteria can be identified within a university's own targets for organizational improvement and its record of moving towards them within specified time frames. Priority areas for such self-motivated institutional reforms can be decided and articulated by the university itself.</p>	
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8.		<p>2.3 Structures, Expansion And Access</p> <p>2.3.1 State universities and affiliated colleges</p>	<p>Even though State Universities are primarily the responsibility of States, because state legislatures create them, development of all young people, be they in state-run institutions or central institutions, is a national responsibility and there cannot be any discrimination between the two. Ideally all benefits, which are thought to be essential for a central university, should be made available to the state universities. To achieve this state governments would need to significantly enhance their support to the universities while the Centre should make matching incentivizing allocations available in a sense of a joint national enterprise.</p> <p>It has been a plea of many academic planners that the colleges need to be treated as the foundation of higher education similar to the way primary schools are for school education. Qualitative development of these colleges should be our priority. While the initiative by the Central government to create more Central facilities in the field of higher education should be welcomed, one must not forget that money needs to be made available for the qualitative</p>	
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		<p>examining bodies to which these colleges can be affiliated. Colleges can also be encouraged to merge with each other to make optimal use of the resources. While doing so it would be important that Colleges are given more autonomy in academic, administrative and financial matters. However, it is necessary for the apex body in the field of higher education to address this vexed problem in a comprehensive manner as one of its first tasks and suggest a time frame for elimination of the present form of affiliating system.</p> <p>The need is, therefore to renew and revitalize the college system and also to "lighten the load" of these universities and freeing the better and large colleges to become independent of the university processes. It has been argued that underperformance of the State universities has a direct relation to their size. Many of the State universities have, over the years, had more and more colleges affiliated to them, which has made it very difficult for them to perform the role of maintaining academic quality.</p>	
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9.		2.3.2 Growth of private-commercial providers	<p>In many private educational institutions, the appointment of teachers is made at the lowest possible cost. They are treated with scant dignity, thereby turning away competent persons from opting for the teaching profession. A limited number of senior positions are filled at attractive salaries, especially from other reputed institutions, mainly for prestige. Otherwise, there are many terrible instances of faculty being asked to work in more than one institution belonging to the management; their salary being paid only for nine months; actual payments being much less than the amount signed for; impounding of their certificates and passports; compelling them to award pass marks in the internal examination to the "favorites" and fail marks for students who protest illegal collections and</p>	<p>It is stated that the Council has proposed Amendment empowering the Council to prescribe "service conditions, pay scales and workload" of medical teachers in the country way back in 2001. This has been sent to the Central Government for approval, however, the matter is still pending since then.</p>

			<p>so on.</p> <p>The solution to the unscrupulous methods of some private investors should not mean doing away with their participation in the field of higher education altogether. In order to reach the goals of doubling the higher education capacity from the present level, it will be necessary to encourage participation of the private sector. At the same time it must be emphasized that governments cannot afford to abandon the responsibility for further augmentation of the existing capacity entirely to the private sector.</p> <p>In fact we must recognize the need for different layers of institutions in the field of higher education, including state-run, private and those established through public-private partnerships. What is required in order to make all of them work efficiently and serve overall national goals is the framing of rational and consistent ground rules overseen by a transparent regulatory mechanism.</p> <p>Purely private initiatives require a credible corrective mechanism to do away with the ills</p>	
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			<p>associated with it currently. It would be necessary for instance that the present practice of family members who sometimes don't have the experience or the competence relating to education occupying the controlling position of the governing systems of the private educational institutions be prevented. Similarly, the practice of conferring academic designations such as Chancellor, Vice Chancellor, and Pro Vice Chancellor on members of the family has to stop.</p> <p>There is a need to have a clear understanding of the difference in the roles of a promoter or philanthropist as a trustee as opposed to being an executive of the institution he or she establishes. Executives must have appropriate abilities and qualifications required for the job.</p> <p>All private institutions, which seek the status of a university, will have to submit to a national accreditation system.</p>	<p>The present provisions of the IMC Act, 1956 does not envisage accreditation of a medical institute. It only deals with recognition of a medical qualification to differentiate the medical institute into different categories. The Council had suggested a comprehensive model as well as a</p>
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			<p>programmes of a more holistic nature.</p> <p>All this would mean modification in the legal framework under which such entities operate to include very tight regulations on auditing their accounts, on transparency, on paying a minimum stipulated salary to qualified and competent teachers, and an insistence on a certain percentage of seats being provided full scholarships/freeships on the basis of merit. The modalities of this and of any mandatory reservations can be worked out.</p>	
10.		2.3.3 Mushrooming of deemed universities	<p>In view of considerable misuse of the provision for Deemed University status, the granting of such status should be put on hold till unambiguous and rational guidelines are evolved. Institutions wishing to get deemed university status should demonstrate special capabilities as was originally intended and should be rigorously evaluated to see if they fulfill the holistic and universal concept of university outlined in his report. The institutions, which have somehow managed to secure such status should be given a period of three years to</p>	<p>The Council has already proposed the guidelines under which the institutions can be considered for conferring deemed university status under “de novo” category. The emerging areas for the academic operation thereat have also been catalogued by the Council. This has been submitted to the UGC vide a communication dated _____. However, it seems that no action has been taken by the UGC till date.</p>

