

AIFUCTO submitted representation to Dr.M.M.Pallam Raju Hon'ble Minister for MHRD, Government of India

Ref. MINISTER HRD/01/2013

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Dr M M Pallam Raju
Honorable Minister for MHRD
Govt. of India

Respected Sir

Greetings.

The All India Federation of University and College Teachers' Organizations (AIFUCTO) expresses its thanks to Hon'ble Minister for MHRD for having given us an audience to discuss a wide spectrum of issues confronting Higher Education & our professional demands.

Thanks for MHRD initiatives

We sincerely thank you for some recent actions which have benefited teachers of higher education. These include the reimbursement of 80 per cent share of the Union Govt. to the states who have submitted the claim. We request you to make early payments of claims being submitted now. We are the only category of employees in central & state Govt. sector who are yet to get the full arrears from the Govt. of India even after seven years of the implementation of 6th pay revision. A further communication in this regard will be of great help to all the university and college teachers across the country.

We also thank you for the timely proposal of revamping higher education in the states as contained in the program-'Rashtriya *Uchatar Siksha Abhiyan*'. We welcome the proposed scheme and assure you that we shall extend our whole hearted support for the success of the same.

We have been regularly interacting with the officials of HRD and we are very thankful to them for constructive approach.& sincere efforts to improve higher education in India.

The AIFUCTO-- Federation representing more than 95 per cent of teachers

The AIFUCTO is a pan-Indian organization of more than 5 lac College and University Teachers who are affiliated through more than 250 affiliates throughout India. The organization has been relentlessly working for the welfare of the teachers, students, improvement of Higher Education, and society at large for more than 5 decades. The AIFUCTO has celebrated Golden Jubilee in December 2012 at Varanasi, UP, its birth place. Our leaderships have been constantly interacting with the State and Central Governments and with various organizations of Higher Education, UGC, AICTE etc. We stand committed to provide quality education services and remain accountable. We are aware of our duties and have always been upholding age old values & cultural plurality of this vast country.

In this context of playing constructive role & addressing to various problems of the teachers in higher education sector, the AIFUCTO wish to bring some of the issues which warrants your direct intervention so that an amicable atmosphere can be created in the centers of Higher Education.

Some brief observations on the state of higher education in India

1) Higher education in 12th Five Year Plan

According to the Planning Commission approach paper to the 12th Five Year Plan "Faster, sustainable and more inclusive Growth" submitted in August 2011 pointed out that the private Higher Education "accounts for about four fifths of enrolment in professional Higher Education and one third overall. For encouraging private investment, it called for "re-examination" of "not-for-profit" tag in Higher Education Sector. It proposed that the Higher Educational Institutions should be encouraged to raise its own funds, have reasonable Tuition Fees, differential Salaries to Staff etc. It aimed to make India a "Global hub for Higher Education". The UGC came out with its XII Plan document almost on the same lines.

The draft 12th Plan (2012-17) submitted by Planning commission before the National Development Council in December 2012 estimates that "developed economies and even China will face a shortage of about 40 million highly skilled workers, by 2020 while India is likely to see more Surplus of graduates in 2020. Thus India could capture a Higher Share of Global Knowledge based work. It expressed its concern over the fact that less than 20% of the estimated 12 Crore potential students only are enrolled in HEIs in India, which is well below the world average of 26%. The significant problem exist in quality of education and the HE sector is plagued by a shortage of well-trained faculty, poor infrastructure and outdated and irrelevant curricula. The use of

technology in Higher Education remains limited and standards of research and teaching in Indian Universities are far below International Standards, it said

The strategy aims at expansion, equity and excellence. The draft proposes "a paradigm change" for achieving these goals. The emphasis will be on expansion with quality, diversification of Higher Education opportunities, developing world-class research Universities and development of key vocational and generic skill as per the needs of the labour market, it further added.

