CHAPTER V
ATTEMPTED REFORMS IN THE SPHERE OF EDUCATION
IN KERALA: THE DECISIVE DECADES

Education must have been given importance from the very beginning of civilisation. Some sort of education was necessary for bringing out the potential of individuals and making them more useful for the society and the state. Even if one disagrees with this, one cannot deny the respectable place given to education by the foremost thinkers of the past.¹ So it may be pertinent to think that even in the primitive stage, humanity must have had a handful of persons who could visualize the importance of education. This was happening in Kerala too and all the more so since the independence. In the long history of educational reforms in Kerala, many attempts were made to bring about significant changes in its educational structure and system. There had been controversies and resistance every time the government attempted to bring in changes involving private

managements, particularly those belonging to the minority communities. In Kerala any attempt to reform education in its structure or content invariably has had a political orientation or interpretation.

Therefore, in any evaluation of the state's effort to reform the educational system, it would be necessary to understand the manner in which the issues of educational reform assumed their socio-political dimensions. This chapter goes into the details of reforms in education in Kerala since 1957, when the first significant attempt was made to bring about radical changes in its educational system. It also attempts to analyse the policies and programmes of the various governments from 1957 to 1987, in the field of education. This include the Kerala Education Bill of 1957, The University Act of 1969, the Direct Payment Scheme for College Teachers, 1972, and the Pre-Degree Board System, 1986. An endeavour is made to focus the state's efforts to reform and reorganise education, particularly those efforts on the part of the state to bring order and uniformity in the educational system by controlling and regulating the activities of the educational agencies in the private sector.
Socio-Political Background

A very important trend that emerged from the historical survey attempted in the initial chapter has been the pioneering role of the private agencies, notably the Christian missionaries in propagating the western pattern of education. No other agencies have taken such serious and purposeful steps in the educational field. Educational historians like J.P. Naik and S. Nurullah support the view that the rapid advancement of education in the state of Travancore was to be attributed to the dynamic role of private agencies, especially the Christian missionaries who had intensified their educational activities in the state.²

But by the turn of this century, many groups in Kerala were initiating themselves to seek better living conditions for them. Caste improvement associations led the way³ to the emergence of 'new private agencies in the field of education'. An oppressed but somewhat middle

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caste group, the Ezhavas, was the first to act. The Ezhavas were subjected to many social inequalities including untouchability. For long they were trying to form some sort of organisation for their social betterment. The 'Sree Narayana Dharma Paripalana Yogam' (SNDP) came into existence on 15th May 1903 under the inspiring leadership of the great social reformer Sree Narayana Guru. The formation of the Yogam was an event of unique blending of the spiritual brilliance of Sree Narayana Guru and the Militant Spirit of Dr. Palpu. The basic objective of the Yogam has been to popularise the messages of Sree Narayana Guru and bring about the moral, social and material welfare of the Ezhavas who were socially an under privileged community then.

Education was realised to be one of the major weapons to liberate the community from the social bonds and the Guru himself raised the slogan 'Liberate by Education'. Under the auspices of the Yogam several institutions of higher education sprouted out and a good number of institutions are now run by the educational trust known as the Sree Narayana Trust. They are contributing their mite

4. Ibid.

in the sphere of education in the state as an important private agency by maintaining many private schools and colleges, training colleges and technical institutes.

It was the Ezhavas who showed initiative in organising themselves and set an example to other communities. In 1907 Sadhu Jana Paripalana Yogam and in 1908 the Yogakshema Movement were founded. This tendency of other communities to organise themselves was a threat to the Nair dominance and gave incentive to the Nairs too to organise themselves. In the words of Mannathu Padmanabhan -- the champion of the Nair community -- "Sree Narayana Guru's spiritual advice and SNDP's campaign resulted in the emancipation of Ezhavas which showed an example towards progressive movements for other communities". 6

All other communities started organising themselves and initiated reforms from within. Even though the Nairs constituted the largest group by number and monopolised the state services, the Nairs were an unorganised lot for a long time. In the sphere of education they were ahead of other communities. But the prominence of the Nair

community declined owing to a number of factors. In the process of regaining its past glory and revamping the community some Nair youths came forward under the leadership of Mannathu Padmanabhan. They decided to forge a well-knit organisation for the Nairs on the model of the one created by the Ezhavas. In order to unite all the Nairs the various localised attempts culminated in the formation of the 'Nair Samudhaya Brithya Jana Sangh' on 31st October 1914 by Mannathu Padmanabhan and a band of zealous socially committed youngsters under his leadership. The association was renamed into the Nair Service Society (NSS) in 1915 and in 1925 NSS was registered under the Travancore Companies Act.

Like the SNDP Yogam the society sought to better the educational lot of the Nairs and as a corollary to this strategy the NSS decided to set up its own educational institutions. The two prominent leaders, notably Mannathu Padmanabhan and Changanacherry Parameswaran Pillai who led the 'NSS' strongly advocated the need for furthering the interest of the organisation and in particular its educational activities for safeguarding the interests of the Hindus in general.\(^7\) At present there are about

twentysix colleges and a lot of schools, primary to the High school range, under the control of the society all over the state. The community had to align with other major communities on various occasions to safeguard its interests in the sphere of Higher Education. 8

Politics in the states of Travancore and Cochin was dominated by groups like the church and the Hindu caste organisations. Like the NSS and the SNDP, they were very powerful in the field of higher learning too. Most of the educational institutions like schools and colleges in the private sector gradually came under the control of the Christians and the Hindus. 9 After the independence these groups have tended to sponsor political parties for their own particular political interests. Whenever their traditional powers in respect of running private educational institutions were affected, they stood united and mobilised their ranks and resources to resist any attempt on the part of the government in curbing their influence, clout or privileges.


9. V.K. Sukumaran Nayar, "The Political Development of Kerala" (Trivandrum: Seminar conducted by Department of Political Sciences, University of Kerala, 11th & 12th December, 1985) p.4.
The predominance of the private sector in the educational field of Kerala is conspicuous. Most of the schools and colleges in the state are owned and operated by private agencies. These institutions in general are run by the four major communities in the state -- the Christians, the Ezhavas, the Nairs and the Muslims. They run about 7331 schools out of a total of 11,816. There are about 317 unaided schools also under the control of different private educational agencies. They also own about 132 colleges out of the total 172. Thus education in the state was largely in the hands of private agencies. The following table shows the might of the private agencies in the field of education. Today two-thirds of the schools and eighty per cent of the Arts and Science colleges in Kerala are under the writ of private agencies.