		<p>develop as a university and fulfill the prescribed accreditation norms failing which the status given to them would be withdrawn.</p> <p>Every University, Public or Private, could strive to attain the status and eminence that is expected of a university, derived from the adherence to the basic concepts of university discussed in this regard in terms of curriculum, feasibility of its regulation and transparency of the governance system. Every university, large or small, should have the scope to rise up to the prestige achieved through its performance and recognition. While the State could do everything to enable the university to demonstrate higher levels of performance, it is also incumbent on the universities themselves to organize their programmes and activities in a manner that would continue to attract the support of the State as well as the Private enterprise. The ability to attract partnership from private sector, either in the execution of its programmes or in more enduring relationship will be conditioned by the demonstration by the university as to how well it is organized and by the level of its</p>	
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		<p>performance which would be judged by the criteria as suggested in this report and to be worked out by the apex body in the field of higher education.</p> <p>The behaviour of some private universities has become a matter of serious concern to a large body of students and parents. There have been several instances of campus violence and related litigations. A detailed probe into the basic reasons for the concerns revealed that many of them were professional colleges that got approval from the regulatory bodies for university status. Immediately thereafter, they started admitting five to six times their intake capacity, without a corresponding increase in faculty strength or academic infrastructure. The classes and laboratories were conducted at strange hours like a factory production operation. The students who paid huge capitation fees felt cheated. The students from the underprivileged sections could not get admission in many of them due to heavy capitation fees.</p> <p>The existing guidelines and the Memoranda of Association (MOA) with the UGC were ambiguous and inappropriate to the new</p>	
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11.		<p>2.3.4 Issues of affordability</p>	<p>The primary focus should, therefore be on making education affordable, either through scholarships or loans. An assured loan to every student (and a scholarship based on merit for the needy) in accredited institutions should be the aim (and our recommendation). Institutional funding can then be for capital costs and research, and based on the worthiness of the institution. Once a student qualifies to enter an institution of her choice, she should not be deprived of education for want of money. It is the duty of the institution and the state to provide for her education through means as suggested above. Steps need to be initiated to ensure availability of loans and scholarships.</p>	<p>It is pertinent to note that the Hon’ble Supreme Court of India has directed a Fee Monitoring Committee in each state to evolve a quantum of fees payable by the students for different streams of unaided education. All the states have accordingly set up the Fee Monitoring Committees. Rather than creating a separate infrastructure, it is proposed that the already existing infrastructure may be better utilized for regulation of fees to be paid by the students in private institutions. It is also proposed that the deemed universities which have been kept out of the purview of the Fee Monitoring Committees may also be brought within the ambit of this Committee for effective regulation of the fees across the state.</p>
12.		<p>2.3.6 Resource management and financing</p>	<p>While the State cannot walk away from its responsibility of financing higher education, imaginative ways will have to be</p>	

		2.3.6.1 Financing	<p>devised to find complementary sources of funds so that our universities can move beyond their current levels of engagement with students and excellence in providing education. Changes in regulatory systems are required to encourage philanthropy from society.</p> <p>Block grants against a plan should become the norm with universities being competent to expend according to their priorities.</p> <p>No student should be turned away from an institution for want of funds for education. Guaranteed student loans at low interest rates for those who can take loans and free education for those who cannot afford it at all will be necessary to educate India.</p>	
13.		2.3.6.2 Human Resource Management	<p>Urgent measures are needed to bring such people who enjoy teaching and research back to the university. Resources in terms of laboratories, libraries, research assistance etc. as well as competitive remuneration would be needed to attract as well as retain good people to our universities.</p>	
14.		2.4 Governance and Autonomy	<p>There is an urgent need to improve governance by developing expertise in</p>	

		<p>2.4.1 Poor governance of universities</p>	<p>“educational management” and avoid burdening good academics with administrative chores. One way to go about this is to encourage universities to start programmes in management of educational institutions. A separation between academic administration and overall management (including fund-raising) may be desirable. In this context it will be necessary for many state governments to abandon the trend of appointing of civil servants as university administrators.</p> <p>In general the Governance structure of centrally funded institutions, such as the Central Universities, IITs, NITs, IIITs, IISERs etc., are relatively more autonomous than the state funded institutions. Even among state institutions, National Law Universities enjoy high levels of autonomy as compared to other state universities. The governance structure and autonomy of the IIMs are one step ahead of the IITs, which - in turn - were beyond the traditional universities. This progression needs to be continued.</p> <p>Any change in the governance structures of a university should be aimed at achieving more autonomy for it. In academic matters,</p>	
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			the teacher should have complete autonomy to frame her/his course and the way she/he would like to assess her/his students. This autonomy should also be available to the students who should be allowed to take courses of their choice in a relaxed manner from different universities and then be awarded a degree on the basis of the credits they have earned.	