During 11th Plan the total number of Institutions grew by 58% from 29,384 to 46430. The growth was 63.5 % in private institution, 49.2% in State Institution and 52.4% in Central institutions. By the end of the 11th plan, the country had 645 Universities, 33,023 Colleges and over 12748 diploma granting institutions, During the period, **98 Private State Universities, 17 Private Deemed Universities, 7818 Private Colleges and 3581 private diploma institutions were started.** The aim is to improve the GER from 17.9%(2011-12) to 25.2% by 2017-18 and reach the target of 30% by 2020-21, the draft goes on to add.

The draft asserts that during the 11th Plan, Indian Higher Education moved from "elite to mass". But AIFUCTO wonders how can it be called as "mass" when more than 80% of Children in the relevant age group of 17-23 years remain outside the ambit of Higher education.

The plan document proposes contractual faculty, allowing private Investors to make profits, making courses suited to the market, restructuring courses in line with North American model and charging of high fees from students. **Undoubtedly, all these proposals will lead to commercialization of Higher Education.**

2) Funding of higher education

We appreciate MHRD efforts to obtain more allocation for education including higher education. We are very much disappointed that the funds allocated to the Ministry is much less.

The Country had spent only 1.22% of its GDP on Higher Education in 2011-2012. Government spending has fallen far short of the requirement in the face of rising expectations of people in terms of access and equity. The 12th Plan proposes 1.5% of GDP from the current 1.22%.

During the XI Plan, the proposed spending on Higher Education was Rs.84943 crores against Rs.9600 crores in X Plan aiming at 9 fold increase. But actual expenditure was only Rs.39647 crore(45.6% of plan outlay) In contrast, in 12th Plan the plan outlay is only 30% increase over the XI plan i'e Rs. 1,10,700 crores, which is highly insufficient to achieve the goal of mass education and access as envisaged in the report.

3) Huge vacancies in higher education in central & state institutions

We have pointed out many times that most state governments have stopped filling the posts that have fallen vacant for many years. Some states have not made any appointment in a decade. We understand that this has led to the erosion of quality of teaching and extremely damaging to the interest of students. **We once again suggest that such irresponsible actions need your intervention. The MHRD can stop further grants unless the appointments are made in the vacant posts. A dangerous trend is the appointment of ad-hoc, part-time, contractual and guest lecturers. The states often argue that the non-availability of qualified teachers is responsible for the vacant posts. The real reason is their unwillingness to appoint teachers.**

Due to the rapid expansion of Higher Education, the number of quality teachers in Higher Educational Institution is grossly inadequate. A doubling of faculty from the current 8 lacs to 16 lac are envisaged in 12th Plan. While increasing the faculty strength, care should be taken to the safety and security of the teachers. Adhoc-ism, contractual appointments will be detrimental to the health of Higher Education. Central and all State Governments should appoint teachers with UGC recommended Scales. Huge disparity in the Scales between regular and teachers working in Self financing institutions is violative of principles of fair play & justice. This has created a lot of heartburns and ill-will among the deprived teaching fraternity.

The scenario in most private institution is far from the satisfactory level. The urgent need on this is that the Government should ensure private Colleges, Deemed Universities and Private Universities appoint only qualified teachers. If necessary, a separate legislative mechanism can be planned separately for this purpose. Otherwise quality will be a casualty.

4) Capacity building of teachers & knowledge upgradation

The up gradation of knowledge is extremely important. Without continuous up gradation the teachers cannot keep pace with the knowledge explosion and the students will also suffer. This requires necessary infrastructure and providing facilities to the teachers. Unfortunately teachers are not being given opportunities to do so for many reasons including inadequate number of staff in the departments. At the same time there is acute shortage of infrastructure. We believe this problem can be solved with your intervention.

In this context, your initiative in the constitution & subsequent deliberations of CAGE Committee on National Mission for Teachers & Teaching is timely and praiseworthy. We thank you for including our General Secretary. in the Committee. We do hope the final report will greatly serve the cause of our profession.