The dominance of private sector in the educational field in Kerala seems to have led to certain undesirable results. There were complaints that the conditions of service of teachers in private schools and colleges remained much to be desired. Various governments from time to time did their best to improve the lot of the teachers.

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Table 8
EDUCATIONAL INSTITUTIONS IN KERALA 1989-1990

<table>
<thead>
<tr>
<th>Type of Institution</th>
<th>Government</th>
<th>Private</th>
<th>Unaided</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Colleges</td>
<td>40</td>
<td>132</td>
<td>-</td>
<td>172</td>
</tr>
<tr>
<td>High Schools</td>
<td>960</td>
<td>1380</td>
<td>111</td>
<td>2451</td>
</tr>
<tr>
<td>Upper Primary Schools</td>
<td>960</td>
<td>1883</td>
<td>72</td>
<td>2915</td>
</tr>
<tr>
<td>Lower Primary Schools</td>
<td>2565</td>
<td>4068</td>
<td>134</td>
<td>6767</td>
</tr>
</tbody>
</table>

The History of State Intervention in Kerala in the Field of Education

As mentioned earlier, it was none other than Her Highness Parvathi Bai of Travancore who had, as early as 1817, issued Rescripts directing that the state should defray the entire cost of education of its people and that the schools and management should be conducted under the supervision and control of the state. The early recognition of the "principle that the cost of education is a charge on public funds and the supervision thereof is the legitimate function of the state"\textsuperscript{11} was partially implemented in the vernacular schools from 1875.

But a serious attempt on the part of the government of Travancore institutions was made by the Dewan C.P. Ramaswamy Iyer. The move towards the nationalisation of primary education was a sequel to the recommendation of the Education Reorganisation Committee (Papworth Committee) appointed by the Government of Travancore. According to the Committee, one of the fundamental problems relating to primary education in the state was

the one connected with the status and remuneration of teachers, without an improvement of which no progress was possible in the field. On the basis of the recommendations of the committee, the Travancore Legislature resolved that the government should take up the control and management of primary schools. Accordingly in 1945, Dewan passed an order and this attempt of 1945, "did sow the seeds of nationalisation" of primary education in the state. This scheme was intended to bring primary education under the exclusive and direct control of the state.12

The political observers of the period characterise this measure as an attempt by the Government to seize the private sector in education. But the government denied such charges against the policy and tried to give a new ideological twist.13 The arguments raised by the Dewan in support of the new scheme were:


(1) all overlapping and duplication that follows inevitably in the wake of private enterprise by the denominational agencies would be avoided;

(2) the common schools for all children provided on a secular basis will increase the solidarity of the people; and

(3) that the introduction and enforcement of compulsory education would be facilitated.14

The declaration of the government and the taking over of private schools by government that followed, led some of the corporate managements, particularly those under the Christian community, to take a united stand against the government's programme. The reaction of the church was so sudden and forceful, in fact, even in a threatening tone, that if 'the primary rights of the individuals are affected to the slightest extent as a result of the socialist policy of governments, nature will grow angry with the government, rouse up all the forces under the sun and wipe out from the face of the earth the unjust authors of nationalisation".15 This attack was


15. Quoted by V.K. Sukumaran Nayar, in Donald E. Smith, ed., n.7, p.188.
directed against the powerful Dewan of Travancore, C.P. Ramaswamy Iyer. The church was also determined to fight and was successful in wooing other private agencies too in the field in order to have a common front against the government.

The prolonged and intensive resistance offered by the Christian churches, however, made the government drop the policy. A strong administrator of the stature of Dewan C.P. Ramaswamy Iyer, failed to do anything substantial in the matter due to the opposition of private managements. The political forces were also against him and the independence brought about a new political and administrative set up in 1947.

The new set up came under a democratically elected representative government headed by Pattom A. Thanupillai. The government of Thanupillai was, however, short-lived. The chances of its survival were thwarted by internal bickerings as well as external opposition. 16

In Travancore, a Bill namely, "Travancore Primary Education Act" was introduced on 18th October 1948.

The purpose of the Bill was to provide universal, free and compulsory primary education for all children. The prime mover behind the Bill was the Chief Minister himself. The Chief Minister's veiled attempt provoked the Christian community to organise an open revolt and refused to surrender their rights as most of the schools were under their control. The matter ended there with the next ministry under T.K. Narayana Pillai which allowed grant-in-aid to all aided schools subject to certain conditions. The powerful interests were very influential that, the first Congress ministry could not pursue its idea of nationalising the primary education in the state.

When Sardar Vallabhabhai Patel and V.P. Menon launched the process of merging of the princely states into the Indian Union, Travancore and Cochin too felt the pressure irresistible. The two states were merged into a single political unit -- Travancore-Cochin -- on 1st July 1949. Right from 1947 the successive governments were seized with representations from organised teachers demanding government intervention in favour of the harassed teachers under private managements.17

One of the significant developments that took place in the field of secondary school education in the newly formed Travancore-Cochin state during the early 1950's was the introduction of the Private Secondary School Scheme (PSS). This was initiated by Panampilly Govinda Menon, the then Education Minister, and this scheme was also known as the Panampilly Scheme.

Under the Scheme, tripartite consultations involving government, teachers and management looked into the conditions of teachers under private management and made some important recommendations. They related to the appointment and service conditions of teachers and payment of salaries, and the appropriate method of dealing with school fees (depositing 80% in government treasury and meeting the maintenance cost from the remaining 20%). Government thereby ensured that properly qualified teachers were appointed in private schools and provided reservations in the appointment of teachers of disadvantaged communities. The powerful church hierarchy, especially the Catholic church, resisted this move interpreting it as an attempt to infringe their rights and raised their voice not only against the Scheme but also against its sponsor Panampilly Govinda Menon.