15.		2.4.3 Subversion from within	There is a need for deep introspection by the academia on the origins and the extent of the crisis that the higher education system is going through and on its own role in exacerbating this crisis. This introspection would reveal that there has been a willing abdication on part of the academic community, of the autonomy which was available to it. Education was made subservient to ideological compulsions which led to its loss of respect.	
16.		2.5 Multiplicity of regulatory systems	Given the national aspirations for greater and equitable access to knowledge it is essential that the regulatory system propel the growth in the right direction. A well-designed regulatory system will also help to promote a high degree of professionalism in managing higher education institutions.	

			<p>Therefore, it is important to design a balanced and all encompassing regulatory mechanism that is overarching, transparent and ensures accountability which would evoke confidence in the academic institutions and academic body at large.</p> <p>It needs to be realized at this stage that the creation of bodies like the AICTE, ICAR, MCI and so on has certainly helped in focusing attention on specialized areas. It has, at the same time, fragmented the higher educational sector in the country from a policy perspective.</p> <p>The higher education institutions in India are regulated by many statutory agencies such as</p>	<p>It is observed that the conclusion which has been drawn by the Committee to the effect that the creation of the Regulatory Bodies like MCI have resulted in the fragmentation of the higher educational sector from policy perspective is erroneous, in as much as, that it is indeed a modality for specific focusing of attention on specialized areas like medical education, which have been categorically defined in no uncertain and ambiguous terms. Section 2(f) of the Indian Medical Council Act, defines the scope and ambit of Modern Medicine thereby clarifying the inclusions as well as exclusions in it.</p> <p>The medical institutions in India are regulated by the Medical Council of India as per the provisions of the IMC Act, 1956 and various regulations framed thereunder. As there is a unified regulatory body, there is</p>
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			<p>the All India Council of Technical Education (AICTE), Bar Council of India (BCI), Council of Architecture (COA), Indian Nursing Council (INC), Medical Council of India (MCI), National Council on Teacher Education (NCTE), Pharmacy Council of India (PCI), Distance Education Council (DEC), University Grants Commission (UGC) and so on. In addition, there are regulations of the institutions by Central and State universities as well as by the Directorates of College and Technical Education in each State, leading to undesirable cubicalization of knowledge, unwarranted fragmentation of disciplines and separation of knowledge from application and skills.</p>	<p>no fragmentation or separation of knowledge in different disciplines of medicine. It is further stated that the requirements of each professional course like Medical, Dental, Architecture, Engineering, Management, etc. are different. The course content and the duration of the course are also markedly different from one another. As the Medical Council of India is a sole regulatory body in the field of medical education, the kind of embarrassing situation postulated in Yashpal Committee Report is not likely to arise. However, at this juncture, it is pertinent to note that the Ministry of Health & F.W. rather than respecting the autonomy of the Council has over-ruled the recommendations of the Council on several occasions, granting letter or renewal of permission when the Council has recommended otherwise because of the deficiencies of teaching faculty, clinical material, infrastructure etc. without assigning any reason thereof. Such erosion of the autonomy has created more damage to the quality of medical education rather than lack of coordination. This can be certainly be avoided if greater and</p>
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17.	<p>3. Recovering The Idea Of University: A Roadmap</p> <p>There is no doubt that the</p>	<p>3.1 A New Regulatory Framework</p>	<p>A holistic view of knowledge would demand a regulatory system, which treats the entire range of educational institutions in a holistic manner.</p>	<p>The distinction has to be made in respect of medical education in the sense that it is inseparably connected with the treatment of patients. It</p>

<p>Indian higher education system, given the enormity of the challenges it is facing, needs a drastic overhaul. Apart from various short-term issues there is a serious threat to the very idea of the university and its values of knowledge generation in our society today. This report is therefore making definitive recommendations pertaining to the overall structure of the system of higher education in the country. However, what exactly needs to be done in detail is beyond the scope of this Report and we are separately suggesting that a Task Force is given the responsibility for it. Implementation of our prescription has to be worked out by institutions of higher education themselves, in keeping</p>		<p>All of higher education has to be treated as an integrated whole. Professional education cannot be detached from general education. It would be, therefore, imperative that all higher education, including engineering, medicine, agriculture, law and distance education, is brought within the purview of a single, all-encompassing higher education authority.</p> <p>The National Policy of Education (1986) and the Plan of Action, 1992 envisaged the establishment of a national apex body for bringing about greater co-ordination and integration in the planning and development of higher education system which would include research.</p>	<p>cannot be delinked from the medical services being provided by the affiliated teaching hospital which would not be the case with other areas of higher education.</p> <p>As the professional education of all the fields are distinct from each other having unique characteristic to each discipline like Engineering, Medicine, Agriculture, Law etc., no useful purpose can be served by bringing all these different fields of professional education within the ambit of a single higher education authority. Even then, such an authority of different facets of professional education will have to be ultimately dealt by separate division distinct from each other.</p>