To strengthen teaching, short term courses should be planned through Academic Staff Colleges of various Universities (it need not be four week courses, it can be of lesser duration). For this purpose there should be more Academic staff colleges. More importantly the frequent change in the qualifications prescribed for teachers in the past led to chaos in appointments. The Government should allow the present norm to be followed for a reasonable time before reviewing its workability.

5) Creation and funding of new posts in the state government controlled sector

We have requested the MHRD to consider our proposal to adopt schemes to extend financial support to the states for creating new posts as almost all states have been shifting the existing posts to the newly introduced subjects which has proved to be extremely hurtful to the quality of teaching. There should be a ban on this practice with immediate effect. We suggested schemes where MHRD can shoulder major portion of expenditure for the creation of new posts.

Our professional issues

6) The 14940 issue : Unresolved Anomalies in the 1996 pay revisions (CAS)

In the last pay revision the revised career advancement scheme was implemented from 27-07-98 instead of from 01-01-96. More over those who got career advancement as per the old scheme between 01-01-96 and 27-07-98 were not paid 14940/-after 5 years in the Selection Grade (SG) scale on the plea that they were not SG Lecturers as on 1.1.1996.

The Chadha committee (for 6th pay revision) noted the injury inflicted on this segment of teachers and recommended that this be rectified before fixation of pay in the revised scales of Pay. The MHRD notification also directed the UGC to formulate necessary procedures in consultation with the MHRD.

The Kerala High Court directed that the CAS should be given from 1.1.1996 and those whose date of career advancement fell between 01-01-96 and 27-07-98 be placed in 14940/- five years after service as SG lecturer. In spite of all these interventions by MHRD and the higher judiciary, this anomaly has not been rectified.

More recently, in Maharashtra, several teachers moved the Hon'ble High Court in several writ petitions which came to be decided in favour of teachers and against the Government and in one of the Judgments and Orders dated 8-4-2011 directions came to be given to the State. In spite of this the State Government did not extend the benefit to all teachers but only to the Petitioners. Hence more and more Petitions were filed. Shivaji University Teachers' Association filed Writ Petition in the Hon'ble Bombay High Court for hundreds of teacher-Petitioners in W.P. No.9218 of 2011 (SUTA V/s. UGC & Ors) and W.P. No.11282 of 2011 (Awalekar Jotiba L & Ors V/s. UGC & Ors). The said Petitions came to be disposed of by Judgment and Order dated 29th February 2012 of Their Lordships Hon'ble Mr. Justice A.M. Khanwilkar and Hon'ble Mr. Justice N.M. Jamdas, JJ. The Judgment in para.7 states as under:

"7. We fail to understand as to how such stand can be taken by the authority in spite of two successive orders passed by the Kerala High Court and even by this Court. We therefore direct the concerned authorities to consider the request of employees who are similarly placed as that of the petitioners in the present petition as well as Writ Petition No. 3324 of 2010 on the same basis, which approach is not only imperative but also obviate avoidable litigation for the said employees. Copy of this order be forwarded to the concerned secretary of the Higher & Technical Education, State of Maharashtra, for information and necessary action. Petition disposed of on the above terms."

Now the state govts are appealing against the HC orders. It is imperative that MHRD should step in and undo the injustice caused to the teachers who are deprived of both benefits, 14940/- and feeder cadre.

7) Dealy in finalizing the Anomaly Committee (UGC Regulations -2010) Report & the plight of teachers

- a. After the implementation of UGC recommended Scales through MHRD notification of 31st December 2008, UGC Regulations on "Minimum Qualifications for Appointments and promotion of Teachers and other Academic Staff in Universities and Colleges and Measures for the Maintenance of Standards in Higher Education, 2010" was notified on 30th June 2010 and subsequently Gazette notification came on 18th September 2010.