Resolutions were passed and representations were made to the Central Government for prompt interference in the matter.\textsuperscript{19} The Central Government appointed a commission to investigate the matter. The members of the commission were Purushothaman Das Tandon, the Congress President and Dr. Mukherjee, a leading educationalist.\textsuperscript{20} In view of the commission's report, the Central Government sent a directive on 3rd July 1951 to the Chief Minister of Travancore-Cochin. The directive fully endorsed the claim of the managements.

The state government agreed to delete all the objectionable clauses of the scheme. Therefore the scheme had to be almost totally revised and the revised scheme came into effect in December 1951. The main features of the scheme were the following.

(1) The managements should remit 80 per cent of the fee collected into the public account opened in the treasury.

(2) The contingent and other expenses of the private schools would be met by the management from the remaining 20 per cent of the fee collection; and

\begin{flushleft}
19. Sathyaseelan, n.8, p.129.

20. Ibid.
\end{flushleft}
(3) A contribution of 4.7 paise per rupee (that is 9 old paise per rupee) should be paid each by the teacher, management and the government towards the provident fund of the teacher.  

Regarding the appointment of the teachers in the revised scheme, the managements were given their own choice in the matter of selection of duly qualified teachers for their schools. The school management had to meet other operational costs also. Even though most managers were reluctant to join the scheme, they had to yield before the organised pressure of the teachers and also to the force of pressure from the government. At last it ended with an amended scheme. Thus, between 1951 and 1953 the private managements succeeded in keeping the government undecided about the private secondary school scheme and not even the originator of this scheme could revive and implement it when he became the Chief Minister in 1955.  

Incidentally, it was not only in Kerala, but also in many other states of India similar principles were implemented. The tendency towards increasing state  

22. Mathew, n.17, p.171.
control of private schools and even their nationalisation were evidently in the agenda of some states like U.P. Intermediate Education Amendment Act of 1958 was granting power to take over recognized institutions not receiving aid as well. So the government of Travancore and Cochin had never been in a position to dispense with the private agencies.

The private managements who controlled most of the schools in Kerala, had been running the schools as their private concerns even while receiving the grant-in-aid. Such was their power that even a veteran administrator C.P. Ramaswamy Iyer could not do anything against them. Ten years of Congress rule also had failed to touch them, as every time they tried, a section in the Congress itself blocked any such move to curtail the clout of the private managements.

It was a fact that the service conditions of the teachers were very depressing and they had, as such, no security of service. The government had control neither in their appointments nor in ensuring their service conditions. A teacher could be dismissed on the flimsiest

grounds or even without a show cause notice. Corrupt practices and discrimination prevailed in the promotion of teachers as well. Their seniority and efficiency were overlooked. Schools in the private sector, on the whole, needed much reform. Persons without prior experience and even with no proper qualifications were appointed. As H.D. Malaviya puts it, "appointments to schools became a sort of an auction, the job going to the highest bidder". Thus low pay and unsatisfactory working conditions were the order of the day in almost all management schools.

The First Elected Communist Government and its Attempts at Reform in the Sphere of Education

Kerala comprising of the old Travancore, Cochin and Malabar was politically united and integrated to form one single state under a single executive, legislature and judiciary wings giving it for the first time the full status of a state in the Indian Union. The new state which was formed in 1956 was educationally and culturally one of the most advanced areas in the whole country.

26. Malaviya, n.18, p.28.
At the time when the state was formed, it had a total of 10,079 educational institutions including arts and science colleges, training colleges and physical education colleges. Of these 2129 were government controlled institutions and 7950 were under the private management. The total entrants numbered to 28,01,996 among whom 15,57,643 were boys and 12,45,353 were girls. The above figures show the might of the private sector compared to the public sector in the sphere of learning.

The second general elections in India and the first after the formation of the newly formed state of Kerala, was held in February-March 1957 and the undivided Communist Party of India (CPI) secured a majority in the state assembly. The Communist Party with the support of five independent legislators commanded a comfortable majority and formed an eleven member ministry. It assumed office on the 5th April 1957 with EMS Namboothiripad as the Chief Minister. The success of the party in elections attracted the attention of the whole world because for the first time in the history of the


Communists they came into power through popular elections. 29

The Communist Party had promised in its Election Manifesto reforms of a far-reaching nature in various fields, such as the developmental activities, improvement in the wages and working conditions of the agricultural labourers and also in the field of education, public health, local self government and the upliftment of the backward and depressed classes and women. They also promised to provide a clean and efficient administration. 30

Due to the consistent pressure exerted on the previous governments the service conditions of the teachers had been considerably bettered and their salary was paid from the government treasury to ensure regular payments and also to avoid any foulplay whatsoever in the matter. 31 The Communist Party was of the view that, while making the payment to teachers in the private schools from

29. Ibid.
the public treasury the government must have a firm control in the matter of appointments also. The previous governments never ventured in this line because they did not want to irritate the managements of private schools and burn their fingers politically.

On the assumption of power in the state by the Communist Ministry in 1957 the idea of reforming the education in the state was very much in its agenda. A veteran in the field of education, Prof. Joseph Mundassery, became the Minister of Education. He had twenty seven years of teaching experience in a private management college and he knew the inner working secrets of a privately managed institution at close quarters.\textsuperscript{32} He himself was considered a victim of the private management having been dismissed from the service of the St. Thomas College, Trichur.

The untold miseries of the Kerala teachers were unlimited. There was a general discontent and dissatisfaction among private school teachers because of the increasing authority of the managers. The swelling number of educated unemployed in the state etc. created monopolistic conditions. The excess supply of teachers

continued in the newly formed state. The State's Education Minister, Prof. Mundassery, declared:

The government intends to put an end to the indignities which the teachers of this state have suffered till now. The Bill will end the disgraceful situation in which they were treated as servants of the management.[33]

The Communist Party as promised in their manifesto took steps to reform the educational system. A new legislation the 'Kerala Education Bill 1957', which became subsequently the most important and controversial piece of legislation, was introduced in the Assembly by the Communist Government. It made a lot of noise and roused much heat and enthusiasm for and against. The government advanced a number of arguments to justify the introduction of the Bill and the intentions behind it.