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	<p>with the principles of autonomy and self-regulation that this report seeks to preserve and promote.</p>		<p>The UGC has performed its overarching function of steering the higher education in this country. However, over time, new Councils have been set up to promote and regulate specialized areas of education. Presently, there are 13 such professional Councils created under various Acts of Parliament. We see the present functions of these Councils as two-fold; first, the bench-marking of standards for professional practice and second, the pedagogy and academic inputs required for professional studies. It needs to be acknowledged that not all academic engagement in a professional programme of study leads to practice of the profession. A medical graduate may not necessarily practice medicine but choose to engage in research in allied areas or teach including interacting with other disciplinary areas. Increasingly, there is convergence of disciplines which were stand alone in the past.</p>	<p>The conclusion drawn by the committee are unilateral to the effect that all academic engagements in a professional programmes of study leads to practice of profession. Likewise, the number of medical graduates choosing to engage in research in allied areas is minuscule. So also the medical graduate integrating with other disciplinary areas in terms of professional practice is barred by the specific pronouncement by the Hon'ble Supreme Court. The convergence of disciplines with reference to professional studies needs to be in tune with the models in vogue in the developed countries in the global context.</p> <p>While this may be true in a few specific cases the fact remains that the overwhelming majority of more than 95% of the medical graduates are either engaged in the practice of medicine or employed as medical</p>
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			<p>It is, therefore, proposed that the academic functions of all these professional bodies, be subsumed under an apex body for Higher Education, to be called The National Commission for Higher Education and Research (NCHER). Rather than acting as bodies engaged in giving licenses to professional institutions, these bodies should be looking after the fitness of the people who wish to practice in their respective fields. They should be divested of their academic functions. They may conduct regular qualifying tests for professionals in their respective fields - a Bar Council exam for practicing advocates for example. The professional councils may prescribe syllabi for such exams and leave it to the universities to</p>	<p>teachers in medical institutions. In fact very few medical graduates choose to engage in research arena as a career or allied areas or interdisciplinary areas.</p> <p>As stated in the above para, all the different disciplines of professional education are distinct from each other. The academic function of all these professional bodies cannot be subsumed into one authority and no meaningful purpose can be served. It is further stated that so far as professional courses like MBBS are concerned, the education and the practice are inter-dependent and inter-linked and can neither be compartmentalized nor be segregated.</p> <p>The Medical Council of India is carrying out the task of prescribing the syllabi for undergraduate and</p>
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			<p>design their curriculum including such syllabi. All academic decisions should necessarily be left to academics in universities. Similarly, any 'vocational' or technical education, which is post-secondary, should be the concern of the universities.</p>	<p>postgraduate courses and the implementation of the detailed curriculum is left to the university within the broad frame work prescribed by the Council. The autonomy of the university is not infringed in any manner and it is open for the concerned university to augment the same but is not entitled to compromise with it in any manner whatsoever.</p> <p>It is therefore observed that contemplating that the professional Councils should be divested of the academic function and the gamut of the academics be vested with the universities would be 'utopian', basically because the aims and objectives of the medical education model are subtle and defined. Out of this model the trained health manpower is required to be generated to cater to the efficacy & effectivity of health care delivery system at large. This therefore mandates and contemplates a desired uniformity of course contents and</p>
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			<p>This is not just a change in the nomenclature of UGC or any other existing regulatory body. The structure and composition of the proposed NCHER, which would also subsume UGC, AICTE, NCTE and DEC apart from the academic aspects of the professional Councils, is meant to insulate it from political and other external interferences from the government of the day. By making it report directly to the Indian Parliament, it is ensured that the NCHER would be made fully accountable. The proposed NCHER should move away from the current tendencies of the existing regulatory bodies</p>	<p>curriculum including identification of the competencies which are required to be acquired by the graduates at the end of the curriculum. This being left to the multiple universities in the country could end up in several dichotomies and would be an 'antithesis' to the desired uniformity.</p> <p>It is necessary to reconcile that the founding fathers while formulating the Indian Medical Council Act,1956 contemplated the Medical Council of India to be a body of experts, with a basic faith and belief that the said expertise is neither substitutable nor subsumable. However, subsequent action of the Government of India, particularly in the recent past has formed a basic reality of treating the Medical Council of India as a "recommendatory body rather than regulatory authority". Even before the Parliament, the then Hon'ble Minister of Health & F.W. has categorically stated that "these</p>
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			<p>to control and impose bureaucratic interferences in the functioning of universities and colleges.</p>	<p>Councils were formed by the Ministry to assist the Ministry". The conflicting perception is loud and clear to the extent that when the Council is said to be "constituted by the Ministry to assist the Ministry", it marginalizes and infringes the autonomy of the Council. It is reiterated that the regulatory authority can dispose of its statutory task without any sense of fear only and only if it is vested with "required optimal autonomy" without any interference from any other authority including the government. It is also reiterated that the autonomy as is contemplated for NCHER, has never been vested with the MCI so far.</p> <p>It is denied that the MCI has imposed bureaucratic interference in the functioning of the universities and the medical colleges. As a matter of fact, having prescribed the broad guidelines, constituting frame work of the syllabus both the universities and the medical colleges are left to devise their own methodology to</p>