To our shock, the Regulations,2010 contain two major classes which are highly detrimental to teachers , and it created lot of confusions. They are

- i. Effective date of Regulations on CAS, namely 31-12-2008,
- ii. Impracticable Performance Based Appraisal System (PBAS)

The Regulation 2010 prescribes the 31st December 2008 as the effective date so far as the CAS is concerned. This is highly impracticable and objectionable. The regulation itself came out on 18th September 2010 but the effective date for CAS has been retrospectively fixed as 31st December 2008. All the state governments and Universities in the Country need to adopt the regulations so that necessary changes in the statutes can be made and the necessary formats can be prepared. The retrospective implementation/haphazard

implementation in different States led to chaos and several qualified and eligible teachers were denied their rightful Promotion/CAS. We demanded a reasonable time space should be allowed. We proposed that the new regulations should be effective from 2013 only. **AIFUCTO strongly demands only prospective implementation of the Regulation, 2010 both in the UGC & AICTE domains.**

Secondly, the prescribed PBAS in its prescribed format is highly impracticable. If it is to be implemented, the teacher will find little time to teach or coach students properly and hence we suggested a mechanism wherein teaching be given more importance vis-à-vis research publication. We are for maintaining quality but the approach should be pragmatic & equitable considering the heterogeneous conditions in different parts of India. We have brought to the notice of MHRD many times that the Teachers are not allowed to attend seminars, attend RC/ OC and pursue Ph.D/research.

These issues were represented by AIFUCTO to UGC and MHRD. Consequently an anomaly committee headed by Prof. S.P. Thiagarajan was constituted in September 2010. The report was expected within 6 months. But it took more than one and half years to finalise its report to be submitted to UGC and then to MHRD. Then MHRD constituted Revisit Committee headed by Prof. M. Ananthakrishnan.. The AIFUCTO represented the above issues before the both Prof S.P. Thiagarajan and Prof. M. Ananthakrishnan committees. During the meetings, AIFUCTO insisted that the PBAS should be made workable/simpler and preferably the existing Regulation (Regulation 2000) can be continued so that there will not be any hardship in getting CAS for teachers.

b. In the 2006 Pay Revision three incentive increments were given only for those to acquire Ph.D. after 1-1-2006. The seniors who got their Ph.D. much earlier were denied this benefit. Due to this, the seniors who got their Ph.D. degree earlier than their juniors are getting much lower pay than their Juniors. In some cases even guides are getting lower pay than their wards. The AIFUCTO is of the firm view that it can be rectified only by granting three incentive increments for all those with Ph.D. when they move into Associate Professor in PB-4. The seriousness of this anomaly is illustrated in the following tables.

ILLUSTRATIONS IN SUPPORT OF THE DEMAND

Illustration -1

Year of appointment with qualification	Date of Reader/LSG	Revised Pay as on 1.1.2006
1984-Ph.D	1997	37,400 + 1 Bunching increment
1986-Ph.D	27-07-1998	37,400 + 1 Bunching increment
1988-Ph.D	27-07-1998	37,400 + 1 Bunching increment
1990-Ph.D	1999	37,400
1992-Ph.D	2001	37,400
1992- M.Phil	2002	37,400

Note: If the 1992 – M.Phil. holder gets Ph.D. after January 2006, his pay on acquiring Ph.D. is fixed at Rs.37,400/ plus 3 increments. This pay is higher than all those Ph.D. holders appointed since 1984. A teacher who was appointed 8 years later (**1984/1992**) and awarded Ph.D, 22 years later (**1984/2006**) is getting more pay than the seniors

Illustration – 2

Particulars	Teacher X	Teacher Y
Year of Appointment	1988	1980
Qualification	M.Phil	M.Phil
Selection Grade	1998	1995
Acquired Ph.D.(Teacher Y)	-	1999(availed 2 increments and
14,940 Fixation(Teacher Y)	-	2000 merged in 14,940 fixation)
Pay as on 1.1.2006	14,940	17,040
Revised Pay on 1-1-2006	37,400 + 1 Bunching	37,400 + 3 Bunching

Note: If teacher X acquires Ph.D in 2006 his pay will be raised by 3 increments which is higher than the pay of Teacher Y appointed 8 years earlier and got his Ph.D. 7 years earlier.