The object of the Government in introducing the bill as stated in its Preamble says:

Where as it deemed necessary to provide for the development and better organisation of educational institutions in the state providing a varied and comprehensive educational service throughout the state.[34]

33. Malaviya, n.18, p.29.

The major proposals in the Bill, as stated by the Government were the following.\textsuperscript{35}

(1) The Government shall pay the salary of all teachers in aided schools directly or through the Headmaster of the school.

(2) The managers of the aided schools were required to remit to the Government all collection of fees from the students and the government will pay the maintenance grant to the manager as prescribed by the Government from time to time.

(3) It was to be the government's responsibility to maintain a state register of teachers, with teachers in private schools included in the list and managers of private schools could draw teachers required for their schools only from the government prepared list.

(4) The conditions of service relating to pensions, provident fund, insurance and age of retirement, applicable to teachers of Government schools will also equally apply to the teachers of aided schools.

(5) If the management of any aided school neglects to perform any of the duties placed on it by the Act,

\textsuperscript{35} Joseph, n.32, pp.156-157.
the government can take over the management of the school for a period not exceeding five years, with a rent prevailing in the locality.

(6) An aided school teacher could not be dismissed or suspended without the prior and written approval of the authorised officer of the government.

(7) To constitute a high level of Advisory Board to guide the government in the formation of educational policy and Local Educational Authorities at the district level, consisting of representatives of those who are interested in education to help the department to discharge its functions in a better manner.

The provisions of the Bill were intended to ensure the organisation of general education and to protect and promote the dignity and rights of the teachers. It was also interested in the creation and establishment of institutions and conditions for the attainment of free and compulsory education for all children throughout the state within a period of ten years from the commencement of the Act.

The Draft of the Education Bill was published on 7th July 1957. The Bill was introduced in the Legislative Assembly on 15th July 1957, which was referred to a Select
Committee and the report of the Select Committee was presented to the Legislature on 24th August 1957. The House finally passed the Bill in September 1957 in the midst of stiff opposition from all the non-Government parties.36 When it was presented before the Governor for his assent, he reserved it for the consideration of the President of India. The President referred the Bill to the Supreme Court under Article 14337 of the Indian Constitution. The Communist Party strongly opposed this move of the President. Jawaharlal Nehru, the then Prime Minister of India, said:

There was no doubt that the Bill would have been challenged by private parties and that since the question (about the Education Bill) has been raised so much, it is obviously desirable that the Supreme Court give advice on the matter.[38]

36. Ibid., p.158.

37. Article 143 reads: "If at any time it appears to the President that a question of law or fact has arisen or is likely to arise, which is of such a nature and of such public importance that it is expedient to obtain the opinion of the Supreme Court upon it, he may refer the question to that court for consideration and the court may, after such hearing as it thinks fit report to the President its opinion there on".

The President had asked the opinion of the Supreme Court, whether the Bill infringed Articles 14, 30(1) and 226 of the Constitution. The Education Bill came up for hearing before the constitutional bench of the Supreme Court on 29th April 1958. The Supreme Court expressed its opinion on 22nd May 1958 and the Bill was returned to the Kerala Government for modification in the light of the opinions expressed by the Supreme Court.

Prof. Joseph Mundassery, the Education Minister, in his statement contented that the Bill was not a nationalising measure, it was only a piece of protective legislation intended to secure and safeguard the interests of teachers employed in schools under private management in Kerala and he promised that even if some schools were taken over the religious interests were in no way offended or thwarted. So the government only wanted to remove the disabilities and insecurity of the teachers regarding the salaries and allowances and communal or caste discrimination in appointments and did not intend to violate any of the fundamental rights guaranteed by the Indian Constitution to the minorities.

39. Ibid., p.39.
The Kerala Government revised the Bill in the light of the opinions of the Supreme Court and it was passed by the Legislative Assembly of Kerala on 26th November 1958. The President gave his assent to the Bill and it became an Act in February 1959.

The whole of Kerala was practically divided on the question, some supporting and others opposing the Bill. Every group or organisation had its clear party, political, ideological affiliations on the issue. But the leading role was played by the Catholic church with the help of other communities and organisations like the NSS and the SNDP. The Muslim League was opposed to the Bill from the very beginning.

With the support, both from the political and communal organisations, the Christian sponsored agitation on the Education Bill gradually snowballed into a bitter protest against the government demanding its resignation or dismissal. The government did not yield to the pressures in the beginning. In the course of the struggle in which the communal interests came to the fore and finally brought about the dismissal of the twentyseven-month-old government on 31st July 1959.
The Communist Party in power had tried to implement many progressive ideas which helped both the teachers and the educational institutions. The ministry with a view to do justice to the teaching community took over the responsibility for a direct payment of salaries to the teachers of even private schools. It was a historic step which saved thousands of teachers from being exploited by some selfish and corrupt managements. The government also enhanced the salaries of teachers. 40

Teachers of private colleges and schools were given political rights; the right to contest elections and agitate for their demands. Students' parliaments were organised in schools and students' unions in colleges. Students were given freedom to organise and hold meetings in school premises. 41 This certainly helped the process of the political socialisation of student organisations but naturally created a number of problems connected with campus politics in the field of education in later years.

Another noteworthy reform in the field of education was regarding textbooks. The Government appointed a committee to prepare textbooks and had them printed in

the government press itself to distribute them through school cooperatives at reasonably low prices.\textsuperscript{42}

As mentioned in the Communist Party's Election Manifesto, the Government paid attention to technical education too. With a view to coordinate the development of technical education in the state, a State Board of Technical Education was constituted. Two Engineering colleges and a number of polytechnics were started to provide better opportunities for professional and technical courses in the state.

The Government took steps to reorganise the University also. The integration of Cochin with Travancore made it necessary to amend the Travancore University Act (1937-38) then in force. As promised in the Election Manifesto, the government introduced the Kerala University Bill of 1957. The objectives of the Bill included that of removing the University from the direct control of government and to reorganise it as an independent autonomous federal-cum-teaching university. The Bill was enacted as the Kerala University Act of 1957 and it came into force on 30th August 1957.\textsuperscript{43}

\textsuperscript{42} Malaviya, n.18, p.40.