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			<p>The creation of this entirely new structure of NCHER is being proposed with full realization of the commendable role played by the UGC for a long time. It was created at a time when there were hardly more than 25 universities and practically no private university. Times have changed dramatically and the challenges in the field of higher Education demand an entirely new approach towards the issue of regulation. It would do no good if we go for incremental changes in the present regulatory structures. A new structure created to respond to the new emerging realities has always a better chance to last more than the older frames with incremental changes. This is with full realization that a time may</p>	<p>implement the detailed curriculum ensuring that minimum baseline prescribed by the Council is not compromised in any manner whatsoever.</p> <p>It would be a futile exercise to compare the functioning of the MCI with NCHER without vesting it with the autonomy as has been contemplated for NCHER.</p>
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			<p>come when the structure, which is now being proposed, would be deemed as insufficient and then new ways of managing higher education would be found out by future generations.</p> <p>The National Commission for Higher Education and Research (NCHER) would perform its regulatory function without interfering with academic freedom and institutional autonomy. It would not take recourse to inspection-based approval method. From the current inspection-approval method, it would move to a verification and authentication system. As a matter of fact, we envisage universities and institutions to put out self-declarations mandatorily in the public domain for scrutiny. Universities are to be seen as self-regulatory bodies and the Commission is to be seen as a catalytic agency which is more interested in creating more and more space for the individuality of each university and protecting their autonomy.</p>	<p>It has been consistent observation of the Council that self declaration particularly in respect of medical institutions is of limited use and purpose. Over a plethora of inspections, it has been observed that the institutions make tall claims regarding availability of infrastructure, functional hospital of 300 beds, availability of teaching faculty and clinical material which are the two most important parameters to judge the adequacy for imparting quality medical education and other important infrastructure like library, hostel etc. which on inspection have been found to be far away from said claims. In a number of inspections, the Council is also obliged to issue show cause notice to the respective State Governments for issuing Essentiality Certificate for establishing a new medical college</p>
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				<p>certifying that the applicant/trust owns and manages a functional hospital of 300 beds when on inspection it has been found that rather owning and managing of 300 beds functional hospital, there is no functional hospital at all. As the medical education deals with the life of human beings, it cannot serve the effective purpose unless & until the self declaration made by the institutions are verified and validated by the team of inspectors. It is submitted that the experience of the Council is far from satisfactory in respect of universities and medical institutions as self regulatory bodies.</p> <p>It has also been observed that even though specific criteria for eligibility of admission and examination have been laid down and prescribed in the regulations which being statutory regulations are mandatory and binding in character and are required to be adhered to by all the authorities concerned, every year the Council detects the instances of ineligible</p>
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			<p>Keeping in mind the federal nature of our country and the role of the States in the field of higher education, it would be necessary to create Higher Education Councils in the states which would be in constant dialogue with the national NCHER with an aim to create a comparable national system of higher education which respects regional diversities and also allows different kinds of institutions, created by the state or the centre to grow on equal footing. There are already some states with well functioning Higher Education Councils, like West Bengal, Kerala and Andhra Pradesh. Other states can be encouraged, through appropriate incentives, to establish such bodies. These HECs would also insulate State Universities and</p>	<p>students being admitted or university not conducting examinations as per Regulations.</p> <p>As the regulation of medical education is a centralized activity with uniform standards to be enforced through out the country, separate and different Council in the State for medical education is neither required nor necessary.</p>
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			institutions from outside interference.	
		3.2 Objectives of the Commission for Higher Education and Research (NCHER)	<p>The Commission shall:</p> <ul style="list-style-type: none"> ⌚ Be responsible for comprehensive, holistic evolution of HE sector; ⌚ Strategize and Steer the expansion of higher education; ☐ Ensure autonomy of the universities and shield them from interference by external agencies; ☐ Acts as a catalyst and also as a conduit to encourage joint/cross-disciplinary programs between and amongst Universities and Institutes; ☐ Spearhead continuous reforms and renovation in the area of higher education; ☐ Establish robust global connectivity and make it globally competitive 	

			<p>while creating our own world class standards;</p> <ul style="list-style-type: none"> <input type="checkbox"/> Promote greater engagement and enhancing resources to State universities with an aim to bridge the divide between the State and Central universities; <input type="checkbox"/> Ensure good governance, transparency and quality in higher education; <input type="checkbox"/> Connect with industry and other economic sectors to promote innovations; <input type="checkbox"/> Devise mechanisms for social audit processes and public feedback on its performance and its achievements; and <input type="checkbox"/> Devise mechanisms for social audit processes and public feedback on its performance and achievements. 	