Illustration – 3

Particulars	Teacher X	Teacher Y	Teacher Z
Year of appointment	1980	1980	1980
Qualification	M.Phil	M.Phil	M.Phil
LSG	1995	1995	1995
Acquired Ph.D (X)	1997(availed 2 increments	-	-
14,940/ fixation	2000 and merged)	2000	2000
Acquired Ph.D.(Y)	-	2002	-
Pay as on 1.1.2006	17,040	17,880	17,040
Revised Pay on 1.1.2006	37,400 + 3 Bunching	37,400+4 bunching	37,400+3 Bunching

Note: If Teacher Z acquires Ph.D after 1.1.2006 his pay will be raised to 37,400 + 3 bunching and 3 increments. Hence Z gets more than X and Y. To rectify this anomaly 3 increments to teacher X and 2 increments to teacher Y (after adjusting 1 bunching benefit he got for his 2 Ph.D. increments are to be sanctioned.

The issue of Senior Junior Anomaly due to the Ph.D. incentives had also been represented to the Anomaly Committee and also to Revisit Committee To our disappointment, so far there is no positive response either from UGC or MHRD. The AIFUCTO demand the Hon'ble Minister's intervention and we hope the resolution of the issues at the earliest.

8) Complete Parity between Teachers, Librarians & DPEs

A long standing demand of AIFUCTO is complete parity between teachers and librarians and DPEs. We thank MHRD for taking care of our submission in general. But there are instances when the Equivalence clause is not followed in MHRD/UGC orders and hence our librarian and DPE members suffer. Hence there should be complete parity including the age of retirement (which is 62 years rather than 65 years).

9) Not to Deprive Demonstrators of 6th revised Pay scales benefits

Though Revised pay scales for all categories of Employees have been recommended and implemented, in the case of Demonstrators the benefits of revised pay scales have not been given to them. It is really a discrimination and AIFUCTO strongly demands implementation of suitable and legitimate pay scales for Demonstrators.

10) Inordinate delay in the finalization of Ph.D regulations

We have been constantly pursuing the matter and of the opinion that all those obtained Ph.D or submitted before the notification of the new Regulations,2009 should not be covered by the Regulations 2009 so that they are eligible for appointment in higher education sector. There are many court cases also. Kindly ensure the removal of this gross anomaly as early as possible as many bright eligible job aspirants are suffering from this.

11) Democratisation of Universities & College governance

The Universities in India need Democratization. The Deemed Universities and Private Universities run like private firms. The entire family occupies all the pivotal positions right from Chancellor to Vice Chancellor to Board of Directors etc. Annamalai University in Tamil Nadu is a classic example. In Tamil Nadu, the organizations, AUT, MUTA and TNGCTA thwarted the move of the Tamil Nadu government during 2008-2010 converting more than 50 Aided Colleges into Private Self Financing Universities.

Even in State Universities there is no democratic element. The Syndicates and Senates or even Academic Councils were filled with nominations. There is no scope for elected teacher or student representatives to enter into these bodies.. Due to the absence of democratically elected/selected representatives and with large number of nominations absolutely there is no transparency in the Administration of the Universities.

On the other side, there is huge political interference not only in the appointment of Vice Chancellors but also in the day to day administration of the Universities and Colleges. The importance for academics, teachers and students has come down to almost nil.

A serious discussion and decision on the basis of it is an urgent requirement. We do hope the Hon'ble Minister will initiate useful measures in this regard.