\textsuperscript{43} University of Kerala, \textit{Silver Jubilee Volume} (Trivandrum, 1963) p.50.
The Kerala Education Act was a historical document of far-reaching importance. It was, of course, alleged that the Act was directed against private management. But, it was primarily meant to remedy many of the abuses prevalent in the private sector of education. The Act was known more for its political consequences than for its content. This may be dealt in detail in the next chapter.

Owing to the liberation struggle, the EMS government apparently failed to maintain law and order in the state and the EMS government was dismissed and the Legislature was dissolved by the President in July 1959 and President's rule was promulgated. In the early 1960 mid-term elections, the anti-communist tripple alliance of the Congress, the Praja Socialist Party (PSP) and the Muslim League won the election. Then a Congress-PSP coalition ministry headed by PSP leader Pattom A. Thanupillai assumed office in February 1960.\textsuperscript{44}

The Congress-PSP government was bound to assuage the feelings of all those who were adversely affected by the policies and administration of the Communist rule especially in the educational sphere. They declared that their prime aim will be to provide a pure and clean administration free of corruption.

\textsuperscript{44} "Keralam Annum Innum" (M), n.27, p.4.
The coalition ministry focused its attention on the education act passed by the Communist Government with a view to amend it so as to satisfy the managements of the private schools in the state. The government was forced to enact certain important pieces of legislation connected with education.

The most controversial part of the Act was its section '11' which restrained and curbed the powers of the managers of the private schools in the matter of selection and appointment of teachers. Due to pressure tactics, the managements were able to get suspended the operation of the section '11' of the Act by the government through an ordinance. Later the ordinance was replaced by an Act called the Kerala Education (Amendment) Act, 1960. The Governor gave his assent to it on 6th July 1960.

According to the amendment and the rules framed thereunder, the managers of private schools were permitted to appoint teachers in their schools and they were also given power to take disciplinary action against teachers, if necessary. The managers were vested with the power of placing a teacher under suspension for irregularities for a period not exceeding fifteen days without previous

45. The Ordinance was promulgated by the Governor of the State on 31st May 1960.
permission of the Educational officers.\textsuperscript{46} This amendment created an impression that the government was yielding to the pressures of the private management.

The government took certain progressive steps towards the students belonging to Scheduled Castes, Scheduled Tribes and those students of Backward communities, who were financially weak. They were exempted from payment of fees at all levels of education. Students belonging to other Backward communities and Christian converts from among the Scheduled Castes and Scheduled Tribes were also given free tuition etc.\textsuperscript{47}

The government also turned its attention to the administrative set up in the Education Department which was said to be completely overhauled by the Communist Ministry. It provoked much controversy at that time. The coalition ministry reorganised the administrative set up in the Education Department. To advise the government on matters relating to educational policy and administration, the Department of State Education Advisory Board was constituted.\textsuperscript{48}

\begin{itemize}
\item \textsuperscript{47} Progress of Education in Kerala, Government of Kerala (Trivandrum, 1961) p.7.
\item \textsuperscript{48} Ibid., p.16.
\end{itemize}
In the field of Higher Education, the government started new colleges for general education and for technical education. To meet the demand of doctors new Medical Colleges were also started. The Government took steps to start University Centres, one in Cochin and another in Malabar. Accordingly a University Centre was established first in Calicut, the foundation stone was laid by the Chief Minister Shri. Pattom A. Thanupillai on 30th January 1961. All these constitute the steps of reform initiated by the Congress-PSP coalition government under Pattom Thanupillai.

In September 1962 Pattom A. Thanupillai was appointed Governor of Punjab and R. Sankar, the leader of Congress Party, assumed the office of the Chief Minister. The Congress Ministry resigned the office on 10th September 1964 following the defection of 15 MLA's from the Congress Legislature party and their support to the opposition in getting a motion of non-confidence passed against the Congress Government on the floor of the legislature. With the fall of the Congress Ministry, Kerala was again placed under President's rule.49

49. "Keralam Annum Innum" (M), n.27, p.4.
In the 1965 mid-term elections all the political parties contested independently of each other without any alliance whatsoever. Hence none of the political parties got a clear majority of seats in the new legislature. On the report of the Governor, the President of India issued another proclamation on 24th March 1965, dissolving the newly elected Legislative Assembly of the State. The state again came under President's rule for one more spell.

In the General Elections of 1967 a united front of seven political parties led by the Communist Party (Marxist) was voted to power with a thumping majority in the state legislature. EMS Namboothiripad, the leader of the Communist Party (Marxist) assumed office on 6th March 1967 for a second time.

The leftist parties always considered education an important area and took certain measures or legislation whenever they got into the saddle. The coalition government of 1967 led by leftists parties had to bring certain progressive legislations in the field of education. Most of the schools and colleges in the state were owned and controlled by the major communities in the state. This time, the government wanted to bring about
increasing control of the Government over the University and private colleges in the state. The condition of college teachers were deplorably poor. The government had no voice in the establishment of colleges and over the appointments of teachers. The United Front Government introduced the first comprehensive University Bill of 1967 which subsequently became the Kerala University Act of 1969.

The Kerala University Act of 1969

The Kerala University Bill of 1969 introduced by the Marxist led United Front Ministry in 1967 brought about a serious controversy as it was aimed at increasing the control of government over the University and private colleges in Kerala. Many sections in the educational field were affected by the Bill. Each group like the teachers of private colleges, the managements of private colleges, teachers of government colleges and students resorted to adopt all means from powerful lobbying to agitation to get their demands accommodated in the Bill. The Bill was introduced at the right time because, there existed a long standing conflict between the private college managements and the teachers of private colleges.
regarding the latter's security of tenure and other service conditions. The political parties in power were much conscious of the unbridled powers of private college managements. The Bill underwent drastic changes at various stages in the course of its enactment owing to the pressures exerted by political parties and other powerful organisations. 50

Many defects were pointed out in the Act of 1957, because the government had no voice in the establishment of new colleges and over the appointment of various posts in the Universities. Therefore the question of amendment had been taken note of as early as 1964. Due to the President's rule, the Bill was introduced only after the establishment of the democratically elected government.

The Bill this time was intended to curtail the powers of the syndicate and limit the terms of its members. There were allegations about the vice-chancellor and the members of the syndicate about their partisan considerations in the appointments. Hence there was a strong pressure from the members of the legislature

themselves and from the representatives of teachers on the government to revise the law to make provisions for checking maladministration in the University.