		3.3 Restructuring Universities	The foundational principle on which Indian universities need to be restructured is that	

			<p>complete autonomy of institutions of higher learning is essential for free pursuit of knowledge. While in practice, autonomy of any institution is closely linked to structural factors such as its sources of finance, the legal framework it operates under and rules and regulations it is subjected to, it is also critically dependent on the overall culture prevailing within them.</p> <p>So in order to achieve autonomy, Indian institutions of higher learning need to:</p> <p>a) Be freed from control of both government and 'for-profit' private agencies in matters of not just academics but also finance and administration;</p> <p>b) Collectively frame for themselves a transparent set of rules to guide their regular functioning and submit themselves to an internationally recognized process of evaluation;</p>	<p>It is submitted that as per the present scheme of the IMC Act and the Regulations thereunder, an elaborate mechanism has been prescribed for obtaining the permission for establishing a new medical college or new course of study or to increase the admission capacity u/s 10 of the IMC Act,1956 and the Regulations on</p>
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				<p>Graduate Medical Education Regulations, 1997; Postgraduate Medical Education Regulations,2000; Minimum Qualifications for Teachers in Medical Institutions Regulations,1998; Minimum Standard Requirements for the Medical College for 50/100/150 Admissions Annually Regulations, 1999 framed thereunder. Similarly, for recognition of the degrees awarded by Indian Universities also a set and transparent procedure has been prescribed u/s 11 of the Indian Medical Council Act,1956. The Council evaluates the institutions in terms of the availability of facilities of teaching faculty, clinical material, teaching hospital and other important infrastructure like hostel, library etc. As has been indicated above, the Council has come across several instances wherein the claim made by the medical institutes have been found to be grossly exaggerated and far from the existing and available facilities as observed during inspection. It is difficult to</p>
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			<p>c) Foster a culture of independent assertion of ideas, guarding of institutional prerogatives from external interference, transparency and accountability for decisions taken.</p> <p>The process by which institutions of higher learning obtain autonomy is also critical to their ability to first understand its value and sustain it in the long run. It is recommended that a series of consultations, dialogue and debate be undertaken by the NCHER with wide participation from all relevant sections of society to arrive at a broad consensus on the details of the structural changes needed to ensure autonomy.</p> <p>The University will facilitate undergraduate education program in a manner that all students will have opportunities to access several disciplines in all knowledge areas. In addition</p>	<p>comprehend how an international recognized process of evaluation would be different from the process being adopted by the Council in absence of specific particulars.</p>
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		<p>the universities will also have vibrant research areas, not oriented towards any particular department, but built around thematic concerns. This will enable researchers from several disciplines to work together. It would also be worthwhile to create 'virtual departments' to represent emerging areas of knowledge which can have members from more than one university. In order to facilitate this primary goal it is necessary to have a governance system that is visionary and transparent and leadership at all levels, including VCs.</p> <p>Universities have become strongly centralized at the levels of the Vice Chancellors and Registrars with little or no participation of individual faculty. Institutions that are faculty governed (when it comes to academic leadership) are found to be more nimble and reactive to changes in the environment. This rigidity is largely derived from the controls currently exercised by the</p>	
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			<p>governments. Delays in appointment of VCs, approval of faculty positions, approval of funds for new programmes, disbursement of funds etc., and even in fixation of pensions at times, are not uncommon. In addition, the academic institutions that are controlled either by the Central or State governments are found to suffer from certain rigidity in developing innovative academic as well as compensation-related practices.</p> <p>Persons associated with administering and managing academic institutions are most often not trained or equipped with knowledge of best or next practices in academia globally. Universities have not been able to attract talented administrators for a variety of reasons.</p> <p>The increasing involvement of Higher Education Institutions and Universities in long drawn out litigation in judicial courts is also a matter of deep concern. Such litigation often involves various stakeholder groups and at times even institutions vying with each other</p>	
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			<p>legally. Precious time that ought to be devoted to teaching, learning and research is spent wastefully in courts of law, which is avoidable. We feel that there should be a fast-track statutory mechanism in place for the adjudication of disputes between teachers, employees and management of institutions and universities in respect of matters concerning service conditions, as well as in matters of disputes relating to fee, admissions etc. We recommend that a suitable law be enacted to establish a National Education Tribunal along with State Education Tribunals or appropriate number of Benches of the Apex Tribunal in place for such adjudication. This would be in line with the observations of the Supreme Court of India in the TMA Pai matter, where such Tribunals were recommended.</p> <p>The leadership of universities is often in the hands of government administrators as well as executive councils or similar agencies that are</p>	
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			<p>far removed from the institutions and do not have a good understanding of the issues of concern, needs of development and growth of institutions. In addition, these councils are too large in numbers to make nuanced decisions. Many a time, the boards or equivalent bodies are filled with ex-officio members who change so often that their presence on these bodies becomes disruptive due to lack of continuity. The VCs most often have low degrees of freedom in terms of administrative stretch, and faculty often has even lower degrees of freedom vis a vis the university authorities. Universities need the autonomy to operate in a healthy competitive setting. The leadership of the university must be driven by the objectives of the institution and draw on government only for macro policies. They need to set their own policies and thereby experiment with strategies on university governance. They need to be accountable to the various stakeholders - the society, government, students, recruiters, alumni etc. A University needs a governance system, which is engaged with the university and</p>	