12) Inter disciplinary approach

One of the most important recommendations of Prof. Yashpal Committee report is the Interdisciplinary approach. It strongly recommends interdisciplinary research stating that knowledge is created only at boundaries. It goes on to add that the discipline barriers should be removed. But several Universities discourage interdisciplinary research by denying incentive increment for interdisciplinary degrees and/or by

insisting to mention a particular subject during registration for Ph.D. degree thereby effectively denying the opportunity to the interdisciplinary **researchers**. All the Universities should be directed to encourage Ph.D. degree in relevant/ Allied/ Concerned/ Interdisciplinary subjects.

13) Degree Equivalence

In view of the diversification of Higher Education Opportunities, Degrees with various nomenclatures are being awarded by the Universities. During the time of appointments and Higher Studies, the candidates were put to lot of hardship due to the absence of equivalence mechanism among the degrees. In the process, different Universities follow different yardsticks leading to difference of opinion among the Universities while deciding equivalent degrees.

Hence the UGC should monitor the degrees awarded by Universities and constitute an Equivalence Committee to decide on Equivalence among the degrees, so that a kind of uniformity can be maintained and clashes among the Universities can be avoided.

14) Pending Bills & Structural Changes in Higher Education: Discussion with AIFUCTO & other teachers' organizations needed

A number of Bills are pending for decision. We have been requesting the MHRD that many vital issues are involved in these Bills. There are many structural changes initiated recently without proper consultations with stakeholders. We, being a very important stake holder in higher education, believe that we must be given opportunities to present our opinion. Hence, we submit that the AIFUCTO and other teachers' associations should be invited to present their views.

15) CABE exercises-Inclusion of AIFUCTO

The AIFUCTO expresses its happiness and thanks for the inclusion of Prof. A.K.Barman, General Secretary, AIFUCTO in the committee of CABE on "National Mission on Teachers and Teaching" as Teachers' Organization Representative. We assure that we will be much useful and highly participatory in the CABE Committee meetings and discussions. As our General Secretary is representing more than 5 Lac teachers(entire Higher Education teaching community in India), we expect that our views will be given utmost importance. He has been placing the views of the teachers emerging out of various meetings, Conferences, Seminars we regularly hold. We have a long standing demand that AIFUCTO should have a formal position in CABE.

16) Constitution of an Education Commission

AIFUCTO strongly believes that this is the time for appointing another Education commission to go into all the aspects of education, in view of the leap growth of the private institutions and voluminous student strength in Educational Institutions. The earlier Education Commission was under Prof D.S. Kothari in 1964.

This assumes importance in view of the Starting of hundreds of Universities, thousands of courses, enrolment of Crores of students. A clear blueprint on policy initiatives, formulation, implementation, review is an urgent need. Otherwise the huge human potential may not be channelized in the proper direction.

17) Regulation of Private Institutions with Profit Motives

We are extremely disturbed at the several malpractices perpetrated by a number of private institutions. Many of them do not serve the students properly and also deprive teachers in many ways. Though they charge high fees, there is huge understaffing and very poor salaries to teachers. We request you to ensure strict regulatory measures against such erring institutions.

18) Creation of some elite institutions

The creation of a small number of elite institutions , in our views, will be counterproductive. We understand a general improvement of academic standards is the need of the hour. The colleges & universities in rural India are suffering from numerous problems. We have with us grassroots experience of entire country .We have been sharing this with MHRD & UGC and we would like to record that they need more assistance. At the same time the institutions that are contributing significantly should be encouraged.

19) Proposed Seminar on Higher Education in India Delhi as a part of AIFUCTO Golden Jubilee Program

We have a plan to organize a national seminar on "Higher Education in India- problems & prospect" in New Delhi in the month of September, 2013.We request you to inaugurate the Seminar. The exact date may be fixed in accordance with your convenience.

The AIFUCTO hopes that the Hon'ble Minister for MHRD intervene effectively in the above matters. Kindly do the needful for the same.

Once again we record our sincere thanks to you.

(Tarun Patra)
President, AIFUCTO

(Asok Barman)
General Secretary, AIFUCTO