Some private college managements used to receive 'donations' from those appointed in any post. The vacancies were auctioned by the managements, this led to some sort of commercialisation of Higher Education in the state. Moreover the managements of the private colleges enjoyed full authority over the staff — its appointments, transfer and removal. Several cases were filed in courts against arbitrary dismissals and reversion of teachers. The insecurity and discontent among teachers were mounting, which culminated in the issue of Guruvayoorappan College.51 It was in these circumstances that the private college teachers compelled the government to bring legislation which would ensure the conditions of service. They got support from influential sections of the society also.

On the other hand private managements did not want to have any external control in the administration of colleges, especially in regard to appointments of teachers and disciplinary control over them. These factors

51. Ibid.
motivated the government to revise the University Law. Finally the Bill was published in Gazette extraordinary dated 23rd July 1967. 52

The managements of private colleges had to face a hostile government bent upon reducing their power and importance. 53 The proposed Bill clearly sought to reduce the management's representation in the University bodies and to confer on the government more powers to control the administration of private colleges and of the University. The managements could not digest the idea of external control over the administration of colleges especially in regard to appointment of teachers. The general body of the Kerala Private Management Association expressed their opposition to the Bill. 54 For maintaining and mobilizing interest of the private management, an organisation called 'Kerala Private College Management's Association' was formed in 1960 55 and it was this organisation which perverted or influenced the government whenever there was an encroachment upon the privileges of the private educational institutions or agencies.

52. Malayala Manorama (Kottayam) 24th July 1967, p.5.
53. Sathyaseelan, n.50, p.25.
55. Sathyaseelan, n.50, p.16.
The Bill was sent to a select committee. The representatives of the managements' association, teachers' organisation and several other individual managements expressed their views before the select committee. The teachers staked their claim for better service conditions etc. and the managements were against those provisions of the Bill which gave the government a wide range of powers.

After the presentation of the report of the select committee in the legislature, the anti-Bill lobby intensified its activities even though the select committee modified clauses objected to by the managements. But the managements still felt hurt and declared to prepare for making any sacrifice to uphold their rights.56 The teachers wanted that the Bill should be passed as reported by the select committee. For this purpose they met the Chief Minister and the Education Minister. The notable feature was that the Kerala Congress, which supported the managements, made a valiant effort both in the legislature and in the select committee to protect that interest.

As a logical next step to stall the Bill, the private managements representatives met the Governor and
requested him not to give his assent to the Bill, if it was passed as such.\textsuperscript{57} When the Bill was finally passed and assented to by the Governor, the managers took the matter to the Court of Law. Although the High Court of Kerala and the Supreme Court of India struck down certain provisions of the Act as unconstitutional, many important clauses in the Bill were upheld by the Courts. Thus the managements were able to gain some of their demands either through concessions from the government or through the judgements of the judiciary.

The Bill was finally passed on the 21st of January 1969, as the Kerala University Act 1969. It took about 18 months of long discussions, agitations and litigations to frame the same in its final shape.

Since the downfall of the first Communist Ministry in 1959, which dared to introduce an Education Bill during its second innings, it had taken enough care not to offend the powerful private managements much.\textsuperscript{58} Hence the coalition government headed by EMS Namboothiripad was able to make considerable achievements in the educational field through the process of progressive legislation.

\textsuperscript{57} Malayala Manorama (Kottayam) 23rd November 1968, p.1.\textsuperscript{58} Sukumaran Nayar, n.9, p.4.
The Left United Front Government passed the Kerala University Bill to control the private colleges in the state. The practice of detaining students from writing the examinations always created much irritation and discontent among the students. This practice was given up. The number of teachers representatives in the University Senate were reduced from 42 to 35 and the students were given representation in the University Senate. Free Secondary Education brought further credit to the Marxist led coalition government. The Calicut University, the second University in the state which, came into being on 23rd January 1968 was another feather in the Government's cap.

The United Front Ministry which assumed office in 1967 was not able to rise to the occasion and solve the vital problems of the state. It was mainly due to the internal bickerings. Moreover the differences between the two communist parties stood in the way of the efficient functioning of the Ministry. As a result, the United Front collapsed and the EMS Ministry resigned in October 1969.

60. Ibid., 6th January 1969.
61. Ibid., 24th July 1968.
After the fall of the EMS Ministry, a new non-Marxist Coalition Ministry under the leadership of C. Achutha Menon, the leader of CPI assumed office on 1st November 1969. On August 1st, 1970 the Achutha Menon Ministry resigned following its decision to seek a fresh mandate.62 The state assembly was dissolved by the Governor on the advice of the Chief Minister on 26th June 1970. The state came under the President's rule for the fifth time.

In the general elections held in September 1970, the United Front won the election with a clear majority. The CPI leader C. Achutha Menon, formed his second Ministry on 4th October 1970,63 with the support of the Congress. Congress formally entered the Ministry in September 1971. Achutha Menon's Ministry, since the formation of the Kerala State, for the first time, could set a record of completing its full term in office. The life of the Ministry was extended thrice because of the declaration of a national emergency by the President of the Republic of India.

During its term of office, Achutha Menon's government made several achievements, administrative and political, to its credit. In the educational field also the

63. "Keralam Annum Innum", n.27, p.5.
government had certain achievements. The students and teachers suffered very much by the maladministration of managements. The government was seriously considering to introduce certain measures to control the managements of private colleges. It was during this time that an agitation began by the private college teachers for the Direct Payment. In the wake of this agitation the government came forward in 1971 to introduce certain amount of control over the managements.

Direct Payment, Fee Unification And the University Act of 1974

In September 1971 private college teachers started an indefinite strike demanding the 'Direct Payment' by the government. This crisis posed a great threat to the state government. The higher education in the state came to a standstill. The demand for direct payment was linked with the long standing demand of the students for the unification of tuition fees etc. The concerned parties which involved in the crisis were, the Private College Teachers, the Private College Managements, the Students of Private Colleges and the State Government.