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			<p>comprising people who understand the ethos of the institution. The role of VCs is to attract the best of students, faculty and staff to the institution by making their institution very attractive to these talents.</p> <p>The governance structure of a university should be revamped so as to make them more democratic and efficient in their functioning. The academic decisions need to be freed from excessive bureaucratic controls both within as well as outside the university. At the same time a university needs to engage with society. Creating consultative bodies on the lines of Parliamentary Consultative Committees can also ensure participation of people's representatives at different levels. This mechanism would be statutory in nature and it would be mandatory for the university to share all information with such committees.</p> <p>The role of a VC is to provide academic leadership to the university, develop and execute the vision of the university including its growth and to ensure that the university is</p>	
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			<p>academically and financially healthy. This requires skills that reach beyond academic talent. The VC must enunciate a sound financial model for the university and undertake the fiduciary responsibility of the university. He/she also ensures that the regulatory requirements are met. He/she works with the Pro-VC and the Deans to manage the activities of the institution.</p> <p>The universities should also be able to employ professional fundraisers who have the skills to identify the unique selling points of the university and persuade potential donors and investors to invest in the university. One obstacle today is the lack of any trust about the proper utilization of the donation or beneficial use of money.</p>	
		3.4 Agenda for action	<p>i. Creation of an all-encompassing National Commission for Higher Education and Research (NCHER), a Constitutional body to replace the existing regulatory bodies including the UGC, AICTE, NCTE and DEC (See Appendix A) and to follow up the Constitutional amendment with an appropriate law for the Commission's</p>	<p>1. For the reasons stated above the Council is not in favour of creation of an all encompassing National Commission for Higher Education and Research (NCHER) to replace the existing regulatory bodies.</p> <p>2. The Medical Council of India has</p>

			<p>functioning;</p> <p>ii. Universities to be made responsible regarding the academic content of all courses and programmes of study including professional courses. Professional bodies like the AICTE, NCTE, MCI,BCI,COA, INC, PCI etc. to be divested of their academic functions, which</p>	<p>already prescribed the broad guidelines for undergraduate MBBS course vide Graduate Medical Education Regulations, 1997. It has also prescribed the guidelines for the syllabus for various broad specialties of MD / MS for Postgraduate degree / diploma. As such the Universities are free to evolve a detailed curriculum within the broad framework of the syllabus prescribed under the Regulation. However, allowing universities to be made responsible regarding the academic content of all courses and programmes would not also be counter productive but would lead to utter chaos and disorder in the absence of centralized broad based framework within which the universities may be permitted to evolve a detailed curriculum as is being done by the Council as of now evoking and ensuring uniformity all over the country. As has been stated above so far as</p>
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			<p>A Few premises on institutional autonomy of universities</p> <p>□ Any agency whose intention is to protect students from sub-par education is better off by providing information on the programmers and universities to the student rather than walk the slippery path of establishing minimum standards of quality (for education</p>	<p>professional education is concerned the practice and education are interlinked and cannot be segregated for separate. It is in the fitness of thing that the academic functions which are vested with the professional bodies like MCI are maintained as it is.</p> <p>It is also felt that for producing the effective results as desired by the Committee, it is essential that the professional councils like MCI are extended the same quantum of autonomy and freedom as is envisaged for NCHER.</p>
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			<p>is about academic over-reach rather than reaching the minimum). The objective is also to ensure that universities follow national policies on equity and ensure that no student is turned away for want of financial resources.</p> <ul style="list-style-type: none"> □ The above, however, may not ensure that certain national or social objectives will get achieved. Here, the above suggestion has to be supported with targeted subsidies to induce certain desired behavior. This will be a wiser way of persuading universities to behave in a certain manner without coercion or intrusion in the autonomy of the institutions. □ The rest of the areas of failure in policy design & implementation (especially, when it comes to public interest) is hoped to be plugged through good judgment of policy-makers and university administrators. □ Decentralize decision-making to universities vis-à-vis the Central or State agencies. □ Decisions regarding an institution must be taken by its board of governors or other similar bodies as opposed to agencies in national or State capitals. The latter do not understand well the nuanced requirements of individual institutions. □ Learning and innovation requires 	<p>The Medical Council of India is alive and conscious of the fact that the practice of medicine is an ever changing science. After having prescribed the first set of Regulations during the period 1997 to 1999, a need for the revision was felt and therefore the Council organized three regional workshops at Calcutta, Bangalore and Mumbai in 2003 and a national workshop in New Delhi. Based upon the recommendations of the national and regional workshops, a series of amendments were approved by the General Body of the Council in the year 2004 and which was sent to the Central Government for approval in 2004 itself. However,</p>