64. M.V. Pylee, "Bhashaposhini" (M), August-September 1992, p.15.
The teachers in the private management sector were demanding direct payment of salary by the government, retirement benefits including pension and complete parity in their service conditions with the government college staff. 65

The Youth Congress, the Congress and the KSU were demanding strict control over the management in matters of admission of students and recruitment of teachers, the main sources from which the managements were allegedly making money through donation and capitation.

In these circumstances on 26 June 1972, government decided to verify the rates of fee of students in the colleges through an Ordinance, 66 particularly at the instance of students' unions. But the private managements decided to face the threat of the government by closing down all the private colleges till the government decided to withdraw its order or to enhance the grants in order to implement the unification of fees. The vast majority of the private colleges remained closed even after the beginning of the academic year.

65. Ibid.
The Youth Congress and the KSU opposed this and started a loud and persistent propaganda against the private college managements. They even wanted an amendment of the Article 30(1) of the Constitution involving minority rights. The state convention of the Congress party even proposed the nationalisation of education.67

The Muslim League, the coalition partner, was not in favour of the unification of fees and also was against any control over appointments and admissions in the private colleges. The education minister and the leader of Muslim League C.H. Mohammad Koya warned that if the ruling parties tried to make political capital out of the teachers strike, that might endanger the stability of the Ministry.68 Protection of minority rights at any cost was the firm stand of the Muslim League and announced that the League would not support any move that harmed the rights of the minorities.

The government indicated its willingness to take up the responsibility of paying private college teachers direct from the state exchequer but on one condition that

67. Sathyaseelan, n.50, p.34.
68. Malayala Manorama (Kottayam) 2nd August 1972.
the management should give up the right of appointing the teaching staff and the selection of students. The managements could not agree with this idea of the government as such.

Meanwhile hectic consultations were on between the government and the representatives of the management. The private management sought the intervention of the then Prime Minister Smt. Indira Gandhi for a negotiated settlement. The Prime Minister could evolve a solution through the consultations and discussions between the leaders of the government and the representatives of the management. Finally, an agreement was signed on 17th August 1972. The following were the terms of the agreement which really deprived the privileges traditionally enjoyed by the managements. The agreement envisaged the unification of fees, reservation of seats for Backward classes, remittance of tuition fees collected into the state treasury, payment of teachers and non-teaching staff by the government and a selection committee for appointment of teachers in all private colleges.

Direct payment and the selection committee for the appointment of teachers were the bold steps taken by the government. In fact the terms of settlement between the

69. Ibid., 18th August 1972.
government and managements were actually beneficial to the private college managements. Introduction of Direct Payment of salaries to the teaching staff of the private colleges put an end to their long suffering burden and improved the conditions in the field of higher education.

The Act as amended in 1972 sought to give the government the right to regulate and coordinate the working of affiliated colleges and give the government a say in the constitution of governing bodies, appointment and service conditions of teachers, choice of subjects and provisions of tutorial, library and laboratory facilities. The State Assembly passed the Kerala University Bill 1974 on the basis of the select committee report.

The Private College Managements could not tolerate the idea of external interference in the administration of colleges. They staked their claim that the Bill will automatically transform the affiliated colleges into constituent colleges and thereby violated the right of minorities to administer educational institutions of their choice.

70. Sathyaseelan, n.50, p.37.
In spite of the protests from the management, the Bill was passed by the Assembly. The management influenced some of the coalition partners of the government. As a result the Governor referred the Bill to the President of India, who in turn referred it to the Supreme Court of India for advice, because the Bill contained an important issue of the 'minority rights'.

The court upheld the contention of the management that the Act transformed the affiliated colleges into constituent colleges and hence unconstitutional.\footnote{Ibid., 2nd March 1974.}

The government revised the Act in the light of the judgement of the Supreme Court. The revised Act provided for temporary take over of the mismanaged colleges including those run by the religious minorities. The Bill was piloted by the Chief Minister himself as the Muslim League's Education Minister C.H. Mohammad Koya expressed his inability to do so because of his party's reservations in the matter.

The Bill was finally passed on 19 April 1974 by the Assembly. The managements of private college requested the Governor not to give his assent to the Bill.
But the Governor gave his assent to the Bill and thus was enacted the University Bill of 1974. 73

In the history of Kerala it was for the first time that an organised agitation by the students and teachers were successful in influencing the government to accept their demands. The communal forces were unsuccessful in their bid to woo the government. With this, the private managements lost most of their privileges and the government was able to make considerable control over them.

With the help of a total number of twenty-four educational enactments the United Front Ministry, under the leadership of C. Achutha Menon, made significant changes in the educational sector. 74 The past political experience of Kerala highlighted the fact that almost all Ministries were short-lived. In short, the United Front Government introduced many drastic educational reforms and the Ministry was able to attain the fruits of these reforms. Since the United Front Ministry was able to complete its full term of office, it got enough time to consider and study the problems in the educational field.

73. Ibid., 21st April 1974.
74. "Keralam Annum Innum" (M), n.27, pp.42-43.
This served as a positive factor in introducing drastic reforms in the sphere of education in Kerala.

After the withdrawal of emergency, general elections were held in March 1977. In the elections, the United Front headed by K. Karunakaran assumed office on 25th March 1977. But the Ministry was short-lived as the Chief Minister had to vacate his office owing to a verdict of the High Court of Kerala on 25th April 1977 against him. After that about five Ministries served under different leaders belonging to different political parties. None of the governments was stable and hence could not pull along effectively from 1977 to 1982.75

In the general elections to the Kerala Assembly held in May 1982, the United Democratic Front led by Congress(I) got a clear and comfortable majority. A new coalition ministry headed by K. Karunakaran assumed office on 24th May 1982. It continued in office for the full term of five years, the second Ministry of the kind after the formation of Kerala state.

The United Democratic Front (UDF) in office took several measures in various fields. Some of the measures

75. Ibid., pp.5-6.
or reforms raised the eyebrows of many, especially in the field of education. Many new measures introduced by the Education Minister, T.M. Jacob, was vehemently criticised and resisted by the students, teachers and the general public. The educational institutions were never calm.

There was a tendency towards privatisation in the educational field because of the government's decision to start medical postgraduate courses in the private sector. Decisions to allow private institutions to run Ayurvedic colleges and some private polytechnics etc. were viewed by the teachers and others in the educational field with suspicion. The protest of the people reached its peak in 1986 when the government decided to delink the Pre-degree course from the universities and decided to establish a separate board to look after that set up.  

Kerala got used to the Pre-degree course in Degree colleges for a long time and there was the normal human tendency to resist any drastic change. It was held that the government had taken the decision to form the

Pre-degree Board in a haste. The detractors of the Pre-degree Board were of the view that the move was aimed to please the vested interests in the field. It is to be noted that the parties actively involved in the controversy were the teachers, students and the government employees unlike in the early agitations.

It is good, therefore, to note some of the factors that forced the government to re-think and re-shape the set up as such. Many commissions set up by the government to enquire into the various aspects of the educational system in Kerala proposed many reforms.

The Justice M.P. Menon Commission which enquired into the 'Marks scandal' recommended the delinking of the Pre-degree from the University. The Commission recommended that "the universities will not be able to bear the burden for a long time, their examination systems have already started cracking under the sheer weight of Pre-degree examinations, regular and private". 78

The Government of Kerala appointed a commission with Dr. Malcom Adiseshiah as chairman to evaluate the working of the universities in Kerala. One of the major

78. Ibid.
recommendations of the commission was on the Pre-degree course. The Pre-degree course is a great drag on the university, the problem should be tried with determination and boldness.\(^79\) The commission made the following suggestions.

(1) To reduce the number, it suggested that admission should be restricted to those who secure 50% marks or more in the SSLC examination or that each college admit students on the basis of an aptitude test conducted by it. As for the location of the course immediately one of the following measures is to be adopted.

(a) Shift the Pre-degree to secondary schools that are well-equipped and are willing to run the course.

(b) Conduct Pre-degree course in junior colleges which on that account should not be upgraded. In the long run Pre-degree should be shifted to the school system as the Higher Secondary course.

(2) Grant permission to run autonomous colleges.

(3) Reservations for college admission must be done away with.\textsuperscript{80}

There was yet another commission in Kerala "Dr. Gopalan Commission on Autonomous Colleges". This Commission also favoured the delinking of the Pre-degree from the universities. The commission observed:

Kerala continues to have +2 stage of general education in the colleges, thereby giving the false impression that the +2 stage of education belongs to the university. For a variety of reasons it is imperative that the +2 stage of education should be delinked from colleges and no such college should be considered for autonomy.\textsuperscript{81}

There were other compulsions too prompting the government to take some steps. The New Educational Policy that was approved by the Parliament created a new climate and provided new opportunities for the revamping of the education also at the state level. The National dimensions of NEP is quite evident and a state like Kerala, far ahead of many others in the quantity of education, has to grasp the chances of improving the

\textsuperscript{80} Malayala Manorama (Kottayam) 8th June 1985.

\textsuperscript{81} n.79, p.22.
educational structure and quality.\textsuperscript{82} The Education Minister declared that the government decided to bring +2 under separate board as a part of National Educational Policy.\textsuperscript{83}

Other considerations which compelled the government to delink Pre-degree was that the students at the Pre-degree stage were immature and ill-equipped to be exposed to the learning requirements and styles of a university. Secondly, they might easily become prey to the politicised student leaders. Thirdly, Pre-degree course in the three universities did not provide a uniform education to students.

The delinking of the Pre-degree course therefore would relieve the universities of an unbearable and unnecessary burden and enable them to concentrate on higher education and research.

Both the teaching and non-teaching staff unions and the students' unions decided to oppose, by using all means, the decision of the government to give shape to a

\textsuperscript{82} Malayala Manorama (Kottayam) 3rd June 1986.

\textsuperscript{83} Ibid.
Pre-degree Board and delinking Pre-degree course from colleges. Government on the other hand, took a firm stand against the striking employees but its decision to take strict and stringent action had only little impact on the agitators. In protest against the government's decision to delink Pre-degree Board, the teachers and university employees started an indefinite strike on 16th May 1986.  

Not only the teachers' organisations but the students' organisations of various political parties also joined the agitating teachers and university employees. The stand taken by the KSU(I) leaders embarrassed the Government. The strike paralysed the day to day administration of the universities. The examinations and valuation of answer papers were also interrupted.

Meanwhile the government appointed a three member committee consisting of the vice-chancellors of the three universities, Kerala, Calicut and the Mahatma Gandhi, and suggested to submit its report within three months. But the striking teachers and non-teaching staff and the students declared that they would continue the strike until their demands were fulfilled. Consequently the government took stern actions and issued ordinance.

84. Deepika (Kottayam) 17th May 1986.
85. Malayala Manorama (Kottayam) 18th May 1986.
prohibiting any kind of strike and agitation under the Essential Service Act.\textsuperscript{86}

Meanwhile the Education Minister, T.M. Jacob convened a meeting of students to discuss the various matters connected with the formation of the Pre-degree Board. All the students union attended the meeting and the government accepted the proposal except one, that is, the demand for continuing the Pre-degree course in the colleges.\textsuperscript{87} The indefinite fast started by the Union leaders have deteriorated the health of the leaders. In the wake of these, the Education Minister, T.M. Jacob declared that the Pre-degree Board would only be formed in the next year.\textsuperscript{88}

But the minister's declaration did not satisfy the striking employees and the opposition came out openly to oppose the government. At last the Government convened a meeting of all those who opposed to the forming of the Pre-degree Board, to end the crisis which paralysed the functioning of Higher Education as such in the state.

\textsuperscript{86} Ibid., 11th June 1986.
\textsuperscript{87} Ibid., 14th June 1986.
\textsuperscript{88} Ibid., 17th June 1986.
Finally an agreement was reached on 4th July 1986. The provisions of the agreement were the following.

(1) The government decided to postpone its decision to form the Pre-degree Board.

(2) Vice-chancellors' committee will hold a discussion with all those who opposed to the idea of forming Pre-degree Board before submitting its report.

(3) No retaliatory measures will be taken against those participated in the strike. Accepting the agreements the striking employees' unions, students and teachers withdrew their strike.

Thus as a result of the agitation, the occupational group proved that they were powerful enough to protect their interest. A notable feature was that the private agencies were not a party to this agitation unlike in the earlier agitations involving the sphere of higher learning.

89. Ibid., 5th July 1986.