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			<p>unencumbered thinking and building a sense of infinite possibilities in the minds of young students and faculty.</p> <p>would be restored to the universities;</p> <p>iii. Curricular reform to be the topmost priority of the newly created NCHER which would create a curricular framework based on the principles of mobility within a full range of curricular areas and integration of skills with academic depth;</p> <p>iv. It should be mandatory for all universities to have a rich undergraduate programme and undergraduate students must</p>	<p>the approval from the Central Government was accorded during the year 2008 - 2009. It is therefore felt that this kind of administrative delay of almost 4 ½ years by the Central Government to accord approval to the amendments is certainly avoidable. As such, the Medical Council of India is required to be given autonomy to frame its own Regulations rather than the need of seeking prior approval from Central Government, which in normal course inordinately delayed to the extent that by the time the Regulations are notified, they become redundant.</p> <p>It is further stated that the Council has already formed 72 Boards of Specialties in different subjects of medical education for periodic and timely revision of the syllabus. It is firm opinion of the Council that integration of practical skills with theoretical academic knowledge is crucial for a person to become a successful doctor.</p>
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			<p>get opportunities to interact with the best faculty. While appointing teachers to the universities their affiliation to a particular college should also be specified to emphasize the need for their exposure to undergraduate students;</p> <p>v. Undergraduate programs to be structured to enable students to have opportunities to access all curricular areas with fair degree of mobility. It is highly recommended that normally, no single discipline or specialized university should be created;</p> <p>vi. The vocational education sector is at present outside the purview of Universities and colleges. Alienation of this sector can be overcome by bringing it under the purview of universities and by providing necessary accreditation to the courses available in polytechnics, industrial training institutions, and so on. Additionally the barriers to entry into universities for students going through vocational training should be lowered to enable them to upgrade their knowledge base at any stage of their careers;</p>	
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			<p>vii. The NCHER should also galvanize research in the university system through the creation of a National Research Foundation;</p> <p>viii. New governing structures to be evolved to enable the universities to preserve their autonomy in a transparent and accountable manner;</p> <p>ix. Practice of according status of deemed university be stopped forthwith till the NCHER takes a considered view on it. It would be mandatory for all existing deemed universities to submit to the new accreditation norms to be framed on the lines proposed in this report within a period of three years failing which the status of university should be withdrawn. However, unique educational initiatives which have over a period of time enriched higher education by their innovations to be given recognition and supported appropriately;</p> <p>x. Modern higher education system requires extension facilities, sophisticated equipment and highly specialized knowledge and competent teachers. It would not be possible for every university to possess the best of these infrastructures. Hence, one of the</p>	
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			<p>primary tasks of the NCHER to create several inter-university centers (IUCs) in diverse fields to create the best of these possibilities and attract the participation of several institutions of higher learning to avail them. The model already successfully demonstrated by the IUCs of the UGC like the Inter University Centre for Astronomy and Astrophysics, Inter University Accelerator Centre and others, would be a valuable guidance in their structures, governance, operation and support.</p> <p>xi. Institutions of excellence like the IITs and IIMs to be encouraged to diversify and expand their scope to work as full-fledged universities, while keeping intact their unique features, which shall act as pace-setting and model governance systems for all universities;</p> <p>xii. One of the first tasks of the NCHER should be to identify the best 1,500 colleges across India to upgrade them as universities, and create clusters of other potentially good colleges to evolve as universities.</p>	
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			<p>xiii. Universities to establish live relationship with the real world outside and develop capacities to respond to the challenges faced by rural and urban economies and culture;</p> <p>xiv. All levels of teacher education to be brought under the purview of higher education;</p> <p>xv. A national testing scheme for admission to the universities on the pattern of the GRE to be evolved which would be open to all the aspirants of University education, to be held more than once a year . Students would be permitted to send their best test score to the university of their choice.</p> <p>xvi. Quantum of Central financial support to State-funded universities be enhanced substantially on an incentive pattern, keeping in view the needs for their growth;</p> <p>xvii. Expansion of the higher education system to be evaluated and assessed continuously to excel and to respond to the needs of different regions in India in order to ensure not only equity and access but also quality and opportunity of growth along the academic vertical. The NCHER too should be</p>	
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			<p>subject to external review once in five years.</p> <p>xviii. Establish a National Education Tribunal with powers to adjudicate on disputes among stake-holders within institutions and between institutions so as to reduce litigation in courts involving universities and higher education institutions; and</p> <p>xix. Set up a Task Force to follow up on the implementation of this Agenda for Action within a definite time-frame.</p> <p>Some of these recommendations may be implemented immediately while others may take some evolutionary steps and procedures. Even so, it is hoped that the ideas behind them would be kept alive by keeping them under active and wide-ranging discussions. In fact, there should be an educational movement to continuously articulate and debate these issues so that changes are made in keeping with the emerging trends nationally and globally on the most effective forms of higher education.</p>	
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			<p>These recommendations are not for all times to come. There should be sufficient social and political awareness to continuously monitor and adopt new innovations based on the ever evolving demands of the society and economy.</p>	
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